



June 11, 2008

Charita Castro / Leyla Strotkamp  
U.S. Department of Labor  
ILAB / Office of Child Labor, Forced Labor,  
and Human Trafficking  
200 Constitution Ave., NW  
Room S-5317  
Washington, DC 20210  
*Submitted electronically*

Dear Ms. Castro and Ms. Strotkamp:

The National Fisheries Institute (NFI) is submitting this letter as written testimony for the public hearing to collect information to assist in the development of the list of goods from countries produced by child labor or forced labor. As we understand, the Department of Labor (DOL) is seeking information to demonstrate the presence or absence of a significant incidence of child or forced labor, including the nature and extent of actions and initiatives to combat child labor or forced labor.

NFI is the nation's leading advocacy organization for the seafood industry. Its member companies represent every element of the industry, from the fishing vessels at sea to national seafood restaurant chains. The seafood industry is a global industry; approximately eighty percent of the seafood consumed in the United States is imported from countries all around the world. NFI importers, producers, processors and fishermen work hard to ensure the use of practices that promote not only the sustainability, quality and safety of their product but also the health and safety of their workers. **Our members reject any mistreatment of workers or other human rights abuses and we take any such accusations seriously.**

Since the April 23, 2008 release of the Solidarity Center report on labor law violations in the shrimp processing industries in Thailand and Bangladesh, NFI has met with the governments of Thailand and Bangladesh to insist that they investigate the claims and provide a public accounting of their finding. We have also visited the State Department's "Trafficking in Persons" office to recommend that they partner with the seafood community here and overseas to ensure that these violations, if substantiated, are corrected. It is our belief that the industry has a key role in both preventing abuse and stopping it when it is alleged to have occurred.

The National Fisheries Institute's (NFI's) efforts go far beyond mere vigilance. We are actively working to optimize the unique role our community can play in ensuring workers are not abused, in investigating allegations of abuse and in finding facts and answers

rather than generalized anecdotes and accusations. The following list shows some of the NFI actions that began with the release of accusations of worker abuse in the shrimp industry by the AFL-CIO backed Solidarity Center.

- NFI publicly called for local authorities to investigate the accusations in the Solidarity Center report.
- NFI participated in phone call with staff from the Office to Monitor and Combat Trafficking in Persons (TIP) at the State Department, to determine specific situations of which the TIP Office is aware
- NFI requested the Solidarity Center to release details about the locations of alleged abuses, rather than just broad accusations.
- NFI learned that the Bangladesh Shrimp and Fish Federation had launched a project designed to educate shrimp processors about labor laws to ensure they are compliant with the Bangladesh Labor Act.
- NFI met with officials at the embassies of Thailand and Bangladesh to discuss progress of their investigations.
- NFI met with staff at the Office of the United States Trade Representative (USTR) in Washington to discuss the accusations, to learn what action is being taken to investigate and to understand the potential consequences for bilateral trade.
- NFI learned that the Bangladesh Fisheries Ministry wrote to its embassy in Washington to ensure they are aware that the government has taken the following steps: supported an awareness and advocacy campaign about labor laws in the shrimp community, revised evaluations for renewal of licenses to further scrutinize labor compliance issues, formed a three tier monitoring committee under the Ministry of Fisheries & Livestock to monitor any violation of labor right compliance in the shrimp processing industry.
- NFI contacted the Solidarity Center, asking for a meeting in an attempt to gain detailed information (which was not included in their report) to support their accusations, citing the NFI members' ability to drive change where needed.
- Bangladesh Embassy informed NFI that representatives of the international Labour Organization, European Union, the U.S. Embassy and journalists will visit shrimp farms and processing plants as part of its investigation into the allegations.
- NFI staff and several members met with Ambassador Lagon and members of his staff in the Office to Monitor and Combat Trafficking in Persons (TIP) at the State Department, emphasizing the desire to work together with TIP Office to address any issues and suggesting that effort start with detailed explanation of the accusations. Amb. Lagon responds as eager to work together and we have scheduled a follow-up meeting with his staff.
- NFI staff reviewed of status of current labor laws in Bangladesh and Thailand after receiving requested summaries of recent changes in laws from the embassies of Bangladesh and Thailand.
- NFI President John Connelly toured shrimp processing plants in Thailand.
- NFI President John Connelly met with officials from U.S. Immigration and Customs Enforcement (ICE), the Thai Ministry of Labor, Thai government officials from the

departments of Foreign Affairs, as well as Fisheries, in addition to the Thai Frozen Foods Association (TFFA) at the US Embassy in Bangkok.

- NFI President John Connelly met with Deputy Chief of Mission and other US Embassy staff in Bangkok to discuss seafood community's commitments and how the industry plans to help ensure workers are treated fairly.
- NFI President John Connelly toured additional shrimp processing plants in Thailand.
- NFI is arranging a meeting of the Global Aquaculture Alliance and the Aquaculture Accreditation Council with TIP Office, to explain the social justice aspects of the Best Aquaculture Practices initiative.

The point of this list is to demonstrate that the U.S. industry is well positioned to effect change in addressing any immediate labor issues in Thailand and Bangladesh, is already working towards this end and should be called upon by the government and others to help address the issue. Examples of how industry can work with governments include:

1. Provide a list of "best practices" among NFI members with respect to labor conditions in Bangladesh and Thailand.
2. Provide existing guidelines on social issues from the programs being implemented by the Global Aquaculture Alliance (GAA).
3. Assist the two relevant UN specialized agencies, the Food and Agriculture Organization (fisheries) and the International Labour Organization (labor), with expertise to frame solutions to international labor problems in fisheries.
4. Facilitate fishing company engagement with the International Labor Organization (ILO), recognizing that it may be more efficient for the initial exchanges to take place between FAO and ILO.

The seafood community is guided by globally accepted standards when it comes to harvesting and processing. As an example of the seafood community's commitment to social concerns, about twenty percent of the Global Aquaculture Alliance's guidelines for Best Aquaculture Practices (BAP) Standards focus on the community – specifically worker safety and employee relations. The BAP standards currently address environmental and social responsibility, animal welfare, food safety and traceability in a voluntary certification program. The standards direct that processing plants must comply with local and national labor laws to ensure worker safety and adequate compensation. The BAP recognizes that it is the responsibility of plant management to provide safe and healthy working conditions along with worker safety training. Plants will not receive BAP certification unless the management demonstrates compliance with local and national labor laws and commitment to worker safety. In addition, the plants must provide workers with legal wages and safe working environment. Compliance with this standard will be assessed during ACC facility audits. These assessments should include interviews with workers to verify compliance.

## Conclusion

We encourage DOL to judiciously review each submission of testimony to determine whether or not the facts support public accusations of child and forced labor. The

decision to list a particular good and country on a list must be based in specific facts, not broad accusations.

We feel the seafood community is uniquely positioned to affect change through certification programs such as the GAA BAP and ACC certification and relationships that are built with suppliers and importing firms, as well as through our participation in international fisheries forums. However, specific information on the companies responsible for alleged abuses is critical to effecting change. Focus needs to be placed on specific operations, not the country as a whole so the industry and local governments, in addition to national governments, can work together to develop plans to eliminate such practices.

Thank you for considering our comments.

Sincerely,



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