

Snapshot - The Treatment of Seafarers in Fishing Operations



Social accountability issues in the supply-chains of commercial seafood production are becoming increasingly important, with growing awareness about workers and their working conditions, whether in processing operations, aquaculture or at-sea harvest operations (labour on board).

In the last decade, there have been numerous investigations and reports on modern slavery at sea, labour abuses and forced labour that gravely affect the lives of workers and their families. More recently, there has been concern amongst governments and the supply-chain that these injustices may involve illegal, unregulated and unreported (IUU) activities. Some operational practices and laws in major seafood importing markets (EU, UK, US) and exporting countries (e.g. NZ and Australia) are being tightened; the Trade Facilitation and Trade Enforcement Act (US) and the Modern-Day Slavery Act (UK, Australia, etc.).

Much of the media and campaign scrutiny on these issues globally, initially focused on shrimp operations throughout South East Asia as well as in global tuna operations, emphasizing distant-water fishing nations and the high seas.

Approaches to identify the abuses in worker welfare and working conditions in other industries (e.g., textiles) have become clearer. Labour abuses are equally unacceptable in the seafood supply chain, and improvements in conditions particularly at sea, in ports and during primary processing are needed. With human trafficking and modern slavery occurring in the seafood industry, it is important to understand how human trafficking is perceived and identified and what can be done to prevent it. As reports continue to emerge about labour abuses in the supply chains of major brands, companies are under mounting pressure from consumers, investors, media, and governments to demonstrate and maintain responsible and transparent supply chains. Seafood suppliers, including retailers are responsible for ensuring their supply chains are free of and condemn such practices, by proving that they avoid and prohibit these abuses in their own supply chains. These may include policies, procedures, and management practices to minimize risk and occurrence of human rights abuses. At the producer level, fisheries and farms must therefore prove that they do not operate this way and thus they need support, capability building, evidence and impartial, independent assessment which are provided for under the OSA program.

Statistics

According to the International Labour Organisation (ILO) and the United Nations Food and Agricultural Organisation (FAO) the fishing and aquaculture sectors employ some 59.6 million people worldwide, including an estimated 43 million people who work in capture fisheries. The vast majority live in developing countries (Asia 83%, Africa 9% and South America 2.5%), with the rest divided among fish exporting countries in North America, Europe and the former Soviet Union. ILO estimates that there are approximately 24.9 million victims of forced labour (associated with harvesting activities (farming, fisheries, and aquaculture) globally, generating illegal profits of \$150 billion per year.

It is estimated, from the range of available reports, that close to 40,000 fatalities occur worldwide annually in fisheries. It seems plausible that the fatality rates in countries for which data is not available might be higher than it is in those that do keep records. Recent reports from the Nordic countries indicate that the fatality rates in fisheries lie between 90 and 150 per 100,000, and yet the accident prevention, survival training and search and rescue services offered in these countries are among the best in the world. From the developing countries, much higher figures are cited: it has been estimated that fatality rates in Sri Lanka's offshore fisheries are ten times higher than in Norway; recent figures from South Africa report 585 fatalities per 100,000 fishermen. There are no published estimates for the Asia Pacific region, where modern slavery activities are considered to occur frequently.

Countries with the highest risk of modern slavery are highly dependent on fishing far from home ports and in other countries' waters, putting them beyond the reach of domestic enforcement. This latter characteristic is worrying given that with coastal fisheries depleted, the average distance to fishing grounds has increased to 1,250 km, or 260% since 1950.

In 2018, there were 5.4 victims of modern slavery for every 1,000 people in the world. Taking a regional view, the prevalence of modern slavery was highest in Africa with 7.6 victims for every 1,000 people in the region. This was followed by Asia and the Pacific (6.1 victims) and Europe and Central Asia (3.9 victims).

Statistics Summary

- In 2016, 59.6 m people involved in fishing or aquaculture. (FAO).
- 40.3 m working in capture fisheries. (FAO).
- At least 40,000 fatalities occur annually in fisheries. (ILO).
- ~4.6 m fishing vessels operating globally.
- Fish is one of the most traded commodities. (UNCTAD, FAO).
- 35% of all fish products enter the international trade. (UNCTAD, FAO).
- 660 - 880 m people depend on seafood sector (FAO, 2016).
- Fisheries is one of the riskiest jobs worldwide, with mining and logging. (UNCTAD)
- Fisheries fatality rates are 3.5x (Canada) – 15x (Republic of Korea) above national averages. Likely to be much higher in developing countries where data are less available (Teh *et al*, 2019).
- Average distance to fishing grounds has increased to 1,250km, or 260% since 1950 (FAO)
- 24.9m forced labour victims globally generating \$150bn profits annually. (ILO).
- IUU fishing accounts for up to 30% of catches in some regions. (EJF).
- Global cost of IUU fishing estimated at US\$15.5 - 36.4 bn annually, for 11 to 26 m tonnes of seafood. (Global Financial Integrity (2017) *and the Developing World*)
- Teenagers and adults are abused, sometimes sexually, are forced to work in appalling conditions, debt bondage, are expected to eat little more than bait and rice, are often at sea for months, if not years on end. (various sources.)

Investigations and reports

A series of ground-breaking investigations by news organizations and advocacy groups have exposed horrific treatment of workers aboard commercial fishing vessels and at aquaculture sites and seafood processing plants in Southeast Asia. These reports provided accounts of migrants sold into slavery by unscrupulous labour brokers and human traffickers and forced to work in abysmal conditions, without pay and often under crushing debt. Many victims, some as young as 15 years old, describe routine beatings and physical confinement with chains and manacles; others tell stories of brutal maiming and even execution inflicted as punishment for attempted mutiny or escape.

Reports indicate that key countries associated with these issues are often the heavily subsidised distant water fishing fleet countries of China, Taiwan and South Korea, or the poorly regulated and heavily overcapitalised fisheries of Thailand. Offences linked to these countries have occurred both in regions of poor supervision and enforcement. This includes the high seas tuna fisheries of the Pacific and the poorly regulated waters of developing countries in Africa, but also surprisingly developed countries including New Zealand, although it has amended and strengthened the relevant legislation since being

exposed. This suggests that distant water vessels operating in the Exclusive Economic Zones of developing countries should also be subject to better scrutiny.

There have been numerous reputable reports of modern slavery and labour abuses aboard many fishing fleets globally, including New Zealand, American, British, Chinese, Russian, and Taiwanese vessels in recent years. China, Japan, Russia, Spain, South Korea, Taiwan and Thailand are considered by the international community as high risk of human rights abuses occurring in associated fisheries. Other countries such as Chile, India, Indonesia, Malaysia, Mexico, Morocco, Peru, the Philippines, and Vietnam also pose human rights abuse risks. Combined, the countries above represent over 70-80% of global seafood harvest.

Examples

New Zealand

Human trafficking in New Zealand's fishing industry was exposed by several researchers. Vulnerable workers from countries such as Indonesia and the Philippines were coerced and trafficked by agents into New Zealand, where they were allegedly bonded into forced labour aboard a number of foreign chartered vessels. These foreign vessels were legally leased by New Zealand companies to catch fish in New Zealand waters to fulfill nationally allocated catch quotas. Since 2005, more than 10 instances had been documented of crew defecting from Korean and Ukrainian owned fishing vessels to escape abusive treatment. Since this situation was exposed, New Zealand passed the Fisheries (Foreign Charter Vessels and Other Matters) Amendment Act, and which entered into force on 1 May 2016.

On top of the physical and mental trauma they have already suffered, crew have often been further abused by being denied their promised wages. According to reports, many elements of human trafficking were evident in New Zealand's fishing industry, including dealing in slaves; money laundering; dishonest offences; false accounting practices; deception of government officials, and natural resource crime.

South Africa

May 2018, South African authorities detained Taiwanese-flagged fishing vessel Fuh Sheng No 11. ILO note this as the first fishing vessel detention under the ILO Work in Fishing Convention (C188). (ILO)

Thailand

The Thai fishing industry employs more than 800,000 people, many of whom are trafficked migrants who are at risk of starvation, death and murder at sea. Since 2015, the Thai government has taken steps to crack down on forced labour practices, but loopholes and corruption undermine efforts. An ILO baseline study in 2017 found that, in the previous 12 months, 71% of fishers and 44% of seafood processing workers had experienced one or more indicators of forced labour, notably deception, isolation, intimidation and threats, retention of identity documents, withholding of wages, abusive working conditions, or excessive overtime. 59% said they witnessed a murder by their captain.

The Pacific

The Pacific is home to the world's largest tuna fisheries, providing almost 60% of the world's tuna catch, worth US\$22 billion (out of a US\$42 billion globally) in 2016, and with increasing demand. Reports of severe human rights abuses are rife, including forced labour, slavery, human trafficking, and child labour. There are reports of migrant workers bought and sold as slaves and of people thrown overboard if they complain or get injured.

Of grave concern in the Pacific are the high number of deaths of observers, some of whom are thought to have been murdered. Human Rights at Sea's recent report (July 2020) documents 10 observer deaths and 35 other fishing seafarers (crew, engineers, captains) who have lost their lives during tuna fishing operations.

Hawaii

Serious labour abuses (forced, unpaid labour, squalid living conditions) were found on US flagged longliner fishing vessels in Hawaii Sept 2016. Fish from these boats is air-freighted to the US mainland in an industry worth US\$110 mn/yr. Approximately 600-700 workers, predominantly from Indonesia, the Philippines, and Kiribati are employed in this fishery. Some reported being paid US\$1/hr and being forced to pay off debts to their brokers and recruiters. Ship owners or captains are reported to be making payments of up to US\$10,000 to brokers for each worker which is then often transferred to the worker to pay off throughout their contract. (Human Rights Institute, Georgetown Law).

About OSA

On-board Social Accountability (OSA) aims to make a real difference in improving working conditions and the well-being and livelihoods of fishers, farmers and other workers producing seafood globally.

OSA will use its unique independent on-board social accountability expertise, management systems, and assessment, risk and capability building tools to ensure that leading fishing companies, market players, major buyers, NGOs, RFMOs and governments are able to ensure decent and dignified working conditions through adopting global best practices and implementing the OSA Model and Management System.

OSA has capability, expertise and experience to support aquaculture operations to develop, implement and assess social accountability.

We support companies to meet their social responsibilities and expectations for their most important resource, their people - crew, captains and company personnel!

The On-board Social Accountability (OSA) Assessment and Risk Models each encompass over 20 indicators from leading international labour welfare standards and guidelines. These are kept updated with new guidance internationally. They are adapted specifically to seafood operations including vessels, aquaculture & processors.

Working with OSA prepares responsible seafood producers for audit under any of the international schemes and guidelines for social accountability in seafood and fisheries.

The OSA Model will improve transparency for companies, fleets, retailers, governments and civil society. It will also provide valuable performance data back to the company to improve the productivity, efficiency and effectiveness of their workforce.

Our Vision

“All fishing vessel operations are free from human rights abuses”

This includes but is not limited to forced, bonded and child labour. Furthermore, all people involved in on water fishing vessel operations are treated respectfully and with dignity. All human rights, responsibilities and requirements are adhered to at the highest level in accordance with local, national and international laws, and where appropriate other standards, guidelines etc, ensuring a strong, proud and efficient fishing workforce for generations to come. OSA can also support aquaculture production operations to improve social conditions.

Our Mission

OSA will make a real difference to improving working conditions, well-being and livelihoods in global seafood production.

OSA will use its unique independent on-board social accountability expertise, management systems, and assessment and capability building tools to ensure that the leading fishing companies, markets, buyers, NGOs and RFMOs, are able to ensure decent and dignified working conditions through adopting global best practice and implementing the OSA Model and Management System. OSA also has capability to operate in aquaculture

OSA is unique:

- OSA is the most comprehensive social accountability programme for fisheries and aquaculture.
- OSA has real-time technical frameworks for assessing risk and performance.
- OSA is bottom up working to build the seafood industry capability.
- OSA prepares responsible seafood producers for audit under any of the international schemes and guidelines for social accountability in seafood and fisheries.
- OSA does not expose the company/client/industry.
- OSA has the experience, skills and knowledge to get on board vessels.
- OSA has an Information Technology innovation focus.
- OSA has the capability to perform return on investment and other financial, quantitative and comparative analysis.
- OSA has a workable, proven model.