

Requirements for social sustainability in the Norwegian fisheries industry



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Requirements for social sustainability

Recent reports of very poor working conditions for fishermen, especially in Southeast Asia and the United Kingdom, has put the issue of social sustainability on the agenda. Labour organizations, human rights organizations and environmental organizations are actively pushing to establish some form of documentation of social sustainability. Major clients, particularly in the United Kingdom, are increasingly requiring for their suppliers to provide documentation on matters concerning wages, health, environment and security, as well as the absence of forced labour and child labour, at all levels in the supply chain.



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The FHF (the Fishery and Aquaculture Industry Research Fund) project “SocSus” aims to determine how social sustainability is ensured in the Norwegian fisheries industry. The project will map the current situation in Norway with regards to social sustainability, as well as international customer requirements. Representatives from all levels of the industry, including employer and employee organizations for the industry and the fishing fleet as well as supervisory authorities, will be invited to attend two workshops to ensure the relevance of the document. A risk analysis will be conducted in order to identify the weak points where violations of current legislation and regulations are most likely to occur, and to determine how such violations should be communicated, handled and sanctioned. The final document will give an overview of each step in the value chain of Norwegian wild-catch fisheries and describe the industry structure, national laws and regulations linked to social sustainability, and which control systems and possible sanctions are available.

Standards/Certification Schemes

A preliminary project was carried out which surveyed and described relevant standards and certification schemes that involve social sustainability and assessed the criteria against Norwegian law and regulations. Many of the standards that have to do with social sustainability are based on requirements from ILO conventions.



International
Labour
Organization

Norwegian legislation and collective agreements

According to the Norwegian working model, the individual businesses are responsible for safeguarding important principles such as workers' rights, including health, safety and environment (HSA). These comprehensive regulations are based on both law and collective agreements. The legislation and collective agreements have been developed since early in the last century, and there has been a gradual harmonization of the fisheries legislation on land and sea.

Through the EEA agreement (which came into effect in 1994), Norway is also obliged to implement EU directives and regulations pertaining to the working life. The main rule is that the European Union sets out the minimum requirements, and individual countries may choose to apply stricter regulations. The ILO Work in Fishing Convention No.188 from 2007, which came into effect on November 16, 2017, plays an important role for the fisheries industry.



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Topics	Laws and regulations
Ban on forced labour	Act relating to the strengthening of the status of human rights in Norwegian law (The Human Rights Act) LOV-1999-05-21-30
Ban on child labour	<p>The Working Environment Act (Section 11-1)</p> <p>The Ship Safety and Security Act (Section 18)</p> <p>Regulation of 25 April 2002 No. 423 concerning work by and placement of young people on Norwegian ships</p>
Health, safety and work environment	<p>The Working Environment Act (Section 1-1)</p> <p>The Ship Labour Act (LOV-2013-06-21-102)</p> <p>The Ship Safety and Security Act (Section 17, 21 and 22)</p> <p>Regulation concerning the working environment, health and safety of workers on board ships (FOR-2005-01-01-8)</p> <p>Regulation of 5 June 2014 No. 805 concerning the medical examination of employees on ships and mobile offshore units</p> <p>Regulation of 9 March 2001, no. 439 concerning medical supplies on ships</p>
Training	<p>The Working Environment Act (Section 3-5)</p> <p>The Ship Safety and Security Act (Sections 16, 21 and 22)</p> <p>Regulation on security training for fishermen (Section 3, FOR-1989-02-10-88)</p> <p>Regulation of 22 December 2011, No. 1523 about the qualifications and certificates of seamen</p> <p>Regulation of 1 January 2005, No. 8 concerning the working environment, health and safety of workers on board ships</p> <p>Regulation of 25 April 2002 No. 423 concerning work by and placement of young people on Norwegian ships</p>
Working hours and rest periods	<p>The Working Environment Act (chapter 10_ Sections 10-1-10-13)</p> <p>Regulation concerning hours of work and rest on board Norwegian fishing vessels (FOR-2017-11-10-1758)</p>

Topics	Laws and regulations
Wages and Pensions	<p>According to the Norwegian model, wages are primarily subject to negotiation between the employers' and employees' organizations.</p> <p>For the land-based fisheries industry, a general application of collective wage agreements was implemented as of 1 February, 2015.</p> <p>Fishermen are mainly paid according to catch shares, but the fishing fleet also has extensive tariff coverage.</p> <p>The Ship Labour Act (fixed salaries)</p> <p>Regulation of 19 August, 2013, No. 1000 on employment agreements and pay statements, etc.</p> <p>Act of 3 December 1948 No. 7 concerning pension insurance for seamen</p>
Employment agreements and forms of employment	<p>The Working Environment Act (Section 14-6, 14-9 and 14-12)</p> <p>Ship Labour Act (Section 3-1)</p> <p>Regulation of 19 August, 2013, No. 1000 on employment agreements and pay statements, etc. (FOR-2013-08-19-1000)</p>
Employee participation	<p>The Working Environment Act (Section 14-6, 14-9 and 14-12)</p> <p>Ship Labour Act (Section 3-1)</p> <p>Regulation of 19 August, 2013, No. 1000 on employment agreements and pay statements, etc. (FOR-2013-08-19-1000)</p>
Supervision and responsibility	<p>Working Environment Act (Sections 2-1, 2-3), chapter 6</p> <p>Ship Labour Act (Sections 2-2 (1) and 2-4 (1))</p> <p>The Ship Safety and Security Act (Sections 6, 7 and 8)</p>
Sanctions	<p>The Working Environment Act</p> <p>The Ship Labour Act Chapter 12</p> <p>The Ship Safety and Security Act chapters 8-10</p>

Customer requirements

The SocSus project will survey which requirements the whitefish markets pose for social sustainability. The preliminary project resulted in the following input from the customers:

It is crucial that a certification or documentation scheme is based on an industry-wide consensus and thorough risk assessment which surveys the probability of violations of laws or standards, including which sanctions are available in the event of such violations.

Some of the customer requirements identified thus far are that a scheme:

- Should encompass more than just the absence of child labour and slavery
- Should be fully transparent
- Should not involve a new consumer logo
- Should have complete traceability
- Should involve a “chain of custody” principle, meaning it should involve documentation requirements for the entire value chain
- Should be based on a principle of self-monitoring and self-assessment, as practical controls of vessels at sea are not feasible



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Next steps

Most would agree that overall, Norwegian working conditions are good, and are for the most part fully compatible with the standards discussed. We should nonetheless point out that international customers are likely to require simplified, systematic and reliable documentation on Norwegian conditions.

The first project workshop has been carried out with broad participation by representatives from all levels of the industry.

We would like to receive feedback from people from all levels of the wild-catch fisheries value chain regarding documentation of social sustainability in the Norwegian catch-based industry, particularly related to the following topics:

- How comprehensive should such a document be?
- How can one ensure that the legitimacy of such a scheme is sufficiently robust?
- Which conditions are particularly challenging?
- Which elements need to be in place in order for this to be acceptable for the customers?

Please send your feedback or comments to:
Project Manager Bjørg Helen Nøstvold, Nofima
E-mail: bjorg.nostvold@nofima.no
Mobile: + 47 776 29 041



PHOTO: ANNE-MAY JOHANSEN, NOFIMA

THE REPORT:



This brochure is based on the preliminary project "Documenting Social Sustainability in the Norwegian fisheries industry".

Link for downloading the report (in Norwegian):

www.nofima.no/publikasjoner

Contact: Project Manager Bjørg Helen Nøstvold, Nofima, bjorg.nostvold@nofima.no, mobile 905 34 990



Funded by



PROJECT TEAM:



Bjørg Helen
Nøstvold
SCIENTIST
Nofima



Pirjo Honkanen
DIRECTOR OF RESEARCH
Nofima



Anne Mette
Ødegård
SCIENTIST
Fafo



James A. Young
PROFESSOR EMERITUS
University of Stirling

FHF contact person:

Berit Anna Hanssen
DIRECTOR R&D