

**WE ARE
NOT FOR SALE** 



SUSTAINABLE FISHERIES AND HUMAN RIGHTS

Opportunities to Address The True Cost
of Thailand's Seafood

Authored by:

David Batstone, Just Business / University of San Francisco

William (Billy) Riggs, Just Business / University of San Francisco

Mark Wexler, Not For Sale / Kings College

Dan Hartley, Not For Sale

Bella Alvarado, Just Business



INTRODUCTION

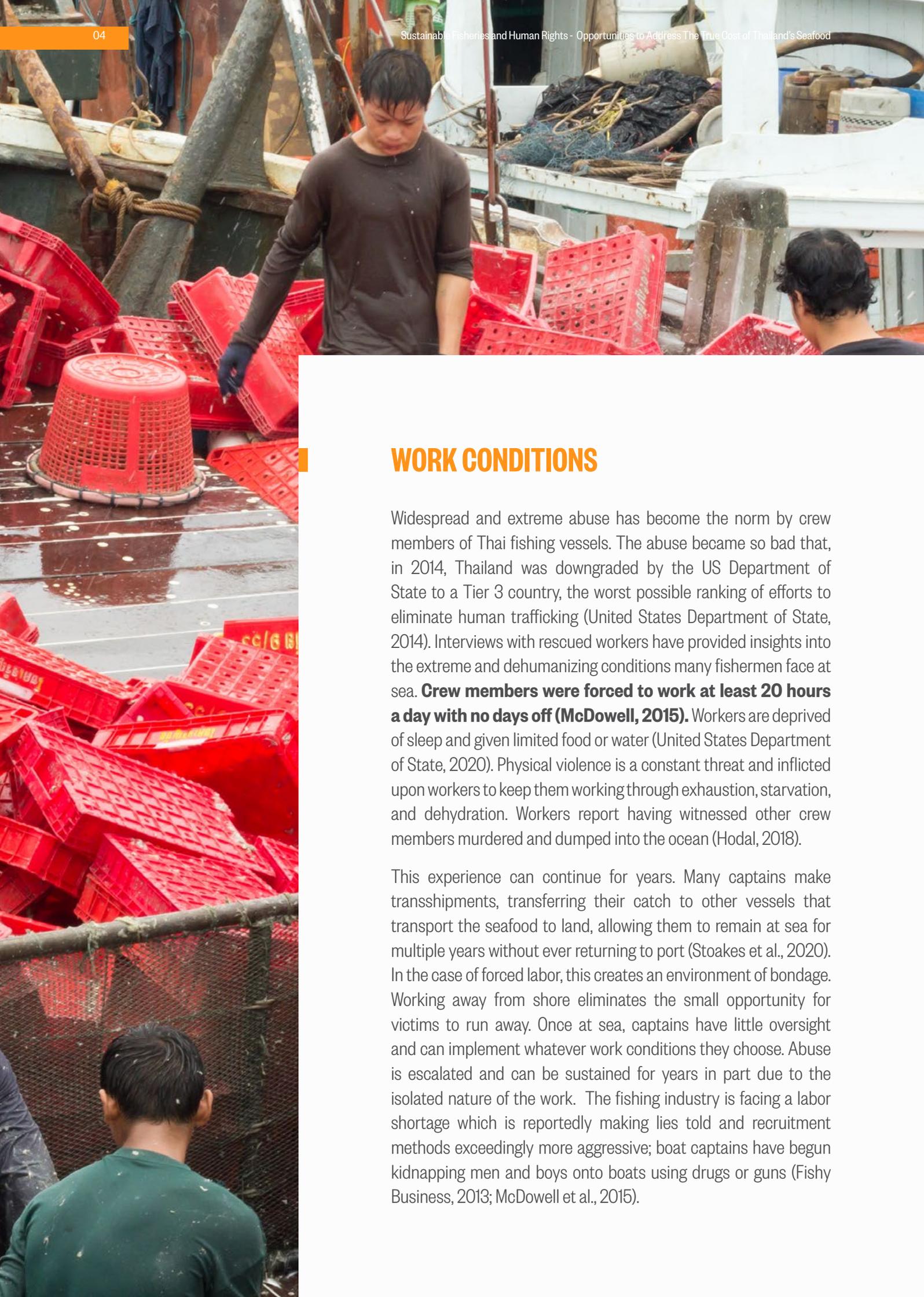
The fishing industry in Thailand fell under global scrutiny in 2014 for the significant human rights violations at sea. Personal stories of victims who had worked for years at sea with little food and constant physical abuse created enough global attention that governments were forced to enact change. Yet, the fight to protect workers is ongoing, and protections are difficult because of rapidly declining fish populations. While providing aid, resources, and protections to migrants and stateless people are actions necessary to end modern-day slavery at sea, enacting and enforcing sustainable fishing practices is another necessary step in creating safe and sustainable economies for the most vulnerable.

This report outlines the importance of healthy commercial fisheries to working conditions in the seafood industry, local and national economics, and food supply. It illustrates the connectivity and internationality between sustainable fishing and human rights, focusing on the connection between overfishing and the safety of workers, particularly on human rights abuses in Thailand. This provides a window into the adverse conditions in many other places where exploitive practices put human beings in jeopardy. It is a call to action for consumers around the world who purchase and enjoy seafood and have a shared responsibility in solving this crisis.

THAILAND'S FISHING INDUSTRY

Thailand has one of the largest fishing industries in the world. The Thai fishing industry is a dominant force in Thailand and an integral part of the global food supply. **Approximately 2% of the global total marine capture production comes from Thailand, making it one of the top 15 seafood production countries (FAO, 2020).** Due to its large role in creating jobs and GDP growth, the fishing industry has considerable power. The scale of modern-day slavery within the Thai fishing industry exposed in 2014 was massive. Human rights activists stated that, "Thailand's seafood-export industry would probably collapse without slavery" (Hodal et al., 2018). Combatting the reliance on slave labor without causing the industry to collapse was a significant undertaking. There are more than ten thousand vessels eligible to fish in Thai waters, showing both the importance of proper management and the difficulty faced by regulators tasked with monitoring all of these boats (Thai Vessel List Supports Transparency, 2018). Substantial work was required to ensure workers' rights across the industry. Thailand and corporate clients could not afford to lose such a large industry; however, Thailand's humanitarian crisis needed immediate action.





WORK CONDITIONS

Widespread and extreme abuse has become the norm by crew members of Thai fishing vessels. The abuse became so bad that, in 2014, Thailand was downgraded by the US Department of State to a Tier 3 country, the worst possible ranking of efforts to eliminate human trafficking (United States Department of State, 2014). Interviews with rescued workers have provided insights into the extreme and dehumanizing conditions many fishermen face at sea. **Crew members were forced to work at least 20 hours a day with no days off (McDowell, 2015).** Workers are deprived of sleep and given limited food or water (United States Department of State, 2020). Physical violence is a constant threat and inflicted upon workers to keep them working through exhaustion, starvation, and dehydration. Workers report having witnessed other crew members murdered and dumped into the ocean (Hodal, 2018).

This experience can continue for years. Many captains make transshipments, transferring their catch to other vessels that transport the seafood to land, allowing them to remain at sea for multiple years without ever returning to port (Stoakes et al., 2020). In the case of forced labor, this creates an environment of bondage. Working away from shore eliminates the small opportunity for victims to run away. Once at sea, captains have little oversight and can implement whatever work conditions they choose. Abuse is escalated and can be sustained for years in part due to the isolated nature of the work. The fishing industry is facing a labor shortage which is reportedly making lies told and recruitment methods exceedingly more aggressive; boat captains have begun kidnapping men and boys onto boats using drugs or guns (Fishy Business, 2013; McDowell et al., 2015).



**CREW MEMBERS WERE
FORCED TO WORK AT LEAST
20 HOURS A DAY
WITH NO DAYS OFF.**



OVERFISHING AND ITS IMPACT ON WORK CONDITIONS

At the same time, humans have been overfishing the planet—taking fish from the ocean at a rate faster than the rate of fishery repopulation, thus resulting in a decline in the aquatic population for decades. This continued overfishing has led to projections of continued population collapse in oceans globally (Costello et al., 2016). Overfishing is occurring, in part, due to poor management and poor monitoring efforts (Sethi, Riggs, and Knapp, 2014). Enforcement of standards at sea and in the supply chain have significant impacts on overfishing. Research has shown that through the prevention of illegal, unreported, and unregulated IUU fishing, there would be at least a 15% reduction in world catch (Brivio, 2019). Thailand was put on formal notice by the European Commission in 2015 for not taking enough measures to prevent IUU fishing with the issuing of a 'Yellow Card' (Brivio, 2015).

At its worst, overfishing can result in the collapse of a fishery and even extinction, locally or globally, of an over-exploited species. The extinction of one species will negatively impact the health of its entire ecosystem. As the food web shifts to address the loss of one species, other species can also become endangered, triggering widespread loss of biodiversity.





Population collapse impacts ecosystems but it also has devastating impacts on humans. The loss of jobs and revenue will be extensive if overfishing continues. Seafood is one of the most traded commodities globally and makes up more than 20% of many developing nations' GDPs (World Bank, 2019; FAO, 2020). **In addition to employing about 38.98 million people, fish provided more than 3.3 billion people with 20% of their average per capita intake of animal proteins (FAO, 2020).** Furthermore, the consumption of fish has cultural significance to many. In sum, it is safe to say that access to healthy oceans is important in meeting the nutritional needs and economic resilience of many countries. While some nations are more dependent than others, the impacts of depleted fish stock have global impacts and will be experienced by all if conditions do not improve.

Beyond impacts on food supply, the impacts of overfishing work against the efforts to improve crew protections and reduce human rights abuses. **Overfishing is connected to workers' rights at sea as dwindling fish stocks play a large role in exasperating the dangerous work conditions.** Healthy fish stocks directly result in fishing closer to shore. As fish populations decrease, boats need to go farther out to sea to find fish (International Labour Office, 2013). Deep-sea fishing is one of the most dangerous occupations in the world (Fishy Business, 2013). Not only is the deep-sea more dangerous, but it also means victims have to be at sea for lengthier periods. This temporal change in operations decreases protections and oversights of work conditions since boats in the deep-sea are harder for law enforcement to find. Deep-sea fishing is also more costly for owners, pushing them to cut other costs to maintain a profit. Captains will notoriously pay the crew reduced wages and hire fewer crew members to maintain profit (Tickler, 2018). The increased cost of fishing makes workers' conditions even more onerous, resulting in an increase in the hours needed and labor required to bring in a financially viable catch.



MIGRANT WORKERS

Another major issue contributing to the human rights abuses in the fishing industry is the vulnerability of the immigrant workforce. Specifically, in Thai fisheries, the government estimates, **about 90% of the 300,000+ workers at sea were migrants (Hodal et al., 2018)**. In comparison with neighboring countries, Thailand has a significantly stronger economy and a shortage of cheap labor—two factors that lead to a large influx of migrants (Harkins, 2019). Migrant workers can be very susceptible to exploitation. If they are fleeing poverty or persecution in their home countries, they can be at a greater risk of exploitation and trafficking due to their desperation and lack of resources. Once in a country, if undocumented, they are also more susceptible to abuse because they are unlikely to report abuse to law enforcement. An example of immigrants in the Thai fishing industry has been Rohingya people from Myanmar (Stoakes et al., 2020). As stateless individuals, they have fled ethnic cleansing and many enter into a power imbalance that perpetuates the prevalence of abuse in the fishing industry.



OVERFISHING IS CONNECTED TO WORKERS' RIGHTS AT SEA AS DWINDLING FISH STOCKS PLAY A LARGE ROLE IN EXASPERATING THE DANGEROUS WORK CONDITIONS.



People that are stateless in Thailand are increasingly susceptible to abuse (Cogan, 2018; Thailand - Our NFS Thailand Story, 2020). Statelessness, or not being recognized by any nation, leaves the person with limited protection of basic human rights. Statelessness can occur in situations where countries do not recognize an ethnic minority, a country's borders change, or a child is born abroad. The children of stateless individuals typically inherit their statelessness.

In Thailand, people that are stateless are at a unique risk of trafficking because they are unable to seek legal employment and have difficulty enrolling in school (Cogan, 2018; Thailand - Our NFS Thailand Story, 2020). Knowing this, **labor brokers will target migrants and stateless individuals by making false promises of decent wages and work conditions.** Once lured onto fishing boats, victims have limited chances of escape. Workers will incur debts when being employed through labor brokers, binding the workers to the vessel as a form of debt-bondage labor (International Labour Office, 2013).



MURKY SUPPLY CHAINS

Fisheries that use forced labor export their products around the world. This seafood ends up everywhere, from American grocery stores to European restaurants. The European Union is the world's largest importer of seafood products and the US buys about 20% of Thailand's annual seafood exports (Brivio & Stoycheva, 2019; McDowell et al., 2015). Given this, these two nations alone have immense buying power over the practices of Thailand's fishing industry. There are calls from many seafood importers for the Thailand government to guarantee that there is no forced labor in their supply chain. However, **fair wages are nearly impossible to deliver if importers do not allow the price of seafood to rise as the cost of fishing in over-exploited oceans rises.** For example, increased demand for cheap prawns in the EU and US results in boat owners seeking cheap labor and increases the probability of human exploitation (Hodal et al., 2018). Large corporations, including Walmart, Carrefour, Costco, and Tesco, have all purchased seafood from providers that could not verify the labor practices (Hodal et al., 2018). Journalist investigators have explored supply chains and discovered that this seafood has been fished using forced labor.



MAKING THE FISHING INDUSTRY SUSTAINABLE: CURRENT AND FUTURE

There has been a steady improvement in international assessments of Thailand's efforts to combat fishing-related human trafficking in recent years. The US State Department raised the Thailand Trafficking in Persons ranking in 2016 and then again in 2018. In 2019, the EU lifted Thailand's 'Yellow Card' status, four years after warning the country that it was not doing enough to prevent IUU fishing. These were meaningful changes for the country as it meant fewer restrictions in financial assistance from the US restricted and less of a risk of reduced sales in the EU (Brivio & Stoycheva, 2019; Weber et al., 2019).

Yet the issue of human rights in the fishing industry remains important considerations for both citizens and policymakers. Since the EU lifted the ban on Thai fish products, there has been a decrease in labor law enforcement and, with each reform, there are risks that some fleets may revert to unsustainable practices if the industry is not more aggressively monitored (Wongsamuth, 2020). Most notably, Thomson Reuters Foundation found that

while charities have helped about 1,600 workers file labor abuse complaints between 2015 and early 2020, the government only has a record of 289 complaints during this time (Wongsamuth, 2020). Unfiled and undocumented complaints can result in repeat offenders not being caught, workers not receiving fair compensation, and workers losing trust in government action (Wongsamuth, 2020).

The Seafood Watch Group has also presented 23 potential labor trafficking cases to show continued abuse in the Thai fishing industry and ineffective government action (Seafood Working Group, 2020). While foreign governments have not yet sanctioned the Thai government for these new reports of human exploitation in the fishing industry, the work by these organizations shows that the struggles for human rights continue. Public scrutiny of labor practices in Thailand has been the catalyst for change but continued monitoring by stakeholders will ensure more people remain in safe work conditions.

ROUTES OF ACTION





What are the routes of action in this light? Corporations must start thoroughly tracing their supply chains to ensure that their suppliers are meeting labor and environmental standards. Without transparency and traceability in the seafood supply chain, corporations do not know the conditions in which the fish they buy is harvested. Corporations must also adjust their prices to allow suppliers to pay their crew fair wages as overfishing inflates the cost of fishing trips. **Until corporations pay the true cost of seafood and properly trace their supply chains, consumers globally will continue to unknowingly eat seafood harvested using modern-day slavery.** Supply chain transparency and tracing are a vital part of reforming the fishing industry.

In Thailand specifically, the government has continued work to secure supply chains free of forced labor. In addition to this, governments must better monitor fishing practices and yield. This includes both support for workers and the environment; **the sustainability of the fishing industry is dependent upon the well-being of both workers and ecosystems.** At sea, the use of covert patrol vessels to catch vessels fishing illegally in Thai waters has become highly successful; it could potentially be increased (EJF Staff, 2019). There is also a need to further improve victim identification and then care and shelter access after recovery (United States Department of State, 2020). To protect migrant workers, many countries in the Global South need to increase assistance to those trapped in debt and document retention practice. In Thailand, the government is taking steps to protect stateless workers by granting them citizenship as a part of its pledge to end statelessness by 2024. Not for Sale Thailand is enrolling young immigrants in school to prevent them from being victims of human trafficking. By taking stateless children off the street and placing them in school, NFS gives children a brighter future with improved job opportunities and socio-economic status.



At the same time, addressing many intersecting environmental issues is paramount since a sustainable ecosystem supports a resilient well-protected workforce (Riggs and Pontarelli, 2014). In order to end overfishing, governments and businesses need to work together in a collective effort to set fishing quotas. Collective action is required for proper fishery management and to mitigate risks of overfishing (Sethi, 2010; Sethi, Reimer and Knapp 2014). It takes just one party not complying with sustainable standards to delay fish stock recovery. **Data modeling shows that collective action can have quick effects; the median fishery can achieve recovery levels in less than ten years (Costello et al., 2016).** Governments and corporations should advocate for increased management and the connection to economic and environmental sustainability. **Global fishery management successfully implemented could “generate annual increases exceeding 16 million metric tons (MMT) in catch, \$53 billion in profit, and 619 MMT in biomass relative to business as usual” (Costello et al., 2016).**

Additionally, new technologies increasingly offer advances that can help protect workers and address IUU fishing. Geospatial data analysis provides insight into activities otherwise unobservable from shore. Researchers have begun to analyze ship movement patterns by using data from Automatic Identification Systems (AIS) found on many ships. Researchers applied the data of vessels known to have used forced labor to classify other ships and identify behaviors associated with a high risk of using forced labor. Vessels using forced labor travel further from shore, fish longer hours, and have longer and less frequent voyages (McDonald et al., 2020). **The analysis found that 14% to 26% of fishing vessels, accounting for 57,000 and 100,000 crew members, were at high risk of illegal activities based upon ship movement patterns (McDonald et al., 2020).**



Researchers are also using AIS vessel monitoring data to identify instances of a transshipment, an exchange of seafood, personnel, or equipment between two ships at sea. Transshipments increase a company's efficiency but they make monitoring supply chains for sustainability and human rights violations almost impossible. Transshipment activity occurs almost 47% of the time outside any nation's 200 nautical mile Exclusive Economic Zone and is even more frequent for vessels fishing migratory fish such as tuna--which makes up a significant portion of Thai seafood exports (Miller, 2018). It is likely that these instances of transshipment occurring in ecologically vulnerable fisheries are associated with poor working conditions.

Technology is also being utilized directly in the hands of workers. As dialogued in the 2017 conference, *The Role of Digital Technology in Tackling Modern Slavery*, "Smartphone apps and technology solutions can empower vulnerable workers to provide direct feedback on their working conditions and access to trusted information" (Rende & Shih, 2019). As smartphone technology continues to proliferate, it will increasingly offer the opportunity to further understand the problem of labor abuse at sea and empower workers to bring increased transparency to their industry.



CONCLUSION

The protection of global fisheries is important for both people and the planet. As with other industries, like mining in the Congo or Peruvian Amazon, the exploitation of the environment intersects directly with the working conditions that can lead to human rights abuses. The fishing industry is an example of this intersectionality between human and ecological factors. Specifically, in Thailand, a difficult task remains in protecting workers at sea, while maintaining healthy and sustainable fisheries.

By focusing on the ecological recovery of fish stocks through conservation efforts, vessels will need to spend less time far from shore, allowing for easier monitoring of labor conditions on board. Fishing trips close to shore can be more cost-effective, allowing for increased worker compensation and improvement in working conditions and daily workload. The protection of fisheries can protect workers and conversely, the protection of workers can protect fisheries. The current rate of fishing would not be economically feasible without people being forced to work nearly all hours of the day with little payment. Technology can

and will play an increased role in shedding light on these issues, and providing solutions with new data and tracking systems.

People are not for sale on the seas. While sustainable management of labor at sea and oceanic ecosystems are complex, these are also solvable and worthy challenges. If citizens and governments can commit to solving these environmental and social issues in parallel, it can result in a future with; reduced exploitation, a more secure food supply, increased business profits, and a more sustainable ecosystem for generations to come.

Authored by:

David Batstone, Just Business / University of San Francisco

William (Billy) Riggs, Just Business / University of San Francisco

Mark Wexler, Not For Sale / Kings College

Dan Hartley, Not For Sale

Bella Alvarado, Just Business

WORK CITED

2017 Trafficking in Persons Report: Thailand. (2017, June). United States Department of State. <https://www.state.gov/reports/2017-trafficking-in-persons-report/thailand/>

2018 Trafficking in Persons Report: Thailand. (2018, June). United States Department of State. <https://www.state.gov/reports/2018-trafficking-in-persons-report/thailand/>

Brivio, E., & Stoycheva, D. (2019, January 8). Commission lifts “yellow card” from Thailand for its actions against illegal fishing. European Commission. https://ec.europa.eu/commission/presscorner/detail/en/IP_19_61

Brivio, E., & Petsa, I. (2015, April 21). Press cornerEU acts on illegal fishing: Yellow card issued to Thailand while South Korea & Philippines are cleared. European Commission. https://ec.europa.eu/commission/presscorner/detail/en/IP_15_4806

Cogan, Mark S. (2018, July 25). Statelessness: Thailand’s Silent Crisis. The Geopolitics. thegeopolitics.com/statelessness-thailands-silent-crisis/#google_vignette.

Costello, C., Ovando, D., Clavelle, T., Strauss, C. K., Hilborn, R., Melnychuk, M. C., . . . Leland, A. (2016, May 03). Global fishery prospects under contrasting management regimes. Proceedings of the National Academy of Sciences. <https://www.pnas.org/content/113/18/5125>

EJF Staff. (2019, January 31). Thailand is first Asian country to ratify international standards for... Environmental Justice Foundation. <https://ejfoundation.org/news-media/thailand-is-first-asian-country-to-ratify-international-standards-for-work-in-fishing>

FAO. 2020. The State of World Fisheries and Aquaculture 2020. Sustainability in action. Rome. <https://doi.org/10.4060/ca9229en>

Fishy business: Trafficking and labour exploitation in the global seafood industry. (2013). World Vision Australia. <https://www.worldvision.com.au/docs/default-source/school-resources/seafood-industry-factsheet.pdf>

Harkins, B. (2019). Thailand Migration Report 2019. United Nations Thematic Working Group on Migration in Thailand. https://thailand.iom.int/sites/default/files/document/publications/Thailand%20Report%202019_22012019_LowRes.pdf

Hodal, K., Kelly, C., & Lawrence, F. (2018, August 18). Revealed: Asian slave labour producing prawns for supermarkets in US, UK. The Guardian. <https://www.theguardian.com/global-development/2014/jun/10/supermarket-prawns-thailand-produced-slave-labour>

International Labour Office, Special Action Programme to Combat Forced Labour, & Sectoral Activities Department. (2013). Caught at Sea- Forced Labour and Trafficking in Fisheries. International Labour Organization. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_214472.pdf

WORK CITED (CONTINUED)

- Liberty Asia, Link Laters, & MAST. (2017, June). Legal Gap Analysis of Thailand's Anti-Trafficking Legislation. UN-ACT. <https://un-act.org/publication/view/legal-analysis-human-trafficking-thailand>
- McDonald, G. G., Costello, C., Bone, J., Cabral, R. B., Farabee, V., Hochberg, T., Kroodsma, D., Mangin, T., Meng, K. C., & Zahn, O. (2020). Satellites can reveal global extent of forced labor in the world's fishing fleet. *Proceedings of the National Academy of Sciences*, 118(3), e2016238117. <https://doi.org/10.1073/pnas.2016238117>
- McDowell, R., Mason, M., & Mendoza, M. (2015, March 25). AP Investigation: Are slaves catching the fish you buy? The Pulitzer Prizes. <https://www.pulitzer.org/winners/associated-press>
- Miller, N. A., Roan, A., Hochberg, T., Amos, J., & Kroodsma, D. A. (2018). Identifying global patterns of transshipment behavior. *Frontiers in Marine Science*, 5, 240. <https://doi.org/10.3389/fmars.2018.00240>
- Rende Taylor, L., & Shih, E. (2019). Worker feedback technologies and combatting modern slavery in global supply chains: Examining the effectiveness of remediation-oriented and due-diligence-oriented technologies in identifying and addressing forced labour and human trafficking. *Journal of the British Academy*, 7 (s1), 131–165. <https://doi.org/10.5871/jba/007s1.131>
- Riggs, W. and Pontarelli, H. (2014). Community Sustainability Planning as a Tool for Increased Environmental Sustainability: The Case of Two California Cities. *Focus*, 11. <https://digitalcommons.calpoly.edu/focus/vol11/iss1/23/>
- Seafood Working Group. (2020, July 30). Sufficient Progress Not Made to Warrant Tier 2 Ranking for Thailand. International Labor Rights Forum. <https://laborrights.org/publications/sufficient-progress-not-made-warrant-tier-2-ranking-thailand-tip-report-2020>
- Sethi, S. A. (2010). Risk management for fisheries. *Fish and Fisheries*, 11(4), 341–365. <https://doi.org/10.1111/j.1467-2979.2010.00363.x>
- Sethi, S. A., Reimer, M., & Knapp, G. (2014). Alaskan fishing community revenues and the stabilizing role of fishing portfolios. *Marine Policy*, 48, 134–141. <https://doi.org/10.1016/j.marpol.2014.03.027>
- Sethi, S. A., Riggs, W., & Knapp, G. (2014). Metrics to monitor the status of fishing communities: An Alaska state of the state retrospective 1980–2010. *Ocean & Coastal Management*, 88, 21–30. <https://doi.org/10.1016/j.ocecoaman.2013.11.007>
- Stoakes, E., Kelly, C., & Kelly, A. (2020, October 15). Revealed: how the Thai fishing industry trafficks, imprisons and enslaves. *The Guardian*. <https://www.theguardian.com/global-development/2015/jul/20/thai-fishing-industry-implicated-enslavement-deaths-rohingya>

WORK CITED (CONTINUED)

- Thai vessel list supports transparency. (2018, September 26). World Fishing & Aquaculture.
<https://www.worldfishing.net/news101/industry-news/thailand-publishes-registered-vessel-list>
- Thailand - Our NFS Thailand Story. (2020, October 8). Not for Sale.
<https://www.notforsalecampaign.org/thailand/>
- Tickler, David & Meeuwig, Jessica & Bryant, Katharine & David, Fiona & Forrest, John & Gordon, Elise & Larsen, Jacqueline & Oh, Beverly & Pauly, Daniel & Sumaila, Rashid & Zeller, Dirk. (2018). Modern slavery and the race to fish. *Nature Communications*. 9. 10.1038/s41467-018-07118-9.
- United States Department of State. (2020, December 1). 2020 Trafficking in Persons Report: Thailand.
<https://www.state.gov/reports/2020-trafficking-in-persons-report/thailand/>
- United States Department of State. (2014, June 20). Refworld | 2014 Trafficking in Persons Report - Thailand. Refworld. <https://www.refworld.org/publisher,USDOS,ANNUALREPORT,THA,53aab99614,0.html>
- Weber, M., O'Regan, K., & Rosen, L. (2019, October 30). The State Department's Trafficking in Persons Report: Scope, Aid Restrictions, and Methodology. Congressional Research Service.
<https://fas.org/sgp/crs/row/R44953.pdf>
- Wongsamuth, N. (2020, May 28). Thailand found failing to log fishermen's complaints of abuse and slavery. Thomson Reuters News. <https://news.trust.org/item/20200527231808-eou3r>
- World Bank & OECD National Accounts. (2019). Agriculture, forestry, and fishing, value added (% of GDP) | Data. The World Bank. https://data.worldbank.org/indicator/NV.AGR.TOTL.ZS?most_recent_value_desc=true

**WE ARE
NOT FOR SALE** 



SUSTAINABLE FISHERIES AND HUMAN RIGHTS

Opportunities to Address The True Cost
of Thailand's Seafood

Authored by:

David Batstone, Just Business / University of San Francisco

William (Billy) Riggs, Just Business / University of San Francisco

Mark Wexler, Not For Sale / Kings College

Dan Hartley, Not For Sale

Bella Alvarado, Just Business

www.notforsalecampaign.org