



THE ART OF GREENWASHING:

THAI UNION'S
SUSTAINABILITY
SMOKESCREEN

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EXECUTIVE SUMMARY

Thai Union is one of the world's largest seafood processing and export companies. This report scrutinises the space between sustainability commitments and measurable sustainability reform within Thai Union's supply chain, the contrast between talk and action. The report highlights a consistent pattern where new improvement initiatives and commitments are announced, without any demonstration or evidence of credible progress on implementing existing sustainability commitments. There appears to be a significant disconnect between the standards set forth in commitments and the actual conduct of operators, along with a significant lack of clarity and detail around actions that may or may not have been taken or achievements made. With no evidence that public promises are delivered, audits seem to rely on the commitments themselves rather than using tangible evidence of progress as the basis of their ratings. Supplier accountability remains nebulous, and there is very little transparency in how Thai Union enforces its commitments.

Findings indicate that the company's supply chain is compromised by illegal, unreported, and unregulated (IUU) fishing practices, and a disregard for human, labour and environmental standards by its suppliers. Thai Union's supply chain faces no real scrutiny against its self-professed commitments, auditing processes lack transparency, and there is an absence of accountability for violations that occur within the company's supply chain. Despite ambitious declarations, and the formation of new alliances, there is very little tangible progress observable. Promised deadlines for sustainability measures are set and then regularly postponed, and unsustainable practices continue to be the norm.

The study also notes that Fishery Improvement Projects (FIPs), which are held up as examples of sustainability initiatives, do not meet their objectives, with essential risk assessments for serious allegations like human trafficking and forced labour postponed as if they were minor infractions.

While Thai Union maintains a veneer of sustainability through its partnerships and promises, the substance of that sustainability is undermined by a lack of genuine implementation and accountability. Without action, sustainability initiatives must not be used to allay critical voices or as a means to avoid reputational damage. While the company declares unsustainable fisheries a thing of the past, and makes considerable efforts to publicly portray its supply chain as sustainable, the reality is a mishmash of scattered initiatives and unsubstantiated claims of improvements. To be credible on sustainability, Thai Union must be transparent about its progress, and hold itself and its suppliers accountable. To demonstrate a genuine commitment to addressing critical environmental and social issues within the fishing industry, Thai Union must move beyond rhetoric and take real, enforceable and measurable action.



INTRODUCTION

As an industry leader, Thai Union is claiming to be committed to supporting responsible and sustainable fisheries, however it is notable that only limited credible and objective information is available about the company's supply chain network and traceability. Allegations of non-compliance with environmental standards, human rights violations and labour abuses linked to tuna supply chains necessitate a call for greater transparency, not convincingly heeded by Thai Union.

This document examines publicly available reports from Thai Union, including claims made about sustainability and sustainability initiatives and policies, and finds critical disparities between the company's commitments and promises and real-world evidence of progress improving either sustainability or labour abuse. These disparities have significant implications for the seafood industry and its consumers.

Piecing together Thai Union's supply chain, details of which are only partly publicly available, researchers drew on work by organisations including Greenpeace, Bloom Association and the Environmental Justice Foundation. In mapping the supply chain, its suppliers and associated fleets, the report advocates for major seafood corporations such as Thai Union to increase pressure on suppliers to comply with international human rights, labour and environmental standards, and to progress beyond empty promises of sustainability.

This study undertook a detailed analysis of Fishery Improvement Projects (FIPs) and transparency initiatives, enabling the authors to view Thai Union's sustainability commitments in a wider context, which ultimately exposed major discrepancies between the company's claims and real-world behaviour at sea.

I. CORPORATE PROFILE

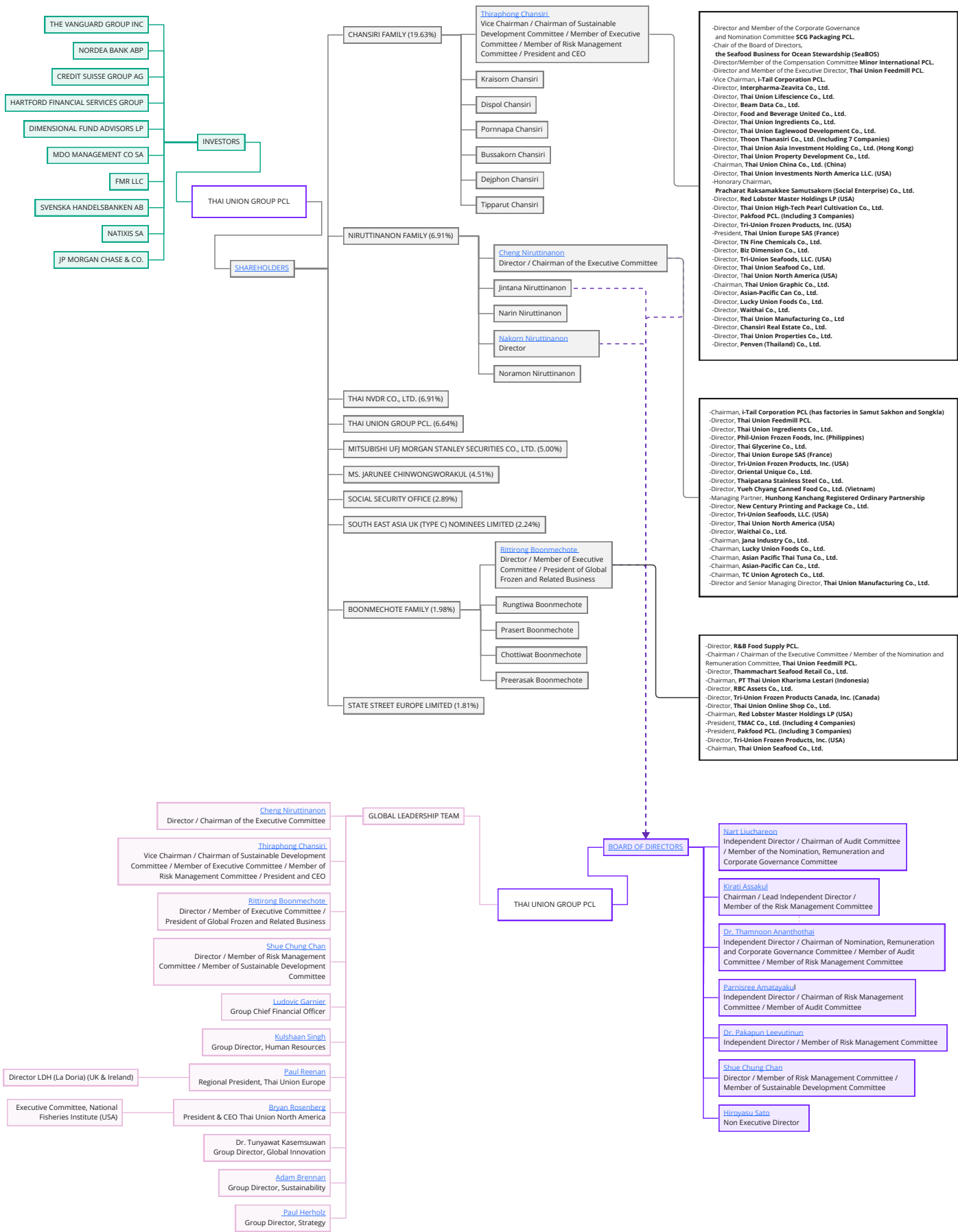
I.1 THAI UNION

The Thai Union Group Public Company Limited and its subsidiaries are listed on the Stock Exchange of Thailand. As of November 2023, 78.21% of its shares were held locally in Thailand, with 21.79% held by foreign entities. Major shareholders include the corporation founders' family members (Chansiri family 19.63%; Niruttinanon family 6.93%), Thai NVDR Co., Ltd. (6.91%) and the Thai Union Group PCL (6.64%).¹ An overview of Thai Union's corporate profile is given in Figure 1. It includes organisations where the three primary shareholders hold key positions.



Thai Union Cannery, Seychelles. Entrance gate. 2024

FIGURE 1: THAI UNION – CORPORATE PROFILE





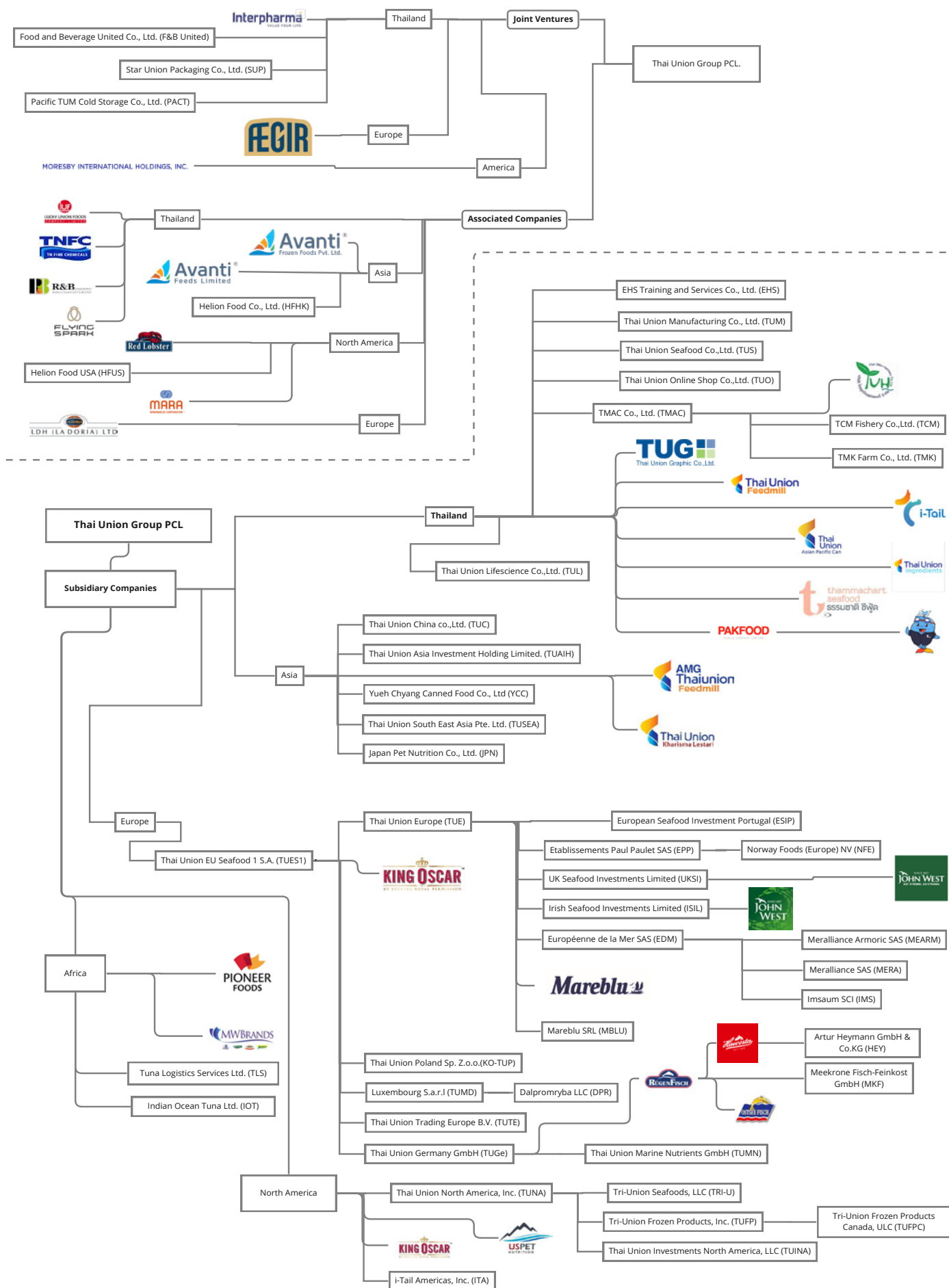
1.2 THAI UNION SUPPLY CHAIN

Thai Union is the world's largest canned tuna processor with a global network of 14 production facilities located across 11 countries, including: 8 in Europe, 2 in Thailand, 2 in Africa and 1 in Vietnam.² Along with FCF (Taiwan),³ Thai Union's supply chain comprises a roster of well-known suppliers that include: Tri Marine Group (USA), Albacora Group (Spain), Sapmer SA (France), Echebaster (Spain) and Saupiquet (France/Italy).⁴

Its core business operations are focused on seafood production for its own brands, accounting for 35% of total sales in 2022. Fifty-seven per cent of its sales are derived from private label processing, including wholesale, supermarket chains and convenience stores. In these instances, the private label seller is responsible for product design, marketing strategies and

pricing, while the manufacturer (Thai Union) is tasked with production and maintaining quality control.⁵ In 2022, the US market represented 43% of total sales, followed by Europe (26%), Japan (6%) and other markets (14%).⁶ Thai Union's corporate strategy has increasingly focused on brand ownership, leading to its acquisition of Chicken of the Sea in 1997 and MWBrands in 2010 (Thai Union Europe).⁷ In Thai Union's latest annual report, 23 major brands, including John West, King Oscar, Parmentier, Petit Navire and Mareblu, were documented as part of its portfolio.⁸ To strengthen its market position and influence, Thai Union has pursued strategic partnerships, including those with Red Lobster (USA) and Inter Pharma PCL (Thailand). Figure 2 introduces a map of Thai Union subsidiaries, joint ventures and associated companies.

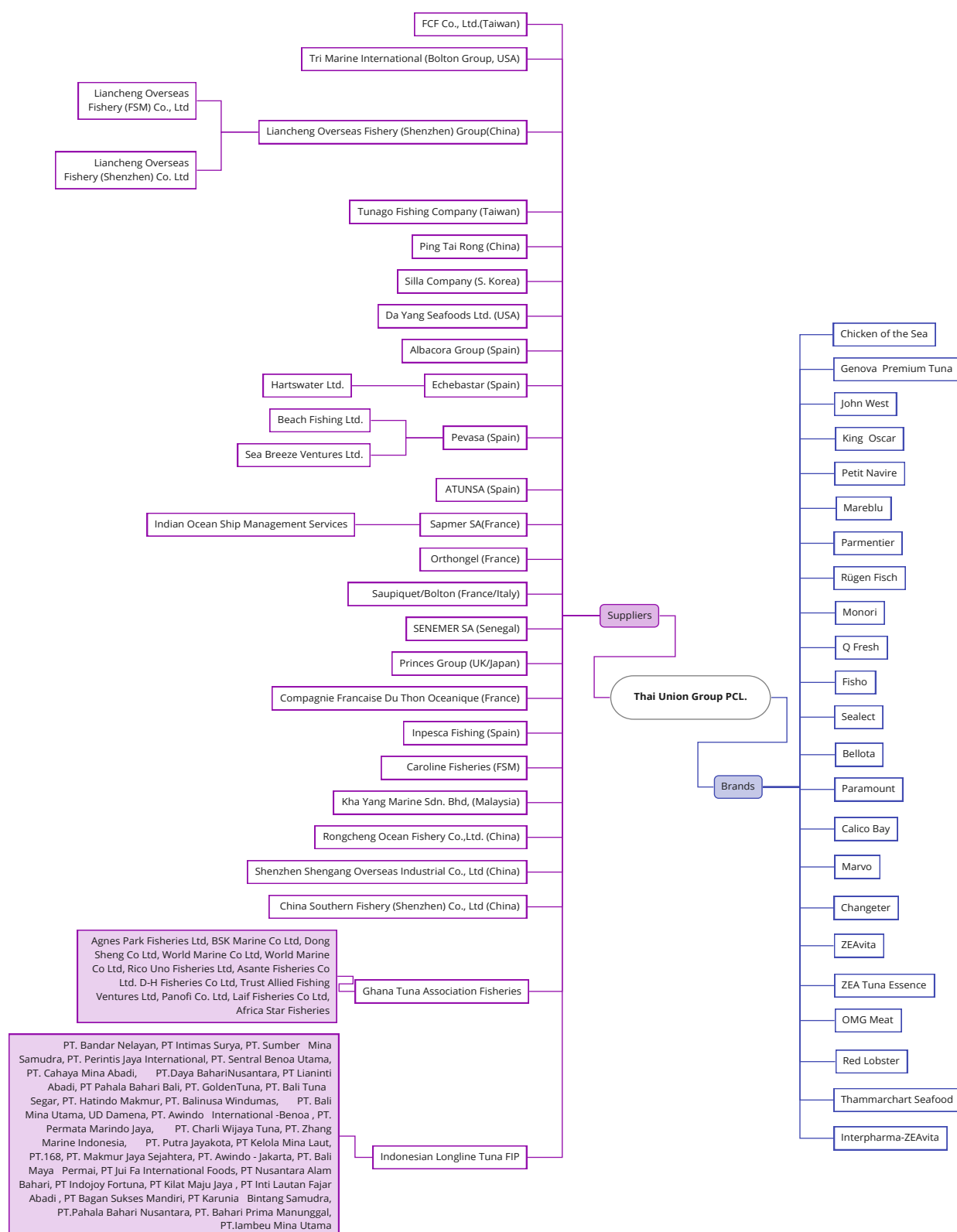
FIGURE 2: THAI UNION'S SUBSIDIARIES AND ASSOCIATED COMPANIES



Since Thai Union has not adopted a backward integration strategy and does not own its supply chain,⁹ its core operations are highly dependent on a stable supply of tuna. Consequently, Thai Union maintains a large inventory of raw frozen tuna. “In 2017, it established a global procurement team to centralise its purchasing power in response to risks such as reduced catch rates in the Eastern Pacific Ocean (EPO) and Western Indian Ocean (WIO), increased regulations including the WCPO fish aggregating devices (FAD) closure, and attempts

by coastal states to process seafood onshore.”¹⁰ It has been estimated that approximately 80% of Thai Union's seafood products are sourced through external suppliers, including an alleged ‘indirect alliance’ with the Taiwanese purse seine fleet through FCF.¹¹ Thai Union Group is listed as a partner on the FCF website.¹² In a 2020 Greenpeace Report, ‘Choppy Waters’, which exposed illegal fishing and forced labour practices in Taiwan, FCF was listed as the main tuna supplier of Thai Union.¹³ Figure 3 highlights Thai Union's network of suppliers and brands.

FIGURE 3: THAI UNION SUPPLIERS AND BRANDS





2. FINDINGS

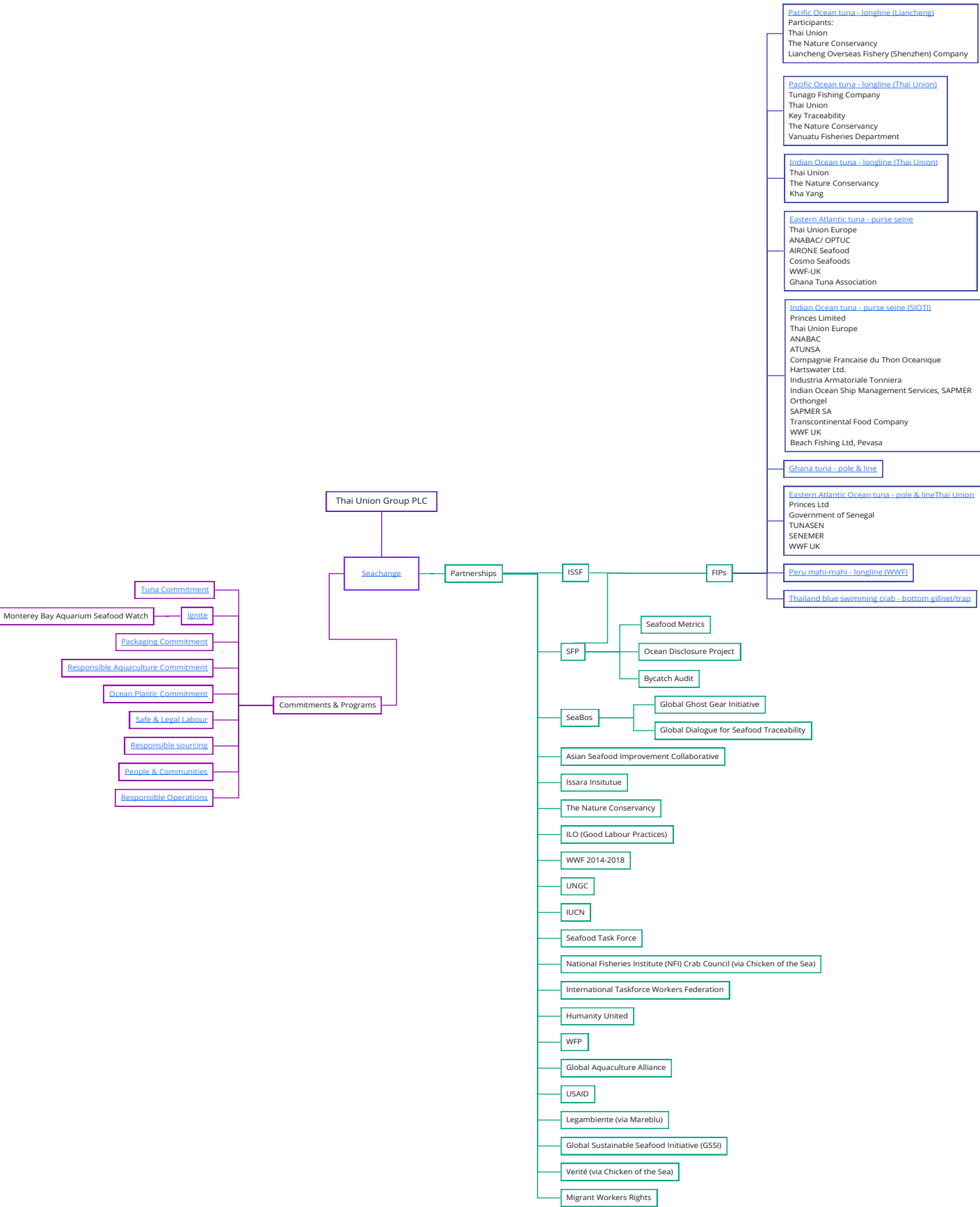
This report found multiple discrepancies in sustainability claims made by Thai Union. These findings are presented by comparing sustainability commitments connected to Thai Union's supply chain with available evidence of progress, or lack of progress.

2.1 THAI UNION SUSTAINABILITY COMMITMENTS AND SHORTCOMINGS

In 2016, Thai Union launched SeaChange as part of its global sustainable strategy. It then reaffirmed its sustainability goals in 2023, committing an additional \$200 million to the SeaChange 2030 initiative.¹⁴

In 2023, Thai Union was ranked No. 1 on the Seafood Stewardship Index (SSI) for its efforts in meeting the United Nations Sustainable Development Goals (SDGs).¹⁵ It was its third No. 1 ranking. Thai Union was also listed in the S&P Global Sustainability Yearbook (2023) for its outstanding performance, ranking among the top 1% of over 7,800 evaluated companies. Additionally, Thai Union maintained its position in the FTSE4Good Emerging Index for the seventh consecutive year in 2022.¹⁶ Adding to these accolades, Thai Union was listed in the top 1% of the S&P Global ESG Score of the Dow Jones Sustainability Indices (2023) for its tenth consecutive year.¹⁷ Figure 4 highlights Thai Union's sustainability commitments and partnerships.

FIGURE 4: MAP OF THAI UNION SUSTAINABILITY COMMITMENTS AND PARTNERSHIPS



While these partnerships, programmes and commitments present appealing and wholesome aspirations, research for this report reveals a far more complex reality. Thai Union's supply chain lacks sufficient scrutiny for its highly publicised commitments, and there is a troubling lack of transparency in its audit processes. Additionally, there is an absence of accountability for violations within the supply chain. While new commitments are frequently declared, and often supported by high-profile partnerships, practical implementation either falls short or proves difficult to verify. Sustainability deadlines are consistently extended, and suppliers are frequently exposed for unsustainable practices.

Thai Union has published a clear policy outlining action the company should take if an audit reveals incidents of non-compliance in the supply chain that do not match the company's standards and vision for the fishing industry. In such instances, Thai Union claims it will review its relationship with the compromised supplier and may discontinue operations with them.¹⁸ Thai Union lists examples of non-compliance with standards, including: vessels involved in IUU fishing, and fishing crews' well-being put at risk on a vessel. On paper, these are admirable, unfortunately, real-world instances of non-compliance rarely seem to result in the end of supplier relationships, which raises doubts about Thai Union's promise to honour its sustainability commitments. The following is a review of various Thai Union sustainability commitments regarding its supply chain and suppliers' compliance to these commitments.

2.1.1 COMMITMENT: TUNA COMMITMENT

According to its website, Thai Union is 100% compliant with the International Seafood Sustainability Foundation (ISSF) science-based conservation measures to improve the long-term health of tuna fisheries that include traceability, prohibiting shark finning and the successful elimination of illegal, unreported and unregulated (IUU) fishing.¹⁹

Thai Union claims to work towards 100% sustainably sourced tuna and claims that it exceeded its target of achieving a minimum of 75% by 2020, with 90% of its tuna sourced from fisheries that are either Marine Stewardship Council (MSC) certified or in a Fishery Improvement Project (FIP).²⁰ Unfortunately, MSC and FIP fisheries appear to be a poor and regularly compromised guarantee of sustainability.

FISHERY IMPROVEMENT PROJECTS (FIPS)

FIPs are a multi-stakeholder initiative established by the ISSF to respond to environmental challenges

in marine fisheries.²¹ Those challenges include supporting tuna fisheries to meet MSC standards and certification requirements.²² Participating fisheries are specifically required to achieve a minimum score of 80 within five years. FIPs also aim to leverage the private sector's resources and influence to inform sustainable fishery policies, including the adoption of a prioritised action plan.²³

FIP participants commit to creating a workplan, with certain actions to be undertaken within a specified time frame. These actions form part of the FIP strategy for sustainability improvement.

FisheryProgress serves as a FIP Tracking Database.²⁴ It uses 28 industry-standard indicators, based on the MSC Fishery Standard, to measure FIP performance against three key principles: 1) Sustainable fish stocks; 2) Minimising environmental impact; 3) Effective management.²⁵

Thai Union is currently engaged in nine active FIPs across three oceans: the Atlantic, Indian and Pacific (see Annex 3). Seven of the FIPs are involved in tuna fisheries, and one has entered into the full assessment process for MSC certification: Pacific Ocean tuna – longline (Thai Union).²⁶

Almost all received 'A' ratings (Advanced progress), except the Pacific Ocean tuna – longline (Liancheng),²⁷ which received a C rating ('Some recent progress'). These ratings were awarded, despite most of the FIPs having met the criteria for increased risk of forced labour and human trafficking.²⁸ This increased risk required additional risk assessments using the Social Responsibility Assessment (SRA) tool for the Seafood Sector.²⁹

The Social Responsibility Assessment (SRA) is based on The Monterey Framework, which is anchored around three principles: 1) Protect human rights, dignity and access to resources; 2) Ensure quality and equitable opportunity to benefit; and 3) Improve food and livelihood security.³⁰ All FIPs with a risk of forced labour and human trafficking have requested an extension for the SRA until either the end of 2023 or mid 2024. As of March 2024 only the Indian Ocean tuna - purse seine (SIOTI) FIP has submitted a 'Social Responsibility Risk - Alternative Assessment (AA) Analysis'³¹ and a 'Social Workplan'.³² Worryingly, the Pacific Ocean tuna – longline (Thai Union) FIP has now entered the MSC assessment process without submitting the SRA report.

These requests for re-assessment are evidence of a disconnect between ratings and sustainability claims, and on the other hand conditions within the FIPs. There also appears to be a lack of commitment

to SRA principles. Requests for re-assessment on significant criteria which should be acted on promptly, such as forced labour and human trafficking, are instead postponed for up to a year. Until the completion of work plans, a FIP has not demonstrated actual progress, or success in adopting sustainable practices. A lack of tangible information or readiness to act on evidence of labour or environmental abuse, while at the same time receiving 'A' ratings, creates an illusion of progress, without concrete evidence that issues have been addressed at all.



Thai Union's Indian Ocean tuna – purse seine (SIOTI)³³

Thai Union's purse seine FIP 'Sustainable Indian Ocean Tuna Initiative' (SIOTI) has been facing significant challenges on its path to achieving sustainability.³⁴ Established in 2017, with an initial goal to complete its workplan by 2022, the SIOTI FIP requested a one-year extension with a revised end date of June 2023, due to an inability to complete all actions to address issues within the proposed five-year timeline. An extension to January 2024 was also requested for the submission of the required SRA for the increased risk of human trafficking and forced labour.

Instead of the requested SRA a 'Social Responsibility Risk - Alternative Assessment (AA) Analysis'³⁵ was initiated in April 2023 and submitted in February 2024. The AA identified issues and non-compliances against Fishery Progress' Human Rights and Social Responsibility policy. The subsequent Workplan reports some action results as 'completed' in 2022 or March 2023, that is before the assessment was initiated and the concerns were raised. It is confusing as to why the actions were marked as 'completed', since if they were already completed before the assessment, the issues wouldn't have remained as issues of concern in April 2023. In addition some evidence provided was earmarked 'completed - waiting for verification' by the auditor (MRAG).³⁶ For example, 'Action #8 To ensure all crew have copies of their contracts' was marked 'completed - waiting for verification' on 9 March 2023, the supporting information from the same date still addressed 'a lack of evidence that the crew had copies of their contracts as crew were unable to provide them to the auditor during the interviews.' The AA was based on documents and phone calls provided by the companies involved, no on site inspections were made.

In October 2023, SIOTI made an adjustment to its FIP description and provided a new workplan for the renamed 'SIOTI.2'.³⁷ SIOTI.2 is described as 'phase 2' (2023–2028) for the original SIOTI, with the aim of focusing on fishery improvement for yellowfin (*Thunnus albacares*) and bigeye (*Thunnus obesus*) tuna, once 'phase 1' (2017–2022) has ensured that skipjack (*Katsuwonus pelamis*) fishing vessels in the FIP are MSC-certified or under MSC assessment.

These 'phases' were never mentioned in the initial workplan.³⁸ All three species were included as one target. The phases materialised after the target end date had been given a one-year extension, at which time, most of the required actions do not appear to have been completed. This shifting of goal posts underlines the real-world opacity of a glossy transparency initiative by Thai Union (the key participant of this FIP). While the (non-public) progress report shows that this FIP

could not achieve its target within the time frame, the FIP is presented as successful on the public-facing overview page on fisheryprogress.org.³⁹ Without a user account, viewers do not have access to initial documents on the FisheryProgress database. They can only see the current description on the overview page, presented as if staggered phases were always the plan for the SIOTI FIP. The inability to retrace the steps taken during the development of SIOTI.2, and the **failure to address significant shortcomings, is a recurring pattern identified during the analysis. When critical sustainability commitments are not met, the companies in question tend to modify the existing commitments or create new ones**, as evidenced by SIOTI.2.

The Ocean Disclosure Project (ODP)⁴⁰ has identified the SIOTI/SIOTI.2 Fishery Improvement Project (FIP) as the only FIP that procures seafood from fisheries that have received the most concerning sustainability scores in evaluations by FishSource, Seafood Watch, Good Fish Guide and Ocean Wise. This FIP works with fisheries in the Indian Ocean that target skipjack, bigeye and yellowfin tuna species. The ODP has highlighted that yellowfin tuna fisheries, particularly in the Indian Ocean, that utilise Unassociated purse seine and Associated purse seine fishing techniques have been given the lowest scores by all four programmes, and have not been assessed by the NOAA Fisheries' Seafood Sustainability Index (FSSI). The ODP also reports that the unsustainable yellowfin tuna fisheries are linked to Seychelles-flagged vessels. An analysis of the vessel roster shows that there are seven vessels registered under the Seychelles flag involved in this FIP: FV Artza, FV Euskadi Alai, FV Izaro, FV Jai Alai, FV Playa de Anzoras, FV Playa de Aritzatxu, and FV Playa de Azkorri.

The SIOTI FIP has received an 'A' rating, which stands for 'Advanced Progress' and Stage 5 'Improvements on the water'. This implies that all vessels participating in the FIP were generally given an 'A' rating, yet it remains unclear to the public how each one of them was assessed and scored. Questionably, it seems as though all vessels are given default ratings without regarding each one of them in detail. It is noteworthy that the vessel list has been updated during the SIOTI initial evaluation time frame, with some vessels dropping out of the programme. It is not reported why those vessels dropped out.

The FIP has achieved only 6% of actions, with 94% reported as incomplete. It undermines the credibility of the process that an 'A' rating was achieved with so few actions completed (see Table 1 for a full vessel list of SIOTI).

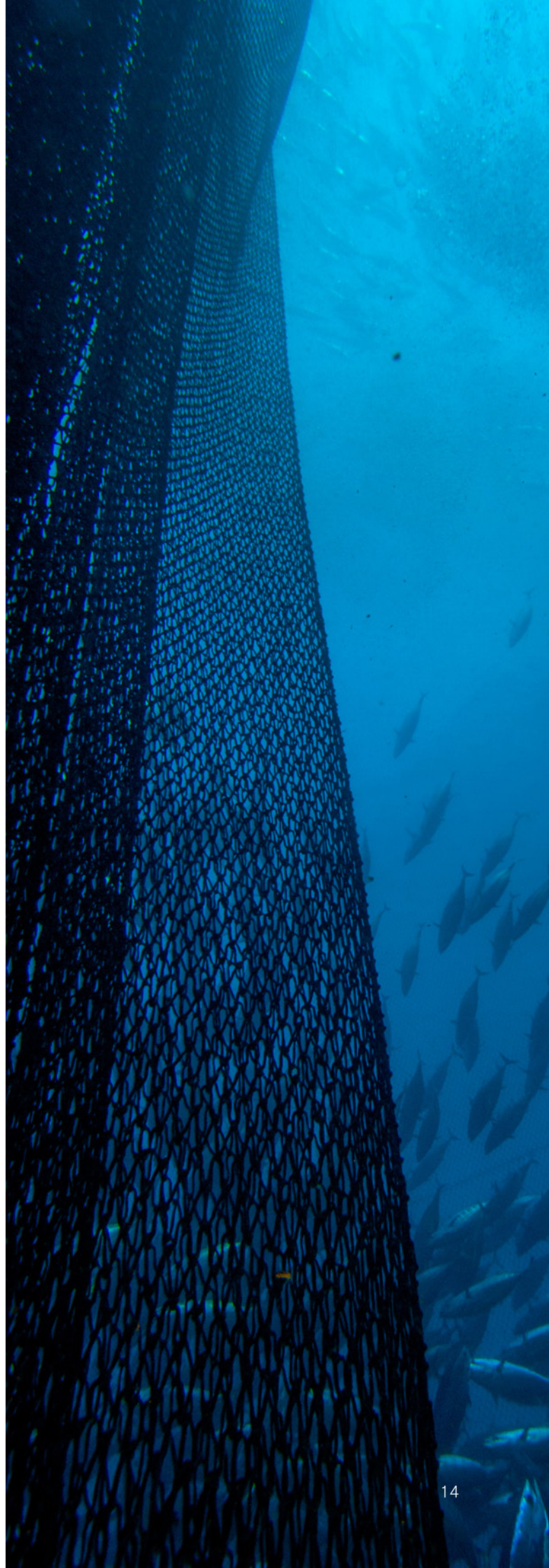


Table 1. Vessel list for the SIOTI.2 FIP

Vessel Name	Flag	Company/Owner	IMO	FIP rating (Nov 2023)
Alakrana	Spain	Echebастar Fleet	9335745	A' with 6% of action complete
Artza	Seychelles	Atunsa Inc	9202144	
Aterpe Alail	Spain	Echebастar Fleet	9842011	
Avel Vad	France	CFTO	9128520	
Belle Isle	Mauritius	IOSMS, Sapmer	9679634	
Belle Rive	Mauritius	IOSMS, Sapmer	9679622	
Belouve	Mauritius	IOSMS, Sapmer	9653848	
Bernica	France	Sapmer	9600853	
Cap Saint Vincent	France	CFTO	9225536	
Cap Sainte Marie	France	CFTO	9168063	
Dolomieu	France	Sapmer	9651993	
Doniene	Spain	Atunsa	9130779	
Drennec	France	CFTO	9359703	
Elai Elai	Spain	Echebастar Fleet	9046966	
Euskadi Alai	Seychelles	Hartswater Limited	9733480	
Franchе Terre	France	Sapmer	9540156	
Glenan	France	CFTO	9322669	
Izaro	Seychelles	Hartswater Limited	9684500	
Izurdia	Spain	Atunsa	9292785	
Jai Alai	Seychelles	Hartswater Limited	9733478	
Playa de Anzoras	Seychelles	Beach Fishing LTD	9176917	
Playa de Aritzatxu	Seychelles	Beach Fishing LTD	9228162	
Playa de Azkorri	Seychelles	Beach Fishing LTD	9476111	
Playa de Ris	Spain	Pevasa	9684548	
Talenduic	France	CFTO	8919465	
Torre Italia	Italy	IAT (Industria armatoriale tonniera SRL)	9151084	
Trevignon	France	CFTO	9359698	

Notes: Seychelles-flagged vessels in bold. **Source:** <https://fisheryprogress.org/fip-profile/indian-ocean-tuna-purse-seine-sioti>

Data from the Ocean Disclosure Project also reveals that SIOTI creates risks for endangered, threatened and protected species (ETP), including sea turtles, sharks and marine mammals, and contributes to high-rate bycatch. The implementation of mitigation measures is still pending, yet there appears to be little urgency

Some vessels taking part in SIOTI have received public attention for unsustainable practices. The FV Playa de Anzoras, which is listed as part of the SIOTI FIP, gained notoriety in a 2021 Mongabay article.⁴¹ The article identified it as one of several EU vessels contributing to tuna depletion in the Indian Ocean. It also accused the owners of the vessel, including PEVASA, a supplier of Thai Union, of using controversial practices, such as flags of convenience, and establishing nominal ownership in tax havens. Furthermore, the article highlighted low levels of Automatic Identification System (AIS) data transmission by Playa De Anzoras, which transmitted its location for less than 40% of the 850-day reviewed period.

The article aligns with the findings of a 2022 report by the Blue Marine Foundation, where two vessels belonging to ATUNSA (FV Artza and FV Izurdia)⁴² were cited for their non-compliance with AIS reporting regulations. Despite an EU requirement for AIS to be maintained at all times, the 2022 report (drawing on data from 2017–2019) found that the Spanish-flagged FV Izurdia failed to transmit on AIS for a continuous period of 519 days.⁴³

According to the Blue Marine Foundation report, which examined the state of tuna fishing in the Indian Ocean, several purse seiners belonging to Sapmer SA but flagged under Mauritius as a flag of convenience (FV Belle Rive, FV Belouve and FV Belle Isle, listed in the SIOTI FIP) were highlighted for low AIS transmission data.⁴⁴ “On average, the Mauritian fleet transmitted on AIS for 42.2% of the two-year 2019/2020 analysis period.”⁴⁵ Other French-flagged vessels forming part of the FIP belonging to Sapmer’s fleet were observed with low AIS data transmission during the 2017–2020 period: FV Franche Terre, FV Manapany, FV Bernica, FV Dolomieu.⁴⁶



LOBBYING FOR DRIFTING FADS VERSUS HEALTHY LIVING, HEALTHY OCEANS CLAIM

Bloom Africa's 2023 report⁴⁷ levels serious allegations against the European Union's extensive lobbying for unsustainable fishing policies. The lobbyists including, politicians, officials, French and Spanish fishing industrial groups made up of fishing companies such as Sapmer SA, Albacora and Echebaster, lobbied in favour of the continued use of drifting fish aggregating devices (d-FADs) by European purse seiners targeting species of tropical tuna in the Western Indian Ocean. Rather than supporting the efforts of developing nations with fishing interests in the Indian Ocean toward the adoption of a new resolution in the framework of the IOTC (to implement an annual 72 day-ban on drifting FADs) the EU lobbied for countries like Seychelles, Mauritius and Kenya to ensure that the ban did not go through. Adrien de Chomereau, CEO of Sapmer, stated: “As few FADs as possible is the path of virtue — but it is economic suicide.”⁴⁸ This statement **highlights the demonstrable lack of interest these fishing companies have in ‘healthy living, healthy oceans’** – the tag line in Thai Union's 2022 Sustainability Report.⁴⁹

This regressive lobbying around the SIOTI.2 FIP and dFADs raises questions about whether Thai Union's ongoing pledges around sustainable tuna sourcing, comprehensive transparency and traceability are a smokescreen, concealing the underlying issues within its supply chain operations..

2.1.2 COMMITMENT: RESPONSIBLE SOURCING

According to Thai Union, responsible sourcing underpins its sustainability strategy. The key components of this strategy are the commitments the company has made to enhance supply chain transparency through improved traceability. In 2021, The Nature Conservancy (TNC) and Thai Union partnered on a transparency pledge. Thai Union committed to 100% transparency in its international tuna supply chain by 2025. As per the Thai Union and TNC progress report of 2022, all the milestones for the first year have been completed.⁵⁰ Additionally, in 2021, Thai Union demonstrated further commitment to transparency when taking part in the Sustainable Fisheries Partnership's Ocean Disclosure Project as part of its SeaChange strategy.⁵¹ In 2022, it expanded on its transparency commitment by signing on with SFPs SeaMetrics.⁵²

OCEAN DISCLOSURE PROJECT

Established in 2015 by the Sustainable Fisheries Partnership (SFP), the Ocean Disclosure Project (ODP) is a platform for seafood companies to voluntarily disclose their seafood sourcing.⁵³ ODP integrates sustainability ratings into the platform, illustrating companies' performances, including: SFP's FishSource, Monterey Bay Aquarium's Seafood Watch, Marine Conservation Society's Good Fish Guide, Ocean Wise and the NOAA Fish Stock Sustainability Index (FSSI).⁵⁴

Thai Union's profile on the Ocean Disclosure Project, reveals five tuna FIPs with poor ratings.⁵⁵ All five FIPs are considered as posing risks to endangered, threatened and protected species (ETP), such as sea turtles, sharks and marine mammals. Table 2 provides details for five Thai Union-associated FIPs that were rated 'unsustainable'.

Table 2. Thai Union-associated FIPs on ODP Platform rated 'unsustainable'

#	FIP	Unsustainable fishery involved	Rated 'unsustainable' by
1.	The Indian Ocean albacore tuna – longline (Bumble Bee/FCF) ⁵⁶	Albacore fishery in the Indian Ocean harvested by longliners	FishSource, Seafood Watch, Good Fish Guide, Ocean Wise (not rated by NOAA FSSI)
2.	The Indonesia Indian Ocean and Western Central Pacific Ocean tuna and large pelagics – longline ⁵⁷	Albacore fishery in the Indian Ocean harvested by longliners	FishSource, Seafood Watch, Good Fish Guide, Ocean Wise (not rated by NOAA FSSI)
3.	The Indian Ocean tuna – longline (Thai Union)	Albacore fishery in the Indian Ocean harvested by longliners	FishSource, Seafood Watch, Good Fish Guide, Ocean Wise (not rated by NOAA FSSI)
4.	The Pacific Ocean tuna – longline (Thai Union)*	Albacore fishery in the South Pacific harvested by longliners	Good Fish (not rated by other programmes)
5.	The Indian Ocean tuna – purse seine (SIOTI)	Yellowfin fishery in the Indian Ocean harvested by Unassociated purse seine and Associated purse seine	FishSource, Seafood Watch, Good Fish Guide, Ocean Wise – with the lowest rating from all programmes (not rated by NOAA FSSI)

*FIP entered the full assessment process for MSC certification in January 2023.⁵⁸

The ODP identified **12 tuna fisheries certified by the MSC in Thai Union's supply chain, that have an impact on endangered, threatened and protected (ETP) species and the seabed, and have high rates of bycatch despite receiving favourable sustainability ratings on ODP.** Table 3 details these 16 MSC certifications, the corresponding tuna fisheries, their effects on ETP species, the extent of bycatch and their seabed impact.

Table 3: ODP identified MSC-certified Thai Union tuna fisheries with high rates of bycatch and/or impact on ETP species and/or the seabed

#	MSC	Fishery involved	ETP	Bycatch	Seabed
1.	Australian Eastern Tuna and Billfish Fishery (albacore tuna, yellowfin tuna, bigeye tuna and swordfish)	Albacore fishery in the South Pacific Ocean harvested by longliners / Yellowfin fishery in the Western and Central Pacific Ocean harvested by longliners	Y	Y	Y
2.	Echebastar Indian Ocean purse seine skipjack tuna	Skipjack fishery in the Indian Ocean harvested by Unassociated purse seine, Associated purse seine	Y	Y	Y
3.	Fiji Albacore, Yellowfin and Bigeye Tuna longline	Albacore fishery in the South Pacific Ocean harvested by longliners	Y	Y	Y
4.	PNA Western and Central Pacific skipjack, yellowfin and bigeye tuna purse seine fishery (FAD and non-FAD sets)	Bigeye fishery in the Western and Central Pacific Ocean harvested by purse seiners / Skipjack fishery in Western and Central Pacific Ocean harvested by purse seiners / Yellowfin fishery in the Western and Central Pacific Ocean harvested by purse seiners	Y	Y	Y
5.	PNG Fishing Industry Association's purse seine Skipjack & Yellowfin Tuna Fishery	Skipjack fishery in Western and Central Pacific Ocean harvested by purse seiners / Yellowfin fishery in the Western and Central Pacific Ocean harvested by purse seiners	Y	Y	Y
6.	Solomon Islands longline albacore and yellowfin tuna fishery	Albacore fishery in the South Pacific Ocean harvested by longliners	Y	Y	Y
7.	Solomon Islands skipjack and yellowfin tuna purse seine and pole and line	Skipjack fishery in the Western and Central Pacific Ocean harvested by purse seiners, pole and line/handline / Yellowfin fishery in the Western and Central Pacific Ocean harvested by purse seiners	Y	Y	Y
8.	SZLC, CSFC & FZLC Cook Islands EEZ South Pacific albacore, yellowfin and bigeye longline	Albacore fishery in the South Pacific Ocean harvested by longliners	Y	Y	Y
9.	Talleys New Zealand Skipjack Tuna Purse Seine	Skipjack fishery in Western and Central Pacific Ocean harvested by purse seiners	Y	Y	Y
10.	Tri Marine Western and Central Pacific Skipjack and Yellowfin Tuna	Skipjack fishery in Western and Central Pacific Ocean harvested by purse seiners / Yellowfin fishery in the Western and Central Pacific Ocean harvested by purse seiners	Y	Y	Y
11.	Tropical Pacific yellowfin and skipjack free-school purse seine fishery	Skipjack fishery in the Western and Central Pacific Ocean harvested by purse seiners / Yellowfin fishery in the Western and Central Pacific Ocean harvested by purse seiners	Y	Y	Y
12.	WPSTA Western and Central Pacific skipjack and yellowfin free school purse seine	Skipjack fishery in Western and Central Pacific Ocean harvested by purse seiners / Yellowfin fishery in the Western and Central Pacific Ocean harvested by purse seiners	Y	Y	Y
13.	AAFA and WFOA North Pacific albacore tuna	Albacore fishery in the North Pacific Ocean harvested by hook and line	-	-	Y
14.	Maldives pole and line skipjack tuna	Skipjack fishery in the Indian Ocean harvested by pole and line/handline	-	-	Y
15.	New Zealand albacore tuna troll	Albacore fishery in the South Pacific Ocean harvested by hook and line	-	-	Y
16.	North Atlantic albacore artisanal fishery	Albacore fishery in the North Atlantic Ocean harvested by pole and line/handline and hook and line	-	-	Y

Notes: Y = Yes = Confirmation of impact on ETP, Bycatch or Benthic habitat (seabed).

The data was drawn from the Ocean Disclosure Project profile, where no standardised rating system was used. The rating applied here uses a conservative reading, excluding ODP ratings like 'unlikely to impact', 'impact considered low' and 'no risk'.



Despite ODP data confirming that Thai Union continues to source from unsustainable fisheries, Thai Union's profile on the ODP has not been updated since 2021. **The lack of recent updates obscures any progress made and suggests an ongoing pattern of uncompleted initiatives.** Greater priority should be given to consistent monitoring and frequent updates of supplier practices to truly prioritise Thai Union's traceability and transparency.

In line with the previously observed pattern, in March 2023 Thai Union led a call for the restoration of ETPs, and committed to sourcing exclusively from vessels that implement best practices to protect marine species, such as sharks, seabirds and turtles, from bycatch. As part of a panel at Seafood Expo North America, Thai Union issued a new 2030 commitment for its fisheries. This stated that Thai Union will ensure that by 2030, all vessels are to implement best practices to protect endangered, threatened and protected species; and that Thai Union will fulfil its existing commitment (by 2025) of 100% Observer coverage (human or electronic) on tuna vessels, through direct work with its suppliers and service providers.⁵⁹ Hopes are that this time around, this commitment will be followed through.

GREENPEACE AND THAI UNION AGREEMENTS (TUNA COMMITMENT AND RESPONSIBLE SOURCING)

To signal its awareness of the negative impacts of fishery operations, and to respond to damaging allegations of forced labour and other human and labour rights violations,⁶⁰ Thai Union publicly committed to high-profile initiatives such as the comprehensive agreement with Greenpeace to eliminate illegal and unethical practices from its tuna supply chains.⁶¹ In 2017, Thai Union signed a groundbreaking Memorandum of Understanding (MoU) with Greenpeace Thailand,⁶² committing to the improvement of fisheries in four critical areas: i) labour, ii) longlining, iii) transshipment and iv) fish aggregating devices (FADs). It was estimated that implementation of the commitments would require five additional staff and cost approximately \$ 750,000 USD.

A compliance assessment commissioned by Thai Union was subsequently undertaken by MRAG Americas (August to December 2019).⁶³ The assessment reported that Thai Union was meeting its policy and supplier requirement commitments, was actively engaged in advocacy work with Regional Fisheries Management Organisations

(RFMOs), and was supporting progress through Fishery Improvement Projects (FIPs). The report concluded however, that more work was needed to meet Thai Union's commitments.⁶⁴ More than half of the commitments were still in progress, including the company's commitments to employ 100% human and electronic Observers coverage on longline vessels, to reduce the number of FADs used, and to increase FAD-free offerings in five key European markets by 2020.

Unfortunately, no further progress has been reported on Thai Union's commitments to Greenpeace. Thai Union has instead released the previously mentioned new 'Tuna Commitment 2021'⁶⁵ which aims to ensure the completely sustainable sourcing of tuna by 2025.⁶⁶ **Again, this seems to confirm a pattern of obscuring previous sustainability goals with new commitments when deadlines draw near.** Some pillars are the same under this new commitment, including an extended timeline of 'five years of focus'.⁶⁷ The new Tuna Commitment suggests strategies that align with NGO demands, including Greenpeace, but do not reflect the failed or incomplete pledges that have been repeated or extended through this new five-year commitment.

A key example of obscured commitments is evidenced in the Observer coverage commitment. While the 2017 agreement with Greenpeace states that "Thai Union will employ 100% Observer coverage (human and electronic) on the longline vessels it sources from by 2020",⁶⁸ the 2025 Tuna Commitment states that "Vessels are monitored at sea and have either human or electronic coverage".⁶⁹ These two commitments may not be identical, as one refers to coverage on longline vessels while the other refers to all vessels, but this is a clear example of how a new commitment is introduced, deflecting from an unsuccessful previous commitment to achieve effectively the same thing.

CMM OR MSC NON-COMPLIANCE AND IUU FISHING BY THAI UNION SUPPLIERS

Since, unless explicitly specified, there is no disclosure of every fishing vessel in Thai Union's supply chain, we lack the means to ascertain whether a specific vessel has directly supplied Thai Union, even if a vessel's owner is part of their supply chain. In the following, cases are highlighted against some of Thai Union's major suppliers and their associated vessels. Some involve incidents of non-compliance with the Western and Central Pacific Fisheries Commission (WCPFC) Conservation and Management Measures (CMMs). These are binding decisions relating to fishery conservation and management.⁷⁰

Tri Marine is a key tuna supplier to both Thai Union and Bumble Bee (FCF). Despite being a member of the International Seafood Sustainability Foundation (ISSF), strong evidence, according to the report *Slipping Through the Net*,⁷¹ has emerged of MSC-certified FVs owned by Tri Marine (through its subsidiary National Fisheries Development Ltd) that have failed to comply with CMM standards and best practices. Observer reports compiled from FVs Solomon Opal, Solomon Pearl, Solomon Jade and Solomon Ruby, between the years 2018–2021, reveal over 200 cases of non-compliance with various CMMs. Of particular significance is the FV Solomon Opal, which has drawn extensive scrutiny due to multiple instances of shark finning on board, which constitute clear violations of CMM 2022-06 (Conservation and Management Measure on Daily Catch and Effort Reporting). Furthermore, there have been allegations of undue influence and coercion by individuals associated with the Solomon Islands Ministry of Fisheries and Marine Resources (MFMR), and the General Manager of the National Fisheries Development Ltd, aimed at compelling Observers to retract reports that contain evidence of these finning incidents. Beyond the issue of shark finning, there were documented cases of improper handling and landing of silky sharks (species of special interest or SSI) on the decks of the vessels, which contravenes CMM 2022-04 (Conservation and Management Measure for Sharks). Inaccuracies in bycatch recordings, a direct violation of CMM 2022-06 (Conservation and Management Measure on Daily Catch and Effort Reporting), have also been identified within vessel reports, raising further questions about the vessels' adherence to established regulations and standards.

In July 2019, the Bolton Group, a major player in the tuna trade, acquired Tri Marine's tuna business,⁷² strengthening its grip on the tuna industry. The Bolton Group's commitment to ensuring that 100% of its fisheries are MSC-certified or FIPs-compliant may ironically result in less transparency and traceability of its tuna, since, as we have noted above, FIPs standards and supervision are not sufficiently robust.⁷³ A case in point is given with Bolton stating in fine print on its website⁷⁴ that the target to achieve 100% responsibly sourced tuna by 2024 refers exclusively to its "business units that supply branded product", and does not include Tri Marine, which is considered to be operating under separate B2B business conditions.

In 2021, Tri Marine implemented the adoption of biodegradable fish aggregating devices (BioFADs), when the TUNACON FIP group that included Tri Marine's key suppliers replaced over 20% of traditional FADs with BioFADs.⁷⁵ In the same year, the Tri Marine Group's purse seine fishery for the Solomon Islands

was MSC-certified with permission to include drifting FADs⁷⁶ which created more ecological impact than anchored FAD.⁷⁷ These contradictory actions by Tri Marine raise concerns about its sustainability efforts.

A year later, Tri Marine appeared to steer its course more decisively. A pledge in its 2022 Sustainability Report stated: “By 2025, 100% usage of biodegradable FADs – majority of materials is biodegradable – for all our vessels.”⁷⁸ Because of the adverse environmental impact of FADs, this commitment to biodegradable FADs is almost meaningless. It also undermines the seriousness of the commitments Thai Union made in the agreement with Greenpeace in 2017.⁷⁹ The agreement states: “By 31/12/2020, all vessels Thai Union purchases from will deploy only non-entangling FADs. Thai Union commits to moving the fleets from which it sources towards fully biodegradable FADs and to be an early adopter of scientifically proven fully biodegradable FAD materials/technologies (excepting the buoy).”⁸⁰

Despite an obvious clash between Thai Union's 2020, and its supplier Tri Marine's 2025 time frames, an independent assessment by MRAG in 2019⁸¹ indicated that Thai Union's commitment to non-entangling and biodegradable FADs was met. Confusingly, the assessment report also stated that it was difficult to establish whether all deployed FADs were non-entangling and/or made of biodegradable materials. When the auditor looked at the RFMO compliance committee report for further evidence, they found very little about this topic. **This brings into question how the assessment concluded that the commitment was met.**

Serious violations were also reported for an MSC-certified vessel owned by Caroline Fisheries Corporation, a Thai Union supplier.⁸² The FV Trinidad III (MMSI 510076000)⁸³ was reported in Slipping Through the Net, a report based on leaked original Observer reports, as being involved in IUU practices in 2020.⁸⁴ Critical incidents included deliberate sets on tuna schools associated with Bryde's whales, a serious infringement of CMM 2011-03 (Conservation and Management Measure for Protection of Cetaceans from Purse Seine Fishing). Other IUU incidents on board the vessel included, high grading the catch (discarding the on-board catch to make room for better quality, larger size or for more marketable species), which is a violation of CMM 2009-02 - (Conservation and Management Measure on the Application of High Seas FAD Closures and Catch Retention) and landing of silky sharks (SSI) on deck, which is in violation of CMM 2022-04 (Conservation and Management Measure for Sharks). Instances of discrepancies in the reporting of retained and discarded bycatch and

target species that are considered a violation of CMM 2022-06 (Conservation and Management Measure on Daily Catch and Effort Reporting) were also reported.

In a 2022 report published by the Financial Transparency Coalition, Albacora Group, a prominent Spanish tuna conglomerate and supplier of Thai Union, emerges as Europe's largest alleged IUU fishing company.⁸⁵ The report dedicates a section to an array of infractions, including instances of illicit fishing practices, the presence of shark carcasses on board vessels in 2011, deliberate deactivation of AIS, the establishment of subsidiary entities in offshore tax havens, the utilisation of flags of convenience, and a lack of transparency pertaining to the company's ownership structure. In addition, Albacora has benefitted from both EU and Spanish government subsidies. Notably, between 2000 and 2010, Spain's fishing industry received more than \$8 billion (USD) in subsidies.⁸⁶ A 2022 Blue Marine Foundation report on the state of tuna fishing in the Indian Ocean noted widespread non-compliance with regulations requiring the use of AIS on Spanish-controlled tuna purse seine vessels, naming several vessels belonging to Albacora, including the three FVs Albacora Uno, Albatun Dos and Albacora Cuatro.⁸⁷ According to the report, FV Albacora Cuatro switched off its AIS for a continuous period of 9 months and 28 days. These accusations contribute to an increased opacity surrounding the operations of Albacora.

Fishing vessels that belong to Sapmer SA (a Thai Union supplier and participant in the Indian Ocean Tuna Purse Seine SIOTI.2 FIP) have been named with other European FVs for pushing tuna in the Indian Ocean to the brink of extinction, with unsustainable environmental practices. controls two vessels in the Seychellois fleet, and owns three boats that make up Mauritius' entire purse seine fleet in the Western Indian Ocean.⁸⁸ Companies like Sapmer SA use their political clout to enable unsustainable practices.

Echebaster is a Spanish (Basque) tuna company with six FVs. It has been in business since 1967⁸⁹ and is a Thai Union supplier. WWF objected to its MSC certification in 2018. WWF noted major flaws, alleging that there was little evidence of oversight and control of the company's fishing fleets, which allegedly do not comply with established environmental standards and are involved in depleting fish stocks in the Indian Ocean.⁹⁰ WWF continued to contest Echebaster's MSC certification in 2018, and raised concerns about the MSC's overall certification process in 2020.⁹¹ Seychelle-flagged Echebaster fishing vessels Jai Alai and Izaro, are part of the SIOTI.2 FIP and have been listed as low AIS transmitters.⁹²

PET CARE BUSINESS AND TRANSSHIPMENTS

As per Thai Union's 2022 Annual Report, 14% of the group's total sales came from the pet care business. The vast majority of these products are produced for their clients' own brands and channels.⁹³ In the US, Purina and Pedigree are major pet food brands marketed by Nestlé and Mars respectively. In response to increasing calls from pet owners and activists to improve ethical pet food supply chains, both Mars and Nestlé have committed to eliminating seafood involving transshipment.⁹⁴ Given Thai Union's pivotal role in supplying both companies with the seafood used in their pet food, Thai Union has been under pressure from Nestlé and Mars to urgently address the issue of transshipment.⁹⁵ Thai Union's Sustainability Report 2022 briefly mentions that the company is working with pet industry customers, including Nestlé and Mars, on improvements.⁹⁶ Details on Thai Union's progress towards this commitment are not provided.

2.1.3 COMMITMENT: SAFE AND LEGAL LABOUR

In 2022, Thai Union published the UK Modern Slavery Act Transparency Statement, providing a comprehensive account of its accomplishments and initiatives in addressing human rights infringements. The statement focused on combatting modern forms of forced labour, both within its operations and across supply chains.⁹⁷ Thai Union has also been part of the ILO Labour Protection Network, and the ILO's Good Labour Practices initiative since 2013. Associated Press investigations revealed cases of forced labour and human trafficking in Thai Union's supply chain in 2015.⁹⁸

VESSEL IMPROVEMENT PROGRAMME AND VESSEL CODE OF CONDUCT

In 2017, Thai Union followed up its 2013 and 2015 codes of conduct with the Vessel Improvement Programme (VIP) and Vessel Code of Conduct (VCoC). Compliance with the VCoC is mandatory for all current and prospective suppliers seeking to engage in business with Thai Union, and is applicable to all fishing vessels within the company's supply chain. An updated version of the VCoC guidelines was released in 2022.⁹⁹

The primary scope of the VCoC programme is to improve working conditions and treatment of vessel crew. It also includes a clause (#11) on conducting business in a manner that embraces sustainability and reduces the environmental impact of the tuna vessels that Thai Union sources from. The VIP and

the VCoC audits between 2018 and 2021 focused on labour and ethical performance. Which meant that no audits were conducted against the environment and sustainability clause. According to the guidance document, audits were supposed to start reporting environmental performance against the clause from 2022.¹⁰⁰ Thai Union claims that it has been carrying out third-party audits of fishing vessels prior to introducing VCoC,¹⁰¹ however the actual VCoC audit reports by third parties are not available online, and only compiled results are mentioned in Thai Union sustainability reports and blog posts.

Examining the aggregated results of the VCoC audits, presented in Thai Union sustainability reports spanning from 2019 to 2022, **a recurring theme emerges – there is a consistent narrative of progress, but an absence of tangible evidence.** Some cases do outline concrete action taken by Thai Union, e.g. the delivery of more than 500 medical kits to Thai fishing vessels that supply Thai Union to ensure fishers have immediate access to basic medicines, which is a requirement under Thai Union's VCoC. But overall, it appears that Thai Union makes policies and recommendations, but leaves the implementation up to suppliers, with limited accountability for change.

An example of this can be found in clause #10 of the VCoC, which pertains to worker access to fair redressal procedures. The 2019 sustainability report, states that the vessels supplying Thai Union exhibited a strikingly low level of compliance with clause #10.¹⁰² The 2020 report had a slightly more optimistic note, stating: "This principle had a low level of compliance across many of the different fleets. Positively the tuna vessel auditees have recently started incorporating grievance procedures into their documentation which closes out many Areas for Improvements (AFIs) that were raised. The details for this principle, though, will not be able to be shown until on-site interviews are conducted."¹⁰³ The following year's report, 2021, repeats the above sentence verbatim.¹⁰⁴ Tellingly, the most recent sustainability report¹⁰⁵ (2022) omits any reference to this particular clause, leaving readers in the dark about tangible improvements to Thai Union supplier vessels' adherence to clause #10 of the VCoC.

There is a similar lack of clarity around what actual changes were implemented by audited vessels, with regards to low compliance with fair wages (clause #6), and the protection of worker health and safety (clause #9). Thai Union reports make many suggestions on possible actions, but there is no clarity on whether there is actually any improvement by supplier vessels.

In April and May 2022, Thai Union is said to have carried out its first ever at-sea assessment through

MRAG Europe, to assess working conditions and crew welfare on 19 Malaysia tuna longliners which form part of the Indian Ocean Longline FIP. Thai Union states: “This was in addition to the in-port audits the company has been conducting with the fleet since 2018, which covers the content of Thai Union’s Vessel Code of Conduct (VCoC) ...”¹⁰⁶ If this was the first at-sea-assessment of crew welfare on the vessels that supply Thai Union, then what data has Thai Union previously used to assert a ‘high level of compliance’¹⁰⁷ of labour welfare on its supplier vessels before 2022? Has information been collected through on-site audits only or has information only been submitted by suppliers themselves? In which case, how can this claim be independent? This is difficult to answer as VCoC audit reports aren’t available in the public domain.

This reflects a broader pattern in Thai Union’s sustainability claims. While Thai Union outlines areas of improvement, there is little evidence of concrete change or follow-up to substantiate the sustainability narrative of its public-facing reports. Furthermore, when Thai Union does terminate its association with a supplier vessel, such as the case of an assault on a crew member outlined in the 2020 sustainability report, there is a notable lack of information concerning the parties involved. No vessel names or supplier details are disclosed, leaving stakeholders in the dark about the circumstances and participants.¹⁰⁸

The tuna sector reportedly continues to be characterised by working conditions that lead to human rights violations, from the mistreatment of workers at sea to human trafficking.¹⁰⁹ Much more needs to be done to protect the rights of people involved in fishing, and to ensure justice is done when those rights are breached. Thai Union’s responsibility for upholding the human and labour rights of workers at sea is commensurate with the reach and influence of its global operations and market position as a leading supplier of tuna products to major markets.

GREENPEACE AND THAI UNION AGREEMENTS (LABOUR)

As mentioned in Chapter 3.1.2 (Greenpeace and Thai Union Agreements (Tuna Commitment and Responsible Sourcing)), four critical areas, including ‘i) labour’, formed part of the initial 2017 Memorandum of Understanding (MoU) with Greenpeace Thailand.¹¹⁰ Labour was excluded from the ‘Greenpeace and Thai Union Agreement Audit Policy Document And Standard Operating Procedures’ as a critical area under assessment¹¹¹ and was consequently also excluded from the 2019 MRAG audit report.¹¹² Labour, as an issue, has been reduced to a subcategory under ‘Agreements on Transshipment at Sea, Audit

Guidance and Means of Verification’, ‘reference 2.5 Enforcement and non-compliance’. In the original agreement with Greenpeace, labour was a critical issue. The agreement was designed to address forced labour and human trafficking within Thai Union’s supply chain and required immediate resolution. It is unclear why labour as an issue was downgraded from a critical category to a hardly mentioned subcategory.

In the audit report, the MRAG states that Thai Union submitted initial summary reports to the auditor which covered social audits conducted by Key Traceability across fleets in the Atlantic, Indian and Pacific oceans. These initial reports did not include details about how any ‘non-conformances’ [sic] were addressed, as such information is typically provided in a second report following a 30-day remediation period. As per the current summary reports, no vessel was audited more than once in 2018. The auditor noted that these reports represented only the initial phase of the social audits, encompassing just the first two pages or the summary of findings. To properly evaluate whether performance improvements were implemented, the auditor emphasised the need to review the follow-up reports after the 30-day remediation period.¹¹³ The remediation period passed without any public mention of follow-up reports. There has been no further progress of these commitments between Thai Union and Greenpeace reported since.

SUPPLIER VESSELS AND ‘LABOUR’

A 2021 blog post on the Thai Union website titled ‘Tuna vessels demonstrate continuous improvements in social and labour standards’,¹¹⁴ provides an overview of how some Thai Union suppliers including Caroline Fisheries (Federated States of Micronesia), Tunago Fishing Company (Taiwan), Albacora (Spain), Sapmer SA (France) and Echebaster (Spain) fared against the VCoC audit programmes completed in 2018 and 2020.¹¹⁵ The blog post claims that the supplier vessels reviewed achieved a high level of compliance.

One of these suppliers, Tunago Fishing Company’s FV Tunago No. 61 (Vanuatu-flagged) supplies tuna to Thai Union as part of its Pacific Ocean Tuna longline (Thai Union) FIP.¹¹⁶ As previously discussed, this FIP met the criteria for increased risk of forced labour and human trafficking and has now entered the MSC assessment, despite not having its required SRA report submitted. In April 2020, the U.S. Customs and Border Protection (CBP) revoked its ban on tuna products harvested from FV Tunago No. 61, which was based on previous claims that the tuna was obtained through forced labour.¹¹⁷ While it is encouraging that the FV was cleared of the serious forced labour allegations, it should be noted that in 2018, Greenpeace reviewed

a 2015 investigation of the murder of a Chinese captain on Vanuatu-flagged longline FV Tunago No. 61. Six Indonesian crew who were convicted for 18 years reported frequent exploitation, mistreatment and physical abuse onboard Tunago No. 61.¹¹⁸ Greenpeace investigators subsequently analysed the vessel's movement and history, noting that it had previously been reported for violent abuse of its migrant crew.¹¹⁹ In its 2018 report, Greenpeace also highlighted that the use of Flags of Convenience (FoC), front companies and transshipment at sea are routinely used by FVs such as Tunago No. 61, to conceal their activities.¹²⁰

In summary, the pattern re-emerges: Thai Union consistently conveys a narrative of progress, but lacks tangible evidence to support positive change. This highlights a broader pattern in their sustainability claims. While Thai Union articulates areas of improvement, it often fails to provide concrete evidence of either change or any meaningful updates to substantiate the claims of its public-facing reports.

2.1.4 COMMITMENT: RESPONSIBLE OPERATIONS

Reviewing Thai Union's sustainability reports from 2019–2022, it is notable that Lloyd's Register and LRQA, the independent assurance providers of the reports, make disclaimers stating that their assurance engagements excluded data and information related to Thai Union's subsidiaries, suppliers and any third parties mentioned in the reports where operational control was absent, as well as all operations and activities outside of Asia and the United States.^{121 122 123 124} These disclaimers highlight the fact that any claims made about suppliers lack independent verification, which raises further questions about the sustainability claims of Thai Union's supply chain.



2.2 COLLUSION AND OLIGOPOLY

The International Seafood Sustainability Foundation (ISSF) is a non-governmental organisation (NGO) focused on supporting tuna sustainability.¹²⁵ ISSF's founding members include Thai Union, FCF, The Bolton Group, Sea Value, Princes Group, Starkist and Tri Marine.¹²⁶ As indicated on its website, ISSF is committed to marine conservation, while also providing guidance and support to fisheries' efforts to meet and maintain MSC certification.

ISSF has faced intense criticism including from Greenpeace, which claims that the organisation is more interested in trade than conservation.¹²⁷ The close ties between ISSF and the seafood industry's key players, such as Thai Union and Bumble Bee, including substantial donations to ISSF from both companies, raises questions about ISSF's independence and priorities. Membership of ISSF's Board of Directors also underscores the concern that the organisation serves as a platform to allow major seafood multinationals to influence fisheries rules and standards. For example, the president of the SIOTI FIP, Tony Lazazzara, holds the position of Director of Group Fish Procurement at Thai Union and also serves as the Chair of the International Seafood Sustainability Foundation (ISSF), which initiated the Fishery Improvement Project (FIP). This situation could raise potential concerns about conflict of interest in relation to Thai Union's commitment to sustainability, which is integral to its branding. ISSF's President, Susan Jackson, previously worked for Del Monte and Starkist and served as a Director of the National Fisheries Institute (NFI), a United States (US) NGO promoting sustainability, food safety and nutrition.¹²⁸ The NFI also functions as a US trade group with a membership that includes both Thai Union and Bumble Bee (FCF), and represents the seafood industries' business interests. In 2017, it sued the US National Oceanic and Atmospheric Administration (NOAA) for regulations aimed at addressing IUU, specifically, rules pertaining to tracking and processing seafood exports to the US, claiming it would cost the industry USD \$100 million.¹²⁹ The NFI's close links to large multinational seafood corporations and its industry trade promotion role could arguably contribute to biases in seafood information the organisation presents to the public. NFI also has a track record of attacking environmental groups that raise concerns about the fishing industry.¹³⁰

As of April 2023, ISSF reported that 23 of the 25 companies partnering with ISSF were operating in 100% compliance with the organisation's sustainable fishing measures.¹³¹ This included Bumble Bee. Despite that in March 2023, Bumble Bee had removed

claims about 'fair and safe supply chain' and 'fair and responsible working conditions', from its website, social media and other public advertising as part of its settlement of a lawsuit questioning its marketing claims.¹³²

Thai Union and several of its European suppliers (Albacora, Sapmer SA and Echebaster) were also cited in a 2023 report by Bloom Africa.¹³³ That report claimed that the European Union (EU) colludes with its French and Spanish industrial fishing fleets and tuna lobbies, which contributed to the overexploitation of fish stocks and environmental violations in the Indian Ocean, and poverty in developing countries bordering the region.

Links between FCF and Thai Union are well documented, and bring clear commercial advantages to both companies. For powerful industry leaders, however, these close ties may also increase the potential for conflicts of interest, and ignorance, a lack of awareness and inaction in cases of a violation of standards related to human and labour rights, or environmental protection upstream in their supply chains. This builds a picture of questionable sustainability, which extends to (non-)compliance with RFMO's Conservation and Management Measures (CMM) and MSC commitments. Given FCF's close ties to Thai Union,¹³⁴ any issues in its supply chain would be amplified and passed on to unwitting consumers as large quantities of Taiwanese tuna are delivered to markets in the US, Europe, the UK and the Asia Pacific region.¹³⁵

The close collaboration and business relationship between FCF and Thai Union is in itself potentially problematic, and allows two of the world's largest tuna-producing companies to exert immense influence and power. In 2015, the US Department of Justice (DoJ) launched an antitrust investigation that exposed a price-fixing scheme involving Bumble Bee (FCF), Starkist and Chicken of the Sea, which is owned by Thai Union.¹³⁶ Notably, a class action lawsuit has been filed in the US against Bumble Bee, stating that the company misled consumers by falsely claiming its tuna and other seafood products are caught sustainably and also notes the human/labour rights allegations made against FCF as the parent company. The suit is also critical of MSC certification, calling its certification process 'hollow' and 'riddled with conflicts of interest'.¹³⁷ These ongoing actions paint a picture of an industry tarnished by corporate misbehaviour.



3. CONCLUSIONS AND RECOMMENDATIONS

Over 90% of the world's primary marine fish stocks are categorised by the United Nations as fully exploited, over-exploited or substantially depleted. The result is that fishing operations that supply international markets work further out at sea, with fishers engaging in IUU practices, further depleting stocks, and suffering exploitative conditions on the vessels. To break this vicious cycle, industry leaders and standard-setting bodies need to refrain from making empty sustainability claims in the name of increasing profits.

It is commendable that Thai Union acknowledges environmental, human and labour rights issues in its supply chains, and its responsibility to address serious allegations, but Thai Union needs to clearly and transparently demonstrate results achieved or progress made in their supply chains, and transparently communicate failures or shortcomings of their commitments instead of continuously sweeping everything under the carpet. Current auditing and reporting practices lack independence, and are neither capable of showing tangible improvements on supplier vessels or within supplying fisheries, nor convincingly demonstrate that follow-up actions have been taken up by Thai Union when violations have been reported or commitments have not been met. It is impossible to externally verify quantifiable improvements within the company's supply chain, or within fisheries at large. The observed practice of continuously adopting new commitments, while ignoring deadlines and not fulfilling existing commitments, paired with the absence of credible independent monitoring and response mechanisms, amounts to little more than empty virtue signalling.

There is clear evidence that Thai Union has made an effort to improve its tuna operations. One example of this is the implementation of its Vessel Improvement Programme and Code of Conduct (VCoC) in 2017, which aims to contribute to the United Nations Sustainable Development Goal 8 (Decent Work and Economic Growth) by improving working conditions on FVs and eliminating forced, bonded and child labour and discrimination.¹³⁸ Under the VCoC,¹³⁹ all

Thai Union suppliers are obligated to sign the VCoC committing to compliance with human and labour rights standards, including annual auditing by Thai Union designated consulting firms.¹⁴⁰ Its advocacy collaboration with RFMOs and FIPs initiatives are also positive.¹⁴¹

It is important that Thai Union moves beyond pledging new commitments in the absence of adequate results, and starts to address challenges as they emerge. Current practices obscure the reality at sea, and may lead to consumers questioning the company's commitment to eliminating forced labour and environmentally unsustainable operations from its tuna supply chains. Thai Union should enhance transparency on fishing vessels and in the fleets they source tuna from. Vessel lists are not published, which makes it difficult to verify company claims of improvement in supply chains and catch traceability. While Thai Union claims to undertake audits of fleets and vessels, the results of such audits remain publicly unavailable, which makes external monitoring impossible.

Even if supplier vessels are not owned by Thai Union, they must be transparent about sustainability, and open to scrutiny. Fishing industry supply chains are intricate networks that involve a multitude of players, large and small. Complexity should not be an excuse for highly profitable companies like Thai Union to claim they are addressing sustainability through initiatives, programmes and commitments, while leaving suppliers responsible for enforcing them. As an industry leader, Thai Union must share the responsibility to clean up its supply chains. These are the foundation of its business. If sustainability commitments prove to be unrealistic due to the intricacy of supply chains, then it is time to reconsider the way supply chains operate. Greater transparency, accountability, independent verification, improved Observer programmes, and an openness to multi-stakeholder approaches to sustainable solutions will give the industry actual control over procurement, crew treatment and the environmental impact of their fishery operations.

APPENDICES

ANNEX I GLOSSARY

AIS:	Automatic Identification System
CBP:	U.S. Customs and Border Protection
CCRF:	Code of Conduct for Responsible Fisheries
CMM:	Conservation and Management Measures
EPO:	Eastern Pacific Ocean
EU:	European Union
FADs:	Fish Aggregating Devices
FAO:	Food and Agriculture Organization of the United Nations
FCF:	Fong Chun Formosa Fishery Company
FFA:	Forum Fisheries Agency
FV:	Fishing Vessel
FIP:	Fishery Improvement Project
FoC:	Flag of Convenience
ILO:	International Labour Organization
ISSF:	International Seafood Sustainability Foundation
IOTC:	Indian Ocean Tuna Commission
IUU:	Illegal, Unreported and Unregulated fishing
MCS:	Monitoring, Control and Surveillance
MoU:	Memorandum of Understanding
MRA	Marine Resources Assessment Group
MSC:	Marine Stewardship Council
RFMO	Regional Fisheries Management Organization
SF:	Shark Fins/Shark Finning
SSI:	Species of Special Interest
TAHR:	Taiwan Association for Human Rights
TFA:	Taiwan Fisheries Agency
TIWA:	Taiwan International Workers Association
TU:	Thai Union
VCoC:	Vessel Code of Conduct
VMS:	Vessel Monitoring System
WCPFC:	Western and Central Pacific Fisheries Commission
WCPO	Western and Central Pacific Ocean
WIO:	Western Indian Ocean

ANNEX 2 MSC PERFORMANCE INDICATOR SCORING

There are 28 performance indicators in the MSC Fisheries Standard that sit under the three principles.

A fishery is assigned a score for each performance indicator where 60 is the minimum acceptable performance, 80 is global best practice and 100 is near-perfect performance. To be certified, a fishery must score at least 60 for each of the 28 performance indicators.

If a fishery scores between 60 and 79 for any performance indicator, it is required to improve its fishery's performance against that indicator so that it scores 80 or above within five years. This improvement is called a condition.

Principle average scoring

A fishery must also score an average of 80 across all performances under each of the three principles. For full details please see 'Get Certified – Your guide to the MSC fishery assessment process' document.¹⁴²

ANNEX 3 FIPS WITH THAI UNION INVOLVEMENT

FIP Name	No. of vessel	Flag state(s)	FAO/EEZ ¹⁴³	FIP Rating	Social Responsibility ¹⁴⁴	Projected end date	Remark
Eastern Atlantic Ocean tuna – pole and line	9*	Spain, France	FAO 34 / Mauritania, Senegal	A	Risk assessment required with 1 out of 4 criteria met – extended to 31 Jan 24	Jul 24	*5 vessels were removed from FIP on 1 Jan 2021
Eastern Atlantic tuna – purse seine	33	Ghana*	FAO 34 / Ghana, Gabon, Equatorial Guinea, Cameroon, Côte d'Ivoire	A	Risk assessment required with 2 out of 4 criteria met – requested extension to Jan 24 but granted to 31 Dec 23	Feb 23	- Report due on 30 June 2023 not submitted -*Vessels are also flagged France, Spain, Belize, Curacao
Ghana tuna – pole and line	13*	Ghana	FAO 34 / Ghana, Côte d'Ivoire, Benin, Togo	A	Risk assessment not required	Dec 23	*7 vessels were removed from FIP
INACTIVE Morocco sardine – pelagic trawl and seine/ Maroc sardine – chalut pélagique et senne	-	-	Morocco	-	-	Dec 21	Inactive – FIP did not enter full assessment process and did not meet reporting requirements to be moved back to Active
INACTIVE Thailand longtail tuna – purse seine	-	-	Thailand	-	Risk assessment required with 1 out of 4 criteria met – due 30 Nov 22	Dec 24	Inactive – missed deadline for 3-year audit report
INACTIVE Western and Central Pacific Ocean tuna – purse seine (Thai Union)	-	Korea, Nauru, FSM, the US, Taiwan, PNG, Kiribati	FAO 71, 77 / Nauru, FSM, Kiribati, Marshall Islands, Palau, PNG, Solomon Islands, Tuvalu	-	Risk assessment required with 1 out of 4 criteria met – due 31 Mar 23	Aug 24	Inactive – at FIP's request
Indian Ocean tuna – longline (Thai Union)	45	Malaysia, Taiwan	FAO 51, 57	A	Risk assessment required with 3 out of 4 criteria met – requested extension to Jan 24 but granted to 31 Dec 23	Dec 23	

Indian Ocean tuna – purse seine (SIOTI)	29	Seychelles, Mauritius, France, Spain, Italy	FAO 51, 57 / Comoros, Kenya, Mauritius, Madagascar, Mozambique, Seychelles, Tanzania, France	A	Risk assessment required with 1 out of 4 criteria met – requested extension to June 23, but granted to 31 Jan 24	Jun 23	On 11 Sep 2022, the FIP requested a 1-year project extension to Jun 2023 to complete all indicators
Pacific Ocean tuna – longline (Liancheng)	80	China, Taiwan, FSM	FAO 61, 67, 71, 77, 81, 87 / Fiji, FSM, Vanuatu, Cook Islands	C	Risk Assessment required with 1 out of 4 criteria met – requested extension from Mar 23 to Jan 24, but granted to Mar 24	Sep 24	
Pacific Ocean tuna – longline (Thai Union) ¹⁴⁵	29*	China, Vanuatu	FAO 61, 67, 71, 77, 81, 87 / Vanuatu	A	Risk assessment required with 3 out of 4 criteria met – extended from Jan 23 to Jan 24	Dec 22	Entered MSC assessment in January 2023 *Only 9 vessels were included in MSC assessment, all Vanuatu flagged
Peru mahi-mahi – longline (WWF)	3,588	Peru	FAO 87 / Peru	C	Risk assessment not required	Dec 23	
Thailand blue swimming crab – bottom gillnet/trap	1,196	Thailand	FAO 71 / Thailand	A	Risk assessment required with 1 out of 4 criteria met – requested extension to Jan 24, but granted to 31 Dec 23	Dec 23	

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- 143 Fishing Locations: FAO refers to fishing areas designated by the UN Food and Agricultural Organization, EEZ refers to specific country' Executive Economic Zones
- 144 Risk assessment is only required when the self-evaluation of risk meets criteria for increased risk of human trafficking and forced labour.
- 145 This FIP has entered into the full assessment process for MSC certification and remains active on FisheryProgress, but reporting requirements are reduced. The FIP no longer reports on environmental progress but will confirm its full assessment status at each progress report due date. The FIP will continue to meet the social responsibility progress reporting requirements until it achieves MSC certification. Date Entered Full Assessment: Jan. 2023.



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