

The High Cost of Cheap Tuna

US Supermarkets,
Sustainability, and
Human Rights
at Sea



GREENPEACE

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Greenpeace is an independent campaigning organization that uses peaceful protest and creative communication to expose global environmental problems and to promote solutions that are essential to a green and peaceful future.

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An underwater photograph showing a diver on the left side of the frame, reaching upwards. The water is a deep blue, and several fish are visible swimming in the background. The overall scene is serene and captures the beauty of marine life.

Table of Contents

4 2021 Tuna Retailer Scorecard

5 Introduction

6 Survey Overview

9 Global (Over)fishing Industry

13 Forced Labor & Distant-Water Fishing

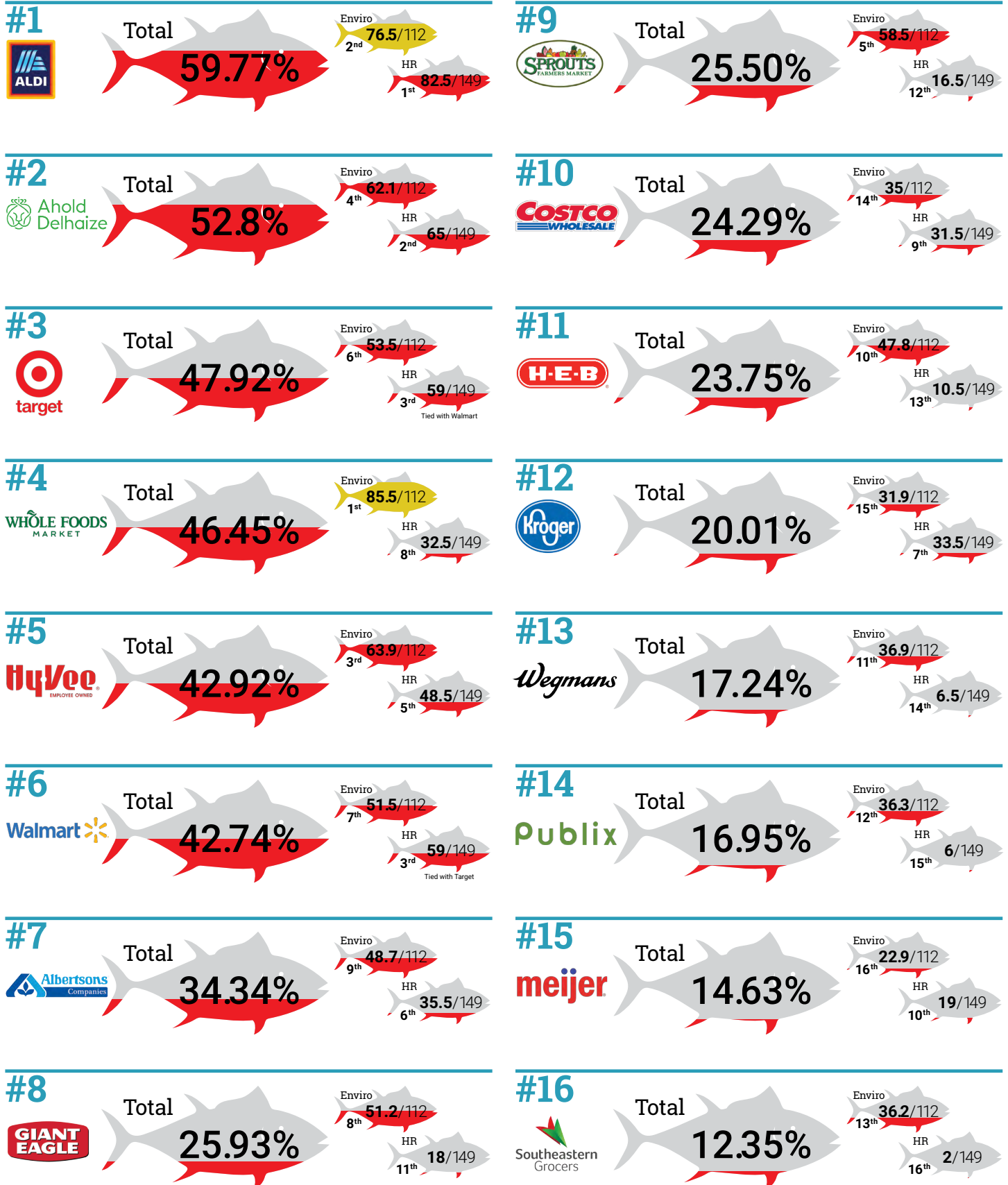
17 Issues and Findings

27 Conclusion

28 Retailer profiles

45 Endnotes

2021 Tuna Retailer Scorecard



Introduction

When Greenpeace USA published the first edition of *Carting Away the Oceans* (CATO) in 2008, not a single company out of the 16 major US retailers ranked on seafood sustainability received a passing score. Most of the companies surveyed had hardly given a thought to sustainable seafood; many had weak or non-existent policies, and commonly stocked highly problematic species such as Chilean seabass, parrotfish, and orange roughy. Ten years and ten editions later, 90 percent of the companies surveyed in 2018 received at least a passing score. This success is a testament to a decade of hard work by Greenpeace supporters and volunteers, non-governmental organizations (NGOs), scientists, governments, retailers, and suppliers, as well as the value of corporate accountability in driving positive change.

However, as scrutiny has illuminated the complex and interconnected nature of global seafood supply chains, a range of further, often poorly understood issues have emerged. From weaknesses and gaps in certification schemes and the continued prevalence of Illegal, Unreported, and Unregulated (IUU) fishing, to the exploitation and abuse of often vulnerable crew aboard vessels beyond the reach of authorities and regulators, seafood supply chains are rife with risk. In response to the increasingly central role that labor and human rights have come to share alongside environmental concerns in

seafood sourcing, Greenpeace has expanded the focus of our retailer survey to give equal weight to how companies address human rights and environmental issues in their sourcing policies. As the most popular wild caught seafood – both in the US and worldwide – this report focuses specifically on sourcing policies for tuna, both canned and fresh/frozen.

As with the first CATO report, the results do not make for comfortable reading. Not a single company passed, with nearly half of the 17 companies contacted choosing not to complete a survey and well over one-third failing to respond at all. In light of the complexity of these issues and their potential to cause serious reputational damage, it is unsurprising that retailers with inadequate human rights policies would choose to remain silent.

However, considering the example of the positive change driven by a decade of CATO reports, this report is ultimately optimistic. Ten years ago, the few companies with sustainable seafood policies were conspicuously progressive; now, the few without them look degenerate and sadly out of step with wider industry and social trends. We hope this report can provide a benchmark for improvement that, a decade from now, will help to highlight how far we've come.



Survey Overview



Since 2008, Greenpeace has been inviting major US retailers to complete our survey and ranking them based on their responses. Previously, these surveys have focused exclusively on retailers' environmental and sustainability policies, driving measurable change over the decade they have been employed.

This year's survey involved many of the same companies, but included equal weighting for questions related to human rights aspects of their sourcing policies. While response rates for our most recent environmental survey were high, with nearly 90 percent of companies completing a survey, the addition of a human rights category appears to have made many companies uneasy. Of the 16 companies invited, 9 (56%) chose to complete a survey, while 7 (43%) did not. However, this reflects a similar pattern to the early exclusively environmental surveys, where unprepared companies chose to remain silent, reengaging a few years later once they had put their house in order. The poor response rate reflects the lack of development in this area by many companies, as we hope this will be one area where improvements will be made in future.

The poor response rate also reflects other, similar surveys undertaken by different organizations, including the Business and Human Rights Resource Centre (BHRRC). In 2021, the BHRRC invited 35 companies from around the world to complete a survey on their human rights policies, receiving 22 (62%) responses. The BHRRC's survey included Asian, Australian, European, Middle Eastern, and North American companies; while all of the nine European companies responded, less than half (6) of the 13 US and Canadian companies responded.¹ While many of the larger, international brands chose to complete the Greenpeace survey, many of the smaller, US-based brands did not.

Finally, this survey aims to produce a picture of the current situation and provide a contemporary benchmark against which future improvements can hopefully be measured. As a result, points were only awarded for policies and activities currently in place and did not consider future plans. There are encouraging signs amongst some retailers and we hope that these will be reflected in improved scores in future editions.

Supermarkets Failing on Human Rights

Despite more than a decade since the introduction of the United Nations Guiding Principles on Business and Human Rights (UNGP), as well as a series of high-profile and severe cases of labor and human rights abuse in tuna supply chains, the results of this survey confirm that supermarkets continue to fail on human rights. With the exception of a few standout examples of leadership in particular areas, the retail industry as a whole has taken inadequate steps to address the human rights impacts of their business operations. This is reflected in the fact that none of the retailers surveyed managed to achieve a passing grade.

The results of this survey also broadly reflect the findings of other recent work to assess the human rights efforts of large companies. In 2018, Oxfam assessed 16 international supermarkets on transparency and treatment of workers, small-scale farmers, and women in their supply chains – including some of those covered by this survey – and found failure across the board.² The World Benchmarking Alliance's annual Corporate Human Rights Benchmark (WBA) report³ for 2020 saw its worst results since the benchmark was first published in 2017, with nearly half of the over 200 companies surveyed failing to score any

points for their human rights due diligence work. According to the WBA “only a minority of companies demonstrate the willingness and commitment to take human rights seriously.” One of the key challenges identified by the Benchmark was the gulf between commitments made at an executive level and implementation at a practical level, a disparity further confirmed by the results of this survey.







Finally, in 2021, the findings of a survey of 35 global tuna brands by the Business and Human Rights Resource Centre (BHRRC) – again including some of the companies covered in this survey – confirm “a pattern of policy over practice” and “expose glacial progress” on issues related to modern slavery in tuna supply chains.⁴ Despite some positive signs of limited progress centred on a few progressive brands, practical and meaningful action has been largely inadequate, and details remain scarce.

The findings of our survey add further weight to calls for supermarkets to do more to tackle labor and human rights abuses in their supply chains. The limited actions taken by retailers thus far have been widely considered inadequate by advocates.

Survey Methodology

The survey results are based on retailers' answers to 38 questions in the following categories: tuna procurement policy, traceability, advocacy and initiatives, human rights and labor protections, current sourcing, and customer education and labeling. Retailers who chose not to respond to our survey were graded based on publicly available information.

Responses to questions in the six categories named above were given raw point scores, which were then weighted and aggregated to provide a final percentage score. The following table reflects the distribution of raw points and percentage weighting for each category:

Category		Max raw points	Weighting
Tuna procurement policy		84	20%
Traceability		27	20%
Advocacy and initiatives		29	10%
Human rights and labor protections		51	25%
Current sourcing		53	20%
Customer education/labeling		14	5%

The intention of this report is to provide an assessment of retailers' tuna supply chain policies that gives consideration to both environmental and human rights concerns. We categorized our questions in the manner described above in order to give appropriate emphasis to qualitatively distinct areas of retailer responsibility. In doing so, we hope to highlight for both retailers and customers the problems with existing supply chain policies, as well as the solutions that must be implemented to correct them.

Survey Scoring

Human rights and environmental policy are complex and evolving fields that touch a broad range of issues – including domestic and global politics, socio-economics, migration, climate change, and resource management



– and impact a wide spectrum of actors – from small-business owners and corporations to migrant fishers, seafood processors and western consumers. There are different, occasionally competing, schools of thought and approaches to policy with results often difficult or impossible to measure.

As a result, we recognize that there is always subjectivity involved in policy decisions and the assessment of those decisions. With this in mind, we have endeavoured to be as fair as possible and, where appropriate, give companies the benefit of the doubt, particularly where clear effort and engagement has been made.

“Responsive companies” were those companies who chose to complete a survey themselves, a positive engagement which should be commended. In recognition of this, we have taken answers in good faith and not sought to rigorously verify statements or claims made in response. Policies and their contents were verified – but verifying detailed, supply chain specific information is beyond the scope of this report.

“Non-responsive companies” were those who chose not to complete their own survey and were instead scored on publicly available information. Significant efforts were made to find and reference relevant policies, but the number of companies and amount of information available mean some may have been missed. In categories requiring specific information – such as inventory and catch methods – educated guesses were made using online inventory searches, publicly available policies and statements, working group membership, and other factors. Again, this work was undertaken in a spirit of good faith and desire for accuracy, but would have been greatly aided – and perhaps produced more favourable results – by full engagement from more retailers.

Global (Over)fishing Industry



The scale of global capture fisheries can be difficult to fathom. In 2018 alone, nearly 100 million tons of fish were harvested from our seas – an increase of more than five percent in just three years – with a total first sale value of more than \$150 billion.⁵ That’s around 22 pounds of wild caught fish for every person on the planet.⁶ In addition, as much as 26 million tons, worth a further \$23 billion, are lost to illegal, unreported, and unregulated (IUU) fishing every year.⁷

According to the UN, global fish stocks have been in continuous decline since the ‘70s, with around one-third now being fished at biologically unsustainable levels, a three-fold increase since 1974.^{8/9} However, recent historical modelling now suggests that annual global catch between 1950 and 2010 was underestimated by at least one-third, and has been declining faster than previously thought.¹⁰

The decline can be partly explained by the fact that the global fishing fleet has more than doubled from 1.7 million in 1950 to 3.7 million in 2015, with around 4.6 million today.^{11/12} Concurrently, engine power has increased significantly since the 1950s, leading to more vessels capable of going further out to sea for longer, placing greater pressure on the oceans.¹³ Worryingly, the growth in fleet size and engine power appears to be continuing. If trends continue, it is estimated that a further one million powered vessels could be added to the global fishing fleet over the next twenty to thirty years, piling pressure onto already stressed ocean resources, increasing fuel emissions and contributing to climate change.¹⁴

Harmful fisheries subsidies, including tax breaks and fuel subsidies, have been identified as a primary driver of continued and expanding overcapacity, as well as overfishing.¹⁵ Handed out primarily by wealthy countries, harmful subsidies also inflate profitability and drive more fishing. In 2018, a total of \$22.2 billion was spent on harmful fisheries subsidies, with the top 10 countries accounting for around 70 per cent of the total.¹⁶ It is estimated that more than half of high seas fishing grounds would be rendered unprofitable if subsidies were eliminated.¹⁷ The countries and regions with the highest harmful subsidies are also some of those responsible for the largest proportion of global catch, including China, Russia, the USA, Taiwan, and Spain.¹⁸ By fuelling overfishing, increasing competition, and distorting the true profitability of particular fishing activities, high levels of harmful subsidies are now considered to be a key contributing factor to labor abuse at sea.¹⁹

Finally, in addition to fishing pressures, ocean warming driven by climate change is estimated to have reduced marine catches by nearly 5 percent between 1930 and 2010 – a period of much slower ocean warming than we are currently experiencing – and has already seen a shift in the distribution of many species, including tuna.²⁰ Continued overfishing by large and largely unaccountable industrial fleets, harmful government subsidies, weak regulation, and increased demand has seen fish stocks steadily decline, while fishing has continued to increase over the same period. The result is that fishing vessels must now work twice as hard to catch the same amount as they did in the 1950s.²¹

“The sustainability of many of the world’s capture fisheries continues to be hampered by overexploitation, overcapacity, ineffective management, harmful subsidies, by-catch...and illegal, unreported, and unregulated fishing, with ongoing habitat degradation and loss of gear creating further pressures on the marine environment.”

– UN World Ocean Assessment Vol I²²

Tuna (Over)fishing Industry

Tuna is one of the most popular and high-value seafoods in the world.²³ Taken together, tuna and tuna-like species represent more than ten percent of global catch, or just under eight million tons.²⁴ However, the tuna industry primarily focuses on seven species – skipjack, yellowfin, bigeye, albacore, and Atlantic, Pacific, and southern bluefin – which accounted for 5.2 million tons in 2018, or seven percent of all fish landed for human consumption. Catch volumes for 2018, the most recent recorded year, were up more than 12 percent compared with six years earlier.²⁵

Just one species – skipjack, primarily used for canning – accounts for nearly 60 percent of tuna catch, and almost five percent of all fish caught globally; in fact, skipjack has been the third most caught fish in the world for nearly

ten years in a row. Together with the second most landed tuna species – yellowfin – these two accounted for over 85 percent of all tuna landed in 2018.²⁶ In the US, canned tuna is the third most popular seafood, with the average American consuming more than two pounds annually.^{27/28}

Tuna and the industry that relies on them are valuable, with catches of the seven species netting fishers \$11.7 billion in 2018.²⁹ However, the end market value of these products paid by the consumer is estimated to be worth almost four times as much at more than \$40 billion.³⁰ Such large sums attract fierce competition for the biggest share, with power in the industry concentrated in the hands of a few. FCF, one of the top three tuna trading companies in the world with a history of severe labor abuses within its supply chain³¹, accounts for more than 500,000 tons of tuna annually and touches nearly every aspect of the global tuna supply chain.

The use and value of these species varies considerably, from lower value skipjack and yellowfin for canning to more valuable bluefin species for high-end sushi and sashimi. Despite accounting for nearly 60 percent of catch volume, skipjack represents less than 40 percent of the total end value for all tuna.³² Conversely, the three bluefin species – Atlantic, Pacific, and Southern – represent just 1.3 percent of total catch but more than six percent of value.

Despite 2018's catch being 12 percent larger than 2012, the amount paid to fishers was half a billion dollars less, leading some to suggest that ideal catch levels for maximum economic benefit may in fact be lower than the determined maximum sustainable yield (MSY).³³ In addition, over capacity and excessive fishing pressure – driven by high market demand for tuna – threaten a number of important tuna species across the planet. As of 2018, stocks of eastern Pacific yellowfin, Pacific bluefin, Atlantic bigeye, Indian Ocean yellowfin, and southern bluefin were overfished, while other stocks are severely depleted and unable to sustain any further increase in fishing.³⁴ Many place the blame for this on poor management, a lack of oversight and a prioritization of short-term profits over the long-term health of fish populations.³⁵ As a result, around one third of tuna stocks are fished at biologically unsustainable levels.³⁶

Gear, Bycatch and Wider Environmental Impact

Tuna are a vitally important species, ecologically as well as economically. Occupying the top end of the food chain, tuna are a key predator, as well as providing prey to larger species such as sharks and killer whales. As eggs, larva,

“Stock depletion, lack of recovery, and associated loss of value are often driven by fisheries managers’ prioritization of short-term profits over the long-term health of fish populations.”

– PEW

and young fish they are also a vital food source for a wide range of animals, including invertebrates and other fish.³⁷ In order to protect themselves from sharks and other predators, yellowfin tuna schools are known to associate with dolphin pods. In fact, in some fisheries dolphins have historically been used to locate schools of tuna; nets located this way are known as “dolphin sets.”³⁸ Despite improved regulation of dolphin sets, the International Seafood Sustainability Foundation (ISSF) reports that three percent of tuna globally, or nearly 160,000 tons, is still caught this way.³⁹

Dolphin sets are one strategy employed by purse seine vessels, which deploy massive encircling nets dropped onto schools of fish and are cinched at the bottom like a purse. More than two-thirds, or 3.4 million tons, of all tuna are still caught using this method, despite its association with high levels of bycatch. In the open ocean, where resources and shelter are scarce, often rudimentary floating rafts act as Fish Aggregation Devices (FADs), attracting animals from far and wide, alongside the target tuna. Nets are set around these FADs, capturing a host of other species with the tuna. These are known as “associated” catch and account for more than one third of all tuna caught; “unassociated” catches set without FADs account for around a quarter of tuna caught globally.⁴⁰

The second most common fishing method – longlining – accounts for ten percent of all tuna caught and is also fraught with risk to other important species, including sharks, turtles, and seabirds. Thousands of baited hooks are dragged through the water on lines stretching around 30 miles long, inevitably catching other hungry animals in the process. This method is also extremely labor intensive, with many hands working many hours required to bait, set and retrieve the lines. Industrial tuna longliners – usually between 30 and 70 metres long – often stay away from their home ports for between 10 and 24 months.⁴¹ Perhaps unsurprisingly, longliners have been involved in a number of serious cases of labor abuse, including those documented in a 2020 report by Greenpeace East Asia, detailing the abuse of Indonesian migrant fishers aboard Taiwanese longliners.⁴²

Tuna behaviour and unselective gear make bycatch a serious problem in tuna fisheries, with an unquantified and perhaps unquantifiable ecological impact. Unfortunately, the most selective gears – pole and line, and handline – have seen catches decline by almost half in the six years from 2012 to 2018, from 9.5 percent to 5.6 percent of total catch, accompanied by a 40 percent drop in earnings.⁴³ One of the reasons cited is a reduction in the number of pole and line vessels in Indonesia – which catches most of the world’s tuna – due to declining profitability.⁴⁴

Transshipment-at-sea

Transshipment-at-sea is a key concern for both environmental and human rights protection in supply chains. In many ways, the now widespread use of transshipment enables many of the commercial fishing industry’s most damaging practices, including IUU fishing and human rights abuse, and has been identified by the ILO as facilitating IUU fishing, forced labor and human trafficking.⁴⁵ In fact, transshipment-at-sea of tuna catches has increased rapidly over the past decade, including a 67 percent rise between 2012 and 2017 in the area managed by the Inter-American Tropical Tuna Commission (IATTC).⁴⁶ Many of the same drivers of abusive labor practices – diminished stocks requiring longer, further, more expensive fishing trips and reduced profitability – are also behind an increase in transshipments-at-sea. By transshipping catch onto refrigerated cargo vessels (Reefers) at sea, vessels can avoid returning to port for extended periods, sometimes for years, reducing costs and maximizing fishing time.

The catches of many vessels are amalgamated onto one reefer, often beyond the reach of authorities, increasing the potential for fraud and laundering of illegally caught fish. By remaining far at sea and failing to report their locations, vessels can avoid official scrutiny of their activity and transshipments. Fishers aboard these vessels, in addition to spending extremely long periods at sea, will find it difficult to report abuse, injuries, or deaths, and seek assistance.⁴⁷

Monopoly Traders, Centralized Power and Rights Abuses

Behind the brands on the shelf is a long, complicated and largely hidden chain leading from can to catching vessel. A range of companies operate all levels of this chain, while some large companies and their subsidiaries are active throughout its entirety. The three largest tuna traders – FCF (Taiwan), Tri Marine (Italy), and Itochu (Japan) – dominate the tuna supply chain, with involvement in catching, processing, distribution, and on-shelf brands. In 2020, FCF-owned Bumble Bee, Thai Union-owned Chicken of the Sea and Dongwon Industries-owned Starkist were named in a class-action lawsuit over price fixing, with Bumble Bee fined USD 25 million.⁴⁸

With so few companies controlling or supplying so much of the market, illegal or abusive practices in just one can spread far across the supply chain and make it very easy for tainted catch to enter global markets. FCF alone deals with over 500,000 tons of tuna annually, supplying its own brands, as well as the world’s largest tuna canner

– Thai Union, which produces around 18 percent of global canned tuna – as well as Thailand’s other two largest tuna canneries.⁴⁹ FCF requires some 600 different fishing vessels to provide it with sufficient volume. An extensive investigation by Greenpeace East Asia found that a number of vessels supplying FCF were involved in IUU fishing and labor abuse.⁵⁰

Such a degree of centralisation – with long, winding chains linking just a few companies to most of the tuna consumed in wealthier countries – increases the likelihood of fish caught illegally or under abusive conditions ending up on supermarket shelves.



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Forced Labor & Distant-Water Fishing



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The International Labor Organization (ILO) has outlined 11 key forced labor indicators, designed to help frontline officials, NGOs, and others to more easily identify situations that may constitute forced labor. According to the ILO, the presence of just one indicator may imply forced labor, but it may also be necessary to identify several indicators in order to accurately assess the situation.

11 Forced Labor Indicators

- Abuse of vulnerability
- Deception
- Restriction of movement
- Isolation
- Physical and sexual violence
- Intimidation and threats
- Retention of identity documents
- Withholding of wages
- Debt bondage
- Abusive working and living conditions
- Excessive overtime

In fishing – particularly distant-water tuna fishing – the nature of the industry and those who work in it mean a number of indicators are circumstantial and inherently present. The industry is heavily reliant on migrant workers, meaning many of those employed in distant-water fishing will likely “lack knowledge of the local language and laws,” making them susceptible to “Abuse of Vulnerability,” the ILO’s first indicator.⁵¹ Additionally, the nature of long-distance fishing – including dangerous and arduous work, long periods at sea, and poor living conditions – makes the work unattractive to those with other options.⁵² As a result, those working in fishing may “have few livelihood options...or have other characteristics that set them apart from the majority population, are especially vulnerable to abuse and more often found in forced labor,” putting them at higher risk of abuse.⁵³

Tuna fishing also involves long periods spent at sea in remote parts of the world, including on the high seas where official jurisdictions can be unclear. Tuna vessels regularly make trips of many months and, in extreme cases, even years. At any given time, the average fisher working aboard a tuna vessel is extremely unlikely to know where they are. Even if they did, a complicated

arrangement of coastal, flag, port, and other states make it unlikely they would know who to contact for assistance, even if that was possible at all.⁵⁴ The frequent use of flags of convenience – where a vessel flies a flag other than that of the country where it is owned in order to take advantage of reduced regulation, including on labor – make it difficult to regulate a vessel’s activities.^{55/56}

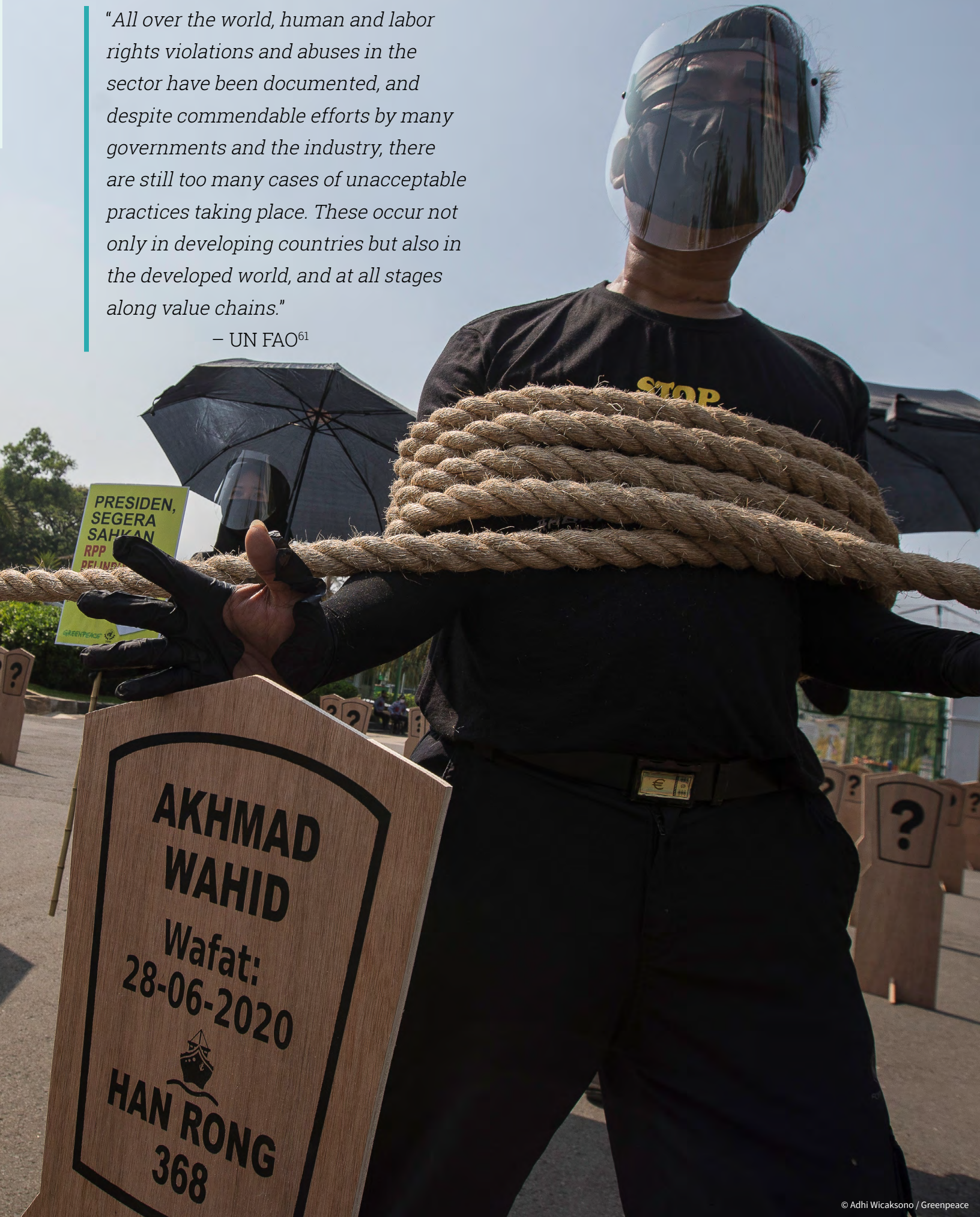
All of these factors mean that the ILO’s fourth indicator – Isolation – is present in the conditions of employment for most of those working aboard tuna fishing vessels. According to the ILO, “victims of forced labor are often isolated in remote locations, denied contact with the outside world.”⁵⁷ In addition, “workers may not know where they are, the worksite may be far from habitation and there may be no means of transportation available.”⁵⁸ On top of making crew more vulnerable to forced labor, isolation associated with distant-water fishing also makes it very difficult to quantify the extent of labor abuse at sea or enforce regulations.

The ILO’s final indicator – Excessive Overtime – is not necessarily an intrinsic aspect of tuna fishing, but is a common complaint of fishers and an issue the international community continues to grapple with. Even in fairly well-regulated, near-water fisheries, such as Ireland, migrant fishers report regularly working 20 hours a day.⁵⁹ In order to maximize the return on investment in fuel, labor, and maintenance, take full advantage of limited fishing days and pressure to fill allocated quotas, fishers all over the world work very long hours while at sea. On longline vessels, which catch around ten percent of the world’s tuna, it can take up to eight hours to set the net and 12 to retrieve it.⁶⁰

As a result of these realities, attempts to establish hard and fast regulations around working and rest hours are often impractical and impossible to enforce. While the ILO’s Work in Fishing Convention (C.188) – arguably the most robust and high-profile attempt at regulation – stipulates required hours of rest in daily and weekly periods, ratification remains scandalously low. According to the ILO, “the slow pace of ratification of conventions inhibits effective flag and port State control of safety and labor standards in the fisheries sector, and undermines

“All over the world, human and labor rights violations and abuses in the sector have been documented, and despite commendable efforts by many governments and the industry, there are still too many cases of unacceptable practices taking place. These occur not only in developing countries but also in the developed world, and at all stages along value chains.”

– UN FAO⁶¹



important opportunities to prevent and detect instances of forced labor and human trafficking on board fishing vessels.”⁶² Since 2007, just 19 countries have ratified the convention, including the Democratic Republic of Congo and Bosnia Herzegovina, with 35 miles of coastline between them. None of the major tuna fishing nations have ratified and, while seven of the 19 countries are in the EU, Europe’s largest tuna fleet and the world’s fifth largest tuna nation – Spain – is conspicuously absent. These regulatory failings mean that excessive hours remain a reality for many fishers around the world.

With two of 11 indicators inherent in tuna fishing work, and another a common reality for many, it is clear that the nature of the work puts the largely migrant crew at significant risk.

Forced Labor & Overfishing

Until recently, the majority of fisheries research has focused on environmental and economic considerations, with limited attention given to human rights issues. While the links between environmental damage and human rights abuses are well-established in industries such as agriculture, mining, and logging, those in fisheries are less well explored.⁶³ The transient and remote nature of fishing makes research challenging, but a number of high-profile reports and media investigations in recent years have brought increased focus to labor issues in fishing.^{64/65}

Fisheries have long been plagued by precarious forms of employment, including forced labor and slavery at the most extreme end of the spectrum.⁶⁶ The nature of off-shore and long-distance commercial fishing – including long periods spent far out to sea in areas of complex jurisdictional overlap – makes monitoring and oversight extremely challenging. Large segments of the industry rely on refrigerated cargo vessels (reefers) to transfer catch and resupply crew and provisions, meaning many vessels can stay at sea for months without returning to port.⁶⁷

As awareness and understanding has evolved, it has become increasingly clear that the consequences of overfishing – driven by demand for cheap seafood in wealthy, largely Western countries – go far beyond threats to particular species or the destruction of marine ecosystems. The lives and livelihoods of hundreds of millions of people, mostly in less developed countries, are intrinsically connected to the health of our oceans. According to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), alterations to biodiversity, such as that resulting from

overfishing, often erode economies, livelihoods, food security, health, and quality of life worldwide.⁶⁸

One group that has felt the impacts of overfishing more sharply than most are the millions employed in global capture fisheries. With vessels forced to travel further and fish for longer, crew must inevitably spend more time at sea. The increased effort means lower returns for operators, creating a strong incentive to reduce overheads. With other costs relatively fixed, labor – which accounts for between 30-50 percent of fishing costs – is an obvious target for reductions. Substandard living conditions, poor health and safety standards, and arbitrary deductions or even withholding of pay are well-documented in both developing and developed countries.^{69/70}

Increased scrutiny and closer analysis in recent years – including improved utilization of technology – has yielded a more detailed and accurate understanding of commercial fishing work. Predominantly migrant crews, far from their homes, work long, arduous hours aboard commercial vessels where poor conditions and low healthy safety standards make an already dangerous job even more risky.⁷¹ In addition to the risks inherent with the job – consistently ranked as one of the most dangerous in the world – numerous cases of extreme labor abuse have emerged in recent years. Some cases have involved hundreds of crew subjected to shocking treatment, including forced confinement and physical abuse, and there are even allegations of suspected murder.⁷²

While overfishing is just one of a range of factors contributing to an increased risk of labor and human rights abuses at sea, it is clear that more effort for less fish places operators under financial pressures that are easily offset onto their crew. The drive to maximize productivity means excessive hours are commonplace and the need to travel further means some crew spend months or more at sea.

The fishing industry is diverse, constituting many different types and sizes of vessel deploying a range of gear to catch a wide array of species over a vast area. Levels of governance and oversight also vary considerably and involve many actors, including Port, Flag, Market and Coastal States, Regional Fisheries Management Organisations (RFMOs) and other international regulatory and certification bodies such as the United Nations and Marine Stewardship Council (MSC), presenting a range of governance challenges. Many factors contribute to the relative risks associated with any individual vessel, and as understanding of these issues has improved it has become clear that certain segments of the industry where particular conditions prevail present a higher risk than others.

Issues and Findings



The supermarket survey consists of a range of questions covering fundamental human rights and environmental concerns associated with global tuna supply chains. Since 2008 Greenpeace has surveyed and ranked US supermarkets based on their commitment to sustainable sourcing from a largely environmental point of view. While this survey continues the focus on environmental issues, it also seeks to establish a benchmark for how human rights issues are integrated into corporate social responsibility.

The human rights questions in the survey are based on the UNGPs, which were unanimously endorsed by the UN Human Rights Council over a decade ago. The UNGPs set out a clear and robust framework for ensuring businesses respect the human rights of everyone affected by their business activities, including those working at all tiers of their supply chain. Despite being endorsed over a decade ago, many companies are still failing.

Findings Overview

Overall, none of the retailers surveyed received a passing score. While some – including Whole Foods, Aldi, and Hy-Vee – continued their good performance on Environmental issues, no one managed to make a passing grade for their Human Rights work. As a result, even the highest overall scores were short of a passing mark.

The strongest performances, particularly on Human Rights, were generally associated with the larger companies, while smaller and more regional retailers lagged some way behind. The top four - Aldi, Ahold Delhaize, Target, and Walmart - were all large, multinational corporations, while the bottom four - Southeast Grocers, Meijer, Publix, and Wegmans - were mostly much smaller, regional retailers. Greenpeace recognizes that larger companies have the resources and expertise to dedicate to many of these issues, which can be costly and time consuming. It is also worth noting that the size and profile of larger companies has previously made many of them the focus of damning supply chain investigations and exposés; a fact that goes some way to explaining their considerably more advanced positions on these issues. However, it is the responsibility of all businesses to consider the potential human rights impacts of their operations, and the lack of engagement by some companies seems as much a problem of culture as it is of resources.

Poor performance in the Human Rights category was disappointing, though not surprising. Despite the UNGPs being widely accepted for over a decade, incorporation into the policies and practices of many businesses has been slow and often incomplete. The gulf between some of the larger companies at the top and rest of the retailers meant the competition was extremely one-sided in the Human Rights category, though all scores were poor and a high ranking should not be conflated with adequate

work in these areas. While even the highest Human Rights scores (Aldi, Ahold Delhaize, Target) fell well below a passing grade, those at the bottom (Southeast Grocers, Publix, Wegmans) appear to have barely considered the issue.

The Environment category was more competitive, where considerable awareness raising and work means that even some of the worst laggards have made steady improvements on their environmental sourcing policies. While some companies maintained a strong performance on environmental issues, others dropped points for a failure to incorporate key developments into their sourcing policies. All companies had seafood sustainability policies in place, but many had developed or improved little since last surveyed in 2018.

Aldi US took the top spot overall, receiving the highest score in the overall Human Rights category, as well as across a range of sections, including Tuna Procurement and Advocacy. In combination with historically strong performance on environmental issues (3rd in CATO 2018), Aldi's comprehensive, stand-alone forced labor policy – which draws on a number of internationally recognized standards, including the UN Guiding Principles on Business and Human Rights (UNGP) – helped push them into first place overall.

Ahold Delhaize came second, building on an average historical performance on environmental issues (9th in CATO 2018) with the second highest Human Rights score, putting them in second place overall. Ahold Delhaize's Human Rights commitments were clear and easy to find, and help to form the core of their ethical sourcing practices. **Target** and **Walmart** tied for third place in the Human Rights category, with Target's supply chain

policies scoring highest in the Human Rights section of the survey and Walmart's just behind. Both stood out, though in a field where the bar was already fairly low; nearly one-third of companies scored zero or worse on Human Rights. Importantly, labor practices at retail stores themselves are not part of our rankings.

Southeast Grocers came dead last overall, scoring just two points for the overall Human Rights category — compared with Aldi's 82.5 —and minus four points in the human rights section of the survey, one of four companies to receive a negative score in this section. **Meijer** finished 15th out of 16 despite completing their own survey, a fact that gave most other companies an advantage, taking the lowest scores in a number of sections, including Tuna Procurement and traceability. **Publix** also ended up in the bottom three, narrowly losing out to Wegmans, scoring just six in the human rights category and performing similarly poorly to a number of other retailers of similar size and character on environmental issues.

Policies

Policies provide the foundation for a company's commitment to ethical sourcing and should articulate a practical framework to achieve its goals. All of the companies included in this report had some form of policy covering environmental and human rights aspects of their businesses. All but one company had a responsible sourcing policy that covered tuna procurement across all categories and stores. The majority also state that their policies cover 100 percent of the tuna they sell, while the remainder covered between 90 and 99 percent. Only Meijer, whose policy does not cover canned tuna, failed to cover at least 90 percent.

While having a policy is important, it is their content and implementation that matters most. A number of international frameworks and principles exist, which provide a sound basis on which to build an effective policy. In order to embed these principles into practice, it is important that they are referenced explicitly as part of best practice. As a result, some key survey questions required policies to make specific reference to a number of these instruments, including the International Bill of Human Rights, the ILO Work in Fishing Convention (C188) and the UN Guiding Principles on Business and Human Rights (UNGP). Unfortunately, when examined more closely, most policies lacked the specificity and detail to make them truly

effective, particularly on human rights issues. While most policies had concrete environmental commitments, such as not sourcing from “red” fisheries or requiring MSC certification, only two explicitly referenced important, internationally recognized human rights frameworks, including the UNGP.

The lack of specific and detailed commitments is reflected in the failing grades across the board, despite widespread adoption of policies. On important questions related to these principles, no company scored full points, while the vast majority scored zero.

Transshipment-at-sea

In order to strengthen monitoring and oversight, and ultimately put an end to transshipment-at-sea, strong industry leadership is required. Unfortunately, none of the companies surveyed had policies completely banning tuna sourced from vessels engaged in transshipment-at-sea. Half of the companies allowed the practice where there was 100 percent observer coverage. However, observers are usually deployed on carrier vessels, meaning fishing methods, locations, and conditions aboard catching vessels are largely unmonitored.⁷³ In addition, observers are not mandated or trained to deal with crew welfare issues and observer coverage does not address many of the human rights concerns associated with transshipping. Most importantly, significant risk of human rights and environmental abuses remains wherever transshipment-at-sea persists. Worryingly, over one third of retailers did not have a publicly available stance on the issue which – given its longstanding association with damaging environmental and human rights practices – is unacceptable.



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Contracts and Recruitment

Contracts, or their lack, and fraudulent recruitment have been a significant issue related to the treatment of fishers, and can serve as indicators of forced labor. According to the ILO, “migrant workers often do not have an adequate written contract” and “once on board, fishers may find the conditions of their employment contract not respected or their contracts substituted.”⁷⁴ Migrant workers have often been found to have inadequate contracts, making their situation ambiguous and subject to the whims of those in charge. Many in the fishing industry are subject to debt bondage as a result of predatory fees imposed by employment agencies. Out of desperation or as a result of coercion, migrant workers regularly sign contracts that are not in their native language or which they do not otherwise fully understand.⁷⁵ This practice suggests the presence of the ILO’s second forced labor indicator, “deception”. When combined with the already existing indicators of “abuse of vulnerability”, and “isolation” inherent for migrant fishers in distant-water fleets, this situation could easily turn into one of forced labor.

In a sector characterized by informality, a high proportion of migrant workers and regular labor shortages, the recruitment and employment of crew is often poorly regulated and can involve a significant power imbalance. Recruiters, brokers, agents, and middlemen are frequently used to match workers with employers across regions and countries, and often charge fees for placement, travel or other services.⁷⁶ These fees and their deductions can be unclear or deliberately hidden, leaving fishers vulnerable to the ILO’s ninth indicator of forced labor, “debt bondage.” According to the ILO, “forced laborers are often working in an attempt to pay off an incurred...debt. The debt can arise from wage advances or loans to cover recruitment or transport costs.”⁷⁷

As a result, significant international effort has been directed towards improving and legitimizing recruitment channels for migrant fishers and ensuring they are provided with clear contracts written in their native language.^{78/79/80}

Retailers must take an active role in ensuring the recruitment and employment of fishers on supplier vessels is fair, equitable and legitimate, which should be reflected in their sourcing policies. Unfortunately, only two companies explicitly required their suppliers to provide contracts in compliance with ILO core labor standards, signed by both the worker and vessel owner, and in a language the employee is fluent in. Five of 16 companies also had explicit requirements for the way suppliers recruit workers, including the exclusive use of officially sanctioned channels, and abiding by the “employer pays principle”, which places the burden of any recruitment fees onto the employer, reducing the risk of debt bondage. Unfortunately, two-thirds of companies surveyed failed to include contracts and recruitment in their policies or supplier requirements.

Freedom of Association & Collective Bargaining

Freedom of association and collective bargaining represent essential tools for workers to gain and exercise their rights. These freedoms are even more important where there is a significant power imbalance between employers and employees, such as migrant workers in global supply chains, and particularly aboard fishing vessels. With a disparate community of workers, from a range of often poor countries, spread across the globe on a variety of vessels flying many different flags, working long hours in an extremely dangerous job, unions and similar organizing tools represent a key method for fishers to gain, understand and exercise their rights. According to the FAO, despite the fact that “far too many cases of unacceptable practices persist...the voices of fishers and fishworkers are simply not heard.”⁸¹

The ILO also recognizes that “the right to join unions in host countries is an effective way to help prevent migrant labor abuse,” but membership is low, with one estimate suggesting that organized fishers accounted for less than 0.25 percent of the workforce.⁸² As a result, this survey and report seek to move this issue onto the agenda of major retailers, even if most will require a concerted effort to receive credit for these questions in the future. Well over a third of companies were unable to confirm their commitment to collective bargaining in their own facilities, let alone their wider supply chains. In fact, some companies, like Walmart,⁸³ and Target,⁸⁴ have been



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actively engaged in anti-union activity and propaganda at home, which doesn't bode well for those further afield. However, two of the largest companies (Aldi & Ahold) expressed explicit protection for collective bargaining in their policies, including for those not directly employed by either company. This encouraging leadership should be commended and will hopefully lead to wider support in this area.

Unionized Vessels

The ILO asserts that trade unions are important for protecting fishers' rights, but that union membership is extremely low amongst fishers. As a result, we want to encourage retailers to preferentially source from vessels with democratic and independent trade unions. We recognize that organizing fishers remains limited and challenging; however, incentivizing those that do through preferential sourcing will have a positive impact on the wider industry. Purchasing from unionized vessels is also another way for retailers to minimize exploitative practices in their supply chains.

Despite points being awarded for retailers who sourced "Less than 5%" of their tuna from unionized vessels, no retailers managed to score any points in this area, with many stating that they do not hold this information. We want to encourage this to become more widespread and look forward to future progress in this area.

Living Wage

The complex and often ambiguous chain of custody for overseeing vessels, their operations and their crew has led to a grey area in terms of wages. A vessel may be owned or based in one country, flagged to another, fish in the waters of many – or none in the case of the high seas – and be crewed by a range of nationalities employed in different roles. The issue of a living wage – in fishing as well as global supply chains more broadly – remains poorly developed. A number of methodologies exist, but a global consensus on the necessity, the methodology and implementation is in its early stages.

Greenpeace believes that all workers deserve a fair and living wage in exchange for their hard work, and that it is the responsibility of major western brands and retailers to drive this change by enshrining this requirement in their policies.

Unfortunately, just one brand (Aldi) makes any mention of a living wage for those working in its supply chain in its policy. Aldi's commitment as the only retailer to explicitly advocate for a living wage for workers in its supply chain by signing the German Living Income Commitment is commendable, and we hope will inspire other brands to follow suit.

Migrant Workers

The working conditions and treatment of migrant workers in companies' supply chain requires specific attention as a result of their inherently vulnerable status, including being at increased risk of forced labor. Migrant workers make several sacrifices that also make them more vulnerable to exploitation, including leaving behind family and support networks, moving to a country where they might not speak the language, and often shouldering the burden of travel and registration costs.

The UN Guiding Principles on Business Human Rights (UNGPR) suggests that, during human rights impact assessments, businesses "should pay special attention to any particular human rights impacts on individuals from groups or populations that may be at heightened risk of vulnerability or marginalization."⁸⁵

According to the ILO, migrant workers as a whole are "especially vulnerable in terms of limited rights and protection", while "a lack of training, inadequate language skills, and lack of enforcement of safety and labor standards make [migrant] fishers particularly vulnerable to forced labor and human trafficking."^{86/87} Poor conditions and low pay are commonplace throughout the industry,



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and even vessels operating within the law may still be exploiting their migrant crew, whose status makes them more vulnerable. But low standards and limited oversight means that exploitative conditions can easily drift into more severe forms of abuse.

Rising living standards in more developed fishing countries has led to domestic labor shortages, while a surplus of domestic and migrant labor in developing countries has “polarized labor supply and demand”, pushing many to seek work in other countries as migrant fishing crew.⁸⁸ The higher wage demands of domestic labor combined with long hours, dangerous conditions, and diminishing financial returns mean that the commercial fishing industry has come to rely heavily on cheap migrant labor from these lower-income countries.⁸⁹

Research suggests that, as well as creating a heavy reliance on cheap migrant labor, reduced productivity and financial returns resulting from depleted fish stocks is also linked to illegal, unreported, and unregulated (IUU) fishing.⁹⁰ According to the UN FAO, “there are strong indications that human trafficking, forced labor and other labor abuses on board fishing vessels are associated with IUU fishing, with migrant workers identified as a particularly vulnerable group.”⁹¹

As a result, the respect of migrant workers and their labor is identified as a key aspect of addressing forced labor in supply chains. Despite the importance of this issue in fulfilling companies’ responsibility to respecting human rights – as outlined in the UNGPs – few have explicit commitments to protecting the rights of migrant workers. Just three companies – Aldi, Hy-Vee, and Walmart - had specific commitments to ensure migrant workers are treated and paid equally, regardless of local laws or exemptions; over 80 percent did not.

According to the UN, businesses “should make particular efforts to track the effectiveness of their responses to impacts on individuals from groups or populations that may be at heightened risk of vulnerability or marginalization” but that “human rights due diligence can be included within broader enterprise risk-management systems.”⁹² Despite this, 75 percent of companies surveyed did not engage directly with migrant workers during risk and impact assessments.⁹³

Payslips

Documentation of pay is also a longstanding issue for workers in the fishing industry. The ILO notes that fishers, particularly migrants, are subject to a range of pay-related issues, including arbitrary or excessive deductions,

punitive and illegal deductions, pay discrepancies, and withholding or non-payment of wages. Withholding of wages is one of the ILO’s 11 indicators of forced labor.⁹⁴

One of the challenges in identifying these issues is the widespread informality of payment methods in the global fishing industry. Many are still paid in cash, either on board or on shore, with remittances paid to family at home. Legitimate deductions may be made for advances, while illegal deductions for a range of reasons have also been regularly documented. Without adequate contracts it can be unclear what a worker is owed, and without adequate documentation it can be impossible to guarantee what has been paid.

It is therefore long overdue that seafood policies include a requirement for suppliers to document wages paid through regular pay stubs with itemized explanations of any deductions. Again, Aldi was the only retailer to engage directly on wages for workers within its supply chain, with explicit requirements for documentation of worker payments, which must include regular and overtime hours worked, payment for regular and overtime work, and any incentives and deductions. Disappointingly, no other companies received any points for these questions.

Traceability and Fish Fraud

Traceability is fundamental to improving both environmental and human rights impacts associated with the tuna industry. Illegal fishing remains a significant challenge in all fisheries, but particularly in high-value tuna fisheries, and inadequate traceability measures make it possible for illegally caught fish to find its way into otherwise legitimate supply chains. Retailers and consumers also pay a premium for fish caught using more selective gear such as hand troll or pole and line, but an inability to trace products back to the catching vessel means fish caught using damaging, unselective methods such as FAD-assisted purse seines or longlines can masquerade as a more environmentally-friendly alternative. In fact, an inability to trace a product back to its source significantly undermines almost every aspect of a sustainable seafood policy.

Thanks to advances in technology, increased consumer awareness of seafood fraud and other developments, significant improvements have been made in traceability across the industry. Three-quarters of the companies surveyed claimed to be able to trace at least 90-99 percent of their tuna back to the vessel that caught it, but only 25 percent were able to do this 100 percent of the time.



Vessel Lists

One of the most persistent yet fundamental challenges to effective monitoring, control, and oversight of the global fishing fleet is vessel registration. An absence of binding, international legal frameworks makes it easy to conceal or distort a vessel's identity, ownership or movements.⁹⁵ The lack of clear, public information undermines transparency and makes detecting illegal fishing, as well as forced labor and human trafficking on board fishing vessels, extremely difficult. The severity of environmental and human rights abuses documented in the fishing industry make the need for publicly available information even more pressing.

In 2018, after more than a decade of development, the FAO launched the Global Record Information System, an up to date register of vessels involved in fishing – including reefers and supply vessels – based on information received from State authorities and regional fisheries management organizations (RFMOs).⁹⁶ Its stated aim is to “combat illegal, unreported and unregulated (IUU) fishing by enhancing transparency and traceability” through a public vessel list. The International Sustainable Seafood Foundation (ISSF) also operates a number of different vessel lists, including the ProActive Vessel Register (PVR), a voluntary registry of vessels to demonstrate best practice.⁹⁷

As the FAO and ISSF recognize, making more information publicly available can help to reduce IUU fishing and labor abuse at sea through improved transparency. While these

initiatives represent positive developments, retailers also need to take a more active role in fostering much needed transparency within their supply chains, and the tuna industry at large. With this in mind, we asked retailers to make public their supplier vessel lists. Unfortunately, all but one refused. Only one retailer, Hy-Vee, was able to commit to this, and we commend their leadership and commitment.

Advocacy

Retailers have long been aware that their buying power puts them in a strong position to change things they don't like, whether placing quality requirements on their suppliers or lobbying governments over tariffs. Increasingly many retailers have joined together under a range of organizations and associations to advocate for changes and improvements to the tuna industry, and these moves are welcomed.

In order to encourage this work generally, and promote advocacy to key policy-makers on specific pivotal issues, Greenpeace scored companies for their involvement in advocacy. This included letters sent to the Taiwanese Government, Regional Fisheries Management Organisations (RFMOs), the UN and the US Government, and included advocacy conducted as part of larger associations, such as the Global Tuna Alliance (GTA) or Sustainable Fisheries Partnership (SFP).



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We do, however, recognize that advocacy and membership of working groups requires time and resources, and therefore favors larger companies able to do so. The scoring reflects this, with the top four companies in this category – Aldi, Ahold Delhaize, Walmart, and Whole Foods – representing four large, international corporations. This fact makes the poor performance of other large companies such as Target and Costco stand out, scoring seven and two respectively compared to Aldi’s 24. Overall, scores in this category were poor and more effort needs to be made by all companies to advocate for improvements to the tuna industry.

While we recognize that this work favors larger companies, it is worth observing that working groups and alliances work as an effective tool for pooling collective resources and amplifying the voices of individual companies through their collective agenda. We believe strongly that anyone with a stake in the tuna supply chain should be finding some way to utilize their position and influence to push for positive change in an industry from which they directly benefit.

Human Rights Due Diligence

The failure of social audits to detect, address, and remediate human rights abuses has been well-documented.⁹⁸ Social audits provide a limited picture of a particular moment in time, lack detail or ongoing

monitoring, encourage “ticking lists [in order] to issue compliance statements”, are easily compromised and focus more on the reduction of reputational risks than those to people or the environment.⁹⁹ Despite this, social audits are still heavily relied upon by businesses to manage human rights issues in their supply chains and evidence corporate social responsibility.

The UN Guiding Principles on Business and Human Rights provides detailed and robust guidance for how companies who respect human rights should engage with their supply chains. In particular, they promote a detailed understanding and proactive engagement with supply chains as part of companies’ responsibility to respect human rights. Importantly, the UNGPs emphasize that complex and evolving supply chains require a close and ongoing relationship in order to successfully mitigate human rights impacts.

The questions in this section are designed to reward companies who go beyond social audits to take an engaged and active responsibility for the potentially adverse human rights impacts caused by their business operations and supply chain. These questions relate to the specifics and practice of company policies and other work to address human rights impacts. While all companies surveyed had policies in place, few contained the details, processes or mechanisms outlined by the UNGPs over ten years ago.

On the question of human rights due diligence, no company managed to score full points (5) for having a UNGP aligned process covering all tuna suppliers, though a quarter were implementing this in most of their supply chain. Well over half of the companies scored zero points for relying on third party audits and supplier documentation instead of close engagement, but only one scored minus one point for not having any due diligence process at all.

Taking, Tracking, and Talking Action

In addition to assessing human rights impacts, perhaps the most vital aspect of human rights due diligence is how companies integrate and act upon findings, track responses, and communicate how impacts are addressed.¹⁰⁰ According to the UNGPs, “tracking is necessary in order for a business enterprise to know if its human rights policies are being implemented optimally, whether it has responded effectively to the identified human rights impacts, and to drive continuous improvement.”¹⁰¹ This is particularly important where groups within the supply chain may be at heightened risk of vulnerability, as in the case migrant workers. Finally, in order to improve the effectiveness of this work, businesses should be prepared to publicly communicate their work to identify and address human rights impacts in their supply chains.

The survey asked companies to describe this process, giving full points for those who did or were willing to share their results publicly and just one point to those who would do so privately. Over forty percent of companies were unable to describe their due diligence, were unwilling to share their results either publicly or privately, and scored zero points. Just over thirty percent had a clear process in place, but were still unwilling to publish their findings, showing that there is a long way to go before human due diligence across the industry is in line with the UNGPs. As a result, more than three-quarters of companies scored one point or less, with twenty-five percent receiving full points. These four companies – Target, Kroger, Ahold Delhaize, and Aldi – should be commended for their leadership and transparency in this area.

Grievance Mechanism

Grievance mechanisms represent a vital conduit of information and an essential aspect of any meaningful human rights policy. A grievance, according to the UN, is perceived injustice against an individual or group; a grievance mechanism is the routine process through which grievances concerning business-related human rights abuse can be raised and remedied¹⁰².

While there are many forms this can take, the UNGPs establish six key characteristics of effective grievance mechanism:

- Legitimate
- Accessible
- Predictable
- Equitable
- Transparent
- Rights-Compatible
- A source of continuous learning

In view of the importance of grievance mechanisms to the effectiveness of human rights due diligence and other work, it is vital that they are well-considered, fit for purpose and accessible. Unfortunately, the majority of companies had no grievance mechanism at all, while some of those who did had opted for off-the-peg products that take a one size fits all approach. In practice, however, these solutions fail to consider the realities of life for vulnerable workers in global supply chains, particularly fishers. Many of them do not contain sufficient language choices and the web-based nature of them makes access very difficult for those without a computer.

This survey focused on whether there was a grievance mechanism in place and how closely it followed the guidance set out by the UNGPs, and unfortunately everyone fell short. No company managed to score full points for any of the grievance mechanism questions, and only the larger companies (Ahold Delhaize, Walmart, and Aldi) managed any more than two points out of five. Details were also sparse and none of the mechanisms in place covered any more than four of the UN’s seven characteristics of an effective grievance mechanism.

Simply establishing a hotline or online reporting portal represents a top down approach and fails to consider how workers in the supply chain - in factories or aboard vessels - are most likely to report issues. Hotlines and other tools should not be considered to be an end in themselves, but without statistics it is difficult to make a meaningful assessment of the utility of such hotlines.

In practice, grievance mechanisms must be well-considered, constantly monitored, regularly assessed and adapted as necessary in order to be truly effective. When used in this way, they help to identify key indicators of forced labor, as well as mitigating important issues such as isolation.

Remediation

Remediation is the third of three core aspects of business enterprises' responsibility to respect human rights, and represents an essential step for human rights policies and due diligence to truly be effective. Without remediation there is little prospect of resolution, leaving aggrieved parties feeling unrespected and guilty ones unpunished.

For remediation to be effective and represent a resolution for all, it is vital that companies are actively engaged in this process and that remedies accord with internationally recognized human rights.

"Where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes."

— UNGP

The survey focused on whether and how companies engage in remediation for those who have been adversely affected by their business operations and whether this is done through direct consultation with the aggrieved parties, in line with the guidance of the UNGPs. Unfortunately, no companies scored full points in this area. The importance of this issue was reflected in the possibility of scoring a minus one for failing to cooperate on remediation; unfortunately, this was the score received by 10 out of the 16 companies.

Inventory, Catch Methods, and Labelling

The products that retailers stock should represent the end point of the thought and hard work that has gone into their sourcing policies and supply chain oversight. Unfortunately, for all of the supermarkets surveyed, many of the products available to consumers serve to undermine the work they have done. Endangered species, destructive catch methods and associations with severe human rights abuses on the shelves in many ways invalidate well-meaning policies on paper.

Many retailers take seriously their relationship with and responsibility to their customers, yet require them to make decisions between sustainable and unsustainable, abusive or fairly produced seafood. While consumers have a responsibility to educate themselves and make better

purchasing choices, this somewhat lets retailers off of the hook. Through better purchasing decisions, retailers can remove the uncertainty for their customers, leaving them free to choose whether they want their tuna in brine or olive oil, not whether it was produced under conditions of modern slavery or not.

Catch methods are an important aspect of this, with non-selective methods such as FAD-assisted purse seining and longlining associated with high levels of bycatch, including sharks, dolphins, and turtles. Longlining in particular - which spend extended periods at sea, rely heavily on transshipment-at-sea and are very labor-intensive - have also been widely associated with human rights abuses, as detailed in Greenpeace USA's *Choppy Waters* report.¹⁰³ Alternatively, selective methods such as pole and line, and hand troll - while not without their own issues - are much less damaging for the environment, and much more equitable for those catching fish, not least due to shorter journeys.

All of these important aspects should be conveyed to consumers by clear, informative packaging detailing as much information about species, catch methods, locations, and other indicators of sustainability. Without clear and informative labelling, customers are unable to make truly informed decisions.



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Conclusion



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When Greenpeace USA first started surveying companies on their sustainable sourcing policies over a decade ago it sometimes felt like we were speaking a different language, or at least a new one. Talk of Fisheries Improvement Projects (FIPs), bans on transshipment at sea and reduced bycatch was fairly new, and a long way from inclusion in seafood sourcing policies, where they existed at all. But, over the years these principles have moved from the fringe to the mainstream and now even those who looked at us with blank faces have policies and commitments in place.

The similarities between where the industry was on sustainability 10 years ago and where it currently is on human rights issues are hard to miss. Many appear not to have given it a thought, while even those who are leading the way still fall short in a number of areas. Despite years of guidance from international bodies, academic and NGO research and reports, shocking media exposés, and increasing consumer awareness, many companies have continued to ignore their responsibilities, while others

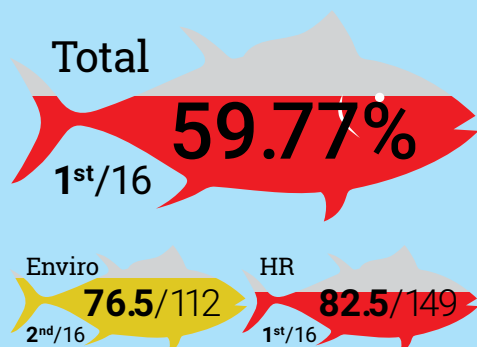
have opted for surface level changes without the deep engagement and understanding required to address these serious issues. This is reflected in the fact that every company failed to make a passing grade, with policies lacking detail, practicality, while others simply chose to remain silent.

However, the increasing recognition of both the importance of human rights issues in supply chains, as well as their connection to key environmental issues, means companies' time to address these often difficult issues is well past due. While the results of this report do not make for pleasant reading for anyone with a stake in the seafood supply chain – from retailers and suppliers to workers and consumers – we find optimism in the improvements made in sustainability over the years, which started from a similarly low base. We hope this report will provide a foundation for future assessment, as well as a benchmark for how far we will have come 10 years from now.

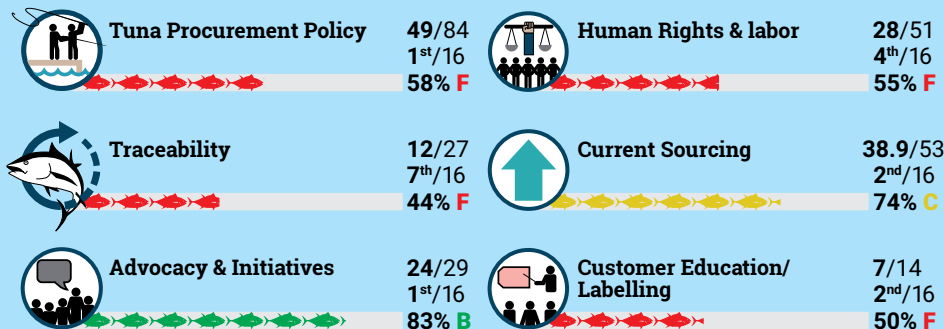
Retailer profiles



OVERALL SCORES



SECTION SCORES



Summary

Aldi completed the survey as well as providing supporting resources. Aldi took the top spot overall, receiving the highest score in the overall Human Rights category, as well as across a range of sections, including Tuna Procurement and Advocacy. In combination with historically strong performance on environmental issues (3rd in CATO 2018), Aldi's comprehensive, stand-alone forced labor policy - which draws on a number of internationally recognized standards, including the UN Guiding Principles on Business and Human Rights (UNGP) - helped push them into first place overall.

In many areas, the level of Aldi's understanding of complex issues and their proactive engagement marked them out. As one of the only retailers to achieve a passing score for any section, they in fact managed it for two, with a very strong score for their advocacy work. Nonetheless, despite these scores and coming first among other retailers overall, Aldi was still just shy of a passing grade.

Positive

Aldi scored the highest of all retailers in the Tuna Procurement section, scoring a total of 49 out of 84. In line with many other retailers, Aldi scored well for having comprehensive, publicly available seafood and human rights policies.¹⁰⁴ One of the purposes of this survey is to encourage and reward specific commitments in line with internationally recognized instruments and initiatives, and Aldi scored higher than most as a result of reference to these in their policies. Aldi's International Forced Labor Policy, which explicitly covers all stages of its supply chain, is guided by a number of international standards, including the United Nations Guiding Principles on Business and Human Rights (UNGP).¹⁰⁵

Aldi's Forced Labor Policy also specifically addresses the issue of recruitment. In particular, Aldi's policy recognizes the link between recruitment fees and debt bondage, and establishes a framework for mitigating this risk. Aldi's policy requires the company and its business partners to abide by the "Employer Pays Principle," prohibits recruitment fees and mandates the use of "legally licensed" recruitment agencies.

Aldi should also be commended for being the only retailer to explicitly advocate for a Living Wage for workers in its supply chain by signing the GIZ Living Income Commitment. Aldi was also one of the only retailers to engage directly on wages for workers within its supply chain, with explicit requirements for documentation of worker payments.¹⁰⁶

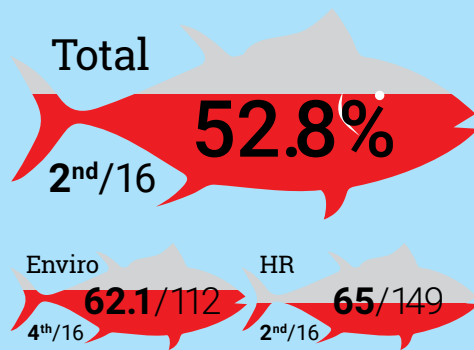
Finally, Aldi scored maximum points for a clear and well considered process for dealing with cases of abuse within their supply chain, which includes working with suppliers to improve, monitoring and ultimately severing ties in the cases where suppliers fail to improve.

Poor/Needs Improvement

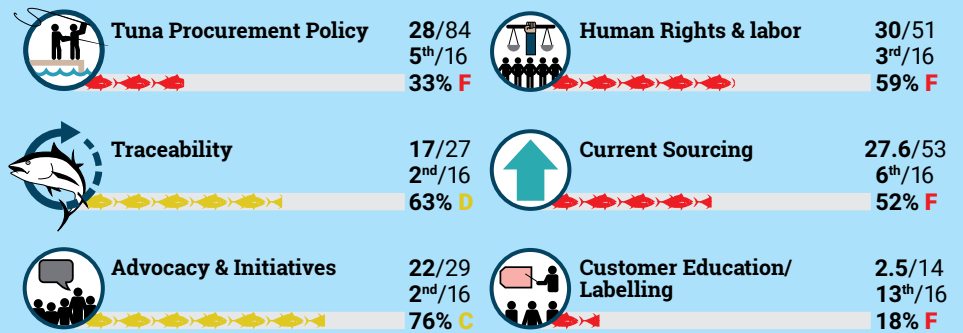
Aldi's Traceability score was disappointing, but their responses show encouraging signs. Because the survey scores retailers on programs that are currently in place, Aldi was unable to score points for initiatives that are currently in the pilot stage or not fully implemented. Aldi's framework for supplier evaluation and traceability looks promising, and we look forward to reporting positive results in the future when it is fully implemented across the supply chain.

While Aldi's understanding and development of grievance mechanisms is decidedly more advanced than many others, points were unfortunately lost due to the limited scope. Greenpeace commends Aldi's work with the Issara Institute to promote worker voice in Thailand, and hope they will support implementation of this type of work across a wider section of their supply chain, including catching vessels. Further points were deducted as result of a failure to engage with migrant fishers during impact assessments; however, we hope this is something that can be quickly and easily rectified, and also shows the need to expand worker-centred welfare initiatives into programs, particularly in fishing.

OVERALL SCORES



SECTION SCORES



Summary

Ahold Delhaize completed the survey as well as providing supporting resources. Ahold Delhaize took second place overall, receiving the second highest score in the Human Rights category, and finishing in the top five in all but two sections of the survey. Though they finished second in the Human Rights category, they were a long way behind Aldi in first. Ahold also achieved a passing grade for two sections – traceability and advocacy – coming second only to the overall Environment leader, Whole Foods, for its traceability work.

Ahold Delhaize scored well for having comprehensive, publicly available seafood and human rights policies in place.^{107/108} In particular, their inaugural Human Rights report (2020) is strong, and stands out for its detailed understanding of the issues, its reference to international human rights instruments, and commitment to safeguarding migrants.¹⁰⁹ It also outlines the company’s ongoing due diligence and auditing frameworks, providing detail as well as practical actions that marked it out as one of the strongest such documents produced by the surveyed retailers.

Positive

As mentioned, Ahold’s Human Rights report was a fairly comprehensive and well-considered document and backed up the answers with the level of detail required to receive more points. Ahold was one of the only companies to express an explicit commitment to collective bargaining, an issue that is gaining prominence as work to unionize fishers accelerates.

Ahold scored highly for its auditing and traceability work, a section that covers both environmental and human rights issues. With quarterly monitoring and internal traceability audits – as well as the same third-party audits as many others – Ahold came out top on a number of these questions.

Ahold also scored highly for their advocacy work, having sent letters to governments, RFMOs and the UN on a number of issues related to the tuna industry. Ahold came second to Aldi, narrowly beating Walmart, and it should be noted that this section favored large companies with the resources and time to dedicate to this kind of work.

Ahold’s human rights due diligence framework was considerably more advanced than many other retailers, many of which had nothing at all. Ahold’s work goes beyond social audits and lays out a framework for dealing with a range of human rights impacts.

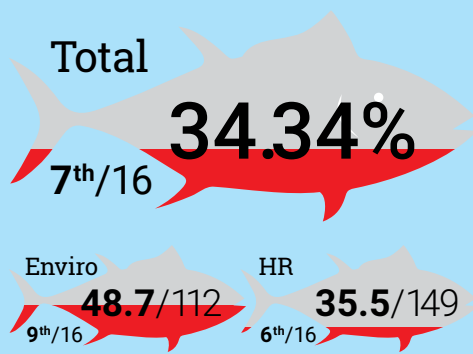
Finally, Ahold received a good score for catch methods employed in its tuna sourcing, with nearly a quarter caught using more selective pole and line or hand troll methods. It also had a low proportion of purse seine caught tuna, at less than five percent; however, nearly three-quarters is still caught using longlines.

Poor/Needs Improvement

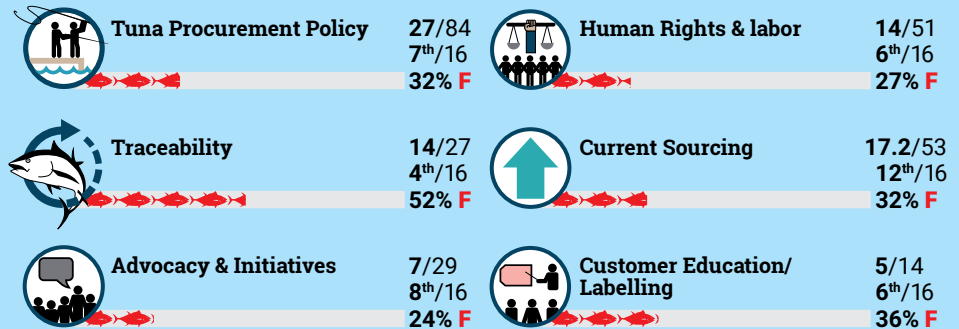
Like many, Ahold cites its whistle-blower line as an example of the kind of public-facing, non-judicial grievance mechanism outlined in the UNGPs. However, the value of these lines for addressing potential issues in supply chains is limited, particularly aboard distant water fishing vessels. Accessibility – including availability of necessary technology or internet connections, language barriers, and awareness – remains a major stumbling block for generic “hotlines.” Hotlines are no substitute for a worker-centred approach that closely considers how to most effectively provide a mechanism for them to make their voices heard. Part of this process must also involve direct engagement with migrant workers in the supply chain about their specific needs and the risks they face, something Ahold says they do not currently do.

Ahold could greatly improve the sustainability of its product offering, receiving a disappointing score for its inventory considering the strong work it has done in other areas. Selling brands that do not meet Ahold’s own standards undermines the improvements their policies are driving. Refusing to stock brands associated with IUU fishing and other damaging environmental practices or human rights abuse would promote their own efforts further and provide clarity for their customers. In addition, they could be much more selective in the catch methods and species that they stock, receiving a low score for stocking a number of higher-risk species or catch methods.

OVERALL SCORES



SECTION SCORES



Summary

Albertsons completed their own survey, coming seventh overall, with a disappointing ninth for the Environment category, and middle-ranking sixth for Human Rights. Albertsons ranked in the middle across most of the survey sections, though failed to achieve a passing score in any of them. Their highest rank was achieved for traceability, coming fourth, while their lowest (12th) was for their sourcing, a section that included inventory and catch methods.

Positive

Albertsons had a strong public position on transshipment at sea, which references robust national and international regulations related to vessel and crew safety and worker protections, including the Cape Town Agreement and the ILO’s Work in Fishing Convention – C.188.¹¹⁰

Albertsons traceability work was also commendable – including tackling fish fraud – despite not being able to trace 100 percent of their tuna back to the catching vessel. As the foundation for effective supply chain oversight and risk mitigation, traceability is vitally important. Albertsons appears to have developed a thoughtful approach that involves internal audits in partnership with a third-party organization, while not relying entirely on third parties. The implementation of technology to gather chain of custody data and assess risks also helps to improve oversight of supply chain risks.

Poor/Needs Improvement

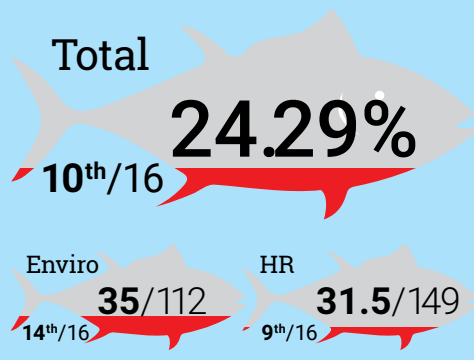
In line with many other retailers in the middle of the ranking, Albertsons scored well for having policies in place, but missed out on points for lack of reference to specific instruments, particularly in relation to the UNGPs and ILO Core Conventions. In addition, Albertsons states that it has adopted a human rights due diligence framework and is currently working to gather and review information, but it is unclear how fully this program has been implemented. We look forward to positive updates in the future.

Albertsons received just four points – one of the lowest scores amongst all retailers – for the limited scope of its work to promote fisheries and labor reform through public advocacy. It is vitally important that all companies involved in global supply chains – particularly those with as many risks as tuna – are actively pushing for positive policy change to support their own supply chain due diligence.

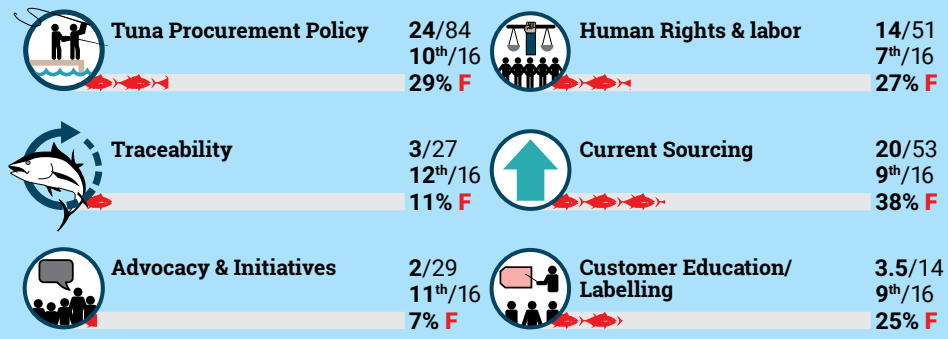
Despite completing the survey, they skipped a number of questions related to more specific aspects of their human rights due diligence work, including tracking, grievance mechanisms and remediation. The importance of these elements in underpinning the effectiveness and real-world impact of a company’s ethical policies meant leaving them blank hurt Albertsons’s score.

Finally, Albertsons cited its use of two widely available third-party audit certifications as evidence of its work to engage migrant workers in auditing and assessment processes; however, we had hoped to see a deeper and more deliberate approach to this important area. This work is central to identifying heightened risks within the supply chain as well as developing worker-centered grievance mechanisms, remediation processes and other important aspects of human rights due diligence. At least in addition to third-party audits retailers should develop a focus on the migrant workers as part of an engaged and ongoing due diligence framework.

OVERALL SCORES



SECTION SCORES



Summary

Costco did not complete a survey but provided links to seafood sustainability resources, which, together with further publicly available information, were analyzed and used to score the survey. Costco ranked 10th out of 16 overall, with a failing score in every category. Costco’s Environmental ranking (14th) is extremely disappointing considering its size and influence, scoring in the bottom three. Costco came 9th out of 16 in the Human Rights category, and failed to achieve a passing mark in any of the sections. Their best performing section was “Sourcing”, but with just 38 percent, they still failed to make a passing grade.

Publicly available information on Costco’s policies was limited and lacked detail. Key issues such as traceability were limited to short, vague sections on their Seafood Sustainability webpage.¹¹¹ The “Seafood” section of the “Human Rights Policy” webpage is also short and limited entirely to their work with the Seafood Taskforce in Thailand, and does not mention tuna.¹¹²

Positive

Greenpeace recognizes Costco’s role as a founding member of the **Seafood Taskforce**, a coalition of businesses and NGOs working to improve sustainability in the Thai seafood supply chain. Though the amount of specific information available is limited, some positive work has been done, including in the area of recruitment. Though currently limited to Thailand, this engaged approach to supply chain oversight should be expanded to cover all aspects of seafood sourcing, particularly work aboard distant-water vessels.

Greenpeace also commends Costco’s work with third-parties to analyze risk across their entire supply chain, though this should not replace ongoing audits and monitoring of suppliers.

Finally, Costco’s approach to monitoring and addressing issues with suppliers – as outlined in their statement for The California Transparency in Supply Chains Act (2015) – serves as an example of best practice for working with suppliers to improve in a measured, time-bound way.¹¹³

Poor/Needs Improvement

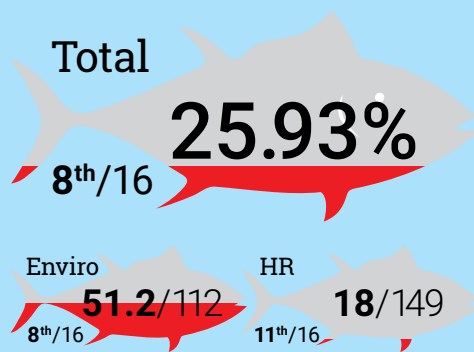
Like most, Costco has sourcing **policies** in place, but they lack specificity and, importantly, references to relevant international instruments for upholding human rights. Costco’s human rights and seafood would be much improved if more clearly guided by specific, international principles, such as the UNGPs, ILO Core Conventions and C.188 – Work in Fishing Convention.

Costco does not have a public **transshipment** policy, which is disappointing considering Costco’s buying power, the exposure the issue has had in recent years and its importance to sustainable fishing. Similarly disappointing for a company of Costco’s size and influence was their failure to advocate for better policy, scoring second from bottom on the **Advocacy** section.

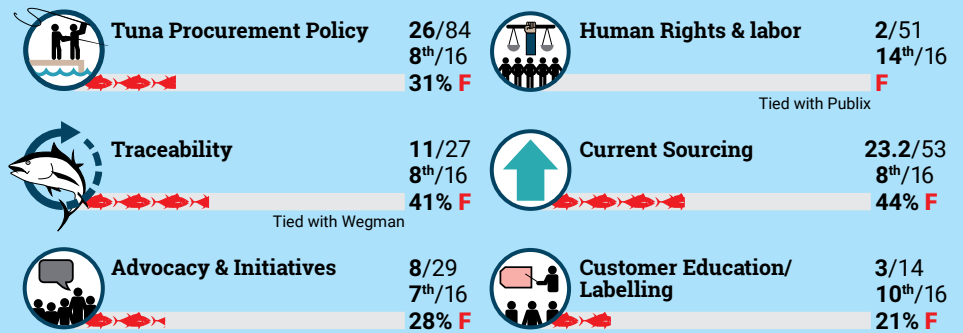
Traceability and Audits are covered in a very short section on the “Sustainable Fisheries” webpage, which focuses on shrimp. While these programs are positive, the company must improve monitoring, oversight, and conditions in valuable and risky tuna supply chains.

Costco’s **human rights policy** is vague, and as a result lacks specific consideration of grievance mechanisms, due diligence frameworks or engagement with vulnerable groups, such as migrant workers, in their supply chains. In order to help embed these practices across the sector, all companies should make use of them to guide their policies.

OVERALL SCORES



SECTION SCORES



Summary

Giant Eagle did not complete a survey; as a result, publicly available information was analyzed and used to score the survey.^{114/115/116} Giant Eagle ranked 8th out of 16 overall, with a failing score in every category, ranking 8th and 11th in the Environment and Human Rights categories respectively. Their best performing section was “Sourcing,” but with just 44 percent, they still failed to make a passing grade.

Giant Eagle’s scores are indicative of wider trends within this segment of the supermarket sector, where a flurry of engagement five or six years ago has been left largely the same, meaning these policies do not appear to have developed since that time. The specific nature of this survey’s questions accounts for the low score of vague and outdated policies.

On most scoring areas, Giant Eagle was in line with similar brands of a similar size, though they scored lower than average in the overall Human Rights category (18), and second lowest in the Human Rights section, one of only four companies to receive a negative score (-2).

Positive

Giant Eagle was mediocre for **environmental issues**, if very poor on human rights. They scored well for having policies in place, and did have a good amount of detail regarding environmental specifics, including language in support of Marine Protected Areas (MPAs), and requirements around Fisheries Improvement Project (FIPs). Similarly, Giant Eagle has a clear and publicly available stance on transshipment-at-sea, only allowing it with 100 percent observer coverage. While we would like to see this strengthened, the explicit consideration of this key issue is positive.

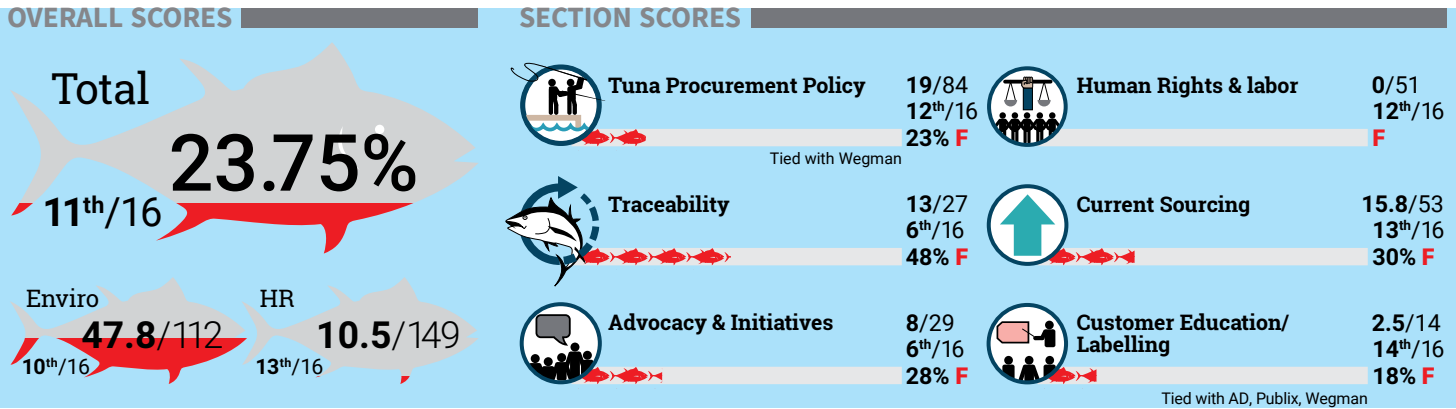
Giant Eagle was the only company that mentioned the importance of sustainable bait fisheries for Pole & Line tuna.

Poor/Needs Improvement

Giant Eagle’s engagement on **human rights** in their supply chain is probably where they were on environmental sustainability 10 or 15 years ago. The lack of any human rights policy, or mention of human rights issues in their seafood policy, meant that they scored almost no points for entire sections of the survey. They scored -2 in the Human Rights section, one of only four companies to do so.

Currently, discussion of human rights at Giant Eagle is focused on inclusivity, racial equality, and LGBTQ+ rights, for which they earned a score of 90 on the Human Rights Campaign (HRC) Foundation’s 2020 Corporate Equality Index (CEI). While this is commendable, it does not consider the important impacts its business has on the labor and human rights of those working their supply chain.

Giant Eagle puts considerable emphasis on educating customers to make “responsible and informed purchasing decisions,” including educating staff to assist with this information. However, improvements to **sourcing policies** and **inventory** could further assist customers by simply ensuring that all seafood on the shelves meets rigorous sustainability and human rights standards. Stocking anything that doesn’t meet these standards undermines retailers’ sustainability efforts and creates uncertainty for customers.



Summary

H-E-B did not complete a survey; as a result, only publicly available information – including their Seafood Policy and Supplier Code of Conduct – was used.^{117/118/119} H-E-B performed poorly overall and ranked 11th out of 16, with a failing score in every category, ranking 10th and 13th in the Environment and Human Rights categories respectively. Their best performing section was ‘Traceability,’ but with just 48 percent, they still failed to make a passing grade.

While H-E-B’s engagement with environmental issues in their supply chain has improved incrementally, there has been little consideration given to the human rights impacts of their seafood.

Positive

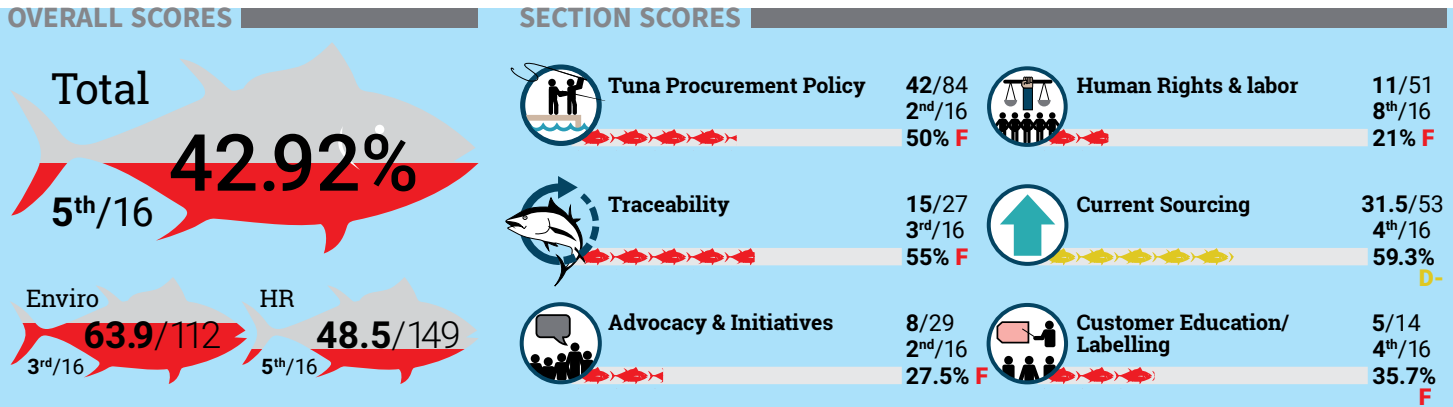
H-E-B were mediocre on environmental issues, and very poor on human rights. Only 10 points separate Sprouts in 5th from H-E-B in 10th place in the Environment category; a score that would have been improved by completing the survey and having more robust policies. H-E-B scored well for having policies in place, and did have a good amount of detail regarding environmental specifics, including not sourcing from “red” fisheries and only sourcing tuna that is either MSC certified or making progress in a FIP. However, they could improve their score with some specific wording on MPAs and sourcing only from “green” fisheries.

H-E-B also scored reasonably well for their work to improve traceability, including commitments to not selling IUU fish and working with Trace Register to provide third party verification. One impressive and stand-out feature of this work was their product sourcing grid - essentially a table of all of the species they stock, country of origin, source, catch method, and sustainability rating, which is updated twice a year.¹²⁰ We would love to see other companies disclosing similar information in an easily understood format. Again, this work reflects industry-wide improvements to environmental practices in supply chains.

Poor/Needs Improvement

H-E-B’s scores on human rights questions suffered, like many others, from a lack of specificity and saw them come 13th out of 16. Despite recognizing that there are human rights concerns associated with the seafood industry, statements are vague and are either not grounded in a policy framework provided by international instruments, such as the UNGPs, or they fail to provide a practical explanation for how these requirements will be monitored or enforced. Discussions and understanding around the human rights impacts of global supply chains are well-advanced, but that fact is not reflected in much of H-E-B’s human rights work.

More than half of the questions in the survey focused on human rights. H-E-B does not have a human rights policy and their score reflects that.



Summary

Hy-Vee completed the survey and ranked fifth overall, fifth in the Human Rights category and in the top five for most of the survey sections, including third for traceability, and second for tuna procurement. Hy-Vee continued their decent performance in the Environment category with a third-place finish, having placed second in Greenpeace’s most recent CATO report. However, they did not achieve a passing grade in any of the survey sections, and scored poorly on the human rights section, coming eighth amongst an already poor field.

Hy-Vee have engaged positively on environmental issues and appear to take these commitments seriously, but still have some way to go in fully addressing the issues at hand. However, it is vitally important that they catch up or risk undermining the progress they have made in ethical sourcing generally.

Positive

Hy-Vee ranked second in the tuna procurement section, standing out for having significantly more detail and reference to international standards than the majority of others.¹²¹ In particular, they had strong, internationally recognized requirements of their suppliers, including mandated rest times, crew conditions, and health and safety.¹²²

Significantly, they were one of only two companies who explicitly referenced migrant workers in their supplier Code of Conduct.¹²³ In particular, Hy-Vee expressly requires its suppliers to treat migrant workers the same as nationals, an extremely important provision when local laws often allow migrant workers to be treated differently to others.

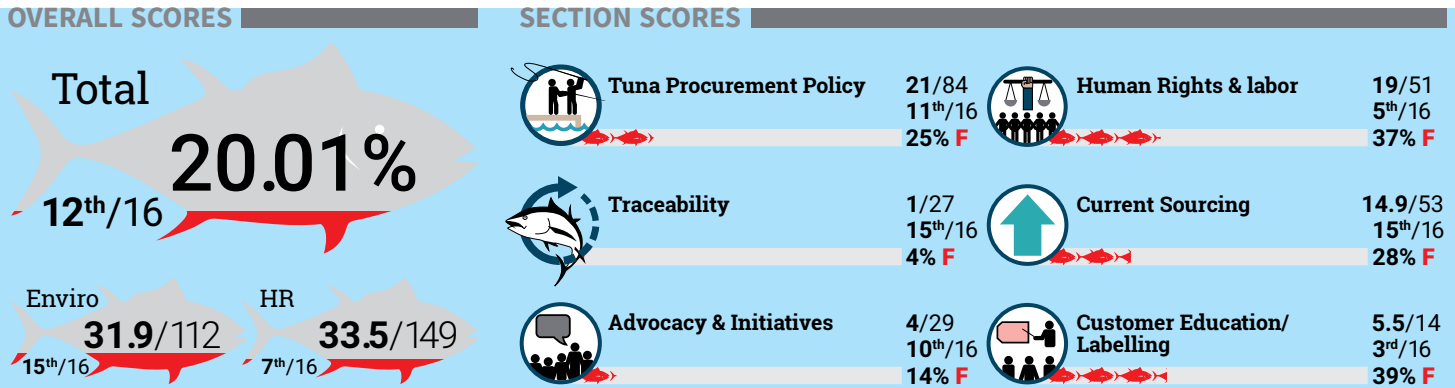
Hy-Vee’s traceability work is strong and rooted in internationally recognized best practice (Global Dialogue on Seafood Traceability). Their traceability work – including risk assessments and audits – in partnership with FishWise, looks robust and well-considered, providing a strong framework on which to add an increased focus on human rights.

Finally, Hy-Vee was the only company who agreed to publish supplier vessel lists, demonstrating an assurance and commitment to transparency that no other company was willing to match.

Poor/Needs Improvement

Like many of those with poorly developed or no human rights policies at all, Hy-Vee left blank a whole series of questions regarding specific details of human rights due diligence as articulated in the UNGPs. Many companies were unable to answer questions on practical elements that involve commitment and investment, such as grievance mechanism, remediation, and worker voice. The importance of these elements in underpinning the effectiveness and real-world impact of a company’s ethical policies meant leaving them blank hurt Hy-Vee’s score.

For a company that has made a number of positive improvements in sustainable seafood sourcing, Hy-Vee continues to source the majority of its tuna from damaging fishing methods, sourcing well over 90 percent from purse seine or longline, and just four percent from pole and line. Compared to companies with comparable sourcing policies and scores, Hy-Vee scored lower than expected and should commit to increasing its proportion of tuna caught using more sustainable methods.



Summary

Kroger completed their own survey and ranked twelfth overall, seventh in the Human Rights category, and second from the bottom in Environment. Amongst companies that completed their own survey, Kroger scored second lowest. Kroger had policies in place but they lacked the detail required to score points. On some of their own key metrics and targets – such as sourcing 90 percent of wild caught seafood from certified fisheries – they appear to be going backwards.¹²⁴ Kroger came seventh in the Human Rights category, partly as a result of forthcoming reporting and ongoing scoping work that couldn't be considered as part of this survey.

Kroger failed to achieve a passing score in any section of the survey, with a highest score of just 39%, ranking third for Customer Education. They finished second from the bottom for their traceability work and sourcing, including one of the worst scores for the sustainability of their product offering

Positive

Like many others, Kroger scored early points for having policies in place, but later fell down on the detail – in particular, lacking reference to specific human rights instruments, including the International Bill of Human Rights, the ILO Core Conventions, and the Work in Fishing Convention - C188.^{125/126}

Kroger also articulated a number of areas of work currently underway, including comprehensive GAP analysis related to the UNGPs and risk assessment, which will be reported on their 2022 social responsibility report. While this work sounds positive, we are unable to consider it this year, but hope to report positive developments in the future.

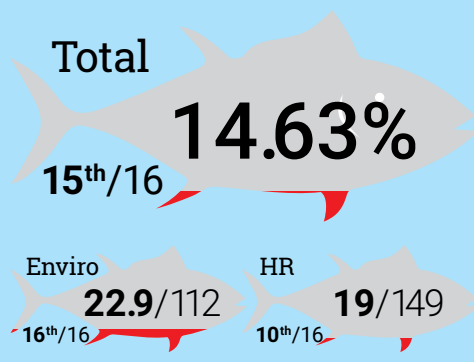
Poor/Needs Improvement

Kroger scored very poorly across a range of survey sections, coming second from bottom for sourcing and traceability, as well as the overall Human Rights category. When it came to specifics about supplier requirements – including worker contracts, wages or conditions – Kroger consistently scored poorly. Throughout the survey they relied heavily on a limited number of examples that often did not contain the necessary details to score points.

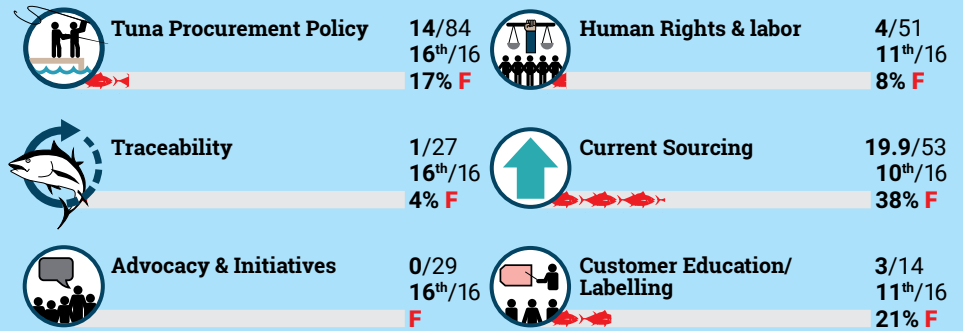
Traceability, where they ranked second, was poorly developed and relied heavily on the International Seafood Sustainability Foundation (ISSF), which cannot substitute for robust and well-considered in-house policies. Monitoring also relies too heavily on third parties, with audits only taking place annually. Kroger answered that, despite its centrality to a range of environmental and human rights issues in the tuna industry, they do not have a stance on transshipment-at-sea.

Like many, Kroger cites its Helpline as an example of the kind of public-facing, non-judicial grievance mechanism outlined in the UNGPs. However, there are significant questions of their suitability for addressing potential issues in supply chains, and particularly aboard distant water fishing vessels. When combined with failures to engage with migrant workers in their supply chain and work with aggrieved parties on remediation, a poorly developed non-judicial grievance mechanism does little to provide workers with a voice.

OVERALL SCORES



SECTION SCORES



Summary

Meijer completed their own survey and ranked fifteenth, second from bottom, and dead last in the environment category. As one of the few companies to rank lower in the Environment category than Human Rights, coming in tenth, though on just 19 points they were some way behind even ninth-placed Costco on 31.5. Amongst companies that completed their own survey, Meijer scored the lowest by far, coming dead last in half of the survey sections as well as the overall Environment category.

Meijer was the only company to score less than full points for initial and general questions on policies as a result of not having a shelf-stable tuna policy, despite canned tuna representing both the most popular product and highest risks.¹²⁷ As a result, Meijer was unable to score any points for questions relating to their policies because the majority of their tuna products are not covered by any company policy.

Positive

With some of the lowest scores across a range of categories, the positives of Meijer's response were few and far between. Besides commending their support for collective bargaining, there is a lot of improvement to be made.

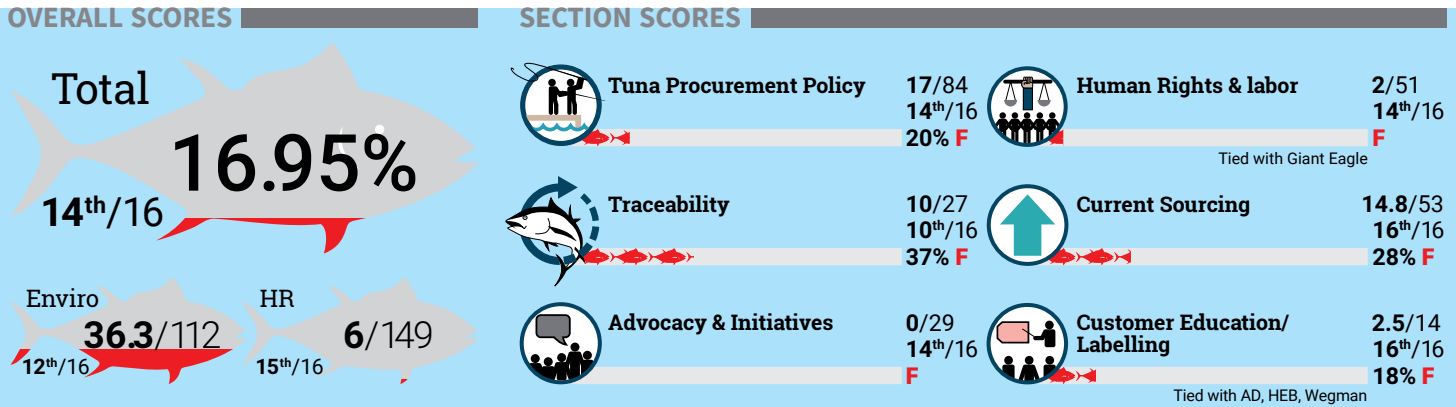
Poor/Needs Improvement

Meijer's scores were greatly harmed by the lack of a shelf-stable tuna policy, which accounts for most of the tuna sold in the US. As a result, they could not score points on policy-related questions, and came last in the traceability and tuna procurement sections. These sections, while broadly environmental, also overlap significantly with human rights issues.

One of the weaknesses of Meijer's traceability work was its inability to independently verify traceability requirements, relying instead on *ad hoc* document requests to suppliers. Instead, supplier documentation, including monitoring and oversight, should be embedded into policy and practice. Supplier auditing was also weak, with an annual review of Tier 1 Own Brand suppliers leaving significant opportunity for abusive or exploitative practices to develop.

Similarly, Meijer did not have a human rights due diligence framework in place, again relying entirely on suppliers to provide information, despite UNGP guidance. Though they completed their own survey, like many others Meijer chose to leave large sections blank, most of which related to details of human rights due diligence. Unsurprisingly, public communication is also poor, with limited information available online.

Finally, Meijer had one of the lowest inventory scores, particularly amongst companies that completed their own survey. This was down to including at-risk species such as bluefin tuna in its product offering, as well as using damaging catch methods in already overfished areas. In addition, over 90 percent of Meijer's tuna offering came from tuna caught using longlines or FAD-assisted purse seines, the two least selective methods.



Summary

Publix did not complete a survey; as a result, publicly available information – mostly drawn from their “virtual store” website – was analyzed and used to score the survey.¹²⁸ Publix performed very poorly overall, and ranked 14th out of 16, with a failing score in every category, ranking 12th and 15th in the Environment and Human Rights categories respectively. Their best performing section was “Traceability”, but with just 37 percent, they still failed to make a passing grade.

As with many companies who ranked towards the bottom, Publix’s available sourcing policy information is extremely short on detail to back up well-meaning statements. Publix has a stand-alone website, which allows users to take a virtual tour of a cartoon Publix shop, stopping in different aisles to read about their cage-free egg or diversity policies. Unfortunately, it seems that more time and energy has gone into the presentation of what they do, but not nearly enough into the detail of their policies.

Positive

Publix scored well on initial questions about having policies, but fell down on the detail. It is at least encouraging that Publix recognizes the importance of making public commitments to sourcing sustainable seafood. Publix also works with a number of important sustainability-focused organizations, including the Sustainable Fisheries Partnership and the Global Sustainable Seafood Initiative (GSSI). While engagement with outside organizations and initiatives is important, it does not substitute the need for a robust policy with clear steps towards implementation and ongoing monitoring. However, based on the available information rapid improvements could be made through the process of codifying many of the things Publix already does or claim they want to do into a coherent policy.

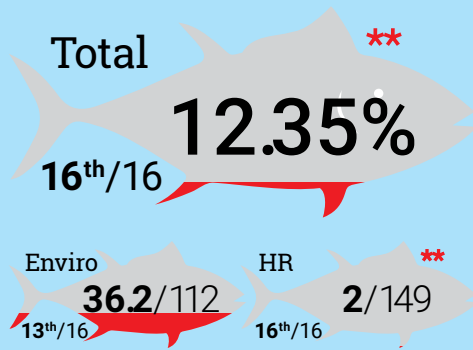
Publix requires suppliers to maintain documentation on the products they provide to ensure full traceability, conducting “mock recalls” to verify their effectiveness. While there is no specific mention of seafood – a supply chain with unique challenges and risks – this is a positive practice that could be improved and developed to include sustainability standards as well as human rights due diligence. In fact, the UNGP suggests that “human rights due diligence can be included within broader enterprise risk-management systems, provided that it goes beyond simply identifying and managing material risks to the company itself.”¹²⁹

Poor/Needs Improvement

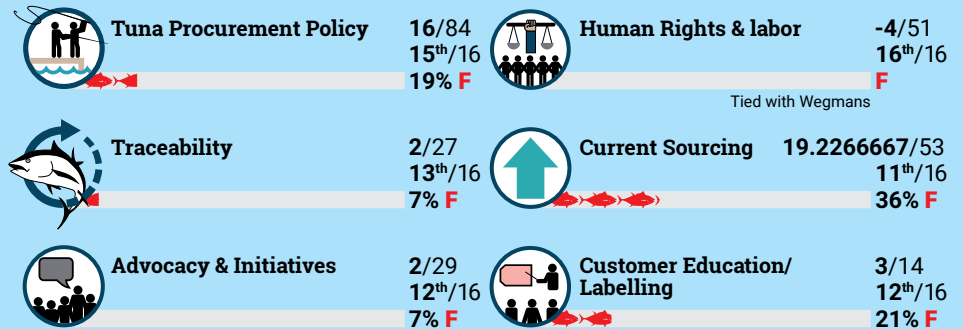
Despite a new sustainability report, there is no mention of human rights and very little specific information on the company’s sustainable seafood sourcing. Companies that did not complete a survey nor have publicly available information on their human rights policy were unable to score any points for these questions and their scores reflect that. Publix tied for the second lowest score in the human rights section, one of only four companies to score negative points on -2. Publix also had the second lowest Tuna Procurement score (17), which was brought down by a lack of labor or human rights considerations in their purchasing decisions.

Publix was also one of only four companies to score 0 for Advocacy, with no public evidence that they use their position to advocate for positive change.

OVERALL SCORES



SECTION SCORES



Summary

Southeast Grocers did not complete a survey; as a result, publicly available information – mostly drawn from their 2020 CSR Report – was analyzed and used to score the survey.¹³⁰ Southeast Grocers performed very poorly overall, ranking dead last out of 16, with a failing score in every category. They ranked 13th and 16th in the Environment and Human Rights categories respectively. Their best performing section was “Sourcing”, but with just 36 percent, they still failed to make a passing grade.

Southeast Grocers scored worst overall by a significant margin, receiving the worst overall Human Rights score (2) by far. This was due to having no discernible policy on a number of important environmental and human rights issues, including transshipment-at-sea, human rights due diligence, migrant workers or grievance mechanisms.

Southeast Grocers also scored lowest in the human rights section of the survey with -4, a position they shared with Wegmans. The negative score was the result of a failure to mention human rights in what policies do exist, a situation that in many ways resembles where some companies were on environmental policies over a decade ago. A 50-page CSR report released in 2020 does not mention human rights once. It also does not provide updates on environmental work mentioned in previous Greenpeace reports, nor sufficient detail about current seafood sustainability policies or activities to score points for many questions in the survey. What information was available pertained exclusively to sustainability and did not appear to give any consideration to the human rights impacts of their business.

Positive

Southeast Grocers are at least aware of many of the environmental issues linked to seafood supply chains, and have made commitments to working with the Global Aquaculture Alliance (GAA), Sustainable Fisheries Partnership (SFP) and the World Wildlife Fund (WWF). However, while working with these organizations represents a positive step, it is not a substitute for robust policies guided by international instruments with clear plans for implementation.

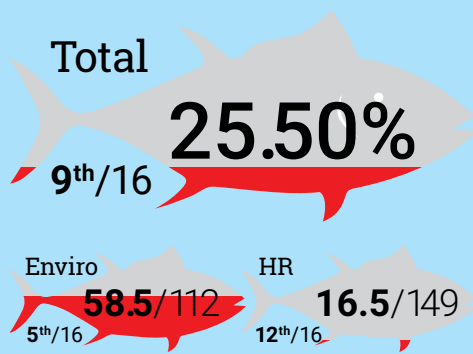
Southeast Grocers appear to take the trust of their customers seriously, as well as considering their commitment to sustainable seafood to be part of this trust. Southeast Grocers should build on this premise by providing their customers with a thoughtful and robust seafood policy that ensures customers their seafood is not damaging the environment or abusing the rights of those who produce it.

Poor/Needs Improvement

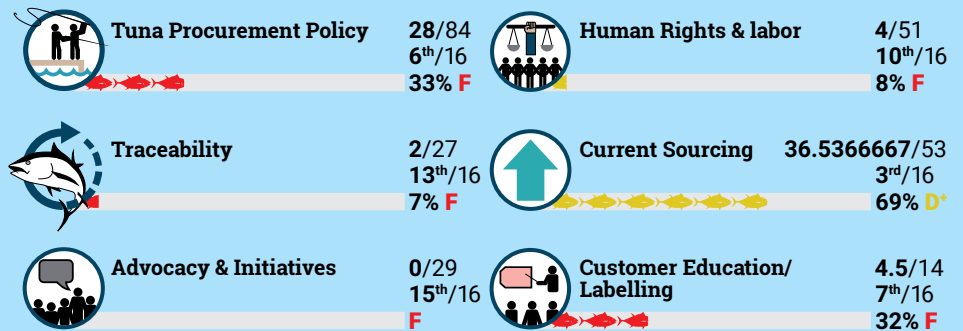
Southeast Grocers’s seafood policy needs significantly more detail on environmental issues, including policies on transshipment at sea, improved traceability, regular supplier audits and ongoing monitoring. There is much mention of “promises” and commitments to sourcing sustainable seafood, but without detail it is difficult to know what steps are being taken to assure this.

On human rights, Southeast Grocers must first establish a human rights policy covering their entire supply chain, with specific considerations given to high-risk activities such as fishing. This policy should be rooted in internationally recognized principles and standards – such as the ILO Core Conventions and Work in Fishing Convention (C188) – and guided by the UN Guiding Principles on Business and Human Rights.

OVERALL SCORES



SECTION SCORES



Summary

Sprouts completed their own survey and ranked ninth overall, fifth in the Environment category, and twelfth in the Human Rights category. Sprouts’s best score came in the sourcing section, managing to pass with a 69 percent, which put them in third place. Unfortunately, they did not perform nearly as well in other categories, coming thirteenth in traceability and second from the bottom for advocacy.

Sprouts scored poorly in a number of important areas, and their scores reflect where they, like many companies of a similar size, are currently on human rights issues. They do, however, express and encourage willingness to engage and improve.

Positive

Sprouts achieved its highest scores and ranking for the sourcing section, which included questions on product offering and catch methods, as well as policy. Perhaps in a reflection of one of the strengths of being a smaller company, Sprouts got one of the highest scores for not stocking problematic species or brands. They scored joint-second highest with Whole Foods for the number of risky species they *don't* stock, with four out of 13, and none of the high-risk brands. They also scored second for catch method, less than half a point behind Whole Foods, sourcing 72% from pole and line, and 90% from pole and line or hand/troll line (with 7% from FAD-free purse seine and 3% from longline).

Sprouts scored in line with others for having policies, and also scored second highest for questions on the details of its sustainable sourcing policy, just behind Whole Foods.^{131/132} However, on questions regarding details of their human rights policy, they scored decidedly lower.

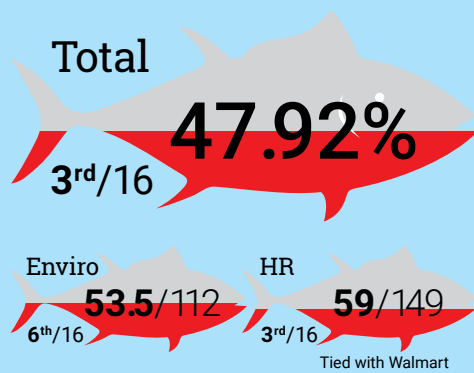
Poor/Needs Improvement

Despite scoring highly for the details of the sustainability policies, they received some of the lowest scores for information on their human rights policies and work. The lack of policy meant they were unable to score any points for a range of questions about their details – including reference to the UNGPs, human rights due diligence and remediation – which is reflected in the scores for these sections.

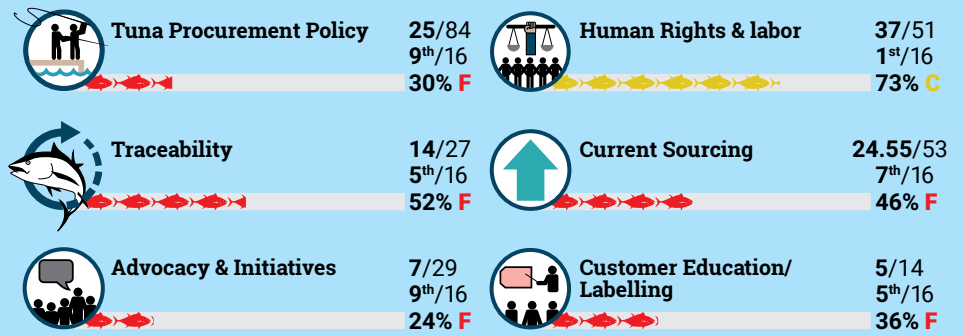
Recognizing that advocacy work favors larger companies with more resources, Sprouts was one of only two companies to score no points for the advocacy section, and we would encourage Sprouts to make better use of their voice to drive important improvements.

Finally, Sprouts was the only company to answer that they had not given any consideration to how purchasing practices affect the human rights of workers in their supply chains, one of the few questions where points could be deducted. Sprouts seem willing to engage and improve, but based on this answer and others it seems there is a long way to go.

OVERALL SCORES



SECTION SCORES



Summary

Target completed their own survey as well as providing supporting resources. Target ranked third overall, coming sixth and third for the Environment and Human Rights categories respectively. Target scored well for having comprehensive, publicly available seafood and human rights policies, as well as more detailed and prescriptive guidance for suppliers. Target’s strong placement in the Human Rights category was somewhat undermined by a mid-table ranking for Environment. This score suffered as a result of a lack of specificity in its seafood policy, reference to international policy instruments and certain explicit language, including around shark finning and Marine Protected Areas.

Target scored highest for the human rights section, and with 73 percent was one of only two retailers to receive a passing score. Target’s Standards of Vendor Engagement contains a number of supplier requirements linked to a number of labor and human rights issues, including recruitment, debt, freedom of movement, and other key ILO indicators.¹³³

Positive

Target’s Labor and Human Rights policy was detailed and addressed a number of the systemic problems, such as recruitment.^{134/135} The policy aims to reduce the risk of recruitment associated debt by explicitly committing the company and its suppliers to abiding by the “Employer Pays Principle”. This requirement also forms part of their supplier reviews and audits, an essential step in ensuring compliance.

Target has also implemented a due diligence framework that appears well-considered and relatively comprehensive, including gathering a range of information from vessels in its supply chain. Currently covering 75% of sourcing, we hope it will soon encompass the entirety. Part of this framework includes specific engagement with migrant workers and the recognition they represent a vulnerable group within the supply chain.

Target’s traceability system – including its actions to prevent fish fraud - appears robust and comprehensive, including the verification of custody on certification claims of FAD-free products. They were one of only four companies to receive full points in this area.

Poor/Needs Improvement

Target’s seafood policy does not explicitly require non-MSC certified tuna to be part of a FIP that is ranked either “A” or “B”, despite none of their suppliers sourcing from FIPs with a “C” rating. If this is the case, there is still much to be gained – as a business and for the wider industry – by explicitly enshrining it in policy.

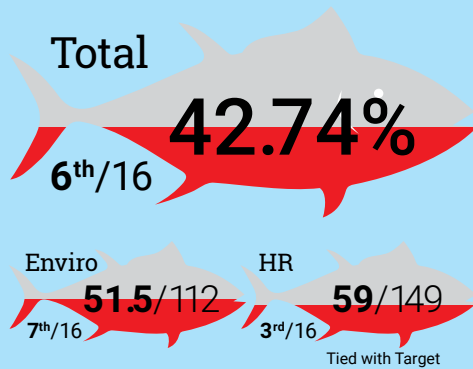
In line with most other retailers, Target refused to publish a supplier vessel list, despite its currently publishing a list of supplier factories, which it says “creates meaningful opportunities to enhance responsible and sustainable production practices.” If it is true for factories it is certainly true for fishing vessels, and a range of stakeholders – including customers and workers groups – can benefit from improved availability of this information.

Target’s explicit requirement of 100% observer coverage for tuna that is transhipped at sea is a strong starting point, but the more companies that prohibit this risky practice altogether – and independently audit to ensure compliance – the more quickly it can be eradicated.

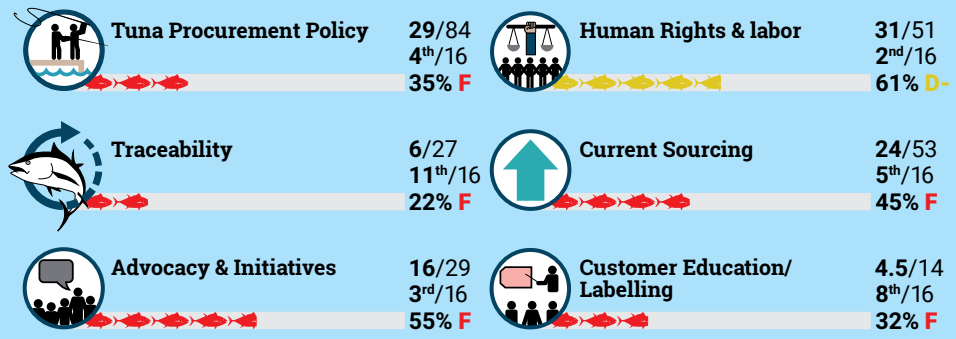
Target has stated that they are working with their own brand suppliers to ensure workers are paid digitally by 2025. Payment documentation is an important aspect of ensuring workers in the supply chain are paid fairly, but this requirement can and should include all suppliers.

Target’s performance for the advocacy section was very disappointing, particularly for a retailer of its size; not least for the positive influence its leadership could have on the industry at large to drive much needed positive change. Target’s limited tuna industry advocacy efforts have focused exclusively on RFMOs, while there is much greater scope for engagement with the Taiwanese and US governments, and United Nations. Target’s recognition of the importance of protecting observers and the viral work they do is encouraging, but their explicit support and advocacy could go much further.

OVERALL SCORES



SECTION SCORES



Summary

Walmart did not complete a survey; as a result, publicly available information – including their “Policies and Guidelines” and “Human Rights” webpages – was analyzed and used to score the survey. Walmart performed relatively well, though the poor performance of other retailers – particularly in the Human Rights category – means that a decent ranking can belie the need for improvement. Walmart came in 4th overall, less than one point ahead of Hy-Vee in 5th. In the more competitive environmental category, Walmart ranked 7th, less than half a point ahead of Giant Eagle in 8th. In the Human Rights category, larger companies like Walmart fared better, tying with Target for 3rd place. Walmart managed to score a passing grade of 61% in the “Human Rights and Labor” section — though once again, it should be noted that labor and human rights policies concerning Walmart’s employees were not assessed.

Walmart’s size and available resources provide a considerable advantage regarding engagement, involvement in groups and associations, advocacy, communication and other initiatives. However, commitment in this area is a matter of culture, and Greenpeace recognizes Walmart’s engagement and investment in many areas of this work. In some ways, Walmart’s size and influence allow it to set the agenda and drive the conversation, presenting an excellent opportunity for positive leadership. However, Walmart must do much more than it is currently doing in order to have such an effect on the industry.

Positive

Walmart has publicly accessible web pages detailing a range of policies, including Seafood, “Forced labor Prevention” and “Human Rights Statement”. Compared with many other companies, Walmart is fairly advanced with both the development of these policies and their communication.

Walmart was one of the only companies to have a stand-alone section on human rights, which covers all of its business operations, as well as those of its suppliers and other third parties. Walmart also stands out for being explicit in its use of international instruments, which it says informed its response to human rights issues.

Greenpeace recognizes Walmart’s role as a founder and instrumental member of the **Seafood Taskforce**, a coalition of businesses and NGOs working to improve sustainability in the Thai seafood supply chain. Though currently limited to Thailand, this engaged approach to supply chain oversight should be expanded to cover all aspects of seafood sourcing, particularly work aboard distant-water vessels. Walmart’s significant philanthropic activity also sees it fund a considerable amount of work on both sustainability and human rights issues in supply chains, including work by the Global Fishing Watch and the Issara Institute.

Advocacy is a key area where larger retailers with the resources and expertise to lobby for improvements to environmental and human right protections in fisheries outperformed smaller companies. In line with this, Walmart ranked 3rd for its advocacy work, behind Aldi and Ahold Delhaize, and just ahead of Whole Foods. It is vitally important that a company of Walmart’s size and influence uses its position to push for improvements at a range of policy levels, and this work should be commended.

Poor/Needs Improvement

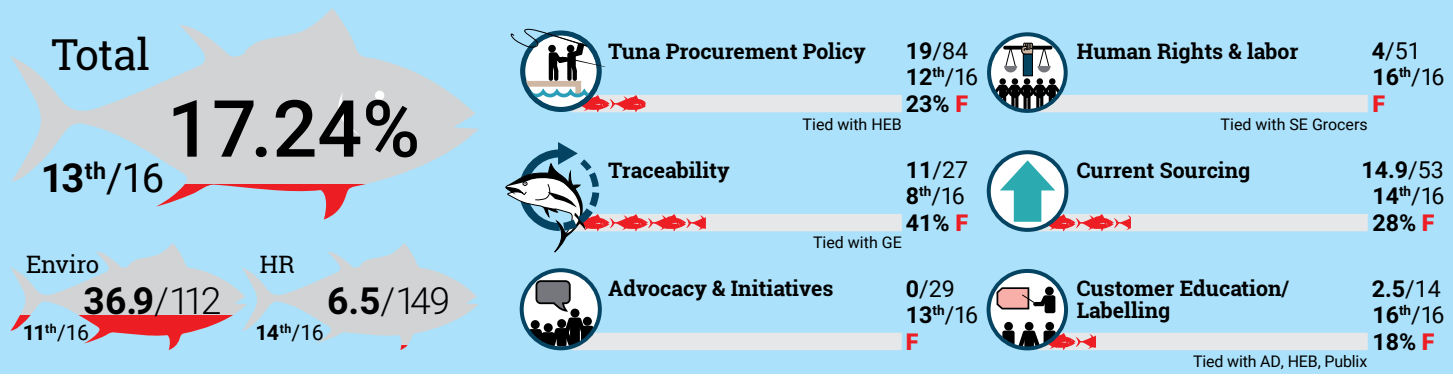
While Walmart’s sustainability and human rights policies are more detailed and better developed than most, many of the commitments detailed under its seafood policy are goals for 2025, and it is unclear how much progress has been made towards them. Because this survey is interested in what policies are *currently* in place, Walmart’s score suffered for a lack of information on current work.

Like other retailers, Walmart’s policies leave out a number of important details, particularly with regard to human rights. For example, while Walmart does mention the need to ensure migrant workers are recruited responsibly, questions in this area sought specific recognition of the increased risks faced by migrant workers and the company’s work to mitigate them.

Walmart has the makings of many important aspects of environmental and human rights due diligence, and with some additions could significantly improve its score. For instance, Walmart does have a due diligence framework, but unfortunately it is based on OECD guidelines, which do not include human rights nor apply to seafood supply chains. As the UNGPs suggest, existing frameworks such as this can be augmented and improved to include human rights issues. Similarly, a grievance mechanism is in place, but as currently constituted and presented it does not meet the UN’s guidelines. Remediation of those negatively impacted by Walmart’s business is also developing, though currently limited to its work the Issara Institute in Thailand and does not include vessels. These are promising developments that could be improved and made considerably more effective.

Though we recognize Walmart’s role in funding work by the Global Fishing Watch on transshipment-at-sea, we were unable to find an explicit company position on this important issue. The centrality of transshipment to many environmental and human rights issues, as well as the history of focus it has received, warrants an explicit stand-alone position. In addition, positive leadership in this area can have a positive and much-needed galvanizing effect.

OVERALL SCORES SECTION SCORES



Summary

Wegmans did not complete a survey; as a result, publicly available information – mostly drawn from their “Seafood Sustainability” website – was analyzed and used to score the survey.¹³⁶ Wegmans performed poorly overall and ranked 13th out of 16, with a failing score in every category, ranking 11th and 14th in the Environment and Human Rights categories respectively. Their best performing section was “Traceability”, but with just 41 percent, they still failed to make a passing grade.

Because they didn’t complete a survey, Wegmans’s score was hurt by the limited amount of public information available. Perhaps as a result of being a privately held, family-owned business, Wegmans’s publicly available information and reporting were not as comprehensive as some larger and publicly held companies. Based on performance in previous reports, we feel confident that completing a survey and providing more detailed information would have improved their score.

Their sustainability information was difficult to find, broad in scope and short on details, like many in the bottom rankings. In this end of the table, many retailers are separated by only a few points, meaning small improvements in policy and practice could have a significant impact on rank. In the Environmental category, less than two points separate Wegmans in 11th from Costco in 14th.

Their Human Rights score was very poor (6.5), managing to stand out in a very poor field, coming third from last. They also shared the lowest score for the Human Rights section (-4), largely as a result of lacking a clear and easily accessible human rights policy.

Positive

Wegmans does have a web page dedicated to their sustainable seafood policies and actions, though as with many retailers, it lacks both details and specific reference to international standards and policies. However, much of what is available appears to be moving in the right direction. Greenpeace commends the commitment to sourcing from fisheries that are certified sustainable or involved in a FIP. Commitments such as these are a positive start but would benefit from further explicit bans on sourcing from “red” or “yellow” fisheries, shark finning and vessels known to be involved in Illegal, Unreported, and Unregulated (IUU) fishing.

Engagement with organizations such as the Sustainable Fisheries Partnership (SFP) is also a positive sign, but must be part of a more engaged approach to sustainable seafood sourcing, including robust policy and ongoing monitoring and oversight. Similarly, work to improve traceability with companies such as Trace Register are encouraging, but represent just one aspect of not only ensuring all products can be traced but that those suppliers are upholding a company’s environmental and social standards.

Poor/Needs Improvement

The lack of detail and specific actions undermines positive commitments to improved sourcing, and makes it unclear how goals and aspirations will be achieved. Without detail, ongoing engagement and public communication, commitments, and statements will remain aspirational. For example, one of the Wegmans’s “Best Practices” is “gear chosen to reduce bycatch.” However, it is unclear what this entails, but with more detail could have scored higher. Retailers received extra points for sourcing from pole and line fisheries, as well as FAD-free purse seines and longlining with bycatch mitigation.

Unfortunately, Wegmans still sources Pacific bluefin tuna (farmed) and orange roughy, despite their highly endangered status, a decision that saw them drop four places in the 2018 CATO report.

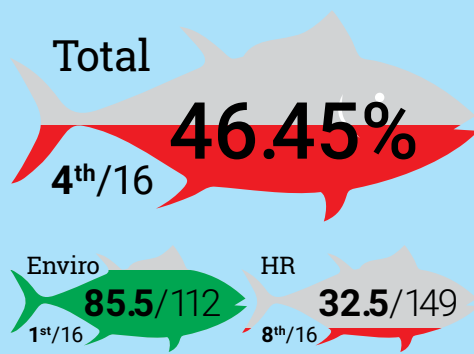
The human rights of everyone impacted by any business operation are the responsibility of that business, and Wegmans could make rapid and important improvements by developing a human rights policy to cover its supply chains. Again, having such a policy based on established human rights instruments – such as UNGPs and ILO Core Conventions – would have greatly improved Wegmans’s ranking.

Based on the information available, Wegmans relies entirely on third-party audits to ensure their sourcing policies and standards are being met. However, while third-party audits do have value, it is vitally important for companies to establish some independent oversight and monitoring of their supply chains. Particularly with respect to human rights, third-party audits have regularly been shown to be inadequate, with abuses continuing in audited facilities.

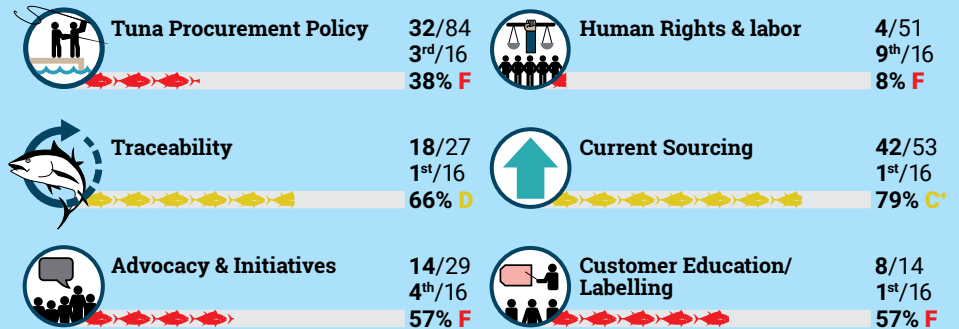
Whole Foods Market



OVERALL SCORES



SECTION SCORES



Summary

Whole Foods completed their own survey and ranked fourth overall, coming top in the Environment category by a strong margin, which drove their overall ranking. However, this dominance did not carry over to the Human Rights category, coming a disappointing eighth. Whole Foods got the top score in half of the survey sections, including traceability and sourcing, where they achieved passing marks.

Whole Foods's poor human rights scores were particularly concerning for a company that has been a leader on sustainable sourcing. It's still unclear what impact Amazon's acquisition has had on these issues – including some anti-union issues – but it seems unlikely that these policies would have existed previously and been dismantled. It does report, however, that it is currently piloting a risk-based human rights due diligence tool, which we could not consider for this survey.

Positive

Whole Foods came top overall in the Environment category, driven by its high scores for traceability and sourcing. While nearly all retailers had policies in place, few contained the level of details and references to international instruments, including the UNGPs and ILO principles.

Whole Foods also benefited from sourcing its canned tuna exclusively from pole and line vessels, meaning a number of risk factors – including isolation and long periods at sea – are significantly reduced. Whole Foods has strong traceability requirements, and is able to trace 100 percent of its tuna back to the catching vessel. As a result, it also scored highly for questions related to fish fraud and traceability audits.

Whole Foods came second for questions on its product offering, just one point behind Aldi. Out of 13 problematic species or catch methods surveyed in this report, Whole Foods stocks only four, and sells none of the brands identified as problematic. It also received the highest score for its catch methods, sourcing 100 percent of its canned tuna from pole and line or handline fisheries.

Poor/Needs Improvement

While Whole Foods's policies are strong on environmental issues, there are a number of gaps in relation to Human Rights that resulted in a to a very disappointing score, dragging down their overall score and rank. For nearly all questions related to human rights they directed their answers to an Appendix included at the end of the survey. However, in many cases the Appendix did not cover the question and their score suffered accordingly.

Whole Foods scored just four points in the human rights section, ranking ninth. This was largely the result of being unable to answer anything specific about human rights due diligence, tracking, and the guidance of the UNGPs. Like many others with underdeveloped human rights policies, Whole Foods chose to skip large sections of questions, and their score reflects this.

One surprising blemish on their otherwise positive performance on environmental issues was their lack of a position or policy on transshipment at sea. While we recognize that sourcing mostly from pole and line vessels in many ways mitigates the risks associated with transshipment, Whole Foods's voice could be a powerful driver of change.

Endnotes

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