

Icelandic Sustainable Fisheries ehf.

Representing the client group for all Icelandic MSC certified fisheries.

Faroe Islands and Iceland North East Arctic cod, haddock and saithe; ISF Greenland halibut; ISF Iceland anglerfish; ISF Iceland capelin; ISF Iceland Cod; ISF Iceland golden redfish, blue ling and tusk; ISF Iceland haddock; ISF Iceland lemon sole; ISF Iceland mackerel; ISF Iceland North East Atlantic blue whiting; ISF Iceland northern shrimp - inshore and offshore; ISF Iceland saithe, ling, Atlantic wolffish and plaice; ISF Norwegian & Icelandic herring trawl and seine.

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	<p>Icelandic Sustainable Fisheries ehf (ISF) is a client group open to all Icelandic companies, wishing to export MSC certified fish from Iceland. Currently, the client group consists of 55 companies in fisheries, processing, sales and export. The members to the client group share the cost of applying and maintaining the MSC certificates and share the responsibility to improve fishing practices according to conditions and recommendations raised by Conformity Assessment Bodies (CAB) within the provided timeline and deadlines.</p> <p>The relationship between the cost sharing members and vessel owners and operators of the Unit of Certification is based on a general principle of scope practiced by ISF. The principle of scope means that all ISF applications for a certification include all Icelandic vessels, regardless of whether a vessel owner is a client group member. Operating ISF under the principle means that all landed catch in Iceland of certified specie is certified.</p> <p>A second principle stipulates that a certificate for a specie should include each fishing gear used by Icelandic vessels to fish the particular specie.</p> <p>The two operating principles at ISF are aimed to maintain validity of the sustainability claim for a given specie, by including all vessels and all gear.</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>The hierarchy of Icelandic law and regulations commences at the Althing, the Icelandic parliament. The execution of the law is the responsibility of ministries and their agencies or institutions.</p> <p>The Ministry of Industries and Innovation is responsible for implementing the law and operates two main institutions, Marine & Freshwater Research Institute (MFRI) and the Directorate of Fisheries (DoF). DoF's main assignment is to monitor "fisheries and the daily administration of the fisheries management system in Iceland." (www.fiskistofa.is) While the main assignment of MFRI is to conduct "various marine and freshwater research and provides the Ministry with scientific advice based on its research on marine and freshwater resources and the environment." (www.hafogvatn.is).</p> <p>The Ministry of Transport and Local Government is responsible for implementing maritime law (See further for instance the Seaman's act 1985 nr. 35 19. júní.)</p> <p>The Ministry of Social Affairs is responsible for implementing and enforcing the labour legislation and operates two main institutions for this purpose. The institutions are the Directorate of Labour (DoL) and the Administration of Occupational Safety and Health (AOSH) and for vessels it is the Icelandic Transport Authority (ICETRA) which performs the audits and issues certificates of seaworthiness and safety certificates.</p> <p>In 1969 the Icelandic Seamen's Federation (SSÍ) was established and since then its purpose has been to represent all Icelandic seamen and to promote establishment of regional labour unions. Currently there are 17 different unions represented by the SSÍ. SSÍ supports the local unions with knowledge of rights and responsibilities of seamen and their employers, as well maintaining and continuing education among members, regarding their rights and responsibilities. SSÍ is the central body for Icelandic seamen in negotiating wages with the employer's federation, Fisheries Iceland (SFS). Furthermore, SSÍ and SFS work continuously on improved legislation on rights and safety. (www.ssi.is)</p>

	<p>Fisheries Iceland (SFS) was established in 2014 by merger of two former associations in the Icelandic fishing industry. The purpose of SFS is to increase value from Icelandic fisheries, to promote maritime innovation and education, to increase and improve the image of Icelandic fisheries, partake in international cooperation and maintain interests and concerns of Icelandic fisheries both at home and abroad. SFS negotiates collective agreements on behalf of its members, promotes maritime scientific research for sustainable harnessing of the oceans' resources and SFS strengthens the image and competitiveness of Icelandic fisheries in foreign markets. (www.sfs.is)</p> <p>SSÍ and SFS negotiate wages, benefits, rights and responsibilities based on the country's labour legislation and its maritime law. The labour contract between the federations of employees and employers provides the parties with their shared understanding of rights and responsibilities of each party to the contract (The collective agreement can be found here in Icelandic)</p> <p>The Seamans Act stipulates thoroughly the rights and responsibility of each party in the relationship, the employee and the employer. Chapter five of the Seamans Act covers, in fifteen paragraphs, definitions and repercussions to breaking the maritime law. Depending on severity, breaking the law can result in fines to jail sentences. Maritime Acts and Regulations in English can be found here.</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>Children are not recruited or hired to perform work which falls outside definitions stipulated in Chapter X of the Law on working conditions, hygiene and safety at work (1980 nr. 46 28. mai). The execution of the law is further outlined in Regulation on the work of children and adolescents no. 426/1999. The regulation references provisions agreed by parties to the European Economic Area (EEA).</p> <p>At sea the Icelandic Coast Guard is responsible for inspection and law enforcement. The Coast Guard performs spot-checks on vessels, where several legal obligations are inspected. This includes the ship's papers, legal registration of crew, officers' professional certifications, fishing gear and catch. Any infringements are reported, and the Coast Guard brings charges against the captain, following a police investigation, with assistance from the Coast Guard.</p> <p>The legal registration of the crew means that a person cannot be employed on board a vessel without the official registration, which excludes forced employment of children or adults. The legal registration of crew is a strict process and fundamental to increase and maintain safety, health and rights of crewmembers.</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>The Icelandic Maritime Law describes the fundamentals in the recruitment of crew. Shipowner is obligated to provide a written employment agreement, which the new crew member will have ample time to scrutinize and seek advice regarding its content and enter into the agreement unforced. Each party keeps a copy of the employment agreement.</p> <p>The Employment Agreement Information and contents of the agreement include the crew member's full name, birthdate, address and social security number. It states the crew member's positions on the vessel, name and address for next of kin, duration of the employment contract, place of contract termination (the law states that place of termination is always an Icelandic port) and term of notice. The employment agreement states contracted wages, including extra work and overtime.</p> <p>The captain is the highest authority onboard a vessel and is responsible for providing a recruit with guidance, to ensure that the recruit learns the job. A recruit is also taught how to use safety and emergency equipment onboard the vessel. It is mandatory that the employment agreement is consistent with the collective agreement. According to the collective agreement, the employer is obligated to deliver the union membership fees on behalf of the seamen to the respective union.</p>

	<p>It is mandatory for each seaman to complete the Safety School at ICE-SAR, within 180 days of being recruited. Without a diploma from the Safety School, the legal registration at ICETRA is invalid.</p> <p>The initial contact between a recruit and the fishery commences following an advertisement by the fishery in local employment sections of newspapers, recruitment agencies and company websites. Seamen looking for employment will leave their resumes with fisheries and captains, to be contacted in case of vacancies.</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>A fishing company can own and operate on sea and on land. Collective agreements are not the same for fish processors on land and seamen, and the negotiation parties are different. Confederation of Icelandic Enterprise (SA) is the negotiation party on behalf of employers and trade unions bargain collectively for employees or workers. More than 90% of Icelandic workers belong to a trade union (see Statistics Iceland) which bargain collectively as empowered by Icelandic law (Act No. 80/1938). Icelandic law (Act No. 55/1980) also determines that collective bargaining is binding for all employers and workers, “and affects both domestic and foreign undertakings operating on the Icelandic labour market.” (See further Icelandic Confederation of Labour / ASÍ)</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>Crew contracts are collectively bargained between the Icelandic Seamen’s Federation (SSÍ) and Fisheries Iceland (SFS). The collective agreement is valid for all vessels and fisheries, for all fishing companies and vessel operators, whether or not the operator is a member of SFS. See further the Act No. 55/1980 where minimum wages and terms are stipulated for all workers.</p> <p>The collective agreement stipulates basic pay, minimum salary guarantees. It stipulates how shares of the catch are derived from the sales value of the catch. Both salary guarantee and share of the catch value are dependent on and follow positions onboard the vessel. The contract includes that crew members are to be provided with necessary safety- and protective gear, pay based on position on board, full room and board. It details terms of notice by each party, and due dates for payment of salaries and share of the catch value. The contract stipulates leaves on specific holidays, compensation due to accidents or illnesses, right to salaries due to an illness of a crew member’s child. All crew members are covered by accident insurances and surviving spouse or children receive a compensation if an illness or accident on board a vessel leads to death. The contract provides how vacation pay is structured and pension fund payments are established.</p> <p>According to the collective agreement, the crew members receive share of the catch value based on the sales value of the catch and it explains how the total share value is derived, depending on different sales channels, e.g. containerized export, vessel sails to a foreign port, vessel operator buys the fish to own land based fish processing.</p> <p>Crew members have the right to demonstrate and strike. If a strike has been decided by a voting among the seamen, a vessel must immediately cease fishing and sail to port.</p> <p>The collective agreement between SFS and SSÍ is specific in terms of type of vessels and type of catch or onboard processing. Terms for share of catch value can vary, depending on vessel type and catch type or product type. Since work on board the vessels can vary, the collective agreement estimates staffing by size of vessel and catch or gear type. In case a vessel is manned by fewer, then the share of catch value of the crew increase as the share of catch value of the vacant positions is distributed among the crew according to positions.</p> <p>When a vessel comes to port for landing, a time for rest and time off is required for the crew. The length of rest period takes aim of vessel type and length of fishing trips.</p> <p>The different types of vessels define details in pay, rest onboard, time off during landing and vacation/rest time from work. Definitions of vessels are as follows:</p> <ul style="list-style-type: none"> - Longline fisheries - Longline or gillnet fisheries when; catch is salted, frozen or partially chilled onboard/at sea - Gillnet fisheries

	<ul style="list-style-type: none"> - Danish seine fisheries - Danish seine fisheries when; catch is frozen onboard/at sea - Bottom trawl fisheries - Stern trawlers - Freezer trawlers when; catch is frozen onboard/at sea including herring and shrimp - Vessels freezing groundfish onboard/at sea - Trawlers when; salting catch onboard/at sea - Herring fisheries when; fishing gear is purse seine or pelagic trawl - Capelin fisheries when; fishing gear is purse seine or pelagic trawl - Capelin fisheries when; catch is frozen onboard at port when catch is bought from another vessel - Nephrops fisheries - Shrimp fisheries - Shrimp fisheries when; catch is processed onboard/at sea - Norway pout fisheries when; gear is a type of trawl - Blue whiting fisheries - Shellfish fisheries - Pelagic fisheries when; catch is frozen onboard/at sea <p>See further here in Icelandic, the employment contract in its entirety.</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>It is the Icelandic Transport Authority (ICETRA) which is responsible for certifying seamen and crew issues. ICETRA is responsible for implementing and maintaining international agreements on education, training, certificates for seamen according to the Standards of Training, Certification and Watchkeeping for Seafarers (STCW). ICETRA issues and maintains legal registration of seamen onboard each vessel and by law (Act no. 35 5. maí 2010), it is mandatory to register each crewmember at ICETRA. This official registration is mandatory, and several prerequisites are needed. A crew member can only be registered if the vessel has a valid certificate of seaworthiness, a valid crew insurance is in place, the vessel is fully manned according to law, the vessel's officers have valid certificates of competency and that the vessel's mechanical supervisors have valid certificates of competency. It is mandatory for each seaman to complete the Safety School at ICE-SAR, within 180 days of being recruited. Without a diploma from the Safety School, the legal registration at ICETRA is invalid.</p> <p>At sea the Icelandic Coast Guard is responsible for inspection and law enforcement. The Coast Guard performs spot-checks on vessels, where several legal obligations are inspected. This includes the ship's papers, legal registration of crew, officers' professional certifications, fishing gear and catch. Should the Coast Guard detect infringements, they will be investigated by the police and the Coast Guard brings charges against the captain, which are concluded by the judicial system.</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>The Icelandic Child Protection Law is the foundation for protection and care for children, until the 18th birthday and cover all children in domain of the Icelandic state. The law stipulates that decisions affecting children should always be to their best interest. No individual under 18 years of age, is permitted to enter into an employment contract without permission from a legal guardian according to Act 1997 nr. 71 28.</p> <p>The Icelandic Maritime Law prohibits employment of a child under the age of 15 years, unless it is a training ship, and the Minister can issue policies for a higher age limit, up to 18 years of age.</p> <p>To ensure that all crew members meet the national minimum age requirements, each crew member must be officially and legally registered at ICETRA which maintains a directory of all seamen working on Icelandic vessels. No vessel may leave port when carrying an unregistered crew member and each crew member must additionally have a vocational competency certificate from ICETRA, an individual cannot become a</p>

	<p>registered crewmember without the vocational competency certificate which ICETRA issues, following a medical examination, passport photo, payment for the certificate, copies of relevant diplomas or certificates. The captain is responsible and liable if a crew member does not have an official, legal registration in the directory at ICETRA. The law on Legal Registration of Seamen stipulates that failing to register a crew member results in fines or jail sentences up to two years – or more if an offence infringes the penal laws.</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>All third country nationals (non-EEA nationals) who wish to become a crew member of an Icelandic fishing ship need to have a work permit and a residence permit, as the Act on Foreign Nationals Right to Work stipulates. The work permits are issued by The Directorate of Labour (DoL) and residence permits are issued by The Directorate of Immigration (DoI). An employer must apply to DoL on behalf of a third country national before coming to Iceland to work and DoI rules if a foreigner should be granted a residence permit and issues it – or not. Following the issuance of a residence permit by DoI, a work permit can be issued by DoL.</p> <p>When this process is finished and the third country national has a valid residence permit and a valid work permit, can the third country national be officially and legally registered at ICETRA to become a crew member.</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.
CH	<p>There is no evidence indicating systemic or non-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.</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>The Icelandic Coast Guard inspects vessels at sea and boards without previous notice. The Coast Guard performs spot-checks on vessels, where several legal obligations are inspected. This includes the ship's papers, legal registration of crew, officers' professional certifications, fishing gear and catch. Should the Coast Guard detect infringements, they will be investigated by the police, with assistance from the Coast Guard. Following the investigation, the Coast Guard brings charges against the captain, which are concluded by the judicial system, resulting in fines or jail sentences.</p> <p>The legal registration of crewmembers at ICTRA's directory of legally registered crewmembers lies at the foundation to ensure wellbeing of all shipboard personnel. On basis of the legal registration, the inspection by the Coast Guard becomes efficient and accurate.</p> <p>Icelandic Law on Trade Unions and Workers Dispute stipulate that each workplace of five employees or more, should have appointed two shop stewards which enjoy extended job security. A shop steward's tasks are to receive complaints and report discrepancies and infringements by an employer on the employment contracts or civil rights. A shop steward is to look into matters and file complaints with the employer and report to the relevant trade unions on all complaints. More than 90% belong to a trade union which have established processes for their members.</p> <p>The Icelandic Child Protection Law stipulates that each individual is obligated by law to report to a child welfare board, if there are any signs of a child living in unacceptable conditions, including upbringing circumstances, suffers violence or other disrespectful behaviour or if a child is jeopardising its health, maturity and development. In addition, the law enforcement of the seas is the Coast Guard which performs spot-checks and would bring a captain to justice for any legal offences.</p>

12	Identification documents
	- 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	No crewmember ever needs to part with their identification documents, including National ID, passports, visas, etc. Therefore, the access is in no way restricted and each individual is responsible for his or her personal belongings. In case of a lost or stolen ID documents, an individual can always turn to an embassy or consul for replacements.
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	15.08.2019

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'.

The Marine Stewardship Council's 'Certificate Holder Forced and Child Labour Policies, Practices and Measures Template' and its content is copyright of "Marine Stewardship Council" - © "Marine Stewardship Council" 2019. All rights reserved.

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).

Senior Policy Manager
Marine Stewardship Council
Marine House
1 Snow Hill
London EC1A 2DH
United Kingdom

Phone: + 44 (0) 20 7246 8900
Fax: + 44 (0) 20 7246 8901
Email: standards@msc.org