

# Eleven Chinese plants linked to forced labor were MSC-certified

The new report from The Outlaw Ocean Project found 11 plants accused of using forced Uyghur labor transferred from the Xinjiang region had MSC chain-of-custody certifications

By [Neil Ramsden](#) | Oct. 13, 2023 19:14 BST



MSC fish fingers. Credit: MSC/FareLight Productions.

All of the Chinese seafood processing plants in Shandong province accused of using forced Uyghur labor transferred from Xinjiang carried the Marine Stewardship Council (MSC) chain-of-custody certificate, according to the special report published earlier this week by the Outlaw Ocean Project.

The two-part report published Oct. 9 in *The New Yorker*, which has already led a joint Congressional-White House panel to call a [special hearing](#), details evidence of forced labor in at least 10 large Chinese seafood companies in Shandong province, where processors employ thousands of Uyghur workers in whitefish and squid filleting.

It alleges that, since 2018, those companies shipped more than 47,000 metric tons of seafood -- including cod, pollock, shrimp, salmon, and crab -- to US and Canadian importers, including [High Liner Foods](#), which is then sold at major North American retailers, including Walmart, Costco, Kroger, and Albertsons.



The Outlaw Ocean Project, a non-profit focused on reporting abuses within the fishing industry, has published an investigation into the alleged use of forced Uyghur labor transferred from Xinjiang.

According to the investigation, importers linked with Uyghur labor also supply the largest fish-processing factory in the world, owned by the British-American giant Nomad Foods, in Bremerhaven, Germany. The plant supplies leading frozen fish brands to grocery stores across Europe, including France's Carrefour, the UK's Tesco, and Germany's Edeka.

MSC's fisheries and chain-of-custody standards -- the latter of which certifies the whole supply chain after the fish is landed -- is an environmental certification focused on sustainable fishing.

However, since 2018, the MSC certification requires fisheries and at-sea supply chain businesses to publicly report on their labor practices, declaring they do not include forced labor. MSC-certified supply chain businesses that undertake processing, packing and manual off-load must, therefore, undergo a yearly independent third-party labor audit or submit a self-assessment report to MSC and allow MSC to commission its own independent audit.

In commentary posted this week on LinkedIn, Daniel Murphy, a research and investigation editor for the Outlaw Ocean Project, raised doubts regarding whether MSC could serve as a benchmark for consumers to be sure forced labor was absent from supply chains.

"The MSC requires annual social audits for certified plants, but it seems none of these checks detected Uyghur workers," he wrote. "MSC have claimed that their labor requirements, which include social audit, would assure consumers that certified seafood processors' do not employ forced labor.' But is the MSC's Blue Tick really helping to keep our seafood supply chains free of exploitation?"

The Outlaw Oceans Project reports that it found evidence that at least a thousand Uyghurs have been sent to work in seafood-processing factories in Shandong since 2018, transferred there from Xinjiang -- over a thousand miles away.

Seafood processing chains can be difficult to get any clarity on, especially in China, where investigative journalism can be clamped down on, said the article, written by Ian Urbina, the co-founder of the Outlaw Oceans Project and a former, Pulitzer-prize winning, 17-year reporter for the New York Times.

The problem is that the auditors themselves and the methods they are following are not set up to detect state-imposed forced labor, Scott Nova, the executive director of the Worker Rights Consortium, is quoted as saying.

Audit preparation usually requires factories to fill out questionnaires disclosing the presence of migrant workers from other provinces or abroad and the languages spoken onsite, as well as to provide auditors with lists of workers, some of whom are selected for interviews. But factories trying to conceal the presence of workers from Xinjiang often simply fail to list them in so-called self-assessment questionnaires.

Sarosh Kuruvilla, a professor of industrial relations at Cornell, analyzed more than 40,000 audits from around the world and found that almost half were unreliable, according to the report.

Social audits are typically announced ahead of time, which allows managers to hide minority workers from Xinjiang during inspections, the report advised. Even when workers are interviewed, they are often reluctant to be candid, for fear of retribution.

"The tool is completely broken," Kuruvilla reportedly said. "It's a tick-box exercise on the part of the auditor, but it's also a tick-box exercise on the part of the brand."

## MSC accepts 'significant limitations'

Jo Miller, MSC's head of public relations, reportedly acknowledged that the organization is reliant on social audits, which have "significant limitations."

In the Outlaw Ocean Project's correspondence with the MSC -- which you can read as part of the investigation, [here](#) -- MSC was questioned on whether it expected the labor practice self-assessment to identify migrant workers, including those from the Xinjiang Uyghur autonomous region and North Korea, and whether it commissioned an audit at every site which opts for self-assessment or not. MSC was further asked to provide more details on which chain of custody-certified plants underwent an audit and which carried out self-assessments.

In the exchange, the MSC's spokesperson replied that confidentiality issues prevented the organization from fully disclosing those matters.



Still from video uploaded to a Chinese government Douyin account in 2023 depicting a labor transfer organized by the Kashgar authorities. Source: The Outlaw Ocean Project.

The conformity assessment bodies (CABs) responsible for certifying companies to the MSC standards "can suspend certificates if there is evidence that the company no longer complies with the MSC's requirements or when directed to do so by the MSC as a result of unacceptable conduct," Miller advised.

"The course of action taken by CABs and the MSC would be determined on a case-by-case basis depending on the strength of evidence and the gravity of the issues involved," the spokesperson pointed out.

The MSC declined to comment to *Undercurrent News*, including on if or how it would investigate or address the issues brought up by the special report.

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