

[Solomon Islands Skipjack and Yellowfin Tuna Purse Seine and Pole and Line]

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).
C H	<p>The fishery client is Tri Marine International Pte. Ltd., a global tuna company: http://www.trimarinegroup.com/</p> <p>All vessels covered under the UoC are solely owned by National Fisheries Developments, Ltd. (NFD), a Solomon Islands registered company which is a 100% subsidiary of Tri Marine International Pte. Ltd. All MSC-qualified catch from the UoC is sold by NFD to Tri Marine International Pte. Ltd.</p> <p>The UoC currently consists of seven Solomon Islands-flagged purse seiners: Solomon Ruby, Solomon Emerald, Solomon Jade, Solomon Opal, Solomon Pearl, Solomon Topaz and Solomon Sapphire and four pole and liners: Soltai 101, Soltai 105, Solomon Fisher, Solomon Hunter.</p> <p>Five of seven purse seiners and all four pole and line vessels fish exclusively within Solomon Islands national waters. Two purse seiners (Solomon Topaz and Solomon Sapphire) fish within the Western and Central Pacific Fisheries Commission (WCPFC) Convention Area, including Solomon Islands and other PNA EEZs and high seas.</p>
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?
C H	<p>NFD and its vessels are bound by Solomon Islands legislation and regulations including: <i>Labour Act 1996, Employment Act 1987, Immigration Act 2012, Trade Unions Act 1966, Safety at Work Act 1982, Maritime Safety Administration Act 2009</i> and the <i>Shipping Act 1998</i> which lay out national regulatory requirements for freedom of association and collective bargaining, wages, working hours, workers' age, workers' care, forced labour, workplace health and safety etc. A full list is available at: https://www.ilo.org/dyn/natlex/natlex4.countrySubjects?p_lang=en&p_country=SLB http://www.parliament.gov.sb/index.php?q=node/237</p> <p>Solomon Islands has ratified various International Labour Organization (ILO) instruments including: <i>ILO C029 Forced Labour Convention, C087 Freedom of Association and Protection of the Right to Organise Convention, C100 Equal Remuneration Convention, C105 Abolition of Forced Labour Convention 1957, C111 Discrimination (Employment and Occupation) C138 Minimum Age Convention 1973, C182 Worst Forms of Child Labour Convention 1999, Medical Examination of Young Persons (Sea) Convention 1934</i> etc. A full list is available at: https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103193</p> <p>The Solomon Islands' Ministry of Fisheries and Marine Resources (MFMR) serves as the vessels' flag state authority. Other responsible Solomon Islands Government entities responsible for implementing national and international requirements include: Ministry of Commerce, Industry, Labour and Immigration; Ministry of Police, National Security and Correctional Services and Solomon Islands Port Authority (SIPA).</p> <p>Solomon Islands is a cooperating member of the Western and Central Pacific Fisheries Commission (WCPFC) and is implementing Resolution 2018-01 on labour standards for crew on fishing vessels. Full text is available here: https://www.wcpfc.int/doc/resolution-2018-01/resolution-labour-standards-crew-fishing-vessels</p> <p>Effective 1 January 2020, Solomon Islands-flag vessels will be required to comply with Forum Fisheries Agency (FFA) Harmonized Minimum Terms and Conditions (HTMCs) in relation to crewing employment conditions, which are broadly based on the <i>ILO Work in Fishing Convention 2007</i>. These HMTCs will be implemented via national laws or licencing conditions and will be published on the FFA website.</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.
C H	<p>All vessels covered under the UoC must comply with Tri Marine’s Code of Conduct which strictly prohibits the use or employment of child and forced labour. Available at: http://www.trimarinegroup.com/wp-content/uploads/2017/07/Group-Code-of-Conduct.pdf. Official identity documents (i.e. passport, birth certificate) are reviewed prior to employment to verify the applicant’s age meets company and flag-state regulations.</p> <p>Tri Marine is a member of the Seafood Task Force (STF) and is required to implement industry-wide social standards to its own (including all vessels covered under the UoC) and supplier vessels. The STF core objective is to mitigate labour abuses and IUU fishing through better supply chain oversight. Vessels are required to comply with, and be third-party audited against, STF’s Code of Conduct and Vessel Auditable Standards, which have been developed in line with international labour standards. Available at: https://www.seafoodtaskforce.global/wp-content/uploads/2019/01/STF_Code-of-Conduct-and-Vessel-Auditable-Standards-V.2_20181212.pdf</p> <p>Purse seine vessels carry an independent observer from the SI National/PNA/Regional Observer Programs on 100% of fishing trips; pole-and-line vessels carry independent observers when required from the SI National Observer Program (around 20% of trips). Observers are required to monitor and record information relating to crew, including full crew listing (name, rank, years of experience, nationality); safety equipment on board and suitability/condition (life jackets, life buoys/rings, life rafts, EPIRBS); and incidents relating to crew or observer mistreatment.</p> <p>As part of national licencing conditions, vessels are inspected annually by MFMR Fisheries Inspectors. 100% of vessel unloadings in Solomon Islands are monitored by MFMR Fisheries Officers. Vessels fishing and unloading/transshipping in other Pacific Island ports outside of Solomon Islands are subject to boarding and inspections in line with WCPFC, FFA, PNA and national requirements. Audits are periodically conducted by SI Government inspectors on compliance with occupational health and safety practices, as required in labour regulations.</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.
C H	<p>Purse seine vessels fishing exclusively in Solomon Islands waters are crewed mostly by Solomon Island nationals, with the exception of four foreign fishing masters and several senior officer positions (from USA, South Africa, Peru, Mexico, Ivory Coast and New Zealand). All pole-and-line vessels are 100% crewed by Solomon Island nationals.</p> <p>The two purse seiners fishing outside of Solomon Islands waters were previously owned and operated under US-flag; most senior officers and crew were retained when ownership transferred to NFD and the vessels became Solomon Islands-flagged in 2016/2017. Crew on these vessels originate from: USA, New Zealand, Dominican Republic, Philippines, Costa Rica, Panama, Marshall Islands, Ecuador, Portugal, Venezuela, PNG, Marshall Islands, Tuvalu and Solomon Islands.</p> <p>With the exception of Philippines, all crew are recruited directly by NFD, not via recruitment agencies. Recruitment is typically via referrals from current crew members.</p> <p>The company also selects Filipino crew via referrals, but is required under Philippines law to engage a Philippines-based recruitment agent to process the necessary documents/visa etc. for the selected crew members.</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).
C H	<p>Tri Marine and NFD fully support the freedom of association for all staff including vessel crew members and shore-based staff.</p>

	<p>All pole and line vessels and five of the purse seiners fishing exclusively in Solomon Island waters achieved Fair Trade USA Certification in February 2019, which requires the formal establishment of a democratically-run fishing association (FA) for registered fishers, if they are not already members of a legal cooperative. The FA represents the views of registered fishermen on any matters affecting their fishing activity, including the requirements of the Fair Trade Capture Fisheries Standard, laws and regulations controlling the fishery and fishery-related infrastructure. Currently, the NFD Fishers' Association consists of 247 members.</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>NFD engages in a 'Contract of Employment' with local and expatriate captains/crew. The contract defines the following terms of employment: position, duration, remuneration, superannuation, tax, working hours, annual leave and leave passage, no alcohol/drugs policy, accommodation, health & safety, accidents, termination due to gross misconduct, development training and termination of employment.</p> <p>Contracts for expatriate senior officers on the purse seiners fishing exclusively in Solomon Islands waters are on a per season basis; contracts for all crew on purse seiners fishing outside of Solomon Islands are on a per trip basis; contracts for Solomon Islands national crew are ongoing, unless they retire, resign or are terminated.</p> <p>Contracts are provided in English, on the understanding that crew are literate and are proficient in English. In any case where a crew member indicates they are unable to understand the contract, translation services will be made available by the company.</p> <p>TMI/NFD will be reviewing the format of crew contracts to ensure they fully comply with FFA's crewing MTCs and the Seafood Task Force's Code of Conduct.</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>Fair Trade USA Certification on-site audits were conducted in 2017 and 2018, with certification achieved in February 2019. See: http://www.trimarinegroup.com/2019/03/14/tri-marine-announces-fair-trade-certification-of-solomon-islands-tuna-fishery/</p> <p>This certification covers all NFD pole and line vessels and five purse seiners fishing exclusively in Solomon Islands waters. The Fair Trade USA requirements apply to the certificate holder (NFD/TMI) and all crew on fishing vessels. The Fair Trade Capture Fisheries Standard (V.1.0.0) includes requirements relating to fundamental human rights (Section 3) based on ILO Core Conventions addressing forced, bonded and compulsory labour; child labour and the protection of young workers; freedom of association and discrimination. It also includes requirements on wages, working conditions and access to services (Section 4) covering occupational health and safety, working hours, access to basic needs and services, clear employment terms and conditions. See: https://www.fairtradecertified.org/sites/default/files/filemanager/documents/CFS/FTUSA_STD_CFS_EN_1.1.0.pdf</p> <p>NFD will be subject to regular audits by the certifying body of ongoing compliance with Fair Trade USA requirements.</p> <p>Effective 1 January 2020, vessels in the UoC will be subject to third-party audits against the Seafood Task Force's Code of Conduct and Auditable Standards for Fishing Vessels.</p> <p>In order to be licenced to fish in FFA waters (including Solomon Islands), effective 1 January 2020, vessel owners will also be required to furnish FFA with evidence of compliance with crewing MTCs.</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.

	<ul style="list-style-type: none"> - Describe how this is checked, including enforcement within the UoC by the responsible governing authority or oversight body such as labour inspectors.
C H	<p>Solomon Islands <i>Labour Act 1996</i> requires at sea workers to be above the age of 15. The company is required to keep a register of all persons under the age of eighteen (if applicable), which is open to inspection by the Commissioner or other authorised officers.</p> <p>Internally, NFD's recruitment policy requires crew to be above the age of 18, as laid out in the company's Recruitment Policy. NFD's Recruitment Policy complies with the Seafood Taskforce Code of Conduct for Fishing Vessels, whereby the term "child" refers to any person under the age of 15, or under the age of completing compulsory education, or under the minimum age of employment in the country, whichever is higher.</p> <p>NFD reviews official documents (i.e. passport, birth certificate) prior to employment to verify that crews' age is in compliance with internal, as well as national and other private regulations.</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.
C H	<p>The costs associated with crew repatriation at the end of contract, voluntary and involuntary termination are covered by NFD.</p> <p>When off-duty, crews are allowed freedom of movement in port to the extent permitted by national laws.</p>
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.
C H	<p>Not applicable - the crew have full and complete control over their earnings.</p> <p>The company is liable for all costs associated with crew employment relating to agency fees, travel to/from work, visas, medical expenses, safety gear, clothing/protective gear, food, communications access, remittance fees and repatriation etc. No deductions are made from crew payments for these items.</p> <p>Crew are able to seek advances from the company on their pay for remittances to family, personal costs when in port and emergency needs. In this case, advances are deducted from their pay, with their full consent.</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.
C H	<p>NFD has a 'Grievance Policy' that outlines grievance and remedy mechanisms in place. Crew may opt to raise a grievance in person to his/her supervisor or anonymously through a grievance and suggestions box. In both cases, NFD is committed to ensuring that the employee shall not be subjected to any form of retaliation/retribution for raising grievances.</p> <p>Crew may also report issues to onboard observers or government authorities in port.</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.
C H	<p>All crew members retain full and complete control over their original copies of their personal documents (e.g. passport, birth certificate, qualifications etc.). Confiscating, destroying, withholding or otherwise denying workers' access to their identity or immigration documents, including work permits and travel documentation is strictly prohibited.</p>

	As per Solomon Island maritime regulations, while on board a vessel, crew are required to have on them in-person their Seaman Record Book and crew qualification documents. At the request of crew, personal documents can be given to boat captains for safe-keeping during sea-based work and are returned at any time requested.
13	Additional comments
	- Do you have additional comments on labour practices within the UoC?
C H	The vessels in the UoC should comply with labour requirements in the Seafood Task Force Code of Conduct; FFA crewing MTCs (from 1 January 2020); and the Fair Trade USA Capture Fisheries Standard. Fishing trips undertaken by vessels in the UoC are relatively short – pole-and-line vessels (1-2 days); purse seiners fishing exclusively in SI waters (7-10 days); purse seiners fishing outside SI waters (30-40 days). Given the vessels are making regular port calls and independent observers are present on 100% of purse seine fishing trips and around 20% of pole-and-line trips, the risk of undetected labour abuse is extremely low.
14	Date this template was last updated
	- DD/MM/YYYY
C H	22 Aug 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.

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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