

Compagnie Française du Thon Océanique (CFTO) Indian Ocean Skipjack Tuna 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"> - 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>The compagnie Française du Thon Océanique s.a.s. (CFTO) is a French fishing shipowner which owns 14 vessels under French flag (EU), 7 in the Indian Ocean and 7 in Atlantic Ocean. CFTO manages a ship under Italian flag (EU) from the Italian company Industria Armatorial Tonniere (IAT). CFTO and IAT are both owned by the company PARLEVLIT & VAN DER PLAS GROUP (P&P Group) in Netherlands (EU).</p> <p>The UoC consist of CFTO in Indian Ocean with 8 Tropical Tuna Purse Seine vessels flying flag of 2 member states (France and Italy)</p> <p>The cost related to MSC certification process is supported by CFTO at 100%.</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>Regarding prevention of child labour and/or forced labour the ILO conventions C182 (on child labour) and C138 (on minimum age) and C029 (on forced labour) have been ratified by France and Italy. The C188 ILO Work in fishing convention covers provisions on decent working conditions in fisheries and has been ratified by France. Italy should ratify it within next years. For Italy, the law of “27 luglio 1999, n. 271 e successive modificazioni”: Prohibition of employment of minor <18 years old on board.</p> <p>CFTO apply the EU Charter of Fundamental Rights and its Article 32 - Prohibition of child labour and protection of young people at work.</p> <p>flag state governments and its implementing bodies (Affaires Maritimes for France & Italy) have the responsibility of implementing these legislations including the monitoring aspect by inspection and enforcement.</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>During the regular inspections on fishing vessels by the above mentioned “Affaires Maritimes” they also look into signals of child and forced labour. With regard to the Work in Fishing Convention the authorities issue valid document to fishing vessels that state these vessels meet the requirements of the C188 convention</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>CFTO crew consists of 9 to 10 EU seamen directly employed by CFTO in which case the crew is employed on a permanent basis.</p> <p>Flag state use minimum requirements for safe manning of the vessels. This results in employing flag state nationals with the required certificates of competence.</p> <p>When fishing in the waters of third countries under EU agreements we have to comply with the relevant conditions on the signing-on of local seamen.</p> <p>About 15 international crew per vessel. These are usually employed through manning agents specialized in the fishing industry with seamen employment agreement from Maritime affairs local authorities.</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	EU crew are employed under a national collective bargaining agreement (CBA) (Convention collective) and internal agreements. So CFTO is engaged collectively with workers's representative organisations (Unions). CFTO apply the "convention collective nationale de la pêche Professionnelle maritime" for all EU nationalities. For non-EU off-shore fishers we apply the local agent country convention and rule.
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	All fishers on board vessels of CFTO are employed on the basis of a labour contract, either directly with the ship-owner for EU crew or with the manning agent for non-EU. All labour contracts are compliant with the country regulation and the ILO C188. When fishing in the waters of third countries under EU agreements we have to comply with the relevant conditions on the signing-on of local seamen.
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	For CFTO vessels the French & Italian governments are responsible for monitoring compliance with the labour regulations. Social Certification
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	CFTO follows the minimum age requirements as stipulated in C188. No seaman under 18 years old. On top of that the EU working time directive also applies to fishermen on board our vessels. All employees must have valid passport and seaman book. The governments are responsible for monitoring compliance of the ship-owner with the labour regulations.
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	CFTO guaranty to all seamen on board its vessels all expenses to their place of origin are guaranteed in accordance with ILO C188 and national regulations
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	Debt bondage is not occurring in CFTO
11	Grievance and remedy mechanisms

	- 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	Generally speaking, the workers representative organisation (union) is always available for labour related complaints by fishers as is the competent authority, national inspectorates. French regulations on workers representation inside a company are applied by CFTO (For instance, union delegates and “Comité Social et Economique”). For seamen employed by manning agencies, there is non-EU vessel Delegate meeting with manning agent and a representative from CFTO regularly.
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	All crew members have free access to their own ID documents
13	Additional comments
	- Do you have additional comments on labour practices within the UoC?
CH	CFTO comply is ILO C188, EU labour regulations and flag labour regulations and its own internal standards of decent, worthy, safe work and with no child labour
14	Date this template was last updated
	- DD/MM/YYYY
CH	02/10/2019

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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