



November and December 2017

Seafood Ethics Common Language Group e-alert (amalgamation of news alerts issued to SECLG circulation list by email in Nov and Dec 2017)

Seafood Ethics Common Language Group

<http://www.seafish.org/responsible-sourcing/discussion-forums/the-seafood-ethics-common-language-group>

Updated Seafish publication

[Working on UK fishing vessels: the legal framework and support for fishers.](#) November 2017.

There is a fundamental requisite to monitor the welfare of the fishing crews working on UK vessels in UK waters, as well as globally. This document highlights the key UK and global legislation that is helping now, or will help in the future, to ensure fishers have minimum standards and decent conditions of work on board fishing vessels. It also details: the health and safety requirements for all those working on UK fishing vessels; the voluntary initiatives in place to help improve the conditions on board fishing vessels for all commercial fishers; the international guidelines that support basic human and labour rights principles across the whole fisheries sector; and the appropriate authorities, organisations and charities who are working to support the industry, and improve governance, safety and welfare within UK fishing. This document updates the October 2016 version with the same title.

Consultations

[Consultation on Responsible Fishing Ports Scheme.](#) Opened 1 December 2017. Closes 29 January 2018.

A certification scheme is being developed to promote good practice in UK fishing ports and give seafood buyers added confidence in the quality and sustainability of the seafood landed there. In a move to assure buyers of a fishing port's good practice, Seafish is currently running a [Responsible Fishing Ports Scheme \(RFPS\)](#) pilot programme and is seeking input and feedback from the seafood industry and other interested parties, as part of a public consultation. Feedback from pilot audits has been used to further develop the standard to ensure it is fit for purpose. Responses to the public consultation, which is open for 60 days, will also generate useful feedback to inform further changes to the draft Standard. The implementation of a workable and practical certification scheme for harbours and first sale establishments will serve to standardise working practices throughout the industry, provide clear guidelines and increase buyer confidence by regulating hygiene and safety standards. The current standard has been developed for large ports but future development of the standard will include a separate version to suit small ports and harbours. [Public consultation page](#)

ILO Work in Fishing Convention (ILO 188)

[Launch of public consultation on measures to implement the ILO Work in Fishing Convention \(ILO 188\) in the UK.](#) 13 November 2017.

The MCA has launched a public consultation on measures to implement the ILO Work in Fishing Convention (ILO 188). ILO 188 entitles all fishermen to written terms and conditions of employment (a fisherman's work agreement), decent accommodation and food, medical care, regulated working time, repatriation, social protection and health and safety on board. It also provides minimum standards relating to medical fitness. ILO 188 standards will apply to all fishermen working on commercial fishing vessels of any size. They apply equally to employed fishermen and non-employed (share) fishermen. The consultation documents attached set out the proposal for legislation to implement ILO 188 into UK Law. The consultation closes on 12 January 2018. Comments should be sent to by e-mail to E: [Louise Unsworth](#)

[Industry leads the way on ILO 188. 16 November 2017.](#)

The UK's fishing federations in conjunction with the MCA Fishing Safety team have together developed a Fishing Safety Management (FSM) System that will assist fishermen with the imminent implementation of a generational change to fishing safety legislation – the Work in Fishing Convention (ILO 188) aimed at creating a set of common worldwide standards for health, safety and working conditions. As this Convention is implemented into UK law in mid-2018 it will introduce new responsibilities for the safety management of fishing vessels, and although the consultation has only just started the federations were determined to be ready to support industry before implementation. The FSM Code is voluntary, it is there to structure and support the application of existing legislation and to be future compliant with any eventual changes. The code structure will also provide an auditable system that can help, not only to keep vessels safe but also meet market needs for providing evidence of legal compliance. The FSM Code is published by the MCA as a **[Marine Information Note \(MIN558\)](#)** and while voluntary, it provides all the guidance necessary to help owners to structure their safety management and to self-audit.

[ILO Work in Fishing Convention No.188 \(2007\) enters into force. 16 November 2017.](#)

ILO Convention No. 188 came into force on 16 November, giving a major boost to efforts to improve working conditions for millions of workers in the fishing sector. The Work in Fishing Convention sets the basic standards of decent work in the fishing industry. Convention No. 188 sets out binding requirements to address the main issues concerning work on board fishing vessels, including occupational safety and health and medical care at sea and ashore, rest periods, written work agreements, and social security protection at the same level as other workers. It aims to ensure that fishing vessels are constructed and maintained so that fishers have decent living conditions on board. The Convention helps prevent unacceptable forms of work for all fishers, especially migrant fishers. It provides for regulation of the recruitment process and investigation of complaints by fishers. This will help prevent forced labour, trafficking and other abuses. States ratifying Convention No. 188 commit to exercising control over fishing vessels, through inspection, reporting, monitoring, complaint procedures, penalties and corrective measures, and may then also inspect foreign fishing vessels visiting their ports and take appropriate action. Ratification of an ILO Convention is an important commitment. Once ratified, a State must periodically report to the ILO how that convention is being implemented through laws, regulations or other measures. The ILO's system for the supervision of standards reviews these reports and will guide the State towards full compliance. The Convention is supplemented by the accompanying Work in Fishing Recommendation (No. 199) as well as two sets of Guidelines for flag States and port States carrying out inspections under the Convention.

UK news

[UK police rescue nine suspected victims of slavery from British trawlers. 12 December 2017.](#)

Nine African and Asian crew members working on a pair of U.K. scallop trawlers were taken to a place of safety by police earlier this month as suspected victims of modern slavery. The men – from Ghana, India and Sri Lanka – were identified when one of the vessels came into Portsmouth harbour with a crew member that had suffered a head injury, the Guardian reported. Five non-European Economic Area (EEA) nationals were said to have been found on the vessel and referred by police to the National Crime Agency's mechanism for investigating human trafficking. Four other non-EEA nationals were later reportedly identified on a second trawler at another port in southwest England and were also taken to safety. The men are alleged to have worked unlimited hours at sea with very little rest for pay of GBP 850 (USD 1,141, EUR 968) to GBP 950 (USD 1,276, EUR 1,082) per month. The first vessel was detained in Portsmouth with two men arrested and questioned by police. The newspaper highlighted that the arrests coincide with a new report, published by Migrant Rights Centre Ireland (MRCI) (see below), that claims extensive labour exploitation in the Irish trawler fleet.

[Migrant Rights Centre Ireland meets with Government taskforce on situation of undocumented migrant fishermen. 12 November 2017.](#)

Representatives from the Migrant Rights Centre Ireland (MRCI), joined by a Filipino fisherman who has worked undocumented in Ireland for the last five years, addressed the new interdepartmental taskforce in Ireland on 12 November. To comprehensively tackle this abuse of workers, the MRCI is calling for the introduction of a broader regularisation scheme to address exploitation in all precarious sectors of the Irish labour market. The MRCI made a number of recommendations:

- Introduce a sector-based regularisation with clear criteria, granting access to employment in the fishing industry without a work permit
- Establish a sectoral agreement for the fishing industry, setting out terms and conditions for workers
- Suspend the practice of spot checks targeting vulnerable workers, pending the introduction of a regularisation
- Invest greater resources to step up inspections and ensure compliance in the sector
- Allocate resources through the European Maritime and Fisheries Fund to focus on the protection of workers in the industry
- Ratify ILO Work in Fishing Convention 188
- Conduct intelligence-led investigations into human trafficking routes and recruitment practices
- Introduce a system for swift identification of and protection for victims of trafficking

LOOK AT [TESS](#) FOR MORE INFORMATION: record for [Migrant Rights Centre Ireland \(MRCI\)](#)

[Left High and Dry. The Exploitation of Migrant Workers in the Irish Fishing Industry. December 2017.](#)

This paper details research carried out by Migrant Rights Centre Ireland (MRCI) with thirty migrant fishers on their experiences working in the Irish fishing fleet since the introduction of the Atypical Working Scheme in 2016. Looking at the intersection between the immigration system, the labour market and workers' rights in Ireland, MRCI has produced a set of recommendations to dramatically improve the situation of non-EEA fishers in Ireland's fishing industry. According to MRCI's report, migrant workers on Irish-owned vessels are experiencing exploitation, discrimination, physical abuse and severe underpayment. Its research is based on interviews with 30 fishermen from Egypt and the Philippines, which found that the majority worked more than 100 hours a week for an average pay of just under EUR 3.00 (USD 3.54) per hour.

LOOK AT [TESS](#) FOR MORE INFORMATION: record for [Migrant Rights Centre Ireland \(MRCI\)](#)

[Also see: MRCI report - An analysis of the current situation of undocumented migrants in Ireland dated November 2014 - fishing is not mentioned](#)

The MRCI has carried out extensive research with undocumented migrants in Ireland. The key findings from the 540 undocumented migrants surveyed: 81% have been here for 5 years or more; 21% have been here for 10 years or more; 87% are working; people of 29 different nationalities were surveyed, but the top five were Filipino, Chinese, Mauritian, Brazilian and Pakistani; 86.5% entered the country legally and subsequently became undocumented.

LOOK AT [TESS](#) FOR MORE INFORMATION: record for [Migrant Rights Centre Ireland \(MRCI\)](#)

[National Referral Mechanism \(NRM\) reforms announced. 26 October 2017.](#)

Sarah Newton, Minister for Crime, Safeguarding and Vulnerability, has announced a number of reforms to the NRM, the process by which potential victims of trafficking are officially recognised. Key changes include an increase from 14 to 45 days of 'move-on' support for victims, and 'places of safety' to be provided for the immediate period after someone has left a situation of exploitation whilst they consider whether to enter the NRM.

[New Home Office guidance on Modern Slavery statements: what's changed?](#)

The UK Home Office has released an [updated version of its guidance for companies](#) on the content of statements published under the Modern Slavery Act 2015. The guidance was initially published in 2015 when the Bill first passed. Now that organisations have gone through a first round of Modern Slavery statements (and some have already published a second report), the guidance has been revised to include a slightly firmer approach. In terms of content, the previous guidance stated that companies 'may' include the suggested items set out in the Act (structure, policies, due diligence processes etc), whereas the Home Office now states that organisations 'should aim to' include the said content. The list of contents may indeed become mandatory in the future if the [Modern Slavery \(Transparency in Supply Chains\) Bill \[HL\] 2017-19](#), which had its first reading in July 2017, passes. While there are no plans for the government to monitor Modern Slavery reports, the updated guidance reminds companies that they are under external scrutiny: 'Organisations should be aware that their statement will be assessed by the public, investors, the media and other external parties. They will expect to see year-on-year improvements outlining practical progress on how they are tackling the risks and incidence of modern slavery in their operations and supply chains.' The new Home Office guidance also includes some additions in relation to how organisations should update their statements:

- Firstly, the guidance has a more definitive language advising organisations to publish statements within six months of the organisation's financial year end.
- The guidance also suggests that organisations should keep statements from previous years available online even when new statements are published, in order to allow for comparison and progress year on year.
- It further encourages organisations to continue to publish a MSA statement even if their turnover falls under the £36million turnover threshold for a particular financial year, in order to demonstrate to the public and investors the importance of transparency to the organisation.

LOOK AT [TESS](#) FOR MORE INFORMATION: [record for Modern Slavery Act](#)

Two reports in the Times.

[Migrant workers used as forced labour on Scottish fishing fleet, charity claims. 14 November 2017.](#)

This covers the claims of the Apostleship of the Sea that migrant workers on Scottish fishing boats are doing dangerously long hours in unsafe working conditions, according to a seafarers' charity. The charity says Scottish fishing vessels are routinely using workers from outside the European Economic Area (EEA) as cheap labour due to a legal loophole that leaves them vulnerable to exploitation. Official data shows that almost 20% of crew on the Scottish fishing fleet are non-EEA workers, primarily from the Philippines. Most use a transit visa to enter the UK, which allows them to work on vessels fishing more than 12 nautical miles off the UK coastline, but creates a poor culture for working. The main focus is the transit system and The Apostleship of the Sea is lobbying the UK government to end the use of transit visas by the fishing industry and introduce a permit scheme instead.

[Supermarkets support responsible-fishing scheme that pays crews low wages. 20 November 2017.](#)

The article states that the scheme has been criticised for certifying boats that employ crew from outside the European Economic Area (EEA) on transit visas. They live permanently aboard and are paid an average of £1,060 per month for unlimited hours.

Seafish response: *The RFS is currently operating under Version 1 of the standard, which provides supply chain assurance of best practice on-board a fishing vessel, with a requirement for documented evidence regarding crew welfare, safety practices and employment contracts. Our current focus, in terms of standard development, is how to improve the ability for crew to engage directly with the assessment and audit process (crew voice). Preliminary work is underway on this issue (including in international pilots) which will inform the next iteration of the standard, expected to be developed in*

2018. Seafish does not condone any form of activity that results in the mistreatment of crew on board any fishing vessel or where such activity is in clear breach of the requirements of UK and International Law.

Asia

Thai Union and Nestlé launch demonstration boat to promote human rights in fishing industry. 13 December 2017.

Thai Union Group PCL and Nestlé have launched a demonstration boat to promote human rights of workers in the Thai fishing industry. The boat is the first of its kind in Thailand. The two companies, in collaboration with global non-profit Verité, renovated a standard Thai fishing boat, transforming it into a modern vessel demonstrating improved working conditions and labor standards. The renovated boat demonstrates the standards set for boats greater than 24 meters by the International Labour Organisation's (ILO) C188 convention for human rights at sea, as well as Thailand's updated fisheries regulations. To meet these standards and regulations, boat owners should provide proper safety equipment as well as adequate and clean food and drinking water for the crew. Appropriate rest, dining and leisure areas on-board the vessel demonstrated with this vessel, is mandatory, along with a first-aid kit and toilet facility with proper sanitation standards. The initiative started in March 2016, supported by the Thai Ministry of Foreign Affairs (MFA), Southeast Asian Fisheries Development Center (SEAFDEC) and the Thai Department of Fisheries (DOF). The project is in line with Nestlé's Thailand Action Plan for Responsible Sourcing of Seafood and Thai Union's sustainability strategy, SeaChange® – an integrated plan of initiatives, organized into four programs, to drive meaningful improvements across the entire global seafood industry. SeaChange® programs include safe and legal labour, responsible operations, responsible sourcing, and people and communities.

Latest progress update on the Seafood Task Force. November 2017.

The Seafood Task Force is three years old and is an original example of pre-competitive collaboration. It boasts thirty-five commercial fee-paying members and sixteen NGO / Advisor organisations. It is working in formal collaboration with the Royal Thai Government. This was announced at the European Union's Our Ocean Summit in October 2017. It is an industry-led initiative with a combined buying power, through seafood purchases from Thailand, exceeding \$7B to the US and \$145M to the EU. With over 10,000 visits to its website www.seafoodtaskforce.global each month, there is clear interest in its work. It is using the combined knowledge and experience of its membership, working together, to address complex supply chain issues that cannot be solved individually. It is taking a step-by-step approach and has divided its many tasks into Sub-Groups to maximise effectiveness and efficiency. Currently there are eight fully operational Sub-Groups. Having now completed a number of the basic building blocks, it is concentrating on forming and applying models that will start to be introduced to the Task Force membership over the next 12 months. Many of these models will be transportable to other countries. Some of these models are completed, some of these models are in development. Models completed are:

- Traceability model from vessel to feed mill component of Thai seafood supply chain.
- Code of Conduct applicable to land and sea-based components of the supply chain. It has been specifically written to tackle social issues and is the first of its kind in existence today. It is practical and workable for Thailand across all parts of the supply chain including essential consideration to
- the vessel component. And it has been translated into Thai.
- Vessel Monitoring Control & Surveillance
- At the end of the report there is a one-page info-graphic. This can be used by our members to help explain the Task Force to others.

LOOK AT [TESS](#) FOR MORE INFORMATION: [record for Seafood Task Force](#)

[ASEAN leaders sign commitment protecting migrant workers. 14 November 2017.](#)

The ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, signed on 14 November 2017 is a follow up to the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers adopted in January 2007. It includes provisions on: fair treatment of migrant workers with respect to gender and nationality; visitation rights by family members; prohibition against confiscation of passports and overcharging of placement or recruitment fees; protection against violence and sexual harassment in the workplace; regulation of recruiters for better protection of workers; and the right to fair and appropriate remuneration benefits and their right to join trade unions and association. It also serves as a commitment by ASEAN member-states to formulate a plan of action to implement the rights specified. This plan will be made during next year's meetings under the chairmanship of Singapore. Despite being a landmark gain, the consensus was still silent on the issue of undocumented workers. There are around 10 million migrant workers in the region, many of whom are staying in foreign countries without proper papers. Philippine statistics, meanwhile, show that there are around 212,435 overseas Filipino workers (OFW) in Southeast Asia.

Standards

Fair Trade USA announces publication of updated Capture Fisheries Standard (CFS) version 1.1.0.

The terms 'worker', and 'crew member' have been introduced to differentiate labours done at sea and on land, as well as requirements for each. The CFS version 1.1.0 will go into effect on 15 January 2018. At that time, all audits will be conducted against the updated requirements. To download the Capture Fisheries Standard version 1.1.0, other associated policies, and guidance documents [see](#). Questions or comments about the updated Capture Fisheries Standard and associated documents can be sent to standards@fairtradeusa.org

LOOK AT [TESS](#) FOR MORE INFORMATION: record for [Fair Trade USA Capture Fisheries Standard](#)

[Spanish group OPAGAC introduces social and environmental standards for tuna fishing. 16 November 2017.](#)

The Organization of Associated Producers of Large Freezer Tuna Freezers (OPAGAC), an amalgamation of nine Spanish companies that own tuna seiners, has announced that it is developing new environmental and social standards for the global tuna-fishing fleet. The standards will meet social conditions set by the Spanish Association for Standardization and Certification (AENOR), whose standards are in alignment with 2007 International Work Organization (ILO) Work in Fishing Convention. The standards will also include rules governing maritime safety, control of fishing activity, good fishing practices, and sanitary conditions onboard vessels.

Initiatives

[How Princes recruits migrant workers in its Mauritius supply chain. 24 November 2017.](#)

Princes has produced a case study about expanding their Mauritian supply chain. They produced it in partnership with the Co-op (another ETI member) to highlight the importance of ethical migrant worker recruitment practices.

[EBCD event: Combating Transnational Organised Crime in the fishing industry: Global Challenges and International Cooperation. 23 November 2017.](#)

[U.N. Security Council approves tougher action on human trafficking. 21 November 2017.](#)

A resolution urging tougher action to crack down on human trafficking and modern slavery worldwide has been unanimously approved by the United Nations Security Council. The resolution called on countries to adopt anti-trafficking laws, ramp up efforts to investigate and dismantle criminal networks and provide greater support for survivors of slavery. The United Nations has a global goal to eradicate forced labour and slavery by 2030 and end all child labour by 2025 - as part

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of the 17 Sustainable Development Goals (SDGs) adopted in 2015 to end poverty, tackle climate change and promote equality.

[KnowTheChain – Stop Slavery Index](#). 15 November 2017.

KnowThe Chain has joined forces with the Thomson Reuters Foundation to increase the number of companies to be benchmarked over the next three years. Through this partnership these benchmarking efforts will become the KnowTheChain – Stop Slavery Index. This new partnership will increase available information on supply chains and help industries have honest conversations about the scope of current efforts to prevent and address forced labor, to achieve change. [125 companies](#) have been named to be benchmarked across three sectors in 2018, including Unilever and Tesco in the UK. The 2018 benchmarks will use updated methodology which includes feedback from a diverse set of stakeholders including previously benchmarked companies, the investor community, and civil society organizations.

[Report on tripartite meeting on issues relating to migrant fishers](#). 18 – 22 September 2017.

The purpose of the meeting was to discuss issues relating to migrant fishers as part of the follow-up to the Resolution concerning the promotion of welfare for fishers adopted at the 96th Session (2007) of the International Labour Conference. The meeting adopted:

[Conclusions on the promotion of decent work for migrant fishers](#)

[Resolution on issues relating to migrant fishers](#)

[Decent work for migrant fishers - Report for discussion](#)

Recruitment

[IHRB report: Responsible Recruitment - Remediating Worker-Paid Recruitment Fees](#). 20 November 2017.

A major cause of forced labour in global supply chains is the charging of recruitment fees to migrant workers. Some companies have sought to reimburse workers charged these fees, many face serious challenges in doing so. Reimbursing worker-paid fees is an important step consistent with the UN Guiding Principles on Business & Human Rights, which clarify the baseline expectation for companies to respect human rights, including providing for or cooperating in remediation when they have caused or contributed to adverse human rights impacts. This [report](#) profiles six multi-national companies who have sought to address access to remedy by reimbursing workers found to have paid fees. Each of the remediation programmes vary in size and structure and have been shaped by the local contexts in which these companies operate. Together, they have provided a form of remedy for thousands of workers amounting to millions of dollars in the last decade.

LOOK AT [TESS](#) FOR MORE INFORMATION: record for [Institute for Human Rights and Business](#)

This is an amalgamation of the news alerts issued in November and December 2017.