

FISHERYPROGRESS.ORG

Processes for Addressing Concerns About FIP Information on FisheryProgress

October 2022

This document outlines FisheryProgress' processes for addressing concerns about data and information published on the website, including:

1. [Reviewing Reported Incidents of Forced Labor, Human Trafficking, or Child Labor](#)
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Reviewing Reported Incidents of Forced Labor, Human Trafficking, or Child Labor

FisheryProgress' process for reviewing reported incidents of forced labor, human trafficking, or child labor that may have occurred in FIPs listed on the site is outlined below.

FisheryProgress will review reported incidents that it discovers or that are shared with FisheryProgress by stakeholders. Stakeholders may share reported incidents they believe may meet the criteria below by emailing FisheryProgress (contact@fisheryprogress.org).

Criteria for reviewing reported incidents of forced labor, human trafficking, or child labor

Below are the criteria FisheryProgress uses to review any reported incidents of forced labor, human trafficking, or child labor:

1. **The reported incident is documented in a credible, public report.**

FisheryProgress uses the following definitions:

 - a. **Credible** means the report is from a public or private entity that employs ethical and impartial investigative standards based on primary sources and

rigorous verification. Examples of these entities include reputable international or local non-governmental or civil society organizations, reputable international or local media outlets, and government agencies.

- b. **Public** means reports that are in the public domain, whether published online or in hard copy.

2. **The report focuses on incidents of forced labor, human trafficking, or child labor.** FisheryProgress defines forced labor, human trafficking, and child labor as follows (adapted from the [Social Responsibility Assessment Tool](#)):

- **Forced labor.** Work or service that is extracted from any person under the menace of any penalty for which a person has not offered themselves voluntarily or for which such work or service is demanded as a repayment of debt. "Penalty" may include, but is not limited to, monetary sanctions, physical punishment, intimidation, punishment of family members, or the loss of rights and privileges or restriction of movement (e.g., withholding of identity documents).
- **Human trafficking.** The recruitment, transportation, harboring, or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.
- **Child labor.** Work that is inappropriate for a child's age or illegal under the local legal minimum age, affects their education, or, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.

3. **The reported incident is connected to a FIP.** FisheryProgress considers it to be connected if the one or more of the following conditions are met:

For FIPs with vessels	<ul style="list-style-type: none"> ● A vessel implicated in the report is listed in the FIP's "Vessel and/or Fisher Information" document; OR ● If there is no vessel list available, the report implicates a listed participant in the FIP for an incident in the same fishery (e.g., species targeted, gear types, geography, vessel flags) as the FIP.
For FIPs with no vessels	<ul style="list-style-type: none"> ● The reported incident occurred in the same fishery; AND ● On-shore fishers described in the report

	<p>share similar characteristics (e.g., landing sites for the catch, home communities, type of fishing practice) with fishers described in the FIP’s “Vessel and/or Fisher Information” document.</p>
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4. **The reported incident happened within the past two years.**
5. **The FIP is currently active, or under initial review to become active.**
 FisheryProgress will only review reported incidents for FIPs that currently have active profiles on the site or are seeking to activate profiles (e.g., an existing FIP that previously went inactive, a new active FIP, or a prospective FIP transitioning to active).

Process for reviewing reported incidents of forced labor, human trafficking, or child labor

Below is the process FisheryProgress will use to review reported incidents against the site’s criteria:

1. **Notify the FIP that a reported incident has been discovered.** When a reported incident is discovered, FisheryProgress will notify the FIP lead(s) that the site is starting a review of a reported incident.
2. **Review the reported incident against the site’s criteria.** FisheryProgress will review the reported incident against the [criteria](#). If additional input is needed, FisheryProgress may consult with the FIP lead(s), the site’s advisory committees, and/or human rights or labor organizations. FisheryProgress will complete this review within 30 days after a reported incident is discovered.
3. **Notify the FIP of the outcome of the review.** FisheryProgress will notify the FIP lead(s) of the outcome of the review of the reported incident against the site’s criteria, and confirm next steps based on the outcome.
4. **Communicate back to the stakeholder who shared the reported incident, if applicable.** If a stakeholder shared the reported incident with FisheryProgress, FisheryProgress will notify the stakeholder of the outcome of the review and next steps.

Process for FIPs that have a reported incident that meets the site's criteria

Below is the process for FIPs that have a reported incident of forced labor, human trafficking, or child labor that meets the site's [criteria](#):

- **Update the FIP's self-evaluation against the FisheryProgress criteria for increased risk of forced labor and human trafficking.** The FIP must submit an updated self-evaluation, answering "yes" to criterion #4 (i.e., The FIP has a reported incident of forced labor, child labor, or human trafficking within the past two years) within 30 days of being notified by FisheryProgress that there is a reported incident that meets the site's criteria.

If the FIP declines to update its self-evaluation within 30 days to acknowledge the reported incident, FisheryProgress (or a stakeholder, if appropriate) will submit an appeal on the basis of inaccurate data published on the site. If the appeals process determines that the reported incident does meet the site's criteria, the FIP will be notified of the appeals process outcomes and be required to update its self-evaluation within 30 days. If it does not do so, it will be moved to inactive status.

- **Complete a risk assessment and workplan.** The FIP must complete an SRA assessment and workplan, or provide documentation of an alternative assessment and workplan, within 12 months of submitting the updated self-evaluation. The FIP cannot request an extension for meeting this requirement.

Confidentiality

FisheryProgress will note there was a reported incident on the FIP's profile, but will not publish the details of reported incidents on the website. However, FIPs may provide an optional explanation of any reported incidents of forced labor, human trafficking, or child labor on their profiles.

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.

Scope

Appeals may be submitted on the following grounds:

- **Category 1: Disagreement with a decision made by the reviewer**, limited to:
 - Initial review outcomes (including FIP type and stage assignments)
 - Six-month and annual progress review outcomes
 - Site status and inactive and completed designations
 - Whether a consultant meets the site's [comprehensive FIP consultant criteria](#) or [HRSR consultant criteria](#)
- **Category 2: Provision of evidence of inaccurate information published on the site**, limited to:
 - Evidence that information is inaccurate in a pre-assessment, needs assessment, SRA assessment, alternative assessment, three-year audit, vessel list, fisher awareness of rights evidence, grievance mechanism evidence, or self-evaluation of risk criteria
 - Evidence that a FIP didn't complete an environmental or social action or outcome
 - Evidence that an environmental or social score change is incorrect
 - Evidence that a listed participant is not participating in the FIP
- **Category 3: Inaccurate self-evaluation of risk criteria**, because the FIP declined to update its self-evaluation within 30 days of receiving notification of a reported incident that meets the site's criteria.

Objections of an inaccurate progress rating are not grounds for appeal. Progress ratings are determined by Sustainable Fisheries Partnership, based on the evidence FIPs report on FisheryProgress. Concerns about progress ratings should be directed to fipevaluation@sustainablefish.org. FishChoice staff will help to address concerns about ratings according to the conflict resolution process outlined below and by reviewing new evidence if needed.

Questions or challenges pertaining to issues outside the scope of this appeals process may provide feedback via the site's contact page.

Conflict resolution

FisheryProgress has a preference for resolution of conflicts informally if possible, using the following processes:

- A. **For FIPs (implementers or participants):** If a FIP implementer or participant has concerns about the outcome of a reviewer's decision or data on the site (either published or unpublished and under review), the FIP will first contact the reviewer directly to discuss these concerns, address questions, or correct inaccuracies in the reporting.
- B. **For external stakeholders:** If an external stakeholder (e.g., the organization or individual is not a participant in the FIP) has concerns about the outcome of a reviewer's decision or data on the site, they can submit a comment through the comment feature on a FIP's profile. A FIP reviewer will follow up to discuss the concerns and the FIP will be contacted to provide additional information, if considered necessary by the reviewer.

Appeals process

If the concerns cannot be solved informally through conflict resolution, a FIP implementer or participant or external stakeholder can enter into a formal appeal process.

Requirements. Appeals must be submitted using the appeal template and supported by credible evidence. Any appeals submitted on issues outside of the noted scope or without credible evidence will be declined. Any appeals submitted without first engaging in the informal conflict resolution process (described above) will be declined.

Process for appeals under scope category 1 or 2. The appeals process is as follows:

1. **Appeal filed.** A FIP implementer or participant must file an appeal within 30 calendar days of a FIP reviewer's decision being published to the site (according to the appeals grounds noted above). External stakeholders may file an appeal at any point. An appellant must complete the appeals template and submit it to FisheryProgress (contact@fisheryprogress.org). If the appellant is an external stakeholder, the FIP will be informed of the appellant and the basis for the appeal unless there is a valid reason to keep that information confidential from the FIP (the Technical Committee will review and make a determination on any requests for confidentiality).
2. **Technical Committee review.** A member of the Technical Committee will review the appeal to confirm if it fits within scope and meets the requirements within three business days. If needed, a member of the Technical Committee may schedule a call with the appellant, FIP lead or participant, and/or with the FisheryProgress review team to gather additional information and answer any outstanding questions. A majority of the Technical Committee reviews the appeal and makes a recommendation to the Advisory Committee within 60 calendar days.

3. **Advisory Committee review.** The Advisory Committee reviews the Technical Committee's recommendation. If the Advisory Committee disagrees with the Technical Committee's recommendation, a joint call will be held between the Advisory Committee and the Technical Committee to discuss the disagreement. At the end of the call, the Advisory Committee makes the final decision about how to proceed by majority rules. A final decision must be reached within 30 calendar days of the Technical Committee submitting its recommendation to the Advisory Committee.
4. **Decision communicated.** Within one week of the decision, FisheryProgress or a member of the Technical or Advisory Committee communicates the final decision back to the appellant (as well as the FIP lead, if appeal was filed by an external stakeholder). The communication will not be public, though the FIP may do its own communication about its status. FisheryProgress will maintain records of all appeals.

Process for appeals under scope category 3. When an appeal is received that is due to the FIP's self-evaluation being inaccurate because the FIP declined to update its self-evaluation within 30 days of receiving notification of a reported incident that meets the site's criteria, FisheryProgress will streamline the appeals process outlined above as follows:

- FisheryProgress (or a stakeholder, if appropriate) will submit the appeal by completing the appeals template and submitting it for Technical Committee review.
- The Technical Committee will make the final decision about how to proceed. A final decision must be reached within 30 calendar days of the appeal being received.

Timing for implementing changes. The decision will outline timing for the FIP to implement any changes, if needed, and will depend on the scale of changes required. If the FIP does not meet the deadline, the reviewers will move it to inactive.

Conflict of interest. Any member of the Technical Committee or Advisory Committee with a conflict of interest (i.e., not independent from the FIP or the appellant) will abstain from any discussions and decisions about the appeal.