



USAID
FROM THE AMERICAN PEOPLE



Photo: Fishing boats from above in Masinloc, Zambales, Philippines/ Jed Leonard / USAID SuFiA TS

A Review of Fair Labor Best Practices in the Wild-Caught Commercial Fishing Sector in Southeast Asia

Considering labor approaches from the perspective of workers as rights-holders, and not just stakeholders.

Submission Date: October 25, 2023

Approval Date: December 3, 2023

GSA OASIS Contract GS00Q14OADU138 (Pool I)

Task Order No. 72048622N00001

Contract/Agreement Period: November 24, 2021, to November 23, 2025

COR Name: Araya Poomsaringkarn
Project Management Specialist (Fisheries)
USAID Regional Development Mission for Asia
Bangkok, Thailand
Tel: +66 2 257-3000
Email: apoomsaringkarn@usaid.gov

Submitted by: Arlene Nietes Satapornvanit
Chief of Party
Tetra Tech ARD
159 Bank Street, Suite 300
Burlington, VT 05401
Tel: +1 (802) 495-0282
Email: arlene.satapornvanit@tetrattech.com

Written by: Anny Barlow
Regional Marine Management and Policy Assessment Specialist, SuFiA TS (Nov 7, 2022, to Sep 30, 2023)

About this Document:

The USAID-funded Sustainable Fish Asia Technical Support (SuFiA TS) initiative in the Indo-Pacific aims to promote sustainable fishing practices, combat illegal fishing, enhance gender equity and social inclusion, and improve regional cooperation efforts towards creating a secure, free and open Indo-Pacific. In response to the SuFiA TS Gender Equity and Social Inclusion (GESI) Analysis, and as part of executing its corresponding Gender and Inclusive Development Action Plan (GIDAP), this report identifies what the current and proposed best practices are with regards to fair labor in the commercial wild-caught seafood industry in Southeast Asia.

TABLE OF CONTENTS

LIST OF TABLES.....	vi
ABBREVIATIONS AND ACRONYMS	6
EXECUTIVE SUMMARY	1
1. INTRODUCTION.....	3
2. CORE INTERNATIONAL INSTRUMENTS AND ADVOCATES AFFECTING FAIR LABOR	5
3. OBJECTIVES.....	13
4. METHODS.....	14
4.1 DATA COLLECTION	14
4.2 DATA ANALYSIS.....	15
4.3 DATA LIMITATIONS	16
5. KEY FINDINGS	17
5.1 CURRENT FAIR LABOR BEST PRACTICES	17
5.2 THE LANDSCAPE OF LABOR TOOLS IN SOUTHEAST ASIA	17
5.3 FAIL POINTS IN LABOR TOOLS NEEDING IMPROVEMENT	18
5.4 PROPOSED FAIR LABOR BEST PRACTICES.....	19
5.5 TECHNICAL SUPPORT DESIRED TO ACHIEVE PROPOSED BEST PRACTICES	20
5.6 ADDITIONAL LEARNINGS	20
5.6.1 THE NUANCE OF LANGUAGE.....	20
5.6.2 TANGIBLE INSTRUMENTS TO FACILITATE FAIR LABOR BEST PRACTICES.....	21
5.7 EMERGING FAIR LABOR INITIATIVES	23
5.7.1 ORGANIZING EFFORTS	23
5.7.2 LABOR INSTRUMENTS ON THE HORIZON.....	24
6. DISCUSSION	26
7. RECOMMENDATIONS.....	27
7.1 PRIVATE SECTOR RECOMMENDATIONS.....	27
7.2 NGO RECOMMENDATIONS	27
7.3 NATIONAL GOVERNMENT RECOMMENDATIONS	27
7.4 INTERNATIONAL COMMUNITY RECOMMENDATIONS.....	28
8. CONCLUSION	29
9. APPENDICES	31
9.1 APPENDIX I - CONSOLIDATED ITF ILO MINIMUM WAGE SCALE FOR SEAFARERS.....	31
10. REFERENCES.....	34

LIST OF TABLES

Table 1: Core international instruments that support fair labor practices and basic human rights in the commercial fishing industry. It should be noted that all legally binding international treaties listed below are only legally binding to those member countries who have endorsed the convention.....	6
Table 2: Organizations most active in Southeast Asia advocating for fishers’ rights.....	10
Table 3: A summary of the number of key informants, broken down by stakeholder group, that participated in key informant interviews regarding fair labor best practices in the wild-caught commercial fishing sector in Southeast Asia.....	15

ABBREVIATIONS AND ACRONYMS

ASEAN	Association of Southeast Asian Nations
C029	ILO Forced Labour Convention, 1930 (No.29) (1930)
C087	ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
C098	ILO Right to Organize and Collective Bargaining Convention, 1949 (No. 98)
C108	ILO Seafarers' Identity Documents Convention, 1958 (No. 108)
C111	ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
C144	ILO Tripartite Consultation Convention, 1976 (No. 144)
C187	ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
C188	ILO C188 - Work in Fishing Convention, 2007 (No. 188)
CBA	Collective Bargaining Agreements
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women (1979)
CFS	Fair Trade USA Capture Fisheries Standard
CTA	International Maritime Organization of the United Nations Cape Town Agreement on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977
CTIP	Coalition Against Trafficking in Persons
DFW	Destructive Fishing Watch - Indonesia
DOLE	Department of Labor and Employment in the Philippines
EU	European Union
ETI	Ethical Trading Initiative
FAO	Food and Agriculture Organization of the UN
FIA-PNG	Fishing Industry Association - Papua New Guinea
FISH	Fairness, Integrity, Safety, and Health Standard for Crew
GESI	Gender Equity and Social Inclusion
GRI	Global Reporting Initiative
GSA	Global Seafood Assurances
H.R. 3075	U.S.'s Illegal Fishing and Forced Labor Prevention Act, H.R. 3075
HRC	Human Rights Council of the United Nations
HRDD	Human Rights Due Diligence
ICSF	International Collective in Support of Fishworkers
ILO	International Labour Organization of the UNs
IMO	International Maritime Organization of the UN
ITF	International Transport Workers' Federation
ITUC-AP	International Trade Union Confederation - Asia Pacific
IUF AP	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations Asia-Pacific
IUU	Illegal, Unreported and Unregulated fishing
LPN	Labour Protection Network
MLC	Maritime Labour Convention
MSC CoC	Marine Stewardship Council Chain of Custody Standard
NGOs	Non-governmental Organizations
OHCHR	The Office of the United Nations High Commissioner for Human Rights

P029	ILO Protocol of 2014 to C029, The Forced Labour Convention, 1930 (2014)
RDLBI	'Revised Draft' of a Legally Binding Instrument to Regulate Transnational Corporations and Business Enterprises
RFVS	GSA's Responsible Fishing Vessel Standard
SAFE Seas	Safeguarding Against and Addressing Fishers' Exploitation at Sea
SIMP	Seafood Import Monitoring Program
SRA	Social Responsibility Assessment
SPPI	Serikat Pekerja Perikanan Indonesia (Indonesian Fisheries Workers Union)
STCW-F	Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel
STF	Seafood Task Force
SuFiA TS	Sustainable Fish Asia Technical Support
UDHR	United Nations Declaration of Human Rights
UN	United Nations
UNCLOS	UNs Convention on the Law of the Sea (1982)
UNGPs	UN's Guiding Principles on Business and Human Rights
U.S.	United States
USAID	U.S. Agency for International Development
USDOL	U.S. Department of Labor
VSEA	Verité Southeast Asia
WFTU-AP	World Federation of Trade Unions - Asia Pacific Region

EXECUTIVE SUMMARY

The wild-caught commercial fishing sector in Southeast Asia operates in harsh, unpredictable sea conditions, posing risks to crew members' health and safety due to long hours and physically demanding tasks, making it challenging to maintain a skilled workforce. The industry grapples with labor abuses ranging from wage discrimination to severe human rights violations, which has garnered media and regulatory attention, impacting seafood companies' reputations and consumer preferences. Ethical and sustainable seafood consumption now demands products from companies committed to fair labor practices, which should not be mere slogans. Fair labor practices should, at a minimum, demonstrate social responsibility by fostering a positive work environment, ensuring that workers are treated ethically and fairly, which includes fair wages, safe working conditions, and respect for their rights. These practices comply with international labor and human rights laws, prevent worker exploitation, ensure worker well-being, and promote sustainability, and thereby also reduce the risks of negative publicity. Therefore, utilizing fair labor practices enhances a business's reputation, ensures compliance with legal regulations, combats illegal activities, and aligns with consumer demands for ethical seafood while supporting the long-term marine ecosystem health - including the communities dependent on fish work.

The private sector's vested interest in achieving fair labor practices has led to the proliferation of various tools, certifications, standards, voluntary commitments, ratings, risk assessments, benchmarking tools, technical advancements, and databases that contain information regarding each of these resources. As adoption of these tools has increased in the industry, the efficacy of these tools is questioned because those operating on the frontline of labor rights abuse observe an increasingly concerning labor environment for fisher workers.

This report seeks to detect the critical issue of fair labor practices within Southeast Asia's wild-caught commercial fishing sector and discern what fair labor 'best' practices should be. It compares current fair labor practices and proposed fair labor 'best' practices. It does not intend to provide a benchmarking analysis regarding individual tools that the private sector can employ but rather aims to offer an overarching assessment of labor practices. The primary goal is to identify what is currently working and not working, and what can be strengthened to achieve fair labor best practices.

Utilizing a desktop literature review and key informant interviews, this report provides a comprehensive examination of the current state of labor practices and an exploration of potential avenues for improvement. This report sheds light on how Southeast Asia's commercial fishing sector can move closer to fair labor best practices, thereby contributing to a more just, equitable, and sustainable fishing industry in the region.

This report underscores the need for a transformative shift in the approach to fair labor practices in Southeast Asia's wild-caught commercial fishing sector from one that views the fishers as stakeholders, to an approach that recognizes fishers as rights-holders. Key findings highlight the absence of current fair labor best practices in the wild-caught fisheries sector in Southeast Asia, with existing labor tools primarily focused on risk prevention for corporations rather than crew welfare. The overabundance of similar labor tools that claim to ensure fair labor further are found to be confusing by the private sector and further complicates the sector's progress in addressing labor concerns adequately. Additionally, Western market demands impose financial burdens on Southeast Asian seafood companies, potentially diverting resources from fisher well-being.

Three key elements have been identified to achieve a fair labor "best" practices approach. 1) Corporate policies should exceed minimum international labor laws, and 2) incorporate worker voice with grievance mechanisms safe from retaliation, and 3) collaborate with unions or fish worker organizations to continually enhance labor conditions and social well-being for fishers.

I

With regards to Southeast Asia's wild-caught fisheries private sector, recommendations call upon various stakeholders to engage unions or fish worker organizations in regions where unions may not be allowed, utilize government initiatives, and embrace a worker-driven social responsibility model. Specifically, the private sector should incorporate international labor laws into internal policies, collaborate with labor unions for effective communication with fishermen, implement the wage scale created by the International Transport Federation Unions' (ITF) and the ILO, advocate for government endorsement of international labor laws, and deliver specialized training for fishers and vessel captains on fishers' rights. Non-governmental organizations (NGO) should encourage Western markets importing from Southeast Asian seafood companies to require suppliers to engage and collaborate with labor unions or fish worker organizations, and provide the private sector with essential training on worker's rights, human rights due diligence, and the worker-driven social responsibility model. National governments should ratify binding core international labor laws, define "employee" versus "business partner" in national legislation, form tripartite councils, equalize human and labor rights for both migrant and national workers, legally extend seafarers' rights to fishers, establish clear protocols and training for overlapping government agencies, launch awareness campaigns in fisher communities, and simplify the process for fishers to access legally guaranteed social benefits. The regional community should encourage national government partners to join ILO's C188, offer tariff incentives to compliant companies, and provide legal and technical support to assist the private sector in meeting labor compliance recommendations.

I. INTRODUCTION

The wild-caught commercial fishing sector occurs in a rough environment. It is known for being a challenging and demanding ecosystem due to a combination of dynamic factors. Often operating far from the coastline, fishing vessels are exposed to the open sea's unpredictable and often harsh conditions, which can pose significant risks to the safety of crew members and vessels. Long working hours and physically demanding tasks, such as hauling heavy nets and equipment, add to the strenuous nature of the work and exacerbate these challenging environmental conditions (Drudi 1998; International Labour Organization 1999); there are reportedly more than 100,000 fishing-related deaths each year (Pew Charitable Trusts 2022). The remoteness of offshore locations poses challenges in promptly accessing medical assistance during critical situations. Additionally, the remote nature of offshore fishing can lead to logistical challenges in terms of supplies, communication, and ensuring crew well-being (Drudi 1998; International Labour Organization 1999). Furthermore, the commercial fishing industry worldwide is rife with a history of labor abuse, which has been the focus of many journalistic exposés over the past decade (Marschke and Vandergeest 2016). Reports have highlighted exploitative labor conditions, human rights violations, and some occurrences of forced labor and modern-day slavery within this industry.

Labor abuses in the wild-caught, commercial fisheries sector can range from minor infringements to severe human rights violations. This spectrum of abuses can include discrimination, underpayment of wages, excessive working hours, unsafe conditions, substandard accommodations posing health risks, passport confiscation, deceptive recruitment, lack of medical care, verbal, physical and sexual abuse, forced labor, child labor, and modern-day slavery (Teh et al. 2019; Environmental Justice Foundation 2019; 2020; Birch-Schmidt 2020; Finkbeiner, Fitzpatrick, and Yadao-Evans 2021; “Taiwan Fishery Agency Responds to US DoL Blacklisting” 2021).

Growing awareness from high-profile cases of labor exploitation and abuses in fisheries brought to light by the media have garnered attention - raising public concern, increasing advocacy and prompting governance action (Garcia Lozano et al. 2022; Teh et al. 2019). Negative publicity surrounding labor abuses have damaged the reputation of seafood companies. Ethical and sustainable consumption trends in large export markets like the United States (U.S.) and the European Union (EU) demand seafood products sourced from companies using fair and ethical labor practices while marketing departments inside seafood companies see the value-add potential of a premium product with an ethically sourced, eco-label (Teh et al. 2019). This market demand drives the private sector's interest in addressing the issues of unfair labor practices proactively (Packer et al. 2019). Further bolstering this proactive momentum and creating an impetus for industry compliance are advancements in technology facilitating seafood supply chain traceability, increasing government oversight and corporate accountability (Bailey et al. 2016; Lewis and Boyle 2017). Increased public and private scrutiny have coalesced to stimulate the private sector's vested interest in addressing the challenge of ensuring fair labor on commercial fishing boats head-on.

Overall, the convergence of ethical concerns, regulatory developments, and industry dynamics has placed fair labor best practices and standards at the forefront of discussions in the commercial fisheries sector in Southeast Asia (Packer et al. 2019; Garcia Lozano et al. 2022; Lout 2023). A plethora of tools - certifications, standards, voluntary commitments, ratings, risk assessments, benchmarking tools, technical advancements, and resource repositories to collate these tools - have emerged from this intensified discourse to support the private sector's uptake of, and transition to, fair labor practices (Decker Sparks et al. 2022; Teh et al. 2019; Lout 2023). However, labor experts working on the frontlines of this concern have observed that these tools often fail to achieve their intended outcomes (Decker Sparks et al. 2022; Williams and Decker Sparks 2023; Sharma and Kushwaha 2019; Jones et al. 2023; Gardiner and Viswanathan 2004). Certain tools, like ethical seafood certifications, even exacerbate the problem by offering a shield to insincere parties who exploit loopholes and permit labor abuse to persist (Decker Sparks et al. 2022; Sharma and

Kushwaha 2019; Gardiner and Viswanathan 2004). Subject matter experts agree these tools better serve a seafood marketing department's need for eco-labels, than they do the social well-being of fishers, and that adequate tools require a human rights due diligence (HRDD) approach (Teh et al. 2019; Decker Sparks et al. 2022; Williams and Decker Sparks 2023; Sharma and Kushwaha 2019). Moreover, the high cost of these tools can further impede reinvesting in the workforce. Fair labor 'best' practices are notably absent, and in many cases, current labor practices can hardly be deemed fair (Garcia Lozano et al. 2022; Decker Sparks et al. 2022; Nakamura et al. 2018; Nakamura, Ota, and Blaha 2022).

At a minimum, fair labor practices should provide for a working environment meeting international regulatory labor minimums set forth in international treaties like the International Labour Organization's (ILO) C188 - Work in Fishing Convention, 2007 (C188) and the ILO's Forced Labour Convention, 1930 (C029) and its associated Protocol of 2014 (P029), and not negatively impact the social well-being of fishers (Decker Sparks et al. 2022; Garcia Lozano et al. 2022). The Ethical Trading Initiative (ETI) attempts to summarize these minimums in their ETI Base Code (Ethical Trading Initiative n.d.), and is an example of one of many tools striving to encapsulate labor regulations, yet there is no replacement for actual regulations. Fair labor 'best' practices should go a step further than legal minimums and should consider the economic, social, and cultural rights of those workers and seek to elevate the fishers' social well-being, not just maintain their status quo (Teh et al. 2019).

Given that labor exports report that current fair labor practices fail to do what they say they do (Decker Sparks et al. 2022; Williams and Decker Sparks 2023; Sharma and Kushwaha 2019), what can be done to increase the social well-being of fish workers? This research was an exploration of the different elements needed, and efforts being made, to elevate current, so-called, fair labor practices to fair labor 'best' practices. It identifies fail points - specific areas within a system where a critical, negative issue can occur - in current fair labor practices are often due to the focus of these practices being on lowering corporate risk rather than the proposed fair labor best practices from labor experts that focus more on elevating the social well-being of fishers (Decker Sparks et al. 2022; Packer et al. 2019). These findings illuminate the need for a paradigm shift, a fundamental change in mindset and approach leading to a significant transformation, in the way the concept of fair labor is addressed within the sector. Finally, recommendations are made regarding how the industry, governments, and fish workers can work together to improve the labor culture in the wild-caught commercial fisheries to ultimately contribute to a more just, equitable, and sustainable fishing industry that supports not only a better life for the workers, but also contributes to their self-respect.

Global fisheries as a whole suffer from a lack of coherent and widely accepted fair labor best practices. Although a global issue, the context, needs and opportunities to effectively obtain fair labor onboard commercial fishing vessels can differ between geographies. As issues with obtaining fair labor on commercial fishing vessels proliferate differently in unique global regions, this report focuses on identifying fair labor best practices useful to wild-caught commercial fishing operations in Southeast Asian waters.

2. CORE INTERNATIONAL INSTRUMENTS AND ADVOCATES AFFECTING FAIR LABOR

The recent Association of Southeast Asian Nations (ASEAN) Declaration on the Placement and Protection of Migrant Fishers provides even more reason to identify what fair labor best practices are in the context of Southeast Asian wild-caught commercial fisheries (Association of Southeast Asian Nations 2023). The landscape of what defines fair labor practices is shaped significantly by a collection of core international instruments and agreements (Decker Sparks et al. 2022; Lout 2023; Williams and Decker Sparks 2023; Packer et al. 2019). These instruments, forged through international cooperation and consensus, lay the foundation for ensuring that workers worldwide are afforded their fundamental rights and protections (International Labour Organization n.d.c). From conventions established by various factions of the United Nations (UN) such as the International Labour Organization (ILO), the Food and Agriculture Organization (FAO), the International Maritime Organization (IMO) to broader agreements from the UN's General Assembly and The Office of the United Nations High Commissioner for Human Rights (OHCHR) addressing human rights and business responsibilities, these international accords play a pivotal role in setting the standards for ethical and equitable labor practices (Singh 2023).

Significantly, the cornerstone labor law for the fisheries sector is the ILO's Work in Fishing Convention, C188 (C188) (Teh et al. 2019; Packer et al. 2019; Decker Sparks et al. 2022; Williams and Decker Sparks 2023; Lout 2023), which serves as the most comprehensive labor regulation for this industry, and envelopes numerous instruments found in Table I. Additionally, The UN's Guiding Principles on Business and Human Rights, also known as The UN's Guiding Principles (UNGPs), are pivotal to businesses in fisheries because they establish a framework that recognizes businesses as duty bearers responsible for upholding human rights in their business, and importantly, throughout their supply chain (Nakamura, Ota, and Blaha 2022; Teh et al. 2019; Decker Sparks et al. 2022). This framework sets the expectation that businesses must conduct due diligence to identify, prevent, and mitigate any adverse human rights impacts associated with their activities and places a significant ethical and legal obligation on seafood businesses to ensure fair labor practices and protect the well-being of their workers and surrounding communities (Nakamura, Ota, and Blaha 2022). The various tools created in the industry to address fair labor draw most heavily from C188, the UNGPs, and the UDHR with a combination of the other international instruments listed in Table I (Teh et al. 2019; Packer et al. 2019; Decker Sparks et al. 2022; Williams and Decker Sparks 2023; Lout 2023). While the individuals harvesting the wild-caught fish on the large-scale commercial vessels in Southeast Asia are predominantly men, it's important to emphasize that these international laws (with the exception of CEDAW) offer protection to all individuals, irrespective of gender. This is particularly relevant as women make up roughly half of the industry's total workforce in Southeast Asia as was revealed by the U.S. Agency for International Development (USAID) Sustainable Fish Asia Technical Support Activity's (SuFiA TS) Gender Equity and Social Inclusion (GESI) Analysis (U.S. Agency for International Development Sustainable Fish Asia Technical Support Activity 2021). These instruments also address minimum age requirements for youth working in fishers.

Table 1: Core international instruments that support fair labor practices and basic human rights in the commercial fishing industry. It should be noted that all legally binding international treaties listed below are only legally binding to those member countries who have endorsed the convention.

International Instrument	Year of Onset	Organization Responsible	Description	Reference
C188 - ILO Work in Fishing Convention (No. 188)	2007	International Labour Organization of the UN (ILO)	A legally binding international treaty that sets out regulations to protect the rights and welfare of fishers and improve working conditions in the fishing industry.	(International Labour Organization n.d.b)
UNGP - UN Guiding Principles on Business and Human Rights	2011	The Office of the United Nations High Commissioner for Human Rights (OHCHR)	A set of standards that outline the responsibility of businesses to respect and protect human rights throughout their operations, inclusive of their supply chain.	(OHCHR 2011)
UDHR - UN Declaration of Human Rights	1948	United Nations (UN)	A foundational international document that outlines fundamental human rights and freedoms to be universally protected and respected, serving as a guiding framework for human rights standards and principles.	(UNGA 2015)
STCW-F - Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel	1995	International Maritime Organization (IMO)	An international framework ensuring that fishing vessel personnel are adequately trained, certified, and qualified to enhance the safety and competence of those working on fishing vessels.	(International Maritime Organization n.d.b)

International Instrument	Year of Onset	Organization Responsible	Description	Reference
C087 - ILO Freedom of Association and Protection of the Right to Organise Convention, (No. 87)	1948	International Labour Organization of the UN (ILO)	A legally binding international treaty that ensures workers have the right to form and join trade unions and protects their freedom to join organizations without interference from employers or the government.	(International Labour Organization n.d.b)
C098 - ILO Right to Organize and Collective Bargaining Convention, (No. 98)	1949	International Labour Organization of the UN (ILO)	A legally binding international treaty that safeguards workers' rights to form associations and engage in negotiations with employers, fostering equitable labor practices and discussions in the workplace.	(International Labour Organization n.d.b)
C029 - ILO Forced Labour Convention (No. 29)	1930	International Labour Organization of the UN (ILO)	A legally binding international treaty that addresses the issue of forced or compulsory labor. It aims to eliminate all forms of forced labor and provide protections for workers against exploitative practices.	(International Labour Organization n.d.b)
P029 - ILO Protocol of 2014 to C029, The Forced Labour Convention, 1930	2014	International Labour Organization of the UN (ILO)	A legally binding protocol that strengthens the measures to prevent and eliminate forced labor in the 1930 Convention on Forced Labour, No.29, by deleting the provisions for transitions allowed in C029.	(International Labour Organization n.d.b)

International Instrument	Year of Onset	Organization Responsible	Description	Reference
C111 - ILO Discrimination (Employment and Occupation) Convention, (No. 111)	1958	International Labour Organization of the UN (ILO)	A legally binding international treaty that strives to promote equal opportunities and treatment for all in employment and occupation, addressing various factors that can lead to disparities.	(International Labour Organization n.d.b)
C187 - ILO Promotional Framework for Occupational Safety and Health Convention (No. 187)	2006	International Labour Organization of the UN (ILO)	A legally binding international treaty that sets out principles and measures for ensuring a safe working environment.	(International Labour Organization n.d.b)
C108 - ILO Seafarers' Identity Documents Convention (No. 108)	1958	International Labour Organization of the UN (ILO)	A legally binding international treaty that establishes standards for the issuance of seafarers' identity documents to enhance their job security and facilitate their movement across borders.	(International Labour Organization n.d.b)
CTA - IMO Cape Town Agreement on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977	2012, not yet in force	International Maritime Organization (IMO)	An international treaty, not yet in force, that aims to improve the safety of fishing vessels and the working conditions of their crews through enhanced vessel design, construction, and equipment standards. It makes amendments to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977.	(International Maritime Organization n.d.a)

International Instrument	Year of Onset	Organization Responsible	Description	Reference
C144 - ILO Tripartite Consultation Convention (No. 144)	1976	International Labour Organization of the UN (ILO)	A legally binding international treaty that establishes a framework for tripartite consultations between governments, employers, and workers to facilitate social dialogue and consensus-building on labor-related issues.	(International Labour Organization n.d.b)
ILO Declaration on the Fundamental Principles and Rights at Work	1998	International Labour Organization of the UN (ILO)	A global framework that emphasizes four fundamental labor rights principles, including freedom of association, collective bargaining, the abolition of forced labor, and the elimination of child labor, and encourages member states to uphold these rights as core elements of labor practices.	(International Labour Organization 1998)
CEDAW - UN Convention on the Elimination of All Forms of Discrimination against Women	1979	United Nations (UN)	A legally binding international treaty that seeks to advance women's rights and ensure their equal participation in all spheres of life.	(The Office of the United Nations High Commissioner for Human Rights n.d.)

It is worth noting that the ILO's Maritime Labour Convention, 2006 (MLC) is a significant legally binding international treaty that outlines the minimum labor and social rights for seafarers, often termed the "Seafarers' Bill of Rights" (McConnell 2011). It has been widely ratified by maritime nations and therefore plays a crucial role in promoting fair labor practices in the global shipping industry (International Transport Worker's Federation n.d.; International Labour Organization n.d.f). Ships that fly the flag of a member state are required to comply with MLC standards, making it a significant tool for improving conditions for seafarers worldwide (International Transport Worker's Federation n.d.; McConnell 2011; International Labour Organization n.d.d). However, Table 1 does not include the MLC because it explicitly excludes fisherfolk from its provisions (International Labour Organization n.d.a). This exclusion is troubling to seafarer labor experts (International Transport Worker's Federation n.d.), given that the MLC has garnered 114 country and territory ratifications (International Labour Organization n.d.f), in contrast to C188, which has only received 21 ratifications (International Labour Organization n.d.e) at the time of this report - September 2023. Initially, the ILO intentionally excluded the fishing MLC and recommended a separate convention due to the distinct nature of the fishing sector compared to international seafaring

(International Transport Worker’s Federation n.d.). They believed fisherfolk would be adequately covered by C188, but the practical outcome has been different. Fisherfolk have seen fewer protections compared to non-fisher seafarers, because of the broader international support for the MLC and the fact that the standards in C188 are less rigid (International Transport Worker’s Federation n.d.). This matter should be of particular interest to bilateral and multilateral partners of ASEAN countries, such as Australia, who exemplify this pattern as they have endorsed the MLC but not C188. Similarly, Southeast Asian nations who have endorsed the MLC and not C188 include: Philippines, Indonesia, and Vietnam (International Labour Organization n.d.e, n.d.f). Thailand remains the sole ASEAN nation to have endorsed both conventions (International Labour Organization n.d.e, n.d.f). The United States has endorsed neither (International Labour Organization n.d.e, n.d.f).

Who are the friends to fishers that can help encourage and enforce these international instruments enforced and fair labor practices and policies installed? Numerous international organizations and bilateral and multilateral partners are actively engaged in aiding Southeast Asian governments to establish and implement national laws to protect fish workers and work directly with the private sector to establish better policies. These initiatives often revolve around fostering partnerships with the private sector and advocating for tripartite consultations. Tripartite councils because they facilitate constructive dialogue, address labor-related issues collectively, and promote a balanced approach to labor policies by considering the perspectives and inclusion of government representatives, employers, and labor unions (Hohenberger 2022; Department of Labor and Employment n.d.), aligning with the principles of C144. Table 2 presents some of the most active organizations and partners to fishers in Southeast Asia.

Table 2: Organizations most active in Southeast Asia advocating for fishers’ rights.

Entity Type	Entity	What they do	Website
Unions	ITUC-AP - International Trade Union Confederation - Asia Pacific	Comprising 59 trade union centers in 34 countries and territories in Asia and the Pacific, they represent more than 60 million members. Its core mission is to strengthen workers' unity and influence in the region. Their objectives include advancing human rights, social equity, gender parity, peace, freedom, and democratic values.	https://www.ituc-ap.org/
	WFTU-AP - World Federation of Trade Unions - Asia Pacific Region	Established in 1945 during the First World Trade Union Congress, they strive to combat exploitation, colonialism, imperialism, and discrimination, advocating for economic and social progress, as well as democratic principles within the trade union movement.	https://www.wftucentral.org/
	ITF Seafarers - International Transport Workers' Federation Seafarers	A global trade union federation representing transport workers worldwide. The Seafarers' Section is dedicated to safeguarding the rights and interests of seafarers worldwide, addressing issues related to working conditions, wages, safety, and ensuring seafarers have a strong voice in the maritime industry.	https://www.itfseafarers.org/en/about-us

Entity Type	Entity	What they do	Website
	IUF AP - International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations Asia-Pacific	Founded in 1920, the IUF Regional Organization for Asia and the Pacific was established in 1962 and is dedicated to organizing independent, democratic trade unions in the region with international solidarity. Every five years, delegates from affiliates in the Asia-Pacific region convene to elect the Regional Secretary, Regional President, and the Regional Committee, operating under its own constitution and rules.	https://iufap.org/
Government Initiatives	ILO - International Labour Organization	The ILO in Southeast Asia fisheries involves working collaboratively with governments, companies, and unions strengthening labor laws and enforcement mechanisms, providing training and capacity-building for workers and employers, and conducting research to understand and combat forced labor, child labor, and human trafficking issues that are particularly prevalent in the seafood industry.	https://www.ilo.org/global/about-the-ilo/language/index.html
	ILO USDOL Rural Sectors Project (Fishing) - International Labour Organization and the U.S. Department of Labor	The project in the Philippines and Indonesia aims to enhance working conditions, particularly for women, by promoting compliance with labor laws, improving occupational safety and health, and advancing gender equality in rural sectors. This initiative is part of the ILO's Safety + Health for All Flagship Programme, which seeks to enhance worker safety and health globally, aligning with Sustainable Development Goals to reduce work-related accidents and illnesses.	https://www.ilo.org/m Manila/publications/WCMS_816150/language/index.html
	CTIP - Coalition Against Trafficking in Persons	A U.S. Agency for International Development (USAID) program that works to raise awareness, provide assistance to victims, and collaborate with governments and non-government organizations (NGOs) to prevent and address human trafficking and forced labor in Southeast Asia. Their efforts encompass advocacy, policy development, and support for victims to improve working conditions and protect vulnerable individuals from exploitation in the fisheries sector.	https://www.usaid.gov/asia-regional/factsheets/usaids-asia-counter-trafficking-persons

Entity Type	Entity	What they do	Website
	SAFE Seas - Safeguarding Against and Addressing Fishers' Exploitation at Sea	Recently concluded, this project was headed by the USDOL Bureau of International Labor Affairs (ILAB) and collaborated with the ILO, ITF, and the IUF and focused on improving safety and working conditions in the fishing and seafood processing sectors. They created fisher centers that serve as essential hubs for training, support services, community engagement, data collection, research, and advocacy to enhance safety and protect the rights of workers in the fishing and seafood processing industries.	https://www.dol.gov/agencies/ilab/safe-seas
Non-Government Organizations (NGOs)	Greenpeace Indonesia	This national office of Greenpeace is actively engaged in addressing labor concerns in fishing by advocating for fair labor practices, worker rights, and sustainable fishing practices in Indonesia's seafood industry. They work collaboratively with stakeholders, raise awareness about labor issues, and campaign for transparency and accountability to ensure the well-being of fishery workers and the sustainability of marine ecosystems.	https://www.greenpeace.org/indonesia/
	VSEA - Verité Southeast Asia	Dedicated to improving labor conditions and combating labor exploitation, they conduct research, provide training and capacity-building, and collaborate with stakeholders to promote ethical labor practices and protect the rights of workers in Southeast Asia's seafood sector.	https://www.verite-sea.org/about/
	ICSF - International Collective in Support of Fishworkers	Working to promote the welfare and rights of fisherfolk, they engage in research, advocacy, and capacity-building activities to address various issues faced by fishing communities, such as sustainable fisheries management, social security, and gender equality in the sector. They aim to empower fishworkers and ensure their livelihoods are secure while advocating for responsible fishing practices.	https://www.icsf.net/
	Stella Maris	Also known as the Apostleship of the Sea, this global organization provides pastoral and practical support to seafarers, including those in the fisheries sector in Southeast Asia. They work to improve the well-being and living conditions of seafarers and fishers by offering services such as welfare visits, counseling, and access to facilities in port cities. Stella Maris also advocates for the rights and fair treatment of seafarers and fishers, including issues related to labor conditions and social justice in the fishing industry.	https://www.stellamaris.org.uk/

Entity Type	Entity	What they do	Website
	<p>DFW - Destructive Fishing Watch - Indonesia</p>	<p>Focused on the conservation of marine ecosystems and the promotion of sustainable fishing practices in Indonesia, they work to combat destructive fishing methods, overexploitation of marine resources, and improve working conditions for fishermen. They conduct research and advocacy efforts to raise awareness about the environmental and socio-economic impacts of destructive fishing practices, and they collaborate with government agencies, communities, and other stakeholders.</p>	<p>https://dfw.or.id/</p>
	<p>LPN - Labour Protection Network</p>	<p>Working to protect the rights of migrants in Thailand - including the right to health, safe work, education, and social services - they conduct raids, establish safe spaces for migrant children, advocate for labor rights, create informative media in migrants' native languages, and build a trustworthy intelligence network.</p>	<p>https://www.lpnfoundation.org/</p>

3. OBJECTIVES

This study aimed to achieve two primary goals with regards to the wild-caught commercial fishing sector in Southeast Asia. First, to pinpoint fair labor best practices currently employed by the private sector in preventing forced labor and securing the social well-being of their crew on commercial fishing vessels. And second, to uncover the specific technical support desired by the private sector to help them employ a fair labor best practices approach.

4. METHODS

The study employed both primary (interviews) and secondary (literature review) sources. Interviews included subject matter experts, union and government officials, and private sector representatives. Content and discourse analysis was used to identify gaps in legal frameworks and operational standards and certification schemes, as well as the private sector's priorities and prospects for aiding the private sector through technical support initiatives. The study acknowledges methodology limitations, such as potential bias in subjective interviews, challenges in securing participation from large vessel owners, the regional focus on Southeast Asia, and potential data inaccuracies due to participant transparency.

4.1 DATA COLLECTION

This study utilized both primary and secondary sources, interviews with subject matter experts and a desktop literature review, respectively. A comprehensive desktop literature review was undertaken spanning a broad array of prevailing research, government and non-governmental organizations (NGO) reports, news articles, and academic literature. This was executed to discern the prevailing tools utilized within the industry, as well as to identify the prominent stakeholders engaged in the pursuit of fair labor conditions aboard commercial fishing vessels in Southeast Asia. Searches were conducted in Google Scholar and Google inputting search terms such as: "Fair labor best practices in fishing", "Tools for improving labor in fisheries", "Private sector initiatives for fair labor in fisheries", "Labor standards in fishing", and "Challenges in fair labor adoption". Additionally, certifications, standards, commitments, and benchmarking tools were reviewed through the documentation provided on their websites. Primary data collection entailed conducting semi-structured key informant interviews with subject matter experts (NGOs and consultants), labor unions, government officials, and representatives from private sector companies and associations (Adams 2015; Galletta and Cross 2013; Harrell and Bradley 2009; Dexter 2006). This approach allowed for in-depth conversations and firsthand perspectives on the nuances of fair labor practices within the commercial fishing sector (Choi and Pak 2006; Dexter 2006). Furthermore, this synthesis of primary interviews and secondary sources enabled the exploration of diverse viewpoints, real-world experiences, and existing knowledge on the subject matter (Evans and Lewis 2018; Carter et al. 2014). Semi-structured interviews were guided by the following learning objectives:

- What are the current fair labor 'best' practices being employed by the private sector?
- What tools - certifications, standards, voluntary commitments, ratings, risk assessments, benchmarking tools, technical advancements, and resource repositories to collate these tools - does the private sector utilize in a fair labor best practices approach?
- What are the fail points, if any, of these practices that can be improved upon?
- What fair labor 'best' practices are proposed for adoption in the private sector?
- What specific technical support is sought by the private sector to strengthen fair labor conditions aboard their commercial fishing vessels?

Table 3: A summary of the number of key informants, broken down by stakeholder group, that participated in key informant interviews regarding fair labor best practices in the wild-caught commercial fishing sector in Southeast Asia.

Category	# of Key Informants	Gender	Location of Work
Consultants	4	Female	Southeast Asia/USA
		Female	Global
		Female	Global
		Female	UK/Taiwan
Government Agencies or Programs	5	Female	Fiji
		Female	Southeast Asia
		Female	Philippines
		Male	Indonesia
		Male	Philippines
NGOs	6	Female	Global
		Female	Southeast Asia
		Female	Philippines
		Female	Indonesia
		Female	Thailand
		Female	Southeast Asia
Unions	5	Male	UK
		Male	Philippines
		Male	Southeast Asia
		Male	Global
		Male	Southeast Asia
Private sector	8	Male	Thailand
		Male	Southeast Asia
		Male	Papua New Guinea
		Male	Vietnam
		Male	Global
		Female	Indonesia
		Female	Southeast Asia
		Female	Indonesia
TOTAL	28	16 Female, 12 Male	

4.2 DATA ANALYSIS

Relevant literature was selected by gathering academic journals, government and NGO reports, news articles, and websites related to legal and corporate governance frameworks. Content analysis was applied to this literature to identify subject matter experts and organizations, gaps and deficiencies in legal and corporate governance frameworks, as well as operational standards and certifications pertaining to fair labor indicators that are meant to provide fair labor assurances (Hardy, Phillips, and Harley 2004; Castleberry and Nolen 2018). The content analysis used key words and themes like, “fair labor practices”, “regulations”, “legal minimums”, “human rights”, “labor exploitation”, “standards”, “tools”, “benchmark”, as well as others. Discourse analysis was applied to key informant interviews using similar key themes. A coding scheme was used to discern recurring patterns and perspectives and enhance understanding of private sector barriers and opportunities (Evans and Lewis 2018), and provide a triangulation mechanism to validate the identified insights comparing findings from both primary and secondary sources (Carter et al. 2014; Hardy, Phillips, and Harley 2004; Bernard, Wutich, and Ryan 2017). Codes included “obstacle”, “limitation”, “opportunity”, “desired technical support”. The process culminated in the identification of key

findings and technical support recommendations for how government and civil society can better support the private sector's transformation towards obtaining fair labor on commercial fishing vessels in Southeast Asia.

4.3 DATA LIMITATIONS

Several potential data collection limitations may affect the findings of this study. First, there could be challenges related to the representation of perspectives, as this study relies on data from key informant interviews, which are subjective in nature and may not fully encompass the diversity of views within the industry (Bernard, Wutich, and Ryan 2017; Salazar 1990; Dexter 2006). Additionally, obtaining participation from large, commercial vessel owners and operators proved difficult. This could result in a skewed or incomplete understanding of the industry's practices. Furthermore, the study's scope is focused on Southeast Asia, which might limit the generalizability of findings to other geographic regions. Lastly, the accuracy of data heavily relies on the transparency and honesty of participants, introducing the possibility of bias or misrepresentation in the responses provided during the interviews (Salazar 1990).

5. KEY FINDINGS

The presented findings examine the current landscape of labor practices in wild-caught commercial fishing in Southeast Asia, their fail points, and what the sector proposes for adoption to improve labor practices. They offer insights into the regions' engagement and use of tools meant to address labor concerns, and the private sector's current challenges implementing fair labor practices. The key takeaways from this review serve as a guide for the private sector in preventing and addressing problems stemming from unfair labor practices.

5.1 CURRENT FAIR LABOR BEST PRACTICES

Fair labor 'best' practices is not defined in the literature, however it can be inferred they are practices that go above and beyond fair labor practices to ensure the well-being of a workforce. Seafood companies who either directly own vessels, or work with those that do (processors and associations), in Southeast Asia report investing significant resources in implementing numerous tools mandated by Western markets to enhance their labor practices. However, frontline labor experts and NGO representatives assert that these efforts do not adequately support the fishermen working for these commercial seafood companies. While certain private sector companies are indeed adopting fair labor approaches and striving to improve conditions, it is evident that somewhere along the way, these tools fail to translate into tangible improvements in the living and working conditions of fishermen. Presently, although there is industry momentum towards implementing a fair labor practices approach, none of these approaches have yielded measurable success. Therefore, this study found that no fair labor "best" practices are currently being used in Southeast Asia's wild-caught commercial fishing sector and this report will explore the current practices in the private sector to address labor issues.

“This study found that no fair labor "best" practices are currently being used in Southeast Asia's wild-caught commercial fishing sector.”

5.2 THE LANDSCAPE OF LABOR TOOLS IN SOUTHEAST ASIA

Changing from a culture that historically allows labor abuse to one that promotes the well-being of its workers, is not easy. To support this transformation, a myriad of so-called “tools” has been developed to support the private sector's transformation to ensure fair labor on commercial fishing vessels. These tools encompass a wide array of certification schemes, ethical standards, voluntary commitments, codes of conduct, benchmarking assessments, risk analysis methodologies, technological innovations, screening platforms and databases collating the details and use cases for these tools and international guidelines and recommendations for achieving fair labor (Decker Sparks et al. 2022).

According to subject matter experts interviewed and the academic literature reviewed, certification schemes, ethical standards, and voluntary commitments are embraced by the private sector as they result in eco-labels advertising premium products that are appealing to consumers. This is a practice known widely as “greenwashing” (Sharma and Kushwaha 2019; Decker Sparks et al. 2022). These tools offer checklists that, when met, suggest fair labor conditions have been obtained. In Southeast Asia wild-caught commercial fisheries, the most utilized of these tools include Marine Stewardship Council Chain of Custody Standard (MSC CoC), the Fairness, Integrity, Safety, and Health (FISH) Standard for Crew and the Global Seafood Assurances (GSA) Responsible Fishing Vessel Standard

(RFVS), Seafood Task Force (STF) Vessel Auditable Standards, the Fair Trade USA Capture Fisheries Standard (CFS), and the Fishing Industry Association - Papua New Guinea's (FIA-PNG) own Responsible Sourcing Policy.

“Certification schemes, ethical standards, and voluntary commitments are embraced by the private sector as they result in eco-labels advertising premium products that are appealing to consumers.”

Although not always, benchmarking assessments and risk analysis can serve as valuable tools for the seafood industry to identify areas needing improvement (Decker Sparks et al. 2022). While benchmarking assessments usually focus on ranking the certifications, standards, and voluntary commitments introduced above, risk analysis typically assess a supply chain's exposure to labor violation risks. While these tools may not qualify as “practices” that can be employed themselves, the private sector reports they have played a crucial role in helping companies transition from suboptimal practices to a level that aligns with the concept of fair labor practices. These tools provide a foundation for companies to assess their chosen tools and their current supply chain to recognize shortcomings, and take steps toward achieving higher labor standards. Additionally, they

“The Labor Safe Screen has been evaluated as an effective forced labor risk analysis and reduction tool, and incorporates valuable feedback and insights from workers.”

incentivize companies to improve labor standards by raising investor and consumer awareness by highlighting areas in need of correction. The Labor Safe Screen has been scientifically evaluated in the seafood sector as an effective forced labor risk analysis and reduction tool, and incorporates valuable feedback and insights from workers (Nakamura et al. 2018). While it does not provide direct guidance on a specific best practices approach, it does aid the private sector's transition to a fair labor best practices approach by assessing a company's current procurement process to identify potential areas of risk and

realistic targets for elevating labor conditions within their supply chain. The Social Responsibility Assessment (SRA) tool is used throughout Southeast Asia's seafood sector, but has also undergone criticism as it does not mandate worker, nor worker representative, engagement and is largely felt that it does not employ the human rights due diligence (HRDD) approach. Williams and Decker Sparks (2023, sec. 3.3) evaluated the SRA tool as a “a limited risk assessment tool for companies, not workers, and cannot be treated as equivalent to the full process of HRDD and the inclusion of workers and their representatives under HRDD”.

5.3 FAIL POINTS IN LABOR TOOLS NEEDING IMPROVEMENT

Much like the SRA tool, many of the labor tools being used in Southeast Asia's seafood sector fail to incorporate worker voice on various levels (Decker Sparks et al. 2022). This could manifest in a certification scheme, ethical standard, or voluntary commitment's failure to not mandate a space for worker's voices to be heard and incorporated. Typically this can be done, dependent on the specific type of tool in question, in either daily operations through supporting worker's rights for freedom of association, collective bargaining agreements (CBA), grievance mechanisms safe from retaliation and in designing remediation plans for said grievances and/or during the audit process through a worker interview. Auditing directives for these tools have reportedly also failed by not mandating that their results be made transparent to the workforce (Packer et al. 2019; Decker Sparks et al. 2022). It is crucial to recognize that workers are not merely stakeholders; they are rights-holders, and therefore uniquely

“Many of the labor tools being used in Southeast Asia's seafood sector fail to incorporate worker voice on various levels.”

positioned to be the primary voice for those whose rights are being infringed upon (Worker-Driven Social Responsibility Network 2023).

Certification schemes, ethical standards, and voluntary commitments often self-report to reflect core international labor instruments as discussed in section 2 of this report. The problems with this are two-fold. First, these international instruments are minimum requirements to be considered fair

“International instruments are only minimum requirements... each tool interprets the specifics of these laws and regulations differently.”

labor practices. They do not represent fair labor ‘best’ practices. Second, despite being rooted in the same international labor conventions and guiding principles, each tool interprets the specifics of these laws and regulations differently. The multitude of interpretations has led subject matter experts to perceive that these versions of interpretation are often tailored to cater to the specific needs of various industrial stakeholders, rather than being truly centered on the well-being of workers. Labor rights experts

caution that due to these various versions of interpretations, these tools frequently lack adequate labor criteria in their mandates, and their auditing procedures can be unreliable due to ambiguous language and extended timelines for improvement. Additionally, this divergence in interpretation creates a challenge in achieving a consistent and comprehensive approach to fair labor practices within the industry, which can further undermine the purpose of ensuring workers' rights and protections.

These tools and their associated eco-labels not only fall short in safeguarding workers but also serve as a smokescreen that shields companies from genuine, on-going scrutiny. They offer buyers a false sense of security while enabling companies to take advantage of vague language and flexible timelines, thereby perpetuating their exploitative labor practices and amplifying the problem. Labor experts interviewed in this study and published in the academic literature agree that these tools often prioritize the marketing needs of seafood enterprises to benefit companies, and their NGO partners, rather than the well-being of fishers that they are showcased to support.

“These tools and their associated eco-labels not only fall short in safeguarding workers but also serve as a smokescreen.”

Moreover, the Western corporations demanding these tools be used and profiting from placing eco-labels on premium products are not, in most cases, assisting with the huge financial costs for implementing these tools. This approach not only strips funds from suppliers but also, paradoxically, creates more barriers for entry into the market. Consequently, it imposes added financial strain on the most downstream segments of the supply chain. While this may not significantly impact large-scale commercial fishing vessel owners, it significantly affects small-scale commercial fishing associations in Southeast Asia, the least resilient group within the supply chain. These tools were meant to guide and assist this group’s movement towards utilizing a fair labor practices approach. Ironically, the costs for these tools further constrains capacity to invest in the well-being of workers. Concurrently, this financial burden contributes to a wealth transfer from developing countries to developed countries, echoing historical imbalances.

“Ironically, the costs for these tools further constrains capacity to invest in the well-being of workers.”

5.4 PROPOSED FAIR LABOR BEST PRACTICES

While the Southeast Asian seafood sector grapples with challenges in meeting minimum labor regulations, it seeks to enhance its practices. Proposed fair labor best practices identified in this study offer guidance to not only meet but also exceed the minimum regulations, facilitating continuous improvement.

Analyzing the information collected from labor experts involved in this study, with particular emphasis on those directly engaged with fish workers, reveals essential components for categorizing fair labor best practices in the seafood sector as a true 'best' approach. These critical protocols include:

- 1) Raise above the minimums set forth in international treaties, like C188.
- 2) Incorporate worker voice and representation by providing:
 - a) A grievance mechanism safe from retaliation.
 - b) A plan for finding a mutually beneficial remedial plan to any grievances aired.
 - c) Not only the freedom of association, but also organizing a time and place for fishers who are often offshore on various vessels working on different timelines to come together.
 - d) Collective bargaining agreements between workers and the company.
 - e) Transparent audits that are available to the workers.
- 3) Work with a union, tripartite council, or fishworkers association to represent the fisher's directly, frequently and repeatedly in order to continue improving the labor environment and elevating fishers' social well-being.

5.5 TECHNICAL SUPPORT DESIRED TO ACHIEVE PROPOSED BEST PRACTICES

The private sector seeks technical support and assistance from regional advocates and governance organizations to bolster their capacity in addressing labor concerns effectively. Specific initiatives the private sector desires that were identified during interviews in this study include:

- 1) Training to foster open and productive communication with fishers.
- 2) Creating certifications that are not cost prohibitive.
- 3) Providing training for fishermen on their labor rights and separately training boat owners and operators on fishers' labor rights.
- 4) Observer training.
- 5) Labor inspection training for government agents and in-house inspectors.
- 6) Research that will enable streamlining efforts to obtain various certifications and meet the demands of all audits.
- 7) Social research on fish workers' living conditions and a gap analysis between what those conditions are and what they need to be to meet the conditions set forth in C188, and the provision of a roadmap for companies to meet fair labor minimums outlined in international instruments.
- 8) Some of the private sector is in pursuit of training and financial support for government agencies to bolster law enforcement capabilities.

The private sector believes that an enhanced law enforcement presence, combined with training for vessel owners and operators, has the potential to challenge the longstanding, tacit acceptance of labor exploitation within the industry.

5.6 ADDITIONAL FINDINGS

5.6.1 THE NUANCE OF LANGUAGE

Language and definitions, or lack thereof, wield influence. Ambiguity and vagueness in language can be manipulated by businesses to further exploit and neglect the welfare of their workforce to meet their profit-driven goals. Governments can also exploit this lack of language precision to reinforce and fortify their policies. This study uncovered evidence of both scenarios.

In the Southeast Asian wild-caught fisheries sector, common business practices exploit vague definitions. A major loophole involves labeling fishermen as "business partners" who receive a share of the catch's proceeds. This tactic allows businesses to bypass legal obligations to provide employment benefits. However, these so-called business partners lack the typical privileges associated with such a title, such as:

- 1) Fishers have no say in fishing operations' timing, location, or duration.
- 2) Fishers lack access to financial records.
- 3) Fishers lack access to catch verification records.
- 4) Fishers lack access to the decision-making processes.
- 5) Fishers lack a relationship with the supposed "business partners" making key decisions.

Another common loophole exploited by the seafood sector in Southeast Asia is the variation in legal protections for migrant workers compared to national workers. National laws in the region often do not mandate the same level of protection for migrant laborers. ***This discrepancy allows the private sector to evade accountability for the treatment of migrant workers, creating an environment where exploitation can persist unchecked.***

“Auditing represents another common avenue where the ambiguity in language is frequently exploited.”

Auditing represents another common avenue where the ambiguity in language is frequently exploited, sometimes wittingly, and at other times unwittingly. Many certification programs, standards, and commitments rely on imprecise language, and this can lead to audit processes approving labor practices that may not align with the intention of the standards. Vague language can result in gaps in the auditing process, leaving certain aspects of labor practices

unexamined. Corruption presents a persistent challenge, incentivizing the exploitation of these language limitations and jeopardizing the credibility of audit outcomes. Moreover, the conflict of interest that arises when auditors receive payment from the companies they audit raises additional concerns about the impartiality of audits (Decker Sparks et al. 2022). In some certification schemes, there is room for unchecked, self-reporting. Transparency and accountability are often lacking, with audit results almost never presented to the fishworkers. These audit processes could greatly benefit from precise language that would facilitate a deeper and more nuanced evaluation of labor standards, while also reducing the potential for corruption and conflicts of interest to exploit linguistic ambiguities. These issues collectively undermine the reliability and impact of audits aimed at verifying fair labor practices in the wild-caught fisheries sector.

Governments can also leverage the ambiguity of language to close loopholes and provide added layers of legal protection to fishers. The Maritime Labour Convention (MLC) emerged as a more robust international labor safeguard compared to C188, thanks to its stricter provisions and wider ratification by 114 countries, in contrast to C188's 21 signatories. Notably, the MLC is designed to

support seafarers but explicitly excludes fishers. However, the International Transport Federation Union (ITF) highlights a strategic move by the Philippines and Indonesia, where they have skillfully applied legal terminology to classify fishers as seafarers. ***This reclassification grants fishers all the rights and protections afforded to seafarers under the MLC***, effectively extending legal protection to fishers within the framework of the MLC. This demonstrates how governments can employ language to fortify the rights of fish workers.

5.6.2 TANGIBLE INSTRUMENTS TO FACILITATE FAIR LABOR BEST PRACTICES

WiFi provision on vessels and the implementation of the ITF Minimum Wage Scale are not panaceas, but they represent significant steps toward achieving the fair labor best practices in the fisheries sector, as outlined in Section 5.4 of this report, and as discussed in detail below. These measures surpass the minimum requirements outlined in international instruments, incorporate or facilitate worker representation, and actively contribute to ongoing improvements in labor conditions aboard commercial fishing vessels.

ITF ILO MINIMUM WAGE SCALE

The International Transport Workers' Federation (ITF) has a wage scale for seafarers called the ITF ILO Minimum Wage Scale (Appendix 1) (International Transport Worker's Federation 2023). This comprehensive wage scale sets out standardized wage rates and working conditions for seafarers across various ranks and positions in the maritime industry. It calls on a joint interpretation between the ITF (which represents maritime employees), and the International Shipping Federation (which represent maritime employers) of the ILO Recommended Minimum Wage for an abled bodies seafarer and is extrapolated on a basis of ITF Standard Agreement Differential, which takes into account the ILO minimum plus the differential for holiday and overtime pay that seafarers often never get to take advantage of due to the offshore nature of their work,. This wage scale exceeds the legally required minimums, incorporates worker feedback, and actively contributes as an improvement to labor conditions. This wage scale adheres to international labor standards, notably the Maritime Labour Convention (MLC) established by the ILO. It serves as a vital reference point for labor negotiations between seafarers and shipowners, ensuring that seafarers receive equitable compensation and fair treatment for their essential work on ships. This globally applicable resource empowers seafarers by providing clarity on their rights and entitlements, promoting fair labor practices, and upholding labor standards in the maritime sector. Although calculated for seafarers and in line with the MLC, which legally does not apply to fishers, the ITF is in the midst of translating this scale to be applicable to a fisher's rank and experience levels on fishing vessels and uses the current seafarer version when negotiating fishing contracts and CBAs within the fisheries sector. Currently, they report that Taiwan is mandating this wage scale be applied to all migrant fishers employed on high-seas vessels. South Korea has also agreed, but is allowing its private sector a 5-year transition time.

WiFi CONNECTIVITY

The introduction of WiFi connectivity on vessels in the private fisheries sector is gaining momentum as it becomes more feasible and cost-effective. This development is receiving substantial attention due to its potential to empower fishers. The core idea is straightforward: by keeping fishers connected to their home base, they gain a means to communicate any issues, including severe human rights violations, to their families, NGOs, and potentially even authorities. Therefore it is a step towards best practices as it is more than the legally required minimum, provides a vehicle for worker voice, and is a continuous improvement to labor conditions. However, this initiative comes with various complexities, such as safeguarding whistleblowers' safety while they are still at sea with the perpetrators. Additionally, if there are ongoing human and labor rights violations on a vessel, it is unlikely that the operator would allow crew members access to phones and WiFi. Nevertheless, for private sector companies genuinely committed to adopting a fair labor best practices approach,

providing WiFi aboard vessels offers several merits. Firstly, it supports basic human resources management by facilitating direct communication between management and the crew, eliminating the need for captains as intermediaries. Secondly, it allows rapid response to issues like unpaid salaries - an issue that might otherwise go unnoticed by fishers until they discover the absence of funds in their bank accounts once they arrive back on land. Thirdly, it promotes a happier, safer, and overall healthier onboard social environment by enabling fishers to stay connected with their loved ones. Fourthly, it enables fishers to connect with each other, fostering worker organization in an industry that is typically challenging to unionize due to its offshore nature. Lastly, according to one Taiwanese distant water fleet owner, providing WiFi not only streamlines human resources management but also serves as an enticing incentive to attract and retain talented and skilled workers (Chiang 2022).

5.7 EMERGING FAIR LABOR INITIATIVES

5.7.1 ORGANIZING EFFORTS

Organizing efforts can offer crucial support systems for workers. Whether worker, government, or community led, organizing efforts can advocate for workers' rights and fulfilling rights' obligations by helping to address workplace challenges, improve worker conditions, and provide social services to fishers.

FAIR FISH PROGRAM

The Fair Fish Program, initiated by the Coalition of Immokalee Workers (CIW) and the ITF, is gearing up to begin its piloting phase in the UK with plans for expansion to other markets, including Southeast Asia (Perkins and Williams 2022). Modeled after the successful Fair Food Program established by the CIW (Coalition of Immokalee Workers 2013), which charges an additional penny per pound of tomatoes to finance a monitoring system safeguarding the rights of agricultural workers, the Fair Fish Program adopts a similar approach in the seafood industry. It charges buyers a small extra fee per pound of fish to support its monitoring mechanism. One notable feature of this program is that the labor standards are developed by the fishermen themselves, emphasizing worker-driven social responsibility in the industry (Worker-Driven Social Responsibility Network 2023). As this program is in its inception, it does not have a website yet.

INDONESIAN FISHERIES WORKERS UNION IN SOUTH KOREA

The Indonesian Fisheries Workers Union (SPPI) has a proactive approach to safeguarding the rights of Indonesian seafarers working in South Korea (SPPI (Indonesian Fisheries Workers Union) n.d.). While it is still in the early stages and does not have dues-paying members yet, it provides basic skills and competency training to Indonesian migrant workers before deployment on South Korean ships. Union representatives are strategically stationed in 13 different port areas in South Korea, allowing them to continuously monitor the well-being of their members and check on them every time a ship docks. This transnational approach ensures that the union is actively involved in both the destination country and the fishers' home communities, providing a system of checks and balances to ensure fair wages and healthy working conditions for the seafarers. SPPI has a website in Bahasa Indonesian - <https://sppifisheriesunion.com/?fbclid=IwAR1aYQDyJaDsP28y-0uCD9t503lllxre-3Ke7hh5YYnslozJFv-uXodJ3PE>.

SOCIAL WELFARE ONE-STOP-SHOP

In General Santos City, the Philippines Department of Labor and Employment (DOLE) established a convenient one-stop shop at the major fish port to facilitate the distribution of social welfare

benefits to fishermen. They collaborated with various government departments responsible for healthcare, social security, national identity registration, and more. These departments came together for two days at the fishers' workplace to register each fisherman, ensuring they received their entitled benefits without missing work. Subsequently, the fishing companies paid the government departments for the social benefits provided to their workers, aligning with national laws mandating these benefits. This initiative aimed to secure social security for fishermen while minimizing disruptions to their work routines. The initiative was such a success the DOLE office in General Santos City plans to repeat it bi-annually and hope other DOLE offices in other regions follow suit. While there is no website for this program, a press release from DOLE regarding their two day event can be found here <https://ro12.dole.gov.ph/news/dali-na-mo-programa-ug-serbisyo-para-sa-mananagat-revolutionizes-tuna-handline-fishing-industry>.

5.7.2 LABOR INSTRUMENTS ON THE HORIZON

New guidelines and emerging legal frameworks with the endorsement of labor experts hold promise for advancing fair labor practices. These initiatives are designed to facilitate enforcement, enhance awareness of labor rights, foster international cooperation to tackle global labor issues, and, most importantly, drive improvements in labor conditions and practices.

GRI 13: AGRICULTURE, AQUACULTURE, AND FISHING SECTORS 2022

The Global Reporting Initiative (GRI) developed the GRI 13: Agriculture, Aquaculture, and Fishing Sectors 2022 (GRI 13) as a comprehensive standard developed by a diverse 19-member multi-stakeholder group, covering climate change-related disclosures and the protection of workers in crucial food security sectors like fishing (Global Reporting Initiative n.d.). It provides clarity and consistency in reporting, addressing issues such as safeguarding migrant workers, overfishing, emissions reduction, and deforestation. Effective from January 1, 2024, (with early adoption encouraged), GRI 13 has the support of the International Transport Workers' Federation (ITF) and stands to play a vital role in promoting sustainability and fair labor practices in these industries.

ILO's HANDBOOK ON THE DETECTION OF FORCED LABOR IN FISHING

The ILO, in coordination with the U.S. Department of Labor, is currently developing a forthcoming handbook on the detection of forced labor in fishing (International Labour Organization 2023). This resource aims to provide guidance and tools for identifying cases of forced labor within the fishing industry. It will serve as a valuable tool for governments, labor inspectors, and other stakeholders working to combat forced labor in this sector, helping to improve detection and prevention efforts.

UN HCR's 'REVISED DRAFT' OF A LEGALLY BINDING INSTRUMENT TO REGULATE TRANSNATIONAL CORPORATIONS AND BUSINESS ENTERPRISES

The UNGPs are not a legally binding treaty. However, since 2014 the UN Human Rights Council (HRC) has been working on a binding treaty that would parallel the UNGPs. Today, its name is the 'Revised Draft' of a Legally Binding Instrument to Regulate Transnational Corporations and Business Enterprises (RDLBI) (Hamm 2022). It is a proposed international framework seeking to hold transnational corporations accountable for human rights and environmental violations. This initiative aims to establish legal obligations for corporations to respect human rights, prevent abuses, and provide remedies for victims. It addresses existing gaps in international law concerning corporate conduct. The RDLBI has undergone revisions and discussions within the UN HRC, representing a collaborative effort among governments and civil society organizations (United Nations Human Rights Council n.d.). Its potential adoption and impact on corporate behavior and accountability depend on state support and ratification.

U.S.'s PROPOSED ILLEGAL FISHING AND FORCED LABOR PREVENTION ACT, H.R. 3075

The Illegal Fishing and Forced Labor Prevention Act, H.R. 3075, is a significant piece of U.S. congressional legislation aimed at tackling two crucial issues within the global seafood industry: illegal, unreported, and unregulated (IUU) fishing and forced labor. This legislation seeks to combat IUU fishing through heightened enforcement measures, enhanced traceability requirements, and improved import monitoring for seafood products. Furthermore, it places a strong emphasis on eradicating forced labor in the seafood sector by imposing rigorous due diligence requirements on seafood importers. These measures aim to ensure that products entering the U.S. market are free from forced or child labor, requiring risk assessments and robust supply chain safeguards. Importantly, H.R. 3075 bolsters and complements the existing Seafood Import Monitoring Program (SIMP), extending its scope to include forced labor prevention measures, should it be enacted into law (National Resources Defense Council 2021). However, it is not fully enacted yet, it has only been introduced to congress.

6. DISCUSSION

The current assessment of labor practices in the wild-caught commercial fishing industry in Southeast Asia reveals a significant gap between current labor practices and what can be considered best practices in fair labor, despite what companies report. While some private sector companies, particularly in small-scale fisheries, express a genuine desire to implement fair labor practices, largely driven by the need to meet export market requirements, the situation among larger commercial interests is unknown. Unfortunately, this study was limited to time and resource constraints and some key stakeholders, notably those in the large-scale commercial sector, declined to participate. Despite these challenges, there is observable momentum in the industry towards addressing labor concerns.

The private sector in the wild-caught commercial fishing industry currently dedicates considerable efforts to meet the minimum labor requirements mandated by certification schemes, ethical standards, and voluntary commitments, primarily driven by the demands of their export markets. While achieving these milestones may satisfy the baseline criteria set by these tools, it does not equate to the implementation of a fair labor best practices approach. These tools are designed primarily from a corporate perspective, aimed at ensuring compliance with national and international laws and reducing corporate risk. Moreover, they cater to the corporate desire to project a premium image for their products, allowing them to command higher prices in the market. However, these tools fall short in adequately supporting the private sector in Southeast Asia's wild-caught commercial fisheries to genuinely establish fair labor practices.

The private sector in the wild-caught commercial fishing industry finds itself overwhelmed by the plethora of tools and their often similar yet distinct requirements, this has led to a reported state of confusion. In many cases, the decisions made by seafood companies regarding which tools to adopt are driven more by market demand than by operational considerations and the needs of their workers. Essentially, these downstream suppliers align their efforts with what the market dictates they should possess. For instance, the MSC CoC certification is highly favored by Western buyers, leading many suppliers to focus their resources on attaining this certification. However, experts in the field acknowledge that the labor aspects of the MSC CoC lack the rigor needed for assessing social performance and fall short in adequately addressing labor concerns (Human Rights Watch 2019; Teh et al. 2019; Jones et al. 2023). This situation is not unique - standards specifically designed to promote crew well-being, such as the FISH Crew Standard and the RFVS, fail to meet benchmarking standards set by labor experts to be considered fair labor practices (Human Rights at Sea 2023; Decker Sparks et al. 2022), let alone best practices. Nonetheless, these standards continue to be demanded, utilized, and primarily serve the interests of end retailers in Western countries.

Eco-labels obtained from meeting certification criteria mandated by Western retail giants have inadvertently perpetuated problems of wealth transfer and are being thought of as a form of neocolonialism by Southeast Asia's private sector (Decker Sparks et al. 2022; Sharma and Kushwaha 2019; Packer et al. 2019). This approach creates a power imbalance, where Western standards are imposed on local industries, potentially disregarding the unique cultural and economic contexts of these countries. The cost and complexity of obtaining these certifications disproportionately burdens smaller, resource-limited companies, hindering their access to international markets. This dynamic can reinforce neocolonial tendencies, where developed countries dictate terms to developing nations, leading to economic dependency and unequal distribution of benefits. Furthermore, as their access to international markets becomes limited, these companies are less likely to engage with international expectations for fair labor practices, potentially exacerbating labor challenges. Ultimately, while the intention of promoting sustainability is positive, the unintended consequences of wealth transfer, neocolonial dynamics, and labor practices limitations raise ethical and equity concerns.

Current so-called fair labor tools do not serve the fishers, and they do not serve the private wild-caught fisheries sector in Southeast Asia. If anything, they cause more problems for both parties. For the workers, labor exploitation continues to thrive in a sector that is protecting its supply chain through ineffective certification schemes and voluntary commitments. For the seafood producers in Southeast Asia, the added financial and operational stress as they strive to comply with these Western market demands diverts resources away from actualizing improved labor conditions for their workforce. Current practices primarily safeguard the market's ability to conduct business and focus more on preventing risk than on enhancing the social well-being of fishers.

The prevailing culture in Southeast Asia's wild-caught fisheries sector is one marked by widespread labor rights violations, firmly entrenched as the status quo. To address this, a paradigm shift is needed. The current norms must be critically examined and contested to lead to a transformative change in perception. Rather than regarding fishers as mere stakeholders, the industry must acknowledge them as the actual rights-holders they are (Worker-Driven Social Responsibility Network 2023). This recognition is pivotal, as it positions fishers as the sole group capable of providing productive insights into the challenges and potential solutions capable of affecting positive change in the way labor practices are approached.

Achieving fair labor best practices hinges on engaging the rights-holders directly affected by these practices. Consequently, fair labor best practices should encompass mechanisms that empower workers, granting them a voice and meaningful representation. This entails establishing entities like unions and tripartite councils to facilitate constructive dialogue and collaborative grievance resolution while ensuring job security. Moreover, these practices should surpass both international and national minimum standards. Mere compliance with legal requirements does not necessarily meet the true needs of employees, necessitating a robust worker voice mechanism to ascertain and address these needs (Garcia Lozano et al. 2022; Decker Sparks et al. 2022). Worker engagement should be an ongoing, iterative process to drive continual improvement in fishers' well-being, in line with the concept of worker-driven social responsibility. Policies that prioritize legal compliance over genuine human rights are unlikely to yield positive effects on workers' lives, whereas worker-driven social responsibility has demonstrated effectiveness in enhancing labor conditions, maintaining a content and healthy workforce, and meeting compliance regulations.

7. RECOMMENDATIONS

Private sector, NGOs, national governments, and international partners play a pivotal role in implementing and achieving fair labor practices within the wild-caught commercial fishing sector in Southeast Asia. Three key elements have been identified to achieve a fair labor “best” practices approach. 1) Corporate policies should exceed minimum international labor laws, and 2) incorporate worker voice with grievance mechanisms safe from retaliation, and 3) collaborate with unions or fish worker organizations to continually enhance labor conditions and social well-being for fishers. In light of these findings, the following recommendations are presented for the private sector, NGOs, national governments, and international and regional partners for consideration.

7.1 RECOMMENDATIONS TO THE PRIVATE SECTOR

1. Do not interpret international labor laws, instead apply them directly within your internal policies being careful to not take advantage of vague language.
2. Engage labor unions to facilitate a secure environment for open collaboration with your fishermen, addressing their needs and preferences effectively.
3. Employ the ITF ILO Wage Scale, consider updating vessels that go offshore for longer than two weeks with WiFi, and look to identify what other tangible instruments can be used to lift labor conditions above legally required minimums to attract and retain skilled fishers.
4. Encourage your national governments to ratify international labor laws and provide clear, detailed, and better enforced regulations that will lift the whole sector into a new labor culture.
5. Facilitate separate training for fishers and vessel captains (or vessel operators) on fisher’s rights.

7.2 RECOMMENDATIONS TO NGOS

1. Encourage Western import markets to mandate that their suppliers engage with labor unions and/or fisher organizations to acquire worker-driven social responsibility.
2. Facilitate relationships between labor unions and the private sector.
3. Provide training to the wild-caught fisheries private sector in Southeast Asia on worker’s rights, human rights due diligence, and the worker-driven social responsibility model.

7.3 RECOMMENDATIONS TO NATIONAL GOVERNMENTS

1. Endorse all binding core international labor laws presented in Table I. Then support the private sector’s transition to abiding by these laws with the necessary resources.
2. Develop and implement national legislation clearly defining what an “employee” is versus a “business partner”. Items to incorporate in this definition include, but are not limited to, the items discussed in section 4.6.1 of this report.
3. Establish a tripartite council and invite the private sector to participate.
4. Review, identify and modify labor laws to remove any differential human and labor rights between migrant and national workers.
5. Confer all rights of seafarers to fishers.
6. Create clear protocols and training for government agencies where their jurisdiction may overlap, or leave a gap, in investigating and enforcing labor laws onboard fishing vessels.

7. Design and implement effective campaigns to raise awareness in fisher communities regarding fisher rights. Place educational posters in locations that are visible to the fish workers.
8. Develop a simple, and streamlined method for fishers to receive their legally guaranteed social benefits, similar to what the Philippines DOLE in General Santos City has done.

7.4 RECOMMENDATIONS TO THE INTERNATIONAL AND REGIONAL COMMUNITY

1. International and regional partners to Southeast Asia's fishing community need to lead by example and endorse CI88.
2. Consider providing tariff incentives on seafood products to companies that can demonstrate full labor compliance with international labor regulatory minimums. Consider removing tariff incentives from companies operating in a country that receives tariff incentives, when that company cannot demonstrate full labor compliance with international labor regulatory minimums.
3. Aid the private sector with legal expertise and technical support to enable them to implement the recommendations provided in section 6.1.1 of this report.

These recommendations hold the potential to usher in a new era of fair labor practices within the Southeast Asian seafood sector. Once implemented, these practices have the capacity to benefit all stakeholders involved. Fishermen and workers stand to gain improved working conditions and greater respect for their rights, ensuring their well-being and safety at sea. Seafood companies can enhance their reputation, align with ethical consumer demands, reduce the risks of negative publicity, and maintain a skilled and happy workforce. Moreover, the long-term health of fish stocks, marine ecosystems, and the communities dependent on the fishing industry will be better safeguarded. Ultimately, these recommendations not only have the power to transform labor practices but also contribute to the broader sustainability of the industry, fostering a win-win scenario for all involved parties.

8. CONCLUSION

The wild-caught commercial fishing sector in Southeast Asia operates in a challenging environment characterized by unpredictable sea conditions, physically demanding tasks, remote locations, and a history of labor abuses. Labor abuses in this sector range from wage underpayment and unsafe conditions to more severe violations such as forced labor and modern-day slavery. Recent media exposés have drawn attention to these issues, prompting public concern and regulatory action. This, in turn, drives the private sector to address labor concerns and meet market demands for ethically sourced seafood products.

Transitioning from a historical culture marred by labor abuses and worker disenfranchisement to a culture of sustainable employment that respects basic human and labor rights is a formidable challenge. Seafood companies bear the responsibility of safeguarding the human rights of their workers and those in their supply chain. However, addressing the multitude of labor issues and fostering a new labor culture within wild-caught commercial fisheries is a complex endeavor. While various tools and certifications have emerged to address fair labor practices in the industry, experts argue that they often fail to achieve their intended outcomes. Some tools even exacerbate the problem by allowing insincere parties to exploit loopholes. The cost of these tools can also hinder investment in the workforce.

Given that these tools fail to achieve their stated goals, this study sought to identify fair labor best practices that can support private sector adoption while simultaneously improving the well-being of their fishers. To do so, it first aimed to identify current and proposed fair labor best practices used by the private sector in Southeast Asia to prevent forced labor and improve the well-being of their crew on commercial fishing vessels. Secondly, it sought to uncover the specific technical support that the private sector requires to effectively implement fair labor best practices. The study employed a combination of primary and secondary sources, including literature reviews and key informant interviews, then applied content and discourse analysis to the data collected. Study limitations include potential bias in perspectives due to the subjective nature of interviews and challenges in obtaining participation from large vessel owners and operators, which could impact the comprehensiveness of the study's findings.

Despite increased efforts by the private sector, this study reveals that labor rights violations persist within Southeast Asia's wild-caught commercial fishing sector. The root of the problem lies in the complexity of tools designed to enhance labor practices. These tools primarily focus on risk prevention, regulatory compliance, and the acquisition of premium labels for marketing purposes in Western export markets. Paradoxically, this risk-centric and marketing-driven approach actually perpetuates labor exploitation by providing a false sense of security. These tools fail to genuinely improve the well-being of fishers on commercial fishing vessels. Moreover, the cost of obtaining these tools places a financial burden on Southeast Asian fisheries, diverting income from this resource-rich region to Western economies. In essence, these tools do not facilitate the private sector's transition to fair labor practices, let alone best practices. A paradigm shift is needed. Private sector perspectives must move away from a risk aversion focus to a focus on the well-being of fishers.

“A paradigm shift is needed. Private sector perspectives must move away from a risk aversion focus to a focus on the well-being of fishers.”

Three key elements of a fair labor best practices approach have been identified.

- 1) The need to surpass the regulatory minimums outlined in international instruments such as C188 or the UNGPs.
- 2) The importance of integrating worker voice through mechanisms that enable grievance reporting without fear of retaliation, facilitate productive identification of remedies, encourage worker organization, protect the right to freedom of association, support collective bargaining agreements negotiated in good faith, and maintain transparency in audit outcomes.
- 3) The necessity of ongoing collaboration among fishers, their representatives, and companies, with a continuous focus on enhancing the labor environment and improving the social well-being of all fishers.

Notably, while labor experts critique some NGO-corporate relationships for potentially shielding corporations, it is important to acknowledge that not all such relationships are alike, and some play a crucial role in advocating for better working conditions. Corporations require support to embark on this transformative journey, and NGOs willing to assist them represent a significant initial step. Nevertheless, it is evident from this study that engaging companies through NGOs is just the starting point. NGOs supporting this transformation must urge their corporate partners to engage with unions and tripartite councils and advocate for unions and authentic worker representation that prioritizes workers as rights-holders rather than mere stakeholders.

While international laws are applicable only if a business's home country endorses these international instruments, the private sector can incorporate these minimum standards into their corporate policies and due diligence processes regardless of whether or not their country has become a party to these conventions. However, it is crucial to recognize that these are merely minimum requirements. Any private sector company genuinely committed to fair labor best practices must develop and implement policies that surpass these minimums. Establishing effective communication channels between workers, their representatives, and the seafood businesses they work for is essential for achieving labor practices deserving of the label "fair labor best practices." In light of these considerations, the following recommendations are presented for the private sector, NGOs, domestic governments, and international bilateral and multilateral partners.

9. APPENDICES

9.1 APPENDIX I - CONSOLIDATED ITF ILO MINIMUM WAGE SCALE FOR SEAFARERS

ITF ILO Minimum Wage Scale								
Using Joint ITF/ISF Interpretation of the ILO Recommended Minimum Wage for an AB - extrapolated on basis of ITF Standard Agreement Differentials								
Rates applicable from 1st January 2023								
Rank	Basic pay	Daily wage	Leave pay**	Leave pay for public hols***	Total	Hourly O/T Rate	hrs OT 104*	Total US\$ inc.
	US\$	US\$	US\$	US\$	US\$	US\$	US\$	US\$
Master	2217	73.9	184.73	106.58	2508	13.32	1386	3,894
Chief Eng.	2015	67.2	167.90	96.87	2280	12.11	1259	3,539
Chief Off.	1431	47.7	119.26	68.81	1619	8.60	894	2,514
1st Eng.	1431	47.7	119.26	68.81	1619	8.60	894	2,514
2nd Eng.	1146	38.2	95.52	55.11	1297	6.89	716	2,013
2nd Off.	1146	38.2	95.52	55.11	1297	6.89	716	2,013
3rd Eng.	1105	36.8	92.07	53.11	1250	6.64	690	1,940
3rd Off.	1105	36.8	92.07	53.11	1250	6.64	690	1,940
RO	1146	38.2	95.52	55.11	1297	6.89	716	2,013
Elec Eng.	1146	38.2	95.52	55.11	1297	6.89	716	2,013
Ch. St/Cook	1146	38.2	95.52	55.11	1297	6.89	716	2,013
Bosun	735	24.5	61.25	35.34	832	4.42	459	1,291
Pumpman#	735	24.5	61.25	35.34	832	4.42	459	1,291
AB	658	21.9	54.83	31.63	744	3.95	411	1,156
AB	658	21.9	54.83	31.63	744	3.95	411	1,156
AB	658	21.9	54.83	31.63	744	3.95	411	1,156
ERR	658	21.9	54.83	31.63	744	3.95	411	1,156
ERR	658	21.9	54.83	31.63	744	3.95	411	1,156
ERR	658	21.9	54.83	31.63	744	3.95	411	1,156
ERR(Jnr)	490	16.3	40.80	23.54	554	2.94	306	860
OS	490	16.3	40.80	23.54	554	2.94	306	860
Stew	561	18.7	46.72	26.95	634	3.37	350	985
Stew	561	18.7	46.72	26.95	634	3.37	350	985
Total US\$					25,517			39,612

* Overtime is calculated at 1.25 the normal hourly rate based on a 48 hour working week and a maximum working week of 72 hours (ref: MLC A2.3.5(a) and B2.2.2) hence 104 hrs OT.
** Leave is 2.5 days per month at a rate of 1/30 the monthly basic wage (MLC A2.4)
*** Work performed on public holidays should be compensated at the overtime rate, although it should generally not be counted within the maximum hours of overtime which can be performed under MLC B2.2.2
Manning is for illustrative purposes only i.e. 23 (12 ratings) i.e. ITF Manning Scale No. 5 for vessels over 20,000 GT. The pumpman only applies to tankers.

(International Transport Worker's Federation 2023)

10. REFERENCES

- Adams, William C. 2015. "Conducting Semi-Structured Interviews." In *Handbook of Practical Program Evaluation*, 4th ed., 492–505. Hoboken, NJ: John Wiley & Sons, Incorporated.
- Association of Southeast Asian Nations. 2023. "ASEAN Declaration on the Placement and Protection of Migrant Fishers." https://asean.org/wp-content/uploads/2023/05/10-ASEAN-Declaration-on-Protection-and-Promotion-of-the-Rights-of-Migrant-Fishers_adopted-1.pdf.
- Bailey, Megan, Simon R Bush, Alex Miller, and Momo Kochen. 2016. "The Role of Traceability in Transforming Seafood Governance in the Global South." *Current Opinion in Environmental Sustainability*, Sustainability governance and transformation 2016: Informational governance and environmental sustainability, 18 (February): 25–32. <https://doi.org/10.1016/j.cosust.2015.06.004>.
- Bernard, H. Russel, Amber Wutich, and Gery W. Ryan. 2017. *Analyzing Qualitative Data: Systematic Approaches*. 2nd ed. Los Angeles: Sage Publications.
- Birch-Schmidt, Anna. 2020. "Ghanaians Deceived by Danish Shipowner: 'We Were Treated like Slaves.'" ITF Seafarers. July 2020. <https://www.itfseafarers.org/en/news/ghanaians-deceived-danish-shipowner-we-were-treated-slaves>.
- Carter, Nancy, Denise Bryant-Lukosius, Alba DiCenso, Jennifer Blythe, and Alan J. Neville. 2014. "The Use of Triangulation in Qualitative Research." *Oncology Nursing Forum* 41 (5): 545–47. <https://doi.org/10.1188/14.ONF.545-547>.
- Castleberry, Ashley, and Amanda Nolen. 2018. "Thematic Analysis of Qualitative Research Data: Is It as Easy as It Sounds?" *Currents in Pharmacy Teaching and Learning* 10 (6): 807–15. <https://doi.org/10.1016/j.cptl.2018.03.019>.
- Chiang, Mina. 2022. "The Exemplar in Taiwan's Distant Water Fishing Industry: 'It's Definitely Worthwhile to Ensure Good Working Conditions for the Foreign Fishermen on My Vessels!'" Humanity Research Consultancy. March 22, 2022. <https://humanity-consultancy.com/2022/03/22/the-exemplar-in-taiwans-distant-water-fishing-industry-its-definitely-worthwhile-to-ensure-good-working-conditions-for-the-foreign-fishermen-on-my-vessels/>.
- Choi, Bernard C. K., and Anita W. P. Pak. 2006. "Multidisciplinarity, Interdisciplinarity and Transdisciplinarity in Health Research, Services, Education and Policy: I. Definitions, Objectives, and Evidence of Effectiveness." *Clinical and Investigative Medicine. Medecine Clinique Et Experimentale* 29 (6): 351–64. <https://pubmed.ncbi.nlm.nih.gov/17330451/#:~:text=Interdisciplinarity%20analyzes%2C%20synthesizes%20and%20harmonizes,and%20transcends%20their%20traditional%20boundaries>.
- Coalition of Immokalee Workers. 2013. "Fair Food Program." July 6, 2013. <https://ciw-online.org/fair-food-program/>.
- Decker Sparks, Jessica L., Lee Matthews, Daniel Cárdenas, and Chris Williams. 2022. "Worker-Less Social Responsibility: How the Proliferation of Voluntary Labour Governance Tools in Seafood Marginalise the Workers They Claim to Protect." *Marine Policy* 139 (May): 105044. <https://doi.org/10.1016/j.marpol.2022.105044>.
- Department of Labor and Employment. n.d. "What Is Tripartism?: Tripartism Refers To The Consultative Process | PDF | International Labour Organization | Employment." Accessed September 15, 2023. <https://www.scribd.com/document/423935586/Tripartism>.
- Dexter, L. A. 2006. *Elite and Specialized Interviewing*. 2nd ed. Colchester: ECPR Press.
- Drudi, Dino. 1998. "Fishing for a Living Is Dangerous Work." Bureau of Labor Statistics.
- Environmental Justice Foundation. 2019. "Blood and Water: Human Rights Abuse in the Global Seafood Industry." London, United Kingdom: Environmental Justice Foundation. <https://ejfoundation.org/reports/blood-and-water-human-rights-abuse-in-the-global-seafood-industry>.
- . 2020. "Cetacean Slaughter, Shark Finning and Human Rights Abuse in Taiwan's Fishing Fleet [Briefing], Environ. Justice Found. (2020)." EJF. <https://ejfoundation.org/resources/downloads/EJF-Taiwan-dolphin-briefing-2020.pdf>.

- Ethical Trading Initiative. n.d. “ETI Base Code.” Accessed September 28, 2023. <https://www.ethicaltrade.org/eti-base-code>.
- Evans, Ceryn, and Jamie Lewis. 2018. “Analysing Semi-Structured Interviews Using Thematic Analysis: Exploring Voluntary Civic Participation among Adults.” In *SAGE Research Methods Datasets Part 1*. London, United Kingdom: SAGE Publications, Ltd. <https://doi.org/10.4135/9781526439284>.
- Finkbeiner, Elena M., Juno Fitzpatrick, and Whitney Yadao-Evans. 2021. “A Call for Protection of Women’s Rights and Economic, Social, Cultural (ESC) Rights in Seafood Value Chains.” *Marine Policy* 128 (June): 104482. <https://doi.org/10.1016/j.marpol.2021.104482>.
- Galletta, Anne, and William E. Cross. 2013. *Mastering the Semi-Structured Interview and Beyond*. New York, NY: New York University Press. <https://muse.jhu.edu/book/22815>.
- Garcia Lozano, Alejandro J., Jessica L. Decker Sparks, Davina P. Durgana, Courtney M. Farthing, Juno Fitzpatrick, Birgitte Krough-Poulsen, Gavin McDonald, et al. 2022. “Decent Work in Fisheries: Current Trends and Key Considerations for Future Research and Policy.” *Marine Policy* 136 (February): 104922. <https://doi.org/10.1016/j.marpol.2021.104922>.
- Gardiner, P.R., and K. Kuperan Viswanathan. 2004. *Ecolabelling and Fisheries Management*. Penang, Malaysia: WorldFish Center Studies and Reviews. [https://books.google.com/books?hl=en&lr=&id=I9YtOUE6JhYC&oi=fnd&pg=PR4&dq=Scottish+h+inshore+prawn+fisheries+\(MSC+certified\)+who+had+human+rights+abuses&ots=abTsKxIDB9&sig=2RVOqVPnXH30DXJA_5teRwotWFA#v=onepage&q&f=false](https://books.google.com/books?hl=en&lr=&id=I9YtOUE6JhYC&oi=fnd&pg=PR4&dq=Scottish+h+inshore+prawn+fisheries+(MSC+certified)+who+had+human+rights+abuses&ots=abTsKxIDB9&sig=2RVOqVPnXH30DXJA_5teRwotWFA#v=onepage&q&f=false).
- Global Reporting Initiative. n.d. “GRI - Sector Standard for Agriculture, Aquaculture, and Fishing.” Accessed September 15, 2023. <https://www.globalreporting.org/standards/standards-development/sector-standard-for-agriculture-aquaculture-and-fishing/>.
- Hamm, Brigitte. 2022. “The Struggle for Legitimacy in Business and Human Rights Regulation—A Consideration of the Processes Leading to the UN Guiding Principles and an International Treaty.” *Human Rights Review* 23 (1): 103–25. <https://doi.org/10.1007/s12142-020-00612-y>.
- Hardy, Cynthia, Nelson Phillips, and Bill Harley. 2004. “Discourse Analysis and Content Analysis: Two Solitudes?” *Qualitative & Multi-Method Research* 2 (1): 19–22. <https://doi.org/10.5281/zenodo.998649>.
- Harrell, Margaret, and Melissa Bradley. 2009. *Data Collection Methods: Semi-Structured Interviews and Focus Groups*. Santa Monica, CA: RAND.
- Hohenberger, Laura. 2022. “What Is Tripartite Dialogue and How Can It Help Combat the Climate Crisis in a Just Way?” International Institute for Sustainable Development. March 1, 2022. <https://www.iisd.org/articles/tripartite-dialogue>.
- Human Rights at Sea. 2023. “Does It Do What It Says on the Tin? Fisheries and Aquaculture Certification, Standards and Ratings Ecosystem: An Independent Review 1.0.” Human Rights at Sea. https://www.humanrightsatsea.org/sites/default/files/media-files/2023-02/Does_it_do_What_it_says_on_the_Tin_Fisheries_and_Aquaculture_Certification_Standards_and_Ratings_Ecosystem_Review.pdf.
- Human Rights Watch. 2019. “MSC’s Revised Chain of Custody Certification Fails to Adequately Address Forced Labor and Child Labor in Seafood Supply Chains.” June 10, 2019. <https://www.hrw.org/news/2019/06/10/mscs-revised-chain-custody-certification-fails-adequately-address-forced-labor-and>.
- International Labour Organization. 1998. “ILO Declaration on Fundamental Principles and Rights at Work.” International Labour Organization. 1998. <https://www.ilo.org/declaration/lang-en/index.htm>.
- . 1999. “Fishing among the Most Dangerous of All Professions, Says ILO.” Press release. http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_071324/lang-en/index.htm.
- . 2023. “Forthcoming Report: Handbook on the Detection of Forced Labour in Fishing.” May 31, 2023. http://www.ilo.org/ipecc/projects/global/map16/WCMS_883548/lang-en/index.htm.
- . n.d.a. “Basic Facts on the Maritime Labour Convention 2006.” Document. Accessed September 15, 2023a. http://www.ilo.org/global/standards/maritime-labour-convention/what-it-does/WCMS_219665/lang-en/index.htm.

- . n.d.b. “Conventions.” Accessed September 11, 2023b.
<https://www.ilo.org/dyn/normlex/en/f?p=1000:12000:::>
- . n.d.c. “Conventions and Recommendations.” Accessed September 15, 2023c.
<https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>.
- . n.d.d. “MLC, 2006: What It Is and What It Does.” Accessed September 15, 2023d.
<https://www.ilo.org/global/standards/maritime-labour-convention/what-it-does/lang--en/index.htm>.
- . n.d.e. “Ratifications of C188 - Work in Fishing Convention, 2007 (No. 188).” Accessed August 10, 2023e.
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:312333.
- . n.d.f. “Ratifications of MLC Convention.” Accessed September 13, 2023f.
<https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:80001:0>.
- International Maritime Organization. n.d.a. “2012 Cape Town Agreement to Enhance Fishing Safety.” Accessed August 10, 2023a.
<https://www.imo.org/en/MediaCentre/HotTopics/Pages/CapeTownAgreementForFishing.aspx>.
- . n.d.b. “International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995.” Accessed September 12, 2023b.
<https://www.imo.org/en/ourwork/humanelement/pages/stcw-f-convention.aspx>.
- International Transport Worker’s Federation. 2023. “ITF ILO Minimum Wage Scale.” ITF.
<https://www.itfseafarers.org/sites/default/files/node/resources/files/ILO%20Min%20Wage%20%201st%20January%202023%20-%20Consolidated%20Interpretation.pdf>.
- . n.d. “A One Way Ticket to Labour Exploitation: How Transit Visa Loopholes Are Being Used to Exploit Migrant Fishers on UK Fishing Vessels.” London: International Transport Worker’s Federation. Accessed September 13, 2023.
https://www.itfglobal.org/sites/default/files/node/news/files/ITF_Fisheries-Briefing_Final.pdf.
- Jones, Stuart T., Edward H. Allison, Kailin Kroetz, Yoshitaka Ota, and Sunny L. Jardine. 2023. “Enrollment, Retention, and Inclusivity of Marine Stewardship Council (MSC) Eco-Labeling Certifications.” *Marine Policy* 155 (September): 105734.
<https://doi.org/10.1016/j.marpol.2023.105734>.
- Lewis, Sara G., and Mariah Boyle. 2017. “The Expanding Role of Traceability in Seafood: Tools and Key Initiatives.” *Journal of Food Science* 82 (SI): A13–21. <https://doi.org/10.1111/1750-3841.13743>.
- Lout, Gabrielle E. 2023. “Human Rights in a Sea of Market-Based Approaches: Evaluation of Market-Based Tools Integrating Social Responsibility in the Sustainable Seafood Movement.” *Sustainable Production and Consumption* 35 (January): 1–12.
<https://doi.org/10.1016/j.spc.2022.10.020>.
- Marschke, Melissa, and Peter Vandergeest. 2016. “Slavery Scandals: Unpacking Labour Challenges and Policy Responses within the off-Shore Fisheries Sector.” *Marine Policy* 68 (June): 39–46.
<https://doi.org/10.1016/j.marpol.2016.02.009>.
- McConnell, Moira L. 2011. “The Maritime Labour Convention, 2006—Reflections on Challenges for Flag State Implementation.” *WMU Journal of Maritime Affairs* 10 (2): 127–41.
<https://doi.org/10.1007/s13437-011-0012-z>.
- Nakamura, Katrina, Lori Bishop, Trevor Ward, Ganapathiraju Pramod, Dominic Chakra Thomson, Patima Tungpuchayakul, and Sompong Srakaew. 2018. “Seeing Slavery in Seafood Supply Chains.” *Science Advances* 4 (7): e1701833. <https://doi.org/10.1126/sciadv.1701833>.
- Nakamura, Katrina, Yoshitaka Ota, and Francisco Blaha. 2022. “A Practical Take on the Duty to Uphold Human Rights in Seafood Workplaces.” *Marine Policy* 135 (January): 104844.
<https://doi.org/10.1016/j.marpol.2021.104844>.
- National Resources Defense Council. 2021. “Preventing Illegal Fishing and Forced Labor: Policies in Innovation Bill Will Combat Illegal, Unreported, and Unregulated Fishing and Human Rights

- Abuses at Sea.” U.S. Coast Guard. <https://www.nrdc.org/sites/default/files/illegal-fishing-forced-labor-prevention-act-fs.pdf>.
- Packer, Helen, Wilf Swartz, Yoshitaka Ota, and Megan Bailey. 2019. “Corporate Social Responsibility (CSR) Practices of the Largest Seafood Suppliers in the Wild Capture Fisheries Sector: From Vision to Action.” *Sustainability* 11 (8): 2254. <https://doi.org/10.3390/su11082254>.
- Perkins, Julia, and Chris Williams. 2022. “BREAKING: International Transport Workers’ Federation, Fair Food Program Announce Collaboration to Explore Implementation of the Award-Winning WSR Model in the UK Fishing Industry!” Coalition of Immokalee Workers. August 31, 2022. <https://ciw-online.org/blog/2022/08/breaking-itf-ffp/>.
- Pew Charitable Trusts. 2022. “More Than 100,000 Fishing-Related Deaths Occur Each Year, Study Finds.” Pew Charitable Trusts. <https://pew.org/3gZ1Oul>.
- Salazar, Mary Kathryn. 1990. “Interview Bias: How It Affects Survey Research.” *AAOHN Journal* 38 (12): 567–72.
- Sharma, Nagendra Kumar, and Gyaneshwar Singh Kushwaha. 2019. “Eco-Labels: A Tool for Green Marketing or Just a Blind Mirror for Consumers.” *Electronic Green Journal* 1 (42). <https://doi.org/10.5070/G314233710>.
- Singh, Divyanshi. 2023. “The Impact of International Labor Standards on Workers Rights and Fair Employment Practices.” Legal Vidhiya. July 16, 2023. <https://legalvidhiya.com/the-impact-of-international-labor-standards-on-workers-rights-and-fair-employment-practices/>.
- SPPI (Indonesian Fisheries Workers Union). n.d. “SPPI | Fisheries Union.” SERIKAT PEKERJA PERIKANAN INDONESIA. Accessed September 15, 2023. <https://www.sppifisheriesunion.com/>.
- “Taiwan Fishery Agency Responds to US DoL Blacklisting.” 2021. March 2021. <https://www.seafoodsource.com/news/environment-sustainability/taiwan-fishery-agency-response-to-us-dol-blacklisting>.
- Teh, Lydia C. L., Richard Caddell, Edward H. Allison, Elena M. Finkbeiner, John N. Kittinger, Katrina Nakamura, and Yoshitaka Ota. 2019. “The Role of Human Rights in Implementing Socially Responsible Seafood.” *PLOS ONE* 14 (1): e0210241. <https://doi.org/10.1371/journal.pone.0210241>.
- The Office of the United Nations High Commissioner for Human Rights. 2011. “Guiding Principles on Business and Human Rights | Implementing the United Nations ‘Protect, Respect and Remedy’ Framework.” OHCHR. https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf.
- . n.d. “Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979.” Accessed August 9, 2023. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.
- United Nations. 2015. “Universal Declaration of Human Rights.” UNGA. https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf.
- United Nations Human Rights Council. n.d. “Open-Ended Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises with Respect to Human Rights.” OHCHR. Accessed September 15, 2023. <https://www.ohchr.org/en/hr-bodies/hrc/wg-trans-corp/igwg-on-tnc>.
- U.S. Agency for International Development Sustainable Fish Asia Technical Support Activity. 2021. “Gender Equity & Social Inclusion Analysis in the Indo-Pacific Region.” USAID.
- Williams, Chris, and Jessica L. Decker Sparks. 2023. “Fishery Improvement Projects: A Voluntary, Corporate ‘Tool’ Not Fit for the Purpose of Mitigating Labour Abuses and Guaranteeing Labour Rights for Workers.” *Marine Policy* 147 (January): 105340. <https://doi.org/10.1016/j.marpol.2022.105340>.
- Worker-Driven Social Responsibility Network. 2023. “Worker-Driven Social Responsibility Fact Sheet.” <https://wsr-network.org/resource/worker-driven-social-responsibility-fact-sheet/>.