

Vietnam



UK seafood industry imports from Vietnam 2018*		
Fish type	Value, £	Weight, tonnes
Catfish	31,679,715	11186
Warm water shrimps & prawns	72,938,396	9304
Prepared and preserved shrimps and prawns	76,444,705	8608
Cod	7,827,353	1587
Tuna	4,940,454	1215
Other fish	3,733,399	793
Nephrops	689,535	515
Mixed	1,571,981	403
Clams, cockles & arkshells	537,828	295
Crabs	2,482,308	255
Tilapia	311,529	208
Mackerel	246,271	96
Haddock	195,223	79
Squid	567,059	70
Cuttlefish & squid	411,059	45
Swordfish	301,124	44
Aquatic invertebrates	302,493	29
Surimi	62,334	22
Ornamental	215,883	14
Octopus	46,903	11
Salmon	8,367	5
Pollack	3,057	2
Cuttle fish	4,717	1
Shark	1,788	1

*Source: Her Majesty's Revenue and Customs (HMRC).

Introduction

This report is part of a series of country risk profiles that are designed to provide an understanding of the social risks associated with source countries that play a key role in the UK's seafood industry. Each report covers risks related to the production and processing of wild catch and aquaculture seafood products.

This report covers issues such as forced and child labour, working conditions, and impacts of the industry on local communities; and the mitigation efforts and regulatory frameworks put in place to address these issues.

This country risk profile has been compiled by Verisk Maplecroft on behalf of Seafish. Information on issues has been collated from publicly available sources, varying from international rankings and ratings, research by academics and other organisations, through to media articles. It has been prepared for general information only. You should not rely solely on its contents; always verify information from your own suppliers in your own supply chain. References for all information sources are provided.

Overview

Vietnam's 3,000-kilometre coastline contributes to over 5 million jobs in the fishing and seafood sector. Vast aquaculture farms inland, along the shore and out to sea, have placed the country as the third highest fish and seafood exporting country to the UK. The government of Vietnam has strongly committed to a development plan aimed at increasing its contribution to its agro-forestry-fisheries GDP to 30% by 2020. Major seafood exports from Vietnam to the UK include miscellaneous/tropical shrimp, freshwater catfish, cod tunas and crab.

Social risks

It is reported that without adequate regulatory oversight, labour rights abuses and child labour are commonplace in the fishing, aquaculture and fish processing industries. The Vietnamese fishing industry is dominated by small vessels that escape regulation. Likewise, the aquaculture industry is dispersed and dominated by smallholder farmers with limited financial resources to employ staff and invest in their farms. Subsequently, the sector is largely unregulated; legislation does not meet ILO standards in many areas and the inspection regime suffers from under-resourcing and corruption. Unsafe working conditions and illegal employment practices are subsequently widespread in the industry.

The Global Slavery Index, which assesses the top 20 fishing countries for risks of modern slavery, classifies Vietnam as 'Medium Risk'.¹ The US Department of State's 2019 Trafficking in Persons Report places the country in Tier 2, also indicating moderate risks. Vietnam is regarded as a major source country for trafficked workers and is less of a destination nation than neighbouring countries.² However, NGOs such as World Vision highlight examples of adults and children being trafficked from other parts of Vietnam and held in conditions of modern slavery on Vietnamese fishing boats.³

The US Department of Labor includes Vietnamese fish and fish products on its 2018 list of goods produced by child labour. The Nippon Foundation based out of the University of British Columbia has likewise identified evidence that children aged 5 to 17 are engaged in fishing and fish processing in Vietnam, of whom all those in fishing and more than 80% of those in fishing processing were involved in work that could be considered hazardous according to national legislation.⁴

Human rights abuses in the Vietnamese seafood industry have a lower profile than those in neighbouring Thailand but are still the subject of campaigns by international NGOs and are covered by global media outlets. Reputational risks stemming from labour abuses in the seafood value chain are in part mediated by schemes such as Monterey Bay Aquarium's Seafood Watch. The certification scheme includes both social and environmental considerations and aims to raise transparency and traceability by working with 20,000 shrimp farmers in the Mekong Delta.⁵

Fishing vessels regularly illegally enter the waters of neighbouring countries and the government is arming fishing vessels to form a fishing militia. Vietnamese-flagged vessels are commonly forced to enter the territorial waters of other countries illegally as their own waters are severely over-fished. In May 2019, the Indonesia Fishing Ministry ordered the sinking of 51 confiscated fishing boats, the majority of them Vietnamese, in a crackdown on illegal poaching by foreign fishermen in its exclusive economic zone (EEZ).⁶ During 2016, the Indonesia authorities arrested 1,100 Vietnamese fishermen.⁷ The EU accounts for around 18% of total export value for the Vietnamese seafood industry. Poor traceability standards present the future possibility that importers could be associated with illegal fishing.⁸

In the first six months of 2018, over 50 Vietnamese fishing vessels were detained in Thailand. The boats were found to be using destructive and illegal methods including the use of push nets, gillnets, and electro-fishing gear. Fishing vessels have also been detained by Indonesia, Malaysia, Australia, and several Pacific island nations. Persistent transgressions led to the country being issued its first "yellow card" by the European Commission for failing to control its fishing fleet.⁹ Costs of fishing vessels are low enough not to deter owners from encouraging illegal fishing.

The government is encouraging Vietnamese fishing boats to operate in contested waters. There are also allegations that the military authorities are covertly arming such vessels to form a 'fishing militia'. The move follows the sinking of several Vietnamese fishing vessels by Chinese ships. An estimated 8,000 vessels, around 1.2% of the fishing fleet are thought to be members of the militia. Risks of a major incident raises further ethical concerns for seafood importers.¹⁰

Regulations and risk mitigation

Vietnam's health and safety regulations for the seafood sector are appropriate for improving the safety of workers.

Regulations for the fishing sector are set out by the Maritime Rules, which consist of 300 rules that cover operations, personnel requirements, health and safety, maintenance, documentation and other key aspects of commercial maritime operations. The ILO's Maritime Labour Convention, which Vietnam ratified in 2013,¹¹ provides health, welfare and social security protection to seafarers.

The Government of Vietnam is improving legislation to combat migrant abuse.¹² Many migrant fishers enter Vietnam through networks of labour brokers – such as recruitment agencies. This form of entry often incurs paying up to USD10,000 in fees despite new international agreements. The Vietnam Association of Manpower Supply is an association of recruitment agencies which has developed a protocol to protect migrants from being segregated. Since its introduction in 2015, over 108 recruitment agencies have been subjected to this code of conduct.

International conventions and rankings

The following tables indicate which international labour conventions Vietnam has ratified. The ratification of these conventions is a good indicator of a source country's commitment to enforcing internationally accepted best practices in the seafood industry when combined with thorough national legislation and well-resourced enforcement mechanisms.

International Labour Organization (ILO) Conventions	Ratification
Freedom of Association and Protection of the Right to Organise (No. 87)	No
Right to Organise and Collective Bargaining (No. 98)	No
Forced Labour (No. 29)	Yes
Abolition of Forced Labour (No. 105)	No
Equal Remuneration (No. 100)	Yes
Discrimination (Employment and Occupation) (No. 111)	Yes
Minimum Age (No. 138)	Yes
Worst Forms of Child Labour (No. 182)	Yes
Hours of Work (Industry) (No.1)	No
Weekly Rest (Industry) (No.14)	Yes
Protection of Wages (No. 95)	No
Minimum Wage Fixing (No.131)	No
Occupational Safety and Health (No. 155)	Yes
Occupational Health Services (No. 161)	No
Labour Inspection (No. 81)	Yes
Private Employment Agencies (No. 181)	No
Work in Fishing Convention (No. 188)	No
Maritime Labour Convention (No. 186)	Yes

United Nations (UN) Conventions	Ratification
Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	Yes
Convention against Transnational Organized Crime	Yes
Convention for the Suppression of the Traffic in Persons and of the Exploitation and the Prostitution of Others	No
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	No
Convention to Suppress the Slave Trade and Slavery	Yes
Supplementary Convention on the Abolition of Slavery, Slave Trade and Institutions and Practices Similar to Slavery	No
Protocol against the Smuggling of Migrants by Land, Sea and Air	No

Other Conventions	Ratification
FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing	No

Rankings in global indices

US Department of State Trafficking in Persons (TIP) Report

The TIP report is released annually by the US Department of State and offers a summary of the laws and enforcement efforts of various countries with respect to human trafficking. Specifically, it ranks countries based on a '3P paradigm' of prosecuting traffickers, protecting victims and preventing crime. Scoring on these elements is then collated to give each country a ranking. The rankings range from Tier 1 which indicates governments of countries that fully comply with the Trafficking Victims Prevention Act (TVPA) minimum standards for the elimination of trafficking to Tier 3 for the governments of countries that do not fully comply with the TVPA's minimum standards and are not making significant efforts to do so.

Rating: Tier 2

According to the US Department of State's 2019 Trafficking in Person's Report, Vietnam does not fully meet the minimum standards for the elimination of trafficking. The rating is a downgrade in the country's status from previous years. The report indicates that there is evidence of debt bondage through recruiting agencies in the seafood industry.¹³

Global Slavery Index

The 2018 Global Slavery Index measures the extent of modern slavery country by country, and the steps governments are taking to respond to this issue, to objectively measure progress toward ending modern slavery.

There are two rankings:

1. Rankings of countries by prevalence of the population in modern slavery. Rankings range from 1 to 167 - with 1 the worst and 167 the best, in terms of the prevalence of slavery.
2. Rank of countries in terms of Government response to the issue. This is an indication of how governments are tackling modern slavery. This ranking ranges from AAA at the top to D at the bottom, with AAA denoting the most effective and comprehensive Government response.

For prevalence Vietnam ranks: 77/167 (where a ranking of 1 indicates highest risk).

Overall, Vietnam is considered a medium risk for modern slavery on the index. According to the special report on the fishing sector, the country is identified as part of a group of countries where the economic conditions in the seafood sector could make workers vulnerable to forced labour.¹⁴

In terms of Government response Vietnam ranks B. This indicates the government has introduced a response to modern slavery with limited victim support services, a criminal justice framework that criminalises some forms of modern slavery or has recently amended inadequate legislation and policies), a body or mechanisms that coordinate the response, and has policies that provide some protection for those vulnerable to modern slavery. There is evidence that some government policies and practices may criminalise and/or deport victims and/or facilitate slavery. Services may be provided by International Organisations (IOs)/NGOs with international funding, sometimes with government monetary or in-kind support.

EU's Illegal, Unreported and Unregulated (IUU) Carding Process/Fishing Watchlist

Under the IUU Regulation, non-EU countries identified as having inadequate measures in place to prevent and deter this activity may be issued with a formal warning (yellow card) to improve. If they fail to do so, they face having their fish banned from the EU market (red card) among other measures.

Vietnam has a "yellow card" warning on Brussels's watchlist. In 2019, the European Commission determined that not enough progress had been made by the Vietnamese government to combat IUU fishing.¹⁵

Endnotes

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- 3 World Vision, 2 August 2016, Lured by traffickers, caught by fishermen, <https://www.wvi.org/vietnam/article/lured-traffickers-caught-fishermen>
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- 7 Environmental Justice Foundation, June 2019, Blood and water: Human rights abuses in the global seafood industry, <https://ejfoundation.org/resources/downloads/Blood-water-06-2019-final.pdf>
- 8 Customs News, 7 July 2019, Increase the value of Vietnamese seafood to the EU, <https://customsnews.vn/increase-the-value-of-vietnamese-seafood-to-the-eu-11202.html>
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- 12 International Labour Organization, 2017, Decent work for migrant fishers, https://www.ilo.org/wcmsp5/groups/public/-/ed_dialogue/--sector/documents/publication/wcms_569895.pdf
- 13 US Department of State, 20 June 2019, 2019 Trafficking in Persons Report: Vietnam, <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/vietnam/>
- 14 The Global Slavery Index, 2018, Findings – Importing Risk – Fishing. Available at: <https://www.globalslaveryindex.org/2018/findings/importing-risk/fishing/>
- 15 VN Express, 23 June 2019, Vietnam to investigate illegal fishing as EU 'yellow card' remains, <https://e.vnexpress.net/news/news/vietnam-to-investigate-illegal-fishing-as-eu-yellow-card-remains-3942030.html>

For further information see the **Seafish ethics in Seafood** web page.
Available at: <https://www.seafish.org/article/ethics-in-seafood>