

## **Australian and ASEAN Civil Society Exchange on Human Trafficking and Modern Slavery in the Fishing Industry 2024**

### **Background**

The Diplomacy Training Program (DTP) is an award-winning human rights training NGO affiliated with UNSW's Faculty of Law and Justice. For over 34 years, DTP has been organising and facilitating programs to build the knowledge, skills and networks of human rights defenders in Asia and the Pacific. Since 2004, it has focused on the rights of migrant workers in partnership with Migrant Forum in Asia, as well Human Rights and Business.

Human trafficking and modern slavery are severe human rights problems in the fishing industry in the ASEAN region. Domestic fishers in ASEAN waters and ASEAN migrant workers on East Asian fishing vessels have negligible legal protections during migration and at sea. They are particularly vulnerable to human trafficking and forced labour and often subject to extreme forms of coercion such as violence. As consumers of canned and frozen seafood products that result from this exploitation, the Australian public has limited awareness of the exploitative supply chain in fishing industry in the ASEAN region. This lack of awareness is a contributory factor in continuing abuse, as consumer and civil society organisation (CSO) action is a key driver of change.

This project will promote knowledge sharing, discussion, exchange and, potentially, collaboration between Australia and ASEAN CSOs seeking to counter human trafficking, modern slavery and other human rights harms in the regional fishing industry. It is focused on Indonesian and Thailand fisheries industry and targeting issues in line with a key high-risk sector under Australian Modern Slavery Act reporting and ASEAN's human rights priorities, which includes protecting the rights of migrant workers, preventing and combatting human trafficking, and, most recently, realising safe and decent work. Notably, the project will build on the adoption of the ASEAN Declaration on the Placement and Protection of Migrant Fishers on 10 May 2023.<sup>1</sup>

### **Key Objectives**

The key objectives of this exchange project will be for Australia and ASEAN CSOs to:

1. Get to know each other for communication and cooperation in the future
2. Understand the fisheries supply chain and human rights risks better, and
3. Identify potential future collaboration, such as
  - a. Designing and delivering a joint strategy/workplan to prevent and remediate human trafficking, modern slavery and human rights harms in fisheries
  - b. Developing and presenting policy recommendations to Australia and ASEAN governments, such as the Australian Attorney General's Department, Ambassador to Counter Modern Slavery, People Smuggling and Human

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<sup>1</sup> [https://asean.org/wp-content/uploads/2023/05/10-ASEAN-Declaration-on-Protection-and-Promotion-of-the-Rights-of-Migrant-Fishers\\_adopted-1.pdf](https://asean.org/wp-content/uploads/2023/05/10-ASEAN-Declaration-on-Protection-and-Promotion-of-the-Rights-of-Migrant-Fishers_adopted-1.pdf)

- Trafficking, Commonwealth Anti-Slavery Commissioner (if appointed) and NSW Anti-Slavery Commissioner
- c. Engaging with companies in the fisheries supply chain to improve human rights performance including fishing, processing, export, wholesale and retail companies, such as meeting with Coles and Woolworths in Australia
  - d. Monitoring government and company responses to engagement; for instance, by reviewing the next set of company modern slavery statements.

### ***Planned Activities and Timeline***

<b>Description</b>	<b>Location</b>	<b>Timeline</b>
Introductory meeting between 10-20 Australian/ASEAN CSOs with presentations on fishing industry projects/advocacy (60 mins)	Online	September 2024
CSO/academic expert presentations on fisheries supply chain between ASEAN and Australia including East Asia (60 mins)	Online	September 2024
UN agency/INGO presentations on counter-trafficking/anti-slavery programs on fisheries in ASEAN (60 mins)	Online	October 2024
Australia/ASEAN company presentations on fishing industry risk assessments, responses and disclosure with Q&A (60 mins)	Online	October 2024
CSO strategising/workplanning meeting (60 minutes)	Online	November 2024

### ***Guiding International Legal Principles and Regional/National Legal Frameworks***

- ILO Convention 105 - Abolition of Forced Labour Convention, 1957 (No. 105)
- ILO Protocol 029 - Protocol of 2014 to the Forced Labour Convention, 1930
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol)
- UN Guiding Principles on Business and Human Rights
- ASEAN Human Rights Declaration
- ASEAN Convention Against Trafficking in Persons, Especially Women and Children
- ASEAN Declaration on the Placement and Protection of Migrant Fishers
- *Modern Slavery Act 2018* (Cth) (Australia)
- 2007 Indonesian Law No. 40 (Corporate Social Responsibility)
- 2004 Indonesian Law No. 31 (Fisheries Legislation)
- Indonesia's National Strategy on Business and Human Rights
- Thailand's National Action Plan on Business and Human Rights