

North Pacific Long Line Tuna for Albacore, Yellowfin Tuna & Bigeye Tuna

MSC Certificate Holder Forced and Child Labour Policies, Practices and Measures v1.0

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	<p>Owasebussan Co., Ltd., which provides this statement, is a Japanese fishery company. Owasebussan Co., Ltd. owns two long-line vessels (tuna, yellowfin tuna, and bigeye tuna longliners in the North Pacific). A fishing chief is on each ship.</p> <ol style="list-style-type: none"> 1. Ryoueimaru Fishing Chief Tsuno Kazuhiro 2. # 11 Ryoueimaru Fishing Chief Hiroaki Higashi <p>These two near-sea tuna longliners belong to Owasebussan Co., Ltd.</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?
CH	<p>Japan prohibits child labor and slave labor, and has enacted strict laws to guarantee the rights of workers. The Labor Standards Act of Labor Relations Law in Article 6 of the Labor Force Act (1947 Law 49th) Article 1 to Article 11, Article 116 Section 2 Article 117 to Article 119 and Article 121 The provision is also applicable to the labor relations of seafarers, and Article 5 prohibits forced labor, and those who violate the provision of Article 5 in Article 117 are required to do so for a year or more. It shall be punishable by imprisonment of 10 years or less or a fine of not less than 200,000 yen and not more than 3 million yen.</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>With regard to the rights of workers, Japanese law is very strict, and forced labor and child labor do not exist in the fishery concerned. With regard to the office work listed in the fifth column of the fifth table in the Local Transport Bureau organization rules Article 150 2 established by the Ministry of Land, Infrastructure, Transport and Tourism of Japan, the maritime offices listed in the middle column of the table list the areas listed in the lower column of the same table And the responsible authority (Marine Office) to supervise Owasebussan Co., Ltd. and its 2 owned vessels (Ryouei Maru and # 11 Ryouei Maru), the Toba Maritime Office is defined as the responsible authority.</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>Recruitment of Japanese crew members in Japan is through a fishery related website, Hello Work https://www.hellowork.go.jp/ , “Review” etc., and recruitment of crew members of foreigners (Indonesia) is a company that introduces us to Indonesian crew members under the MARU-SHIP system. We order to Koyo Co., Ltd. Which is a company of</p> <p>The recruitment of foreigners (Indonesia) will be entrusted to Koyo Co., Ltd., a company that will introduce us to Indonesian seafarers under the MARU-SHIP system. Koyo Co., Ltd. Asks to the foreign crew member company CIS (PT. Cakrawala Indonesia Sejahtera) in Indonesia to introduce the crew members.</p> <p>CIS ⇒ Koyo Co., Ltd. ⇒ Owasebussan Co., Ltd. And then we will select from the introduced Indonesian crew members.</p> <p>< Flow of recruitment of crew > Owasebussan Co., Ltd. (Ryouei Maru, # 11 Ryouei Maru) ⇒ Koyo Co., Ltd. ⇒ CIS (PT. Cakrawala Indonesia Sejahtera)</p> <p>< Flow of crew application > CIS (PT. Cakrawala Indonesia Sejahtera) ⇒ Koyo Co., Ltd. ⇒ Owasebussan Co., Ltd. (Ryouei Maru, # 11 Ryouei Maru)</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>Seafarers Act Chapter 11 Employment Regulations (Creation and Notification of Employment Regulations) Article 97.</p> <p>The ship owner who always uses ten or more crew members prepares employment regulations for the following matters in accordance with the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism: And must report this to the Minister of Land, Infrastructure, Transport and Tourism. The same applies when changing this. (1) Salaries and other compensation, (2) Working hours, (3) Holidays and holidays, and (4) Capacity. (2) The ship owner in the preceding paragraph shall report to the Minister of Land, Infrastructure, Transport and Tourism, when he has formulated work rules on the following matters. The same applies when changing this. (1) Food and safety and health, (2) clothing and daily necessities, (3) land accommodation, rest, medical and comfort facilities, (4) disaster compensation, (5) unemployment benefits, severance benefits and retirement benefits, (6) repatriation, (7) education, (8) awards, Other working conditions.</p>

	<p>Article 99. The Minister of Land, Infrastructure, Transport and Tourism may order to change the rules of employment that violate the law or labor agreement. 2) When the Minister of Land, Infrastructure, Transport and Tourism finds that the employment rules are unfair, it passes through the council of the Council for Traffic Policy or the Council to be established by a Cabinet Order placed in the Regional Transportation Bureau (hereinafter referred to as the "Transportation Council etc.") You can order that change.</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>Article 36 of the Crewman Act Shipowners shall, without delay, issue a written statement containing the following matters to the crewman according to the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism without delay when the contract of employment is established. (I) Matters listed in each item of Article 32 (1) (ii) Name, address, and date of birth of the seafarer who has entered into the contract of employment: Location and date of contract of the contract of employment:</p> <p>(2) When the vessel owner changes the content of the employment contract (limited to the matters listed in Article 32, paragraph 1, item 2), the change may be made without delay, in accordance with the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism. A document shall be issued to the crew stating the content and the location and date when the change was agreed with the crew.</p> <p>3 The ship owner shall have a copy of the documents in the preceding two paragraphs on board.</p> <p>(Notification of establishment of employment contract, etc.)</p> <p>Article 37. The captain is required to conclude, terminate, renew or change the hiring contract (hereinafter referred to as "the hiring contract, etc.")</p> <p>If there is no need to notify the Minister of Land, Infrastructure, Transport and Tourism without delay, according to the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.</p> <p>It does not.</p> <p>2. In the case of the preceding paragraph, when the master cannot report, the ship owner will be notified in lieu of the master</p> <p>I have to go out.</p> <p>Article 38 When the Minister of Land, Infrastructure, Transport and Tourism has notified that an employment contract has been concluded, the employment contract shall</p> <p>Or whether there is any violation of the provisions of the law on labor relations of seafarers and the parties' agreement</p> <p>It shall be checked whether it was enough. In this case, the Minister of Land, Infrastructure, Transport and Tourism</p> <p>When it admits, it shall take an order and other necessary measures under the provisions of Article 101 (1).</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>Japan Ministry of Land, Infrastructure, Transport and Tourism Organization Rules (Ex) Article 96 (10) The Chief Operating Labor Supervisor, upon receiving orders, shall carry out the following office work, And supervise the relevant office work. (lii) Working conditions of seafarers, safety and health and other working environment, and inboard discipline Auditing matters.</p> <p>Seamen's Law Article 105- 109 (Crewmen Laborer) The Minister of Land, Infrastructure, Transport and Tourism appoints the Seamen Laborer from among the staff of various departments, and supervises matters concerning the enforcement of this Act and the Labor Standards Law.</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>Article 85 of the Seafarers Act (Employment Restrictions for Young Minors) Article 85. The ship owner shall be a person under 16 years of age (for fishing boats since the day when the age of 15 years has been reached Except for those whose first March 30 days have ended. Do not use) as a seafarer. However, in the same home This is not the case for vessels that use only belonging persons. (2) Shipowners are not permitted to stipulate seafarers of age less than 18 years by the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism under Article 81 paragraph 2 Do not engage in onboard work or any work that is harmful to the safety and health of the relevant seafarers as specified by the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism. I do not. (3) When a ship owner intends to use a person under 18 years of age as a seafarer, he / she must Must be certified by the Minister of Land, Infrastructure, Transport and Tourism. 4 Necessary matters concerning the certification in the preceding paragraph shall be determined by the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism. (Prohibition of night labor of juvenile seafarers) Article 86. The ship owner smells seafarers of age less than 18 years from 8 pm to 5 am the next day Do not engage in work. However, in the case where the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism stipulates This is not the case when taking a rest for nine consecutive hours, including between the hours. (2) The provisions of the preceding paragraph shall not apply when engaged in the work of Article 68 (1) (i). 3. The provisions of paragraph 1 shall not apply to vessels that use only vessels belonging to the same family as the fishing boat and the vessel owner.</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>Set out in Article 21 (Travel expenses) of the Labor Agreement (AGREEMENT).</p> <ol style="list-style-type: none"> 1 . All expenses needed for traveling for the purpose of joining the Vessel shall be borne by the Company. 2 . In the following cases, the Company shall pay actual traveling expenses for the seafarer from the place where he/she is repatriated from the Vessel to his/her place of residence by airplane, train, boat, bus, etc. <ol style="list-style-type: none"> (1) When signing off after termination of the employment contract. (2) When signing off for reason of sickness or injury. (3) When signing off owing to discharge by reason of the Company's convenience. (4) In other cases where the Company considers payment of traveling expenses necessary.
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>Article 35 of the Crew Act (Restriction on Offsetting) The owner of the ship shall not offset the claims on the crew and the obligation to pay the salary. Provided, however, that this shall not apply in cases where the amount of offset does not exceed one third of the amount of salary and in cases of claiming compensation for damages resulting from criminal acts of seafarers.</p> <p>Also, Article 16 of Labor Agreement (AGREEMENT) (Deduction from wages and offset)</p> <p>The company shall offset the following from the wage at the time of wage payment.</p> <ol style="list-style-type: none"> (1) In case the company has credit to a crewmember, the company may deduct an amount not exceeding one-third of his/her wage. (2) Union dues. (3) The amount of money, which the company can deduct from the wage on the basis of the claim to the damages caused by the criminal acts of a crewmember.
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>Labor Agreement (AGREEMENT) Article 8 (Handling of on-board complaints) Shipboard Grievance Settlement</p> <p>Any grievance aboard the vessel shall be settled through the shipboard organization. If the grievance of crewmembers cannot be settled aboard the vessel the Company and the Union shall hold a mutual consultation to settle the matter.</p> <p>For each ship, the fishing leader Ryouei Maru Tsuno Kazuhiro # 11 Ryouei Maru Higashi Hiroaki will be the consultation window and the solution will be solved, but if it cannot be resolved on board, the company and the union will discuss the solution as described above I assume.</p> <p>In addition, the ship owner in Article 118-4 of the Crew Act may, according to the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, carry out on-board complaint handling procedures (this law, where the seafarer has proposed to the ship owner during the voyage Refers to the procedure for dealing with complaints concerning matters specified in the order under which it is based and matters specified by the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism in relation to working conditions etc. of seafarers.</p> <p>2. The ship owner shall, without delay, issue a written statement describing the onboard complaint processing procedure to the seafarer when the contract of employment is established.</p> <p>3. If the vessel owner receives a complaint from paragraph 1 during the voyage from the seafarer, the vessel owner shall handle the complaint in accordance with the onboard complaints handling procedure.</p> <p>4. Shipowners shall not dismiss or otherwise disadvantageously treat seafarers on the grounds of filing a complaint under paragraph (1).</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>The shipping company (Owasebussan Co., Ltd.) does not pick up employee identification cards, passports, etc. However, for the convenience of procedures such as entering the port and landing procedures, the ship's head may be collectively deposited.</p>
13 Additional comments	
	<ul style="list-style-type: none"> - Do you have additional comments on labour practices within the UoC?
CH	<p>There are no additional comments, so far.</p>
14 Date this template was last updated	
	<ul style="list-style-type: none"> - DD/MM/YYYY

CH	27/07/2019
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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.

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.

3.4 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.

3.5 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.

3.6 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.

3.7 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.

3.8 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.

3.9 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.

3.10 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.

3.11 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 v1.0'.

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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

A controlled document list of MSC program documents is available on the MSC website (msc.org)

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