

**Note of Seafood Ethics Common Language Group (SECLG) meeting held at Friends House, London. Wednesday 10 February 2016**

**1. Welcome, introductions and apologies**

Estelle Brennan welcomed everyone to the meeting.

**Attendees**

Alex Olsen	Esperson
Ally Dingwall	Sainsbury's
Alison Austin	Seafish Board
Alma Cardenas Bonilla	Joseph Robertson Ltd
Andrew Kuyk	Food and Drink Federation
Andrew Smith	Iceland Seafood Barraclough Ltd
Andy Hickman	Tesco
Anna Shepherd	Anti-Slavery International
Anne-Marie Kats	Visfederatie (Netherlands trade association fish trade/processing)
Audrey Guichon	Freedom Fund
Barry Harland	Whitby Seafoods
Brad Hart	Co-op
Caitlin Schindler	Lovering Foods
Cassie Leisk	New England Seafood
Chris Brown	Asda
Contessa Kellogg-Winters	ASC
Dan Lee	Global Aquaculture Alliance
David Dickens	Fishermen's Mission
Elena Piana	Seafarms
Emi Katoh	MRAG
Emily Pearce	Co-op
Erin Lyon	CSR Asia
Estelle Brennan	Lyons Seafoods
Helen Duggan	Seafish
Helen McTaggart	Marks & Spencer
James Wilson	Seafish Board
John Hooper	Marine & Fisheries Management Solutions
Justine Currell	Home Office
Kara Brydson	Seafish
Karen Green	Seafish (Minutes)
Kate Bennett	Stop the Traffik
Kevin Powell	Icelandic Seachill
Laky Zervudachi	Direct Seafoods
Louise Unsworth	Maritime and Coastguard Agency
Marcus Coleman	Seafish
Michael Keatinge	BIM, Irish Sea Fisheries Board
Michaela Archer	Seafish
Mike Mitchell	Young's Seafood
Mike Short	Food and Drink Federation
Neil Auchterlonie	IFFO
Nick Kightley	Ethical Trading Initiative

Rose McGrath	Waitrose
Sam Rush	Consultant
Simon Robertson	Joseph Robertson Ltd
Sophia Cochrane	Tesco
Stephan Jermendy	Environmental Justice Foundation
Steve Gibbons	Ergon Associates
Tom Pickerell	Seafish
Tracey Strauch	Birds Eye Iglo
Yemi Oloruntuyi	Marine Stewardship Council

**Apologies were received from**

Christine Absil	Good Fish Foundation
Denise Fraser	Seafish
Huw Thomas	Morrisons
Jim Portus	SWFPO
Lucy Blow	New England Seafood
Malcolm Morrison	Scottish Fishermen' Federation
Melissa Pritchard	New England Seafood
Peter Andrews	British Retail Consortium
Peter Hajipieris	Seafish Board
Ross Jolliffe	Cefas
Steve Bridges	CP Foods
Toby Middleton	MSC

**2. Minutes of the previous meeting and outstanding actions. Estelle Brennan, Seafish**

The final minutes were accepted as a true reflection of the meeting and have been added to the Seafish web page. Attendees were asked to take note of the meeting guidelines. In the following minutes Seafish will provide a link to the various presentations given at the meeting but not summarise the whole presentation. In the main we do not attribute the comments made at the meeting.

**3. Main outputs from the Seaweb Seafood Summit in Malta and the Seafish workshop on 'Social Responsibility in Seafood'.**

[http://www.seafish.org/media/1607487/seclg\\_feb2016\\_malta.pdf](http://www.seafish.org/media/1607487/seclg_feb2016_malta.pdf)

**3.1 Overview of workshop - aims, agenda, attendees, themes, big asks. Michaela Archer, Seafish.**

There were three broad focus areas highlighted at the SECLG meeting in July 2015.

1. What are the issues? This has been addressed in part by the assessment of ethical issues in seafood project.
2. Where are the issues? This has been partly addressed by the regional profiles produced under the assessment of ethical issues in seafood project and by the ongoing dissemination of information.
3. How can these issues be addressed? The Malta workshop was part of the answer as to what we can do about the challenges.

The aim of the Malta workshop was to present the different initiatives to address social/ethical concerns in the seafood industry and to map these initiatives to the supply chain network, to demonstrate where the impact/change would occur. We wanted to create an understanding of where duplication and redundancy occurs enabling downstream collaboration/exiting; a determination of where gaps occur enabling targeted future work; and to lay the foundations for the development of a global tool-kit/one-stop-shop for seafood buyers seeking assistance. The workshop was four hours long, with 100 attendees from multiple countries and industry sectors, regulators and NGOs. It also featured 22 speakers covering:

- collaboration initiatives
- information and campaigns
- accreditation and certification
- different approaches.

The key take home messages were that industry wants to address these issues and needs help but does not want a suite of tools/initiatives; it wants to minimise duplication and redundancy and maximise collaboration. The key area of risk is 'at-sea' and the time is ripe for a baseline: possibly an FAO code of conduct with an independent body such as the Global Sustainable Seafood Initiative facilitating. The plenary discussion also flagged up the wish not to 'name and shame'. Other 'asks' were to continue building collaboration; to effectively engage workers; share knowledge and intelligence; drive change at country level; Governments need to take more ownership; learn from other industries; tackle research gaps; align with larger UN sustainable development goals (which present funding opportunities); and better manage consumer messaging.

### Discussion

- I am very pleased that Seafish is taking a lead on this.
- **Q.** With Greenpeace in attendance at the workshop is the wish not to 'name and shame' only an aspiration? **A.** It was clear from the workshop that Greenpeace will be engaging in this field and have indicated a desire to engage. This was not originally part of the Greenpeace mandate but it would appear that the realisation that slavery is potentially an enabler of IUU has pushed them in this direction. They did indicate that they would be targeting Thai Union.

### **3.2 Other human rights panels. Helen Duggan, Seafish.**

There were two panels focussing on human rights. The first panel focussed on Thailand. Following a sobering start (the EJF film *Pirates and Slaves*) this was a surprisingly an ultimately positive session, not least due to the common themes all speakers often returned to. Namely that: the political will is now present to continue to drive change; the Thai Governments demonstration of how they're ready and willing to accept help and advice from others on how they can approach making the transformational changes necessary to address the serious problems they have (19 delegates travelled to Malta to attend this and other panels). This was balanced with cautious optimism from Steve Trent and Ally Dingwall around how significant change is possible if the commercial buyers support the process - through engagement and collaboration to drive positive change on the ground – keeping in mind that people are at the centre of this, not business. The Thai Fisheries Minister explained how they're laying a solid foundation as part of a long term approach. Reference was made to the fact it's the buying sector's ethical responsibility to support positive change by engaging – not walking away. "There has been a foundational change and this is the basis of how can reach our ambition. "The new law is fit for purpose...but any law is only as good as its enforcement."

The second panel looked at 'Building partnerships and frameworks to address human rights and labour issues in seafood supply chains' was moderated by FishWise and the panel included representatives from the ILO and the FAO. UK industry seen as ahead of the curve by the US/Canada in terms of understanding not only the issues, but also how to work together to co-ordinate efforts to move things forward. There was discussion over progress re ILO Fishing Convention C188 - 10 states required to ratify to become law; 7th state – Norway – signed in January 2016; once it is law any vessel landing can be boarded. The ILO also highlighted a Global Supply Chain Conference in June – social governance and difference schemes within scope of discussions.

## Discussion

- There was mention of the International Labour Rights Network as a useful means of tracking the mindset of the US to the EU on demands re Thailand.
- The FishWise engagement with businesses in the US and their website is a very useful source of information.
- There was discussion on how ILO C188 will be implemented in the UK once it is ratified. This will provide an excellent lead but control and enforcement are crucial. There could also be issues and 'unintended consequences' which industry needs to be aware of and potential costs to the industry.
- The FAO Committee on Fisheries meeting in July could be an opportunity to reach a larger audience. There are often side events at these meetings and social issues have been raised before. This could be an opportunity. There was also mention of the Global Sustainable Seafood Initiative involvement in this and the potential for an FAO Code on Social Responsibility.

## Actions

3.2.1. Find out more about the Global Supply Chain Conference in June and circulate details.

3.2.2. Look into opportunities to highlight and discuss the potential for an FAO ethical code of conduct at the FAO COFI meeting in July.

### **3.3. Progress on the Seafish tool. Tom Pickerell, Seafish.**

The request from SECLG at the previous meeting was to work on one risk assessment tool with industry input (i.e. AIPCE and NFI) to the risk assessment approach being taken. This should also:

- Focus on what happens after the initial risk rating and provide a clear understanding of what is needed if a risk was highlighted;
- Review the Sustainable Fisheries Partnership (SFP) approach/model to clarify what the risk is and what it looks like for seafood;
- To identify where the next threat may be to business;
- To identify potential synergies with business intelligence tools to look at other areas of fraud i.e. food fraud.

Seafish has partnered with Seafood Watch and SFP to develop a tool which will look at the social risks attached to a particular fishery, and country/region, to provide a risk score for the scale of the risk and the mitigation in place, based on verifiable evidence. This is in development and the aim is to build a prototype and pilot 12 fisheries. There will be external review to accommodate feedback and revision. A 'host' website will be established and this will be rolled-out on the Seafish Risk Assessment for Sourcing Seafood, the SFP FishSource and Seafood Watch websites.

## Discussion

- **Q.** How will this tool cope with data deficient fisheries? **A.** A fishery/country is likely to be immediately classified as high risk if no information is available **Q.** Will this be global in scope? **A.** This will focus on those fisheries/countries which are of most interest to the three sponsors. But there is no reason this could not be opened up if other partners become involved.
- I have concerns about the involvement of Seafood Watch who I perceive to be 'anti-seafood', as an example they red list nearly all farmed salmon. **Response.** This is a misconception. They are a very credible organisation with a lot of business partners.
- **Q.** If a lack of data signifies a red flag where will the data come from? Is there a danger that the level of granularity could disproportionately impact on the fishery? **A.** I would anticipate there will be a number of sources of information. Data does exist and this can be at a fairly detailed level and the hope is it can be as granular as possible, which will be an added value. It could be that the country is flagged up as high risk but that the fishery is well-managed and there are mitigation measures in place.

- **Q.** What is the timeframe? **A.** We hope to have a pilot of the first 12 fisheries by summer 2016.
- **Q.** Do you see fisheries offering themselves up for assessment? **A.** Yes that is likely.  
**Q.** Is there the intention to look at feed as well as food fisheries? **A.** Yes that is the intention.
- **Q.** How will you determine which fisheries to focus on? Could fisheries do their own assessment? **A.** Fisheries will be prioritised according to importance to the three partners' stakeholders; in the case of Seafish, those fisheries of market importance to the UK.
- **Q.** What about the ongoing funding for this? **A.** We may have to secure external funding in the future.
- **Q.** Is it likely that environmental and ethical assessments will be combined? **A.** There is some discussion but at Seafish our intention is to keep the assessments separate.
- **Q.** SFP has already done some work on an ethical risk assessment. Will this work be subsumed into this? **A.** It is likely but ultimately up to SFP.
- **Q.** Will this be kept-up-to-date? Will it be live? **A.** Yes. There will be a programme of updating.
- **Q.** Will information be provided back to the fisheries? **A.** This will be 100% transparent and the information will be publically available. Evidence will be required at each step in the chain and this will be recorded and made available.
- **Q.** Will this tool look at the 'on land aspects'? **A.** This will concentrate on 'at sea'.
- **Q.** Is there the potential for outreach to Asian stakeholders? **A.** This is possible. At the moment we are at a very early stage. There is the opportunity for others to join us to help develop this tool.
- **Q.** Will there be guidance on what evidence will be suitable? **A.** Yes. We will be indicating what is acceptable and what unacceptable evidence is.
- **Q.** The areas that have been red-flagged. Will the information be updated regularly? **A.** All the information will be date-stamped.
- Going forward we are hoping to get philanthropic bodies interested in this tool to secure funding to take this forward and keep it updated.

### **3.4. Next steps. Tom Pickerell, Seafish.**

The next steps for Seafish are;

- to upload the presentations and the handout from the Malta workshop to the Seafish website;
- continue to develop the risk tool;
- scope out 'supply chain tool' to signpost initiatives and tools that address issues;
- explore the 'baseline' for social standards (a possible Code for Social Responsibility).
- Seafish will also continue with other related activities including SECLG meetings, the EU/US Reykjavik Group, production of briefing and guidance documents and developing the Responsible Fishing Scheme and Vessel Improvement programme.

**3.4.1. Action:** All the [presentations](#) and the [handout](#) will be added to the Seafish website and the links circulated.

### **4. Update on the Responsible Fishing Scheme (RFS). Kara Brydson, Seafish.**

[http://www.seafish.org/media/1607490/seclg\\_feb2016\\_rfs.pdf](http://www.seafish.org/media/1607490/seclg_feb2016_rfs.pdf)

Kara updated the group on progress re RFS.

- The pilots are progressing well – 30+ in total. 8 members are now certified with a further 17 pending. The total number of applicants is 130+.
- The timescale for certification is currently up to five months and the target is three months.
- The focus is on moving from “final phase of re-development” to “launch and in full roll out for the UK fleet”.

- The RFS Chain of Custody is to be developed 2016. Meetings are planned in Brussels. There will be collaboration with existing CoC standard holders to facilitate harmonised audits and accreditation to ISO17065 is progressing.
- Feasibility studies are ongoing to develop an international roll out mechanism – the Icelandic cod fishery is complete and the Peruvian anchovy fishery is in progress. The hope is to have the first international vessels certified in 2016.
- Seafish is also developing a Vessel Improver Programme (VIP).

#### Discussion

- **Q.** There was mention of seeking funding for the improvement programme, from where? **A.** We do have a target list and have secured about 50% of the funding from a number of different sources. Seafish can develop the protocols and procedures and set up the model, but is unable to use levy money to coordinate/manage VIPs. We have to rely on external funding support.
- **Q.** Could the Strategic Investment Fund be used for this? **A.** It would be considered if an application was submitted from an external body.
- **Q.** How are the VIPs progressing? **A.** There is a lot of support for this programme and the subcommittee is due to meet tomorrow to discuss this. Guidelines for FIPs are expected to be completed by the end of March.
- **Q.** Is the information on the Icelandic and Peruvian feasibility studies publically available? **A.** Some of the information could be made available.
- There was some discussion about change management and the impact of the landing obligation and how this could all be linked to VIPs.

### **What is happening in the UK and Ireland? Recent press reports and industry and Government reaction to these reports.**

#### **5. What has appeared in the media? Karen Green, Seafish.**

[http://www.seafish.org/media/1607493/seclg\\_feb2016\\_media.pdf](http://www.seafish.org/media/1607493/seclg_feb2016_media.pdf)

This covered the continuing media coverage in Thailand and the mitigating steps that are being taken; the commentary on the Irish fishing industry in November 2015 and the actions taken by the Irish Government to address this; how Scotland had been implicated too; and how businesses are feeling the effects.

#### **6. Government task force on non EEA workers in the Irish fishing industry. Michael Keatinge, Deputy CEO, BIM, Irish Sea Fisheries Board.**

[http://www.seafish.org/media/1607496/seclg\\_feb2016\\_irishtaskforce.pdf](http://www.seafish.org/media/1607496/seclg_feb2016_irishtaskforce.pdf)

This presentation highlighted the quick action taken by the Irish Government following Guardian press reporting on 2 November (and subsequent press reports) which alleged that trafficked migrant workers were being abused on Irish fishing vessels. There was awareness in Ireland of potential issues but no real indication of who should be taking ownership in addressing any potential concerns. 12.5% of the 5 million population in Ireland is non-Irish so this is a multi-cultural society, On 2 November Minister Coveney issued a statement (on the day the press coverage appeared) and on 3 November he announced the formation of a multi-stakeholder task force, and by 19 November a planned new scheme had been formulated, with the report published on 1 January 2016. The key to this proactive stance was: getting the right people in the room all in one go and agreeing to a Memorandum of Understanding (as a contract which all parties sign up to with an expectation of a follow-up report of who has done what); identifying the challenges (five major challenges were identified) – the aim was to help the victim, make the rules apply and ensure a legal right to work; and identify the scale of the issue. Knowing the scale of the problems allows you best judge the approach needed to solve the problem and take account of local issues, displacement and the needs of the sector. The real issue concerns an adequate wage. It is

not even easy to determine how many non EEA workers are employed on whitefish and prawn vessels.

There were four recommendations:

- To put in place a sector specific 'atypical worker permission mechanism' which means all migrant (non-EEA) workers recruited to work in the Irish fishing sector will be engaged through a standardised and transparent process with a valid contract of employment reflecting national and EU legislation in terms of the right to a safe working environment, regular breaks and rest periods, annual leave and payment of a statutory minimum wage
- A new system based on atypical worker permission specific to the fishing sector. The vessel licence holder as the employer is obligated to ensure that a valid contract of employment, certified by a Solicitor, is in place before an applicant travels to Ireland. The contract must also have specific provisions (at the expense of the employer) for repatriation arrangements for the employee (which will apply when the contract is completed). All contracts must be in accordance with national and EU legislative provisions in respect of such issues as provision of minimum wage, must specify a minimum monthly payment to the employee regardless of whether a vessel is at sea or not, be accompanied by a written certification from a registered legal practitioner that it is a valid legal contract, drafted in accordance with relevant Irish and EU law. As fishing is universally acknowledged to be a dangerous and physically demanding occupation, employers will also be obliged to provide evidence of adequate healthcare coverage for all such employees. The requirement for such coverage will provide another layer of protection against the potential abuse of such workers.
- The Task Force recommends that the State establish a depository of such atypical worker contracts to be put in place which will also monitor overall numbers (to be capped at 500), allocating a unique reference number to each contract.
- The Task Force is also recommending that the role of the relevant key enforcement bodies such as the Naval Service (NS), Marine Survey Office (MSO), Health and Safety Authority (HSA), Sea Fisheries Protection Authority (SFPA), Revenue Commissioners and the Workplace Relations Commission (WRC) will be underpinned by an inter-agency Memorandum of Understanding (MOU) specifically for this purpose.
- This scheme went live on 15 February 2016.

#### Discussion

- **Q.** There are issues with the agent not passing on wages to the worker. How can you cut out the agent? **A.** It is the 'unknown unknown' – how to even prove there is an agent in the first place. It is very difficult to get a policy in place to address this. The intention is to target the owner of the vessel – they are responsible.
- **Q.** Are you planning to translate the contracts, as language barriers are a real problem. **A.** That is the intention.
- **Q.** How have vessel owners reacted to these recommendations? **A.** The Producer Organisations (POs) have been fully behind this and that is crucial.
- **Q.** There was reference in the Guardian articles to sleep deprivation and working long hours. Was the Guardian misguided or is that just how it is? Do you think that the changes that have been introduced means fewer hours will be worked now? **A.** Seafarers will never work regular hours, that is the nature of the job and the reality is working at sea does mean working long hours (and that is also true of other professions). The crucial thing is that there is a level playing field and all the crew should be treated in the same way (at least 50% of any crew must be Irish or from the EU). Manning levels have a big impact on the hours worked and these need to be looked at but it is also important to bear in mind any changes could have financial implications. We wanted to ensure that large scale abuse of one group of workers was not possible.



- **Q.** How does the grievance mechanism function? **A.** it is hoped the POs will take an active role in this.
- **Q.** Will this scheme ensure all migrant workers are signed up? Could anyone slip through the net? **A.** We hope we have made it very difficult to slip through the net.

**7. Recent Developments in the UK; a Fishermen’s Mission perspective. David Dickens, Fishermen’s Mission.**

[http://www.seafish.org/media/1607499/seclg\\_feb2016\\_fishermensmission.pdf](http://www.seafish.org/media/1607499/seclg_feb2016_fishermensmission.pdf)

Listening to what has happened in Ireland they have addressed a lot of the problems we have been finding. The common themes are: the authorities are more active, but ‘leakers’ persist; there have been significant investigations but no prosecutions; there are issues over welfare versus migrant status; access and costs of emergency medical treatment; the lack of ‘presence at the ports; challenges in supporting migrant workers’ families; and an inconsistent approach to dealing with issues. In addition we have to be aware of the attempts to find loopholes in the system; the ‘good guys’ are at risk of being tarnished; the inappropriateness of the Transit Visa; and that the issue of disparity in terms of employment is an international issue; being aware of human ‘trade routes’ is crucial and that we must be sensitive to ‘culture’.

**8. Developments re the Modern Slavery Act and the Transparency in Supply Chain clause (TISC). Latest developments. Justine Currell, Home Office.**

[http://www.seafish.org/media/1607502/seclg\\_feb2016\\_homeoffice.pdf](http://www.seafish.org/media/1607502/seclg_feb2016_homeoffice.pdf)

Justine highlighted the approach of UK Government; developing the Transparency in Supply Chains provision and the requirements; and the development of the statutory guidance. The challenges have been understanding the legislative requirements and knowing what to include in a statement. There has been a misconception that the provision requires specific action from businesses – this is all about transparency and monitoring external stakeholders. The guidance affirms who reports in a group structure. There is no formal monitoring mechanism on TISC. The next steps are: transitional provisions – businesses will need to complete their first statement from 31 March 2016. The aim is for a central repository for statements. We hope to reduce burdens through international alignment and are planning a business event on 21 March 2016.

Discussion

- **Q.** How will the central repository work if it is not held by Government? **A.** This has not been finalised yet. These could be collated through web trawls or through direct requests. What we do want is one coherent repository.
- **Q.** What scrutiny will there be over the actual statements? **A.** it is not the role of Government to scrutinise and monitor the statements. It is likely Kevin Hyland will take an interest in this from a much wider societal perspective.

**8.1. Action:** Circulate details on the Home Office event on 21 March 2016.

**9. Preparing a Transparency in Supply Chain statement. Steve Gibbons, Ergon Associates.**

[http://www.seafish.org/media/1607505/seclg\\_feb2016\\_tisc.pdf](http://www.seafish.org/media/1607505/seclg_feb2016_tisc.pdf)

What do you expect to see in an MSA statement? What does good look like? All companies with business in the UK and more than £36m turnover are now required to make a slavery and human trafficking statement to set out the steps taken to ensure there is no modern slavery in their supply chains and organisation. The statement should cover their own operations and those of their supply chain. The statement has to be signed-off by a Director. This is not a compliance statement - it is about risk and response and a due diligence framework, and it can be forward looking, as well as reflective and needs to be taken in the context of other reporting frameworks and communications. Good statements will be full of collaboration.



Ergon will be running a workshop for Seafish on Thursday 10 March for seafood companies. This will build on Government guidance and take into account the specific nature of the seafood sector. It will identify key elements of statements for compliance with the MSA but also recognise the importance of reporting on, and building on, existing action and collaboration. It will also take into account likely expectations from both civil society and B2B customer relations. There will also be written guidance to help draft a statement – structured by way of iterative questions to guide thinking – not templated ‘copy-and-paste’ solutions.

**Actions:**

- 9.1. Circulate details on the 10 March workshop.
- 9.2. Circulate the written guidance to the group.

**10. Date of the next meeting.**

This was not discussed but was later set as Thursday 21 July 2016.