

Fishery Shipowners Association (FSA)

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	<ul style="list-style-type: none"> - Client group consists of 1 company as a trading agent (LLC Russian Fishery) for 6 fishing companies, which operate the fishing vessels owned by JSC "TURNIF", LLC Sovgavanryba, LLC Vostokrybprom, JSC "INTRAROS", JSC "DMP-RM", LLC "RMD UVA 1" and 1 on-shore fish-processing factory (LLC Russian Pollock) - LLC Russian Fishery is a "mother company" for 7 subsidiaries companies. The raw fish, caught by the fishing vessels of the Group is processed on the factory LLC Russian Pollock.
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	<p>Labour-related regulations are being regulated by the Labour Code and controlled by the State Labour Inspection;</p> <p>Besides that, work at sea is being regulated by the governmental professional standards, Federal Fishing Agency standards and orders, Fishing fleet Charter, professional industrial orders and prescriptions. The laws are being enforced by regular monitoring by the state authorities who may implement various penalties (up to criminal) for non-complying;</p> <p>Vessels are being regularly checked by the State security authorities who also have the right to check labor-contracts, agreements, etc.</p>
3	Risk identification and mitigation
	<ul style="list-style-type: none"> - 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>Child labour is strictly prohibited in the country, except for some exceptional legal cases apart from the fishing industry. Regarding the fishery, there is governmental professional standard requiring minimum age of 18.</p> <p>All new recruits pass the procedure of official employment where their personal documents are being checked and copied.</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>Crews are being recruited through a specialized human resource centre (a special RFC structure). Company doesn't imply migrant crew labour.</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	<p>RFC workers are engaged in independent professional unions with whom we contact upon various issues. Besides that one of the largest companies of our holding, JSC Turnif has its own professional union aimed on protecting the rights of the seamen within RFC company.</p>

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>Each legal work agreement contains essential work conditions according to the Labor Code, such are:</p> <ul style="list-style-type: none"> - Work place; - Work function; - Work start/end date; - Salary and other benefits; - Duration of the contract (if applicable); - Safety issues; - Right and obligations of the both parties (employer and employee); <p>Any change of these conditions could occur only under the mutual agreement and fixed by a separate addendum to the original contract.</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 was an audit by the labour inspection in early 2019; particularly the subject was informing the governmental bodies about ex-state authorities working in the company as according to the law.</p> <p>Besides we are being regularly checked by the Federal Fishing Agency controlled unit at the Sea of Okhotsk.</p> <p>In 2020 our vessels were constantly checked by the representatives of Russian Fishing Agency on production issues, labour conditions, following safety regulations, which is a normal practice during fishing operations at the Sea of Okhotsk.</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	<ul style="list-style-type: none"> - 18 years as according to the Governmental professional standard; - Prior the hiring personal documents are always being checked by authorized personnel: passport, certificates, etc. Besides all the salary information along with the personal data of workers is being reported to the tax inspection, pension fund and other official state bodies so it's impossible to hire anyone underage – any violation would be discovered immediately. <p>Upon leaving the seaport, every vessel undergoes document and personnel check by the Federal Security agents, port authorities, medical and quarantine authorities, customs authorities. Every sailor is present in person during these checks.</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>Repatriation cost shall be fully taken by the employer – that is a condition of the relevant legislation and the same is written in each sailor's contract.</p> <p>Contracts are being signed for the full duration of the production voyage, so in most cases sailors return to seaport on the same vessel they sailed. In case of crew change in mid-voyage vessel enters a designated seaport in the area and crew is being sent to the port of Vladivostok via airlift. In case of medical emergency vessel either enters the local seaport with appropriate medical facilities or a crew member is airlifted to the closest hospital. If any misbehaviour leads to contract termination, such crew member is repatriated either</p>

	by airlift to the home port of the company or is being transferred by a transport vessel to the same port. After that repatriation costs are being withheld from the contract termination payment. If a worker desires to terminate his contract while at sea, he or she is relieved of duty and awaits transportation.
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	<p>- According to the law and to the contract terms all alike costs shall be covered by the employer;</p> <p>Company provides workers with safety gear, protective clothing including life vests, wetsuits, meals, medical observation by a qualified doctor aboard each fishing vessel, cell phone access to call home, accommodations. During active contract all these fees are covered by the employer. In case of contract termination starting with the next day meals, accommodation and communication fees shall be reimbursed by the ex-worker. In most cases worker keeps closing and protective gear issued to him or her by the company for all the duration of stay aboard the vessel.</p>
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	<p>Any worker in the country is always free to complain about any violation to the State Labour Inspection or directly to the prosecutor's office. Forced labor is a hard crime in Russia and under the jurisdiction of Investigation Committee – the top and most serious law enforcement structure in Russia, any of such cases would be reported directly to them.</p> <p>Our company has no history of such accusations from ex-workers. We are proud to enforce all the federal laws and regulations including safety policies aboard our vessels.</p>
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	<p>“A passport cannot be taken by any other party” – that is a law written in the passport of Russian Federation; this law is being strictly complied. There is a penalty for this kind of violation. All the professional certificates and diplomas, health certificates, copy of contract with RFC are kept by crewmembers with their personal belongings. By the federal law aimed to protect the personal data, access to personal information is limited to the authorized personnel only.</p>
13	Additional comments
	<ul style="list-style-type: none"> - Do you have additional comments on labour practices within the UoC?
CH	None
14	Date this template was last updated
	<ul style="list-style-type: none"> - DD/MM/YYYY
CH	05.10.2020

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.

4 Template information and copyright

This document was drafted using the 'Certificate Holder Forced and Child Labour Policies, Practices and Measures Template v1.01'.

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Template version control

Version	Date of publication	Description of amendment
1.0	17 December 2018	Release alongside Fisheries Certification Process v2.1
1.01	28 March 2019	Minor document change for usability

A controlled document list of MSC program documents is available on the [MSC website](http://msc.org) (msc.org).

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