

HUMAN RIGHTS, MODERN SLAVERY AND SOCIAL ISSUES IN FISHERIES



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MODERN SLAVERY: GLOBAL PERSPECTIVE

2017 reports show 24.9 million people were in forced labour:

- Domestic workers (24 per cent)
- Construction (18 per cent)
- Manufacturing (15 per cent)
- Agriculture and **fishing (11 per cent)** sectors.

WHAT IS MODERN SLAVERY?

- Modern Slavery can take many forms including the trafficking of people, forced labour, servitude and slavery.
- Recent statistics show that 27% of potential victims are trafficked into labour exploitation.
- Traffickers and illegal/unlicensed gangmasters target a range of industries including fisheries.

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The foreign workers trapped on trawlers

20 February 2015 | Magazine



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Visa regulations allow some foreign workers to be trapped on vessels just outside British waters, unable to come to land, writes Sarah Shebbeare.

Marco's childhood dream had always been to come Britain. He'd heard that it was a country where jobs were plentiful, and where people worked with dignity. But he was to have a rude awakening.

As a Filipino taxi driver in his fifties, Marco found himself unable to feed his family. Desperate to be able to support them, he paid an agent in the Philippines more than £2,000 to secure him a visa and a placement in Britain to work on a fishing boat in Cornwall. He signed a contract to work for 48 hours a week, fishing for prawns.

But nothing of what he was promised turned out to be true. He didn't end up in Cornwall. He was flown to Belfast and set to work on a fishing boat off Northern Ireland. There was no training, even though Marco had never worked in the fishing industry before. There was no mention of that 48-hour working week.

Within hours of landing on British soil, after a long flight from Manila, Marco was set to work on a prawn trawler for the very first time.

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Survey shows Scottish fishing fleet nationalities

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STEPHEN MCKAY

Nearly three in every 10 people working in the Scottish fishing fleet is from outside Scotland, according to new figures.

The second **Scottish government survey of employment on the fishing fleet** found only 72% of the workforce was Scottish.

The largest in-flow of workers was from the Philippines, Ghana, Romania and Latvia.

Among ships' engineers, 59% were Scottish in addition to 6% describing their nationality as "Shetland". Some 22% were Filipino.

Among deck hands, 55% were Scottish. Filipinos accounted for 25%, Romanians for 6% and Ghanaians for 5%.

The largest numbers of foreign workers were in the white fish fleet and prawn trawlers, and more were found in the North Sea fleet than the west coast.

Demand for non-EU workers was highest on the category of smaller white fish trawler, under 24m in length. On these, 38% of workers were from outside the European Economic Area.

It is suggested that larger white fish boats have lower numbers of foreign workers, because they have been financially stronger, meaning it has been easier to retain Scottish crews.

RISK FACTORS RELEVANT TO NORTH ATLANTIC FISHING

RISK FACTOR I: LABOUR RECRUITMENT

- Recruitment of fisheries worker can be challenging (fishing often perceived as tough, dirty and dangerous and therefore less attractive)
- Common practise to overcome labour shortage: use of recruitment agents to attract migrant workers
- Recruitment agencies may be responsible and above-board – but they may also be less than ethical and perpetrate human trafficking
- Due diligence in labour supply chains is just as important as in commodity supply chains
- Recruitment agents must be legally registered, subject to government licensing and control and provide clear, understandable contracts

RISK FACTOR 1: LABOUR RECRUITMENT 2

- Recruitment fees, charged to the fisher, is the a common form of “trap” used to keep fishers in debt bonding (which is a form of modern slavery)
- So, no recruitment fees on workers!



DEBT BONDAGE

Debt bondage affected half of all victims of forced labour imposed by private actors.



SIGNS TO SPOT AN ILLEGAL GANGMASTER

- Check to see if they are licensed with the Gangmasters Licensing Authority as a labour provider www.gla.gov.uk
- Can they provide you with a licence number?
- Are they prepared to give you a Service Level Agreement to provide you with a clear understanding and documentation of who is responsible for all elements of your workers' welfare?
- Does it sound like they are over promising? Are they offering workers at a knocked down rate or saying they can fulfil X much productivity in less time than you would reasonably expect?
- Do they carry their 'workers' identification?
- Do they transport their 'workers' en-mass?

RISK FACTOR 2: UNCLEAR MIGRATION REGULATIONS

- Unclear regulation or regulation that has unintended consequences or loop holes make migrant workers vulnerable
- They are unsure of their status, nervous about deportation and therefore less likely to contact authorities – this opens the door to exploitation
- Unclear regulations also makes it harder for the skipper/employer to define exactly what is acceptable and what is not
- Detailed international framework in ILO Convention 188 on Work in Fishing

RISK FACTOR 3: ISOLATION

- Everyone (owners, skippers, fishers etc.) must uphold high standards for occupational safety and health, for crew welfare etc. to avoid entering a slippery slope of a “corner cutting culture” on board
- High levels of transparency (using transponders, allowing observers (who understand labour issues) etc.) is especially important in fishing because of the inherent risks and isolation
- Out of sight out of mind means that fishing vessels were less likely than many other work places to come under public scrutiny for abusive practices
- North Atlantic fisheries generally recognised for high standards – but the risk must be recognised

TOOLS & STANDARDS

Work in Fishing Convention, 2007 (No. 188)



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Tools for Ethical Seafood Sourcing

A signposting tool helping businesses manage social risks in seafood supply chains

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VESSEL STANDARDS



THE MODERN SLAVERY ACT 2015



Modern Slavery Act 2015

2015 CHAPTER 30

An Act to make provision about slavery, servitude and forced or compulsory labour and about human trafficking, including provision for the protection of victims; to make provision for an Independent Anti-slavery Commissioner; and for connected purposes.

[26th March 2015]

THE MODERN SLAVERY ACT 2015: REPORTING

Turnover

Annual turnover of \geq £36 million

Activity

Providing goods or services

UK Link

Body corporate or partnership wherever incorporated/formed
Carrying on business in the UK
Fact specific
Demonstrable business presence in the UK

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