



SEAFOOD WORKING GROUP

RETAILERS: The FISH Standard for Crew will fail to detect labor abuse

April 20, 2021

The Seafood Working Group – a global coalition of human rights, labor and environmental organizations working to end forced labor in the global seafood industry¹ – cautions retailers and global buyers of seafood that the Fairness, Integrity, Safety and Health (FISH) Standard for Crew will not serve as a legitimate or effective mechanism for the identification of labor abuse on fishing vessels in seafood supply chains. Significant weaknesses in the design, application and monitoring of this certification mean it will not provide buyers with credible assurance that the fishers who produce their seafood are treated fairly or have safe and decent conditions of work.

KEY SHORTCOMINGS OF THE FISH STANDARD FOR CREW

The FISH Standard for Crew is described as a voluntary labor certification for commercial fishing vessels or fleets operating in wild-capture fisheries worldwide.² Certificate holders may be vessel owners or operators, companies, fishing associations, processors and others. The standard provides a set of indicators, adapted from international labor and maritime standards,³ which are to be used as audit criteria by third-party certification bodies. It was developed by the At-Sea Processors Association (APA)⁴ and is controlled by the FISH Crew Standard Group (FISH CSG), which oversees its implementation. According to FISH CSG, “rigorous application of this certification standard will serve to identify and distinguish those fishing vessel owners or companies that achieve and maintain the highest levels of performance with respect to fair, socially responsible labor practices.”⁵

The Seafood Working Group reviewed the FISH Standard for Crew and found that it will fail to achieve its stated objective due to the following shortcomings:

- 1. No meaningful role for workers and/or their representatives:** The Standard makes no mention of the role of fishers, fishers’ representatives, labor unions or worker organizations directly representing fishers in the design, implementation, monitoring and enforcement of the certification. If the Standard seeks to provide assurance that fishers who produce seafood are “treated fairly and have safe and decent conditions of work”, these fishers must have a seat at the table in informing and influencing all aspects of the Standard. Bad and ineffective policy is made when the people impacted by the policy do not have a role in its development.
- 2. Ineffective mechanism for identifying labor abuse on fishing vessels:** The Standard relies on a third-party audit to assess labor conditions on fishing vessels. Third-party audits have proven to be ineffective in many supply chain industries in identifying labor exploitation or occupational health and safety issues and have had tragic results for workers.⁶ Such audits provide only a snapshot of working conditions at one moment in time and are plagued by conflict of interest and lack of worker trust.

The audit process prescribed in the FISH Standard displays many of the weaknesses that other failed audits have, particularly: (a) *Lack of transparency requirements*: no requirement for findings to be disclosed to workers or the public in order to support accountability; (b) *Lack of ongoing*

worker engagement/inclusion: no requirements for auditors to collaborate with unions or workers' representatives to ensure that information collected reflects the reality of working conditions at sea and can be provided by workers without fear of retaliation; (c) *Potential for conflict of interest*: the entity seeking certification, which is entity often most responsible for abuses, selects and pays the auditor;⁷ (d) *Weak audit methodology, particularly for fishing vessels*:⁸ a set of 162 criteria with no requirement for what percentage must be met to achieve certification and no realistic method by which these criteria can be reasonably assessed for fishing vessels; and (e) No requirement that vessels come to port at specified intervals for state labor inspections, which should be the priority mechanism under which vessels are assessed. Given how difficult it has been to conduct effective audits even at terrestrial sites such as factories, it is hard to expect them to be viable for vessels that can remain at sea indefinitely.⁹

3. **No commitment to remediate workers:** The Standard says, “the Certificate Holder will act as the overall certification administrator on behalf of its Members, has authority to compel Members to take corrective actions.”¹⁰ Contrary to international standards, the Standard has no requirement for certificate holders to ensure workers are remediated if labor abuses are found.
4. **No chain of custody mechanism:** The Standard has no chain of custody mechanism, meaning it will be impossible to differentiate between products from certified vessels and products from non-certified entities. This is problematic given the nature of the seafood supply chains; once the fish is landed, it is likely to be aggregated with fish from non-certified vessels and/or processed in non-certified factories, with unknown labor conditions. There is no mechanism to ensure the fish from the certified vessel is purchased by certified suppliers, is identifiable, or is separated from non-certified fish.
5. **Selective application of international standards:** The Standard states it is based on internationally recognized best practice in the field and is adapted primarily from the *ILO Work in Fishing Convention, 2007 (C188)*. It claims to reflect intent of the *1977 Torremolinos Convention* and to incorporate elements from the *International Maritime Organization International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel* and the *United Nations Declaration on Human Rights (UDHR)*.¹¹ However, it only specifies chosen elements of these standards. This selective application of international standards exemplifies how social certifications can undermine the interpretation of established international legal norms. The UDHR contains the fundamental human rights of every person worldwide and should not be selected from. Once a state signs and ratifies ILO C188, nothing should be omitted as the Convention contains the minimum compulsory requirements that must be implemented to ensure the likes of decent work for fishers. For example, the FISH Standard fails to specify minimum hours of rest in any 24-hour period and any seven-day period, as prescribed in C188.¹² In addition, the Standard entirely leaves out certain key pieces of international law, such as the *UN Convention on the Law of the Sea (UNCLOS)*, which, amongst all core and globally applied maritime legal protocols, provides guidance on flag state jurisdiction and sets out duties for flag states to protect rights-holders and guarantee pathways to remedy.¹³ The Standard also does not include a requirement for maximum time at sea, which should be limited to three months (90 days) for all vessels in accordance with international best practice.¹⁴
6. **Default to national legal frameworks that may be weaker than international standards:** The Standard states “If a requirement of the FISH Standard for Crew should contradict applicable laws and regulations, the latter shall prevail”.¹⁵ However, in many cases the national laws of the

country with jurisdiction¹⁶ will be weaker than international labor standards, thus setting a lower bar and rendering the audit criteria meaningless in many instances. For example, according to international standards, no recruitment fees should be charged or otherwise borne by migrant workers, yet these fees are legally mandated and permissible in many countries. In addition, many national legal frameworks restrict the right to freedom of association and collective bargaining for certain categories of workers, while international law holds these rights to be fundamental. Another common subversion of international standards is the use of “two-tiered” employment schemes by nations with distant water fleets, which offer inferior labor rights to migrant workers in distant water fleets and infringe on their fundamental right to freedom from discrimination.¹⁷

- 7. Failure to recognize power imbalance between employers and fishers:** The FISH Standard states, “If a conflict between different requirements of the Standard should arise during implementation, it is expected that the owner/company will apply the requirement of the Standard for Crew which is more favorable to fishers.”¹⁸ However, there is little incentive for companies to provide the outcome most favorable to fishers. This fails to recognize the power imbalances between fishers and employers and the market forces driving widespread labor exploitation of fishers in the first place. It also provides no mediation or negotiation process under which this could be reconciled fairly and no way to ensure accountability.
- 8. Conflict of interest at multiple levels that undermine rigorous application of the Standard:** Firstly, the entity seeking certification, which could be a central perpetrator of labor abuse, selects, pays and oversees the certification body that conducts the audit. That entity also has the ability to determine if corrective actions need to be taken. Secondly, there is no information about who is included in the FISH CSG, which oversees implementation of the Standard, or if it includes any party representative of fishers. Third, the Standard is overseen by an eleven-person board of directors, all of whom are representatives of seafood brands and retailers, fishing companies, fishing associations and other industry actors.¹⁹ The board does not include any representatives of unions, worker organizations or civil society organizations. The Standard has been supported by the National Fisheries Institute (NFI), a lobbyist group representing the U.S. seafood industry. The NFI lobbied against a Seafood Import Monitoring Program (SIMP) rule that would put more traceability requirements on seafood importers.²⁰ It also collaborated with Trident Seafood Corp., also involved in the FISH Standard, to sue the U.S. National Oceanic and Atmospheric Administration (NOAA) and the Department of Commerce over a requirement for seafood importers to trace the origin of the fish they import to the boat caught or its collective point.²¹ These interests help explain the absence of a chain of custody mechanism (point #4 above). Lastly, the Executive Director of the FISH Standard is also the Bumble Bee Vice President of Sustainability and Social Responsibility.²² Suppliers of FCF Co., Ltd., which is the parent company of Bumble Bee and provides the vast majority of its canned tuna, have been implicated in allegations of forced labor, illegal shark finning and murders of a fisheries observer and a migrant worker at sea.²³ Yet it is reported that neither Bumble Bee nor FCF have adequately addressed how it dealt with allegations of whether such alleged abuses continue to occur in its supply chain.²⁴ There is potential for conflict of interest when a leader of such a company leads a labor certification scheme.
- 9. Legal and reputational risk:** In addition to not meeting its stated objective, relying on the FISH Standard could increase rather than mitigate risk by giving retailers, certificate holders and other actors a false sense of security and incentivizing them to relax oversight. Retailers should also be concerned about potential litigation under false advertising laws.

WHY CERTIFICATIONS FAIL TO PROTECT WORKERS

The FISH Standard joins other fisheries standards already established by the private sector which have undermined established norms for fishers and will collectively fail to improve working conditions at sea.²⁵ In 2019, the SWG commented on similar flaws in the Marine Stewardship Council (MSC)'s Chain of Custody Standard.²⁶ In January 2021, Indonesian crew were found in a situation of labor exploitation on a Chinese-owned, Fijian-flagged vessel, the *He Shun 38*, in an MSC certified fishery.²⁷ These, and other standards, are characterized by voluntary commitments, broad standards, ineffective or non-existent monitoring and the absence of enforceable commitments or mechanisms. As explained by the Worker-driven Social Responsibility Network, this type of initiative has *“failed to address the ongoing human rights crisis in global supply chains in large part because it does not put workers – the very people whose rights are in question and who have the most direct knowledge of the relevant environment – at the center of developing and enforcing solutions to the problem. This failure is evident at all levels ... in its structure, governance, operation and allocation of resources – and it is this fundamental design flaw that makes the failure of these systems inevitable.”*²⁸

Despite making claims that certifications cover entire product categories with best practice or best available science, they do not support adherence to established international standards nor do they challenge failing industry cultures that underpin widespread and egregious abuse of fishers. For fishing operators who respect their workers, certifications can be useful to help maintain good practice. But for those who do not respect their workers or industry imperatives for just and sustainable workplaces, these standards add little more than a minor and easily circumvented inconvenience. The standards can provide public relations and financial benefits, while doing nothing to their continued and embedded culture of abuse and disrespect for workers, law and authority. For those with criminal operations, these standards appear to pose no significant threat at all to their current enabling environment.

The FISH Standard, and other failed certification mechanisms, have been developed and supported by bodies that have interests in the continuation of a social responsibility culture that does not ensure accountability and does not create real liability for those who exploit human beings on fishing vessels. These bodies avoid putting measures in place that would make seafood supply chains transparent and traceable. They avoid measures that would likely curb abuses and enable workers to collectively co-determine their conditions of work. They keep workers out of decision making and verification processes and do nothing to give them effective remedy. Now is the time for change.

RECOMMENDATIONS

Brands and retailers should not utilize the FISH Standard for Crew or recognize it in any manner. Now is the time to move away from voluntary, confidential social auditing programs and instead adopt worker-driven, transparent and accountable models of monitoring and remediation. The Seafood Working Group recommends brands, retailers and other actors involved in designing social responsibility initiatives abide by the following:

1. **Genuine worker representation:** Workers, and their unions or other democratic, representative worker organizations, must be involved in all stages of design, training, implementation and governance of social responsibility projects to improve their wages and working conditions.
2. **Comprehensive and transparent risk assessment and verification of workplace compliance through mandatory Human Rights Due Diligence (mHRDD):** In accordance with the UN Guiding

Principles on Business and Human Rights, brands and retailers have a responsibility to cascade mHRDD requirements throughout their supply chains, down to fishing vessel level, to ensure that each supply chain actor is regularly conducting due diligence with their upstream suppliers and remediates any labor violations in a timely manner. All social responsibility initiatives that seek to provide credible assurances of decent work should include mHRDD for all participating entities as a first step in any process of accreditation. Effective human rights due diligence initiatives must include rigorous workplace inspections that are effectively independent of brand and retailer influence; public disclosure of names and locations of participating companies; and transparent tracking of human rights performance in the public domain.²⁹

3. **Legally-binding and enforceable agreements:** Respect for labor rights in corporate supply chains cannot be optional or voluntary. Workers need these rights in legally-binding agreements and a mechanism for holding employers and others in the supply chain accountable. These legally-binding agreements should clearly articulate the rights and responsibilities of each party and dispute resolution procedure, as well as provisions that guarantee an effective grievance mechanism, and zero tolerance for reprisals.³⁰
4. **Changes to brand purchasing practices to end systemic labor abuses:** Brand respect for the human rights of workers in their supply chains requires a change in purchasing practices that incentivizes and enables suppliers to comply with human rights norms and brand requirements. Buyers must analyze, address and make changes to their purchasing practices so that they do not contribute to human rights violations, but instead actively support and incentivize suppliers in remediating them.³¹
5. **Respect for freedom of association and collective bargaining rights:** In accordance with ILO core labor standards, brands and retailers must ensure their suppliers promote and respect workers' fundamental rights to freedom of association and collective bargaining without fear of retaliation.³² According to the UN Guiding Principles on Business and Human Rights, the corporate responsibility to respect these fundamental rights "exists independently of States' abilities and/or willingness to fulfil their own human rights obligations, and does not diminish those obligations. And it exists over and above compliance with national laws and regulations protecting human rights."³³

SIGNATORIES

- Advocates for Public Interest Law (APIL)
- Anti-Slavery International
- Be Slavery Free
- Centre for Research on Multinational Corporations (SOMO)
- Corporate Accountability Lab
- Deep Sea Fishermen's Union (DSFU)
- Destructive Fishing Watch (DFW) Indonesia
- Environmental Justice Foundation (EJF)
- Ethical Trading Initiative (ETI)
- Foundation for Education and Development (FED)
- The Freedom Fund
- Freedom United
- Global Labor Justice - International Labor Rights Forum (GLJ-ILRF)
- Greenpeace USA
- Greenpeace East Asia
- Greenpeace Southeast Asia
- Humanity United
- Human Rights at Sea (HRAS)
- The Human Trafficking Legal Center (HTLS)
- Issara Institute
- Keelung Migrant Fishermen Union (KMFU)
- Migrant Workers Concern Desk (MWCD)
- Migrant Workers Right Network (MWRN)
- Philippine Seafarers (Fishers) Association in Taiwan (PSAT)
- Serikat Awak Kapal Perikanan Bersatu Sulawesi Utara (SAKTI)
- Serve the People Association (SPA)
- Sustainability Incubator
- Taiwan Association for Human Rights
- Worker-driven Social Responsibility Network
- Yilan Migrant Fishermen Union (YMFU)

		
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	<p>This initiative was led by the Seafood Working Group (SWG). The SWG is a global coalition of labor, human rights and environmental organizations coordinating to end forced labor in the international seafood trade, led by Global Labor Justice – International Labor Rights Forum (GLJ-ILRF).</p>	

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- ¹ The Seafood Working Group (SWG) is led by Global Labor Justice - International Labor Rights Forum (GLJ-ILRF); for more information, see https://laborrights.org/industries/seafood?qt-quicktabs_seafood=3#qt-quicktabs_seafood
- ² Read the full version of the FISH Standard for Crew here, <https://fishstandard.files.wordpress.com/2020/12/fish-standard-for-crew-v1.0-30-dec-2020-draft-for-public-consultation.pdf>
- ³ Including *ILO Work in Fishing Convention, 2007 (No. 188)* and others; see FISH Standard for Crew, p. 5.
- ⁴ The At-sea Processors Association (APA) is a trade association representing six member companies that own and operate 15 U.S.-flag catcher/processor vessels that participate principally in the Alaska pollock fishery and west coast Pacific whiting fishery; see <https://www.atsea.org/>.
- ⁵ FISH Standard for Crew, p. 5.
- ⁶ For example, “26 separate audits conducted at the Hansae company’s facilities in Vietnam failed to identify violations of local law and health and safety hazards...; A social auditing firm audited Ali Enterprises textile factory in Pakistan a few weeks before a fatal factory fire in 2012; A social auditing firm reported the construction quality of the Rana Plaza building as “good” just months before the building collapsed in 2013; and None of the 28 audits conducted at Top Glove factories in Malaysia detected indicators of forced labour, despite accounts of worker exploitation; see “Who Audits the Auditor?: Shaping Legal Accountability Strategies to Redress Social Audit Failings,” Business & Human Rights Resource Centre, March 2021, <https://mailchi.mp/business-humanrights.org/corporate-legal-accountability-quarterly-update-issue-38-march-2021?e=b3b194ca75>; see also “Fig Leaf for Fashion: How social auditing protects brands and fails workers,” Clean Clothes Campaign, 2019, <https://cleanclothes.org/file-repository/figleaf-for-fashion.pdf/view>; see also “Certifying Exploitation: “Sustainable” Palm Oil Is Failing Workers,” ILRF, 2018, https://laborrights.org/certifying_exploitation. In addition, the alleged forced labor on the Vanuatu-flagged, Taiwanese vessel, Tunago 61, was under Thai Union Group’s Vessel Code of Conduct which relies on an audit; see “Seabound: The Journey to Modern Slavery on the High Seas,” Greenpeace, 2019, <https://www.greenpeace.org/southeastasia/publication/3428/seabound-the-journey-to-modern-slavery-on-the-high-seas/>
- ⁷ “...the Certificate Holder will act as the overall certification administrator on behalf of its Members, has the authority to compel Members to take corrective actions, and will operate a programme of internal audits covering the Membership.”, Fish Standard for Crew, p. 9.
- ⁸ The document refers to the ‘Auditor Guidance Manual for the FISH Standard for Crew’, but which is unavailable at the time of writing so full review cannot be undertaken.
- ⁹ Other standards may not certify vessels in industrial fisheries which are at sea for longer than 30 days; see “Public Consultation Questions,” Fair Trade USA, https://www.fairtradecertified.org/sites/default/files/filemanager/documents/CFS/SIR_PublicConsultationQuestionsCFSRevision_EN_201005.pdf
- ¹⁰ FISH Standard for Crew, p. 9.
- ¹¹ FISH Standard for Crew, p. 5.
- ¹² According Article 14, paragraph 1(b) prescribes that the competent authority shall, for fishing vessels, regardless of size, remaining at sea for more than three days, after consultation, and for the purpose of limiting fatigue, establish the minimum hours of rest to be provided to fishers and that the minimum hours of rest shall not be less than (i) ten hours in any 24-hour period; and (ii) 77 hours in any seven-day period, in addition to the general fishing vessel owner’s responsibility to ensure that fishers are given regular periods or rest of sufficient length to ensure safety and health prescribed in Article 13 (b); see *Work in Fishing Convention, 2007 (No. 188)*, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C188
- ¹³ UNCLOS, Article 94, https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf
- ¹⁴ This recommendation is made by the International Transport Workers’ Federation (ITF), the global union federation representing fishers around the world.
- ¹⁵ FISH Standard for Crew, p. 7.
- ¹⁶ The jurisdiction will depend on if the vessel is fishing within or outside of a sovereign nation’s Exclusive Economic Zone (EEZ) and the flag of the vessel, among other factors according to international maritime law.
- ¹⁷ “The Two-Tiered System: Discrimination, Modern Slavery and Environmental Destruction on the High Seas,” Greenpeace, 2019, https://www.greenpeace.org/usa/wp-content/uploads/2019/09/Greenpeace-Briefing-on-the-Two-Tiered-System_9.19.19.pdf
- ¹⁸ FISH Standard for Crew, p. 7.
- ¹⁹ The board members are: Fridrik Fridriksson, Chief Human Resources Officer at the Icelandic firm, Brim; Alex Olsen, Head of Sustainability at Danish company, A. Espersen; Jaimy Sorrel, Seafood Manager at U.S. food distributor firm, Performance Food Group; Shannon Carroll, Associate Director of Public Policy for Trident Seafoods; Greg Johansson, Managing Director at Johansson Seafood Consultancy; Angel Matamoro, Chief Corporate Social Responsibility and Institutional Relations at the Argentinean subsidiary of the Spanish group, Nueva Pescanova, Argenova; Christine Penney, Vice President of Sustainability and Public Affairs at Clearwater Seafoods; Matt Tinning, Director of Sustainability and Public Affairs at At-Sea Processors Association; Miguel Tordesillas, Executive Chairman at Pescanova’s Novanam in Africa; and Tae Wang, President at Dong Won

Fisheries in South Korea; see [“Seafood giants back new certification program for labor practices on vessels,”](#) Undercurrent News, January 5, 2021.

²⁰ “Seafood industry should’ve seen Trump trade storm coming, says NFI’s Connelly,” Alaska Fish Radio, October 24, 2017, <https://www.alaskafishradio.com/seafood-industry-shouldve-seen-trump-trade-storm-coming-says-nfis-connelly/>

²¹ “NFI sues NOAA over new IUU rule,” Vietnam Association of Seafood Exporters and Producers, January 18, 2017, <http://seafood.vasep.com.vn/why-buy-seafood/food-safety/nfi-sues-noaa-over-new-iuu-rule-16758.html>

²² Madelyn Kearns, “Bumble Bee leader appointed as executive director of new FISH Standard for Crew,” SeafoodSource, January 25, 2021, <https://www.seafoodsource.com/news/environment-sustainability/bumble-bee-leader-appointed-as-executive-director-of-new-fish-standard-for-crew>

²³ “CBP Issues Detention Order on Seafood Harvested with Forced Labor,” U.S. Customs and Border Protection, August 18, 2020, <https://www.cbp.gov/newsroom/national-media-release/cbp-issues-detention-order-seafood-harvested-forced-labor-0>; see also “Greenpeace Delivers Celebrity Backed Petition and Launches Mobile Billboard Demanding Bumble Bee Tuna Defend Human Rights At Sea,” Greenpeace, March 13, 2021, <https://www.greenpeace.org/usa/news/greenpeace-delivers-celebrity-backed-petition-and-launches-mobile-billboard-demanding-bumble-bee-tuna-defend-human-rights-at-sea/>; see also “UN intervention needed on suspected murder case linked to Bumble Bee Foods parent company,” Greenpeace, July 13, 2020, <https://www.greenpeace.org/usa/news/un-intervention-needed-on-suspected-murder-case-linked-to-bumble-bee-foods-parent-company/>

²⁴ “Greenpeace Delivers Celebrity Backed Petition and Launches Mobile Billboard Demanding Bumble Bee Tuna Defend Human Rights At Sea,” Greenpeace, March 13, 2021, <https://www.greenpeace.org/usa/news/greenpeace-delivers-celebrity-backed-petition-and-launches-mobile-billboard-demanding-bumble-bee-tuna-defend-human-rights-at-sea/>

²⁵ Other recent examples include the Global Seafood Assurances’ Responsible Fishing Vessel Standard (RFVS), and the Consumer Goods Forum’s Sustainable Supply Chain Initiative (SSCI) benchmarking tool for at sea operations.

²⁶ “MSC’s Revised Chain of Custody Certification Fails to Adequately Address Forced Labor and Child Labor in Seafood Supply Chains,” Seafood Working Group, ILRF, June 10, 2019, <https://laborrights.org/publications/public-statement-mscs-revised-chain-custody-certification>; see also “The Sham of The MSC Label: The Biggest Fishing Label’s Reality Uncovered,” Bloom, May 5, 2020, <http://www.bloomassociation.org/en/sham-msc-label/>

²⁷ “Ongoing investigation of Indonesian fishers abandoned and exploited in Fiji,” Human Rights at Sea, January 16, 2021, <https://www.humanrightsatsea.org/2021/01/16/ongoing-investigation-of-indonesian-fishers-abandoned-and-exploited-in-fiji/>; see also “Exploited Indonesian Fishers to be repatriated. Vessel de-listed from MSC-Certification,” Human Rights at Sea, January 26, 2021, <https://www.humanrightsatsea.org/2021/01/26/exploited-indonesian-fishers-to-be-repatriated-vessel-de-listed-from-msc-certification/>

²⁸ “What is WSR?”, Worker-driven Social Responsibility Network, <https://wsr-network.org/what-is-wsr/>

²⁹ HRDD means identifying and assessing actual and potential adverse human rights impacts, integrating and acting upon findings, tracking the effectiveness of responses, and communicating how impacts are addressed. For detailed guidance on HRDD, see the “UN Guiding Principles for Business and Human Rights,” Principles 17-21; see also the “OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas.”

³⁰ See “Statement of Principles for Worker-driven Social Responsibility (WSR),” WSR Network, <https://wsr-network.org/about-us/endorsers/>; for examples of enforceable agreements in the fashion industry, see Elena Arengo, “Future of Fashion: Worker-Led Strategies for Corporate Accountability in the Global Apparel Industry,” ILRF, February 2019, https://laborrights.org/sites/default/files/publications/Future_of_Fashion_ILRF.pdf; see also the resources in: “Tools for Practitioners,” Worker-driven Social Responsibility Network, <https://wsr-network.org/type/tools-for-practitioners>

³¹ Recommendations #1-4 are adapted from both the ‘Essential Elements’ in Andy Shen and Abby McGill, “Taking Stock: Labor Exploitation, Illegal Fishing and Brand Responsibility in the Seafood Industry,” ILRF, May 11, 2018, <https://laborrights.org/publications/taking-stock-labor-exploitation-illegal-fishing-and-brand-responsibility-seafood> and “Statement of Principles for Worker-driven Social Responsibility (WSR),” WSR Network, <https://wsr-network.org/about-us/endorsers/>

³² “Declaration on Fundamental Principles and Rights at Work,” ILO, https://www.ilo.org/actrav/areas/WCMS_DOC_ATR_ARE_DECL_EN/lang--en/index.htm

³³ See “UN Guiding Principles on Business and Human Rights,” p. 13, https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf; see also ILO guidance for companies on handling legal barriers to respecting freedom of association, “Q&As on Business and freedom of association,” ILO, https://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_FOA_FAQ_EN/lang--en/index.htm#Q12