



# Slavery and Labour Abuse in the Fishing Sector

Greenpeace guidance for the  
seafood industry and government

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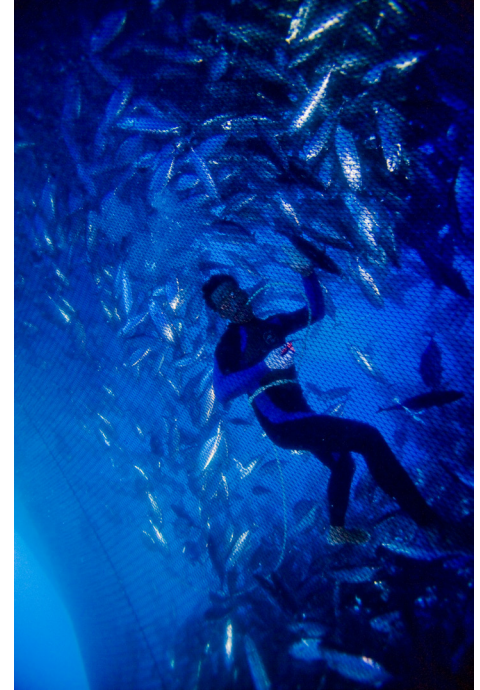
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Working conditions aboard fishing vessels are among the worst in the world. At sea, vessels can operate without scrutiny depending on the flag they carry and whether they operate in areas with limited monitoring, control, surveillance and enforcement (MSCE) such as the high seas. Workers can encounter a whole spectrum of issues ranging from extremely low wages, inadequate sanitation, lack of safety equipment, lack of personal space and long working hours to documented cases of forced labour, human trafficking and even murder at sea<sup>1</sup>.

While the issue of labour abuse in the fisheries sector has been known for years it is only recently that it is getting attention from media and consequently from some buyers of seafood associated with documented slavery at sea<sup>2</sup>.

Lack of control and enforcement, at times coupled with low profitability and the resulting race to catch and sell fish, often result in poor labour standards onboard vessels and even in processing and aquaculture facilities on land. The poor state of fish stocks, the fact that many fleets are operating in a state of excess fishing capacity (i.e. overcapacity) and an increasing demand for cheap seafood in turn drive the race for fish, motivating companies to keep vessels at sea for longer and in more dangerous conditions.



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With increased overheads and diminished yields, the incentives to employ cheap or forced labour and to break fishing and environmental rules increase. The resulting human misery and environmental destruction often stays hidden, with little or no opportunity for crew to seek help or escape.

Labour abuse at sea often goes hand-in-hand with illegal, unregulated and unreported (IUU) fishing. Vessel operators who have little regard for labour laws often also have little regard for the environment or fisheries management regulations.

The use of Flags of Convenience (FoCs) represents one of the simplest and most common ways in which unscrupulous fishing operations can circumvent labour, fisheries and conservation laws, and avoid penalties. Vessels can flag in a country with less stringent or non-existent standards and regulations compared to their country of ownership, or a country unable or unwilling to enforce existing regulations. Open vessel registries in some states mean that IUU vessels can easily re-flag and change names to confuse authorities and avoid prosecution. The crews of such vessels are invariably exposed to a precarious vacuum of rules and rights.

One of the means to hide illegal catches and prolong the time that fishing vessels can stay at sea is to transfer the catch at sea from one vessel to another (often to refrigerated cargo ships) and to restock and refuel at sea. At sea transshipments and refueling can exacerbate the problem of labour abuse, as vessels avoid port calls and associated controls. Without port calls crews may be forced to remain on board for periods that can exceed one year, with little means to communicate their situations.

<sup>1</sup> Eg. [www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_214472.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_214472.pdf)

<sup>2</sup> <http://www.theguardian.com/global-development/2014/jun/10/supermarket-prawns-thailand-produced-slave-labour><http://www.bbc.com/news/world-asia-27498048> [http://eifoundation.org/sites/default/files/public/EJF\\_Slavery-at-Sea\\_report\\_2014\\_web-ok.pdf](http://eifoundation.org/sites/default/files/public/EJF_Slavery-at-Sea_report_2014_web-ok.pdf)



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## Guidance for the seafood industry and governments

Only an integrated approach that looks at the seafood supply chain as a whole can help eliminate labour abuses at-sea and on land. The seafood industry along the entire production chain, including the end markets, and governments must work together to implement existing and new measures that tackle abuses and the lack of control at sea and improve international labour standards. At the same time, more must be done to address the root problems that drive standards down, in particular in terms of eliminating fleet overcapacity, rebuilding fish populations and preventing market competition that drives the price for seafood products below the cost of production.

Companies and individuals that operate fishing vessels are obliged to ensure safe and sound working conditions for their crews, in line with national and international standards. In many cases, the beneficial owners and captains of fishing vessels are often registered in countries and/or are nationals of countries that have signed up to international labour conventions and that maintain a relevant set of national rules, even if their vessels are registered under FoCs. The enforcement bodies of these countries must do more to enforce relevant labour and safety standards and laws. Equally, governments must ensure that the measures needed to curb, deter and eliminate IUU fishing are put in place since they will result in more effective control over the activities of fishing vessels and ultimately in better conditions for the crew.

The catch, processing and aquaculture sectors are heavily influenced by changes in the demand and supply chain. It is therefore important that **market players and the seafood industry** address labour standards issues by developing and strengthening public sourcing policies and goals that ensure wild and farmed seafood is:

- Only sourced from sustainable and socially responsible fisheries and aquaculture operations. This must include the fish-feed used in aquaculture, in particular excluding feeds from “trash fish” fisheries<sup>3</sup>;
- Fully traceable from ship to shelf, including feeds used in aquaculture. Regular audits of the entire supply chain, including unannounced visits, should be an integral part of this policy;
- Not sourced from any vessels or companies that have been blacklisted for engaging in IUU fishing. Greenpeace maintains such a blacklist<sup>4</sup> and recommends that market players consult this tool before they agree to source from an operator;
- Not sourced from vessels that transship (transfer their catches) at sea;
- Not sourced from any company that has been sanctioned for illegal activities related to the capture and trade of fish;

<sup>3</sup> Low value ‘bycatch’ from bottom trawls and shrimp trawls, including juvenile fish and unwanted non-commercial species that is ground up into fishmeal

<sup>4</sup> <http://blacklist.greenpeace.org>



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- Not sourced from any company associated with abuses against labour laws;
- Only sourced from vessels, companies, canneries and processors that operate in full compliance with international labour standards, as reflected in, among others, the International Labour Organisation (ILO) Core Conventions,<sup>5</sup> the ILO Work in Fishing Convention 2007 (No. 188)<sup>6</sup> and the ILO Maritime Labour Convention;<sup>7</sup>

Market players must further note that seafood certification programmes currently do not address labour abuse issues<sup>8</sup>. A truly sustainable product must meet environmental sustainability criteria as well as at least those labour standards that have been internationally agreed throughout the supply chain. Offering seafood products with environmental certifications does not absolve any trader or retailer of their responsibilities to ensure they are not dealing in the products of forced labour.

**Government and policy makers** must step up enforcement of existing standards and strengthen the regulatory framework, particularly with regards to control of their nationals and beneficiary companies registered in their territories. In particular, we demand that they:

- Ratify, implement and ensure compliance with international labor standards including ILO instruments relevant to workers employed in the capture, processing and trade of fish;
- Ensure adequate human and financial resources are allocated to monitor labour conditions on board fishing vessels and that prosecution and deterrent sanctions are in place for labour abuses, including in relation to nationals and officials complicit in labour abuses and human trafficking;



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**<sup>5</sup> International Labour Organization Core Conventions:**

- ILO C29 Convention on Forced Labour, 1930
- ILO C87 Freedom of Association and Protection of the Right to Organize 1948
- ILO C98 Right to Organize and Collective Bargaining 1949
  - ILO C100 Equal Remuneration 1951
  - ILO C105 Abolition of Forced Labour Convention, 1957
  - ILO C111 Discrimination (Employment and Occupation) 1958
  - ILO C138 Minimum Age Convention 1973
  - ILO C182 Worst Forms of Child Labour, 1999

For more information see: ILO (2014). ILO website> Labour standards> Conventions and recommendations> International Labour Organization (ILO), Geneva, Switzerland. <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>

<sup>6</sup> [http://www.ilo.org/global/industries-and-sectors/shipping-ports-fisheries-inland-waterways/WCMS\\_177280/lang--en/index.htm](http://www.ilo.org/global/industries-and-sectors/shipping-ports-fisheries-inland-waterways/WCMS_177280/lang--en/index.htm)

<sup>7</sup> [http://www.ilo.org/global/standards/maritime-labour-convention/text/WCMS\\_090250/lang--en/index.htm](http://www.ilo.org/global/standards/maritime-labour-convention/text/WCMS_090250/lang--en/index.htm)

**Note:** As recognised in the relevant instruments, reasonable exceptions may be made in consultation with representatives of workers and employers, where application of standards raises genuine and substantial problems. This may for example be the case for small-scale fishing vessels, particularly in developing countries.

<sup>8</sup> The Marine Stewardship Council announced in August 2014 a policy against forced labour, stating "MSC condemns the use of forced labour. Companies successfully prosecuted for forced labour violations shall be ineligible for MSC certification." However this does not introduce any criteria that would limit MSC certification only to companies that uphold international labour laws. Prosecutions for forced labour violations are extremely few and far between, meaning that few companies would be affected by this, yet companies whose vessels or supply chains have been accused of human rights abuse may still be eligible for MSC certification.

<http://www.msc.org/newsroom/news/board-statement-ensuring-that-msc-certified-companies-are-free-from-forced-labour>



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- Enforce mandatory transnational data reporting requirements on crew boarding and disembarking from vessels and enhancing international coordination efforts;
- Ratify and implement the provisions of important treaties and instruments to combat IUU fishing including the UN Fish Stocks Agreement, the FAO International Plans of Action on IUU fishing and capacity, the FAO Compliance Agreement and the Port State Measures Agreement;
- Take measures, both nationally and through Regional Fisheries Management Organisations (RFMOs) against countries which do not fulfill their flag State obligations (flags of non-compliance);
- Ban at-sea transshipments, both nationally and regionally;
- Comply with Article 94 of the International Convention on the Law of the Sea (UNCLOS), which requires flag states to effectively exercise jurisdiction and control in social matters over ships flying their flag, including with regard to labour conditions;
- Establish a global registry of licensed fishing vessels as well as a central registry of blacklisted vessels that is shared across all governments and fisheries management organisations.

Fish trade is particularly important for developing countries and therefore the international community must provide assistance to ensure the capacity is in place so that standards are met. Trade policies for both the exporters and importers must ensure that no fish products obtained in violation of international law enter the market.

Going beyond the implementation of concrete measures as outlined above, enhanced coordination and exchange of information between enforcement agencies, intelligence services and all involved national administrations is of paramount importance in order to effectively fight transnational organised criminal activity related to seafood production and trade, including IUU fishing and human rights abuse at sea. In this context, the member countries should consider the role of INTERPOL in coordinating international responses to human trafficking and forced labour on board vessels.

