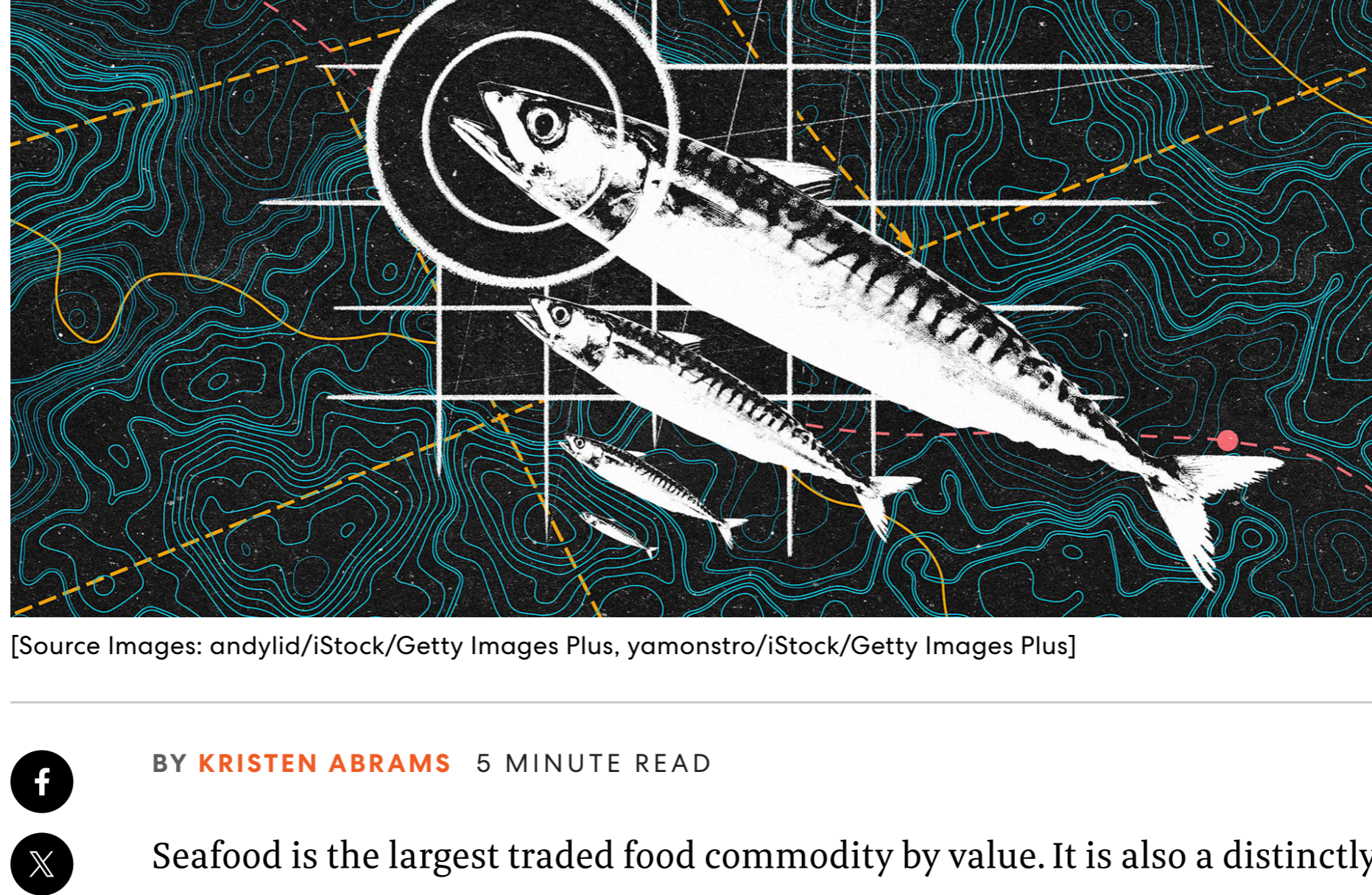


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# The seafood industry is a dangerous mess, and China is largely to blame

China has more ships and processing capacity than any other country. It is also prone to illegal behavior.



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BY KRISTEN ABRAMS 5 MINUTE READ

Seafood is the largest traded food commodity by value. It is also a distinctly tough commodity to track. Many fishing ships operate on the high seas where governments hold limited jurisdiction. There are dozens of handoffs after catch, from fishing boats to carrier ships to trucks to processing plants to exporters and importers; seafood often travels thousands of miles before arriving on consumers' plates.

In an attempt to monitor this complicated supply chain, many seafood brands and companies have turned to a flawed tool—the social audit—as the solution.

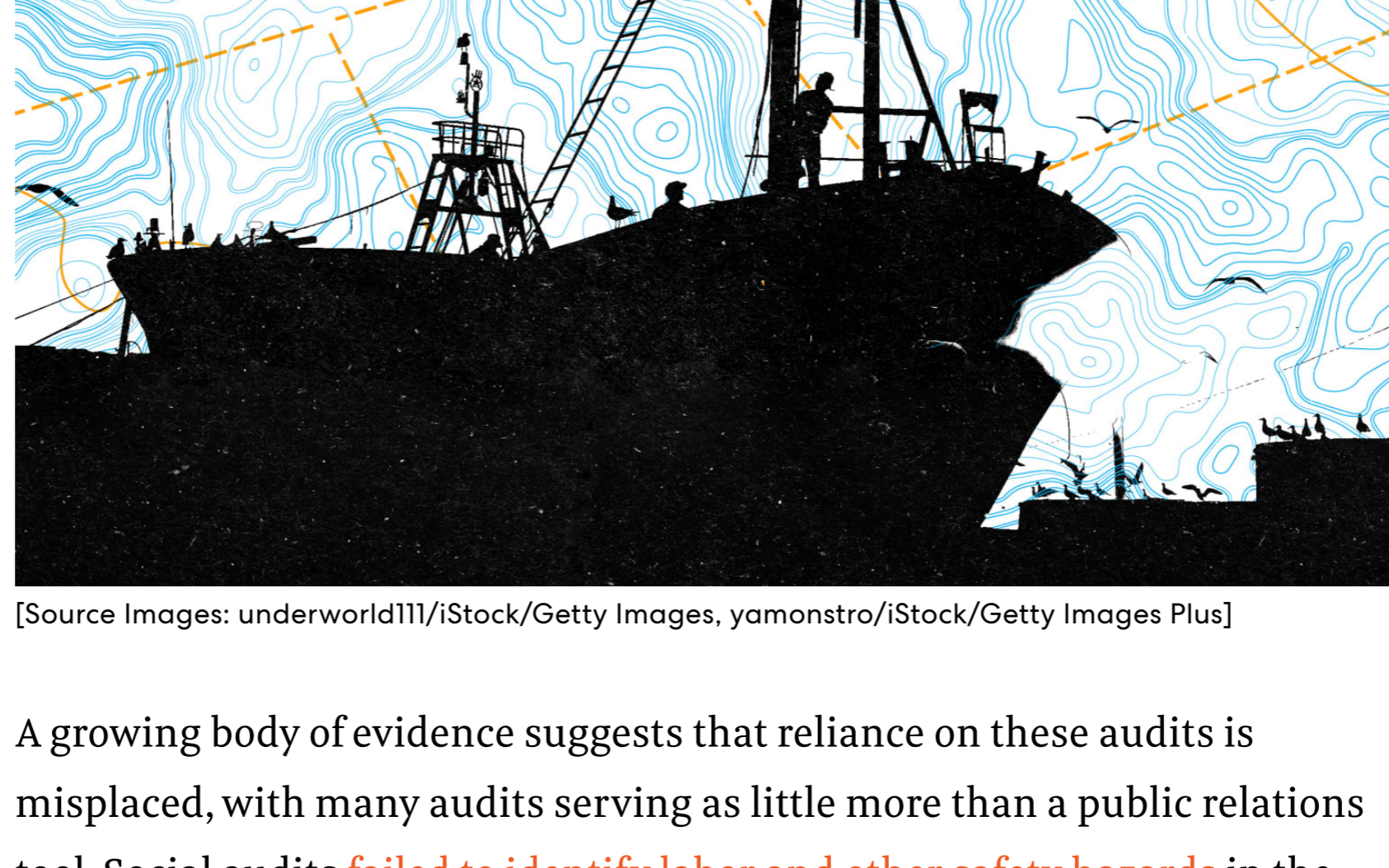
Key components of the social auditing process—surprise spot checks and holding confidential worker interviews—are nearly impossible on vessels at sea, thousands of miles from shore. Beyond the logistical challenges, audits are nearly always paid for by the company, resulting in an obvious conflict of interest and disincentive to publish findings. As a result, no one knows whether workers are beaten, paid, fed, trafficked, sick, or injured or whether their ships are taking fish from places that are forbidden.

In the past several decades, companies across many industries—including textiles, agriculture, and automobiles—have been tied to life-or-death safety violations, environmental crimes, child and food safety lapses, and forced labor. In response, many of these industries also turned to private firms to conduct social audits in an attempt to ensure that their products are sourced ethically and legally.

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A growing body of evidence suggests that reliance on these audits is misplaced, with many audits serving as little more than a public relations tool. Social audits failed to identify labor and other safety hazards in the Rana Plaza disaster where more than a thousand garment workers died when the factory they were working in collapsed, or in Pakistan at the Ali Enterprises factory where 260 workers died in a fire just weeks after the site received a certification for adherence to core labor standards. Such audits were also roundly faulted for failing to detect human rights abuses in the aluminum industry.

Other industries have had their moment of reckoning. Now, that time has come for seafood.

But getting any sort of reform in this industry is going to be difficult, in part because China sits at the top of the seafood supplier food chain. China has more ships and processing capacity than any other country. It is also distinctly prone to illegal behavior, according to several government, academic, and NGO reports. A recent investigation by the nonprofit journalism organization, The Outlaw Ocean Project, has definitively shown the existence of forced labor in the global seafood supply. An international team of reporters with the organization revealed a systematic pattern of human rights abuses, including debt bondage, forced and captive labor, excessive working hours, physical abuse, denial of medical care, and even deaths from violence or neglect on Chinese ships or in Chinese seafood processing factories. The team also showed illegal fishing and state-sponsored forced labor from North Korea and China's repressed Xinjiang region used in on-land processing factories. (Under U.S. law, the import of any products produced in part or in whole by these two types of workers is strictly forbidden.)

Much of the world eats seafood from China, including in the U.S. where seafood caught by Chinese ships or processed in Chinese factories accounts for the largest portion of imported seafood. Much of this seafood had been certified by audits that gave the impression that it was more humanely and sustainably caught or processed.

While audits by private firms checking on labor conditions on Chinese ships at sea do not routinely occur, audits do take place in Chinese factories. Unfortunately, they are preannounced and chaperoned, clearly undermining the credibility and reliability of any information gleaned. Because information and access is tightly controlled in China, and journalists, labor inspectors, and NGOs are routinely expelled from the country if they critique the government or companies, it is unlikely that auditors would report serious human rights abuses or the presence of North Korean or Uyghur workers in processing facilities.

All 10 of the seafood plants that the reporters found to be relying on state-sponsored forced labor from North Korea or Xinjiang had been certified by the Marine Stewardship Council (MSC), a program that offers assurance on traceability and sustainability. Such certifications from MSC can only be granted if the plant has completed a self-assessment form or passed a social audit verifying that no forced labor exists in the plant.

Even the auditing companies know that their audits aren't working as intended. When questioned about The Outlaw Ocean Project's findings, MSC acknowledged the social auditing process has "significant limitations."

Clearly, social audits are not the answer to human rights abuses tainting the global seafood supply. Instead, governments and companies have unique roles and responsibilities to play in ending these inhumane practices.

Governments must quickly close markets to tainted goods. U.S. Customs officials have received repeated calls from lawmakers, congressional hearings, academics, and advocacy groups to use its full authority to stop seafood caught with forced labor from entering the United States. In the E.U., lawmakers passed two laws concerning illegal fishing and import controls on products tied to forced labor—laws that had previously been predicted to fail. Other states must follow suit to ensure there is no "safe harbor" for goods tainted with serious human rights abuses.

Moreover, because we know that voluntary audits don't work, particularly in places like China, mandatory human rights and due diligence laws must be adopted and implemented. These laws, which have either recently passed or are under consideration in a number of major markets, will force companies to move away from reliance on social auditing toward legally binding mechanisms that provide workers with access to remedy and accountability.

Companies that want to do the right thing don't need to wait for governments to force them to do so (and to be clear, some are already taking steps in the right direction, including more than a half dozen who severed ties to the plants and ships found to be using forced labor.) Firms operating in high-risk sectors and/or in high-risk regions must first identify and acknowledge these risks, then take steps to mitigate identified risk, including creating accessible pathways to remedies for impact workers and affected communities, and finally work to prevent future harm.

While it won't be easy, new legislation with significant repercussions and better enforcement of existing environmental, labor, and trade law, paired with transparent, measurable corporate action grounded in worker participation and agency, will help remedy and prevent additional abuse in the seafood supply chain.

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ABOUT THE AUTHOR  
Kristen Abrams is the senior director of combatting human trafficking at the McCain Institute. More

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