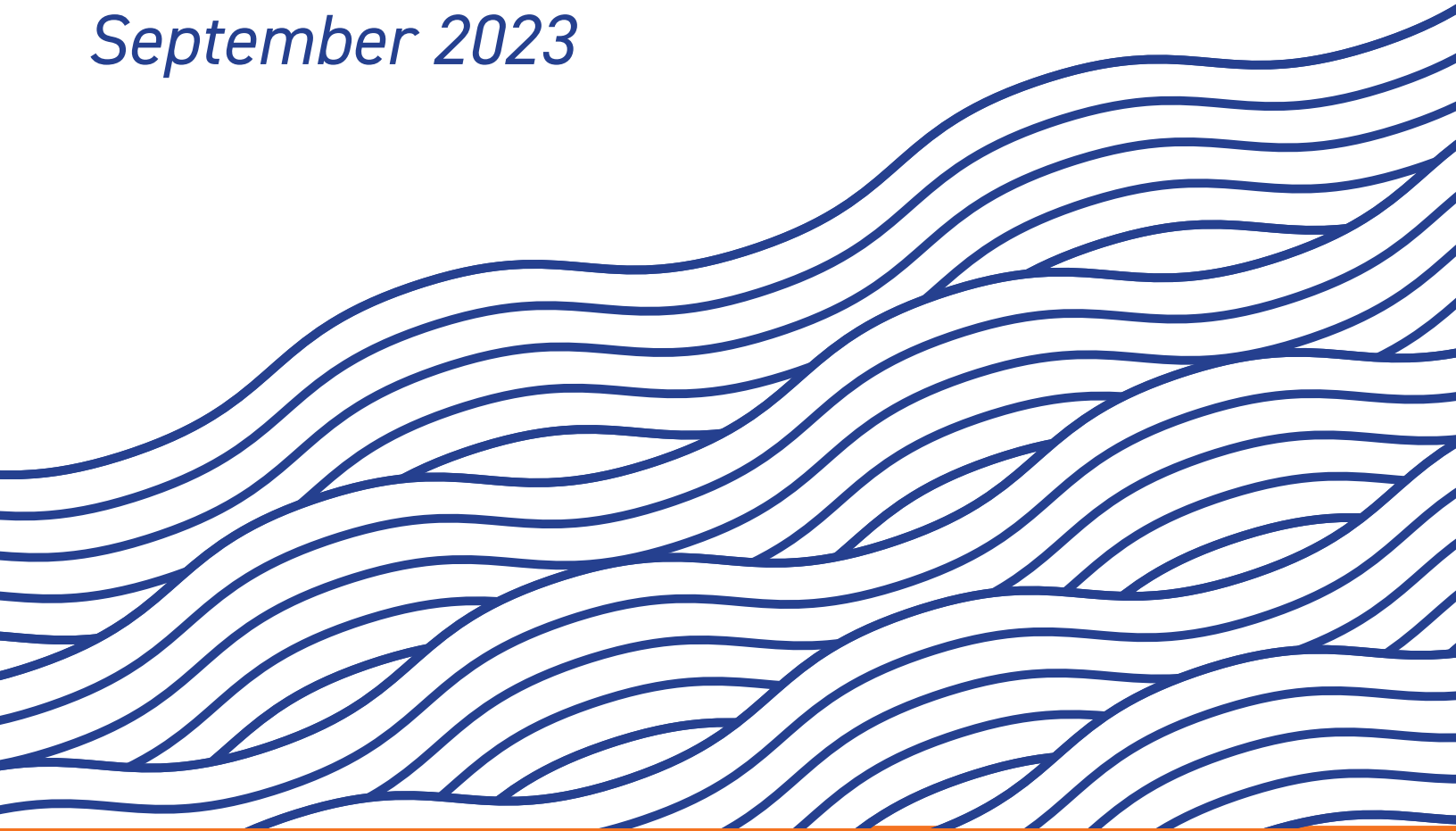


Guide to

Seafood Business Action on Social Responsibility

September 2023



Monterey Bay Aquarium
Seafood Watch



INTRODUCTION

Significant social responsibility challenges persist in the global seafood industry, including human and labor rights abuses, inequities, and food and livelihood insecurity. All **seafood businesses** have a duty to promote **social responsibility** and respect human rights in their individual businesses and throughout their supply chains by addressing the social risks and impacts their business operations pose. An overarching goal of efforts to address social risks and impacts should be empowering the full range of people engaged in seafood production, inclusive of employed workers, small-scale fishers, and smallholder farmers, and creating processes to enable them to meaningfully engage in system improvement.

The Aquaculture Stewardship Council, Fair Trade USA, Monterey Bay Aquarium, and Sustainable Fisheries Partnership are strongly committed to advancing social responsibility in seafood and have long-standing relationships with seafood businesses that are working to address environmental and social issues in their supply chains. Increasingly these companies are asking for information and tools to understand and address social risks and impacts. While our programs offer some resources that can help businesses move forward, a comprehensive solution to complex social challenges requires the full range of tools and approaches offered by a broader community of experts on social responsibility.



This document offers guidance and resources to help seafood businesses take the following key actions:



Make a public policy commitment to uphold the rights of employed workers, small-scale fishers, smallholder farmers, and other **rights holders** in the business and its supply chains.



Undertake robust **human rights due diligence** to identify, prevent, mitigate, and account for efforts to address social risks and impacts and support **remediation** of adverse impacts.



Advocate for countries and regional authorities to strengthen and enforce policies that protect the rights and well-being of employed workers, small-scale fishers, smallholder farmers, and their communities.

These three actions are applicable to all seafood businesses. However, the detailed recommendations and resources included in this guide are most relevant to companies that buy seafood at all levels of the supply chain.

TERMINOLOGY USED IN THIS GUIDE

Human rights due diligence is an ongoing process to identify, prevent, mitigate, and account for how a business addresses its adverse social impacts. Human rights due diligence assesses and addresses the risks and impacts to people in a business' supply chains, not the risks and impacts to the business' reputation.

Remediation and remedy refer to both the processes of providing remedy for an adverse human rights impact and the substantive outcomes that can counteract, or make good, the adverse impact. These outcomes may take a range of forms, such as apologies, restitution, rehabilitation, financial or non-financial compensation, and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition.

Rights holders are individuals whose human rights are affected by a business' operations, products, or services. Examples include a business' direct employees, the employees of companies in its supply chain, smallholders in its supply chain, and local communities surrounding the business or its supply chain nodes.

Seafood businesses refers to the full spectrum of seafood supply chain businesses inclusive of retail, foodservice, and hospitality companies that sell seafood to consumers; companies in the middle of the supply chain that export, import, and distribute seafood to end buyers; and fishing, aquaculture, and processing companies that produce seafood.

Social responsibility in the seafood sector encompasses human rights, dignity, and access to resources; equality and equitable opportunity to benefit; and food and livelihood security.

KEY ACTIONS TO ADDRESS SOCIAL RESPONSIBILITY ISSUES



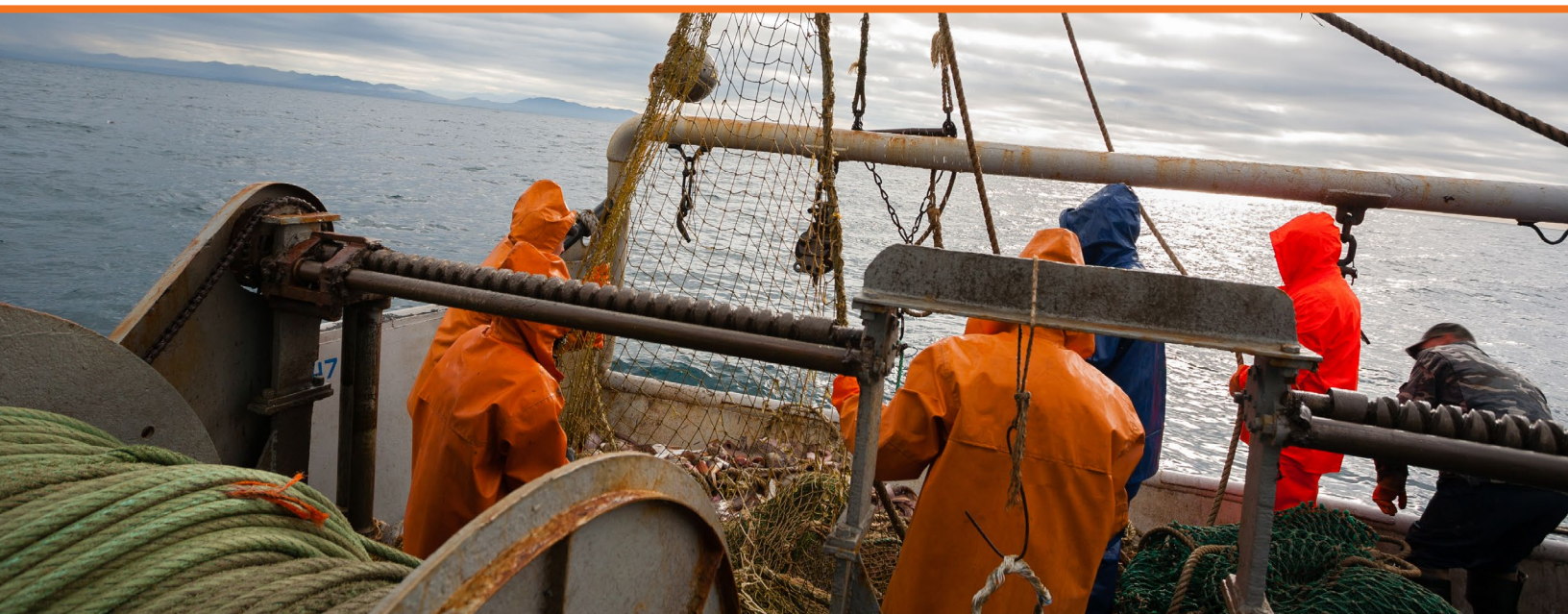
Publish and implement a policy commitment to uphold the rights of employed workers, small-scale fishers, smallholder farmers, and other rights holders in the business and its supply chains.

At a minimum, a policy commitment must include internationally recognized core human and labor rights:

- a. Elimination of all forms of forced or compulsory labor.
- b. Elimination of child labor.
- c. Elimination of all forms of discrimination, harassment, and abuse in the workplace.
- d. Safe and healthy working environments.
- e. Freedom of association and the right to collective bargaining.

Comprehensive policy commitments will also recognize these essential rights:

- a. Equal access to benefits regardless of gender, ethnicity, religion, sexual orientation, class, migrant status, or political affiliation.
- b. The right to an adequate standard of living, including access to basic services and food and nutrition security.
- c. Traditional access to water and land resources for small-scale fishers, smallholder farmers, and local and indigenous communities.
- d. Participation of small-scale fishers, smallholder farmers, and local and indigenous communities in fisheries or aquaculture resource management decisions and processes.





In line with the UN Guiding Principles, a policy commitment should:

- a. Be approved at the most senior level of the business.
- b. State the business's social responsibility expectations of personnel, business partners, and other parties directly linked to its operations, products, or services.
- c. Be publicly available and communicated internally and externally to all personnel, business partners, and other relevant policies.
- d. Be reflected in operational policies and procedures necessary to embed it throughout the business.

POLICY COMMITMENT RESOURCES

FishWise's RISE website provides [additional guidance](#) on developing a social responsibility policy commitment tailored to different levels of the supply chain.

[Section III.A of the Interpretive Guide to the UNGP](#) outlines operational principles for developing and implementing a policy commitment and is available in multiple languages.

A growing number of seafood businesses have developed strong public commitments on social responsibility. These include retailers such as [ALDI South Group](#), which published an [International Policy Statement for Human Rights](#), and Kroger, which published a [Statement on Human Rights](#) in 2021, an [update on progress](#) in 2022, as well as additional information in the “Systems” section of their [ESG reporting webpage](#).

[Thai Union](#) is an example of a vertically-integrated seafood company that has published a range of commitments related to social responsibility, including a [Human Rights Policy](#) and Codes of Conduct for [suppliers](#) and [vessels](#).

Fishing associations are also among those making commitments. [The Indonesian Pole & Line and Handline Fisheries Association \(AP2HI\)](#) signed onto a Policy Statement on Human Rights and Social Responsibility as part of their participation in a fishery improvement project, and they developed an associated Code of Conduct. These documents are publicly available on the FIP's [social performance profile](#) (requires free registration).



Undertake human rights due diligence and prioritize action to address risks and negative impacts.

According to the [UN Guiding Principles Reporting Framework](#), human rights due diligence is an ongoing risk management process to identify, prevent, mitigate, and account for how a business addresses its adverse social impacts. Human rights due diligence assesses and addresses the risks and impacts to people in a business' supply chains, not the risks and impacts to the business' reputation.

The OECD offers [detailed guidance](#) for businesses on implementing a human rights due diligence program. Additionally, Global Compact Network Netherlands, Oxfam, and Shift published [Doing Business with Respect for Human Rights: A Guidance Tool for Companies](#) as a foundational guide for companies on how to implement respect for human rights in line with the [UNGP](#). The tool translates key concepts from the UNGP into what they really mean for companies, as well as implementation guidance (specific steps to take) and case studies.

A comprehensive human rights due diligence program includes:

- a. Assessing social risks and impacts of business operations.** Because seafood businesses operate in a variety of contexts, including position in the supply chain, geography, and production methods, conducting an assessment enables a business to identify social issues specific to their business operations and supply chains.

An essential prerequisite for conducting an assessment of social risks and impacts is mapping your supply chain so that you know where your seafood comes from and what nodes it passes through along the way (e.g., primary processing, packaging, etc.). In tandem with mapping the supply chain, it is good practice to identify rights holders and organizations that represent rights holders, as understanding who works in and/or is impacted by the supply chain is a condition of elevating their voices.



A comprehensive assessment will include both industrial and small-scale seafood production and will examine the full spectrum of social responsibility issues, including human and labor rights as well as equity and community impacts such as gender, food security and livelihoods. It will identify both areas of potential risk as well as actual social impacts the business has caused or contributed toward. This should include evaluating a business' own policies and practices such as procurement and supplier operations.

SOCIAL RISK AND IMPACT ASSESSMENT RESOURCES

FishWise's RISE website provides [additional seafood-specific guidance](#) on conducting a thorough social risk assessment that includes information from multiple sources. The recommended process includes a preliminary assessment of supplier risks to identify areas of high and moderate risk; gathering additional information on the ground from these suppliers, including from their workers, about potential and actual impacts; and engaging global and local stakeholders such as human and labor rights experts to expand the assessment of working conditions.

High-level risk information. Tools such as the Certification & Ratings Collaboration's [Sustainable Seafood Data Tool](#) and the Monterey Bay Aquarium Seafood Watch's [Seafood Social Risk Tool](#) can provide high-level information to help seafood businesses gain an initial understanding of supply chain risk. The Seafood Social Risk Tool provides in-depth profiles based on over 80 risk indicators of the risk of forced labor, human trafficking and hazardous child labor associated with seafood products in a given country. The profiles also suggest focused due diligence questions, based on the risk analysis in each profile, that businesses can use to guide and get started on their due diligence.

To help seafood buyers understand social responsibility risks and actions in fishery improvement projects (FIPs), [FisheryProgress](#) now requires FIPs reporting on the website to meet a set of basic social responsibility requirements including a policy commitment, a vessel list, and a grievance mechanism. FIPs operating in higher risk contexts are required to complete a risk assessment and develop an action plan to address areas of high risk.

More detailed risk and impact information. Certifications with robust social standard content and credible assessment processes, such as [Fair Trade USA](#) and [Aquaculture Stewardship Council](#), can serve as one source of more detailed information on human rights abuses and other social issues present in specific supply chains, along with corrective actions to address them.

For fishing, aquaculture and processing operations, the [Social Responsibility Assessment](#) (SRA) is a tool for assessing social risks and impacts at the seafood production level. The SRA includes indicators across the full spectrum of social responsibility issues, including human rights, dignity, and access to resources; equality and equitable opportunity to benefit; and food and livelihood security.

The [Danish Institute of Human Rights](#) offers two impact assessment tools. The [Human Rights Impact Assessment Guidance and Toolbox](#) outlines a process and provides resources for conducting impact assessments of large-scale business projects (e.g., a factory, mine site), while [Sector-Wide Impact Assessments](#) looks at the actual and potential impacts of a business sector in a particular geographic context (e.g., [salmon in Chile](#) and [artisanal fishing in Bangladesh](#)).

b. Integrating and acting upon the assessment findings, including remediation where needed. Upon completing a social risk assessment, the next step is prioritizing the most salient issues to address. According to the [United Nations Guiding Principles Reporting Framework](#), a company's salient social issues are "those that stand out because they are at risk of the most severe negative impact through the company's activities or business relationships." FishWise's RISE website provides a more [detailed definition of salience](#) as well as guidance on how to identify and prioritize salient social issues for companies.

Where your risk assessment identifies potential negative impacts, implement mechanisms to prevent and mitigate those impacts throughout your business operations and supply chains.

Where your risk assessment identifies actual negative impacts in your business or its supply chains, stay engaged to ensure those impacted receive remediation and systems are put in place to prevent a recurrence of abuses. The UN Guiding Principles recognize the need for appropriate and effective remedies when rights and obligations have been breached: "Where a business enterprise identifies such a situation...its responsibility to respect human rights requires active engagement in remediation, by itself or in cooperation with other actors." Businesses should look to guidance specific to their role in the supply chain as well as to worker organizations and human rights experts to support them in enabling effective remedy for specific impacts and ensuring effective remediation processes.



ENGAGING EMPLOYED WORKERS, SMALL-SCALE FISHERS, AND SMALLHOLDER FARMERS IN HUMAN RIGHTS DUE DILIGENCE AND REMEDIATION

Engaging directly with rights holders is a best practice for developing and implementing a human rights due diligence program that is effective at identifying and preventing social issues and a meaningful process for remedy when impacts are found.

When engaging with rights holders, it is essential to ensure engagement is meaningful and avoids putting them at risk. There must be mechanisms in place to act upon the information received, remediate abuses, and ensure their safety and security. Many organizations, including the following, can support businesses with this work.

The [International Transport Workers Federation](#) has affiliated unions in 59 countries that include fishers as members; a migrant fishers union in Taiwan, the Fishers' Rights Network in Thailand where unions are prohibited by the government, and seafarers unions in West Africa that represent small-scale fishers.

The [IUF](#) is a global union representing food, farm, hotel, and other workers. IUF organizes workers and promotes social dialogue in the agricultural sector, including aquaculture, fisheries, and seafood processing. IUF has regional offices and affiliated unions in Africa, Asia and the Pacific, the Caribbean, Europe, and Latin America.

The [International Collective in Support of Fishworkers](#) empowers small-scale fishers and their communities to participate in fisheries from a perspective of decent work, equity, gender-justice, self-reliance, and sustainability.

[Worker-Driven Social Responsibility](#) is a model for worker-led, enforcement-focused human rights protections based on legally binding agreements with buyers at the top of the supply chain. This model has been implemented successfully in the agriculture and apparel sectors, and now it is being piloted in the seafood sector for the first time in the United Kingdom.

Several entities have developed technology-based tools, including grievance mechanisms, for effective engagement with employed workers: [Issara Institute](#), [Ulula](#), and [ELEVATE](#). The UN Guiding Principles recognize that grievance mechanisms can be an effective tool in enabling remediation.

- c. Reporting publicly on findings and progress.** Track the effectiveness of prevention and remediation efforts, including seeking feedback from affected employed workers, small-scale fishers, and smallholder farmers. It is best practice to report publicly on risk assessment findings as well as prevention and remediation efforts and outcomes—this is an essential way for seafood businesses to demonstrate accountability and transparency. One example of a company reporting publicly on the [findings](#) of a risk assessment and resulting [action plan](#) is Nestlé. The company also published a [progress update](#) in 2020. Another example from outside the seafood sector is [Tony's Chocolonely](#), a long-time leader in transparency about the risks and impacts in their supply chain and the actions they are taking to address those risks.



Advocate to strengthen and enforce policies that protect the rights and well-being of employed workers, small-scale fishers, smallholder farmers, and their communities.

The [UN Guiding Principles on Business and Human Rights](#) describe the duty of governments to protect against human rights abuses, including through the development and enforcement of laws which require businesses to uphold human rights and the provision of effective guidance for businesses on how to do so. Seafood businesses can play an essential role in advocating with governments and regional authorities to ensure their interventions are meaningful and clear. This can be done individually or in collaboration with other businesses to deliver a joint message about the need to solve common problems.

By engaging directly with national governments, seafood businesses can advocate for:

- ✔ Strengthening labor and human rights protections for employed workers.
- ✔ Advancing import controls against illegal seafood, which is correlated with human rights abuses.
- ✔ Protecting the rights of small-scale fishers and smallholder seafood farmers to access land and water resources and participate in the management of those resources.
- ✔ Supporting access to markets and equitable trade for small-scale seafood products.

In addition, seafood businesses can convey to national governments the importance of signing key international treaties and conventions, including all ILO core labor conventions (which are applicable to all forms of seafood production), the Work in Fishing Convention C188, and the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Information on countries that have not signed all essential treaties and conventions can be found in the Certification & Ratings Collaboration's [Sustainable Seafood Data Tool](#).



Seafood businesses can also use their influence to ask regional policymakers such as Regional Fishery Management Organizations (RFMOs) to strengthen human rights protections for employed workers, small-scale fishers, and smallholder farmers. This includes asking RFMO members and cooperating parties to advocate for the adoption of measures that uphold the ILO core labor conventions and C188 Work in Fishing convention; enhanced protections for crew and fisheries observers; and increased data collection and monitoring on human rights issues.

One example of seafood businesses publicly supporting national and regional government action is the [Seafood Ethics Action Alliance \(SEA Alliance\)](#). This pre-competitive collaboration of UK retailers and seafood businesses jointly published a [statement encouraging governments to ratify ILO C188](#), as well as [statements of support](#) for other key international agreements that support employed worker well-being such as the Cape Town Agreement.

SUPPORT FOR BUSINESSES

A range of organizations provide direct consulting support for businesses on developing and implementing human rights due diligence programs, including:

The [Fair Hiring Initiative](#) develops, tests, and trains businesses to use ethical recruitment models and technologies.

[FishWise](#) helps companies navigate the complexity of seafood supply chains by supporting businesses to create holistic sustainable seafood strategies, implement their programs, and engage and educate supply chain actors. For any size company, FishWise can assess products, develop seafood supply chain due diligence plans, conduct risk assessments, provide training, and engage their suppliers.

The [Issara Institute](#) partners with global brands and retailers to engage the suppliers, recruiters, and workers in Southeast Asian supply chains to identify, prevent, and remediate human rights abuses.

[Social Accountability International](#) provides human rights due diligence support to businesses via its [Social Fingerprint](#) program. It also offers [TenSquared](#), a workplace engagement program that unites workers and managers to address root causes of workplace issues and improve on a specific challenge in 100 days.

[Stronger Together](#) provides businesses with [training](#), [resources](#), and [consulting services](#) to ensure workers are recruited responsibly and have fair work free from exploitation. They have toolkits for employers and recruiters as well as purchasers, and their resources address a broad range of topics such as developing a policy commitment, conducting risk assessments, developing action plans, and enabling remedy.

[Verité](#) partners with businesses to identify labor rights abuses and risks and provide actionable recommendations for addressing them. Their [Responsible Sourcing Tool](#) provides guidance for companies in developing and implementing a credible and comprehensive human rights due diligence program.