

**SPFPO Swedish North Sea herring**

**SPSG, DPPO, PFA, SPFPO & KFO Atlanto-Scandian purse seine and pelagic trawl herring**

**MINSA North East Atlantic Mackerel**

**DFPO, DPPO and SPFPO Skagerrak, Kattegat and Western Baltic Herring Fishery**

**Denmark, Estonia, Germany, Sweden Baltic herring and sprat (in assessment)**

**DFPO and DPPO North Sea, Skagerrak and Kattegat sandeel, sprat and Norway pout**

**PFA, DPPO, KFO, SPSG & Compagnie des Pêches St Malo Northeast Atlantic blue whiting Pelagic Trawl**

**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**

|    |   |
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| 1  | Composition of fishery client group on behalf of who the statement is provided  |
|    | <ul style="list-style-type: none"> <li>- Characterise the composition of the fishery client group, including cost sharing entities.</li> <li>- Describe the relationship between cost sharing members of the fishery client group and the vessel owners and operators of the Unit of Certification (UoC).</li> </ul>  |
| CH | <p>The Swedish Pelagic Federation Producer Organisation (SPF PO) is a <b>non-profit</b> organisation, which organises more than 95 % of the Swedish pelagic fleet. The members of the organisation pay an annual fee to SPFPO, and all have equal say in the organisation's decisions through the yearly meetings and the democratically elected board. SPF PO has two full-time employees and a part-time accountant. The producer organisations main task is to be the link between the authorities and the members. The producer organisation also among other things assist the members with swaps of quota between vessel-owners, and with foreign countries.</p> <p>SPF PO is the holder of the MSC certificate and all pelagic vessels engaged in the fishery that are members in SPF PO are on the MSC vessel list.</p> <p>The costs of the certificate are payed in part through the member fees and in part through EMFF funding to SPF PO.</p>   |
| 2  | Responsibility for labour regulation  |
|    | <ul style="list-style-type: none"> <li>- What management authorities and laws, including flag state authorities, control labour-related regulations in the unit of assessment area?</li> <li>- How are laws enforced?</li> </ul>  |
| CH | <p>Sweden has a rigid legislation in place to prohibit child and slave labour and to ensure workers' rights and work safety conditions.</p> <p><b>The Swedish work environment authority (Arbetsmiljöverket)</b> <a href="https://www.av.se/">https://www.av.se/</a></p> <p>The Swedish Work Environment Authority has the mandate from the government to see to those laws about work environment; companies and organisations follow working hours, workers' rights etc. They produce legally binding provisions, inspect workplaces and disseminate information about work environment regulations.</p> <p>The EU directive 2017:159 on Work in Fishing are going to be implemented in national law in November 15 2019. Several amendments to national legislation are planned to happen and will be implemented during the autumn 2019.</p> <p>General national legislation about the work environment and working conditions (This legislation covers work at sea since 2003):</p> <p><a href="https://www.av.se/en/work-environment-work-and-inspections/acts-and-regulations-about-work-environment/">https://www.av.se/en/work-environment-work-and-inspections/acts-and-regulations-about-work-environment/</a><br/> <a href="https://www.av.se/en/work-environment-work-and-inspections/publications/foreskrifter/">https://www.av.se/en/work-environment-work-and-inspections/publications/foreskrifter/</a></p> <p>The working conditions at sea are also regulated through the Ships safety regulations and Seaman's law<br/> <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/fartygssakerhetslag-2003364_sfs-2003-364">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/fartygssakerhetslag-2003364_sfs-2003-364</a></p> <p><a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/fartygssakerhetsforordning-2003438_sfs-2003-438">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/fartygssakerhetsforordning-2003438_sfs-2003-438</a></p> <p><a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/sjomanslag-1973282_sfs-1973-282">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/sjomanslag-1973282_sfs-1973-282</a></p> <p>More detailed regulations for working conditions at sea are issued by the Transport Agency</p> <p><b>The Swedish Transport Agency (Transportstyrelsen)</b> <a href="https://transportstyrelsen.se/">https://transportstyrelsen.se/</a></p> |

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|    | <p>The Swedish Transport Agency is working to achieve good accessibility, high quality, secure and environmentally aware rail, air, sea and road transport. They have overall responsibility in this area for drawing up regulations and ensuring that authorities, companies, organisations and citizens abide by them (control/inspections of the specific regulations). The Transport Agency is also responsible for Flag state issues.</p> <p>Specific regulations pertaining to working conditions, work environment and safety onboard vessels: There are a number of specific acts regulating different aspects of work on vessels, this is the overarching regulation for work at sea:<br/> <a href="https://www.transportstyrelsen.se/TSFS/TSFS%202019_56.pdf">https://www.transportstyrelsen.se/TSFS/TSFS%202019_56.pdf</a> (in force from August 1 2019)</p> <p><a href="https://www.transportstyrelsen.se/TSFS/TSFS%202009_119k.pdf">https://www.transportstyrelsen.se/TSFS/TSFS%202009_119k.pdf</a></p> <p>More information on detailed legislation from the Transport Agency:<br/> <a href="https://www.transportstyrelsen.se/globalassets/global/sjofart/dokument/arbetsmiljo/regelstruktur-2015-03-02.pdf">https://www.transportstyrelsen.se/globalassets/global/sjofart/dokument/arbetsmiljo/regelstruktur-2015-03-02.pdf</a></p> <p><a href="https://www.transportstyrelsen.se/sv/sjofart/Miljo-och-halsa/Arbetsmiljo/">https://www.transportstyrelsen.se/sv/sjofart/Miljo-och-halsa/Arbetsmiljo/</a></p> <p><b><u>The Swedish Tax Agency (Skatteverket)</u></b><br/> <a href="https://www.skatteverket.se/servicelankar/otherlanguages/inenglish.4.12815e4f14a62bc048f4edc.html">https://www.skatteverket.se/servicelankar/otherlanguages/inenglish.4.12815e4f14a62bc048f4edc.html</a></p> <p>The Swedish Tax Agency manages civil registration of private individuals and collects taxes such as personal income tax, corporate tax, VAT and excise tax. Their controls are part of the toolbox for hindering e.g. illicit work.</p> <p><b><u>The Swedish Coast Guard</u></b><br/> The Swedish Coast Guard supervises, rescues and provides assistance at sea, 24 hours a day, 365 days a year along the entire Swedish coastline. It is a civilian government agency under the authority of the Ministry of Justice. The overall aims of the Coast Guard are decided by the Swedish Riksdag while the government makes decisions on more detailed aspects. The Swedish Coast Guard works for a sustainable marine environment and the improvement of safety at sea. We operate along the entire coastline of Sweden, where we rescue, assist and monitor - around the clock, all year round with the help of aircraft, large and small vessels and also directly from the mainland.</p> <p>During controls at sea, the coast guard control the crew lists of the vessels among other things.</p> |
| 3  | Risk identification and mitigation  |
|    | <ul style="list-style-type: none"> <li>- 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.</li> </ul>  |
| CH | <p>Swedish legislation is very strict when it comes to worker’s rights. Forced labour or child labour does not exist in our fishery.</p> <p><b><u>The Swedish work environment authority (Arbetsmiljöverket)</u></b> <a href="https://www.av.se/">https://www.av.se/</a> and the <b><u>Swedish Transport Agency (Transportstyrelsen)</u></b> <a href="https://transportstyrelsen.se/">https://transportstyrelsen.se/</a> are the responsible authorities and substantial legislation is in place, see questions 2 and 8. National authorities will make unannounced inspections if they suspect any illegal conduct. Information may be given by anyone to the national authorities anonymously.</p> <p>The ship company and captain onboard are responsible that the legislation regarding young workers are followed. The employer always uses the Swedish civic registration number in the contract, which is in part composed by the date of birth, and thus there is a control of the age of the person being employed.</p> <p>All crew on the Swedish vessels are employed using a standard employment contract, which can be cancelled (with 1-3 months notice) by both parties. This is a surety against any forced labour.</p> <p>By law, vessels with 5 persons or more working on board must have one or several safety representatives. These are involved in regular risk assessments onboard. There is a self-control form on safety equipment and work environment (among other things) on fishing vessels that must be filled in yearly for the Transport Agency. Workers safety is a priority in the companies. Each company has a safety representative and works systematically with inspecting the work environment, work safety and safety equipment, routines for</p>   |

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|    | dangerous or heavy work, as well as education of employees regarding safe practices etc. Here both physical and psychosocial work environment issues are regularly revised, and grievances can be raised this way. Any work-related injuries must be reported to the Swedish work environment authority.   |
| 4  | <b>Crew recruitment</b>  |
|    | - Describe the typical methods used to recruit crew in the UoC and describe the migrant composition of crew if any.  |
| CH | Crew members are recruited in various ways: The traditional “word of mouth” in fishing ports and advertisements in fishery related papers and websites as well as social media.<br><br>Regarding migrant crew members, only very few crew members come from foreign countries, and all from European Union countries, where we have mutual recognition of qualifications. Those who are employed have to have the same basic qualifications as Swedish crew members, particularly as regards safety.   |
| 5  | <b>Engagement with fish worker groups</b>  |
|    | - 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 | Contact with workers unions would usually occur with the companies that are members of SPF PO, not with SPF PO as an organisation.<br><br>SPF PO is a democratic fisherman’s organisation and thus are representing the fishermen’s own interests.<br><br>Fishermen may also be members of workers unions (voluntary). Any fisherman that is not satisfied with their working conditions can talk directly to his employer, talk to his Union, talk to SPF PO or talk to the responsible Authority (the Transport Agency). <a href="https://www.transportstyrelsen.se/sv/sjofart/Miljo-och-halsa/Sjoarbetskonventionen-MLC/Sjomannens-ratt-att-lamna-klagomal/">https://www.transportstyrelsen.se/sv/sjofart/Miljo-och-halsa/Sjoarbetskonventionen-MLC/Sjomannens-ratt-att-lamna-klagomal/</a> There are well-defined practices for how such disagreements are handled in Swedish legislation. |
| 6  | <b>Crew contracts</b>  |
|    | - Describe the nature of contracts or legal work agreements in place in the UoC and the issues addressed in such agreements.   |
| CH | All crew on the Swedish vessels are employed using a standard employment contract, which can be cancelled (with 1-3 months notice) by both parties. Full time employment is the normal.<br><br>The contract normally regulates e.g. employment form, working hours, wages, work description, whether there is a union agreement, termination of the contract. The contracts often also defines the recompensation for travels or overtime hours within the work.<br><br>Employees may be members of workers unions (voluntary) and some have union agreements, while others have more individual contracts.  |
| 7  | <b>Audits and labour inspections</b>   |
|    | - Describe any 3rd Party audits and certifications on labour, or labour inspections conducted within the UoC in the last two years.  |
| CH | Individual companies/vessels may be inspected/controlled by the Swedish work environment authority, the Swedish Transport Agency and the Swedish Tax Agency. There is a self-control form on safety equipment and work environment (among other things) that must be filled in yearly for the Transport Agency.<br><br>Workers safety is a priority in the companies. Each company has a safety representative and works systematically with inspecting the work environment, work safety and safety equipment, routines for dangerous or heavy work, as well as education of employees regarding safe practices etc. Any work-related injuries must be reported to the Swedish work environment authority.  |

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|   | By law, vessels with 5 persons or more working on board must have one or several safety representatives. These are involved in regular risk assessments onboard.   |
| 8 | National minimum age requirements  |
|   | <ul style="list-style-type: none"> <li>- Describe national minimum age requirements for crew members serving on vessels within the UoC.</li> <li>- Describe systems in place, both regulatory and private sector systems, to ensure that crew members meet national minimum age requirements.</li> <li>- Describe how this is checked, including enforcement within the UoC by the responsible governing authority or oversight body such as labour inspectors.</li> </ul>   |
|   | <p>For anyone below 18 years (i.e. under the majority age), the official caretaker must be informed and give their assent to the under-age person's being employed.</p> <p><b><u>Children younger than 13</u></b></p> <p>Those who are under 13 years of age may not work, but certain exceptions exist. The exceptions are about very light and non-dangerous work within the closest family without other employees. Examples of very light and safe work are garden work, light animal feeding work, fruit and berry picking, as well as the clearing of garden beds.</p> <p><b><u>Children 13-16 years old</u></b></p> <p>Older children may have light and non-dangerous work. The work may not entail great responsibility or be physically or mentally difficult. This means that older children may not be responsible for something that is valuable or carry out anything that could lead to someone being hurt. Neither may they carry out, for example, heavy lifting or work in environments where there is a risk of violence or conflicts.</p> <p><b><u>Young between 16-18</u></b></p> <p>Young people, who are at least 16 years of age during the on-going calendar year, may have normal and non-dangerous work. They may not carry out working tasks that are in appendix 1 of the provisions, if the exceptions are not fulfilled. The exemptions that exist are if the work task is included in education and occurs in school or in a place that is reserved for education, is included in supervisor-led practical work for young people, is carried out by young people who have completed an upper secondary school education or similar training for the task.</p> <p>CH Prohibited working tasks</p> <p>The are working tasks that may never be carried out by someone under the age of 18 years. The ban applies to, among other things: work with asbestos, diving work, security work according to the Security Company Act, transport of money and securities to or from financial institutions or areas outside the workplace.</p> <p><a href="https://www.av.se/en/work-environment-work-and-inspections/the-employers-responsibility-for-the-work-environment-for-employers-of-young-people-in-working-life/working-tasks-for-young-people/?hl=minder%C3%A5rig">https://www.av.se/en/work-environment-work-and-inspections/the-employers-responsibility-for-the-work-environment-for-employers-of-young-people-in-working-life/working-tasks-for-young-people/?hl=minder%C3%A5rig</a></p> <p>Work of young persons on board is also regulated in</p> <ul style="list-style-type: none"> <li>- the Council Directive (EU) 2017/159 <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017L0159">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017L0159</a></li> <li>- the Ship safety law (Fartygssäkerhetslagen) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/fartygssakerhetslag-2003364_sfs-2003-364">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/fartygssakerhetslag-2003364_sfs-2003-364</a> (chapter 4, 7§)</li> <li>- the Seamans' law (Sjömanslagen) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/fartygssakerhetslag-2003364_sfs-2003-364">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/fartygssakerhetslag-2003364_sfs-2003-364</a> (45§)</li> <li>- the Transport Agency provisions (TSFS 2009:119) about working environment on ships (chapter 3 – underage persons with special rules for fishing vessels).</li> </ul> |

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|    | <p>The ship company and captain onboard are responsible that the legislation regarding young workers is followed. Infringements are punishable. The employer always use the Swedish civic registration number in the contract, which is in part composed by the date of birth.</p> <p>All employments are reported to the Tax Authority since there is tax on all labour. The tax authority will react strongly to any under-age employment without a valid exemption from a competent authority. The tax authority will in such cases contact the Transport agency and/or the Work environment agency. An official inquiry will start, with controls of the employer, and if any illegality is found, it will be prosecuted.</p>  |
| 9  | Repatriation   |
|    | <ul style="list-style-type: none"> <li>- 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.</li> </ul>  |
| CH | N/A – no repatriation problems.  |
| 10 | Debt bondage   |
|    | <ul style="list-style-type: none"> <li>- 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.</li> <li>- If so, describe such practices and how debt bondage is avoided.</li> </ul>   |
| CH | <p>N/A – no evidence of debt bondage</p> <p>All crew members are employed under a contract which can be cancelled by both parties.</p> <ul style="list-style-type: none"> <li>- Food on board is included in the contract</li> <li>- Travel to/from another port is paid by the ship company</li> <li>- Visa costs are not applicable</li> <li>- Protective clothing, safety and other equipment is provided by the ship company</li> </ul>  |
| 11 | Grievance and remedy mechanisms  |
|    | <ul style="list-style-type: none"> <li>- 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.</li> </ul>   |
| CH | <p>SPF PO is a democratic fisherman’s organisation and thus are representing the fishermen’s own interests.</p> <p>Fishermen may be members of workers unions (voluntary). By law, vessels with 5 persons or more working on board must have one or several safety representatives. These are involved in regular risk assessments onboard. Here both physical and psychosocial work environment issues are regularly revised, and grievances can be raised this way.</p> <p>Any fisherman that is not satisfied with their working conditions can talk directly to his employer, talk to his Union, talk to SPF PO or complain to the responsible Authority (the Transport Agency).<br/> <a href="https://www.transportstyrelsen.se/sv/sjofart/Miljo-och-halsa/Sjoarbetskonventionen-MLC/Sjomannens-ratt-att-lamna-klagomal/">https://www.transportstyrelsen.se/sv/sjofart/Miljo-och-halsa/Sjoarbetskonventionen-MLC/Sjomannens-ratt-att-lamna-klagomal/</a> Serious grievances can be taken to the court of justice</p> <p>National authorities will make unannounced inspections if they suspect any illegal conduct. Information may be given by anyone to the national authorities anonymously.</p> |
| 12 | Identification documents   |
|    | <ul style="list-style-type: none"> <li>- 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.</li> </ul>  |

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| CH | N/A. The ship companies never hold their employees' ID/passports.     |
| 13 | Additional comments   |
|    | - Do you have additional comments on labour practices within the UoC? |
| CH |   |
| 14 | Date this template was last updated                                   |
|    | - DD/MM/YYYY  |
| CH | 15/07/2019  |

## **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.

## 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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