



Resolution of the Social partners in the sea-fisheries sector on the fight against forced labor

Brussels, 30 January 2023

1. The Sea Fisheries social partners ETF and Europeche welcome the proposal recently presented by the Commission to prevent products manufactured in violation of human and workers' rights from being placed on the market in the European Union. The European consumer must be able to buy only products obtained in an ethical and sustainable way. Any form of undignified work is contrary to the values of the EU Treaties and forced labor is expressly prohibited in Article 5 of the EU Charter of Fundamental Rights.
2. Namely we refer to the proposed *regulation on prohibiting products made with forced labor on the Union market*¹ and to the communication that preceded it *on decent work worldwide for a global just transition and a sustainable recovery*². These initiatives follow the solemn commitment made by the President of the Commission von der Leyen before the European Parliament on 15 September 2021³.
3. This initiative is long overdue and it remains a regret that it was undertaken so belatedly, despite the fact that the problem of products marketed on the European market obtained under undignified working conditions has been brought to the attention of the European Commission a long time ago.
4. When it comes to the import of fish products from third countries into the EU market, the social partners urged the Commission in the past⁴ to take appropriate measures to ban import of fish products coming from fleets or countries with evidence of labour abuses and forced labour in the Sector. The social partners underlined growing and shared evidence that the fleets scoring worst in global illegal, unreported and unregulated (IUU) fishing are also the ones where more cases of forced labour and human rights and labour abuses are observed.

¹ COM(2022)453

² COM(2022)66

³ https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_21_4701

⁴ <https://www.etf-europe.org/eu-must-put-in-place-effective-measures-to-ban-imports-from-fleets-with-evidence-of-labour-abuses/>

5. The social partners now expect these proposals to be rapidly adopted and above all to be effectively implemented.
6. Since it is a well-known and documented fact that the phenomenon of indecent work is not uncommon in the fishing sector and is often linked with illegal fishing, the social partners had always found unacceptable that the EU has equipped itself with the Regulation fighting IUU fishing, the most effective tool available to the CFP to combat illegal activities in the sector, while not having an instrument to ban the commercialisation of fish products deriving from forced labour. The IUU Regulation must work hand in hand with regulations tackling practices contrary to international conventions relating to human and labour rights.
7. The fact that the European Union has equipped itself with the IUU regulation to counter imports of illegally caught fish products, while not taking action to ban imports of fish products coming from forced labour is not acceptable, in particular considering the close links between environmental offences and social abuses.
8. The social partners stress that the Commission should take into account also fish products produced in the EU and traded within or outside the European Union where there is evidence of forced labour or labour abuses.
9. The Social partners therefore reiterate their demand that the control of fishing activities and fishery products, specifically those relating to the fight against illegal activities carried out by the fleets of third countries exporting to the EU, must be coordinated with labour inspections, thus avoiding any form of unfair competition to the detriment of European producers that the IUU Regulation was supposed to avoid but has not prevented so far.
10. However, as already underlined, approving the regulation will not be enough because it will be necessary to ensure its application. A particularly difficult aspect since, as the Commission itself points out, "*forced labor is part of the manufacturing process and does not leave any trace on the product*". It is therefore necessary to set up a collaborative effort from all the interested parties who must be able to report proven cases of situations of forced labor to the authorities. The Social partners are in a position to assist European and ILO officials through their network of internationally recognized inspectors and are keen to collaborate. They are indeed an essential element for the implementation of this new tool. This is very well understood by the Commission which in fact evokes the importance of social dialogue 13 times in the document COM(2022)66.

11. In the proposal for a Regulation the national competent authorities will have a key role in the investigations and the enforcement of the ban. This means that the Member States will have a fundamental role and that procedures will need to be clear and transparent, in particular concerning the coordination between them and the need to avoid double standards.
12. It is very important that any legal or natural person can submit information to competent authorities about possible evidence of forced labour. It will be equally important to clarify how much and what kind of data will need to be provided to start an assessment of the information made available.
13. The social partners of the Sea Fisheries Social Dialogue will follow up this fundamental proposal and will give their contribution for the best outcome of the legislative procedure. The final regulation will need to be clear, fit-for-purpose and effective in banning the commercialisation of fish products deriving from forced labour.