



**December 2018**

**Seafood Ethics Common Language Group e-alert  
(amalgamation of news alerts issued to SECLG circulation list by email in December 2018)**

**Seafood Ethics Common Language Group**  
<https://www.seafish.org/article/ethics-in-seafood>

### **UK and Ireland news**

**[Home Secretary announces new skills-based immigration system.](#) 19 December 2018.**

The Home Secretary announces a new route for skilled workers, strengthened border security and an end to free movement as part of a new immigration system. The new immigration system will introduce a new route for skilled workers which favours experience and talent over nationality. It will enable employers to have access to the skills they need from around the world, while ensuring net migration is reduced to sustainable levels. The White Paper proposals will, in line with the recommendations made by the Migration Advisory Committee (MAC): to remove the annual cap on the number of work visas issued; to widen the skills threshold to include people with qualifications equivalent of A levels; and to end the requirements for labour market tests by employers wanting to sponsor a worker. There is no mention of fishing being a special case.

**[Irish hiring of non-EEA citizens to continue, despite trafficking fears.](#) 7 December 2018.**

Ireland's High Court has refused to grant a temporary injunction preventing the minister for justice and equality from granting further permissions for non-EEA citizens to work in the fishing sector, which was sought because of fears of human trafficking in the industry. The International Transport Workers' Federation (ITF) sought the court order following a number of international reports highlighting concerns about how Ireland enforces its human rights obligations in the area of human trafficking.

**[Court told migrant fisherman worked for €2.83 an hour in conditions like 'modern slavery'.](#) 22 November 2018.**

Migrant fisherman working on Irish registered trawlers claim they were exploited, underpaid, racially abused, worked to exhaustion and in some cases have been assaulted to a degree that their working conditions are akin to "modern slavery," the High Court has heard. The court also heard that the investigations carried out by migrants' rights groups have revealed on average fishermen from non-EEA countries worked an average of approximately 116 hours per week, yet were only paid an average of €2.83 per hour. Arising out of complaints made by fishermen, the International Transport Workers Federation (ITF) has brought proceedings against the State over a work permit scheme it claims is allowing the fishermen to be exploited. In a preliminary application, the Federation wants injunctions including one preventing any work permits under a scheme known as Atypical Working Scheme for Non-EEA Crew in the Irish Fishing Fleet by the State be granted or renewed.

### **Thailand and Southeast Asia**

**[Commission lifts "yellow card" from Thailand for its actions against illegal fishing.](#) 8 January 2019.**

The European Commission has delisted Thailand from the group of "warned countries" as recognition of its progress in tackling illegal, unreported and unregulated fishing. The Commission has acknowledged that Thailand has successfully addressed the shortcomings in its fisheries legal and administrative systems. For this reason it lifts the so-called "yellow card", in place since April 2015, a warning from the EU that the country at the time was not sufficiently tackling illegal, unreported and unregulated fishing. The decision reverses the first step of a process that could have

led to a complete import ban of marine fisheries products into the EU. The Commission also recognises the efforts demonstrated by Thailand to tackle human trafficking and to improve labour conditions in the fishing sector. While not part of the bilateral dialogue on illegal, unreported and unregulated fishing, the Commission and the European External Action Service have addressed with Thai authorities the serious human rights abuses and forced labour in the fishing industry. Thailand has recently announced the ratification of the International Labour Organisation's Convention No. 188 on Work in Fishing (C188), the first country in Asia to do so. The Commission congratulates the Thai Government on this commitment and stands ready to further support Thailand in its declared ambition to set an example for the region, not least through the EU-Thailand Labour Dialogue.

**[Thailand leads Asia to ratify key ILO convention on work in the fishing industry.](#) 30 November 2018.**

[Thailand's National Legislative Assembly](#) has voted to ratify the ILO Work in Fishing Convention C188 despite obstructive tactics and attempts to derail the process by some sections of the fisheries industry. Without further opposition, it should become effective in January next year 2019. The EJF, which has been advising the Thai government on these issues since 2013, applauds this progress and urges Thailand to keep up the momentum for reform, to protect fishers and Thailand's international reputation. The Thai Assembly's decision was taken although industry representatives such as the National Fisheries Association of Thailand (NFAT) have been using aggressive and disruptive tactics to derail legislative reforms in a bid to avoid any regulation to protect workers across the fishing industry. In 2019, Thailand will become chair of the Association of Southeast Asian Nations (ASEAN), providing a unique opportunity to demonstrate further leadership in the region, encouraging neighbouring countries to follow suit.

**[The Southeast Asian Forum to End Trafficking in Persons and Forced Labour of Fishers \("The SEA Forum for Fishers"\).](#) November 2018.**

The Southeast Asian Forum to End Trafficking in Persons and Forced Labour of Fishers ([The SEA Forum for Fishers](#)) was established at the Southeast Asia Conference on Regional Coordination and Action to Combat Trafficking and Forced Labour in Fisheries in Bali in November 2018. It is a new multi-stakeholder Regional Coordination Body in Southeast Asia to improve coordination in combatting trafficking in persons, forced labour, and modern slavery at sea. The SEA Forum for Fishers is a non-binding voluntary multi-stakeholder initiative to strengthen coordination among the Members to combat trafficking in persons, forced labour, and slavery in the fishing and seafood sector through an integrated, holistic, human rights-based and action-led approach. The objectives of the SEA Forum for Fishers are:

- To promote and facilitate collaboration, social dialogue, good industrial relations, sustainable economic development, decent work and social protection in the fishing and seafood sector.
- To eliminate trafficking in persons in Southeast Asian fisheries by strengthening coordination and increasing the efficiency and efficacy of the efforts already underway at the national and regional levels.
- To promote human rights, fundamental principles and rights at work, and other relevant international labour standards for fishers and migrant fishers in Southeast Asia.
- To strengthen cooperation between Members from labour-sending States, transit States, and labour-receiving States, port States, and flag States on labour migration governance to facilitate safe, regular and orderly migration.
- To develop regional protocols and a clear division of responsibilities to strengthen exercise of the respective jurisdiction of flag States, port States and labour-sending States, particularly in relation to inspections of vessels, interventions, identification of victims and victim assistance.

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- To develop regional protocols for improved data collection and sharing, to share best practices and information between Members. For further information contact [Mi Zhou](#) or [Arezka Hantyanto](#)

### **Making Good Labour Practices Better. November 2018.**

The new Good Labour Practices guide will be published in January 2019 with TTIA and TFFA, and a tripartite committee named to oversee progress under their strengthened GLP programmes.

### **Other global news**

#### **Australian government passes Modern Slavery Act. November 2018.**

Modelled on the UK Modern Slavery Act 2015, this new legislation, effective from 1 January 2019, requires organisations with a turnover of more than A\$100 million (approx. £57 million) to report annually on the modern slavery risks they identify in their organisation and supply chains, the steps they are taking to mitigate those risks, and the effectiveness of those steps. In line with recommendations from a parliamentary inquiry into the establishment of the Act last year, the statements will be held in a central public registry maintained by the government, however the recommendation for financial penalties for non-compliant entities has not been included.

#### **Fishermen's Welfare and Human Rights: Ascension Island EEZ. November 2018.**

A comprehensive Independent Assessment of the Potential Risks to the Welfare and Human Rights of Fishermen operating within the Ascension island Exclusive Economic Zone (EEZ) onboard foreign Flagged Tuna Longline Vessels. The report looks at the human rights and welfare concerns and related protections required of fishermen working onboard licensed foreign flagged and registered tuna longline vessels operating inside the EEZ of the Ascension Island.

### **Events**

#### **SALT's PartnerLab. 11-12 February 2019 in Bangkok.**

Based on the wealth of information gathered the past year, SALT and its co-design Advisory Committee identified several areas of interest where we could help seafood traceability progress; namely, promoting electronic catch documentation and traceability systems that benefit a broad range of economic, environmental, and social needs. This will look at how to incentivize the use of a comprehensive system of electronic catch documentation and traceability and to incorporate human welfare into an electronic traceability system to improve labour and human rights?

#### **Westminster Legal Policy Forum Keynote Seminar. Next steps for tackling human trafficking and modern slavery - enforcement, support and prevention. 7 May 2019. London.**

To [register](#). Key speakers are: Rt Hon the Baroness Butler-Sloss, Co-Lead, Independent Review of the Modern Slavery Act 2015; Pamela Bowen, Senior Policy Advisor and Lead, Human Trafficking and Organised Immigration Crime, Crown Prosecution Service and Professor Parosha Chandran, Barrister, One Pump Court Chambers. [Agenda](#).

#### **2018 International Maritime Human Rights Conference Reviewed. 19 December 2018.**

### **Reports and initiatives**

#### **FAO developing guidance on social responsibility**

**Lead presentation: [Social responsibility in the fisheries value chain](#) by Audun Lem, Deputy Director of the Fisheries and Aquaculture Department.**

At its thirty-third session in July 2018, the FAO Committee on Fisheries (COFI) decided that the guidance on social sustainability should be developed in cooperation with relevant stakeholders, including industry and fish worker associations, building on experience from the development of the OECD/FAO – Guidance for Responsible Agricultural Supply Chains. This would help improve the

sector and move towards the achievement of the Sustainable Development Goals (SDGs). The FAO plans to have the first draft of a guidance document produced by 1 February, and to run regional workshops from February through to April. The final document will be presented to the FAO Committee on Fisheries in 2020.

**[More action needed to stop human trafficking, exploitation in armed conflict: UNODC launches latest Global Report on Trafficking in Persons. 7 January 2019.](#)**

The number of human trafficking victims is on the rise, while armed groups and terrorists are trafficking women and children to generate funds and recruit, according to the latest Global Report on Trafficking in Persons. The report by the United Nations Office on Drugs and Crime (UNODC) draws on information from 142 countries. The report examines trafficking trends and patterns, and puts the spotlight on human trafficking in armed conflict.

UNODC Global Report on Trafficking in Persons 2018 [http://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTIP\\_2018\\_BOOK\\_web\\_small.pdf](http://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTIP_2018_BOOK_web_small.pdf)

**[To what extent can blockchain help fight slavery in the global supply chain? 23 December 2018.](#)**

By merit of its tamper-proof ledgers and immutable and transparent records, blockchain technology is gaining traction as the answer to stamp out an age old and growing slavery problem hidden in the complex and opaque global supply chains which exploits 25 million people. The Mekong Club, has teamed up with digital services provider Diginex to create a platform, eMin, which focuses on the labour issues in the garment industry. Once officially launched in the new year, after initial testing across Southeast Asia, vetted recruitment agencies would input workers' information to the blockchain, before factories add employment contracts. Once stored, information cannot be changed. Brands could then use the secure and transparent information to more easily audit the process and crowd out bad players. Adoption of the technology remains in the early stages, and one of the challenges is the risk of false data being input. According to the World Wide fraudulent data could be input about a company once or twice, but it would eventually be detected and evidence of an investigation would be recorded on the blockchain. If a fishing vessel was found to not be paying crew, for example, documents charging them would be uploaded.

**[International Maritime Organization Aims to Improve Crew Safety and Help Combat Illegal Fishing. Regulatory body plans high-level 2019 conference to promote key treaty that advances those goals. 17 December 2018.](#)**

States around the world can provide a consistent and minimum set of rules to combat IUU fishing, ensure decent working conditions, and safeguard fishers by implementing three United Nations treaties: the United Nations Port State Measures Agreement (PSMA); the International Labour Organization Work in Fishing Convention No. 188 (C188); and the International Maritime Organization Cape Town Agreement. When applied together effectively, which would include harmonizing inspections of fishing vessels, these treaties can help guard against overexploitation of fish stocks and protect the people catching them. To date, 57 governments have adopted the PSMA, and 12 have ratified C188. Unfortunately, this is not the case for the CTA. For the agreement to enter into force, 22 States with a combined 3,600 eligible fishing vessels need to ratify or accede to it.

**[Responsible Recruitment Toolkit launches pioneering one-stop, practical capacity building tool. November 2018.](#)**

The [ResponsibleRecruitmentToolkit.org](http://ResponsibleRecruitmentToolkit.org) (RRT) has been launched to support global brands, employers and labour providers to embed responsible recruitment practices in their supply chains.

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**[New expert guidance published on eliminating recruitment fees charged to workers.](#) 12 December 2018.**

The second edition of the comprehensive and practical toolkit 'Eliminating Recruitment and Employment Fees Charged to Workers' is now available for free download. This offers pragmatic steps for businesses to effectively eliminate recruitment fees.

**[Tripartite Meeting of Experts on Defining Recruitment Fees and Related Costs.](#) November 2018.**

The ILO is set to produce a definition of recruitment fees and costs, which will enable organisations to determine any acceptable charges for job-seekers to bear. The ILO held an expert meeting on the subject in November 2018.

*This is an amalgamation of the news alerts issued in December 2018.*