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SOCIAL SUSTAINABILITY IN FISHERIES VALUE CHAINS AND THE LINK TO FISH TRADE

Executive Summary

International attention on cases of human rights violations and labour exploitation in fisheries has raised awareness and concern over irresponsible and unethical practices in the sector. Many stakeholders including communities, consumers, the private sector, media, policy and lawmakers are recognizing the need to respond to the call for more social accountability in fisheries supply chains, i.e. for supply chain actors to commit to the production, processing and sale of socially responsible and ethically acceptable seafood commodities. The paper provides an overview of ongoing processes and initiatives promoting social sustainability in fish value chains and explores the related implications for fish value chains. It suggests opportunities for stakeholder collaboration and presents actions by FAO.

Suggested action by the Sub-Committee

- Share information and experiences on social sustainability efforts in fish value chains;
- Provide guidance for future FAO work in the area of social sustainability in fish value chains.

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INTRODUCTION

1. The 2030 Agenda¹ demands that “no one is left behind”. It offers a vision for a fairer, more prosperous, peaceful and sustainable world that is just, rights-based, equitable and socially inclusive. The Sustainable Development Goals (SDGs) not only call for an end to poverty (SDG1), hunger and malnutrition (SDG2) and for universal access to health care (SDG3) – with major emphasis on women empowerment and gender issues (SDG5) – but also stipulate the elimination of all forms of exclusion and inequality everywhere (SDG10). SDG8 calls for sustained, inclusive and sustainable economic growth, as well as full and productive employment and decent work for all.

2. The human rights-based vision of the 2030 Agenda reinforces the call for social sustainability in fisheries. However, the seafood sectors in many countries that are producing, processing and exporting fish and fishery products face increasing challenges in their supply chains. These may include overfishing, declining landings, shifts in catch composition, increased costs of input supplies (such as energy, imported fish, feeds and seed), shortages of labour, competition in global markets, weak governance and use of flags of convenience. Aquaculture specific challenges also include competition over the use of aquatic environment, pathogens spreading, pressure on wild fish stocks, and the threats resulting from pollution of waterways by sewage agriculture and industrial activities, etc.

3. Pressures to reduce costs and maintain or increase profitability are also growing, which increases the incentives to use cheaper labour and neglect social and ethical considerations in the work and life of fish workers, their families and communities. As a result, the use of migrant workers working in sub-optimal conditions on board fishing vessels and in processing plants has increased, facilitated by illegal networks of brokers.

4. Small-scale fishers, fish farmers and workers, and fish processing workers are often poor and vulnerable, and generally tend to have little recognized access to resources, credit and loans, productive services and markets. They often lack access to social protection, institutional support and education. Relative to other players in the value chain, small-scale fish producers are usually receiving the least economic benefits in terms of money earned for their products. Most are self-employed or engaged informally, i.e. often without any formal employment contracts. In addition, despite their contribution to the sector, the role of women tends to be overlooked. Furthermore, international fishery trade policies and practices, such as export-led fishery development and import liberalization, are not always structured in ways that provide equitable benefits to small-scale producers and their communities.

5. Over the last few years, the seafood sector has received a lot of negative attention due to a number of well documented cases of human rights violations and labour abuse. These include human trafficking, fraudulent and deceptive recruitment, modern-day-slavery, physical, mental and sexual abuse, homicide, child labour, debt bondage, refusal of fair and promised pay, abandonment, discrimination, excessive working hours, poor occupational safety and health, and denial of rights to association and collective bargaining negotiations and labour agreements. Violations have been found to take place at different stages of the seafood value chains, especially in fish harvesting, farming and processing stages, and across different geographical areas. Women, migrant labourers and youth are particularly vulnerable and therefore especially exposed to these violations. Human rights violations on fishing vessels occur along with illegal fishing practices and other crimes.

6. To address these concerns, national and international initiatives supported by governments, civil society organizations, private sector, auditing and certification schemes, media, consumers, etc., are calling for critical social and labour issues in fisheries to be addressed effectively. If we are to achieve

¹ The 2030 Agenda presents the most recent global intergovernmental commitment of heads of state who declared (Our Vision, paragraph 8): “We envisage a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination; of respect for race, ethnicity and cultural diversity, and of equal opportunity permitting the full realization of human potential and contributing to shared prosperity”. UN. 2015. Transforming our world: the 2030 Agenda for Sustainable Development.

the 2030 Agenda, both domestic and international fish trade need to address enhanced social sustainability in fish value chains.

PROMOTING SOCIAL SUSTAINABILITY IN FISHERIES VALUE CHAINS

7. International attention on cases of human rights violations and labour exploitation in fisheries has raised awareness and interest to tackle root causes of irresponsible practices in the sector. To make fisheries value chains sustainable and to allow for inclusive economic development of communities and workers depending on fish production, processing and trade for their livelihoods, the sector needs to respond to the call for more social accountability in fisheries supply chains.

International instruments for social sustainability in fisheries value chains

8. Many international instruments are increasingly used for enhancing social and ethical responsibility in fisheries. While some instruments aim to guide national policy and legislation, others focus on responsibilities and accountability of businesses and states, for example, the promotion of human rights in business, or on responsible agricultural supply chains. Table 1 presents a selection of such instruments.

Table 1. Selection of international instruments relevant for social responsibility in fisheries and fish supply chains²

Instrument	Social responsibility coverage
UN Guiding Principles on Business and Human Rights ³ , 2011	Apply the 'Protect, Respect and Remedy' framework; human rights due diligence. Recommendations for governments and businesses
International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work ⁴ , 1998	Freedom of association, the right to collective bargaining, abolition of child labour, forced labour and discrimination
ILO Work in Fishing Convention C188, 2007 ⁵	Working and living conditions on board fishing vessels
ILO 2014 Protocol to the Forced Labour Convention, 1930 (P029) ⁶	Fight, prevent and deter modern-day-slavery
FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (SSF Guidelines) ⁷ , 2014	Human rights based approaches. Promotion of social development, employment and decent work: elimination of child and forced labour; occupational safety and health; adequate standards of living; value chain, post-harvest and trade: fair distribution of benefits, participation of small-scale actors in decision making
OECD-FAO Guidance for Responsible Agricultural Supply Chains ⁸ , 2016	Responsible business conduct, due diligence, supply chain approach, risk management (the guidance document specifically excludes fisheries and forestry sectors)

² As issued by the United Nations (UN), UN agencies and the Organisation for Economic Co-operation and Development (OECD).

³ www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

⁴ www.ilo.org/declaration/lang--en/index.htm

⁵ www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_535063/lang--en/index.htm

⁶ www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029
www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_321414.pdf

⁷ www.fao.org/3/a-i4356e.pdf

⁸ www.oecd.org/daf/inv/investment-policy/rbc-agriculture-supply-chains.htm

9. The above mentioned and other such instruments can be crucial for the introduction and implementation of policies, regulations and concrete actions helping to achieve better social governance in fisheries. In some cases, however, significant capacity constraints (e.g. operational, financial, institutional, procedural or legal limitations), corruption or lack of willingness to act by concerned authorities can result in insufficient laws or inadequate enforcement of existing laws and regulations that would otherwise protect and enhance social sustainability in fisheries.

10. Given these weaknesses, additional self-regulatory measures and private standards (meeting or exceeding national and international requirements) are being taken up by seafood industry actors to improve practices along fisheries supply chains, especially when such improvements are demanded by consumers, buyers and media.

Ongoing processes and initiatives promoting social sustainability in fisheries value chains

11. The number of initiatives promoting improvements of social and labour conditions to enhance social sustainability in fisheries and fisheries value chains continues to grow.

12. For example, on the occasion of World Fisheries Day⁹ on 21 November 2016, the representatives of the Holy See and FAO, as well as ILO, fish industry representatives and trade unions condemned illegal fishing and forced labour in fisheries, and urged collective commitment to prevent human rights abuses in fisheries supply chains.

13. In 2014, FAO's Committee on Fisheries (COFI)¹⁰ stressed the link between safety-at-sea issues, forced labour and the occurrence of illegal, unreported and unregulated (IUU) fishing activities. COFI also adopted the SSF Guidelines that call on governments and other concerned actors to promote social development, employment and decent work. The COFI Sub-Committee on Fish Trade (COFI:FT) also highlighted the increasing concern about social and labour conditions in the industry and the need to raise these issues in international fora¹¹.

14. The 2015 ILO conference¹² on labour exploitation in the fishing sector recognized widespread human and labour rights violations. The ILO and United Nations Office on Drugs and Crime (UNODC) have repeatedly called for action on forced labour, trafficking and transnational crime in fisheries^{13,14,15}. In 2016, OECD, FAO and UNODC agreed to improve cooperation¹⁶ in combatting fish crime, which also covered human rights violations and labour abuses in fisheries. The third session of the Joint FAO/International Maritime Organization (IMO) Ad Hoc Working Group on IUU fishing and related matters recommended inter-agency collaboration to promote International Labour Standards concerning forced labour, including human trafficking, and jointly to consider linkages between fisheries governance, the seafood industry and forced labour¹⁷. Recently the ILO initiated programmes on decent work in global supply chains¹⁸.

⁹ www.fao.org/3/a-i6861b.pdf; www.fao.org/news/story/en/item/453811/icode/;
http://en.radiovaticana.va/news/2016/11/15/migrants_council_issues_message_for_fisheries_day/1272311

¹⁰ www.fao.org/3/a-i4634e.pdf

¹¹ www.fao.org/3/a-i5580t.pdf

¹² www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_515365.pdf

¹³ www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_429359.pdf

¹⁴ www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_214472.pdf

¹⁵ <http://fishcrime.com/recommendations-of-the-2nd-international-symposium-on-fisheries-crime/>

¹⁶ www.fao.org/blogs/blue-growth-blog/when-iuu-fishing-is-only-the-tip-of-the-iceberg/en/

¹⁷ www.fao.org/3/a-i5736e.pdf

¹⁸ www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_468097.pdf

Action by governments

15. Indonesia has introduced legislation to promote respect and certification of human rights in the fisheries industry. Thailand passed legislation to protect welfare of fishers and to prevent forced labour and unlawful labour practices in fisheries, and is introducing good labour practices for the fisheries industry. Senegal has promoted decent work conditions in the fisheries sector covering safety, health, recruitment, working hours and training. New Zealand is requesting foreign fishing vessels operating in national waters to re-flag to New Zealand to ensure compliance with national labour regulations.

16. Argentina has facilitated social protection measures in fish processing plants, national collective agreements with fisheries trade unions as well as the government-led Mar Argentino certification scheme that includes decent work criteria. In France, the Pêche Durable label, which covers social and labour criteria (minimum wage, safety, disability pension), is being developed by FranceAgriMer, the national authority for agriculture and marine products. Based on social risk assessment for responsible sourcing, the United Kingdom's Seafish (national authority on seafood) has established the Responsible Fishing Scheme, a third party certification for fishing vessels and skippers, with social standards on crew welfare, health and safety.

Action by regional groups

17. The European Commission (EC) Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assures preferential access to European markets for certain commodities, including fish, for exporting countries that safeguard human rights, labour rights, environmental protection and good governance. In order to align European Union law with ILO's Work in Fishing Convention C188, the EC¹⁹ adopted a proposal for a directive to improve living and working conditions on board (work on board, conditions of service, occupational health and safety, accommodation and food).

18. Members of the Association of Southeast Asian Nations - Southeast Asian Fisheries Development Center (ASEAN-SEAFDEC) have agreed²⁰ to combat IUU fishing in Southeast Asia and enhance the competitiveness of ASEAN fishery products by addressing labour issues (safe, legal and equitable practices) in their fisheries. Their Joint Declaration envisages strengthened cooperation among relevant national agencies within the country as well as establishing regional, sub-regional and bilateral cooperation and collaboration via relevant ASEAN platforms, and helping to support the development and implementation of relevant labour guidelines for the fisheries sector.

19. In 2014, the summit of African Heads of State and Governments endorsed the Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa²¹, which envisages that fishing communities and fish workers have decent working conditions, live with dignity and realize their rights to livelihoods. It calls for the elimination of child labour and the promotion of youth employment.

Action by the private sector

20. There is wide range of private sector initiatives and fora such as The Consumer Goods Forum²² that strive to eradicate forced labour from seafood value chains. Eight of the world's largest seafood

¹⁹ www.consilium.europa.eu/en/press/press-releases/2016/10/13-epsco-better-working-conditions-fisherman/;
http://europa.eu/rapid/press-release_IP-16-1601_en.htm

²⁰ www.seafdec.org/documents/hlc-joint-declaration.pdf

²¹ https://au.int/web/sites/default/files/documents/30266-doc-au-ibar__fisheries_policy_framework_and_reform_strategy.pdf

²² The Consumer Goods Forum represents numerous national and multi-national enterprises, active in national and international supply chains. www.theconsumergoodsforum.com/strategic-focus/social-sustainability/forced-labour-priority-industry-principles

companies, have set up a new global initiative (the Seafood Business²³ for Ocean Stewardship) committed to, *inter alia*, “improve transparency and traceability in our own operations, and work together to share information and best practice, building on existing partnerships and collaborations”, and “engage in concerted efforts to eliminate any form of modern slavery including forced, bonded and child labour in our supply chains”.

21. Individual seafood companies and associations increasingly undertake risk assessment and planning for occupational safety and health, or application and certification of ILO Convention 188 standards. Aquaculture companies active in different continents emphasize good working conditions, as well as access to education, medical care and infrastructure development for their employees and local communities. Some large multinational retailers pursue policies for responsible sourcing from different partners through adopted codes of conduct or internal ethical charts applied to their suppliers covering a significant range of international labour standards.

Action by multi-stakeholder partnerships

22. Multi-stakeholder partnerships with supply chain participation, e.g. Seafood Task Force²⁴, involve major international retailers, national industry and government, as well as NGOs, aiming to address the risks of forced labour, human trafficking and IUU fishing in certain seafood supply chains. The Index Initiative²⁵ is exploring scope and methodologies for a “seafood stewardship index” for measurement, comparison and monitoring of good practice performance of seafood companies within supply chains with participation of invited seafood companies. The requirements for countries implementing the Fisheries Transparency Initiative (FiTi) standard²⁶ include information relating to enforcement of labour standards.

Action by seafood auditing and certification schemes

23. An International Institute for Sustainable Development (IISD) study²⁷ indicates that seafood auditing and certification schemes²⁸ are including or expanding social and labour criteria and standards in their programmes covering seafood commodities and fisheries supply chains. The envisaged social and labour criteria and standards embrace community involvement, human rights, labour rights, employment conditions and benefits, workers’ health and safety, etc.

24. The Global Sustainable Seafood Initiative (GSSI) has included decent work and economic growth (SDG8) and responsible consumption and production (SDG12) in its priority targets. It is compiling information on social and labour criteria and standards for seafood commodities, as well as on interested auditing/certification schemes and other projects working on such criteria and standards for use in fisheries supply chains.

²³ Seafood keystone dialogue: <http://keystonedialogues.earth/wp-content/uploads/2016/12/Statement-signed.pdf>; <http://keystonedialogues.earth/>; <http://www.stockholmresilience.org/research/research-news/2016-12-14-international-seafood-business-commits-to-stronger-sustainability-efforts.html>

²⁴ www.seafoodtaskforce.global/

²⁵ www.indexinitiative.org/publications/unraveling-the-role-of-the-private-sector/

²⁶ http://fisheriestransparency.org/wp-content/uploads/2017/05/FiTI_Standard2017EN.pdf

²⁷ www.iisd.org/sites/default/files/publications/ssi-blue-economy-2016.pdf

²⁸ Marine Stewardship Council, Friends of the Sea, GlobalGAP, IFOAM, Aquaculture Stewardship Council, Global Aquaculture Alliance (Best Aquaculture Practices), Verité and others.

Action by civil society organizations

25. Many national and international civil society organizations²⁹, including development and environmental non-governmental organizations (NGOs), human rights groups, trade unions, etc., are actively advocating promotion and upholding of human and labour rights in fisheries, social protection for fishing communities and decent work conditions for all fish workers. They increasingly collaborate and address their calls to national and international institutions and fora, including major seafood shows, media, and UN agencies such as ILO, International Organization for Migration (IOM), FAO, UNODC and United Nations Human Rights Office of the High Commissioner (OHCHR).

Implications for fisheries value chains

26. In response to the actions described above, often in view of possible negative implications for fish trade, some industry stakeholders are calling on governments to ensure effective enforcement and compliance monitoring of existing labour legislation and standards at international and national levels. They advocate a level playing field approach to the application of human rights and labour standards. Some implement responsible sourcing, based on social risk assessment and/or certification of application of human rights and decent work standards, in addition to existing legislation. Others foresee that major seafood buyers will demand business-to-business evidence of application of due diligence measures sensitive to human and labour rights throughout their supply chains.

27. The call for more transparency and effective traceability of products in fish supply chains is increasing, including requests by consumers and buyers for demonstrated accountability and responsibility by all actors in fish supply chains. It is argued that human and labour rights abuses, seafood fraud and mislabelling, quality issues, illegal fishing and production practices could be addressed more successfully with full supply chain traceability, for example through catch documentation and associated risk-based due diligence reporting efforts.

28. There is concern however that social auditing and certification will exclude small- and medium-scale actors from fish value chains, and thereby contribute to their vulnerability and marginalization. Critics point to the high risk of “cherry-picking” of some social and labour criteria and standards while not covering all requirements set in existing international guidance instruments.

29. Yet other stakeholders consider that the emergence of numerous private social sustainability standards might affect fish value chains by acting as catalysts or impediments to development and trade, depending on specific circumstances of the value chain, fishery, country or region.

30. As part of efforts to find a balance amongst all these considerations, some stakeholders are calling for the development of an international guidance document to assist stakeholders in the fisheries sector in implementing existing international labour standards in the whole seafood value chain, from production and processing to distribution and trade. In this respect, it was pointed out that the OECD-FAO Guidance for Responsible Agricultural Supply Chains, 2016, specifically excludes the fisheries and forestry sectors. At the 2016 Vigo Dialogue^{30,31} there was a strong call for the development of an international instrument providing for specific labour standards for the fisheries sector, along the whole seafood supply chain.

²⁹ For example International Collective in Support of Fish Workers (ICSF), Environmental Justice Foundation, Greenpeace, International Transport Workers Federation (ITF), International Union of Farm Workers (IUF), Human Rights at Sea, Fairfood International, Conservation Alliance for Seafood Solutions, Conservation International, Ethical Trade Initiative, etc.

³⁰ https://issuu.com/eurofish/docs/eurofish_magazine_6_2016/16.

³¹ www.fao.org/blogs/blue-growth-blog/exploring-solutions-to-promote-decent-work-in-fisheries-and-aquaculture/en/

FAO activities

31. FAO has supported states, regional fisheries bodies and other actors on fisheries policies, sustainable small-scale fisheries, decent work and safety at sea, fighting IUU fishing, and traceability in fish value chains.

32. FAO is developing a global umbrella programme in support of the Port State Measures Agreement to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA)³² to strengthen the capacities of port States to set up effective inspections schemes and National Interagency Committees, including port, fisheries, labour and health authorities, all measures which will help governments discourage labour violations at sea. Within this programme, FAO Voluntary Guidelines on Catch Documentation Schemes will enhance traceability, transparency and accountability in fish value chains and thereby help combat IUU fishing and, secondarily, instances of labour exploitation onboard fishing vessels.

33. FAO is strengthening fishers' organizations and is promoting women's empowerment, improved occupational health and the human rights-based approach, as a part of its effort to mainstream the SSF Guidelines.

34. In addition, FAO, IMO and ILO cooperate on promoting safety at sea (covering design, construction, equipment and protection of fishing vessels) and foster cooperation between maritime, labour and fisheries authorities. FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels will facilitate sharing of information about vessels and vessel-related activities to combat IUU fishing. A joint FAO/ILO guidance document³³ addresses child labour in fisheries and aquaculture.

35. In 2014, FAO started a consultative multi-stakeholder process, called the Vigo Dialogue on Decent Work in Fisheries and Aquaculture that includes fisheries and aquaculture representatives from government administrations, private sector industries, civil society organizations (small-scale fishers, workers' unions), auditing/certification schemes and international organizations.

OPPORTUNITIES FOR ACTION AND COLLABORATION

36. A range of opportunities exists for stakeholders to improve social and labour conditions in fisheries value chains. Collaboration, commitment and consensus-building will be required from different stakeholders. Some selected examples of possible action include:

- strengthening national and international (including regional) processes in support of the implementation of the SSF Guidelines;
- support to the implementation of ILO's Work in Fishing Convention C188, the forced labour protocol, child labour conventions and other international labour standards in the fish sector;
- support of multi-agency (labour, ports, fisheries, etc.) inspection of national and foreign fishing vessels;
- private compliance initiatives, covering auditing and certification, continue to work on social standards, and fish businesses to meet such social standards in order to be certified;

³² The PSMA requires foreign vessels to submit to inspections at any port of call and for port states to share information on violations. An improvement on prior rules requiring countries to control the activities of their own fishing fleets, the new agreement is designed to raise the cost of IUU fishing as it prevents improperly caught fish being landed and entering markets. www.fao.org/port-state-measures/en/; www.fao.org/port-state-measures/background/en/

³³ www.fao.org/docrep/018/i3318e/i3318e.pdf

- social partners (i.e. fish industry and trade unions) may develop joint stakeholder dialogues (as done in other sectors such as the World Banana Forum³⁴), or subscribe to joint negotiations leading towards labour framework agreements between fish industry and unions.

FUTURE POSSIBLE ACTION BY FAO

37. FAO proposes to continue collaborating with ILO, IMO and other partner organizations on its efforts to:

- generate and provide information and raise awareness of social sustainability issues in fisheries and fish value chains, and related initiatives;
- support the implementation of the SSF Guidelines;
- promote measures that facilitate and protect access of small-scale fishers, aquafarmers and fish processors to fish value chains;
- provide technical assistance to national policy making and implementation of social governance measures in the fisheries and aquaculture sector;
- implement the social protection and decent work components of FAO's Strategic Programme on Poverty Reduction with a focus on the fisheries and aquaculture sectors;
- facilitate multi-stakeholder dialogues and processes, including the facilitation of inter-agency efforts, on social sustainability in fish value chains at national, regional and global levels;
- support the implementation of the PSMA and other efforts of combating IUU fishing while integrating measures to improve social and labour conditions of fish workers and fishing communities, including safety at sea provisions.

38. Given the plethora of initiatives advocating social responsibility (especially regarding human and labour rights) in fish value chains, FAO could, if requested, explore and pursue the need for a FAO guidance document to assist fish value chain actors in the implementation of existing relevant criteria and measures covering responsible business conduct, human rights and international labour standards.

39. A more elaborated discussion of the issues, as well as supporting background documentation is found as COFI:FT/XVI/2017/Inf.8.

³⁴ www.fao.org/world-banana-forum/en/