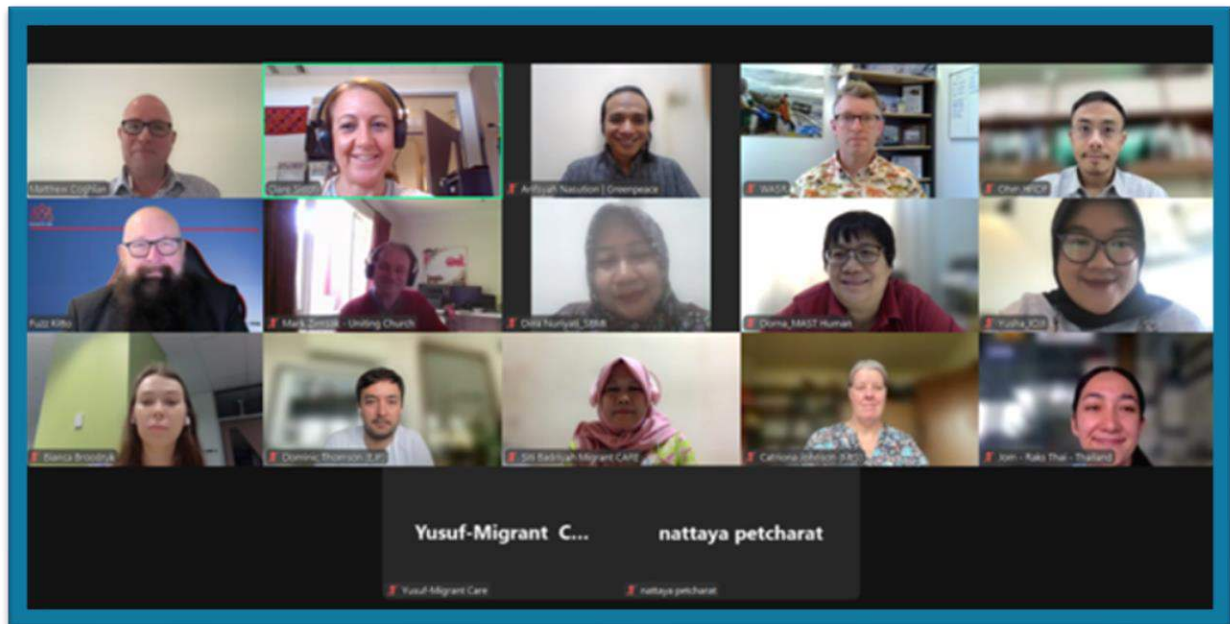


## Australian and ASEAN Civil Society Exchange on Human Trafficking and Forced Labour in the Fishing Industry 2024

Online, 10 October - 7 November 2024



### 1. Background and objectives

Forced labour, human trafficking and modern slavery are significant human rights issues in ASEAN's fishing industries. These industries supply into Australia and Australian companies and retail supply chains. These transboundary human rights challenges call for collaborative transboundary responses, and this is increasingly recognised in legislation on modern slavery, guidelines on business and human rights and requirements for due diligence.

The challenges affect domestic fishers in ASEAN waters, seafood processors in regional countries, and Indonesian and Filipino migrant workers on the large, global East Asian fishing fleets. Abuses take place onshore and on ships at sea. Migrant fishers are particularly vulnerable to human trafficking and forced labour – and face extra barriers to remedy and redress. Fishers can often be subject to extreme forms of coercion onboard remote and isolated vessels, including intimidation and violence.

While Australia is a market for canned and frozen seafood products linked to this exploitation in this fishing industry in ASEAN, the Australian public has limited awareness of this exploitative supply chain.

This lack of consumer awareness can be seen as a contributory factor in continuing abuse. Civil society organisation (CSO) action is a key driver of greater awareness and change in company policies and practice that flows through supply chains.

Over the past 20 plus years, the Diplomacy Training Program (DTP) has worked with its partners (Migrant Forum in Asia – MFA) on promoting the rights of migrant workers, and promoting the implementation of commitments on business and rights. DTP’s partners identified migrant workers in the seafood industry as particularly vulnerable. Consequently, it sought funding from the Australian Department of Foreign Affairs and Trade’s (DFAT) former Australia-ASEAN Council to organise a series of online dialogues between Australian and ASEAN CSOs focused on human trafficking and forced labour in ASEAN fisheries.

The exchange aimed to:

- strengthen the transnational bonds between the CSO participants;
- develop a shared understanding of national contexts and regional connections between CSOs working on this severe human rights issue;
- offer a platform to discuss potential collaboration to build greater awareness and drive change.

The focus of the dialogues was on Indonesian and Thai fisheries industries and exports to Australia. The dialogue was timely in building on the adoption of the ASEAN Declaration on Migrant Fishers on 10 May 2023 and for taking place as the Australian government was appointing an Anti-Slavery Commissioner and responding to the statutory review of the Commonwealth Modern Slavery Act.

## 2. Participants and content

The Australian, Indonesian and Thai CSOs invited to participate in the exchange were identified through a consultative process of speaking to MFA, key CSOs working in the fisheries sector, and selected donor counter-trafficking and anti-slavery programs. All invited organisations agreed to participate in the exchange. They were represented by the following participants. They brought a wealth of knowledge in counter-trafficking, anti-slavery, Illegal, Unreported and Unregulated fishing (IUU), supply chains and migrant workers rights.

Country	Organisation	Representative
Australia	Uniting Church in Australia Synod of Victoria and Tasmania	Mark Zirnsak
	Be Slavery Free	Fuzz Kitto
	Marine Stewardship Council	Matt Watson
	Mission to Seafarers Australia	Catriona Johnson

<i>Indonesia</i>	Greenpeace Indonesia	Arifsyah Nasution
	Destructive Fishing Watch	Miftahul Choir
	Indonesian Ocean Justice Initiative	Anissa Yusha Amalia
	Indonesian Migrant Workers' Union (SBMI)	Dina Nuriyati
	Migrant Care Indonesia	Siti Badriyah
<i>Thailand</i>	Environmental Justice Foundation (EJF)	Dominic Thomson
	Human Rights and Development Foundation	Polwish Subsrisonjai
	Raks Thai Foundation	Jomtien Jansomrag
	Stella Maris Seafarer's Centre Songkhla	Nattaya Petcharat
	MAST	Dornnapha Sukkree

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*The content covered the important issues around modern slavery in the seafood industry from the perspective of a full range of relevant stakeholders.*

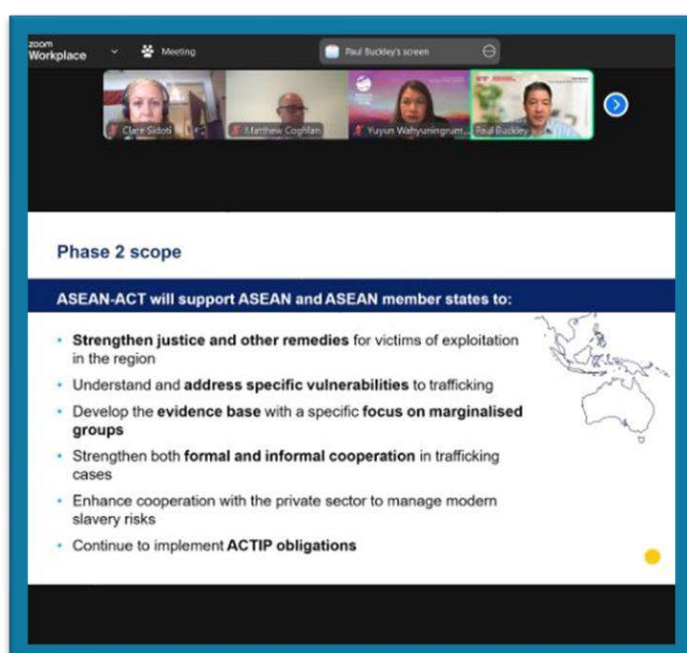
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The series consisted of five online dialogues of 60 minutes each. The approach was for CSOs to introduce themselves, hear from experts in different fields to inform dialogue, and discuss potential linkages and activities.

- Opening introductory session to share CSO work in Australia and ASEAN on human trafficking and forced labour in fisheries
- Academic and expert presentations on fishing and seafood operations and supply chains and the corresponding human trafficking and forced labour risks. Presenters were Benni Hasbiyalloh (Paramadina University), Sallie Yea (La Trobe University), Roisai Wongsuban (Freedom Fund) and Dominic Thomson (EJF). They covered the key features of Indonesian, Thailand and Australian fishing industries and legal frameworks, export data from these two ASEAN countries to

Australia, and the indicators and incidence of forced labour in the industries.

- Donor and international organisation presentations on current regional anti-trafficking programs in the fishing sector. Presenters were Paul Buckley (ASEAN-ACT), Muhamad Nour (ILO), Benjamin Harkins (ILO), Hasriadi (Ary) Masalam (Freedom Fund) and Yuyun Wahyuningrum (AICHR). They discussed company human rights due diligence, national government labour



inspections, civil society legal and social services, and ASEAN counter-trafficking and migrant workers' rights commitments and institutions.

- Company and industry presentations on risk and impact identification and management. Presenters were Pak Hendra Sugandhi (APINDO - Indonesian Employers Association), Ibu Janti Djuari (AP2HI - Indonesian Pole & Line and



Handline Fisheries Association) and Stephanie Farrugia (Coles). They shared their approaches to managing trafficking and slavery risks in fisheries supply chains. AP2HI explained its risk framework for members, involving a policy commitment, vessel list, human rights awareness-raising, grievance mechanism, and self-evaluation assessment.

- CSO dialogue to consider potential areas for cooperation. In the fifth and final session, Australian, Indonesian and Thai civil society discussed common issues they face in identifying and remedying human trafficking and forced labour and explored ideas for collaborating to address them. Three common issues were the focus of the discussion:
  - The lack of traceability through trade data and company disclosure
  - Non-accession to/non-implementation of ILO C188
  - Reasonable national regulatory frameworks but poor implementation, including grievance mechanism ineffectiveness.

### 3. Outcomes and next steps

Speakers in the dialogues prepared and shared high-quality presentations on the issues. Feedback from the participants was very positive about the value of the dialogues. They felt that the dialogue connected relevant organisations and individuals in a way that addressed key gaps in knowledge, understanding and collaboration. Linking civil society in ASEAN and Australia who work in different organisations on the same issues was seen as particularly valuable.

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*The dialogue process has led to the establishment of regular calls to further on-going collaboration to achieve reforms to address modern slavery in seafood industry in south-east Asia.*

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The participants agreed to set up an informal secretariat to discuss next steps in building collaboration on key issues. Comprising Arifsyah Nasution (Indonesia), Dominic Thomson (Thailand), and Mark Zirnsak (Australia), they initially agreed on organising quarterly calls for the group. The first of these is scheduled for February 2025. The group is also keen to expand its reach and include CSOs from the Philippines and Taiwan, given that Filipino migrant workers often work on foreign fishing fleets and Taiwanese fishing fleets are prominent employers of Indonesian and Filipino workers.

Following the discussions over the five weeks, areas of capacity building training related to the three common issues were identified:

- The importance of understanding UN Guiding Principles on Business and Human Rights (UNGPs) human rights due diligence to strengthen supply chain traceability
- Knowledge about ILO and other standards and frameworks, particularly ILO C188 as the focus of global fishing governance standards and CSO action, and
- The UNGPs guidelines on State judicial and non-judicial and non-state non-judicial grievance mechanisms to improve the remedy ecosystem available to fisheries workers in seeking redress for human trafficking and forced labour (including Indonesia and Thailand’s OECD accession process which will lead to the establishment of new National Contact Points in these acceding countries).

DTP could explore ways to facilitate this learning through webinars or further online/F2F training, perhaps initially during the regular calls to support the participant-led follow-up discussion to the dialogue series.

