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Summary – the movement for change

In 2013¹ the UK imported 10,000 tonnes of prepared and preserved prawns (valued at £70 m) from Thailand and 6,000 tonnes of frozen prawns (valued at £40 m)². It is reported that the UK alone consumes nearly 7% of all Thailand's prawn exports. The majority of supplies of warm water prawns to the UK are farmed. This is due to the consistent quality, size and predictability of supply, all of which are characteristics that buyers insist on.

The Thai government has long faced criticism for its failure to curb labour and human rights abuses occurring in the country, and allegations of human trafficking and slave labour have dogged the Thai seafood industry for many years.

However attention came to a head in June 2014 with the publication of a series of articles and videos in the *Guardian* newspaper² containing allegations of human trafficking and slave labour in the Thai seafood industry, which implicated one major producer (CP Foods) who supplies many UK retailers. This led to statements from various retailers (and some de-listing of CP Foods). At the same time the US State Department downgraded Thailand to a Tier 3 ranking on its 2014 Trafficking in Persons report³. Tier 3 status indicates insufficient improvement of ongoing human trafficking problems in a number of Thailand's industries, including its seafood industry. The TIP Report highlights the existence of forced labour, human trafficking, and other abuses on Thai vessels that harvest wild fish for Thai shrimp feed, and the *Guardian* articles have connected those supply chains to leading producers and retailers.

The industry is a complex one, with many commercial players involved, and there are likely to be labour issues at all levels of the supply chain (catching, processing, farms, hatcheries, fishmeal production). The Global Slavery Index estimates there to be 450,000-500,000 people enslaved in Thailand. As many as 90% of the 300,000 people working in the fishing industry are migrant workers, who are most vulnerable to trafficking and modern-day slavery.

The situation facing migrant workers in Thailand is underpinned by a range of deep-seated, wide spread and complex political, social and economic factors, impacting all local industries using migrant labour, not only the fishery sectors. These factors include chronic unavailability of legal labour due to a lack of an effective immigration policy, corruption of government and police officials, an unregulated recruitment sector involving informal and illegal brokers, a culture that discriminates against migrant workers and lack of transparency of the bottom layers of the supply chain. Illegal recruitment is more prevalent in supply chains involving fishing trawlers. Few people want to be employed at sea, so the demand for labour is high, while transparency is low as it is far more difficult to regulate an inherently mobile and informal industry.

The UK seafood industry is taking this issue very seriously. Most of the leading UK retailers look for independent certification of warm water prawns, or source from independently certified sources, with some publishing their sourcing policies online. For the supply chain independent verification to a credible standard does provide some measure of assurance that environmental and social standards are being met.

Both environmental and economic pressures support the need for management standards and the certification of aquaculture production, however local and international industry has a very significant role to play, both collaboratively and individually, in driving improvement within the supply chain to ensure that each link in the supply chain makes a binding, documentable pledge to avoid all forms of labour abuse.

Whilst there is a fundamental need to improve the situation this document highlights the positive movement for change that is underway.

Key players and activities - Thailand

In Thailand – Thai Government and Thai industry

Thai briefings

Thai Seafood: Advancement of Labour and Social Responsibility. Paris, Tuesday 21 October and in the Thai Embassy in Washington. Wednesday 12 November 2014.

National Council of Peace Order (NCPO) 70/2557 to combat human trafficking problems in Thailand. June 2014.

A number of urgent interim measures have been announced to prevent and suppress human trafficking and solve problems pertaining to migrant workers: to provide for an orderly management of migrant workers within the country; to establish employment standards for migrant workers in accordance with international standards; to alleviate the problems encountered by business owners and employers whose business necessarily requires employing migrant workers; and to eliminate the use of forced labour as well as exploitation of migrant workers. Specifically:

- A decree instructing fishing vessel owners (about 57,000 vessels are operating within Thai and regional waters) to submit the lists of their crew members, both Thai and foreign nationals, by August 2014.
- 12 migrant registration centres have been established to facilitate this process with the operating principles of (1) timeliness; (2) affordable fees; and (3) minimal red tape. With the improved database and filing system from such registration, authorities will be able to more effectively monitor the movement of workers and ensure decent working conditions as well as appropriate protection for them.
- Thailand has also sought cooperation with neighbouring countries where migration and people smuggling originate. Labour co-ordination centres have been established to facilitate workers coming from Myanmar, Cambodia, and Laos.
- In addition it is proposed to introduce labour inspection at offices and onboard fishing trawlers.

See: <http://www.mfa.go.th/main/en/media-center/3756/47217-Announcement-of-the-National-Council-for-Peace-and.html>

In Thailand – international non-profit organisations and multi-stakeholder initiatives

At an international level there are a number of non-profit organisations addressing and highlighting the labour issues in Thailand. The movement for change is hinging on multi-stakeholder initiatives which bring together companies, NGOs, employers' associations, unions and government to address such issues, and bringing in significant changes at legal, policy and enforcement level in Thailand.

The Ethical Trading Initiative (ETI)

The ETI is a leading alliance of companies, trade unions and NGOs that promotes respect for workers' rights around the globe. The ETI has been engaging with members and partners to better understand these issues and identify opportunities for driving change. Since last year, ETI has been working with the International Labour Organisation (ILO) in Thailand to catalyse the international community's coordinated action to engage with the Thai government and other Thai institutions. A key focus has been to clarify the role of each player in driving improvements in working conditions.

- This work culminated in a Multi-stakeholder Forum on Labour Conditions in the Fisheries Sector in Thailand, hosted by the Thai government and facilitated by the ILO in Bangkok in May 2014. This meeting included representatives of the local fishery industry, international

buyers, workers' organisations and NGOs and focused on understanding progress and priorities moving forward.

- A framework of action is being drawn up following this meeting. Commitments have been made by the government in various areas including a longer-term coherent policy on migrant workers, access to services and the ability of migrant workers to change employers and strengthening oversight of recruitment agencies, brokers and payment of recruitment fees. However government's response to international pressure on this issue has slow and many lament there is no real political will for change.

See: <http://www.ethicaltrade.org/>
<http://www.ethicaltrade.org/news-and-events/blog/candida-barbato/Tackling-labour-rights-issues-in-Thailand%27s-farmed-shrimp-sector>

The International Labour Organisation (ILO)

The ILO is a specialist agency of the United Nations (UN). The ILO is devoted to promoting social justice and internationally recognised human and labour rights, pursuing its founding mission that labour peace is essential to prosperity. Their recommendation is to work collaboratively to assist in creating positive impact and sustainable change through a number of different avenues, and to work collaboratively, alongside the Thai government and local employers and labour groups to help to address the issues.

- **ILO Good Labour Practice (GLP) meeting in Bangkok in October 2014.** The purpose of the meeting was to set priorities and a roadmap for the continued rollout of the GLP programme. In basic terms the GLP process is a way of translating Thai labour laws, especially the ILO core convention elements, into practical workplace training and solutions so that employers can start to understand and meet their legal obligations.
- **ILO Good Labour Practices (GLP) programme,** created by the ILO and endorsed by the Thai government. The Good Labour Practices (GLP) programme is a comprehensive fisheries industry improvement programme that combines establishment of industry labour guidelines with a supportive good labour practices training programme. Special attention is given to unacceptable forms of work such as child labour and forced labour. Under this programme, clear local labour law guidelines have been developed for all sections of the supply chain, including fishing trawlers. Industry managers are currently being trained to deepen their understanding of the application of the law within their business. The programme has been rolled out in the upper sections of the supply chain. It is unclear how and when it will be deployed for fishing trawlers.

See: http://www.ilo.org/asia/WCMS_221455/lang--en/index.htm

- **ILO Project Addressing Child Labour and Promoting Better Working Conditions in Thai Shrimp and Seafood Processing Industry.** The ILO has partnered with the Ministry of Labour (Department of Labour Protection and Welfare), Ministry of Agriculture and Cooperatives (Department of Fisheries), Thai Frozen Foods Association, Employers' Confederation of Thailand, Trade Unions, Farmers' Associations and civil society in Thailand to create a shrimp and seafood processing industry that is free of child labour and offers decent working conditions and opportunities to all workers, including migrant workers who contribute to the economic development of the industry and the country. This covers the shrimp and seafood processing supply chain (farms, harvesting, primary processing and factories). Including establishing a situational analysis and assessment of existing regulations and guidance on working conditions, improving labour administration, better social dialogue and union engagement, workplace improvement programmes.

See: http://www.ilo.org/newyork/issues-at-work/migration/WCMS_161095/lang--en/index.htm

- **ILO TRIANGLE.** To increase labour rights protection and decent work opportunities for migrant workers in the Greater Mekong Sub-Region and Malaysia including improvement of working conditions in the fishing sector, strengthening regulation of recruitment practices for inbound migrant workers, improving access justice to complaints mechanism.

See: http://www.ilo.org/asia/whatwedo/projects/WCMS_145664/lang--en/index.htm

- **ILO adopts new legally binding ILO Protocol on Forced Labour. 11 June 2014.** To tackle modern forms of forced labour this protocol aims to advance prevention, protection and compensation measures, as well as to intensify efforts to eliminate contemporary forms of slavery. The new Protocol brings the existing ILO Convention 29 on Forced Labour, adopted in 1930, into the modern era to address practices such as human trafficking. The accompanying Recommendation provides technical guidance on its implementation. Passed with a near-consensus on 14 June 2014 (Thailand changed their vote after initially voting against).

See: http://www.ilo.org/global/about-the-ilo/media-centre/press-releases/WCMS_246549/lang-en/index.htm

Anti-Slavery International

Anti-Slavery International, founded in 1839, is the world's oldest international human rights organisation and the only charity in the United Kingdom to work exclusively against slavery. They work with partner organisations around the world on joint projects to tackle all forms of modern slavery including debt bondage, forced labour, forced marriage, child slavery, human trafficking and descent based slavery.

- **Project Issara** (meaning 'freedom' in several Southeast Asian languages) operates a nationwide multilingual helpline receiving thousands of calls from migrant workers annually and carries out community-based outreach, investigations, case documentation, victim assistance and referrals; provides training on labour rights and protections for factory management and developing work plans to address trafficking risk points; provides ongoing legal advice and capacity building; and engages global brands and retailers to join Project Issara and enforce their zero tolerance policies on forced labour, ensuring that their Thai suppliers identify and eliminate human trafficking risk from their supply chains.

See: http://www.antislavery.org/english/what_we_do/programme_and_advocacy_work/thailand_project_issara/thailand_project_issara_what_we_do.aspx

Environmental Justice Foundation (EJF)

The Environmental Justice Foundation (EJF) is a UK- based non-profit organisation working internationally to protect the environment and defend human rights.

- **EJF Briefing Eliminating slavery from Thai shrimp supply chains.** November 2014.

See: <http://ejfoundation.org/sites/default/files/public/Briefing-ETI.pdf>

- **EJF petition calling on the European Commissioner for Trade to suspend current European Free Trade Agreement talks with Thailand until the Thai Government can demonstrate effective action to tackle modern-day slavery across its economy, with particular focus on the seafood sector.**

https://secure.avaaz.org/en/petition/Karel_de_Gucht_European_Commissioner_for_Trade_Suspend_EUThailand_Free_Trade_Agreement_talks/?pv=43

- **EJF petition We call on Tesco to immediately cease purchasing of seafood from Thailand until they can conclusively and transparently demonstrate that their supply chains are free from slavery.**

https://secure.avaaz.org/en/petition/Philip_Clarke_TESCO_Group_CEO_Stop_Selling_Sea_food_Produce_by_Slaves/?abwpAbb

- **Report: The Hidden Cost - Human Rights Abuses in Thailand's Shrimp Industry**

See: http://ejfoundation.org/sites/default/files/public/shrimp_report_v44_lower_resolution.pdf

- **Report: Sold to the Sea - Human Trafficking in Thailand's Fishing Industry**

See: http://ejfoundation.org/sites/default/files/public/Sold_to_the_Sea_report_lo-res-v2.pdf

Solidarity Center

The Solidarity Center is an international nonprofit allied organisation of the AFL-CIO established to provide assistance to workers around the world. Working with trade unions, nongovernmental organisations, community organisations, and governments, the Solidarity Center supports programs and projects to advance worker rights and promote broad-based, sustainable economic and democratic development in 60 countries. In addition to extensive work with trade unions and community organisations in Thailand and Bangladesh, the Solidarity Center has begun to document worker rights abuses and provide assistance to workers employed in shrimp processing plants.

See: <http://www.solidaritycenter.org/index.asp>

- **Report:** The True Cost of Shrimp

See: http://www.shrimpnews.com/PDFsFolder/pubs_True_Cost_of_Shrimp.pdf

Labor Safe Screen from The Sustainability Incubator

The Sustainability Incubator and Humanity United have teamed up to develop the Labor Safe Screen for seafood industry users.

- The Labor Safe Screen is software for seafood companies to use to track working conditions in seafood supply chains to verify trafficking cannot exist in fishing and processing. Industry partners were invited to participate in the pilot phase of the project January to April 2014. The pilot is now underway. It investigates working conditions in seafood supplies for 10 major Thai seafood products — from fishing grounds through the labyrinth of trans-shipping and onshore processing through to export. The point is to verify where labour is safe and also to find out where and how working conditions need to be improved to eliminate vulnerability to trafficking for workers and by extension for seafood companies.

See: <http://www.laborsafescreen.com/>

International industry collaboration

- **US and UK retail and foodservice representatives visit Thailand to view CP Foods supply chain. 28 July 2014.** US and UK retailers met with Charoen Pokphand Foods in Thailand with a plan to create a new task force to combat illegal labour in the shrimp feed supply chain. CP Foods and the buyers plan to form an industry action group to influence the Thai government's national action plans to prevent human trafficking and forced labour in Thailand's seafood supply chain. *A statement of intent was issued in August - A plan has been formulated that calls for the setting of industry benchmarks and key milestone dates against which this group will be held accountable to meet.*
- **Multi-Association letter. 11 July 2014.** To the Thai Government (representing United States, Canada, and European Union retail, wholesale, manufacturing and fishing supply chains). *We ask for your attention to this matter and to understand the concrete steps your Government is taking to ensure that workers, including fishermen aboard these vessels, are being treated fairly and humanely, and that worker protections, as contained in Thai and international law, are being enforced with respect to the Thai fishing fleet.* There was a response from the Thai Government.

EU activities focussed on Thailand

New campaign launched by the Belgian government and NGO's to raise public awareness of human trafficking in Thailand.

See: <http://www.aquelprix.be/>

EU suspends free trade talks with Thailand. 26 June 2014.

The EU has suspended its free trade negotiations with Thailand in light of the military coup and continuing military regime in the country. The suspension comes as Thailand faces a loss of all preferential tariff agreements on shrimp and tuna exports to the EU as of next year. All official visits to and from Thailand will be suspended and all partnership agreements shelved, in a bid to pressure the ruling National Council for Peace and Order to restore democracy. The EU and Thailand concluded a second round of talks towards an FTA in September 2013, and a third round had been proposed for July 2014.

See: <http://www.undercurrentnews.com/2014/06/26/eu-suspends-free-trade-talks-with-thailand/>

MEPs urge Thailand to address fishing industry forced labour.

As part of ongoing trade negotiations between the EU and Thailand, the European Parliament (EP) approved a resolution urging the latter to address human trafficking and forced labour issues in its fishing industry. The resolution, proposed by President of the European Parliament Fisheries Committee (PECH) Gabriel Mato MEP, highlights that: *"The ILO and various NGOs have recently uncovered serious shortcomings with regard to social and labour conditions and respect for human rights in the Thai fishing industry."* It calls on Thailand to *"respect, promote and implement internationally recognised labour standards...including those on forced labour and child labour."* It also calls for Thailand to be required to cooperate in fighting Illegal, Unreported and Unregulated (IUU) fishing, citing the involvement of Thai-owned fishing vessels in IUU fishing in West Africa.

<http://fis.com/fis/worldnews/worldnews.asp?l=e&country=0&special=&monthyear=&day=&id=67090&ndb=1&df=0>

Thailand is also facing the loss of its preferential tariff for sale to the EU, under the GSP scheme (Generalised System of Preferences).

It has already lost its 7% tariff on processed shrimp under the gradation from GSP rates at the start of 2014 and will lose its 4.2% tariff on raw shrimp at the start of 2015. The tariff on processed shrimp (which excludes cooked, shell-on) went from 7% to 20% at the start of 2014 and raw will go from 4.2% to 12% at the start of 2015.

Business Social Compliance Initiative (BSCI). Brussels. February 2014.

A set of core principles and values to support retail and other importing companies that places social responsibility at its core. The BSCI supports companies towards building a successful business model where social and environmental performance goes hand-in-hand with economic considerations

See: <http://www.bsci-intl.org/news-events/new-bsci-code-conduct-supports-companies-towards-more-successful-business-practices>

See: **11 Principles Aiming at the Highest Labour Protection** <http://www.bsci-intl.org/resources/code-of-conduct>

UK activities focussed on Thailand

UK Government

- **UK Government response.** Asked about the allegations in the *Guardian* it is reported that David Cameron's official spokesman said: *It was up to consumers whether they chose to eat prawns that had been produced through the work of slaves.*
- **Parliamentary questions.** To ask Her Majesty's Government whether, in the light of reports in *The Guardian* newspaper on 11 June, they intend to make representations to the government of Thailand about the exploitation and abuse of workers in that country's fishing industry and to United Kingdom companies which purchase the products of that industry. Baroness Warsi responded: *We are aware of labour rights issues and allegations of human rights abuses in the Thai fishing industry, though not until now of the specific allegations made by the Guardian. We regularly raise our concerns about labour rights in Thailand with the relevant Thai authorities, for example during the UK-Thailand Strategic Dialogue in May 2013. The Guardian's report contains very serious allegations. We look to the Thai authorities to investigate. Given the acute and continual political uncertainty in Thailand our ability to raise these issues with the authorities at this point is limited. However, we take the allegations very seriously and will look for opportunities to raise our concerns. At a minimum, we will continue to press for an improvement in labour rights in Thailand through ongoing negotiations towards an EU-Thailand Free Trade Agreement.*

See: <http://www.publications.parliament.uk/pa/ld201415/ldhansrd/text/140619w0001.htm>

British Retail Consortium (BRC)

The British Retail Consortium is the lead and the only trade association which covers the whole of the retail industry.

- It is reported that Jenny Willott, the consumer affairs minister, said retailers must have a policy on sourcing ethical products, as ignoring the consumers' concerns about forced labour and dangerous working conditions could risk putting them out of business. Willott has asked the British Retail Consortium (BRC) to produce new guidance on urgent steps its members must take to improve transparency about human rights abuses linked to food, drink, clothing and other products.
- BRC guidance will mention existing good practice such as human rights reporting (which some UK-based firms already routinely do), information on ethical auditing and membership of various accreditation schemes such as the Ethical Trading Initiative.
- BRC and ETI have been liaising with UK Government on the passage of the Modern Slavery Bill and have focussed on three areas – transparency in supply chains clause; Gangmasters Licensing Authority, labour inspection and enforcement of standards; and the role and remit of the Anti-Slavery Commissioner.

Sea Fish Industry Authority (Seafish) Seafood Ethics Common Language Group

Under the next/current Seafish Corporate Plan there is a clear focus on seafood integrity, which includes social welfare and labour issues. The Common Language Group (CLG) has been previously used as a platform to discuss these issues and the February 2014 meeting focused on topics surrounding migrant labour. However, the topic has become too large to contain within the broad remit of the CLG and a separate working group will focus on ethical issues; particularly actions that Seafish and others can take. The inaugural meeting of the group was in July 2014 and the specific focus was on Thailand and farmed warm water prawns.

See: <http://www.seafish.org/responsible-sourcing/discussion-forums/the-ethics-working-group>

Fishery Improvement Projects – South East Asia

Sustainable Fisheries Partnership (SFP)

The Sustainable Fisheries Partnership improves access to information to guide responsible seafood sourcing, and enhances the ability of seafood companies and partners to influence policies and management practices to improve fisheries. SFP works to improve fisheries through Fishery Improvement Projects (FIPs) and Aquaculture Improvement Projects (AIPs) – essentially multi-stakeholder groups that include catchers, processors, and others with an interest in the fishery who work together to create and implement an improvement plan.

- SFP currently facilitates an Asian Sustainable Fishmeal Roundtable as a forum for information sharing and dialogue about potential solutions to the ‘trash fish’ issues. The Roundtable is attended by fishmeal producers and feed manufacturers as well as representatives from trade bodies.
- SFP has created Fisheries Improvement Projects for fisheries in South East Asia that supply fish for fishmeal. These projects are multi-stakeholder groups that assess the potential improvements required in the fisheries and then create and implement work plans. The members of the projects will probably include representatives of the catch sector, fishmeal producers, government representatives, academics, feed producers, aquaculture producers and others within the supply chain.
- Currently there are no fisheries improvement projects running in Thailand.

See: <http://www.sustainablefish.org/about-us/history>

ASEAN Fisheries Improvement Protocol (FIP)

The USAID-funded Maximizing Agricultural Revenue through Knowledge, Enterprise Development and Trade (MARKET) Project, developed by Cory Peet, held its 1st Stakeholders’ Meeting in December 2013. Thailand, the Philippines, Indonesia, and Vietnam are included. This covers an element on the social and welfare aspects on the fishing boats. There are working groups in Thailand, Vietnam and Philippines feeding into this work specifically.

See: <http://www.sffaii.org/1st-stakeholders-meeting-for-the-asean-fisheries-improvement-protocol/>

- A 60-day public comment period is also open until 10 October 2014 on a draft shrimp standard for the ASEAN region

See: <http://www.sffaii.org/60-day-public-comment-period-opens-for-draft-shrimp-standard-for-the-asean-region/>

Aquaculture certification and feed

Aquaculture standards exist for warm water prawn production through a variety of organisations including Global Aquaculture Alliance (GAA), GLOBALG.A.P and Friend of the Sea. The first ASC¹⁷ (Aquaculture Stewardship Council) prawn producer has just gained ASC accreditation. The US National Fisheries Institute has produced a comparative analysis of select, leading social responsibility audits. This clearly shows what the audits analysis covers (and what it does not); which standards were included and why; how the analysis is organised; and the decision making approach used.

See: <http://www.gaalliance.org/cmsAdmin/uploads/bap-fishcrustf-314.pdf>
http://www.globalgap.org/uk_en/
<http://www.friendofthesea.org/>
<http://www.asc-aqua.org/>

GOAL workshop. 7 October 2014 in Vietnam.

GAA plans to address the issue of social justice aboard fishing vessels for reduction fisheries by including it as a key topic at a day-long feed workshop on Tuesday 7 October in Vietnam in advance of the GOAL conference.

See: <http://www.gaalliance.org/GOAL2014/goal-registration.php>

As a result the Global Aquaculture Alliance, IFFO, Lyons Seafoods Co. and Wm Morrison Supermarkets collectively agreed to a position statement on the social concerns related to aqua feed production.

See: <http://www.gaalliance.org/newsroom/news.php?GAA-Partners-with-IFFO-Lyons-Morrison-to-Address-Social-Responsibility-176>

ASC, GlobalG.A.P and GAA issued a joint statement: responsibility in fish feed production. 24 June 2014.

Social rights are a fundamental aspect of all three of the programmes' farm standards, setting out requirements covering the rights of aquaculture farm workers and local communities.

Requirements on the fishing vessels that supply to feed producers are beyond the scope of the programmes' standards, as the standards do not cover the certification of wild capture fisheries but working conditions on those fishing vessels is a very important issue.

See: http://www.gaalliance.org/cmsAdmin/uploads/140624_statement_asc_gaa_gg_final.pdf

IFFO The Marine Ingredients Organisation (formerly the International Fishmeal and Fish Oil Organisation)

IFFO is the international 'not for profit' organisation that represents and promotes the fishmeal, fish oil and marine ingredients industry worldwide.

- The IFFO Responsible Supply (RS) standard, an independently governed and audited certification scheme for fishmeal and fish oil producers, is primarily an environmental standard and does not yet include social clauses in its scope. An amendment to the IFFO RS standard is currently being implemented to include a requirement to observe national labour laws in fishmeal and fish oil factories. If a certificate holder is found to be in breach of labour laws, the certification body will decide if the certificate should be suspended. IFFO wants to extend the remit of its RS Chain of Custody global fishmeal and fish oil standard so that it takes into account the conditions of workers employed on fishmeal supply boats.
- Thai companies, including IFFO members, are working towards achieving the IFFO RS standard and are involved in putting in place Fisheries Improvement Projects (FIP) which are a key step on the road to improved environmental and social standards in the Thai fishing industry.

See: <http://www.iffonet.net/node/606>

Aquaculture Stewardship Council Responsible Feed Standard

The Aquaculture Stewardship Council (ASC) is developing a new, globally applicable, ASC Responsible Feed Standard. The Standard will set out the requirements for the aquaculture feed industry to operate on a more environmentally sound and socially responsible basis.

See: <http://www.asc-aqua.org/index.cfm?act=tekst.item&iid=311&iids=313&lng=1#nqxxoqiathkw>

Labour rights

Labour rights - work underway in the UK

The Modern Slavery Bill

The draft Modern Slavery Bill, published 13 December 2013 (likely implementation date Spring 2015) introduces legislation to expose the hidden crime of slavery, bring more perpetrators to justice and protect and support victims. The aim is to: Consolidate and simplify existing slavery and trafficking offences; Provide clarity and focus when investigating and prosecuting traffickers; Increase the maximum sentence available to life imprisonment; Introduce civil orders to restrict the activity of those who pose a risk and those convicted of slavery and trafficking offences; Create a new Anti-Slavery Commissioner role; Establish a legal duty to report potential victims of trafficking to the National Crime Agency (NCA). The Bill includes a transparency in supply chains clause and new clauses which give greater powers for law enforcement to investigate cases at sea.

See: http://www.publications.parliament.uk/pa/bills/lbill/2014-2015/0051/lbill_2014-20150051_en_1.htm

UK Government modern slavery strategy. Published 29 November 2014.

The modern slavery strategy sets out the Government's comprehensive cross-government approach to tackling modern slavery.

See: <https://www.gov.uk/government/publications/modern-slavery-strategy>

National Crime Agency report published 30 September 2014. The nature and scale of human trafficking in the UK in 2013.

This report estimated 2,744 potential victims of human trafficking in the UK in 2013. The report also stated: *Seafarers working in the fishing industry continue to find employment via recruitment agencies, largely based in the Phillipines or Ghana. Once on board the vessel they experience poor treatment and working conditions and are not paid the salary originally contracted. It is not known how complicit in the exploitation process these agencies are.*

See: <http://www.nationalcrimeagency.gov.uk/publications/399-nca-strategic-assessment-the-nature-and-scale-of-human-trafficking-in-2013/file>

Stronger Together

A multi-stakeholder initiative to reduce human trafficking, forced labour and other third party migrant worker exploitation in the food and agricultural sectors. Stronger Together provides growers, food processors and labour providers with guidance, tools and training on how to deter, detect and deal with forced labour, labour trafficking and other hidden third party labour exploitation. Development partners are the Association of Labour Partners, the Gangmaster Licensing Authority and Migrant Help.

See: <http://stronger2gether.org/>

- **Tackling Hidden Third Party Labour Exploitation** – Toolkit for employers and labour providers could be a transferable resource.

See: <http://stronger2gether.org/employers/>

The Seafish Responsible Fishing Scheme (RFS)

RFS was developed by Seafish to raise standards in the UK catching sector and launched in 2006.

- The Seafish RFS is currently being modified into an ISO accredited standard and one of the criteria in the standard covers social and ethical issues. Although the standard will initially be launched and established in the UK, as an ISO standard, there is scope to establish in overseas fisheries, where Compliance Support Guides (CSGs), which underpin the standards could be developed for specific fisheries. Seafish is currently in talks with a number of standard holders to see how the RFS can complement existing standards; is

working with the supply chain and eNGOs to raise awareness of the modified standard; and is looking at the potential for an improver's project within SE Asian fisheries.

See: <http://www.seafish.org.uk/responsible-sourcing/responsible-fishing-scheme/about-the-rfs/modification-of-the-seafish-rfs-january---december-2014>

- **Consultation on revised Responsible Fishing Scheme standards.**

Seafish put a draft revision of its two Responsible Fishing Scheme standards out to public consultation to gain feedback from industry in advance of the standards going forward for full ISO 17065 accreditation. Core Principle 1, which refers to “*Safety, health and welfare (Reduce accidents, injuries & fatalities; promote decent working conditions, respect & integrity)*”.

See: <http://www.seafish.org/responsible-sourcing/responsible-fishing-scheme/about-the-rfs/rfs-public-consultation>

Labour rights – international focus on fishing

FAO Code of Conduct for Responsible Fisheries.

The Code recognises the nutritional, economic, social, environmental and cultural importance of fisheries and the interests of all those concerned with the fishery sector. Key clauses are:

- 6.17 States should ensure that fishing facilities and equipment as well as all fisheries activities allow for safe, healthy and fair working and living conditions and meet internationally agreed standards adopted by relevant international organizations.
- 8.1.5 States should ensure that health and safety standards are adopted for everyone employed in fishing operations. Such standards should be not less than the minimum requirements of relevant international agreements on conditions of work and service.
- 8.4.1 States should ensure that fishing is conducted with due regard to the safety of human life.....

See: <http://www.fao.org/docrep/005/v9878e/v9878e00.htm>

ILO Work in Fishing Convention. Launched June 2007. ILO 188

This is a global labour standard to ensure fishers have minimum standards and decent conditions of work on board fishing vessels. This sets responsibilities for owners, skippers and fishermen. This covers work on board; conditions of service; accommodation and food; occupational safety and health protection; medical care and social security. It applies to all fishers and fishing vessels engaged in commercial fishing operations. Will come into force 12 months after it has been ratified by 10 countries, including at least eight coastal states (as at December 2014 five countries have ratified). The UK working timetable is for ratification at the end of 2016.

See: http://www.ilo.int/global/industries-and-sectors/shipping-ports-fisheries-inland-waterways/WCMS_177280/lang--en/index.htm

Human Rights at Sea (HRAS)

This initiative was launched on 3 April 2014. It has been independently developed and concerns human rights in the maritime environment. It will be complementary to existing national and international human rights work relating to the maritime environment, including fully supporting established seafarers organisations and their initiatives. The work aims to mirror the General Principles of the 2011 United Nations Guiding Principles on Business and Human Rights, otherwise known as the “Protect, Respect and Remedy” Framework.

See: <https://humanrightsatsea.com/>

Labour rights – international focus generally

The International Labour Organisation (ILO)

The ILO is a specialist agency of the United Nations (UN).

- **ILO indicators of forced labour. 11 indicators**

See: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf

- **ILO Operational indicators of trafficking in human beings**

See: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105023.pdf

International Labour Rights Forum (ILRF)

ILRF works with allies and networks around the world – labour unions, consumer activists, religious and community-based organisations, human rights organisations, and student groups – to demand dignity and justice for workers. ILRF's partner on the ground is the Migrant Workers' Rights Network (MWRN).

See: <http://www.laborrights.org/>

Catcher to counter campaign.

It has been four years since the ITF-IUF collaboration on the Catcher to counter campaign began. During that time, the two organisations have worked together to address struggles faced by workers in an increasingly industrialised industry. From catcher to counter is a joint programme between the International Transport Workers Federation (ITF) and the International Union of Food Workers (IUF). Its objective is to tackle the illegal fishing and lack of regulation rife in the sector today. From catcher to counter addresses the fishing industry as whole.

See: <http://www.itfglobal.org/en/transport-sectors/fisheries/in-focus/interview-jon-whitlow-and-ron-oswald-talk-catcher-to-counter-with-alvira-khan-gordon-and-liz-blackshaw/>

Global Slavery Index 2014 36 million people live in modern slavery

Nearly 36 million people worldwide, or 0.5% of the world's population, live as slaves, a survey by anti-slavery campaign group Walk Free. The total is 20% higher than for 2013 because of better methodology. The UK is listed in the top 10 countries taking action against slavery. Fishing is mentioned re Thailand, Indonesia and New Zealand.

See: <http://www.globalslaveryindex.org/>

Fairfood International

Fairfood International is an international non-profit organisation advocating for a sustainable and fair global food system.

See: <http://www.fairfood.org/hotspots/thailand/>

FishWise

FishWise is a non-profit conservation organization that promotes the health and recovery of ocean ecosystems by providing innovative market-based tools to the seafood industry. In 2014, FishWise released a comprehensive white paper on human rights issues in the seafood industry.

- **An Updated Summary of Human Rights Abuses in the Seafood Industry. March 2014.**

See: http://www.sustainablefishery.org/images/pdfs/Trafficked_II_FishWise_2014.pdf

- **FishWise briefing on human trafficking and abuse in Thailand's shrimp supply chains. June 2014.**

See:

http://fishwise.org/images/pdfs/062614_BRIEFING%20ON%20HUMAN%20TRAFFICKING%20AND%20ABUSE%20IN%20THAILANDS%20SHRIMP%20SUPPLY%20CHAINS.pdf

Humanity United

Humanity United is a foundation committed to building peace and advancing human freedom. Humanity United leads and supports efforts to lift up the voices and will of people, ensure good governance and the rule of law, and engage markets and businesses as a force for change.

See: <http://www.humanityunited.org/>

Verité

Verité is a US— based non-profit consulting, training, research and advocacy organisation that works around the world with companies, workers and other stakeholders to improve supply chain labour conditions across all sectors of the global economy, including seafood.

See: <http://www.verite.org/>

References

1. http://www.fao.org/fishery/culturedspecies/Penaeus_monodon/en and http://www.fao.org/fishery/culturedspecies/Litopenaeus_vannamei/en and <http://www.seafish.org/research-economics/market-insight/market-summary>
2. Thailand's seafood industry: a case of state-sanctioned slavery? <http://www.theguardian.com/global-development/2014/jun/10/thailand-seafood-industry-state-sanctioned-slavery>
3. US Department of State Trafficking in Persons Report 2014. Thailand demonstrated improvements in some areas, but not in fishing, in its efforts to improve its country's human trafficking record, said the US State Department in the 2014 TIP report - downgrading Thailand to Tier 3— the lowest status possible on the US human trafficking crackdown rankings for countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so. <http://www.state.gov/j/tip/rls/tiprpt/2014/226649>.