Atlantic Ocean blue shark and swordfish - surface longline (FIP-BLUES)
Human Rights and Social Responsibility Statement

11/24

I. Introduction

Eliminating human rights violations and abuses in seafood supply chains is both a legal and moral imperative. Under the Universal Declaration of Human Rights, every individual has fundamental rights to decent and safe working conditions free of discrimination, harassment, abuse, and coercion, whether on land or at sea. In addition, several United Nations (UN) agencies, entities and programs have set international standards and developed guidance on human rights, labor standards, and decent working conditions applicable to fisheries. Notably, the International Labour Organization (ILO) has defined eight fundamental Conventions that are considered essential for protecting labor rights, as well as one specific to the fishing sector. The Work in Fishing Convention (2007, No. 188) updates older ILO instruments on fisheries[1] and aims to ensure decent conditions of work on board, conditions of service, accommodation and food, occupational safety and health protection, medical care, and social security.[2] At the time of writing, most nations have ratified the eight fundamental Conventions[3], while 20 countries have ratified C188.

In 2011, the UN Human Rights council endorsed the Guiding Principles on Business and Human Rights (UNGPs) to help guide States and companies to prevent, address and remedy human rights abuses committed in business operations. The UNGPs are the first global standard of its kind and establish businesses as responsible for respecting human rights and providing workers access to remedy should a human rights abuse occur.

The UNGPs have received widespread adoption and support from both the private and public sector and have impacted business practices. Within the seafood industry, seafood retailers, suppliers and foodservice providers are increasingly seeking products that commit to social responsibility and the protection of human rights in seafood supply chains. Addressing social issues and ensuring adequate working conditions for fishers is now viewed as a necessary precursor to a sustainable and long-term supply of seafood.[4] Social and ecological aspects of fishing are often mutually reinforcing, demonstrated by the linkages between labor rights

[1] Including the Minimum Age (Fishermen) Convention, 1959 (No. 112), the Medical Examination (Fishermen) Convention, 1959 (No. 113), the Fishermen's Articles of Agreement Convention, 1959 (No. 114), and the Accommodation of Crews (Fishermen) Convention, 1966 (No. 126).
[2] ILO. (n.d.) *Fisheries*. Available here.
[3] As of January 2019, there were 1,376 ratifications of these Conventions, representing 92 per cent of the possible number of ratifications. At that date, a further 121 ratifications were still required to meet the objective of universal ratification of all the fundamental Conventions. More information here.
[4] Giron-Nava, A., Johnson, A. F., Cisneros-Montemayor, A. M., & Aburto-Oropeza, O. (2018). Managing at Maximum Sustainable Yield does not ensure economic well-being for artisanal fishers. *Fish and Fisheries, 20(2)*, 214–223. https://doi.org/10.1111/faf.12332

violations, such as forced labor and illegal, unreported and unregulated fishing.[5] Accordingly, addressing risks to human and labor rights is increasingly recognized as essential for a thriving fishery and fishing community.

II. Purpose

Atlantic Ocean blue shark and swordfish - surface longline (FIP-BLUES) expects all FIP participants to share a commitment to protect human rights and promote social responsibility. The FIP and its participants are committed to a vision of a fishery free of human and labor rights abuses in which every fisher is assured dignity, decent working conditions, and the right to organize. The FIP and its participants recognize that efforts to protect the rights of fishers must be based on agreements that embody the principles detailed in Section VI below.

The purpose of this statement is to communicate to fishers and other stakeholders how the FIP prioritizes and addresses human rights and social responsibility. This statement is not designed to outline specific actions FIP participants will undertake to effect social change in the FIP, which are detailed in other FIP and FIP participant documentation.

III. Scope and Applicability

The commitments detailed in this policy statement apply to all vessels and fishers fishing and transporting catch within the FIP's supply chain(s), whether fishing on shore or on a vessel, and whether the fishers or vessels are formal participants in the FIP.

IV. Roles and Responsibilities

The specific roles and responsibilities of signatories are outlined as follows:

ANECTEAM serves as the FIP lead. Key responsibilities include:

- Ensure that all current and future FIP participants are made aware of this statement, and the expectation to uphold the values and principles included therein. This includes sharing the statement in the language(s) participants understand.
- Support FIP participants to report on FisheryProgress to demonstrate the actions they are taking to uphold their commitments herein.

OPP07-Burela, OPP08-Opromar, OPP49-Orpagu and OPP88-Opnapa as fishing associations, are responsible for understanding and addressing human rights and social responsibility in its supply chain. Key responsibilities include:

[5] Mackay, M., Hardesty, B. D., & Wilcox, C. (2020). The Intersection Between Illegal Fishing, Crimes at Sea, and Social Well-Being. *Frontiers in Marine Science*, 7 https://doi.org/10.3389/fmars.2020.589000.

- Providing training to management and employees on human rights policies and procedures
- Reviewing and improving (as needed) workplace policies and procedures
- Maintaining regular engagement with worker representatives

ANECTEAM, a retailer, is responsible for understanding and addressing human rights and social responsibility in its supply chain. Key responsibilities include:

- Providing financial support to its suppliers to conduct human rights risk assessments
- Working with the government to encourage improved policy and governance
- Establish, communicate, and enforce expectations, for example through purchasing policies

ANECTEAM, a trade association, will set time-bound goals related to human rights and social responsibility and increase accountability of member companies.

V. Definitions

A **fisher** is defined as any person of any age or gender employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers. (Source: ILO C188)

A **fisheries observer** is an independent specialist authorized by fishery regulatory authorities to collect data to assist in the monitoring of commercial exploitation of marine resources (e.g., species caught and discarded, area fished, gear used). At-sea observers join the vessel during fishing trips but do not normally engage in fishing activities; they observe fishing practices as a third party, and report scientific and regulatory enforcement information to the management authority.

FisheryProgress defines **large vessels** as those which weigh 10 gross tons or more, or measure 12 meters or longer.

FisheryProgress defines **small vessels** as those which weigh less than 10 gross tons and are shorter than 12 meters.

Definitions of other key terms can be found in the Social Responsibility Assessment (SRA) Tool for the Seafood Sector.

VI. Guiding Framework

The following categories identify the priority areas for addressing risks of human and labor rights abuses in the FIP. The statements listed under each category stipulate the provisions to prevent

and mitigate risks to human and labor rights of all fishers harvesting or transporting FIP products. The statements do not claim to address the full scope of social and labor issues across the FIP, nor are they intended to prescribe practical actions to effectuate social change in the fishery.

1. Abuse or harassment *Based on SRA indicator: 1.1.1* *Applicable to all fisheries*
1.1 Corporal punishment is prohibited, including mental or physical coercion, verbal abuse (significantly different than colloquial banter), gender-based violence, sexual harassment, or any other form of harassment, including excessive or abusive disciplinary action. **1.2** Migrant status shall not be used as a threat or tool of coercion. **1.3** Fishers' families or community members shall not be threatened by employers, buyers, labor brokers, or organized crime. **1.4** Forced drug use is prohibited; labor and/or product is not compensated for with drugs. **1.5** A written policy publicly shall be disclosed, posted in all languages with special accommodations for illiteracy that prohibits physical abuse, bullying, and sexual harassment.

2. Human trafficking and forced labor *Based on SRA indicator: 1.1.2a* *For fisheries with large vessels with hired labor, regardless of whether fishers are employed directly by the fishery or indirectly through a recruiter/labor contractor.*
2.1 Forced labor is prohibited, including: abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation or threats, retention of identity documents, withholding of wages, debt bondage, abusive living and working conditions, and excessive overtime. **2.2** All fishers, including domestic and foreign migrants, shall have written contracts in a language they understand, with extra provisions made for illiterate workers, so that their rights and terms of recruitment and employment are clearly understood. **2.3** Fishers shall have the freedom to terminate their employment contract at any time without penalty.

3. Debt bondage *Based on SRA indicator: 1.1.2b* *For small-scale fisheries with self-employed fishers.*
3.1 If paying off debt to the cooperative, association, buyer, or permit holder (for equipment, permit fees, fuel costs, ice, etc.), the fisher shall keep most of their income with only a minimal percentage used to pay back their debts.

3.2 If the fisher is paying off debt to the cooperative, association, buyer, or permit holder, their debt shall remain stable or decreased over time proportional to their income.

3.3. The fisher shall be allowed to witness the product being weighed or graded to calculate their income.

3.4 Interest rates charged to fishers shall be transparent and agreed upon in advance with fishers.

3.5 Awareness activities shall be provided for fishers, their families and local communities to inform about forced labor, human trafficking and debt bondage.

4. Child labor

Based on SRA indicator: 1.1.3

Applicable to all fisheries

4.1 Hazardous child labor is prohibited, including alongside family members, such as handling toxic substances, operating heavy machinery, or any other task that may harm their physical and mental, or put their development at risk.

4.2 Children below the legal age of employment shall not be employed as waged fishers and shall not work at night.

4.3 Children below the legal age of employment shall only work alongside family members if it will not interfere with schooling, and on tasks which do not harm their health, safety or morals. This also applies to children, particularly young girls, assisting with unpaid domestic work.

4.4 For vessels that operate for more than 30 days at sea during a single fishing trip, no crew members under the age of 18 years old shall be employed or recruited.

5. Freedom of association and collective bargaining

Based on SRA indicator: 1.1.4

Applicable to all fisheries

5.1 Fishers shall be free to form worker/fisher organizations, including trade unions, to advocate for and protect their rights, and have the right to decide their own structure, policies, programs, priorities, etc., without employer interference. If the country restricts trade union rights, the company/fishery shall provide a way for workers/fishers to organize and express grievances.

5.2 Human rights defenders shall not be actively suppressed and there shall be no recent record of litigation by employers against human rights defenders.

5.3 There shall be no discrimination or retaliation against fishers who are members or leaders of organizations, unions, or cooperatives, and fishers shall not be dismissed for exercising their right to strike.

5.4 Fishers shall be trained by workers' organizations on their rights to organize and bargain collectively.

5.5 Women shall participate in unions or cooperatives commensurate with their representation in the workforce.

6. Earnings and benefits

Based on SRA indicator: 1.1.5

For fisheries with hired labor, regardless of whether fishers are employed directly by the fishery or indirectly through a recruiter/labor contractor.

6.1 Wages paid to fishers shall reflect equal remuneration for men and women.

6.2 Wage levels and benefits shall meet the minimum legal requirements according to applicable labor laws of the workplace.

6.3 Overtime wages shall be paid in accordance with minimum legal requirements, based on labor laws of the workplace.

6.4 Wages paid to fishers shall be what was promised at the time of employment, shall not be withheld as a form of discipline, shall not contain illegal deductions, shall be paid on time or directly to the fisher, and fishers shall not go longer than one month without being paid.

6.5 Employers shall legally contract employees.

6.6 Fishers shall be aware of how their earnings or deductions are calculated and their rights to benefits, shall be allowed to witness procedures used to determine earnings (weighing, grading), and shall only sign contracts they understand with provisions for different languages or illiteracy.

6.7 Fishers shall receive wage slips with deductions itemized or written receipts.

7. Adequate rest

Based on SRA indicator: 1.1.6

For fisheries with hired labor, regardless of whether fishers are employed directly by the fishery or indirectly through a recruiter/labor contractor.

7.1 A mechanism shall be put in place for fishers to record hours worked.

7.2 Working hours shall meet the legal minimum requirements, and overtime hours shall be paid at a premium as required by law.

7.3 Fishers shall have at least 10 hours of rest in a 24-hour period and at least 77 hours in a seven-day period.

7.4 Overtime shall be voluntary. There shall be no cases of coerced overtime nor punishment for refusing overtime, either individually or collectively.

7.5 There shall be workplace policies and practices put in place that ensure women and men

have equal opportunity/ability to take rest, with special accommodations for pregnant or nursing women.

8. Access to basic services for worker housing/live-aboard vessels
Based on SRA indicator: 1.1.7a
For all fisheries with liveaboard vessel time

8.1 Sleeping quarters shall have adequate fire prevention and air ventilation, meet legal requirements, and meet reasonable levels of safety, decency, hygiene, and comfort.

8.2 Sanitary facilities (appropriate to vessel size) with adequate privacy shall be provided.

8.3 Potable water shall be accessible to fishers.

8.4 Fishers living on board shall have access to adequate and sanitary food at fair prices.

8.5 There shall be separate and an appropriate number of sanitary facilities for men and women. If sanitary facilities are not separated, they shall be able to be locked from the inside.

9. Occupational safety and medical response
Based on SRA indicator: 1.1.8 and 1.1.9
Applicable to all fisheries

9.1 Vessels on trips over three days shall carry a crew list and shall provide a copy to authorized persons ashore at the time of vessel departure (unless self-employed).

9.2 Fishers and fisheries observers shall have access to communication equipment, or there is a radio on board for vessels over 24 meters.

9.3 Adequate personal protective equipment (PPE) (e.g., life jackets) shall be provided on board at no cost (unless self-employed).

9.4 Fishers shall be trained in health and safety procedures and on proper use of PPE and safe operation of any equipment they use (unless self-employed).

9.5 The vessel shall comply with local/national safety and health regulations.

10. Grievance mechanisms
Based on SRA indicator: 2.1.1
Applicable to all fisheries

10.1 Fishers shall have knowledge of and access to a grievance mechanism to report grievances on-shore and/or at-sea, including during fishing trips that exceed 24 consecutive hours.

10.2 Grievance mechanisms shall be effective, fair, and confidential and appropriate for and commensurate with the size and scale of the fishery.

10.3 There shall be no retaliation or prejudice against fishers who submit grievances, including gender-based prejudice or retaliation.

10.4 Grievance mechanisms shall be both procedurally and substantively effective at remediation of conflicts and complaints in a time-bound manner with no recurring grievances, and these remediation processes (corrective action plans) shall be publicly disclosed.

10.5 Fishers shall have access to third party independent organizations or governance bodies that address grievances and ensure effective representation.

11. Discrimination

Based on SRA indicator: 2.2.2
Applicable to all fisheries

Regardless of gender, age, religion, ethnicity, disability status or any other parameter:

11.1 Fishers shall receive equal pay for work of equal value, regardless of gender, age, migration status, ethnicity, etc.

11.2 Discrimination in recruitment promotion, access to training, access to permits, remuneration, allocation of work, termination of employment, retirement, ability to join unions or cooperatives, or other activities, shall be strictly prohibitied.

11.3 Discrimination in access to benefits (e.g., health care, savings accounts, insurance, etc.) shall be strictly prohibited.

11.4 There shall be no compulsory pregnancy testing for female fishers.

11.5 There shall be an anti-discrimination policy which all fishers are aware of and trained on.

VII. Best Practice Categories (Optional)

12. (Best Practice) Equal opportunity to benefit

Based on SRA indicator: 2.2.1
Applicable to all fisheries

12.1 There shall be equal access to or opportunity to benefit from the fishery regardless of gender, ethnicity, religion, sexual orientation, class, migrant status, political affiliation, etc.

12.2 A strategy or policy to address inequity in the fishery/supply chain shall be in place.

12.3 Marginalized groups shall be in leadership positions or positions of power. Similarly, women working in productive and reproductive roles shall be given attention, voice, and strong representation in decision-making roles in policy, sector bodies, and businesses.

12.4 Gender transformative policies and programs shall be in place, such as routine data collection of gender-disaggregated data to understand, identify and rectify inequities and inequality, including intersectional factors.

13. (Best Practice) Customary use rights
Based on SRA indicator: 1.2.1
For fisheries operating in or near customary use areas

13.1 The fishery shall observe the legal and customary rights of local people.

13.2 Customary use rights shall have been mapped out using a participatory stakeholder process.

13.3 Fishers shall not be denied or revoked of fishing rights due to discrimination (e.g., gender, ethnicity, religion, political affiliation) by authorities and/or other communities or entities.

13.4 The fishery shall not be designated in an area legitimately claimed by communities without their documented Free, Prior, and Informed Consent.

13.5 The fishery shall understand its impact on customary access to resources, and shall not negatively impact adjacent communities, or restrict access to vital community resources without community approval.

13.6 Communities or people with claims to the resource shall be strongly involved in management of the resource, and traditional practices and knowledge are incorporated into resource management, and special attention shall be paid to ensure women and disadvantaged groups are included.

14. (Best Practice) Fisheries observers' safety
Based on the International Observer Bill of Rights (IOBR)
Applicable to FIPs working with fisheries observers

14.1 Fisheries observers shall have a safe working environment and are able to conduct duties free from assault, harassment, interference, or bribery. They shall be given transparency through the provision of safety and welfare reports from previous observer deployments.

14.2 Fisheries observers shall be provided training on safety and emergency procedures and protocols.

14.3 Fisheries observers shall be provided adequate accommodation appropriate to the size of the monitored entity or equivalent to that of the officers of the monitored entity.

14.4 Fisheries observers shall have access to communication equipment, ideally an independent communication device that shall allow observers to communicate with relevant parties when they feel threatened.

14.5 Procedures shall be in place should a fisheries observer suffer from harassment, threats, or other safety risks from crew, and wishes to either disembark or stay on board the vessel.

15. (Best Practice) Stakeholder participation and collaborative management
Based on SRA indicator: 2.1.2
Applicable to all fisheries

15.1 There shall be a mechanism for stakeholder participation and/or input in the FIP management unit and decision making (i.e., worker committees, worker-management communication channels, advisory/technical councils, co-management bodies, consultation processes, etc.).

15.2 Decisions shall be publicly communicated, promoted, and transparent.

15.3 All affected and relevant stakeholders shall be invited to engage in FIP management and none are excluded based on status, class, gender, ethnicity, etc. (An affected stakeholder is someone who will experience consequences by the decision made and may include fishers/workers, community members, women, minorities. A relevant stakeholder is anyone who has a stake in the decision made (government, businesses, NGOs).

VIII. Acknowledgement and Endorsement

As signatories of this statement, we recognize the promotion and protection of human rights and social responsibility as a fundamental condition for sustainable fishing. We/I commit to improve understanding and mitigation of the human and labor rights risks in the FIP, as defined by the guiding framework detailed in Section VI and as applicable to the roles and responsibilities detailed in Section IV and the vessels and fishers in the FIP. This commitment is effective as of the date of signature and endures throughout the time the FIP is active.

Signature
Emilio Martínez Cadilla
President
ANECTEAM
Leader

28/11/2024

Signature
Sergio López García
Manager
OPP07-Burela
Participant

28/11/2024

OPROMAR (OPP 08)
Organización de Productores de
Pesca del Puerto y Ría de Marín.
C/ Pto. Pesquero s/n
36900 MARÍN (Pontevedra)

Signature
Fco. Juan C. Martín Fragueiro
Manager
OPP08-Opromar
Participant

28/11/2024

Signature
Juana María Parada Guinaldo
Manager
OPP49-Orpagu
Participant

28/11/2024

ORGANIZACIÓN DE PRODUCTORES NACIONAL DE PALANGRE DE ALTURA
OPNAPA

Signature
Edelmiro Ulloa Alonso
Manager
OPP88-Opnapa
Participant

28/11/2024