

FISHERYPROGRESS.ORG

Social Policy on the Protection of
Human Rights in
Fishery Improvement Projects

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Definition

Defines terms.



Implementation

Provides more details on how FisheryProgress anticipates implementing the recommendation.



Rationale

Provides an explanation for the proposed policy section.



More Information

Provides more information about other organizations, policies, efforts, etc. that may be useful as background for readers.

INTRODUCTION

About FisheryProgress

Launched in 2016, FisheryProgress.org is a one-stop shop for information on the progress of global fishery improvement projects (FIPs). Our mission is to provide seafood stakeholders with transparent and reliable information about how FIPs are making improvements. Today, 95 percent of FIPs worldwide use our platform to report their progress, and hundreds of companies rely on FisheryProgress for information about FIP performance.

FisheryProgress is overseen by an [Advisory Committee](#) and managed day to day by [FishChoice](#). The site's [Technical Oversight Committee](#) helps to guide the evaluation process. Detailed information on eligibility for the site, the protocols for creating a profile and reporting FIP progress, and the site's quality control and appeals process can be found in our [FIP Review Guidelines](#).



Why is social responsibility a priority for FisheryProgress?

FisheryProgress was designed initially to report on environmental improvements. However, in recent years, investigations by NGOs and journalists have brought to light the urgent need to ensure human rights are protected in fisheries. These have helped to spur a conversation among stakeholders in the sustainable seafood movement about how to address social responsibility in FIPs.

FisheryProgress has received a lot of feedback about this from our stakeholders over the past two years. We heard from FIPs that wanted to report in more detail on their social responsibility efforts. Businesses told us that they have a mandate to assess human rights risks throughout their supply chains (including in FIPs they source from). We knew there was interest, but given that the conversation around social responsibility was relatively new in the seafood sector we were concerned about getting ahead of the broader community.

In May 2019, we received an allegation of a serious human rights abuse involving a FIP on FisheryProgress. It became clear that waiting to address social issues on FisheryProgress placed workers at grave risk – and also risked damaging the trust our users have in the website.

We wanted to know more about how FisheryProgress users felt about human rights issues in FIPs, so we conducted a survey in the fall of 2019. 70% of users who responded think it's a high priority for FIPs to address social issues. And 72% supported proactive social reporting requirements for FIPs on FisheryProgress.

The [2020 Global Landscape Review of FIPs](#), released in March, also found that social responsibility is an emerging trend for FIPs, but there is a need for more consistency in how FIPs report on social actions.

For all of these reasons, we at FisheryProgress feel a responsibility to improve our current minimal reporting on social issues in FIPs.

INTRODUCTION

Development of the 2019 Interim Policy on Forced Labor, Child Labor, or Human Trafficking

The allegation received in May 2019 led FisheryProgress to implement the [Interim Policy on Forced Labor, Child Labor, or Human Trafficking](#). Developed with the input of the FisheryProgress advisory committee as well as several international human rights experts, the interim policy made use of existing systems on FisheryProgress and focused on three of the most serious human rights abuses – forced labor, child labor, and human trafficking. However, it was clear that a more comprehensive policy, based on a broader consultation with FisheryProgress stakeholders, was necessary.

Development of a Permanent Social Policy

Beginning in the fall of 2019, FisheryProgress facilitated a multi-stakeholder dialogue to develop the policy detailed in this document, which included consultation with our newly convened [Social Advisory Committee](#), conversations with international human rights experts and worker representatives, a survey of FisheryProgress users, and feedback sessions with FIP implementers and business users.

This new policy explains our expectations of FIPs reporting on FisheryProgress regarding respect for human and labor rights, and how we will support FIPs to implement human rights due diligence in line with international best practices outlined in Principle 15 of the [UN Guiding Principles on Business and Human Rights](#). Principle 15 requires companies to undertake a human rights due diligence process in order to “identify, prevent, mitigate and account for how they address their impacts on human rights. The process should include assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed” [[source](#), pg. 17].



The United Nations Guiding Principles on Business and Human Rights

The UN Guiding Principles on Business and Human Rights are a set of guidelines for States and companies to prevent, address and remedy human rights abuses committed in business operations.

They were proposed by UN Special Representative on business & human rights John Ruggie, and endorsed by the UN Human Rights Council in June 2011. In the same resolution, the UN Human Rights Council established the UN Working Group on business & human rights. Read more [here](#).

INTRODUCTION

Objectives and Limitations of This Policy

The protection of human and labor rights for those working in fisheries is of critical importance to FisheryProgress. We recognize that environmental sustainability in fisheries is not possible without ensuring the human rights of those who work in them are respected.

FisheryProgress is a platform for tracking improvement over time. We expect FIPs to have environmental and social challenges and to work toward better performance. **The objective of this policy is to help FIPs reduce the risk of human and labor rights abuses in their fisheries and have a structured process for remediating abuses that do occur.**

However, the adoption of this policy does not mean that stakeholders using our site will be able to make claims that a particular FIP is socially responsible. Such claims are beyond the scope of FisheryProgress' remit as a progress reporting platform. **Rather, FisheryProgress will make transparent the risk of human rights abuses in FIPs, the actions FIPs are taking to minimize these risks, and the actions FIPs are taking to remediate abuses if violations occur.** This information will help seafood buyers ascertain whether FIPs align with their companies' requirements for human rights due diligence.

OVERVIEW | *Main components of the social policy*

This policy contains three components: a set of requirements for all FIPs reporting on FisheryProgress, voluntary reporting for FIPs that choose to exceed the minimum requirements, and a process for handling allegations of human rights abuses in FIPs. Each of these components is explained in more detail on the following pages.

Requirements

FIPs must:

1. Sign the Human Rights Code of Conduct
2. Provide a list of vessels included in the FIP
3. Ensure that fishers in the FIP are aware of their rights and have access to grievance procedures to seek remedy if their rights are abused
4. Complete a human rights risk assessment each year
5. Create a workplan to address high-risk issues
6. Report publicly on risk assessment results and action progress

Voluntary

FIPs may report on actions taken to address social issues beyond those included in the code of conduct.

Allegations

FisheryProgress will investigate allegations of human rights abuses occurring in FIPs reporting on our site, and requires a remediation process for verified abuses.



Why is FisheryProgress requiring FIPs to address social responsibility?

We have heard from both businesses and human rights experts that voluntary reporting on serious and fundamental human rights issues like forced labor, human trafficking, and safe working conditions is unacceptable.

FisheryProgress already has basic requirements for FIPs working on environmental challenges, including conducting a needs assessment, creating a workplan, and reporting on action progress and results every six months.

The new social requirements around conducting a risk assessment, developing a workplan, and reporting on action progress align with this approach.

OVERVIEW | *Who is covered & who is responsible for implementation*

Who is Covered by the Policy?

This policy applies to all fishers on all vessels fishing and transporting catch within a FIP. This applies even if the skipper of the vessel or the fleet owner is not a formal participant in the FIP. (Note that references to “vessel” that follow in this policy include both fishing and transshipment vessels.)

Who is Responsible for Implementing the Policy?

FIPs involve a range of different actors, all with different roles and responsibilities to implement improvements in the fishery. The ultimate responsibility for upholding worker rights and securing safe working conditions on vessels lies with the employer and skipper. However, FIPs were created because of the understanding that all supply chain actors must support each other to improve performance, and monitor and enforce changes in behavior in the supply chain. This means that all FIP participants must work together to ensure that human rights are respected.

However, there must be one party responsible for assuring FisheryProgress that FIP participants are doing their part to uphold human rights. **The lead organization implementing and reporting about the FIP on FisheryProgress (the “FIP lead”) is that responsible party.** This does not mean that the FIP lead undertakes all of the training, policy implementation, monitoring, reporting, or other activities required to implement this social policy in the FIP, but rather that the FIP lead ensures that all of the required activities occur and are reported on FisheryProgress.



Fisher

Any person, regardless of gender, catching seafood, whether waged, or earning payment as a percentage of the earnings. (Source: Fair Trade USA)

FIP Participant

FIP participants may be companies, governments, fishers, and NGOs. Participation means contributing financial or in-kind support to the project and/or working on activities in the workplan. (Source: [FisheryProgress](#))



Why focus at the vessel level?

We understand that human rights violations can occur in other parts of the seafood supply chain, but as the interventions and activities undertaken by FIPs are focused on resource management at sea, it is appropriate that our requirements for human rights protections apply the same scope.

REQUIREMENTS | 1. Sign the Human Rights Code of Conduct

FIPs reporting on FisheryProgress must sign the Human Rights Code of Conduct, which outlines the values that FIPs will work toward upholding. These include:

- **There is no discrimination, abuse, or harassment.**
- **There is no human trafficking or forced labor.** Recruitment is ethical, and no fees are charged to workers.
- **There is no child labor.** Work done by children is legal and appropriate for their development.
- **Freedom of association and the right to collective bargaining are respected.** Fishers are free to form worker organizations, including trade unions, to advocate for and protect their rights.
- **Earnings and benefits are decent, transparent, and stable.**
- **Working hours are not excessive.**
- **Worker housing and sleeping quarters on vessels are decent.** Workers have access to potable water, healthy food, and sanitary facilities.
- **The working environment is safe, and there is an adequate medical response for workplace injuries.**
- **Rights and access to resources are respected, fairly allocated, and respectful of collective and indigenous rights.**

Once signed, a FIP must work to uphold the Human Rights Code of Conduct throughout the rest of the time the FIP is active on the site. The FIP lead is responsible for ensuring that vessels that join the FIP after the Human Rights Code of Conduct is signed are made aware of the Human Rights Code of Conduct.



Additional Detail

More information on signing the Human Rights Code of Conduct, along with a more detailed description of these issues, can be found in Appendix A starting on pg. 33.



Why focus on these issues?

FisheryProgress selected these issues for three reasons:

- 1) They align with widely used and respected international standards – the United Nations Universal Declaration of Human Rights, the International Labor Organization Fundamental Conventions, and the ILO Work in Fishing Convention. For more information on these three standards, see Appendix A starting on pg. 33.
- 2) Human rights experts advised that addressing these critical issues would make a significant impact on reducing the risk of human rights abuses in FIPs.
- 3) We must balance impact with practicality - we know that this will require more work from FIPs and it's important to keep the scope manageable.

REQUIREMENTS | 2. Provide a list of vessels included in the FIP

To that aim, FIPs will be required to provide to FisheryProgress a list of all of the vessels supplying to the FIP. The specific information to be provided includes:

- Identifying information for each vessel, as follows:
 - **For large vessels** (20 GT or more, or longer than 12 m) and any vessel fishing outside of their country's exclusive economic zone (EEZ): vessel name, International Maritime Organisation number or other Unique Vessel Identifier, flag, owner/operator.
 - **For smaller vessels** (less than 20 GT or shorter than 12m): vessel name, skipper name, flag (if applicable), national registration number (if available), and landing site.
- A description of how the vessel information was collected (for instance, verified copy of documentation, official government registers, self-reporting from collectors, etc.).
- Confirmation from the FIP lead that they have undertaken best efforts to ensure that the list is complete and accurate.
- The date the vessel list was reported.



International Maritime Organisation number

A permanent number assigned to ships for identification purposes. (Source: [IMO](#))

Unique Vessel Identifier

A global unique number that is assigned to a vessel to ensure traceability through reliable, verified and permanent identification of the vessel. (Source: [FAO](#))



Why is a vessel list required?

The FIP must know which vessels are included in the FIP to educate fishers about the code of conduct, ensure adequate grievance mechanisms, and conduct an accurate risk assessment.

For organizations monitoring conditions on vessels, they must know whether a vessel is included in the FIP to identify the range of remedy measures that a fishery which experiences abuse can access (for example, an employer or buyer's grievance policy or the FisheryProgress allegations procedure described later in this document).

REQUIREMENTS | 2. Provide a list of vessels included in the FIP

If the method of harvest in the FIP does not rely on vessels (e.g., fishing from shore), we will work with the FIP to adapt this requirement case-by-case.

If the FIP is unable to provide a vessel list that meets the above requirements, **the default vessel scope will be all vessels fishing the species and waters listed in the FIP profile.** This means that the human rights risk assessment must be undertaken for all such vessels, and FisheryProgress' allegations procedure for human rights violations is applicable for all such vessels.

The vessel list will be made public on FisheryProgress.

The vessel list must be updated at least every twelve months, as part of the FIP's annual review. Archived lists will be maintained by FisheryProgress while the FIP is still active on the site, in order to be able to maintain the allegations process for abuses which might have occurred on vessels which were once part of the FIP but are no longer.



Why make vessel lists public?

FisheryProgress takes seriously its responsibility of increasing FIP transparency. Public vessel lists align with this commitment, as well as with the expectations of other leaders in the sustainable seafood community. For example, both the Marine Stewardship Council and International Seafood Sustainability Foundation require vessel lists to be made public.

Most importantly, public vessel lists make it possible for human rights NGOs, trade unions, and others monitoring worker conditions to know if a vessel is part of a FIP so they can identify the possible remedies available to fishers whose rights have been abused.



Sharing and updating the vessel list

FisheryProgress will provide a template to make creating the vessel list easier. FIPs currently on the site will upload the completed template to FisheryProgress as part of their first report (six-month or annual, whichever comes first) after May 1, 2021.

Thereafter, FIPs will update the vessel list, or confirm that there have been no changes, as part of their annual report.

REQUIREMENTS | 3. Ensure fishers are aware of rights and have access to grievance procedures

The FIP must make fishers aware of their rights to safe and decent working conditions under the FisheryProgress Human Rights Code of Conduct.

In addition, fishers in FIPs must have access to [grievance mechanisms](#) whereby they can access [remediation](#) for abuses they may suffer. These grievance mechanisms must be secure, anonymous, confidential, and independent, and include strong protections against retaliation.

The policy requires FIPs to complete both of these steps – sharing the Human Rights Code of Conduct with fisheries and making sure there is an adequate grievance mechanism in place – as part of the first annual report after November 1, 2021.



Grievance mechanisms

A formal, legal or non-legal complaint process that can be used by individuals, workers, communities and/or civil society organizations that are being negatively affected by certain business activities and operations. (Source: [SOMO](#)).

Remediation

The process of providing remedy for a negative human rights impact and the substantive outcomes that can counteract, or make good, the negative impact. These outcomes may take a range of forms such as apologies, restitution, rehabilitation, financial or non-financial compensation, and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. (Source: Shift/Mazars LLP)



Making fishers aware of the code of conduct

This may be achieved in a range of ways, including posting notices at ports, providing trainings, or including in employee hiring materials. Worker organizations and trade unions are ideal partners for this awareness raising. FisheryProgress will provide templates and resources to assist FIPs in meeting this requirement.

REQUIREMENTS | 4. Conduct a human rights risk assessment each year

FIPs must conduct a human rights risk assessment for the vessels in the FIP, similar to the pre-assessment or needs assessment that they are required to complete for environmental issues. This risk assessment must cover all of the issues included in the FisheryProgress Human Rights Code of Conduct.

After conducting an initial baseline assessment, FIPs must repeat the human rights risk assessment once every 12 months.

To fulfill this requirement, FIPs reporting on FisheryProgress will use the Social Responsibility Assessment Tool for the Seafood Sector (SRAT).



Why use the Social Responsibility Assessment Tool?

The SRAT was developed by a broad coalition of experts across the conservation and social responsibility fields.

It draws from leading social responsibility standards to create a comprehensive set of indicators for social performance that work in large and small-scale fisheries.

The format, similar to how the MSC standard is organized around principles and indicators, makes it straightforward for FIPs to use. It has been pilot tested in 10 fisheries around the world.

The SRAT includes all the required issues for this policy as well as a range of other social and economic issues that FIPs may choose to report on voluntarily.

REQUIREMENTS | 4. Conduct a human rights risk assessment each year

Scope of the Assessment

The table at right summarizes the indicators included in the SRAT. A FIP’s risk assessment must cover the subset of indicators highlighted in blue that align with the issues included in the Human Rights Code of Conduct.

On each indicator FIPs will receive a red, yellow, or green score, corresponding with high, moderate, or low risk of human rights challenges.

i **The Social Responsibility Assessment Tool for the Seafood Sector**
 For more information and a link to the full SRAT, see Appendix B on pg. 39.

1 Protect human rights, dignity and access to resources	1.1 Human and labor rights	1.1.1	Abuse and harassment
		1.1.2	Human trafficking and forced labor ^a Debt bondage
		1.1.3	Child labor
		1.1.4	Freedom of association and collective bargaining
		1.1.5	Earnings and benefits
		1.1.6	Working hours
		1.1.7	Access to basic services
		1.1.8	Occupational safety
		1.1.9	Medical response
	1.2 Access Rights	1.2.1	Customary resource use rights
		1.2.2	Corporate responsibility and transparency
2 Ensure equality and equitable opportunity to benefit	2.1 Equality	2.1.1	Grievance reporting and access to remedy
		2.1.2	Stakeholder participation and collaborative management
	2.2 Equity	2.2.1	Equitable opportunity to benefit
		2.2.2	Discrimination
3 Improve food, nutrition, and livelihood security	3.1 Food and nutrition security	3.1.1	Food and nutrition security
		3.1.2	Healthcare
		3.1.3	Education
	3.2 Livelihood security	3.2.1	Benefits to and within community
		3.2.2	Economic value retention
		3.2.3	Long term profitability and future workforce
		3.2.4	Economic flexibility and autonomy
		3.2.5	Livelihood security
		3.2.6	Fuel resource efficiency

REQUIREMENTS | 5. Create a workplan to address high-risk issues

For all indicators where the FIP scores red for high risk, the FIP must create a workplan that describes the actions it will undertake to improve performance to at least the yellow scoring level on the SRAT. This workplan will be updated annually, based on the human rights risk assessment.



Workplan

A workplan includes a list of actions the FIP will undertake to meet its objectives, a breakdown of specific tasks under each action, organizations or people responsible for completing each action, and a month and year deadline for completing each action. Each action must be linked to the indicators it means to address. (Source: [FisheryProgress](#))

You may view examples of existing workplans by clicking the "Actions Progress" tab of any active FIP profile.



Creating and sharing the workplan

FisheryProgress will provide a workplan template as well as update the workplan functionality on the website to incorporate these new social actions.

REQUIREMENTS | *Qualifications for conducting risk assessments and creating workplans*

The human rights risk assessment and workplan development must be undertaken by an individual or team with the following qualifications:

1. The necessary language, personal, and social science skills to be competent in conducting fisher interviews and document review.
2. Understanding of social standards and labor rights.
3. Understanding of root causes and connections among different risk indicators.
4. Experience screening for indicators of human trafficking, forced and bonded labor, child labor, and other forms of human rights abuse.

Trade unions or worker rights organizations are the preferred party to lead these human rights risk assessments. However, **a technical support organization or nonprofit actor participating in, or leading, the FIP may undertake the assessment and develop the workplan if they meet the qualifications outlined above.**

An employer or buyer with a financial or commercial interest in the FIP cannot lead the human rights risk assessment.

The assessment must be conducted in consultation with fishers and their trade unions or worker organizations, where these exist. If these do not exist, labor rights NGOs or other civil society organizations that represent fishers should be consulted.



Why not require a third-party risk assessment?

According to the 2020 Global Landscape Review of FIPs, nearly 20% of FIPs are already working to address social issues. Many of these FIPs have participants that meet the qualifications outlined here and conducting the assessment in-house will be more cost effective.

FIPs that do not have this expertise will need to hire an independent expert to conduct the assessment and create (or at least review and sign off on) the workplan.



Cost of assessment and workplan development

The cost of the human rights risk assessment will vary widely based on the number of vessels and fishers supplying the FIP, and the geographic spread of the fishers. Here are estimates based on pilot testing of the SRAT and other social audits of fisheries (not including travel time):

- 2-4 days preparation and document review
- 4-5 days on-site interviews and vessel visits
- 2-3 days to summarize results and to co-design a workplan with the FIP lead

These estimates assume that the assessor is fully qualified and experienced in survey design. A team of at least two is recommended, especially for on-site work, to improve consideration of linguistic, gender, ethnic, and other diversities among the fishers.

REQUIREMENTS | *6. Report publicly on risk assessment results and action progress*

Reporting on Risk Assessment Results

FIPs must report publicly on FisheryProgress the risk/performance level for each required indicator on the SRAT, and document the evidence used to determine performance – similar to reporting requirements for environmental aspects of FIPs.

Social audits against other standards, for instance Fair Trade USA Capture Fisheries Standard or the Responsible Fishing Vessel Scheme, could be used as evidence if all of the vessels in the FIP are included in the scope of the audit and if the audit meets the assessment requirements explained on the previous slide.

The evidence must not include any information which could identify individual fishers who participated in the assessment.

Reporting on Action Progress

FIPs must report every six months – the same as their current schedule – on progress toward completing the actions in their social workplan.

REQUIREMENTS | *Timeline for implementation*

Below is the expected timing for implementing the requirements of this policy.

Requirement	Current FIPs on FisheryProgress	New FIPs not yet on FisheryProgress
1. Sign the Human Rights Code of Conduct 2. Provide a list of vessels included in the FIP	First report (six-month or annual, whichever comes first) after May 1, 2021	Required to be listed as an active FIP
3. Ensure that fishers in the FIP are aware of their rights and have access to grievance procedures to seek remedy if their rights are abused 4. Complete a human rights risk assessment 5. Create a workplan to address high-risk issues 6. Report publicly on risk assessment results and action progress	First annual report after November 1, 2021	Within one year of becoming active



Why have a staggered implementation timeline?

We want to be practical in acknowledging that it will take some time for FIPs to meet these requirements. These timelines allow current FIPs at least six months after the policy is finalized to sign the code of conduct and provide a vessel list, and at least 12 months to meet the rest of the new requirements.



Adequate grievance mechanisms

This corresponds to achieving at least a yellow level of performance on indicator 2.1.1 in the SRAT, which covers the grievance procedure. The grievance mechanism(s) could be in place at the level of the employer, the FIP lead, and/or another FIP participant.

VOLUNTARY | *Reporting of performance on other social issues*

FisheryProgress understands that social and economic sustainability encompasses many more issues than those included in our Human Rights Code of Conduct. FIPs may report on actions taken to address social issues beyond those included in the code of conduct.

To voluntarily report on these actions, FIPs reporting on FisheryProgress will use the Social Responsibility Assessment Tool for the Seafood Sector (SRAT). FIPs must provide evidence to support their performance, including information about how the evidence was verified. FisheryProgress will not verify this information.



Evidence

Evidence will vary depending on the actions. The FisheryProgress glossary provides examples of different kinds of evidence for action progress. (Source: [FisheryProgress](#))

When completing the SRAT, FIPs may use many different types of evidence, including household survey data, audit results from programs such as Fair Trade USA or others, or human development indicators collected at the local level. You can read more in Appendix B, found on pg. 39.

VOLUNTARY | Reporting of performance on other social issues

The table at right summarizes the indicators included in the SRAT. FIPs may voluntarily report their actions and progress on the subset of indicators highlighted in green.

For each indicator a FIP chooses to report on, the FIP must share its red, yellow, or green score, corresponding with high, moderate, or low risk of social challenges, plus evidence supporting the score.



The Social Responsibility Assessment Tool for the Seafood Sector

For more information and a link to the full SRAT, see Appendix B on pg. 39.

1 Protect human rights, dignity and access to resources	1.1 Human and labor rights	1.1.1	Abuse and harassment
		1.1.2	Human trafficking and forced labor ^a Debt bondage
		1.1.3	Child labor
		1.1.4	Freedom of association and collective bargaining
		1.1.5	Earnings and benefits
		1.1.6	Working hours
		1.1.7	Access to basic services
		1.1.8	Occupational safety
		1.1.9	Medical response
2 Ensure equality and equitable opportunity to benefit	1.2 Access Rights	1.2.1	Customary resource use rights
		1.2.2	Corporate responsibility and transparency
	2.1 Equality	2.1.1	Grievance reporting and access to remedy
		2.1.2	Stakeholder participation and collaborative management
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	2.2.2	Discrimination	
3 Improve food, nutrition, and livelihood security	3.1 Food and nutrition security	3.1.1	Food and nutrition security
		3.1.2	Healthcare
		3.1.3	Education
	3.2 Livelihood security	3.2.1	Benefits to and within community
		3.2.2	Economic value retention
		3.2.3	Long term profitability and future workforce
		3.2.4	Economic flexibility and autonomy
		3.2.5	Livelihood security
		3.2.6	Fuel resource efficiency

ALLEGATIONS | *Overview of allegations procedure*

This final section of the policy explains how FisheryProgress will respond to and address allegations of human rights violations in FIPs reporting on our site. Our aim is to be consistent with the UN Guiding Principles on Business and Human Rights regarding effective non-judicial mechanisms.

Our allegations procedure is applicable immediately upon adoption of this policy, and replaces the [Interim Policy on Forced Labor, Child Labor, or Human Trafficking](#) published in August 2019.

The procedure includes the following steps:

- **Step 1:** Accepting an allegation
- **Step 2:** Forming an Allegation Panel
- **Step 3:** Gathering evidence
- **Step 4:** Decision by the Allegation Panel
- **Step 5:** Developing the remediation plan
- **Step 6:** Reporting on the remediation plan
- **Step 7:** Closing the case



Why outline an allegations procedure?

By adopting this social policy, FisheryProgress aims to support FIPs to reduce the risk of human rights violations occurring on vessels in FIPs. However, it's impossible to reduce that risk to zero, so it's important to have a procedure in place for when violations occur.

The allegations procedure will determine if allegations of abuse are credible, and if so, will hold FIPs accountable to remediating abuses and taking action to prevent them from occurring again in the future. The allegations procedure relies on the same systems outlined earlier in this policy – developing an action plan to address high-risk issues within the SRAT and reporting on implementation progress – with more structured and frequent reporting requirements.

ALLEGATIONS | *Scope of allegations considered*

Types of Allegations

FisheryProgress will consider allegations of violations of our Human Rights Code of Conduct on any vessel in a FIP listed as active on our site, through the procedure described below.

Any other concerns, for instance about a decision made by a FisheryProgress reviewer, or about inaccurate data posted on the site, will be handled through FisheryProgress' Conflict Resolution and Appeals Process. This includes allegations of inaccuracies in the vessel list provided by the FIP. However, if there is an allegation of abuse on board a vessel suspected of being in a FIP but which is not listed in the FIP, the allegations of inaccurate vessel list *and* the rights violation will both be treated according to this procedure. If the vessel list is indeed inaccurate, a separate complaint through the FisheryProgress Conflict Resolution and Appeals Process will be opened.

Timing of the Alleged Abuse

Any abuse alleged to have occurred on a vessel that was in a FIP listed on FisheryProgress at the time of the abuse can be treated through this procedure, even if that vessel is no longer in the FIP. FisheryProgress will keep an archive of vessel lists throughout the history of the FIP to allow for this. If such an allegation is proved valid, it may be difficult to achieve remediation for the particular case if the employer is no longer part of the FIP. But the FIP will nonetheless likely need to make significant systemic changes to reduce the likelihood of a reoccurrence, which would be overseen through the procedure described here.



Conflict Resolution and Appeals Process

The Conflict Resolution and Appeals Process is set for the effective and timely resolution of challenges and appeals relating to FIP profiles published on the FisheryProgress website, or to the decisions taken by FisheryProgress reviewers. Read more [here](#).

ALLEGATIONS | *Confidentiality*

Throughout the processing of an allegation, FisheryProgress will take care to protect the identity of all children as well as any adult fishers who wish to remain anonymous.

An allegation cannot be accepted unless the party providing the evidence understands that it could be shared with FisheryProgress staff, Allegation Panel members, or FisheryProgress Social Advisory Committee members. The party bringing the allegation may require that their identity is not shared with any parties beyond these three.

If anonymity is requested, FisheryProgress, their representatives, and the Allegation Panel will take appropriate measures throughout the process to protect the identity and privacy of the party raising the allegation to the maximum extent possible. However, the party bringing the allegation should understand that their identity might become obvious depending on the facts and circumstances presented in the case.

In cases of illegal activity, FisheryProgress may be required by law to report the case and the identity of the grievance-raiser to the authorities.



Illegal activity

Illegal activity can include crimes and labor law violations.

ALLEGATIONS | *Step 1: Accepting an allegation*

Submitting an Allegation

An allegation may be submitted through the FisheryProgress website, by telephone, or via written correspondence. Allegations can be made by an individual or an organization. If the party submitting the allegation is doing so in a representative capacity of another, it must provide evidence of the authority to do so.

Allegations must be first submitted in English. If the allegation is accepted, accommodations will be made to be able to collect evidence and communicate with the parties in other relevant languages (noting that this may require accommodations to the timelines).

Assessing an Allegation

FisheryProgress will assess the allegation using the following four criteria. Allegations that meet all four criteria will be accepted.

1. Is it within the scope of the social policy?	Does the allegation concern a violation of one or more issues in the Human Rights Code of Conduct? Does it concern a vessel that is currently or was previously included in the FIP?
2. Is it credible?	FisheryProgress considers an allegation made by international or local nongovernmental or civil society organizations, labor unions, government agencies, media outlets, or other relevant parties to be a credible allegation. This includes U.S. government withhold release orders related to human rights violations.
3. Has the existing grievance process been tried?	The party raising the allegation must demonstrate that other available grievance mechanisms are inadequate or were unable resolve the complaint between the relevant parties.
4. Is it unique?	FisheryProgress shall not accept an allegation if its subject matter (same activities or event) essentially duplicates an allegation which is already being examined or which has already been processed through this Allegations Procedure.

ALLEGATIONS | *Step 1: Accepting an allegation*

Communicating about an Accepted Allegation

If FisheryProgress accepts the allegation, it will inform the FIP lead that a credible allegation has been received, and add a note to the top of the FIP's profile description that includes:

1. A summary of the allegation (and link to background information, in line with the considerations regarding confidentiality outlined above).
2. A summary of any actions the FIP is taking to address the risk of human rights violations in the FIP (and link to background information, if appropriate).

If the party bringing the allegation has requested anonymity, their identity will not be shared with the FIP lead but the type of actor (e.g., worker, trade union, NGO) will be indicated.

The allegation will be assigned a case number and logged in a public [Allegations Case Tracker](#) on the FisheryProgress website.

Communicating about not Accepting an Allegation

If an allegation is not accepted, FisheryProgress will inform the party who brought the allegation why it was not accepted. The party who brought the allegation cannot appeal the decision, but may request that FisheryProgress provide an interpretation of the decision, which explains further the reasoning of FisheryProgress in not accepting the allegation. A request for an interpretation of a decision does not suspend or nullify the decision.

The decision to accept an allegation or not will be communicated within 15 days of receipt.



Allegations Case Tracker

Once the social policy is finalized and published, FisheryProgress will update the website's data entry and display features to accommodate reporting under the social policy. The Allegations Case Tracker will be part of this development process and, when complete, will be publicly available on FisheryProgress.



Why create an Allegations Case Tracker?

FisheryProgress' mission is to promote transparency about FIPs. In line with that mission, it's important to maintain a transparent record of allegations. The Case Tracker will allow users to see the history of allegations on the site, including those found to have insufficient evidence and those that required remediation and ongoing monitoring, in one easily accessible place.

ALLEGATIONS | *Step 2: Forming an Allegation Panel*

For each accepted allegation, FisheryProgress will nominate an Allegation Panel of at least three and no more than five independent experts to consider the case. Panel members shall be free of conflict of interest to the related case. The panel members must collectively have the following experience and expertise:

- Experience working for worker organizations,
- Commercial experience,
- Commercial or criminal legal expertise,
- Human/labor rights expertise, and
- Understanding of international labor standards and conventions.

The business of the Allegation Panel will be conducted and communicated in English. FisheryProgress shall provide translations of any evidence and documentation necessary for the Allegation Panel to conduct their work.

The Allegation Panel will be formed within 30 days of the case being accepted.



Allegation panelist pool

FisheryProgress is compiling a list of potential panel members to reach out to in the event of a credible allegation.

ALLEGATIONS | *Procedure for handling allegations of illegal activity*

If the allegation concerns illegal activity and is already being investigated by the authorities, FisheryProgress will not undertake its own investigation (i.e., Steps 3 and 4 of the allegations procedure, outlined below). The allegation will continue to be processed, however, starting at Step 5, because FIP participants will likely need to take systemic corrective action to reduce the risk of re-occurrence of human rights violations.

If the allegation concerns illegal activities which have not yet been reported to the authorities, FisheryProgress will encourage the victim, through their representative if applicable, to contact support agencies such as trade unions, labor lawyers, worker rights NGOs, or other groups which can help them report the incident to authorities. FisheryProgress will not report the incident to authorities without the consent of the victim unless this is legally required within the jurisdiction in which the incident occurred or is alleged to have occurred. If the incident is not reported to the authorities, the process will continue to Step 3.



Why not report all allegations to authorities?

Victims of human rights abuses have a right to protection of their privacy, and so it is important to have the informed consent of the victim before reporting a crime. Victims may fear that if they report a crime, there may be retaliation against themselves or their families, potentially even by the law enforcement agency itself.

Specialist support organizations can work with them to make sure they have access to legal assistance and help them decide whether and how to participate in prosecutorial efforts. The [International Organization on Migration](#) provides guidance on how to support victims of human trafficking through legal processes, for instance [in this report](#).

ALLEGATIONS | *Step 3: Gathering evidence*

Once an allegation has been accepted, FisheryProgress will gather information regarding the allegation from relevant international or local nongovernmental organizations, trade unions, and worker organizations. FisheryProgress will work with these organizations to seek information from the fisher(s) involved. FIP participants will also be asked to provide any evidence related to the allegation, including evidence which might refute the allegation. The investigation will be primarily desk-based, (i.e., a field visit will not necessarily occur).

Credible evidence that supports the allegation could include, for instance, a report by a fisher of a verbal threat and/or physical abuse, a photo or other documentation of a pay slip showing wage theft, photo evidence of unsafe living or working conditions, video documentation, or fisher testimonials.

The evidence gathered by FisheryProgress through the desk-based investigation will be presented to the Allegation Panel, at which point the Allegation Panel can decide to commission a field investigation of the allegation. The Allegation Panel and FisheryProgress will agree on the budget for such an investigation and the Terms of Reference for the investigator. The Terms of Reference for the investigator could include making recommendations for remediation.

Step 3 can start in parallel to the formation of the Allegation Panel, and should be completed no more than 60 days after the Allegation Panel is formed. If the Allegation Panel determines that further investigation is required, it must log the extension of the deadline on the Allegations Case Tracker.

ALLEGATIONS | *Step 4: Decision by the Allegation Panel*

The Allegation Panel will review the evidence and come to a decision. The panel will aim to take decisions by consensus. Where it is unable to reach consensus, a majority vote will prevail.

If upon reviewing the information gathered during Step 3 **the Allegation Panel decides that there is not sufficient evidence of a human rights abuse on board a vessel in the FIP**, they will close the investigation. In this case:

- The decision will be communicated to the FIP lead, registered users of FisheryProgress who are formally following the FIP in question, and other relevant stakeholders.
- The decision, and the reason for the decision, will be logged on the Allegations Case Tracker and the note regarding the ongoing investigation will be removed from the FIP's profile.
- FisheryProgress will inform the party who brought the allegation why the investigation ceased.
- The decision of the Allegation Panel is final. The party who brought the allegation cannot appeal the decision, but may request that the Allegation Panel provide an interpretation of their decision, to explain further the reasoning for their decision. Such a request for an interpretation of a decision does not suspend or nullify the decision.

If the Allegation Panel decides that there is sufficient evidence that a human rights abuse occurred and remediation is required, it will issue a communication to the FIP lead describing the evidence considered and the remediation required. This communication will be included on the public Allegations Case Tracker. The indicator score of the FIP on this particular topic will be shown as red if this is not already the case. The note on the FIP's profile will be updated.

Step 4 must be completed within 30 days of the Allegation Panel having received sufficient evidence to consider the case.

ALLEGATIONS | Step 5: Developing the remediation plan

Based on the remediation requirements outlined by the Allegation Panel in Step 4, a FIP must then develop a time-bound remediation plan. The remediation plan must take a victim-centric approach and prioritize the safety of the victim who experienced abuse. In addition to providing remedy for specific individuals, the remediation plan will most likely require systemic change on the part of the FIP, including addressing root-cause issues that led to the abuse, improving monitoring of worker rights implementation in the supply chain, training of employers, developing and implementing strong policies on worker recruitment, etc. For cases which are going through legal proceedings, the Allegation Panel will suggest remediation that does not interfere with that legal proceeding but nonetheless addresses root-cause and systemic issues in the FIP to prevent further abuse.

Once notified by the Allegation Panel of the remediation requirements, the FIP lead will have 30 days to provide the Allegation Panel with an adequate remediation plan and evidence that it is being implemented, using the SRAT and existing FisheryProgress reporting framework for social issues. **This does not mean that all issues must be resolved within 30 days.** Urgent issues such as securing the safety of an individual victim should take priority. However, the Allegation Panel must be satisfied within 30 days that the FIP is taking immediate measures to remedy the situation and implement FIP-wide policy changes to prevent future abuse.

If the FIP lead does not provide sufficient evidence of remediation within 30 days, the FIP will be moved to inactive status on FisheryProgress and the Allegations Case Tracker will be updated accordingly. The FIP will be required to submit a robust remediation plan to the Allegation Panel in order for it to be re-listed as active.



Inactive FIPs

Inactive FIPs ended before achieving their goals or failed to meet the FisheryProgress.org requirements for progress reporting (specifically, failing to submit reports for one year or failing to report at least one stage 4 or stage 5 outcome within three years). (Source: [FisheryProgress](#))



FIP Review Guidelines

Detailed information on how to move from inactive to active status can be found in the FisheryProgress [FIP Review Guidelines](#).

ALLEGATIONS | Step 6: Reporting on the remediation plan

The FIP's remediation plan and progress on its time-bound actions must be reported on FisheryProgress as outlined in the chart below. FIPs with remediation plans report every three months rather than every six months.

Timing after decision of Allegation Panel	Required reporting by FIP lead
30 days	<ul style="list-style-type: none"> Submit the remediation plan and evidence that it is being implemented.
90 days	<ul style="list-style-type: none"> Report on progress against the remediation plan.
Six months	<ul style="list-style-type: none"> Report on progress against the remediation plan. Submit a statement of verification that its remediation plan is being implemented, signed by a third-party expert organization (e.g., a trade union, worker rights' NGO, or specialized civil society organization).
Nine months	<ul style="list-style-type: none"> Report on progress of the remediation plan.
12 months	<ul style="list-style-type: none"> Report on progress of the remediation plan. Submit a statement of verification that its remediation plan is being implemented, signed by a third-party expert organization (e.g., a trade union, worker rights' NGO, or specialized civil society organization).



Why require a third-party expert organization to review the remediation plan implementation?

It is critically important to ensure that workers receive appropriate remediation. Having an independent expert partner to advise and sign off on remediation progress will help to ensure that remediation results in positive outcomes for fishers.

For 12 months, the Allegations Case Tracker and the note on the FIP's profile will indicate that a remediation plan is ongoing. The party which raised the allegation will be informed that progress on remediation can be followed through the FIP profile and the Allegations Case Tracker.

ALLEGATIONS | *Step 7: Closing the case*

After 12 months, if the Allegation Panel is satisfied with the progress of the FIP in its remediation plan, the note will be removed from the FIP's profile and the case will be marked as closed in the Allegations Case Tracker. The Allegation Panel for the particular case will be disbanded.

If the FIP does not provide the evidence of remediation within the timelines described above, the FIP will be moved to inactive status.

ALLEGATIONS | *Procedure timeline*

Below is a summary of the timing for the full allegation procedure. Note that each step may not take the full time outlined – this table reflects the time allowed for each step to be completed. FisheryProgress will aim to handle allegations as expediently as possible.

Timing	Actions
15 days after an allegation is received	Step 1: The decision to accept an allegation or not will be communicated.
30 days after an allegation is accepted	Step 2: The Allegation Panel will be formed.
60 days after the Allegation Panel is formed	Step 3: Evidence gathering should be completed no more than 60 days after the Allegation Panel is formed (but can start in parallel to the formation of the Allegation Panel). If more time is needed for investigation, the Allegation Panel may extend this timeline.
30 days after sufficient evidence is received	Step 4: Once the Allegation Panel has sufficient evidence to consider the case, they must issue a decision on the case, and explain what remediation is needed.
30 days after the case is decided	Step 5: The FIP lead will provide the Allegation Panel with a remediation plan that meets the panel’s requirements, and evidence that it is being implemented.
Every three months for one year after the case is decided	Step 6: The FIP lead will report on remediation plan progress. See the reporting requirements outlined on pg. 30.
12 months after the case is decided	Step 7: If the Allegation Panel is satisfied with the progress of the FIP in its remediation plan, the case will be closed in the Allegations Case Tracker and the note will be removed from the FIP’s profile.

APPENDIX A | *FisheryProgress Human Rights Code of Conduct*

The FisheryProgress Human Rights Code of Conduct is based on international conventions and labor standards: the United Nations' Universal Declaration of Human Rights, the International Labour Organization's (ILO) fundamental conventions, and the ILO Work in Fishing Convention.



The United Nations Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected. Read more [here](#).



The International Labour Organization Fundamental Conventions

Since 1919, the International Labour Organization has maintained and developed a system of international labour standards aimed at promoting opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and dignity.

The ILO Governing Body has identified eight “fundamental” conventions, covering subjects that are considered to be fundamental principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation.

In today's globalized economy, international labour standards are an essential component in the international framework for ensuring that the growth of the global economy provides benefits to all. Read more about the conventions [here](#).



ILO Work in Fishing Convention

C188, the Work in Fishing Convention, was adopted in 2007 to ensure that fishers have decent work conditions on board fishing vessels. Read more about the C188 [here](#).

APPENDIX A | *FisheryProgress Human Rights Code of Conduct*

By signing the code of conduct, FIP leads agree that they will undertake best efforts to uphold the values below (as applicable to their FIPs) throughout the rest of the time their FIPs are active on FisheryProgress. The FIP lead is responsible for ensuring that vessels that join a FIP after the Human Rights Code of Conduct is signed are made aware of the code of conduct.

1. There is no discrimination, abuse, or harassment.

- There is no corporal punishment, mental or physical coercion, verbal abuse, gender-based violence, sexual harassment, or any other form of harassment, including excessive or abusive disciplinary action.
- Migrant status is not used as a threat or tool of coercion.

2. There is no human trafficking or forced labor.

- There are no indicators of forced labor violations or evidence of debt bondage.
- Fishers are permitted to leave the vessel when in port.
- Fishers are not required to pay a deposit at the beginning of employment to prevent them absconding.
- Overtime is voluntary.

3. There is no child labor.

- Work done by children is legal and appropriate for their development.
- Children below the legal age of employment are not employed as waged workers.
- Children below the legal age of employment work alongside family members only if this does not interfere with schooling, and on tasks which do not harm their health, safety or morals.
- Children do not work at night.

4. Freedom of association and the right to collective bargaining are respected.

- Fishers are free to form worker organizations, including trade unions, to advocate for and protect their rights, and have the right to decide their own structure, policies, programs, priorities, etc. without employer interference.
- Human rights defenders are not actively suppressed.
- Fishers are free to form worker organizations, including trade unions, to advocate for and protect their rights.
- There is no discrimination against fishers who are members or leaders of organizations, unions or cooperatives, and fishers are not dismissed for exercising their right to strike.

5. Earnings and benefits are decent, transparent, and stable.

- Wage levels and benefits meet the minimum legal requirements.
- Overtime wages are paid in accordance with minimum legal requirements.
- Wages paid to fishers are what was promised at the time of employment, are not withheld as a form of discipline, do not contain illegal deductions, and are paid on time or directly to the fisher.
- Fishers do not go longer than one month without being paid.
- Workers are aware of how their earnings or deductions are calculated and their rights to benefits, are allowed to witness procedures used to determine earnings (weighing, grading), and only sign contracts they understand with provisions for different languages or illiteracy.

6. Working hours are not excessive.

- Working hours meet the legal minimum requirements.
- Workers have at least 10 hours of rest in a 24-hour period and at least 77 hours in a seven-day period.

7. Worker housing and sleeping quarters on vessels are decent.

- Sleeping quarters have adequate fire prevention and air ventilation, meet legal requirements, and meet reasonable levels of safety, decency, hygiene, and comfort.
- Sanitary facilities (appropriate to vessel size) with adequate privacy are provided.
- Potable water is accessible to workers.
- Fishers living on board have access to adequate and sanitary food at fair prices.

8. The working environment is safe, and there is an adequate medical response for workplace injuries.

- There is a radio on board for vessels over 24 meters.
- Adequate personal protective equipment is provided on board at no cost (unless self-employed).
- Fishers are trained in health and safety procedures and on proper use of PPE and safe operation of any equipment they use (unless self-employed).
- Vessel complies with local/national safety and health regulations.
- Adequate medical supplies are available (i.e., there is a first aid kit).
- On large vessels, there is a trained first aid responder.
- On large vessels making long trips, fishers have a valid medical certificate attesting to their fitness to work.
- Workers are provided with medical care for workplace injuries and are repatriated if necessary at employer's expense.

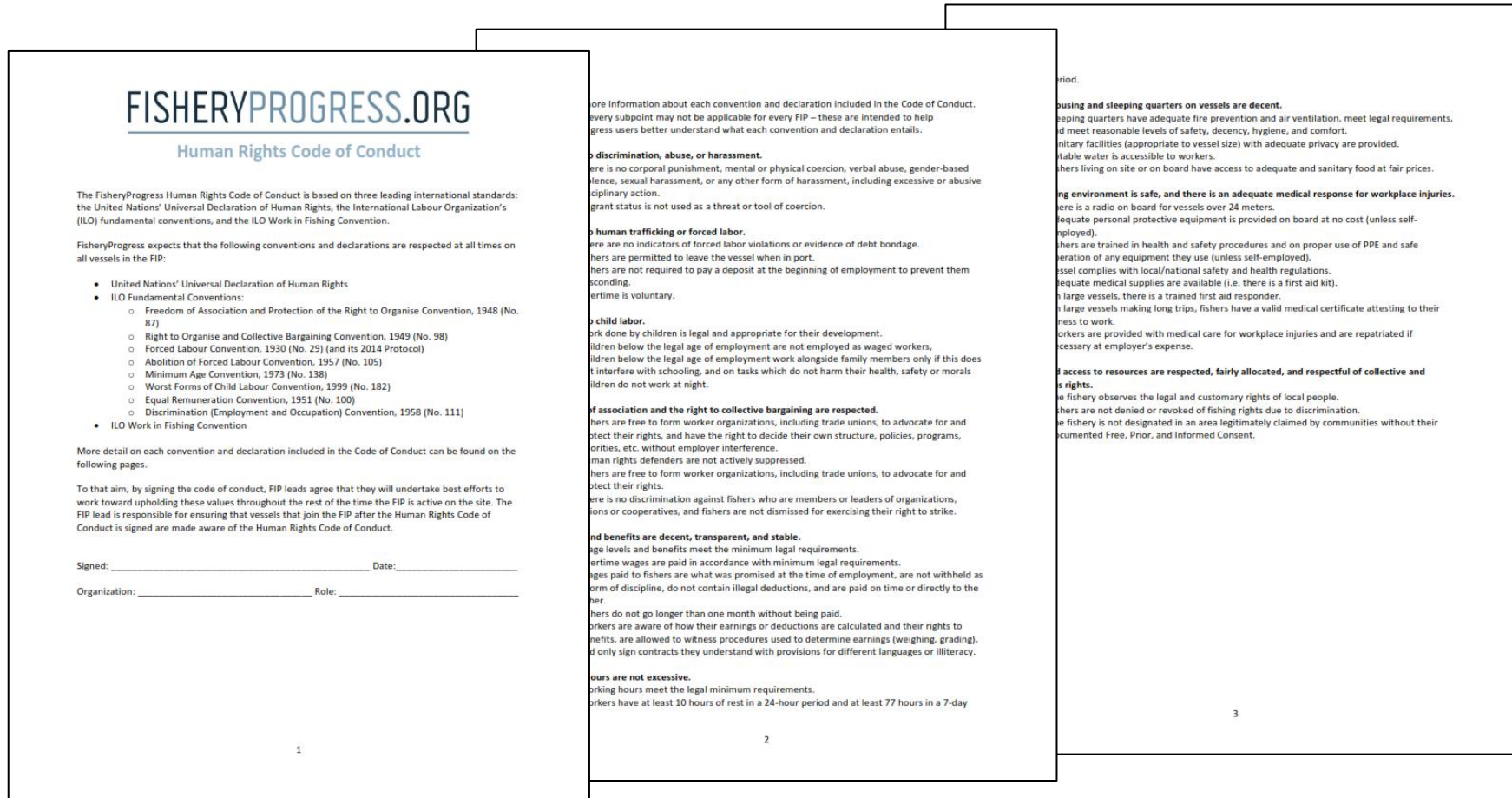
9. Rights and access to resources are respected, fairly allocated, and respectful of collective and indigenous rights.

- The fishery observes the legal and customary rights of local people.
- Fishers are not denied or revoked of fishing rights due to discrimination.
- The fishery is not designated in an area legitimately claimed by communities without their documented Free, Prior, and Informed Consent.

APPENDIX A | FisheryProgress Human Rights Code of Conduct

Signing the Code of Conduct

FIP leads will be provided a template of the final Human Rights Code of Conduct, similar to pictured below, to sign and return to FisheryProgress.



APPENDIX B | *The Social Responsibility Assessment Tool*

Purpose. The Social Responsibility Assessment Tool for the Seafood Sector is a useful diagnostic, benchmarking, or risk-assessment tool for conducting human rights due diligence in seafood supply chains – to assess risk of social issues, to identify areas in need of improvement, and to inform the development of a FIP workplan that includes a social element. The Social Responsibility Assessment Tool is not a certification – it enumerates existing resources in social responsibility certification, in the case the FIP wants to proceed towards certification.

History. The Social Responsibility Assessment Tool for the Seafood Sector was co-produced, and thus co-owned; over two-dozen organizations have contributed over the course of the development phase, including many organizations comprising the Conservation Alliance, human and labor rights organizations, university scholars, intergovernmental agencies, and industry.

Principles/Indicators. The Social Responsibility Assessment Tool is built on the three principles of the “The Monterey Framework” – a shared definition of social responsibility inclusive of: 1) protecting human rights, dignity, and access to resources, 2) ensuring equality and equitable opportunity to benefit, 3) improving food, nutrition, and livelihood security. The indicators and scoring guideposts used to build this tool are a collation of all the existing certification and ratings community of practice for social issues in seafood. The Assessment Tool integrates all relevant ILO Conventions and international protocols and standards.

Using the Assessment. Critical to the use of the assessment tool, is that the assessment team must have local representation and social science or human rights expertise. Data collection may involve secondary data, primary data, or both, and thus will require time in the field interacting with the fishery and the workers. Ultimately, data gathered during the initial assessment will inform the development of the improvement plans with local stakeholders for driving social change. This resource is to be used as a sister tool to a FIP needs-assessment or pre-assessment, and is relevant in the context of an industrial fishery and small-scale fisheries.

Learn More. Access the SRAT [here](#), or view a webinar about the tool [here](#).



**SOCIAL RESPONSIBILITY ASSESSMENT TOOL
FOR THE SEAFOOD SECTOR**

