

[SATHOAN French Mediterranean Bluefin tuna artisanal longline and handline fishery]

Certificate Holder Forced and Child Labour Policies, Practices and Measures

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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>Client group is composed with vessels which are all :</p> <ul style="list-style-type: none"> - French flag ; - Members of SATHOAN PO which is a cooperative society ; - Thus the shipowners are all olders of shares, ie owners of the cooperative ; - Less than 18 meters
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>Management authorities and laws which control labour-related regulations are French and European authorities. Controls are realised by DIRRECTE an</p> <p>Regulations concerning work in the maritime environment are established by the European Union and France, a member of the International Labor Organization, signatory in particular of Conventions 138 (minimum age) and 188 (labor law in the maritime environment)</p> <p>Compliance controls are provided by Maritime Affairs (DDM and DIRM) and the DIRRECTE of Occitanie, Provence Alpes Côte d'Azur and Corsica</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>Maritime labor law in France defines the professional status of seafarers. It imposes the administrative registration of seafarers, and the drafting of a written contract of maritime engagement with registration on the list of crew and copy to maritime affairs.</p> <p>The seafarer must report once a year to a compulsory medical examination without which he can not embark.</p> <p>These provisions considerably limit or even eliminate any risk of child labor and forced labor.</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>Crew of very small size, consisting of: the captain who is most often the owner (at least partly) of the ship with 1 or 2 seamen.</p> <p>Sealors are generally recruited at the end of high school, after an internship or several courses aboard the ship as part of their studies. The turnover is low. And the crews remain unchanged from one year to the next.</p>

5	Engagement with fish worker groups
	- 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	Nothing to report
6	Crew contracts
	- Describe the nature of contracts or legal work agreements in place in the UoC and the issues addressed in such agreements.
CH	<p>The employment contract is always written and specifies in particular the amount of the remuneration (wages and accessories), the duration (indefinite or if determined date of beginning and end) and the service to be performed on board by the sailor and the functions performed. . (See Article L5542-3 of the Transport Code, Book V)</p> <p>The fish worker is informed of the accounting elements justifying his remuneration for each pay. All information is included on the payroll.</p> <p>In any case, the contract can be concluded only with a able seaman, who has the required qualifications and is up to date of the compulsory trainings (attestations relating in particular to safety and security ship, emergency management and medical care).</p> <p>One copy of the contract is sent to the labor inspectorate, another is annexed to the crew list drawn up by maritime affairs.</p> <p>A national professional agreement lays down the methods for calculating the remuneration per share, and determines the periods of work selected for the calculation of the minimum wage for growth.</p>
7	Audits and labour inspections
	- Describe any 3rd Party audits and certifications on labour, or labour inspections conducted within the UoC in the last two years.
CH	<p>Maritime Affairs conducts unannounced checks. Registration on the crew list and qualification of all fish workers is verified.</p> <p>In addition to controls by the national authorities: ALPEM carries out internal audits of all UoC vessels according to the "Ecolabel de la Pêche maritime" reference, and certification audits are conducted by a certification body (CERTIPAQ) according to this same referential. the flotilla is certified.</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>National minimum age for working in France is 16 years old + status of young worker if <18 years old who prohibits the performance of certain functions.</p> <p>Fish work is a regulated profession with compulsory registration of each seaman. This involves the verification of the sailor's marital status (place and date of birth) and attestations of the training carried out.</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	
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	
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>All ships are under French flag.</p> <p>Thus the civil court is competent to rule on individual disputes between seamen to their employer, after conciliation attempt before the departmental director of territories and the sea (DDTM)</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	
13	Additional comments
	<ul style="list-style-type: none"> - Do you have additional comments on labour practices within the UoC?
CH	
14	Date this template was last updated
	<ul style="list-style-type: none"> - DD/MM/YYYY
CH	01/07/2019

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.