

Compagnie des Pêches Saint Malo, Euronor, and Scapêche saithe Fishery

Certificate Holder Forced and Child Labour Policies, Practices and Measures

1 Introduction

Fisheries and at-sea Certificate Holders (CH) in the Marine Stewardship Council (MSC) program are required to provide a self-description of policies and measures, including regulatory requirements and procedures that are in effect in the Unit of Assessment, to protect fishing crew from forced labour or child labour, as well as any efforts by the private sector. The objective is to require certificate holders to communicate how government, industry, or other relevant entities protect against forced or child labour.

Each fishery and at-sea Chain of Custody client shall provide this information by completing this template. This template should be completed by the client in good faith and be based on information known and available to the client at the time of completion. The information provided should be representative of the range of measures known to the certificate holder.

The completed form will be uploaded to MSC database to be published on the MSC website at the same time as the Public Certification Report.

Guidance for filling in the template is found in the [Appendix](#) of this template. Information is required on all issues addressed in the template and should be provided in English, which is the official language of the MSC.

Please complete all unshaded fields. Please fill in N/A if an issue is not applicable, including a short justification for why it is not applicable.

2 Marine Stewardship Council certificate holder forced and child labour policies, practices and measures

Table 2.1 – Certificate holder information

1	Composition of fishery client group on behalf of who the statement is provided
	<ul style="list-style-type: none"> - Characterise the composition of the fishery client group, including cost sharing entities. - Describe the relationship between cost sharing members of the fishery client group and the vessel owners and operators of the Unit of Certification (UoC).
CH	Northern Europe Fisheries Council (Euronor). A company under French law, subject to the social certification of ships, according to the criteria of the ILO convention MLC - C188.
2	Responsibility for labour regulation
	<ul style="list-style-type: none"> - What management authorities and laws, including flag state authorities, control labour-related regulations in the unit of assessment area? - How are laws enforced?
CH	<ul style="list-style-type: none"> - In accordance with Directive 94/33 / EC on the protection of young people at work, 7 of the European Social Charter and points 20 to 23 of the Charter of the Social Rights of Children is prohibited. The minimum age of admission may not be less than the period of compulsory schooling, without prejudice to the rules and the derogation to young people and with limited exceptions. - Young people admitted to work must have working conditions appropriate to their age and be protected against economic labor or against any work likely to affect their safety, health, physical, mental, moral or social development or to compromise their education. Thus in France, it is possible to work from the age of 16 and be authorized by your legal representative. - Some professional activities are prohibited before 18 years. The employer can not be minor in charge of health such as for example, night work. - With regard to forced labor, the Forced Labor Convention, 1930 (No. 29), requiring ratified States to abolish forced or compulsory labor in all forms (Article 1 (1)). It also requires the United States to ratify insurance because work is punishable by criminal penalties and these penalties are effectively effective and strictly enforced (Article 25). Abolition of Forced Labor Convention, 1957 (No. 105) The ILO has adopted a second convention on forced labor, Convention No. 105, not to revise Convention No. 29 but to supplement it. Convention No. 105 was mainly applied to combat work imposed by state authorities. - French authorities of the health of work is the business Affairs, the inspection of work as CHSCT <p>All of these obligations are applicable to all ILO obligations, including social certification and weapons licensing. Obtaining these is validated by the French maritime authorities: maritime affairs following an inspection on board the ship whether or not this certification to the achievement of the law and working conditions.</p>
3	Risk identification and mitigation
	Describe the processes, including government and certificate holder measures, that are in place in the UoC to identify and mitigate any risk of child and forced labour.

CH	<p>No forced or child labor can be carried out within our armament because initially the embassy application file requires an identity document attesting to the age of the future sailor. In addition, each seafarer is declared to the competent authorities at each embarkation also with the maritime affairs and with the customs through the IMO / IMO list of the crew.</p> <p>Thus, under no circumstances can the armament override its rights. Moreover, it is recalled in the internal rules of the armament, that no person foreign to the services can not board the boats. Thus any person appendent to the competent authorities can know who is on board our ships at any time.</p> <p>Finally, when a passage has to embark, the French administrative procedure requires the armament to declare it to the competent authorities.</p>
4	Crew recruitment
	<ul style="list-style-type: none"> - Describe the typical methods used to recruit crew in the UoC and describe the migrant composition of crew if any.
CH	<p>When the armament wants to recruit a sailor, there is first of all a complete application file to give to the HR services of the equipment requesting a copy of the following elements: valid identity document, vital card, diploma, medical check up to date and especially a copy of the shipping booklet.</p> <p>When it comes to an expatriate worker, the latter must still have a French maritime booklet to be able to board our ships. To obtain it, you must apply for recognition of the foreign diploma in maritime affairs. It is only from the moment when the recognition is validated that the sailor will be able to receive his maritime booklet.</p>
5	Engagement with fish worker groups
	<ul style="list-style-type: none"> - Where there is known engagement with fisher, migrant, and worker rights groups, describe how this occurs and the organisations engaged with workers in the Unit of Assessment (UoA).
CH	Do not concern us.
6	Crew contracts
	<ul style="list-style-type: none"> - Describe the nature of contracts or legal work agreements in place in the UoC and the issues addressed in such agreements.
CH	<p>In France, it is the transport code and the national convention of the professional maritime fishing which determines the obligatory clauses to be included in the contract of employment. We currently have two types of contracts: open-ended contracts and travel contracts.</p> <p>These contracts are given to foreign seamen in the French language with a translation into Polish or Portuguese, as these are the nationalities we have on board our boats.</p>
7	Audits and labour inspections
	<ul style="list-style-type: none"> - Describe any 3rd Party audits and certifications on labour, or labour inspections conducted within the UoC in the last two years.
CH	<p>There are different possible controls; in particular the inspections of labor inspection or simply their presence at meetings of CHSCT which leaves the possibility of addressing any type of subject on working conditions. Our inspector is present at every meeting.</p> <p>Then there is the social certification that is done by the maritime affairs in order to check that the organization and the management of the personnel on the boat complies with all the legal obligations in terms of labor law. This certification can be obtained for a duration ranging from 1 year to 5 years. Today, each of our boats has obtained this certification.</p>
8	National minimum age requirements

	<ul style="list-style-type: none"> - Describe national minimum age requirements for crew members serving on vessels within the UoC. - Describe systems in place, both regulatory and private sector systems, to ensure that crew members meet national minimum age requirements. - Describe how this is checked, including enforcement within the UoC by the responsible governing authority or oversight body such as labour inspectors.
CH	<p>In France, according to the law, young people from 14 to 16 years can work, under conditions:</p> <ul style="list-style-type: none"> • During school periods of at least 14 working days • With the agreement of the Labor Inspectorate • No more than 35 hours a week • No more than 7 hours a day • At least 80% of the SMIC • No harm to the safety, health and development of the child • A continuous rest equivalent to 50% of the duration of his vacation must be granted <p>Work in apprenticeship from 15 years</p> <p>An apprenticeship contract can be signed by a young person from the age of 15, under certain conditions: they must have completed their first cycle (college).</p> <p>Work from 16 years</p> <p>From the age of 16, teenagers can sign any salaried contract (permanent, fixed or temporary contract). His parents (or failing that, his legal representatives) must allow the child to work in writing, unless he is emancipated.</p> <p>Within the Euronor armament, only the majors are allowed to board to avoid any risk.</p>
9	Repatriation
	<ul style="list-style-type: none"> - Describe how repatriation issues are dealt with in the UoC with respect visits end of contract, voluntary and involuntary termination, and freedom of movement and the extent to which these are included in contracts.
CH	<p>Regarding the right to repatriation, the latter is included in each of the employment contracts and corresponds to Article L5542-29 of the Transport Code, which is also included in the National Convention for professional maritime fishing:</p> <p>Every seafarer shall have the right to be repatriated in the following cases:</p> <ul style="list-style-type: none"> • When a fixed-term or fixed-term appointment expires abroad; • At the end of the notice period given in accordance with the general or individual provisions of the contract of employment; • In case of sickness or accident or for any other medical reason requiring the repatriation of the seafarer when he is medically fit to travel; • In case of shipwreck; • When the shipowner is no longer able to fulfill his legal or contractual obligations as an employer vis-à-vis the seafarer due to bankruptcy, sale of the vessel, change of registration, or for any other similar reason ;

	<ul style="list-style-type: none"> • When a ship is en route to a war zone, as defined by national law or collective agreements, where the seafarer does not agree to surrender; In the event of cessation or suspension of the employment of the seafarer, in accordance with an arbitration award or a collective agreement, or in the event of termination of employment for any other similar reason
10	Debt bondage
	<ul style="list-style-type: none"> - Describe if there is evidence of systemic practices to impose costs on crew members for placement or brokerage fees, travel to the workplace, visa, medical, safety gear, clothing/protective gear, food at the workplace, communications access, remittance fees, repatriation, etc. - If so, describe such practices and how debt bondage is avoided.
CH	For each boat, fresh fishing or freezer, an agreement describes the assumption of certain posts which could possibly represent a cost for the employee: a food allowance of 12.64 euros is paid as soon as the employee is enlisted as well in boarding as in rest. Regarding personal or collective protective equipment, they are also supported by the armament. Euronor also organizes shuttles during the rotations to take the crews of the weapons to the port of call. And finally, in terms of medical expenses, depending on the situation, a part can be supported by either the armament or the ENIM. There is also a company mutual insurance scheme and a provident scheme that guarantees the maintenance of wages after a waiting period during a sick leave.
11	Grievance and remedy mechanisms
	<ul style="list-style-type: none"> - Please list any policies or measures (e.g. hotline) that are in place for crew voices to be heard and to report and remediate any instances of forced or child labour.
CH	Depending on the degree of litigation that may occur, staff can directly refer to the Human Resources department and / or the Directorate of Armament. Then he can also interview the staff delegates. And finally he can appeal to maritime affairs
12	Identification documents
	<ul style="list-style-type: none"> - Describe policies and practice in place across the UoC to ensure that crew members have free and timely access to their identification documents, including National ID, passports, visas, etc.
CH	For each departure, the sailor is reminded that he must have in his possession his identity documents and shipping booklets. He has the choice of keeping these pieces with him or leaving them to the captain who keeps them at the bridge.
13	Additional comments
	<ul style="list-style-type: none"> - Do you have additional comments on labour practices within the UoC?
CH	No
14	Date this template was last updated
	<ul style="list-style-type: none"> - DD/MM/YYYY
CH	4 July 2019

3 Appendix – Guidance on filling in the Certificate Holder Forced and Child Labour Policies, Practices and Measures Template

3.1 Composition of the fishery client group on behalf of who the statement is provided

If a fishery is in full assessment and the cost-sharing participants and arrangements are not yet determined, provide as much detail as possible regarding the expected cost-sharing entities that will comprise the client group, should the fishery achieve certification, and the relationship between such client group representatives and the vessel owners and operators in the Unit of Certification (UoC).

3.2 Responsibility for labour regulation

Provide information on laws and regulation and the authorities that have responsibility for labour regulations in the area in which the fishery operates, including flag state authorities where this is applicable. Describe how these are enforced.

3.3 Risk identification, mitigation and remediation

The information required in this section includes information known by the certificate holder on processes and practices that are applicable in the UoC to identify, assess, prevent and mitigate forced and child labour risks. The information may include government policy or measures, or where applicable, measures being implemented by the certificate holder.

3.4 Crew recruitment

The information required here includes information on the methods used to recruit crew in the UoC, any widespread use of migrant labour, the countries that crew come from and information on recruitment agencies used where this information is available and known to the certificate holder. It may also include information known of visa programs used to bring in workers to the UoC and on payment of recruitment fees.

3.5 Engagement with fish worker groups

In some countries, there may be engagement with fish worker groups or other types of organisations that work to address risks of forced labour. Where this occurs provide information on such engagement. This may include information on any organizations in the port area which support crew members socially, e.g. seafarers' ministry, fishers' association, local committees.

3.6 Crew contracts

Contracts are legal work agreements with labour duties and payments clearly spelled out. Describe the nature of crew contracts in the UoC, specifically features related to forced and child labour, whether the contracts are written in languages understood by crew and how provisions in the contract are enforced.

3.7 Audits and labour inspections

Describe any government labour inspections or social audits and certifications of working conditions within the UoC in the past 2 years. Where the information is available provide a link to the criteria against which the audit took place.

3.8 National minimum age requirements

For this section describe national minimum age requirements and provide a description of regulatory and private sector systems in place to confirm that minimum age restrictions are met. Include information on any exceptions to statutory minimum age requirements which are used by the UoC and information on policy for hiring young workers in compliance with national legislation. This should also include description of any policy or practices for monitoring including hours of work and rest for young workers. This may include information on any other programs which are monitoring labour in your UoC fishing area.

3.9 Repatriation

This section requires a description of how departure of crew members across the UoC is handled. This may include information about government, and/or where known, any applicable company policy on end of crew members' contracts; involuntary termination; leave (including family visits and medical treatment); freedom of movement during the work term and departure terms within crew member contracts.

3.10 Debt bondage

Deductions for costs of work from pay can cause debt bondage and put crew at risk of forced labour. Examples of such work costs include costs of getting to work, placement/broker fee, medical costs, safety gear, food at the workplace, remittance fees and repatriation costs.

Describe systems in place to avoid debt bondage. If there is evidence of systemic practices to impose costs on workers, what measures are in place to avoid debt bondage.

3.11 Grievance and remedy mechanisms

Provide a description of systems known to be in place that allow crew to share information, access assistance and report labour violations and how the systems work to address such reports and provide remediation.

3.12 Identification documents

Describe provisions across the UoC for crew to access their official identification (passports, visas, seafarers book). Where the law in a jurisdiction requires the vessel owner or captain to hold the crew members' official identification, describe the protocol, including government regulations in place to ensure that crew members can access their personal documents and have freedom of movement.