

Note of Seafood Ethics Common Language Group (SECLG) meeting held at Friends House, London. Wednesday 11 July 2018

For the Seafood Ethics CLG minutes and meeting presentations see:

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

1. Welcome, introductions and apologies

Aoife Martin welcomed everyone to the meeting.

Attendees

Alice Miller	IPNLF
Alicia de Vries	Department of Transport
Ally Dingwall	Sainsburys
Andy Hickman	Tesco
Aoife Martin	Seafish (Chair)
Bjørn Helen Nøstvold	Nofima
Caitlin Schindler	Lovering Foods Ltd
Cameron Moffat	Young's Seafood
Carl Cooper	CP Foods
Cassie Liesk	New England Seafood
Chris Shearlock	Princes
Clare Clifton	World Wise Foods
Colleen Theron	Ardea International
Dan Lee	Global Aquaculture Alliance
Daniel Hourigan	Ocado
David Camp	Association of Labour Providers/Stronger Together
David Dickens	Fishermen's Mission
David Glenister	SGS United Kingdom Limited
David Westlake	International Justice Mission
Dominique Gautier	Seafresh
Elena Piana	Seafresh
Emily Kenway	Office of Anti-Slavery Commissioner
Emily Pearce	Co-op
Emma Linguard	Seafish
Helen Ricketts	Catapult/Ocean Mind
Helen Duggan	Seafish
Iain Pollard	Key Traceability Ltd
Jake Adams Hopkins	Direct Seafoods
Jim Portus	South West Fish Producers Organisation
Jimmy Young	University of Stirling
Joe Prosho	Morrisons
John Cousley	Department of Transport
John Hooper	Marine & Fisheries Management Solutions
Jonathan Shepherd	Seafish Board
Julia Seewald	Marine Stewardship Council
Justine Currell	Unseen
Karen Green	Seafish (Minutes)
Katharine Jones	Coventry University
Kevin Powell	Seachill/Seafood Ethics Action Alliance
Leonor Fishman	LDH (La Doria) Ltd
Lucy Blow	New England Seafood

Laky Zervudachi	Direct Seafoods
Laura Shepherd	IFFO RS
Libby Woodhatch	All About Seafood
Louise Unsworth	Maritime and Coastguard Agency
Malcolm Morrison	Scottish Fishermen's Federation
Margaret Beels	Gangmasters and Labour Abuse Authority
Martin Foley	Apostleship of the Sea
Michaela Archer	Seafish
Mick Duthie	Santa Marta Group
Mike Mitchell	Fair Seas
Mike Platt	RS Standards Ltd
Mike Short	Seafood Industry Alliance
Nadia Bunce	Consumer Goods Forum
Nick Kightley	Ethical Trading Initiative
Nicola Clark	IFFO RS
Oliver Tanqueray	ClientEarth
Peter Andrews	British Retail Consortium
Rachel Wilshaw	Oxfam
Robert Greenwood	Fishermen's Welfare Alliance
Rick Fletcher	FreshTimes
Rose McGrath	Aldi
Sam Ludlow-Taylor	Waitrose
Sarah Eames	World Wise Foods
Sarah Hussey	Seafresh
Sophie Nodzanski	Environmental Justice Foundation
Tom Sewell	Lidl
Tracy Cambridge	Thai Union
Trevor Jones	Bangor Mussel Producers Ltd

Apologies were received from:

Aisha Aswani	Co-op
Alex Olsen	Espersen
Andrew Nicholson	2 Sisters Food Group
Annika Mackensen	GIZ
Anya Hemsley	LDH (La Doria) Ltd
Barry Harland	Whitby Seafoods
Brett Dodge	Ergon Associates
Colin McKerracher	BSI
Darian McBain	Thai Union
Emily Pearce	Co-op
Estelle Brennan	Lyons Seafoods
Huw Thomas	Pew Trusts
Jack Cutforth	ASC
Lee Malcolm	Macduff Shellfish (Scotland) Ltd
Linda Beresford	CP Foods
Mark Taylor	Issara Institute
Matthew Spencer	Environmental Defense Fund
Max Schmid	Environmental Justice Foundation
Niall Jones	Aldi
Robert Wiltshire	LDH (La Doria) Ltd
Scott Johnson	Young's Seafood
Tim Gore	Oxfam

2. Minutes of the previous meeting on 24 January 2018 and outstanding actions. Aoife Martin, Seafish.

The final minutes were accepted as a true reflection of the meeting and have been added to the Seafish web page. Attendees were asked to take note of the meeting guidelines. In the following minutes Seafish will provide a link to the various presentations given at the meeting but not summarise the whole presentation. In the main we do not attribute the comments made at the meeting. Outstanding actions were all about circulating links. All the presentations were added to the website and the links circulated in the SECLG follow-up email. There were a number of requests for future topics, from these we are covering the following today: how standards support sustainability; how farmed fisheries social audit information can support wild fisheries incorporating ethical auditing standards beyond compliance; update on research and data linking more to business; follow up on developments re work in progress i.e. MSC, RFS, Clearview etc

UK industry action/initiatives – what does this currently look like. Relationships, who is working on what and what are they trying to achieve.

3. Back 2 Source - 15 KPIs for business relating to Modern Slavery. Justine Currell, Unseen. http://www.seafish.org/media/1785701/seclg_july2018_back2source.pdf

The Modern Slavery Action Transparency in Supply Chains (TISC) legislation has now been in full effect for just over two years, but there is a mixed picture - 46% of eligible businesses have still not produced a statement, but it is difficult to determine exactly who has not responded because there is no list. There is disparity as to how much is going into these statements with some businesses being very careful about what they say. There is a downward pressure on small businesses and sole traders wishing to provide assurances. To help Unseen are introducing the Back2Source Scheme which has been piloted with 3 to 4 businesses. This is focused on continuous improvement with 17 core criteria to set a baseline standard. This is due to be launched in the next few weeks. The first criteria is the company and its governance structure.

Action: Circulate link once the scheme is launched.

4. MCA and ILO 188 progress. Louise Unsworth, Maritime and Coastguard Agency (MCA).

http://www.seafish.org/media/1785704/seclg_july2018_mca_ilo188.pdf

There was strong engagement from industry and welfare groups in the responses to the ILO 188 consultation. More than fifty organisations and companies were notified about the consultation and twenty-five written responses were received from industry across the UK. The majority of the responses were supportive of the principle of implementing ILO 188, and there were some detailed comments on the Impact Assessment but there was no hard evidence to challenge the assumptions and costings. There were a number of areas of concern including the status of share fishermen; hours of rest; fishermen's work agreements; the need for "safety tonnage" allowances (relating to the increased minimum size for crew accommodation); issues relating to insurance; and the use of exemptions especially for smaller vessels. However the biggest area of concern was the issue of medical fitness – currently there are no medical certificates for fishermen. The proposed plan for the phase in of medical certificates was presented which will be delivered in tranches from May 2019 to November 2023. The aim is not to put restrictions on those who are already working in the industry but do not have a medical certificate by including Grandfather rights where someone can show that they have been working safely at sea in the fishing industry before the requirement for a medical certificate was introduced, but has a medical condition which would normally mean they would be found temporarily or permanently unfit. The aim is to have the regulations in place by November 2018 with ratification of ILO 188 after this.

Discussion

- **Question.** What does this cover? **Answer.** All commercial fishermen landing into the UK, both share and employed fishermen.

- **Q.** Will there be anything put in place to test the impact of the regulation? **A.** We will formally review after five years.
- **Q.** Is the timescale fixed, or could other policy discussions impact on this? **A.** Brexit legislation does take priority so this has the potential to increase the timeframe.
- **Q.** With regard to Grandfather Rights, how can eligible fishers demonstrate that they are not any risk? **A.** They will have to demonstrate that they have been working as a fisher.

Action: Circulate link to MCA webpage.

5. Fishermen's Welfare Alliance (FWA). Robert Greenwood, National Federation of Fishermen's Organisations.

http://www.seafish.org/media/1785707/seclg_july2018_fishermenswelfarealliance.pdf

The FWA has support from organisations, consumers and retailers, buyers and processors and the catching sector to ensure legal compliance with ILO 188 – the MCA sets the law, the Modern Slavery Act is the industry framework and ILO 188 is a chance in a lifetime to improve the plight of fishers. Our chain is the fisher who catches the fish through to the processor who processes the fish – we want a transferable transparency model. There are a number of issues around access to labour. It is crucial we improve the visa system in the UK; we need to ensure the human and labour rights of crews; we need to address issues over minimum wage, tax and social security; and ensure a long-term plan on labour access for the UK fleet to improve UK labour availability. There has to be some sort of assessment with auditable compliance. The aim is the creation of a Common Audit Checklist, for use by Government, the supply chain and fishers, as well as a UK compliant model fishers work agreement.

Discussion

- **Question.** Is there risk of duplication with the Responsible Fishing Scheme (RFS)? **Answer.** The two are complimentary. The FWA and SafetyFolder (a website which is a tool to support legislative compliance) are aiming at minimum legal compliance, RFS goes beyond this.
- **Q.** Have you had any meaningful conversation with the Trade Unions? **A.** The International Transport Federation (ITF) has been engaged from Day One but there is an inevitable conflict of interests in some areas.
- **Q.** How will this help the recruitment of non-EEA crew? **A.** Ideally over the next few years we want a transition so that we are using more domestic crew in future, but for now we have to support the status quo so that we don't disadvantage our domestic fleet. We are dependent on how the Government wants to address this but nobody really a two tier system.
- **Q.** Is there the potential for non-EEA crew to become share fishermen? **A.** To become a share fisherman you do need to have the legal right to work in the UK.

6. Seafood Ethics Action Alliance. Kevin Powell, Seachill.

http://www.seafish.org/media/1785710/seclg_july2018_seaalliance.pdf

The SEA Alliance is a recently set up alliance within the seafood sector....born out of the necessity to utilise participant experience to undertake action on ethical and welfare issues identified within the UK & Ireland fishing and seafood industry, and through the Seafood Ethics Common Language Group. The Alliance is open to any commercial market facing organisation based in the UK and Ireland which source seafood nationally or internationally. Participation requires commitment to engage in pre-competitive action to affect positive change. Participants include Retailers, Processors, Food Service/Catering Companies and Trade Associations / Federations. Currently there are 21 participants but this number is growing. Actions may be taken ranging from direct contact with relevant entities to encourage development, through to managed advocacy via industry Trade Associations and Federations such as BRC and SIA (which includes PTF and FDF). The SEA Alliance will use existing information from concerned bodies such as ETI, the Consumer Goods Forum and

BRC in order to support decisions on their actions, and align its work to legislative instruments such as ILO188 and guidance such as PAS1550, as frameworks for collaborative action. A timeline illustrated what the SEA Alliance had been doing. The next steps are to review participant & NGO concerns (survey results), and consider and develop action strategies in supply chains where most concerns are indicated. A cross-referencing matrix on current ethical work will determine gaps and the future focus for the SEA Alliance.

Discussion

- **Question.** This seems to be very broad brush. How broad is it intended to be? And are you engaged with the catching sector? **Answer.** We are working with the FWA on issues that affect the forward-facing supply chain. There seemed to be a gap with no-one obviously co-ordinating this.
- The participants in the SEA Alliance are the market-facing businesses that are trying to undertake some sort of action on ethical and welfare issues, but do not currently have the tools to be able to do this. Our markets and supply chains need a level of assurance. We are constantly challenging ourselves and are challenged by our suppliers. We will work alongside the FWA.

Action: Circulate link to the webpage.

Benchmarking social compliance. Nadia Bunce, Consumer Goods Forum.

7. The Consumer Goods Forum (CGF): Industry Resolution Against Forced Labour and Seafood.

http://www.seafish.org/media/1785713/seclg_july2018_consumergoodsforum.pdf

The seafood sector has been identified as one of the sectors with the most endemic and worst working conditions. Marine and farmed seafood standards do not currently include adequate social criteria notably on forced labour, which can assess the social and labour rights situation on vessel and throughout the supply chain. Seafood production is hardly represented in the CGF membership and this need to increase. CGF has introduced a Social Resolution on Forced Labour with three principles: Every worker should have freedom of movement; No worker should pay for a job; No worker should be indebted or coerced to work. A seafood outreach group has been formed to forge greater ties with seafood manufacturers, large fishing fleets, food service and key stakeholders; advocacy amongst policy makers; mainstreaming the Priority Industry Principles into Seafood Certifications, Schemes and Standards and awareness raising providers; and improving the traceability of seafood.

Discussion

- **Question.** This looks great but is it working in tangent with the workers? Where does worker voice come in? How are the Trade Unions involved? **Answer.** The CGF is a business association. We want our members to work with their supply chains. Our roundtable discussions are the opportunity to get the worker voice across.
- **Q.** The focus seems to be employment practices. Has there been any discussion about purchasing practices. This has come up but obviously there are commercial sensitivities.

Action: Circulate link to resolution.

8. Overview of the CGF's Sustainable Supply Chain Initiative (SSCI) initiative and collaboration with GSSI to provide a benchmark and recognition tool for social compliance schemes in the seafood sector.

http://www.seafish.org/media/1785716/seclg_july2018_sustainablesupplychaininitiative.pdf

The Sustainable Supply Chain Initiative (SSCI) promotes good social and environmental practices in global supply chains by benchmarking and recognising existing 3rd party auditing or certification schemes. The focus will initially be on social compliance and will be extended to environmental compliance in a second phase. The Consumer Goods Forum (CGF)'s Sustainable Supply Chain Initiative (SSCI) and the Global Sustainable Seafood

Initiative (GSSI) have announced their collaboration to provide a benchmark and recognition tool for social compliance schemes in the seafood sector. In close collaboration, the two organisations will develop a social compliance benchmark that takes into account the specificities of the seafood sector and the special nature of work in food harvesting, and will be underpinned by ILO Conventions and Recommendations and UN Guiding Principles, and be aligned with the CGF's Priority Industry Principles on Forced Labour. SSCI and GSSI will open a public consultation (27 July 2018) on the cross-sectoral processing scope and to look at the applicability of the generic SSCI processing criteria to seafood processing operations especially seafood specific circumstances (e.g. at sea processing). Further down the line they will identify the need for additional seafood specific scopes for primary production (aquaculture, wild capture fisheries).

Discussion

- This has the potential to reduce audit fatigue and could be very helpful and at the right time.
- **Question.** Is this sort of briefing happening in other countries? **Answer.** There were workshops in Barcelona and Brussels, and we are looking at doing something in the USA.

Action: Circulate link to consultation.

Certification

9. Marine Stewardship Council labour standards. Julia Seewald, MSC.

http://www.seafish.org/media/1785719/seclg_july2018_msclabourstds.pdf

This work aims to mitigate the risk that MSC certified organisations and their subcontractors use forced or child labour, to provide greater assurance that MSC certified product is not associated with egregious labour violations. In spring 2017 a MSC public consultation showed general support for self-disclosure for fisheries, but highlighted the need to look into other approaches for the on-shore supply chain. A stakeholder workshop in November 2017 agreed on self-disclosure form and a phased approach for at sea entities, and a risk-based approach for on-site audit of on-shore entities. This will require certificate holders in high-risk countries and engaged in certain activities (processing, (re-)packing and off-loading) to undergo an on-site audit against a recognised 3rd party labour program. As part of this a Country Risk Assessment Criteria has been developed. A 60 day public consultation will be launched on 15 August.

Discussion

- **Question.** With respect to the at sea self-disclosure for fisheries is there an ability to challenge the self-disclosure? There seems to be an inherent weakness in this approach which seems to go against the whole MSC ethos. **Answer.** Because there is no globally available standard for vessels we can't go beyond self-disclosure at the moment. The only point we can get involved is if there has been a prosecution.
- **Q.** At what point is the disclosure made? **A.** This is submitted right at the beginning but it is not part of the draft report or the certification process.
- **Q.** Has there been any discussion on the merits of a short audit versus a longer audit? Could a shortened audit be provided for smaller suppliers? **A.** We are trying to strike a balance. With the full SMETA audit it is the preparation time that is the true burden not the audit itself. But audits are not the only solution. We only accept 3rd party audits and have asked for feedback on a shortened SMETA audit.

Action: Circulate link to consultation.

10. RFS update. Helen Duggan, Seafish and Mike Platt, RS Standards Ltd.

http://www.seafish.org/media/1785722/seclg_july2018_rfsupdate.pdf

The UK programme is progressing with 110 vessels certified, and a further 42 on track. Seafish is also progressing a group application model in the Orkneys; a project in the South West; the creation of a SWFPA RFS liaison role; and a RFS/MSC demonstration project.

The 2018/19 engagement strategy includes: fleet support courses; business support events; bespoke webinars and articles; local press and case studies; better use of all Seafish media channels; collaboration with the regionally based teams; an Annual Review has also been undertaken. There was an announcement on 24 April that as part of the agreement with Seafish, the Global Aquaculture Alliance will establish a not-for-profit Global Seafood Assurances (GSA) programme and that RFS will transition to the GSA. A MoU was established and the transition phase commenced 1 May 2018 and will be completed no later than May 2020. The transition phase will consist of four stages, some of which may run concurrently:

1. Ongoing management of the current RFS Programme
2. Developing V2 of the RFS Standard
3. Aligning RFS Management and the Certifying Body to GSA Controls, Policies and Procedures
4. Conclude the transfer of the RFS to GSA

Version 2 of the RFS Standard will be informed by the UK experience but it will ensure that the RFS is capable of being adopted internationally. As part of the development of version 2 of the standard the aim is to align the RFS Standard to meet UK market requirements and to streamline the RFS certification model to enhance accessibility. Current members of the RFS will see no change in how the scheme is operated in the medium term, and it is business as usual for the UK fleet joining the scheme. Acoura, part of the Lloyd's Register group, will continue to act as scheme's Certification Body. Seafish retain full responsibility for the ongoing management and delivery of the RFS in the UK throughout the transition period. To maintain ethos of the RFS standard moving forward Seafish will have a seat on the GSA Board. With regard to the development of Version 2 of the RFS Standard the aim is to have the Terms of Reference finalised and approved by the Seafish Board and the GSA during autumn 2018.

Asia and Thailand

11. Mapping exploitation in seafood supply chains in Indonesia. Katharine Jones, Coventry University.

http://www.seafish.org/media/1786852/seclg_july2018_dfid.pdf

This project focusses on Indonesia which has a very significant export market. It aims to: document the labour conditions within international seafood supply chains in Indonesia, including fishing and canning factories; review the impacts and risks for EU and U.S. retailers and buyers in sourcing from Indonesia; identify learning – e.g. other countries which have worked on improving labour conditions within their seafood industry, environmental sustainability, and other relevant sectors – which can potentially be applied to Indonesia; work in partnership with the private sector and with the Government of Indonesia to co-produce methods of improving labour conditions within Indonesia's export of seafood. There is evidence of exploitation (debt bondage, salaries withheld, at sea for a long time) with very few migrant workers working in the Indonesian fishing industry, it is mostly local workers.

Action: Circulate contact details.

12. Oxfam seafood research findings and what we are campaigning for and why. Rachel Wilshaw, Oxfam.

http://www.seafish.org/media/1785728/seclg_july2018_oxfam.pdf

- Research into prawn supply chains in Indonesia and Thailand showed indications of: wages being insufficient to guarantee the right to adequate food; extensive overtime reported as routine; paying recruitment fees and incurring significant debts; and mandatory pregnancy testing common. In Indonesia workers reported: two-month training in which wages were well below a minimum wage; systematic use of two-month contracts – prevents severance pay or access to a trade union; unpaid hours in order to hit targets of up to 19kg of shrimp peeled/hour, to earn the minimum

wage; pregnant women either not rehired, or rehired after maternity leave at a training rate.

- Research findings of the Coalition on Sustainable and Ethical Seafood 'Falling through the Net', based on interviews with 300 Burmese and Cambodian nationals on board Thai flagged vessels operating in Thai waters, showed: progress has been made on recognition of workers' rights with changes to government policy; progress has been made via private sector initiatives - e.g. Issara Institute's work to develop channels for worker voice but there was still a lack of meaningful participation of workers and their representatives – e.g. Seafood Task Force has no CSO involvement.
- A key root cause is the link between the increasing power of supermarkets and the corresponding supply of labour vulnerable to exploitation.
- Behind the Barcode: The sector can do much more to ensure supply chain workers' rights are respected.

Action: Circulate links.

13. Thai Union update, TIP report 2018 and Vessel Code of Conduct auditing program. Tracy Cambridge, Thai Union.

http://www.seafish.org/media/1785731/seclg_july2018_thaiunion.pdf

This highlighted:

- The over-arching objectives of Thai Union.
- The work that has been done to ensure safe and legal labour; the demonstration boat inaugurated in February 2018 by Nestlé S.A. and Thai Union, together with Verité and DoF – a refurbished, traditional Thai fishing boat transformed into a vessel that demonstrates good living and working conditions. The renovated boat demonstrates the standards set for boats >24m by the ILO C188, as well as Thailand's Ministerial Regulation (2016).
- Thai Union partnership with USAID, Mars Petcare, Xsense and Inmarset to design and implement a catch documentation and traceability (CDT) system to combat Illegal, unreported and unregulated (IUU) fishing, promote sustainable fisheries & counter labour exploitation.
- The fishing Vessel Improvement Program and Code of Conduct 2018 Principles.

Action: Circulate links.

15. Beyond corporate compliance. David Westlake, International Justice Mission.

http://www.seafish.org/media/1785734/seclg_july2018_ijm.pdf

IJM is a global human rights agency that protects vulnerable communities from forced labour, labour trafficking and child labour. Their premise is that whilst the issue over slavery is a human rights issue, it is first a crime scene. There are 754,000 fishers in Thailand. Walmart wanted to do 'something' in Thailand. They have funded IJM to conduct an analysis of the Thai criminal justice system (CJS) response to cases of labour trafficking in the Thai fishing industry, to provide recommendations for areas of collaboration and improvement, and to look at the prevalence of forced labour in the Thai fishing industry.

16. Date of the next meeting.

Aoife thanked all the speakers for their insight. The date of the next meeting is Wednesday 30 January 2019 at a different venue – Fishmongers Hall, London Bridge, London.