

A close-up, profile view of a person's face, looking towards the left. The lighting is dramatic, highlighting the texture of the skin and the intensity of the gaze. The background is dark and out of focus.

# SUPPLY CHAINED

Human rights abuses  
in the global tuna  
industry

**GREENPEACE**



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**Cover**

21-years-old worker forced to work on a fishing boat with no way to return to his homeland.

© Ardiles Rante / Greenpeace

**Inside Cover**

The port city of Ambon in the Indonesian Islands of Maluku has been one of the key destination points in Indonesia for exploited men working aboard Thai operated fishing vessels.

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November 2015

# 01

# EXECUTIVE SUMMARY

“ We all have to admit that it is difficult to ensure the Thai seafood industry’s supply chain is 100 percent clean.” – Thirapong Chansiri, CEO of Thai Union Group <sup>10</sup>

Thai Union Group PLC (TU) is the largest producer of canned tuna in the world, supplying to brands and retailers around the globe. But TU has been linked to the darkest sides of the seafood industry: human rights abuses, the wholesale waste of marine life, and the killing of endangered species with destructive fishing methods. Today’s tuna industry is ridden with environmental destruction, human tragedy and greed. The problems go beyond one company, but TU has the global reach and influence to transform the tuna industry by rejecting the unacceptable practices that dominate the sector.

Over the last year, a series of media exposés have shed light on the brutal treatment of vulnerable men aboard vessels in Thailand’s fishing fleets – several of which have named TU in their investigations.<sup>1/2</sup> These reports highlight that trafficking, forced and bonded labour is part of the business model of companies that have supplied whole fish and raw material to global heavyweights such as TU. A recent Greenpeace investigation, which included interviews with victims of trafficking, forced and bonded labour, highlights how the abusive practices in Thailand’s distant water fishing fleets present a severe supply chain risk to TU’s tuna operations that goes beyond the piecemeal actions taken by the company in response to media scrutiny.

Although TU has taken action to drop suppliers implicated in abuse and introduced a new labour code of conduct this year, the burden is on TU to demonstrate to its customers that it has taken effective steps to ensure that its seafood supply chains are free of exploitation – all the way down to the fishing boats.<sup>3/4/5</sup> Efforts to clean up the supply chain of this globe-straddling giant cannot just focus on shrimp aquaculture operations or Thailand’s fishing fleets, as have TU’s principal commitments to addressing human rights issues over the last 15 months.<sup>6/7</sup>

Consumers are increasingly demanding certainty that some of the most well-known tuna brands in the world are brought to the shelf through environmentally-sound fishing practices where workers are treated fairly. Some are even starting to tell TU this through class action lawsuits against its subsidiaries and the companies it supplies to.<sup>8/9</sup> Vessels landing wild-caught fish for TU are wreaking environmental havoc and sowing human misery across the oceans of the world. While TU is not the only seafood company with serious human rights issues in its supply chain, it is in an unrivalled position to drive positive changes that can transform the global tuna industry and the lives of countless men at sea.



© Paul Hilton / Greenpeace

Blast frozen tuna in a fishing vessel  
destined for the worlds markets.

# 02

# INTRODUCTION

Global demand for cheap seafood is one of the key drivers of both environmental degradation and human rights abuses in the fishing industry.

## THE SCENE

The world's oceans, particularly the high seas, are some of the most lawless places on the planet, where both environmental and social crimes routinely go unpunished.<sup>11</sup> Exploitation of workers in the fishing sector is of growing concern globally, particularly following multiple high-profile exposés focusing on Southeast Asia in recent years.<sup>12/13/14</sup> Human rights abuse in the fishing sector is a global problem occurring across the world and one which

is often connected to other forms of criminal activity, including Illegal, Unreported and Unregulated (IUU) fishing.<sup>15/16/17</sup> Under-regulation and a lack of enforcement over both fishing operations and labour standards has meant that our oceans have become a scene of environmental destruction and where internationally accepted human rights standards are regularly violated in the pursuit of profit.

## THE MOTIVE

Global demand for cheap seafood is one of the key drivers of both environmental degradation and human rights abuses in the fishing industry. During the last 6 decades, global annual production of tuna and similar species has increased more than 1100% to over 7 million tonnes, driven mainly by consumers in Europe, North America and Japan.<sup>18/19/20</sup> As highlighted in a recent series of video testimonies released by Greenpeace, human rights abuses in the Pacific tuna fleet – which supplies around

70% of global demand – are serious and require urgent attention.<sup>21/22</sup> Global producers, buyers and retailers of seafood wield a purchasing power that can push changes throughout product supply chains, ensuring that suppliers adhere to rigorous standards to uphold the rights of the workers who catch, process and package our seafood.



© Ardiles Rante / Greenpeace

Thai operated fishing boats anchored at Halong, Ambon, Indonesia in 2015 during the Indonesian governments moratorium on foreign fishing permits.

## THE SUSPECT

Thai Union Group PCL (TU) is the third-largest seafood company on the planet, producing almost a fifth of the global tuna supply, making it the largest manufacturer of canned tuna in the world.<sup>23/24/25</sup> Roughly 40% of all Thai tuna is sold by TU – every second the company exports the equivalent of about 157 cans of tuna from Thailand.<sup>26/27</sup> Today, TU produces a variety of seafood products and has dozens of subsidiaries and partnerships engaged in nearly all aspects of seafood production – from wild capture and processing to the manufacture of cans

and packaging and distribution – both for its own brands and for other private labels. TU's reach goes from sea to shelf: its brands dominate the world's major tuna markets. The company is a “keystone actor in marine ecosystems”, responsible for a disproportionately large impact on our oceans.<sup>28</sup> As a major global producer and heavyweight corporate actor, TU also wields a significant amount of influence over the conditions of work throughout its entire supply chain.

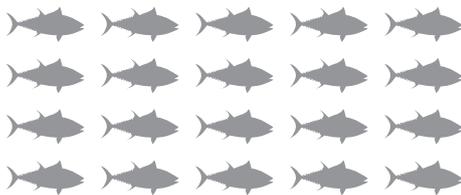
Thai Union group PCL ( TU ) <sup>29/30</sup>



2014 REVENUE

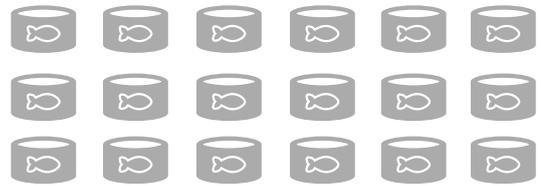
USD 3.44 BILLION

TUNA PRODUCTION CAPACITY

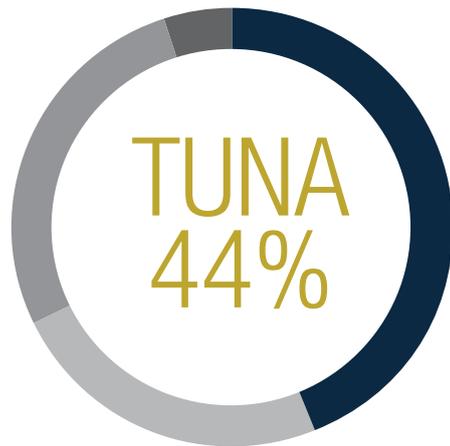


610,000 Metric Tons / Year

TUNA EXPORTS FROM THAILAND 2014

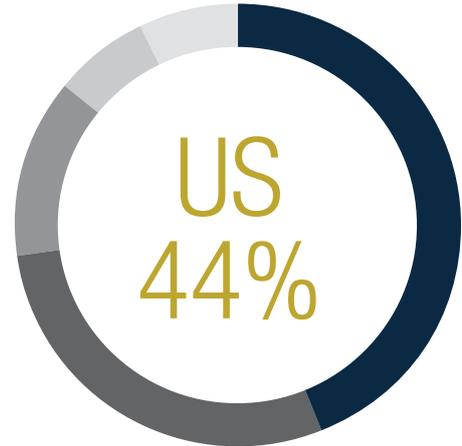


595,479 Metric Tons



2014 SALES BREAKDOWN

- Tuna 44%
- Other 27%
- Shrimp And Related 24%
- Sardine And Mackerel 5%

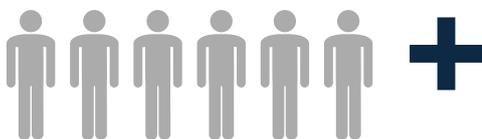


2014 SALES DISTRIBUTION

- USA 44%
- Europe 29%
- Other 13%
- Japan 7%
- Thailand 7%

GLOBAL WORKFORCE

35,000 PEOPLE



35 BRANDS,  
COMPANIES AND SUBSIDIARIES IN:



- USA
- France
- Norway
- Thailand
- Mauritius
- Luxembourg
- Vietnam
- India
- Papua New Guinea
- British Virgin Islands
- China

TU owns some of the best-known canned seafood brands in the world, although most consumers don't know much about the parent company. From *Chicken of the Sea* in the US and MW Brands in Europe – which itself distributes under the household names *John West*, *Petit Navire*, *Hyacinthe Parmentier* and *Mareblu* – to *Century Tuna* in China and *Sealect* in Thailand. Over the last two decades,

TU has diversified its operations and executed at least 10 acquisitions that have tripled sales revenue and extended its global reach.<sup>31</sup> In December 2014, TU announced the purchase of Bumble Bee Foods for USD 1.5 billion, a deal which has yet to be concluded due to an ongoing antitrust investigation by US authorities.<sup>32/33</sup>

## Thai Union tuna brands around the world <sup>34</sup>



### CHICKEN OF THE SEA

#1 frozen seafood importer in the US and #3 biggest canned seafood brand in the US

### PETIT NAVIRE

#1 canned seafood brand in France

### CENTURY TUNA

#1 canned seafood brand in China



### JOHN WEST

#1 canned seafood brand in the UK, Ireland and Netherlands

### MAREBLU

#2 canned tuna brand in Italy

### SEALECT

#1 canned tuna brand in Thailand

## VICTIMS

Men and women working throughout the seafood sector are exposed to a range of abuses. Research from Southeast Asia indicates that it is often those who migrate, particularly across borders, that are the most vulnerable to exploitation and abuse.<sup>35/36</sup> Thailand's seafood sector has become internationally notorious for human trafficking, debt bondage, child labour and forced labour but beyond these and other serious abuses, workers also routinely suffer a raft of human rights and labour violations. Although international concern and media attention in particular has often focused on the shrimp supply chain, research indicates that egregious human rights and labour abuses are also present in tuna supply chains.<sup>37/38</sup>

Processing facilities prepare, package and add value to the seafood we consume. Unacceptable abuses in both licensed and unlicensed processing facilities in Thailand include the refusal of pay, charging of excessive fees, confiscation of documents, physical abuse, sexual assault, forcible confinement, debt bondage, trafficking and the use of child labour.<sup>39/40/41/42/43</sup> In one International Labour Organization (ILO) survey, almost one in 10 workers in processing facilities reported being forced to work, while a UN body found that 7% of workers

interviewed in Thailand's main processing hub had experienced forced labour and one third had been trafficked.<sup>44/45</sup> A 2015 ILO study found that roughly one in 5 underage migrant workers in Thailand's seafood sector suffer injuries in the workplace - making it more than twice as common compared to other sectors using child labour.<sup>46</sup> One-third of the child seafood workers in this study did not even attend school.

The situation facing workers in the Thai fishing industry is even more serious. Two major ILO studies have found that around 20% of fishers on Thai vessels exhibit indicators of trafficking, forced or bonded labour.<sup>47/48</sup> One of these found that over 40% of fishers surveyed had experienced arbitrary wage deductions, 17% were threatened with violence and roughly one in ten had attempted to escape, been severely beaten or both. A more recent study, involving hundreds of trafficked fishers, found that 80% reported "never feeling free"; over two-thirds had experienced physical or sexual violence; more than half had seen their broker harm someone; and almost a quarter had been forcibly confined or imprisoned.<sup>49</sup> Almost 6% reported being force fed drugs such as methamphetamine to increase their productivity aboard the fishing vessel.



© Ardiles Rante / Greenpeace

Myanmar fishermen in a temporary shelter in Ambon fishing port, Indonesia. These trafficked workers have an uncertain future.



© Ardiles Rante / Greenpeace

Portrait of Aung Naing, former fishing vessel worker from Burma who was left stranded in Ambon, Maluku province, Indonesia.

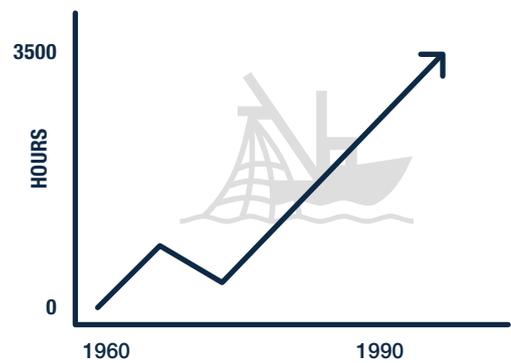
# THE LINK BETWEEN OVERFISHING AND HUMAN RIGHTS ABUSES

Evidence from Thailand suggests that precipitous declines in fish stocks over the last half century and rising operational costs – particularly those related to crewing and fuelling fishing vessels – have driven the use of trafficked, forced and bonded labour in the industry.<sup>50</sup> Increasingly poor yields from Thai territorial waters, principally the result of severe

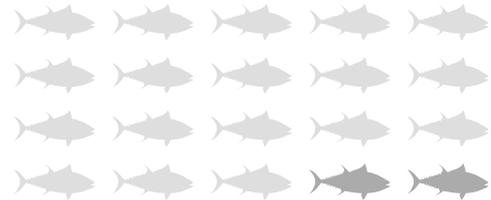
overcapacity in fishing fleets, have exerted outward and downward pressures on vessel operators. Fishing boats are now going out further to sea to fish for longer periods of time using unsustainable methods. As revenues fall and costs rise, vessel operators have turned to trafficking networks to supply crew and depress expenditure on labour.

IN JUST UNDER A QUARTER OF A CENTURY, THE NUMBER OF HOURS SPENT FISHING IN THE GULF OF THAILAND INCREASED OVER

**3,300%** <sup>51</sup>



The overall amount of fishing in Thai waters peaked in 1987 at **24 MILLION HOURS.** <sup>52</sup>



Between 1966 and 2012, the amount of fish caught in one hour of fishing in Thai waters declined by

**86%** <sup>53</sup>

Up to half of the marine fish landings in Thai ports comes from outside of Thailand's Exclusive Economic Zone (EEZ).<sup>54/55</sup> In a 2013 ILO study, long-haul fishing vessels – which often operate outside of Thailand's EEZ – were found to be 5 times more likely than short-haul vessels to have crew onboard who had been deceived or coerced into fishing.<sup>56</sup> Trafficking of men into the distant water fleet is not a new phenomenon. Since 2002, reports to a Thai missing persons hotline had been raising red flags

around the disappearance of middle-aged Thai men.<sup>57</sup> Some of these cases were later clarified by escapees, who told of their experiences being trafficked for forced labour onto Thai-owned fishing vessels operating in Indonesian and Malaysian waters. Between 2008 and 2009, two Thai civil society organisations came into contact with almost 300 men who were destined for or escaping from forced and bonded labour aboard Thailand's distantwater fishing fleets.<sup>58</sup>

Fundamentally, exploitation flourishes in the Thai fishing industry because of inadequate regulatory frameworks, poor due diligence and weak monitoring, control, surveillance and enforcement systems by coastal, flag and port States. But human rights abuse is also driven by an array of other factors. The Thai fishing industry is structurally dependent on unskilled workers, a result of the sector's failure to invest in technological solutions to increase labour productivity as well as an abundance of cheap migrant labour from the country's comparatively less-developed neighbours.<sup>59/60</sup> At the same time, vessel operators face a chronic shortage of workers – a deficit estimated by the National Fishing Association of Thailand (NFAT) to be as high as 50,000.<sup>61</sup> Combined with economic pressures arising from the degradation of marine resources in the Thai EEZ, these factors shape the prevalence of labour abuses and the use of trafficking, forced and bonded labour in Thailand's fishing industry.<sup>62</sup>

The men and boys who are trafficked to Indonesia to work aboard Thailand's distant water fishing fleets are typically migrants from Myanmar, Cambodia, Laos and underdeveloped rural regions of Thailand – particularly the northeast. Victims are intercepted by brokers at border regions or major transport hubs and deceived into working on fishing boats with the promise of good jobs in onshore industries. Some are persuaded by brokers to visit restaurants and karaoke bars, where they are drugged and abducted or presented with vastly inflated bills for food, alcohol and sexual services, which they must then work to pay off.<sup>63</sup> Many are forcibly confined in locked rooms or under armed guard as they await

departure to Indonesian waters – those who try to escape end up being beaten.

The trafficking process often relies on the use of counterfeit Seaman Books, the official documents required for persons leaving or entering the Thai EEZ aboard fishing vessels.<sup>64</sup> In August 2014, Thai authorities raided part of a network of illegal printing presses in Bangkok, the operator of which told of one man who had come to him for 2,000 fake Seaman Books over the last two years, at a cost of just USD 4.60 (61,695 IDR – 163 THB) each.<sup>65</sup> Counterfeit Seaman Books typically use the names of deceased men along with photos of the actual fisher to turn, for example, a Cambodian or Burmese man into a Thai national. It remains uncertain as to how these fake documents and associated immigration forms pass the inspection of Government officials, as required under Thai law for the processing of a fisher's departure or arrival in the country.<sup>66</sup>

The use of fake documentation can render victims of trafficking, forced and bonded labour de facto stateless as soon as they step off the boat.<sup>67</sup> In 2008, an Al Jazeera documentary told the story of the thousands of Burmese runaways who had escaped exploitation aboard Thai trawlers and were eking out a precarious existence on the Indonesian island of Tual.<sup>68</sup> Captains and vessel operators routinely strand non-compliant workers on Indonesian islands – some eventually integrate into the local community or end up detained by immigration authorities. Many return to the boats or ports for work, providing a rotating pool of cheap, disenfranchised labour for unscrupulous business owners.



© Ardiles Rante / Greenpeace

Thai operated fishing boats anchored at Ambon, Indonesia in 2015 during the Indonesian governments moratorium on foreign fishing permits.

## Reports from interviews with crew aboard thai fishing vessels <sup>69</sup>



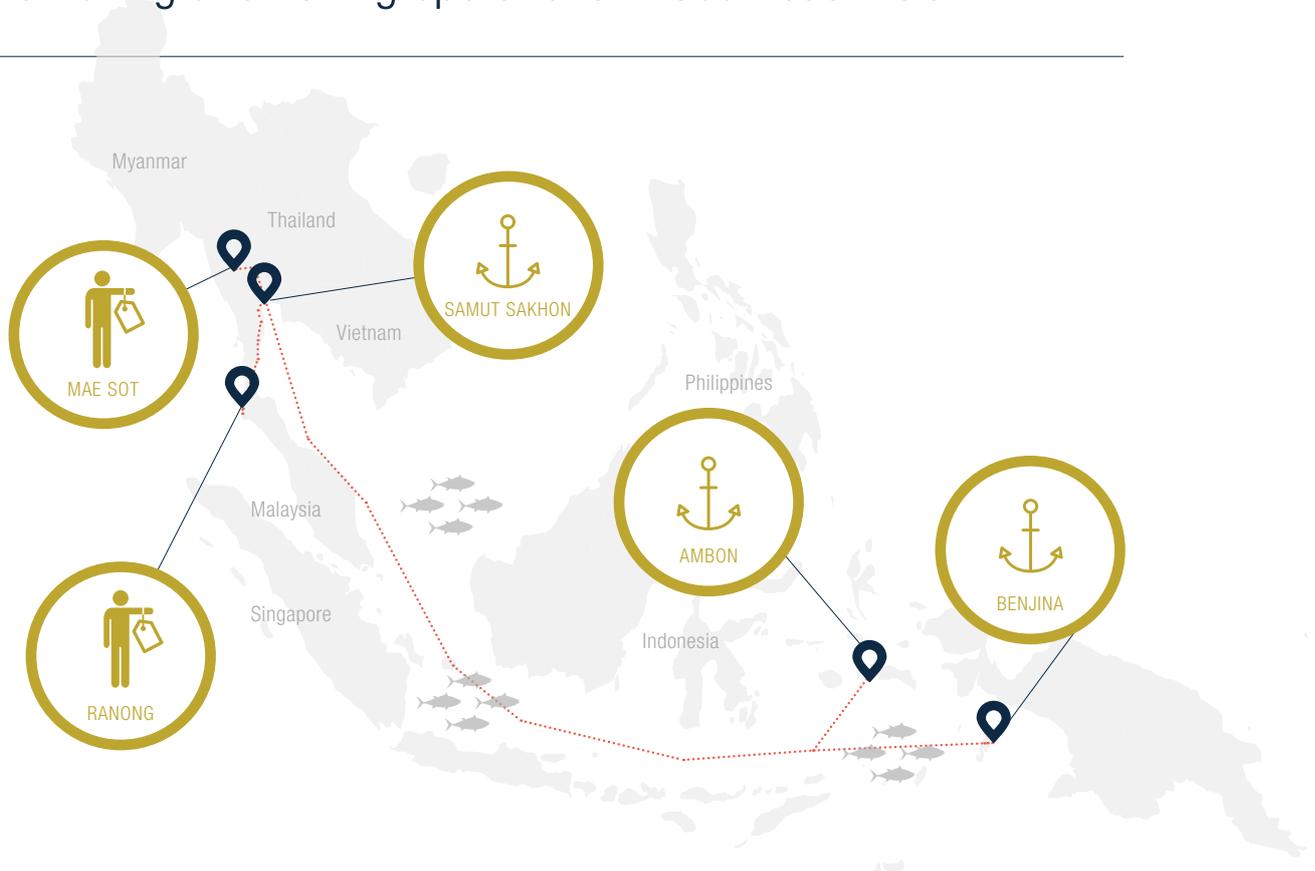
## Reports from interviews with victims of trafficking aboard thai fishing vessels <sup>70</sup>



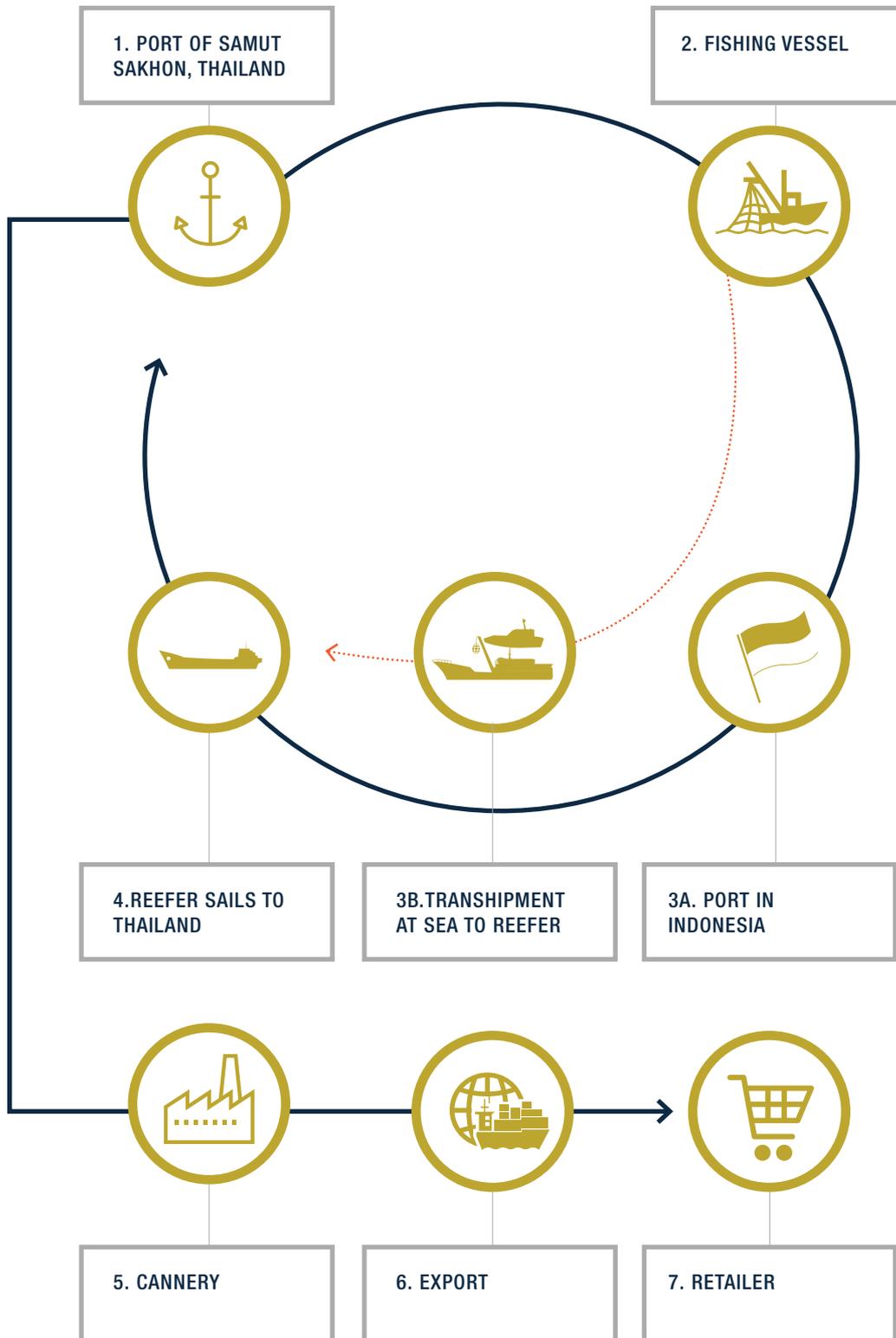
In mid 2014, investigations by a prominent Thai media outfit discovered hundreds of Thai men who had been trafficked onto fishing vessels operating out of Ambon, Indonesia.<sup>71</sup> Over the ensuing months, a stream of cases emerged detailing the thousands of Burmese, Thai, Cambodian and Laotian men who had been trafficked onto Thai fishing boats across Indonesia's Maluku province in order to work under appalling conditions of debt bondage and forced labour – victim testimonies recalled incidents of physical abuse, torture and even murder. The attention of the international community was galvanised in March 2015 by a major report from Associated Press (AP).<sup>72</sup> As of September 2015, the International Organization for Migration (IOM) has assisted a total of 1,033 people rescued in Benjina, Ambon and Tual from 189 former Thai-owned gillnet and trawler fishing vessels previously licensed to fish in Indonesia's Arafura Sea.<sup>73/74</sup>

The AP investigation tracked fish caught through forced labour as it was loaded onto the Silver Sea Line, a refrigerated cargo (reefer) vessel operated by the Thailand-based Silver Sea Line Co. Ltd. As the Silver Sea Line offloaded in Samut Sakhon, Thailand's main seafood hub, AP followed shipments of fish to processing and cold storage facilities around the province. One truck was followed to Niwat Co., supplier to a wholly-owned subsidiary of TU, Thai Union Manufacturing Co. Ltd. In the face of international scrutiny of marine fish associated with abuse entering its product supply chains, TU immediately announced the cessation of trading with Niwat Co.<sup>75</sup> **The company did not however announce that it would stop sourcing marine fish landed by Silver Sea Line nor, despite the scale of abuse uncovered in Indonesia, the various reefers owned by Silver Sea Line Co. Ltd., Silver Sea Reefer Co. Ltd. and other Thai companies landing catch from fishing vessels operating out of Maluku province.**

## Trafficking and fishing operations in Southeast Asia



# Chain of Custody

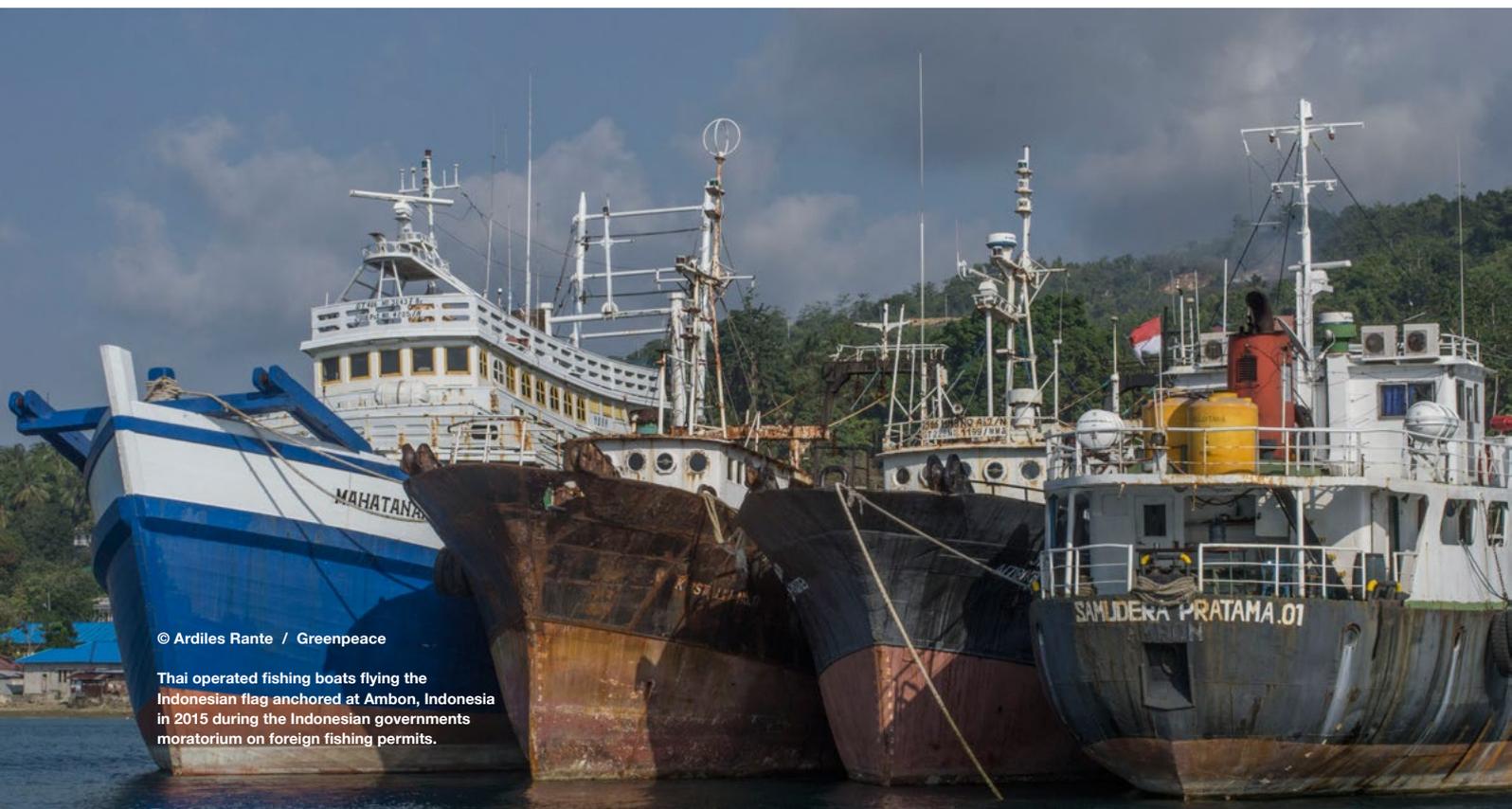


A small group of companies dominate distant water fishing operations in Thailand. The Thai Overseas Fishing Association (TOFA), which acts as a broker to secure licenses from foreign governments and arrange the scheduling of reefer transshipments with fishing fleets, has 30 members with a combined total of 462 fishing vessels.<sup>76</sup> Boats that fish in foreign waters are either fully-owned by Thais or operated under joint venture agreements between Thais and nationals of the country in which they are fishing. The refrigerated cargo vessels which send supplies – and, according to investigations by Thailand’s Department of Special Investigations, trafficked workers – to fishing fleets and pick up the fish which is landed in Thai ports, are owned by just a handful of powerful companies.<sup>77</sup>

Silver Sea Line Co. Ltd., the company implicated in AP’s findings, and the associated companies Silver Sea Reefer Co. Ltd. and Dech Reefer Co. Ltd operate multiple reefer vessels. At least 5 reefers operated by this group have landed fish from Indonesian vessels in the seafood processing hub of Samut Sakhon, the site of one of TU’s principal tuna canning facilities, over the last 18 months. Many of the fishing vessels serviced by Silver Sea reefers were nominally operated by PT Pusaka Benjina Resources and Mabiru Group which, according to

senior Indonesian government officials, are in reality shell companies set-up to obfuscate ownership by Thai nationals.<sup>78</sup> The issuing of fishing licences to foreign vessels in Indonesia has been described as an acutely corrupt process.<sup>79</sup> PT Pusaka Benjina Resources, the company operating the vessels tracked in the AP investigation from which more than 1,400 crew have been rescued by authorities, admitted to paying USD 2,700 a month in bribes to local officials.<sup>80/81</sup>

The Silver Sea Line is not the only Silver Sea reefer picking up fish sourced through human misery in Indonesia and landing it in Samut Sakhon, where it enters the supply chains of Thailand’s export-oriented seafood sector. Following increased scrutiny and regulation over fishing operations in Maluku province, a group of PT Pusaka Benjina Resources vessels crewed by victims of abuse fled to Papua New Guinean waters – illegally flying Papua New Guinean colours and with fresh names and registration numbers covering the previous ones.<sup>82</sup> The reefer Silver Sea 2, previously also operating out of Ambon, followed them transshipping supplies and fish at sea in the middle of the Papua New Guinean Dog Leg, before being seized by Indonesian authorities in August 2015 on the return leg of its journey.<sup>83</sup>



© Ardiles Rante / Greenpeace

Thai operated fishing boats flying the Indonesian flag anchored at Ambon, Indonesia in 2015 during the Indonesian governments moratorium on foreign fishing permits.

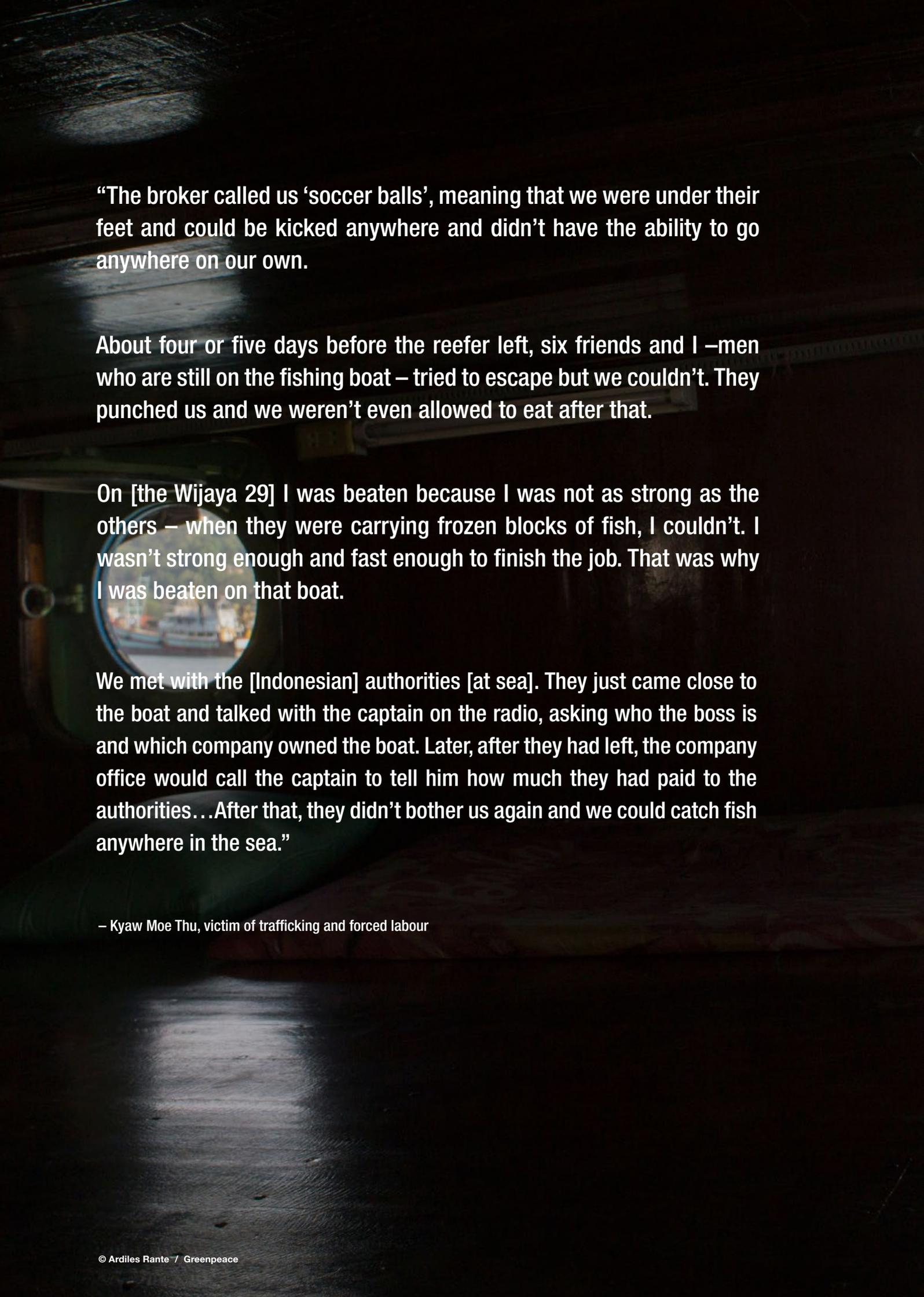
## KYAW MOE THU'S STORY

Interviews with crew conducted on the Indonesian island of Ambon by Greenpeace in September 2015 point to another Silver Sea reefer - Marine One, which transported tuna and other marine fish caught through trafficked, forced and bonded labour to Thailand's principal, export-oriented seafood processing hub.

Kyaw Moe Thu <sup>84</sup>, a 35-year-old from Yangon Division, was working in a distillery in Yangon when he met Soe Naing, who told him about the wages he could earn working in Thailand and offered to pay his travel expenses. In November 2003, Kyaw Moe Thu arrived in Myawaddy on the Burmese-Thai border and was taken across to Mae Sot in Thailand. There, Soe Naing transferred him to another broker who told Kyaw Moe Thu that he was going to work in a seafood cannery. They walked through the forest for three days to a sugarcane plantation in Kamphaeng Phet province. At the plantation, Kyaw Moe Thu was handed over to a Thai woman who transported him to a house he claims was owned by police. From there, Kyaw Moe Thu alleges that he was taken in a police car, along with 10 others, to the Thailand's principal seafood hub of Samut Sakhon.

Kyaw Moe Thu was locked in a room in a broker's compound in Samut Sakhon for a month, under guard by three men armed with knives and guns. It was here he learned that he had been sold to work on a fishing boat in Indonesia. The broker, Ah Naing, told the victims that the working conditions aboard the vessels were good – promising the men that they would be able to afford to smoke good brands of cigarettes like Marlboro. Kyaw Moe Thu didn't want to go but escape was impossible – the men were beaten when they attempted to leave the compound. The broker brought a cameraman to take a photo of the men, explaining that the images were for their Seaman Books, before they were eventually put onto a reefer departing for Indonesian waters. Ah

Naing had told Kyaw Moe Thu that he would only have to work for four months to pay off his debt. For the next ten years, Kyaw Moe Thu worked aboard two fishing vessels in Indonesia without pay. Arriving in Ambon to work aboard the gillnet fishing boat Wijaya 29 in 2004, Kyaw Moe Thu met another 10 Burmese men under the control of a different broker in Thailand. Fishing for tuna and other species aboard this vessel involved a brutal cycle of 22 hour working days where trafficked and abused fishers laid nets, arranged blocks of frozen fish and conducted repairs. Kyaw Moe Thu was beaten and abused for not working as fast or as hard as the other crew and, before long, found himself abandoned by the captain on the Saumlaki, Tanimbar islands before being re-trafficked onto the trawler Mahatan Arujaya 12. In late 2013, Kyaw Moe Thu returned to Samut Sakhon where he met with a man he identified as the owner of Mahatan Arujaya 12. The owner didn't mention Kyaw Moe Thu's salary and quickly sent him back to Ambon on the carrier vessel Marine One. In May 2015, the captain of Mahatan Arujaya 12 gave Kyaw Moe Thu a document in Thai to sign. The captain didn't explain the contents of the document, but told Kyaw Moe Thu that he needed to sign to receive his salary for the last year, totalling around USD 1,300. Unknown to him at the time, Kyaw Moe Thu had unwittingly signed a document saying that he had received the full salary he was due, had not been mistreated aboard the vessel and was not a victim of trafficking, forced or bonded labour. As of September 2015, Kyaw Moe Thu had still not received the wages due to him for the 7 years and 8 months he worked aboard the Mahatan Arujaya <sup>12</sup>.



**“The broker called us ‘soccer balls’, meaning that we were under their feet and could be kicked anywhere and didn’t have the ability to go anywhere on our own.**

**About four or five days before the reefer left, six friends and I –men who are still on the fishing boat – tried to escape but we couldn’t. They punched us and we weren’t even allowed to eat after that.**

**On [the Wijaya 29] I was beaten because I was not as strong as the others – when they were carrying frozen blocks of fish, I couldn’t. I wasn’t strong enough and fast enough to finish the job. That was why I was beaten on that boat.**

**We met with the [Indonesian] authorities [at sea]. They just came close to the boat and talked with the captain on the radio, asking who the boss is and which company owned the boat. Later, after they had left, the company office would call the captain to tell him how much they had paid to the authorities. . . .After that, they didn’t bother us again and we could catch fish anywhere in the sea.”**

**– Kyaw Moe Thu, victim of trafficking and forced labour**

“We were not allowed to leave the room. One guy tried to escape, but he was beaten. Another was beaten until his leg was broken so we didn’t dare flee. There were 13 of us in a group. The guy who had his leg broken was an example to us, the ones who wanted to flee. So we didn’t dare try to escape.

Those who’d been beaten in [Samut Sakhon] were also sent to the boat and when the boat arrived in port [in Ambon], they tried to flee again. The captain caught them with the help of the police who sent them to jail. I don’t know whether they were deported or not.

We could have a decent shower whenever it rained.

If I can take legal action against [the captain], I want to confront him face to face in court.

The Thais treated us Burmese badly. They didn’t allow us to eat much, the meals they gave us were small and not enough. They shouted at us and swore at us and pushed us to work even while we were eating. We would never get to eat enough. Our lives were really tough out there, I was so disappointed.”

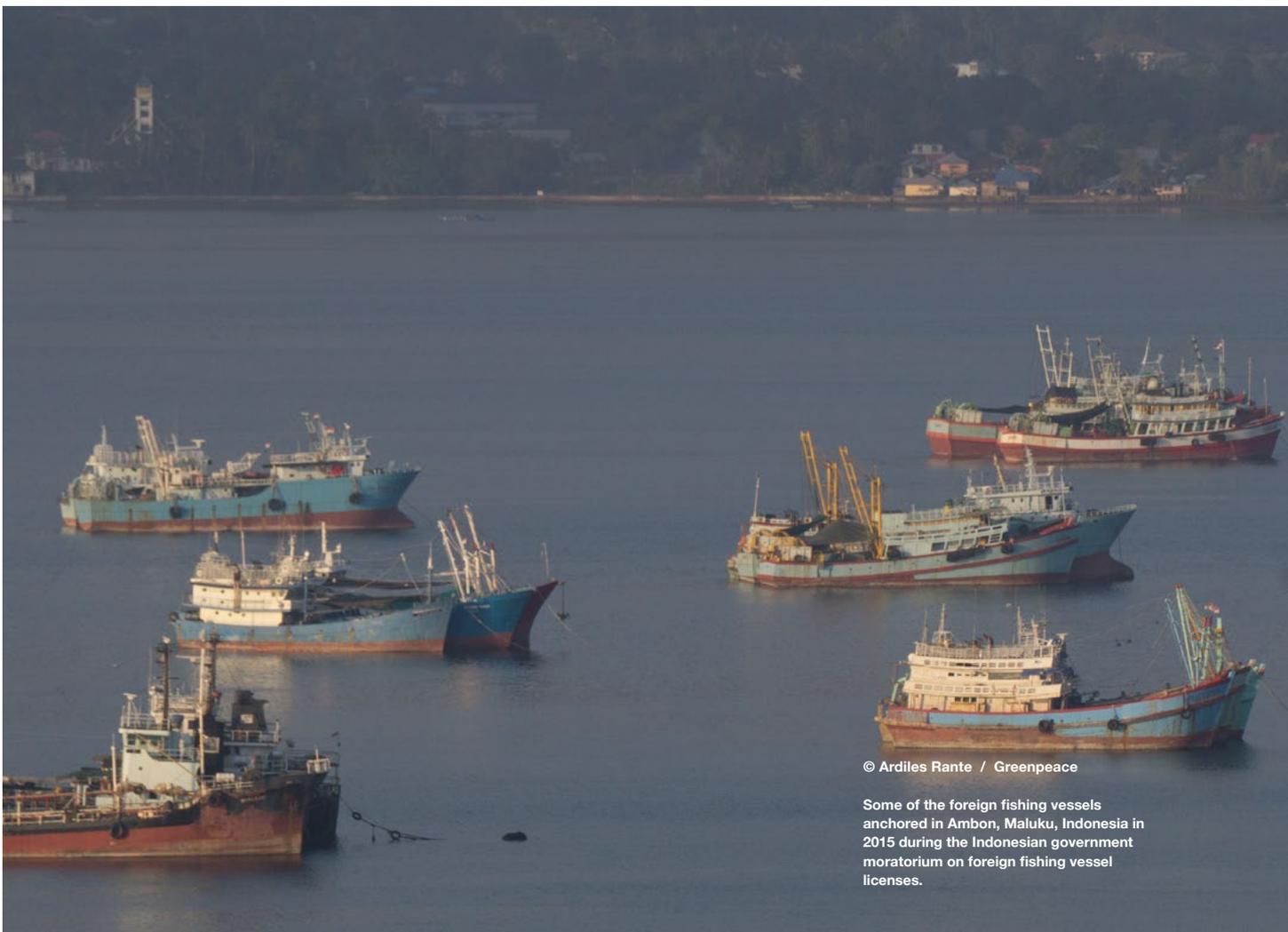
– Min Min Thein, victim of trafficking and forced labour

## MIN MIN THEIN'S STORY

Min Min Thein <sup>85</sup>, was brought to Samut Sakhon after being passed through a chain of 7 Burmese brokers operating in Myawaddy, Dawei, Kanchanaburi and Samut Sakhon. As he was escorted through Myawaddy, he had been told that he was going to get a job as a construction worker in Bangkok. Once Min Min Thein arrived in Samut Sakhon however, he was locked in a room in the port with 13 others, guarded by brokers. Although some discussed and even attempted escape, vicious beatings at the hands of the brokers soon quelled all dissent and, after about a week in forcible confinement, the men were put on a boat to Indonesia.

Min Min Thein ended up working 20-hour days aboard the Arumina Pusaka 718, a gillnet mostly catching tuna and sharks, for 15 months. The vessel landed both juvenile

and adult sharks but would discard any small tuna that were brought in, returning to the port of Ambon every three months where the crew would load the vessel's catch onto the reefer Marine One. In the 15 months Min Min Thein worked aboard the Arumina Pusaka 718 he did not receive any wages, despite promises from the vessel's captain that he would be paid USD 252 a month. In March 2015, Min Min Thein was told by his captain to sign a document in Thai that he didn't understand and without any explanation as to its contents. Min Min Thein was informed that he would be sent back home by plane and given USD 1,489 around 40% of the wages promised to him by the captain of Arumina Pusaka 718.



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Some of the foreign fishing vessels anchored in Ambon, Maluku, Indonesia in 2015 during the Indonesian government moratorium on foreign fishing vessel licenses.

# 03

# CONCLUSION

Thai Union needs to prove that it is abiding by its own code of conduct on labour and human rights in its supply chain.<sup>86/87</sup> In late September 2015, the company announced a new Business Ethics and Labour Code of Conduct to update and replace a previous version introduced in 2013.<sup>88/89</sup> Although the new code of conduct is binding on all suppliers, it is not oriented towards TU's extended supply chain and does not directly address human rights issues on vessels providing whole fish or raw material to TU suppliers. A Vessel Code of Conduct is anticipated by the end of 2015.<sup>90</sup>

TU emphasises that the new code of conduct is just one of several measures being taken to address human trafficking and other labour issues.<sup>91</sup> Chief among these is its membership of a task force coalition of business and NGOs, through which it is undertaking extensive social audits of its shrimp feed supply chain.<sup>92</sup> Although these audits include tuna operations providing by-product (trimmings and offcuts) to shrimp feed mills, up until now TU has failed to make explicit commitments to address the risk of human rights abuses in its entire tuna supply chain. TU claims that less than four percent of its seafood is sourced from Thai-flagged fishing vessels but testimonies gathered by Greenpeace indicates that human rights abuses are widespread across the Pacific tuna fleet.<sup>93/94</sup> Efforts to drive down traceability and identify and address human rights abuses in TU's supply chain must be global in scope, and cover the rest of the 96% of their supply chain and not just focus on the Thai fishing industry.

In September 2015, TU adopted a new policy commitment to ban transshipment at sea, seemingly in response to the AP investigation, as well as a New York Times exposé on human trafficking and forced labour naming one of its wholly-owned subsidiaries, Songkla Canning PLC.<sup>95</sup> The practice of transshipment at sea not only allows illegally-caught fish to be laundered, it also exacerbates the risk of human rights abuse by enabling vessels to stay at sea indefinitely, where unscrupulous vessel operators can keep abused fishers isolated and locked into cycles of exploitation. TU's new policy states that, as of April 2015, the company "ceased all purchases from motherships and transshipment vessels in the territorial waters of Thailand".<sup>96</sup> The policy does not make clear as to whether suppliers to TU are likewise required to cease purchases from vessels transshipping at sea nor whether the commitment is binding on vessels landing marine fish in ports in Thailand that has been transhipped in the high seas or within the EEZ of Thailand or any other country.

TU should make sure that its insatiable demand for cheap fish in large volumes does not come at the expense of environmental security and social equity. The company must work with its current and former suppliers to ensure that the hundreds of fishers still stranded on Indonesian islands, and the thousands more still unaccounted for, do not lack for assistance required to get them repatriated and reintegrated into their home communities.



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Portrait of Kyaw Moe Thu from Myanmar, with the reefer vessel Marine One that was used to transport him back to Indonesia.

Many require compensation for the abuses they have suffered. When the Indonesian moratorium on the issuing and renewal of foreign fishing licences ends this year, TU must also make sure that its fish is coming from operations that are fishing legally. Plate to net traceability enhances both environmental and social responsibility. Establishing visibility over the fishing vessels which are actually catching the seafood on supermarket shelves around the world, in order to ensure that they are free of abuse and not involved in environmental destruction, should be TU's first and foremost priority. As high-impact media reports increasingly bring consumers face to face with the realities of the men who are forced to fish for our seafood, global giants such as TU need to take urgent action and demonstrate to their customers the steps they are taking to ensure that their supply chains are free of abuse. TU was recently named in class action lawsuits against Nestlé and Mars, alleging that the latter knowingly sold pet food produced from ingredients obtained through forced labour.<sup>97</sup> A third suit against TU's US

subsidiary, Tri-Union Seafoods LLC and producers of leading tuna brand *Chicken of the Sea*, was filed in September 2015.<sup>98</sup>

TU is not the only seafood company with problems in its supply chain but it should be using its global reach and influence to demonstrate market leadership that builds on progress ensuring social compliance in its upstream operations and drives positive change down to the vessel level.<sup>99/100</sup> Addressing these problems is not just ethically imperative for industry – it is good business as well. In one survey, 88% of consumers stated that they would stop buying a seafood product if it was associated with human rights abuses while 70% said they would pay more for a product which could demonstrably prove it was free of them.<sup>101</sup> TU has the purchasing power and influence to respond to urgent demands from stakeholders around the world for seafood which is both environmentally sustainable and free of human rights abuses. The time for it to do so is now.

# 04

# RECOMMENDATIONS

As the largest tuna company in the world, Thai Union must take immediate steps to address labour abuses and end destructive, unsustainable fishing practices in its own supply chain while leading the whole tuna industry towards increased social and environmental compliance. As a priority TU should:



1. Commit to not sourcing from fisheries where labour and human rights abuses are present and demonstrate this with third-party audited documentation.



3. Stop sourcing from destructive and wasteful long-lines fisheries where shark capture and finning remains endemic, and where there continues to be high levels of bycatch.



2. Commit to end and phase out transshipments at sea.



4. Stop sourcing from fisheries that deploy destructive purse seines with Fish Aggregating Devices (FADs), and from fisheries where FAD regulations and control remains largely non-existent.

Greenpeace is asking TU to provide more than just policy announcements that commit to making these changes. TU must provide detailed workplans with clear milestones and schedules explaining how they intend to make these changes to their supply chains so that the companies' progress can be effectively monitored.

**A comprehensive list of the supply chain asks that Greenpeace is making of TU can be found here [tuna.greenpeace.org](https://tuna.greenpeace.org)**



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Tuna caught from pole and line fishing in Ambon, Indonesia. Fishing methods that are least destructive to the environment and provide direct benefits to communities already exist.

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