

**Pan Pacific yellowfin, bigeye and albacore longline  
fishery**

**Tropical Pacific yellowfin and skipjack free-school purse  
seine fishery**

**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"> <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	Dongwon Industries (fishery certification and CoC certification holder)
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>On a national level, labour related regulations are handled by Ministry of Oceans and Fisheries, Regional Offices of Oceans and Fisheries, and Regional Labour Administration.</p> <p>Labour related laws and regulations legalized, publicly announced and then notified to labour union and association. Any newly registered or amended legislation is notified to vessels and individuals via written notice. These laws can be found online on a website run by Korean government.</p> <p>Internally as a corporate, we have a Crew Service Team that handles all of the crew related tasks, and all of the crew members sign contract with us. The contract is drafted in accordance with ILO and opinions of Crew (labour) Union.</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	Korean government is prohibiting child labour, and even if a crew is 18 years old but below 20 years old, consents from a legal representative (parents), high school and the crew are needed in order for the crew to onboard a vessel. Also, as a company we are prohibiting any personnel below under 18 years old from boarding our vessels.
4	Crew recruitment
	<ul style="list-style-type: none"> <li>- Describe the typical methods used to recruit crew in the UoC and describe the migrant composition of crew if any.</li> </ul>
CH	<p>The migrant composition may vary via types of vessels (purse seiners 75%, trawler 75%, others 85%)</p> <p>Korean crew recruitment</p> <ul style="list-style-type: none"> <li>- Recruit notices posted</li> <li>- In-person interview</li> <li>- Consider the candidate's legally required training, medical inspection, and previous experiences to see if the person is right for the job</li> <li>- Take Captain, Chief Engineer's opinion into consideration</li> <li>- Upon final decision, proceed with embarkation in accordance with company procedure.</li> </ul>

	<p>Foreign crew recruitment</p> <ul style="list-style-type: none"> <li>- Vessels make crew requests to company</li> <li>- The company contacts agencies to seek for crews</li> <li>- Agencies get back to company with candidates, then the company negotiates with the candidates</li> <li>- Check their previous experiences, current certificate and licenses, medical inspection</li> <li>- Contact agencies to arrange the candidates' flights in accordance with the vessel's schedule</li> <li>- Upon final decision, the company pays brokerage fee and other various costs incurred during the procedure. Then the company also pays the agencies monthly for agency fee.</li> </ul>
5	Engagement with fish worker groups
	<ul style="list-style-type: none"> <li>- 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).</li> </ul>
CH	We constantly work/communicate with the labour union. For Korean crews, labour union gives us feedback on their contracts with the company, whether the contract was drafted and concluded fairly. The feedback is then forwarded to regional offices of oceans and fisheries along with conditions of the contract.
6	Crew contracts
	<ul style="list-style-type: none"> <li>- Describe the nature of contracts or legal work agreements in place in the UoC and the issues addressed in such agreements.</li> </ul>
CH	The contract is duly drafted and concluded in accordance with legislation, and as stated above, labour union reviews the contract and provides feedback. The contract contains wages and other various conditions, which is confidential to general public as it is a private matter to each crews.
7	Audits and labour inspections
	<ul style="list-style-type: none"> <li>- Describe any 3rd Party audits and certifications on labour, or labour inspections conducted within the UoC in the last two years.</li> </ul>
CH	<p>For an officer, he needs to have a relevant degree from a university and a certification that the Korean law requires. Certificates may be required as follows:</p> <p>Sailing – 1~6 degree officer  Engineering – 1~6 degree Engineer  Radio Operator – 1~4 degree Radio Operator  Medical Staff</p> <p>Required training before embarkation  Common – Basic safety training  Sailing – Radar simulation training  Engine – Marine pollution prevention</p>
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>
CH	Personnel under age 18 cannot onboard a vessel by law. Korean government, schools and labour union are monitoring whether a vessel has an underage crew or not.
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	<p><b>Disembarkation upon termination of contract</b></p> <ul style="list-style-type: none"> <li>- Upon the termination of contract, the crews return home via flight.</li> </ul> <p>Voluntary disembarkation</p> <ul style="list-style-type: none"> <li>- There is an exert from crew contract that states: Article 9 Termination of Agreement <ol style="list-style-type: none"> <li>1. This Agreement may be terminated under the signee's request during the vessel is in port, but during the vessel's voyage, this Agreement shall not be terminated.</li> <li>2. The signee will receive transportation fee associated with repatriation in case the signee has fulfilled this Agreement fully. However in case the sickness disembarks the vessel due the signee's liabilities without fully fulfilling this Agreement, the repatriation fee shall not be provided. However in case the Agreement is terminated upon the company's request, repatriation fees shall be provided by the company.</li> </ol> </li> </ul> <p>Freedom of disembarkation/movement</p> <ul style="list-style-type: none"> <li>- Crew's request is duly reviewed and met upon.</li> </ul>
10	<b>Debt bondage</b>
	<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	Personal allowance (suspense payment), entertainment fee (personal shopping), phone bills and others are charged to crews.
11	<b>Grievance and remedy mechanisms</b>
	<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>In accordance with Korean law, guideline for reporting their concerns, grievance and remedy is posted on the vessel, and upon grievances, officers are the first point of contact to resolve the issue. In case it is not resolved on the vessel, then offices are then engaged to resolve the matter.</p> <p>Upon Korean port entry of vessel, staffs from offices visit each vessels to hear crews' voices.</p>
12	<b>Identification documents</b>
	<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>
CH	There is a concern for loss of passport, visa or ID card, thus 1 <sup>st</sup> Officer manages all of the items. Every crews are free to access their passports, Visas or ID cards but they are safely kept managed by 1 <sup>st</sup> Officer.
13	<b>Additional comments</b>
	<ul style="list-style-type: none"> <li>- Do you have additional comments on labour practices within the UoC?</li> </ul>
CH	
14	<b>Date this template was last updated</b>

	- DD/MM/YYYY
CH	28/08/2019

## **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.