

Note of Seafood Ethics Common Language Group (SECLG) meeting held at Friends House, London. Wednesday 25 January 2017

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

Estelle Brennan welcomed everyone to the meeting.

Attendees

Aisha Aswani	Co-op
Alex Caveen	Seafish
Alex Olsen	Esperson
Alice Batz	ClientEarth
Alison Godfrey	Fishermen's Mission
Alma Bonilla	Joseph Robertson Ltd
Andres Reyes-Alzate	Lovering Foods Ltd
Andrew Kuyk	UK Seafood Industry Alliance
Angela Doherty	CP Foods
Anna Shepherd	Anti-Slavery International
Anne-Marie Kats	Dutch Federation of Fish Traders and Processors
Annika Mackensen	Giz
Barry Harland	Whitby Seafoods
Brandt Wagner	International Labour Organisation
Brett Dodge	Ergon Associates
Christine Absil	Good Fish Foundation, The Netherlands
Clare Norman	Waitrose
Dan Lee	Global Aquaculture Alliance
Dario Galasso	Project Scale, Interpol
Dave Robb	Cargill Aqua Nutrition (CQN)
David Camp	Stronger Together
David Dickens	Fishermen's Mission
Elena Piana	Sea Farms
Emi Katoh	MRAG
Estelle Brennan	Lyons Seafoods (Chair)
Felicitas Weber	KnowTheChain, BHRRC
Fergus Morgan	2 Sisters Food Group
Francisco Aldon	IFFO
Giles Bartlett	Sealord Caistor
Helen Duggan	Seafish
Hilde Jervan	Norwegian Council on Ethics
Ian Rolmanis	Sustainable Fisheries Partnership
Josh Stride	Consultant
Kara Brydson	Seafish
Karen Green	Seafish (Minutes)
Ken Fleming	International Transport Workers' Federation
Kevin Powell	Icelandic Seachill
Kristoffer Lunde	Cargill Aqua Nutrition (CQN)
Laky Zervudachi	Direct Seafoods
Laura Falk	Sainsbury's
Louise Unsworth	Maritime & Coastguard Agency

Margaret Beels	Gangmasters Licensing Authority
Martin Foley	Apostleship of the Sea
Martin Templeton	Icelandic Seachill
Melissa Pritchard	New England Seafood
Mel Groundsell	Seafish
Michaela Archer	Seafish
Mike Mitchell	Fair Seas
Mike Platt	MSC
Natasha Zervudachi	Bidvest
Nick Kightley	Ethical Trading Initiative
Robert Greenwood	NFFO
Stephan Jermendy	Environmental Justice Foundation
Stewart Cutchey	CEFAS
Tracey Strauch	Birds Eye

Apologies were received from

Amelia Reid	New England Seafood
Andy Hickman	Tesco
Andy Hodgson	Blue Earth Foods Ltd
Audrey Guichon	Freedom Fund
Chris Brown	Asda
Claire Dodgson	Seafish Board
Emily Pearce	Co-op
Gareth Bennell	Aldi
Gavin Bailey	Walmart
Huw Thomas	Pew Trust
Jonathan Shepherd	Seafish Board
Joseph Prosho	Morrisons
Marit van der Heijden	Anova Seafood, The Netherlands
Neil Auchterlonie	IFFO
Parosha Chandran	Barrister
Peter Andrews	British Retail Consortium
Ross Jolliffe	Cefas
Stephen Parry	Seafish Board
Tom Pickerell	Seafish
Tom Smith	Asda
Yemi Oloruntuyi	Marine Stewardship Council

2. Minutes of the previous meeting on 21 July 2016 and outstanding actions. Estelle Brennan, Chair.

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: more detail on indicators/risk evaluation and what works; Seafish social risk assessment tool; update on RFS; risk assessment developments – practical application; how to find the information to put into the risk assessment; more ideas on what stakeholders can do – case studies – what has been done when slavery is found; and a presentation from the GLAA.

Monitoring and control

3. The new role for the Gangmasters Licensing Authority (GLA/GLAA). Margaret Beels, Chairman, GLA.

http://www.seafish.org/media/1675863/seclg_jan2017_glaa.pdf

Margaret explained the role of the Gangmasters Licensing Authority was to regulate the supply of temporary labour in the food, farming and shellfish sectors (around 500,000 workers). However the 2015 Modern Slavery Act and the 2016 Immigration Act have changed this. The 2016 immigration Act creates a Director to set strategic priorities for labour market enforcement bodies in an annual labour market enforcement strategy and reforms the GLA in spring 2017 to become the Gangmasters and Labour Abuse Authority (GLAA) with police powers to investigate modern slavery and stronger powers to tackle labour exploitation across the economy. In preparation for this new role the GLA has been conducting threat assessments – fishing was cited as a threat in the fishing was cited as a threat in the North West of England and in Northern Ireland only. This threat assessment reveals gaps around sea fishing, fish processing and other fishing related industries and the GLAA is looking for intelligence and is keen to build local contacts and relationships.

Action: Circulate link to [GLA website](#) and email address. E: intelligence@gla.gsi.gov.uk

4. Project Scale's work in relation to human trafficking and associated crimes in the fisheries sector. Dario Galasso, INTERPOL.

INTERPOL's role is in facilitating international law enforcement cooperation and Project Scale covers all types of organised and emerging crimes in the fishing industry throughout the whole supply chain. In the last six months INTERPOL through Project Scale has started to look at human rights and has highlighted a number of indicators in the fishing industry to help identify individuals, companies, vessels, owners, operators and processing or aquaculture sites involved in trafficking/abuse. Some of these are generic and some quite specific. INTERPOL brings investigators in different countries together to share intelligence. INTERPOL has a system of international alerts which are always generated by a member country. A red alert is an arrest notice for a certain individual. A purple notice is most common for the fishing industry this flags up concerns about modus operandi, document fraud, mis-declaring etc. A yellow notice is for missing persons.

Discussion

- **Question.** Has there been a shift in where you are directing your attention on human rights? **A.** We look globally but we did start with South East Asia because of the many reports of fisheries crime and human rights abuses in that area but we strongly suspect there are similar situations in other parts of the world but we are lacking information on this.
- **Question.** How long does an investigation take? **A.** It can take years. Gathering criminal information takes a lot of time. Pulling information together for evidential value is hugely time-consuming but in the meantime we can look to disrupt criminal activities.
- **Question.** When an investigation involves the whole supply chain (individual, boat, agent etc) how much effort does it take to identify the whole chain? **A.** It really depends on the support we have and the level of information available. It is likely we are talking about very wealthy individuals and big criminal structures with each separate vessel a symptom of a much bigger problem. It is not enough to imprison illegal immigrants we need to address the bigger picture.

Action: Circulate link to [Project Scale website](#) and email address. E: environmentalcrime@interpol.int

Spotlight on the issue

5. The work of the International Labour Organisation. Brandt Wagner, Head of Transport and Maritime Sectors Unit, ILO.

http://www.seafish.org/media/1675869/seclg_jan2017_ilo.pdf

Brandt explained the remit of the International Labour Organisation and the difference between Conventions and Protocols which are legally binding on ratifying States, and treaties which are subject to the ILO supervisory system. The Work in Fishing Convention, No. 188 is to ensure that fishers have decent conditions of work on board fishing vessels with regard to: minimum requirements for work on board fishing vessels; conditions of service; accommodation and food; occupational safety and health protection; and medical care and social security. ILO C188 received its 10th ratification in November 2016 and will come into force in ratifying States in November 2017. The first reports to the ILO to illustrate compliance will be due in November 2018. There are a number of practical issues to address in implementing C188 in ratifying States. This will involve the translation of the Convention into national language, comparative analysis (“gap analysis”), national tripartite discussions and a possible road map or way forward (with changes to laws, regulations, administration). There was also mention of a number of other programmes:

- Protocol of 2014 to the Forced Labour Convention, 1930 and the work surrounding this including GAPFish.
- The objectives of the ILO-EU-Thailand: Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry. A gap analysis as a result of this has been presented to the Thai Government.
- The Committee on Decent Work in Global Supply Chains. June 2016. This concluded that private compliance initiatives (including certification and labelling schemes) have the potential to increase capacity for workplace compliance. However, limitations to the effectiveness of PCIs in ensuring long-term compliance include a lack of coordination, inadequate accountability and the fact that they are often limited to upper-tier suppliers. The aim is for ‘public, private and social governance strategies’ to be ‘mutually reinforcing for effective compliance’.
- The next major ILO meeting is in September 2017 on migrant fishers. It will look at: fishers working on foreign vessels in all regions; the role of ILO Conventions and other instruments, including the recent Fair Recruitment guidelines; lessons learned from the Maritime Labour Convention, 2006 (seafarers); and the relationship between IUU fishing and fisheries crime and human rights issues for fishers.

There has been a change of focus. Illegal migrants at sea are now seen as the victims not the criminal. He emphasised the importance of partnership and asked the audience how private compliance initiatives can contribute to the implementation of these standards.

Action: Circulate link to [ILO 188](#).

6. The work of the Apostleship of the Sea. Martin Foley, National Director, AoS.

http://www.seafish.org/media/1675872/seclg_jan2017_aos.pdf

The Apostleship of the Sea is a catholic charity supporting fishers worldwide providing practical and pastoral care. They have representatives in 261 ports and 55 countries and partnership working is fundamental to their outreach success.

Action: Circulate link to [Apostleship of the Sea](#).

7. The work of the International Transport Workers’ Federation (ITF). Ken Fleming, ITF UK and Ireland coordinator.

http://www.seafish.org/media/1675875/seclg_jan2017_itf.pdf

Ken explained the role of the ITF and the situation in the Irish fishing industry which has been using migrant fishers since 2007. The ITF has been highlighting systematic abuse of the non-EEA workforce since 2008 and mentioned extensive media coverage. To address this the Irish Government established a Task Force to stamp out abuse (this was discussed

at the previous two SECLG meetings). In the view of the ITF the Task Force has not worked. The Migrant Rights Centre Ireland has 54 cases pending and the ITF has over 50 cases pending all covering at the very least no pay or low pay and excessive working hours. The emphasis is very much on the 'threshold of acceptability'. At an ITF meeting on 7 December 2016 in Drogheda, of 41 Egyptian fishers surveyed, only four were in the permit scheme. None had ever met a WRC inspector or other Task Force representative. It was clear something has to change and a number of suggestions were put forward about options for that change.

Action: Circulate link to [ITF](#).

Support and initiatives

8. Stronger Together. David Camp, Stronger Together.

http://www.seafish.org/media/1675878/seclg_jan2017_strongertogether.pdf

Stronger Together is a collaborative approach to tackling modern slavery in businesses and supply chains bringing together the Association of Labour Providers, the GLA and Migrant Help and a large number of supporters. The aim is to reduce forced labour, labour trafficking and other hidden third party labour exploitation. They provide free tools and resources including posters, leaflets, videos, template policies and forms, induction, training packages, as well as regional workshops and a range of training solutions. Looking ahead they are looking at e-learning modules for fishing and aquaculture. Stronger Together provides a toolkit for "Tackling modern slavery in Global Supply Chains", which will be expanded to overseas supply chains, with a module developed for fisheries and aquaculture.

Action: Circulate link to [Stronger Together](#).

8.a. Clearview Global Labour Provider Certification Scheme. David Camp, Stronger Together.

http://www.seafish.org/media/1675881/seclg_jan2017_clearview.pdf

Clearview is a global social compliance certification scheme for labour providers. Currently there is no global social compliance standard to cover all the activities of labour providers and little or no consistent and comprehensive social compliance monitoring at these levels of the labour supply chain. Clearview provides: A brand/retailer policy for the responsible use of labour providers in their supply chain; a company/user enterprise policy for the responsible use of labour providers; a Labour Provider Code of Practice for the Responsible Sourcing and Supply of Workers; general regulations which detail how the scheme works, the audit body protocol and certification methodology; Technical Standards, Control Points Compliance Criteria and consistent audit methodology using the Complyer audit tool; and training for audit bodies and training/consultancy support for labour providers. There are a number of organisations looking at this: the ILO Fair Recruitment Initiative; the International Organisation for Migration International Recruitment Integrity System; and the Institute for Human Rights and Business Leadership Group on Responsible Recruitment – The 'Employer Pays' Principle. Clearview pilots are due to take place in March with a soft launch planned for mid-year.

Discussion

- **Question.** In the Philippines recruitment is heavily regulated by Government. Could Clearview certify those who are already Government controlled? **A.** Yes we want independent certification to be an incentive for labour providers. Audit outcomes can be shared with clients. For clients this represents independent verification of the recruitment process. We also hope it will help to reduce audit fatigue for the supply chain.
- **Question.** To what extent does the certification of labour providers go beyond the minimum legal requirements i.e. will it address not just illegal practices but those that could be deemed unacceptable? **A.** Generally a compliance-based audit will assess at the level of base compliance with the law. We need to build in an aspiration to improve beyond simple compliance with the law. We are doing that at four levels:

alerts for labour providers who are evasive and hide information; developing; performing and leading.

Action: Circulate link to [Clearview](#).

9. Seafood Human Rights Risk Tool update. Helen Duggan, Seafish.

http://www.seafish.org/media/1675884/seclg_jan2017_shrrt.pdf

The Seafood Human Rights Risk Tool is the result of a collaboration between Seafish, the Seafood Watch and the Sustainable Fisheries Partnership to develop one risk assessment approach to identify and assess the risk of human rights abuses in fisheries worldwide. The tool will produce risk ratings of human rights abuses by fishery and will incorporate measures implemented to mitigate such abuses. 12 pilot fishery profiles have been created to test the risk methodology which has now been finalised, incorporating feedback from a key industry user group consultation exercise completed in 2016. Now the group is in the process of recruiting an expert to populate the database and create additional fisheries; creating a host website to house the tool (which will ultimately be open access) and continuing consultation with industry experts to test and refine functionality.

Discussion

- **Question.** Is this being linked to IUU fishing? **A.** This has been taken into account but we have been looking at the broader range of indicators however we are aware that IUU can be associated with labour abuse.
- **Question.** What are the opportunities for links between risk assessment and intelligence sharing i.e. INTERPOL? **A.** That could be one of the ways forward. We are looking at opportunities but the information we use as the base for our assessments must be verifiable/credible and open source.
- **Question.** If only open source information is permissible there is a danger of only pick up on those areas where there is a lot of published activity. Those areas could as a result be tagged high risk whereas areas where there is little or no information, but where there are still issues, could stay under the radar. **A.** We hope we can avoid this.
- **Question.** Will it only be open access in the UK? **A.** It will be free open access to everyone.

10. Tools for Ethical Seafood Sourcing (TESS) update. Michaela Archer, Seafish.

http://www.seafish.org/media/1675893/seclg_jan2017_tess.pdf

TESS is a resource to help businesses manage social risks in seafood supply chains. It is aimed at helping businesses tackle issues in their supply chain by 'signposting' to a wide range of available resources. It includes a step by step approach on how to systematically tackle issues in seafood supply chains and a fully searchable database of information, initiatives, standards, organisations and other resources that will help support businesses to make improvements. The site is in development. Seafish is currently populating and testing in-house and plans to start user testing w/c 30 January with willing stakeholder volunteers. The plan is to launch in March 2017.

Discussion

- One suggestion was to include a scoring system to rate the usefulness of the resources available.
- **Question.** How much legal information is included? **A.** We do not intend to provide details on the legislative requirements country by country. We will be providing details on the broad global conventions etc.
- **Question.** Two emerging tools have been presented that both play into the same space. Will these two always be separate or could they come together? **A.** We have been working on both of these at the same time. However we always knew that SHRRT would be a longer process. There will be future plans to move TESS across into SHRRT.

Action: Volunteers from the attendees needed to user test TESS.

11. Responsible Fishing Scheme update. Kara Brydson, Seafish.

http://www.seafish.org/media/1675890/seclg_jan2017_rfs.pdf

RFS certifies high standards of responsible catching practices on board fishing vessels. It is a business-to-business tool, incorporating independent, third-party auditing. It complements existing standards, such as MSC, and is aimed at the global marketplace. RFS audits operational best practice. The RFS, currently only open to UK registered commercial vessels, is 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. The RFS does not currently have the capability to audit, or the legal authority to police, serious labour and human rights abuses at sea such as those identified in EJF's 2015 report '*Pirates and Slaves*'; it is not a social audit and Version 1 does not include crew interviews. Currently in the UK 177 vessels are engaged in the Scheme and 42 vessels are fully certified.

Pilot trials of a Vessel Improver Programme (VIP) are underway in Ben Tre and the Maldives. Ben Tre is a mixed fishery and phase 1 (assessment against RFS Standard) is almost complete. In the Indian Ocean Tuna fishery IPLNF is coordinating the trial and phase 1 is complete. Two International Feasibility studies have been completed, working with the Icelandic Cod Fleet and the Peruvian Anchovy Fleet. The international applicability of the standard was successfully verified in each case with no areas of concern identified. This showed the UK model could be very easily be adopted in Iceland, and adapted in Peru, should they wish to engage with the programme once international roll out begins.

Moving forward a new stand-alone, not-for-profit legal entity will be established to develop and implement the RFS internationally, including piloting the International Translation Process, which incorporates certification model development, with international fleets. The Seafish Board has made a key commitment to ensure that Seafish remains the RFS standard holder. Consultation with the RFS Oversight Board and international industry leaders is underway to ensure the original 'philosophy' of the scheme is maintained.

Discussion

- **Question.** When you refer to contracts of employment are you referring to self-employed fishers or employed fishers? **A.** There is different paperwork for different criteria. It may be that the fisher has all the necessary documentation but if not these forms can be used as model agreements.

Action: Circulate link to the [Responsible Fishing Scheme](#).

12. Update on the Seafood Task Force. Estelle Brennan, Lyons Seafoods.

The Seafood Task Force is a group of seafood processors, feed producers, buyers, retailers, government representatives and NGOs who have come together to address issues surrounding labour and illegal fishing in seafood supply chains currently focusing on the seas around Thailand. It was formed in 2014 as the Shrimp Sustainable Supply Chain Task Force but the group has evolved and as Membership has grown, equal emphasis is now being placed on tuna and other seafood products so the name has changed to reflect this broader scope. The focus is on Thailand and the Task Force has mapped the various supply chains of the buyers / processors within it, implemented track and trace systems to provide visibility, engaged with government and industry to upgrade codes of conduct and legislation as well as supported the formation of fishery improvement projects (FIPs). It has divided its workload into eight sub-groups. A Task force meeting was due to take place w/c 30 January with well over 100 expected to attend.

13. Date of the next meeting.

Estelle thanked all the speakers for their insight and commented we are still on this journey but there has been a lot of passion in the room today. The date of the next meeting is Tuesday 11 July 2017.