



## Social Partners joint resolution on SEAFOOD SOCIAL STANDARDS and SUPPLY CHAINS

The European Social Partners in the Fisheries Sector:

- Having regard to the FAO Declaration for Sustainable Fisheries and Aquaculture (COFI, 2021), which aims to: *“Promote the attainment of safe, healthy and fair working conditions for all in the sector, support efforts to prevent and halt forced labour, facilitate access to social protection programmes for fishers and aquaculture producers and their communities, support measures to improve safety at sea, and work towards enhancing the standards of living for all in the sector, in cooperation with other relevant international organizations, including the International Labour Organization and the International Maritime Organization.”*<sup>1</sup>;
  - Having regard to the ILO Declaration on Fundamental Rights and Principles at work<sup>2</sup>;
  - Having regard to the sector specific International Labour Organisation (ILO) Work in Fishing Convention (2007, C188);
  - Having regard to the Council Directive (EU) 2017/159 implementing the Agreement concerning the implementation of the Work in Fishing Convention, 2007.
- A. Whereas the Social Partners have consistently endorsed the fully fledged ratification, implementation and enforcement of the internationally agreed social and safety standards adopted under UN specialised bodies on fisheries (ILO and IMO);
- B. Whereas the ILO C188 aims to ensure that fishers have decent conditions of work on board fishing vessels with regard to minimum requirements for work on board, conditions of service, accommodation and food, occupational safety and health protection, medical care and social security, right to representation and collective bargaining agreements (CBAs)<sup>3</sup>;
- C. Whereas without concrete and binding standards many fishers would remain invisible, vulnerable and open to continued exploitation;
- D. Whereas the ratification of relevant international instruments, proper consultation to the sector and formal social dialogue are all essential parts of the ILO C188 Convention that cannot be sidestepped through voluntary standards;
- E. Whereas voluntary standards and certifications may be drivers of sustainable economic development and may support learning, dialogue, and trust-building between corporations and other stakeholders;
- F. Whereas private labels cannot be relied upon for the protection of human rights and are not a substitute for public regulation, nor do they eliminate the need to protect rights holders from labour abuses<sup>4</sup>;

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<sup>1</sup> FAO (2021) <http://www.fao.org/3/ne472en/ne472en.pdf>

<sup>2</sup> ILO (1998) <https://www.ilo.org/declaration/lang--en/index.htm>

<sup>3</sup> ILO (2007) [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C188](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C188)

<sup>4</sup> MSI Integrity (2020) Not Fit-for-Purpose: The Grand Experiment of Multi-Stakeholder Initiatives in

- G. Whereas the attempt to be inclusive cannot translate into accepting the lowest common denominator, which consolidates minimum standards as the norm rather than improving working conditions;
- H. Whereas private certification schemes should aim at going beyond minimum legal provisions to drive change and set new benchmarks;
- I. Whereas for those who already respect their workers, these voluntary standards can provide a benchmark to maintain good practice, while for those who do not, these voluntary standards pose no significant threat at all.

The European Social Partners in the Fisheries Sector insists upon:

1. **The ratification and implementation of ILO C188 as the main international ‘guardian’ of labour standards.** Currently (June 2021) only 18 countries have ratified ILO C188<sup>5</sup>, a wider campaign to ratify and implement ILO C188 is urgently needed and the international community must focus efforts on those countries with the largest domestic and distant water fleets, migrant crew and track records of IUU or human and labour rights violations;
2. **Full inclusion of internationally agreed labour standards in private labels.** ILO C188 contains the *minimum* compulsory requirements to be implemented and should be included in full, avoiding any cherry-picking, in any voluntary certification scheme. Certification schemes that do not introduce as minimum standards those enshrined in the ILO C188, and where EU Member States are concerned in Council Directive 2017/159, should not be recognised as socially sustainable. In order for the EU and fisheries’ stakeholders to avoid a plethora of free riders certifying social conditions on board fishing vessels, social-washing labels from 3<sup>rd</sup> countries shall be left out of the single market perhaps through EU labelling regulatory provisions;
3. **Grant meaningful roles for industry actors and their representatives in the standard.** Fishing vessel owners and their representatives, fishermen, workers’ representatives or labour unions / worker-led organisations should be included in the design, implementation, monitoring and enforcement of the certification;
4. **Ensure robust chain of custody, monitoring and enforcement mechanisms:** It is important to differentiate between products from certified vessels and products from non-certified vessels. Given the nature of the seafood supply chains, the certified fish landed cannot be aggregated with fish from non-certified vessels and/or processed in non-certified factories, with unknown labour conditions;
5. **Inspection reports/valid documents/national certificates shall be validated and recognised by voluntary standards.** Social certification schemes should foresee a recognition system for state (inspection) certificates, or for other valid documents, that have been awarded by the competent authority of the flag state for compliance with legislation implementing internationally agreed standards, such as the 1977 Convention on the safety of fishing vessels, STCW-F and C188. A certain degree of equivalence with voluntary or private schemes to further increase the comparability and transparency in seafood certification is advisable. In case the voluntary scheme provides for higher standards than those established in legislation, the voluntary scheme should give derogation for that part of the standard(s) that is covered by valid documents awarded through flag State inspection. The other part of the standard (which goes beyond legal requirements), should be certified by the auditing system envisaged within the voluntary scheme;

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Corporate Accountability, Human Rights and Global Governance [https://www.msi-integrity.org/wp-content/uploads/2020/07/MSI\\_Not\\_Fit\\_For\\_Purpose\\_FORWEBSITE.FINAL\\_.pdf](https://www.msi-integrity.org/wp-content/uploads/2020/07/MSI_Not_Fit_For_Purpose_FORWEBSITE.FINAL_.pdf)

<sup>5</sup> ILO (2021) Ratifications of C188 - Work in Fishing Convention, 2007 (No. 188) [https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:312333](https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:312333)

6. **Private labels certifying social sustainability shall not discourage the ratification of labour Conventions in fishing, particularly ILO C188.** The EU and fisheries stakeholders should continue putting pressure on foreign governments to ratify ILO Conventions whose social standards cannot be replaced with voluntary schemes;
7. **Front-of-package information provided to the consumer should differentiate between social certification and environmental certification.** In order for the consumer to have a clear picture on the sustainability of the seafood product purchased, a differentiation of both pillars of sustainability should be made.