

Under the [United Nations Guiding Principles on Business and Human Rights \(UNGPs\)](#), all business enterprises have a responsibility to respect human rights. The UK ratified the International Labour Organization Work in Fishing Convention (c188) in 2019. The Convention is intended to create a level playing field globally, force out sub-standard operations and provide minimum standards for decent work onboard fishing vessels. This bite-size meeting looked more closely at collaborative initiatives to drive the improvement of working conditions for fishers who commercially fish in UK waters and/or on UK flagged vessels, as well as globally.

[Waitrose survey on the experiences of crew on Scottish fleets](#). Sam Ludlow-Taylor/Amy Morris, Waitrose.

- The aim of the survey was to develop an understanding of key issues facing migrant crew in UK; to analyse existing worker voice mechanisms available at sea; to design a scalable and replicable pilot worker voice model to trial within Waitrose wild caught-fish supply chains.
- The survey was conducted at Peterhead and Fraserburgh in June 2021. Qualitative interviews were conducted with 40 migrant fishermen (individual and group) covering their worker journey (how they came to be in this job) and the experience of work (in the UK fishing industry and risks they face). They interviewed six skippers and two recruitment agents (supported by three local organisations).
- The findings highlighted the mixed experiences of migrant fishers (both positive and negative). On the positives side: this included workers earning a higher income here rather than in their home country; good health and safety measures in place; living expenses covered; free Wi-Fi; and full salary being paid during the low season and during Covid. On the negative side there were comments that: fishers were not prepared for psychologically and physically for the hardship endured working at sea; continuous days working at sea and excessive working hours; not being paid for additional hours; either sustained injuries themselves or witnessed others sustaining injuries; endured verbal abuse and some racial abuse; had been charged recruitment fees (which varied in terms of cost).
- **Next step.** We will support the production of material to help fishers prepare for what they are about to find working on UK fishing vessels. We will be organising a roundtable with SWFPA to bring engaged parties together to discuss the issues that have been raised. This will be wider than the Waitrose supply chain – we need to support change much more generally.

Discussion

- **Q. 40 fishers and 2 skippers is a tiny fraction of the total workforce across the Scottish fleet. How did you decide**
A. We had a week to conduct the interviews so a finite amount of time to undertake this survey. We wanted to look at working conditions and the treatment of workers and their employment conditions. Migrant workers are not treated in the same way as local crew. Also, local crew are more likely to be aware of conditions at sea.
Comments. The number of interviews is not problematic - this is not a quantitative study. It is the 'richness' of this data that is most useful. The weather and conditions are the same for all crew regardless of nationality ever since fishers first went to sea. Surely to get a fair picture all crew should have been interviewed not just migrant workers. In the past when I did a study about migrants to the Highlands & Islands, the same question was asked - why just migrants? It is not to say that other workers do not have challenges, but sometimes there is a need to focus on a specific group (especially in a qualitative study) to find common experiences. There is no issue with targeting a particular group of workers if one is not holding the findings up to be representative of entire workforce.
Numbers. There are 1,500 non-UK workers (1,500 in Scotland out of total of 4500). There will be in the region of 800 migrant fishers in the two ports. So, the survey was 5% for those

two ports, the Seafish fleet survey is 4% of the fleet, so surely everyone should be happy it's a big enough sample.

- **Q. Can you tell us more about where crew came from, and any racial discrimination they faced? Also, how often could crew access the port during COVID (was isolation at sea an issue?) and did they access any support services?**
A. Mostly name-calling – racial discrimination was a key concern particularly at that time, with the Black Lives Matter movement
- **Q. How can the supply chain influence working conditions in the industry?**
A. Working with the sector is key. We also need to have conversations with the authorities, and certification schemes play a role. We need to understand what the issues are in the first place before we can move forward.
- **Q. Are the outputs such as the materials to give to those coming over to the UK freely available to industry? Could the positive and negative findings be put in writing?**
A. Yes, the recommendation is to make this material widely available. We want this as freely shared as possible. Re the publication of the report, we are working through the action plan and some logistics for publication however we do intend to make it publicly available.
- **Q. What are the key take-outs from this survey?**
A. This has re-highlighted that the challenges of people working with in the fishing industry are global issues. The challenge is with working abroad. The follow up workshop was crucial. The recommendations are things that we can practically do to address the issues raised.

Minimum conditions for social certification in the seafood supply chain. Andrea Albertazzi, European Transport Workers' Federation.

- This covered the role of the European Transport Workers' Federation, the European Social Dialogue Committee for Sea Fisheries and the Social Partners joint resolution on seafood social standards and supply chains.
- The ETF fisheries sector brings together national trade unions to discuss the situation of fisheries workers in different regions, demographic challenges, fishers working conditions and the employment of migrant workers.
- EU Social Partners joint resolution on seafood social standards and supply chains covers common ground between the partners. It stipulates that:
 - ILO C188 is the main international 'guardian' of labour standards and represents the minimum
 - Full inclusion of internationally agreed labour standards (as above) in private labels
 - Inclusion of social partners (in particular unions) in the process
 - Solid monitoring and enforcement mechanisms
 - Clear relationship between private labels and C188
 - Clear information should be provided to consumers

Discussion

- **Q. Despite EU legislation implementing the contents of C.188, is it still important for individual member states to ratify and implement C.188?**
A. Yes. We need implementation at a national level. This puts pressure on other countries that have not yet ratified ILO 188.
- **Q. Which EU countries have collective bargaining which covers migrants working on their vessels?**
A. Spain probs in other countries such as Ireland and France.
- **Q. Why are employers particularly interested in joining joint resolutions with the trade unions e.g. FISH? Please explain the benefits of joining resolutions between workers and employers' organisations.**

A. Employers are players in the EU market. They want a level playing field when it comes to social standards.

- **Comment.** Please note that once a State ratifies C.188 it has a binding treaty obligation and is subject to the ILO's supervisory system. This means it must submit periodic reports to the supervisory system. These reports are reviewed by the ILO's Committee of Experts on Application of Conventions and Recommendations, which works with the ratifying State to help move the State towards full compliance. So, in short, ratification is important because of the legal obligations and supervisory process. In the ILO when States ratify, they then follow through on this to make sure the Convention has actually been implemented nationally.

Further information

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The role of the SEA Alliance and its participating companies. Andy Hickman, SEA Alliance.

- The Seafood Ethics Action Alliance (SEA Alliance) is a pre-competitive collaboration of retailers and seafood businesses aiming to strengthen human rights due diligence carried out in the global seafood supply chain and ensure respect for human rights.
- The SEA Alliance is guided by the United Nations Guiding Principles on Business and Human Rights. "If the business enterprise has leverage to prevent or mitigate the adverse impact, it should exercise it. And if it lacks leverage there may be ways for the enterprise to increase it. Leverage may be increased by, for example, offering capacity-building or other incentives to the related entity, or collaborating with other actors."
- The focus on seafood. It is estimated by the FAO there are 32,000 fishers' deaths annually which highlights commercial fishing is a hazardous occupation. Jurisdictional challenges: lots of different states involved in the activities of fishing vessels – port states, market states, coastal states, activities on the high seas. Regularly there is insufficient regulation and enforcement to support workers' rights. It's an industry in which migrant workers are critical to the operations of many fleets, and we know from experience of a range of sectors that where migrant workers are employed there can be risks of exploitation during the recruitment journey and employment. Levels of trade union representation across the seafood industry are typically low, and we know that can trade unions are often a very important.

Discussion

- **Q. Who can join? Who should they approach to join?**
A. The SEA Alliance includes processors, retailers, and food service businesses. You can take part in alliance activities if you are a commercial market organisation based in the UK which sources seafood nationally or internationally. Contact [Andy Hickman](#) or [Karen Green](#).
- **Q. When will the fund be launched? Secondly, where can we find the risk report?**
A. The fund will be launched Q2 2022. The fishery risk assessment will not be made public. It is for members to use but we are happy to share information on the metrics used.

For further information

- [Seafood Ethics Action Alliance](#)

The Cape Town Agreement and how its ratification helps global governance. Huw Thomas, Pew Trusts.

- This covered the 2012 Cape Town Agreement (CTA). It covers new fishing vessels of 24 m in length and over, operating on the high seas and protection of their crews. The Agreement sets standards on fishing vessel design, construction, and equipment, including safety equipment. The Cape Town Agreement will enter into force 12 months after ratification by

22 States with fleet of 3,600 fishing vessels. Currently 16 States have ratified the Cape Town Agreement with 1,907 fishing vessels, so there are 6 ratifications missing and 1,693 fishing vessels. The CTA is a watered-down compromise of the original Torremolinos agreement which didn't receive the international support that it needed to be implemented.

- The 2019 Torremolinos Declaration has been signed by 51 States which agreed to target ratification by 11 October 2022. Six countries committed to ratify by October 2022 at the One Ocean Summit in Brest, France – Ghana, Ireland, Kenya, Portugal, Republic of Korea, and Japan.
- The Cape Town Agreement helps seafood companies deliver some of the labour and social expectations their customers place on them through the provision of crew and vessel safety and constructions.

Discussion

- **Q. Is there any way of tracking the quality of implementation of these three treaties?**
A. The implementation is one for the challenges. That is the first step to proper and robust implementation is the next challenge. We need suggestions on how to monitor this.
- **Q. What can industry do to encourage ratification?**
A. The lead that the Global Tuna Alliance took is a very useful step. Last year the Global Tuna Alliance and Tuna Protection Alliance members wrote to flag states in their supply chains urging them to make good on their Torremolinos declaration commitments or to support the ratification of CTA within 2022. The writing of letters by these industry groups came after GTA included CTA, IUU and fisher safety within their core priorities and includes it within their 2025 pledge towards sustainable tuna. Industry can also engage one on one with the Governments and remind these countries that have ratified that they have signed up to an agreement.
- **Q. I find it hard to think that from 51 signatories of the Torremolinos declaration in 2019, only 4 have followed up - and all other in-country efforts stalled due to Covid? Are there more reasons behind that maybe that we should take into account?**
A. In fact it is only two. Covid has been cited as one of the key factors in the delay.

For further information

- **Pew [newsletters](#).** The International Fisheries News that is issued Friday each week. It is the one that gives IUU and safety news from various organisations.
- **[Three Treaties to End Illegal Fishing](#)**