

**Note of Seafood Ethics Common Language Group (SECLG) meeting held at Friends House, London. Monday 13 July 2015**

**1. Welcome, introductions and apologies**

Estelle Brennan welcomed everyone to the meeting.

**Attendees**

Aisha Aswani	Co-op
Alma Cardenas	Joseph Robertson Ltd
Andrew Kuyk	FDF
Andrew Mallison	IFFO
Andy Hickman	Consultant
Anne-Marie Kats	Visfederatie (Netherlands trade association for fish trade and processing)
Audrey Guichon	Freedom Fund
Aurora Alifano	FishWise
Blake Lee Harwood	Sustainable Fisheries Partnership
Camilla Monckton	Office of Anti-Slavery Commissioner
Chris Brown	Asda
David Camp	Association of Labour Providers
David Dickens	Fishermen's Mission
David Parker	Youngs Seafoods
Elizabeth Mavropoulou	Human Rights at Sea
Estelle Brennan	Lyons Seafoods (Chair)
Hannah Newcomb	Morrisons
Hannah Norbury	MRAG
Helen Duggan	Seafish
Huw Thomas	Morrisons
James Wilson	Seafish Board
Jeremy Mundy	Joseph Robertson Ltd
Karen Green	Seafish (Secretary)
Kevin Hyland	UK Independent Anti-Slavery Commissioner
Kevin Powell	Icelandic Seachill
Laky Zervudachi	Direct Seafoods
Laura Falk	Sainsbury's
Libby Woodhatch	Seafish
Michaela Archer	Seafish
Malcolm Morrison	Scottish Fishermen's Federation
Matt Giacomini	Maritime and Coastguard Agency
Melissa Pritchard	New England Seafood
Mike Mitchell	Youngs Seafood
Natasha Zervudachi	Direct Seafoods
Nick Kightley	ETI
Nigel Edwards	Icelandic Seachill
Peter Hajipieris	Birds Eye Igloo/Seafish Board
Roger Plant	Consultant
Rose McGrath	Waitrose
Sam Rush	Consultant
Serena Pasqualini	New England Seafood

Stephan Jermendy	Environmental Justice Foundation
Steve Bridges	CP Foods
Steve Trent	Environmental Justice Foundation
Suzanne Clift	ASC
Toby Middleton	MSC
Tracey Strauch	Birds Eye

**Apologies were received from**

Aldin Hilbrands	The Sustainable Trade Initiative (IDH)
Andrew Smith Iceland	Seafood Barraclough Ltd
Cindy Berman	ETI
Charlotte Bury	Tesco
David Hammond	HRAS
David Jarrad	SAGB
Denise Fraser	Seafish
Erin Priddle	EDF
Helen McTaggart	M&S
Iain Pollard	SFP
Mel Groundsell	Seafish
Melville Miles	Freshtime
Mike Short	FDF
Paul Williams	Seafish
Ross Jolliffe	Cefas
Tom Pickerell	Seafish

**2. Minutes of the previous meeting and outstanding actions. Estelle Brennan, 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.

**3. Welcome by Kevin Hyland, the first UK Independent Anti-Slavery Commissioner.**

[http://www.seafish.org/media/1410710/seclg\\_july2015\\_antislaverycommissioner.pdf](http://www.seafish.org/media/1410710/seclg_july2015_antislaverycommissioner.pdf)

Kevin described the role of the Independent Anti-Slavery Commissioner. The creation of the role was a requirement under the Modern Slavery Act was adopted by the UK Parliament in late March 2015, and due to enter into force in August 2015. An important section of the Act covers the exploitation of seafarers and the creation of additional powers for law enforcement in England and Wales to tackle suspected human trafficking or slavery at sea. Similar powers are being established in relation to ships in Scotland and Northern Ireland. Figures were provided for the estimated number of victims in 2013, victims known to the Authorities, victims referred to the National Referral Mechanism (NRM), prosecuted traffickers and convicted traffickers. There are a number of key priorities including: improved victim care, effective training and victim identification, productive partnerships, evaluation of law enforcement activity, private sector engagement and international collaboration.

Part 6 of the Act, which relates to transparency in supply chains, is strongly welcomed. This requires all businesses over a certain threshold to disclose what steps they have taken to ensure that their business and supply chain are free from slavery. As a nation we need to be sure that everything possible is being done to eradicate modern slavery from our supply chains. This is a business and a criminal practice with low risk and high profits. This clause means that organisations will have to evaluate law enforcement activity and document their findings. The challenge is to come together to address this. There have been cases in Scotland, England and Northern Ireland where exploiters have been brought to account.

This Act has cross-party support. It is ground-breaking legislation to support victims and prosecute exploiters, which now needs to be put in to solid action.

#### Discussion

- **Q.** When will there be a decision on the financial threshold? **Answer.** We have consulted on this and there are several options being considered. (It has since been announced by government that following a public consultation earlier in the year, from October 2015 all commercial organisations carrying on business in the UK with a total turnover of £36m will have to prepare a slavery and human trafficking statement each financial year. Government will be producing statutory guidance that will indicate what needs to be included in the slavery and human trafficking statement. The guidance will be produced and published to coincide with the duty coming into force).
- **Q.** Of the 10,000 to 13,000 victims in the UK how many are in the commercial sector, and how many domestic? **Answer.** It is estimated less than 20% are domestic cases.
- **Q.** Are you collecting examples of good practice to illustrate where improvements have been made? **Answer.** Yes we want to and have been talking with the Department for International Development (DFID) and the Foreign Office. We know that supply chains are complicated. We want to look at a variety of different sectors but we do not want any employment opportunities to be lost.
- **Q.** How big is your landscape? **Answer.** It is likely we will focus on five to six sectors and we are not just looking for prosecutions here in the UK we need to look at global supply chains.
- **Q.** Are you looking at current UK legislation to see if any changes are needed i.e. the current system re transit visas? **Answer.** We do need to look at the whole visa arrangement system because it is crucial to looking at conditions on vessels to ascertain what exploitative conditions are. However, we also recognise that the transit visa system is very important for the fishing industry; it needs to be reviewed and tightened up, with perhaps a new visa system. We need to look at the current system and improve accountability i.e. we know that in the Philippines they do have a reporting process but is it being used effectively?
- **Q.** Given that the fishing industry is global how far will you be looking? **Answer.** The role is at an international level and it is working towards long-term benefit and prevention. We are already working with authorities in the Philippines and setting up groups to look at the fishing sector and what are exploitative conditions.
- **Q.** Is there any indication what the transparency statement should look like? **Answer.** These statements will be required on an annual basis and there will be recommendations and guidance from the Home Office on what it should contain and the processes that should be in place to monitor this, which will need to be a step by step process.

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#### **4. Ethical issues impacting on the UK seafood supply chain - discussion with presentation by Roger Plant, Seafish Ethics Consultant.**

[http://www.seafish.org/media/1410695/seclg\\_july2015\\_interimrpt\\_seafishethicsproject.pdf](http://www.seafish.org/media/1410695/seclg_july2015_interimrpt_seafishethicsproject.pdf)

This session focussed on the outputs of the project commissioned by Seafish to assess ethical issues impacting on the UK seafood supply chain. Roger Plant, an independent writer, trainer and consultant, and former Head of the ILO's Special Action Programme to Combat Forced Labour has carried out the project on behalf of Seafish. The aim was to provide a comprehensive description and analysis of ethical concerns pervading seafood production and processing activities in a wide range of countries covering: the key countries that supply the UK seafood market, as well as domestic landings; wild caught and farmed species; different sectors of the supply chain; and all aspects of unethical practice.

## Overview

The media coverage last year on ethical issues in the seafood sector was not a blip, this is a global issue which is not going to go away, and there is a strong need to control and eradicate. The global seafood industry represents a particularly concerning form of slavery. The press coverage in June 2014 lifted this issue up the agenda. We have a tremendous opportunity in the UK to lead on addressing this issue. The UK stands out as the country that is really grappling with this and putting into place positive initiatives to eradicate slavery from supply chains and this should all be documented.

There has been a paradigm shift when talking about sustainability from environmental to social considerations. The Seafish Responsible Fishing Scheme is a prime example. The re-launch of RFS now encompasses social clauses as well. We need to disaggregate the social into its component parts from a law enforcement perspective – they are all crimes and we need to determine how to deal with the worst forms of abuse. There is a whole raft of labour standards, but there are structural concerns through law and policy reform beyond the seafood industry. The areas of crewing, manning and brokering are at the hub of the issue however there are ‘grey’ areas within this. Recruitment and brokering is a big area of concern and there are attempts to set a standard for acceptable labour recruitment practice. ILO ratifications always take time and the lion’s share of attention has been in the maritime conventions as they are bigger and more prominent, with fisheries out on the side lines.

High profile cases continue to be reported by the media but in a lot of instances there is very little source material out there. The U.S. Department of State Trafficking in Persons (TIP) report is based on information received, whilst not 100% reliable it is the best source available. There are also a number of big overview studies but there are barriers to mapping the direct supply chains to the UK.

Thailand does stand out in terms of the extent of reporting and, as part of this project, there will be analysis of remedial measures in Thailand and how industry partnerships in the seafood sector have worked/are working.

- The International Labour Organization Good Labour Practice programme in Thailand is a comprehensive fisheries industry improvement programme that combines establishment of industry labour guidelines with a supportive good labour practices training programme. The current funding stream has ended but this may still continue.
- The progress of the Shrimp Sustainable Supply Chain Task Force was mentioned. This group was formed in July 2014 and has three core objectives: to implement track and trace systems with international verification from feed mill to vessel; to drive Thai Port Codes of Conduct with international recognition; and to drive Fishery Improvement Projects in the Gulf of Thailand/Andaman Sea. Work is progressing in all three areas.
- Project Issara is universally liked. It is a 24-hour nationwide migrant worker hotline in Thailand and has effectively become the ‘eyes and ears’ of UK seafood companies on the ground in Thailand. It reports on a regular basis and is helping UK industry look at the problems in Thailand and how to remediate.
- There is going to be a focus on brokering in Thailand. Associations are now starting to self-regulate their members in Thailand, as they can’t rely on the government to do this, but there are gaps and barriers. An accessible welfare set up is required in Thailand; there is no real overall transparency; Thai companies need to collaborate.

## Discussion

- **Q.** Why is ratification of Work in Fishing Convention ILO 188 so slow? **Answer.** (The Convention will enter into force 12 months after the date on which the ratifications of ten members, eight of which are coastal States. To date the convention has been ratified by Argentina, Bosnia and Herzegovina, Republic of the Congo, Morocco, and

South Africa, all of which are coastal states). Ratification is always a slow process and it does take time. The Maritime Labour Convention was developed at about the same time and it could be that got more attention. ILO 188 does have a huge scope and is a very important benchmark, but there could be an element of convention fatigue.

- **Q.** Labour brokering is one of the biggest challenges. Is the situation in the UK any different to elsewhere in the world re charging? **Answer.** This is a big issue. Bonded servitude or labour sees new workers charged a fee - sometimes equivalent to a month's salary or more - for being introduced to work, typically by third-party recruiters. It means many employees will begin work in debt and some have their passports confiscated. Media reports on the excessive fees paid by Apple workers in Malaysia was cited as an example. Apple previously cracked down on excessive recruitment fees that foreign contract workers pay to labour brokers. It ruled that anything more than one month's wages had to be repaid, but earlier this year Apple banned the practice of bonded labour - where new recruits are charged a fee - from its factories. This is a good example of industry taking the lead, as governments often have caps, but do not enforce.
- **Q.** Is 'at sea' a particular challenge? **Answer.** There are challenges within feed mills, processing facilities and peeling sheds but 'at sea' does seem to present the biggest challenge.
- **Comment.** Everyone is looking for data and from a business perspective it is very important. We need to ensure that all victims are properly de-briefed so that we can capture what is happening in the UK.
- **Comment.** SECLG is a very useful mechanism for providing up-to-date information but there is still room for guidance on what the UK supply chain should be asking of their suppliers and the best ways to engage fully.

#### **Actions:**

- 4.1. Send link to report on 'Preparing for greater supply chain transparency'. June 2015.
- 4.2. Send link to report by Baker and McKenzie 'Managing Corporate Supply Chains: Challenges & Successes in the Fight to Combat Forced Labour and Human Trafficking'.
- 4.3. Look at a briefing document on brokering standards and what they could look like.

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#### **5. Responding to, and managing risk. Part 1.**

[http://www.seafish.org/media/1410704/seclg\\_july2015\\_managingrisk.pdf](http://www.seafish.org/media/1410704/seclg_july2015_managingrisk.pdf)

To support this session papers were sent out in advance and supplied on the day including details on the Seafish RFS and the Improver programme, and a synopsis of known ethical risk assessment tools, either in existence or in development. Feedback forms also asked: Were the audience comfortable with multiple tools to assess ethical risks or should there be an attempt at collaboration? And what would be most useful going forward? There was also a request for a list of countries of most interest in terms of seafood imports and ethical concerns

The focus was on the main requirements from industry for managing risk and the tools to assess ethical risks with multiple 'tools' available or in development for seafood including the Seafish: Risk Assessment for Sourcing Seafood (RASS); the Sustainability Incubator Labour Safe screen; and the Sustainable Fisheries Partnership (SFP) Human Rights Risk Indicator for Fisheries. The SFP indicators or proxies were described in detail. The six proxies correlate positively or negatively with the existence of labour abuses in the supply chain. An algorithm is then used to produce a score for each fishery... This will provide a guide and an assessment of 'high risk - you must make further enquiries before sourcing from this fishery', 'medium risk - you may wish to make further enquiries depending on your internal policies' and 'low risk - it is unlikely that you need to prioritise these fisheries when assessing risk'. This will be applied to the 1000 FishSource profiles with private testing from August to

October which will be open for feedback from SFP subscribers. This was an attempt to provide a risk analysis that parties wanted, to provide a 'rough' screen to focus on due diligence. However SFP is happy to engage with other systems/approaches and work collaboratively.

#### Discussion

- **Q.** Did you consider the use of migrant labour as an indicator? **Answer.** Yes but we needed an associated data source with hard numbers and there were no robust sources. We needed genuine metrics.
- **Q.** What is the default position when information is scarce? **Answer.** It will have to be scored with the information that is available and SFP will revisit scores.
- The feedback forms circulated showed that ten responders agreed that one risk assessment tool was preferred but there was an appreciation of the challenges of doing this.
- The list of key countries for the development of country profiles as highlighted by the group were: Russia, Alaska, Indonesia, India, Central / South America, Thailand, Peru, Chile, Philippines, NZ, Canada, Taiwan, China, Vietnam, South Korea, Malaysia, UK territorial waters, Ecuador, UK, Turkey, South Africa.

#### Actions:

5.1. Further discussion to harmonise discussion on risk assessment tools.

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### **Seafood ethics and the USA market**

#### **6. UK/US Seafood Supply Chain perspective. Libby Woodhatch, Seafish.**

[http://www.seafish.org/media/1410701/seclg\\_july2015\\_ukuscollaboration.pdf](http://www.seafish.org/media/1410701/seclg_july2015_ukuscollaboration.pdf)

Libby highlighted the ongoing collaborative work. With the U.S. and Europe buying from the same supply chains there was a recognition that reputational issues were shared, the issue was large and complex, everyone was responsible and that it could be tackled by collaboration. The U.S. National Fisheries Institute (NFI) approached Seafish, as an impartial European body, to look at collaborative working. Seafish and NFI now facilitate a grouping of U.S./European commercial companies (retail, food service processors) and has adopted a two-pronged approach to push the Royal Thai Government for change, through suppliers, directly, or through country embassies and look at what practical solutions the supply chain can take to force change at a faster pace by sharing knowledge and best practice. The first meeting was held in Reykjavik in January with follow up meetings in Boston and Brussels. The next meeting is likely to be in November.

#### Discussion

- **Comment.** It has been very useful sharing the UK perspective with U.S. counterparts as we face the same challenges. The first meeting was very well attended. This whole arena has synergies with how industry addressed environmental sustainability, which started back in 2005. The first phase was understanding the challenge before the metrics could be developed to build strategies. The more organisations and people that are involved the better to add greater weight. The risk test is what happens next. On a global scale the UK is tiny but working with the U.S. will help to increase the sphere of influence.
- **Q.** Are there any other EU member States involved? **Answer.** Yes two European retailers and AIPCE.
- **Q.** Could China be addressed in the same way? **Answer.** At the moment the focus is Thailand but in the future China could be looked at.

#### **7. Aurora Alifano, FishWise Project Manager and Human Rights lead.**

[http://www.seafish.org/media/1410747/seclg\\_july2015\\_fishwise.pdf](http://www.seafish.org/media/1410747/seclg_july2015_fishwise.pdf)

FishWise is a sustainable seafood consultancy providing support on seafood policy development, sourcing and traceability requirements for U.S. retailers. Specific issues were highlighted including: the need for one organisation(s) to take the lead on this, the lack of

capacity to audit at vessel level and the difficulty in influencing Government. Looking ahead recent developments include:

- The California Transparency in Supply Chains Act entered into force in January 2012. This requires all companies, who do business in California above a certain financial threshold, to report annually on measures taken to prevent and eradicate slavery and human trafficking in their supply chains.
- Communication channels are opening up with trips to Thailand happening more frequently.
- There is a need for more education on this issue amongst retailers.
- Simple basic guidelines are needed with protocols for businesses. This is something FishWise is working on.

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## **8. Responding to, and managing risk. Part 2. Where do we go from here? Feedback session.**

[http://www.seafish.org/media/1410704/seclg\\_july2015\\_managingrisk.pdf](http://www.seafish.org/media/1410704/seclg_july2015_managingrisk.pdf)

At the first meeting in July 2014 Seafish was asked to: engage with UK government; continue with meetings and build collaboration in the supply chain; develop links with the USA; make a long-term commitment to tackling ethical issues; provide information and guidance; and use this group to help develop a stronger voice. Seafish has included 'socially responsible' in its strapline and is working on a Risk Assessment for Sourcing Seafood (to include ethics); the Responsible Fishing Scheme (includes ethics clauses); collaboration both with SECLG and internationally and an insight on ethical issues in global seafood supply chains.

Key questions were: Could the seafood industry come out with a common statement or roadmap? What have been the main changes in the past year? What significant steps should we aim for over the next year? What are your main 'asks' for the year ahead?

What would be most useful to you going forward? The responses included:

- Country, sector and flag state assessment harmonised
- Monitoring, reporting, collaboration
- Maintain collaboration and engagement
- Vessel level information (traceability / transparency back to vessel)
- Better understanding of other businesses and sectors and what they're doing
- Knowledge sharing
- Country profiles
- Sharing experiences
- Clarity on what is expected in the UK
- Co-operation
- Certification with common standards including auditing, welfare at sea
- Addressing UK catching sector issues
- Single searchable database
- More information on enforcement by Government, good practice in Government approaches
- Better understanding of who's doing what and NGOs working with industry not against them
- More data
- Shared trade media strategy led by Seafish (what's the issue, what's being done, what needs to happen).

### Other points

- 'At Sea' is the unique challenge for this industry and there is no natural leader to move forward in this area. Responsibility falls upon the industry to put something in place voluntarily before anything is enforced.
- Seafish is very well positioned for where we are now in pulling information together to fully understand the landscape, but going forward from here is where leadership is needed.
- The seafood supply chain is complicated. These issues are not just unethical they are criminal and because of this people are not going to be honest.

### Key asks for the year ahead (from the discussion):

<p><b>Political/Institutional</b></p>	<ul style="list-style-type: none"> <li>• Clarify the role of government in different countries, what are they doing?</li> <li>• Work with government and industry to build political will</li> <li>• Needs Government intervention – only so much industry can do</li> <li>• TIP is a very visible pressure point (unfortunately a negative one)</li> <li>• Industry organisations to contact embassies to raise awareness of the issues.</li> <li>• Educate embassies i.e. UK embassies abroad. But need to be clear on what we are asking for.</li> <li>• How to secure ILO 188 ratification – the more countries that ratify the greater the pressure</li> <li>• Need to look at what compliance with ILO 188 would look like.</li> <li>• What is the role of the European Commission?</li> <li>• Use the EU's 3<sup>rd</sup> country delegations to influence as they are better resourced</li> <li>• Leadership void – industry v Seafish roles</li> <li>• Ensure clarity and robustness in our role and work programmes as media interest is likely</li> </ul>
<p><b>Certification / standards / auditing</b></p>	<ul style="list-style-type: none"> <li>• Certification</li> <li>• Traceability of crew which should sit alongside current inspection regimes.</li> <li>• Observers at sea, standard questions they should be asking and how they should be responding.</li> <li>• What can we put in place whilst waiting for RFS? Can we develop an Improvers Programme for vessels that can't reach the RSF standard?</li> <li>• Put together a delegation to present RFS to the FAO (Larsen Abbabouch)</li> <li>• Consider a code of conduct/roadmap for the seafood industry on ethical issues with a timeframe of actions</li> </ul>
<p><b>Information &amp; guidance</b></p>	<ul style="list-style-type: none"> <li>• Consider synergies with other industry sectors including lessons learned, identify which are the unique challenges facing the seafood industry and focus on those.</li> <li>• More information / guidance.</li> <li>• Transparency on data from catch certificates.</li> </ul>

	<ul style="list-style-type: none"> <li>• Document what industry has already achieved – the starting point, where we were, where we are now</li> <li>• Look at a briefing document on brokering standards and what they could look like.</li> </ul>
<b>Risk assessment / analysis</b>	<ul style="list-style-type: none"> <li>• Work on one risk assessment tool.</li> <li>• Look at risk assessment approach, build just one but get industry input on this (suggested AIPCE – EU, NFI - U.S. and Seafish - UK form a best practice approach together) to develop risk assessment criteria's</li> <li>• SFP matrix; what happens after the initial risk rating, understanding what you would need to do if a risk was highlighted.</li> <li>• Review SFP approach/model, needs to be looked at again.</li> <li>• Clarify what the risk is and what it looks like for seafood</li> <li>• Identify where the next threat may be to business</li> <li>• Potential synergies with business intelligence tools to look at other areas of fraud i.e. food fraud.</li> <li>• Could look at developing a framework of questions to ask suppliers. Different questions for a vessel or processing facility.</li> </ul>

**9. Date of the next meeting.**

This was not discussed but likely to be January 2016.