

Journalist behind forced labor report to Congress, White House staff: MSC not enough; expand SIMP

'What certification regimes that have emerged in the private sector, whether they focus on environmental or labor concerns, do a very poor job even at identifying and countering such crimes in these supply chains' -- Ian Urbina, Outlaw Ocean Project

By [Jason Huffman](#) | Oct. 24, 2023 18:08 BST



□ Ian Urbina, founder and director of the Outlaw Ocean Project, testifying at a hearing of the Congressional-Executive Commission on China on Oct. 24, 2023. Image is still from video.

It's no longer enough to have your fish or shellfish certified as having been sourced sustainably by the Marine Stewardship Council (MSC), asserted Ian Urbina to a panel of US lawmakers and White House staff on Tuesday (Oct. 24).

Seafood should also be confirmed as having been sourced under humane conditions, said the journalist, who caused a stir earlier this month by publishing a two-part series that shone a spotlight on the use of forced Uyghur labor in the Chinese seafood sector.

The National Oceanic and Atmospheric Administration (NOAA) should also expand the Seafood Import Monitoring Program (SIMP), he suggested, supporting an idea mostly opposed by the US seafood industry.

"I think the infrastructure that exists for the private sector to monitor and trace its supply chain also has to evolve a lot and hopefully this will be a poke in that direction in that they can no longer, I think, simply put forward that they're MSC-certified or that they've been accredited as a good steward by a private entity and therefore they're showing part of the ocean conservation team," said Urbina, the founder and director of the Outlaw Ocean Project (OOP).

Urbina, a former 17-year reporter for the *New York Times* and the winner of a Pulitzer Prize, was one of four witnesses to appear before the Congressional-Executive Commission on China (CECC) during a nearly two-hour hearing focused on the OOP's two-part series, which was published in *The New Yorker* on Oct. 9. The panel is made up of nine US senators, nine US representatives and five senior administration officials appointed by the president.

The series provided haunting details about crew members being held captive, beaten and suffering from malnutrition aboard vessels in China's distant water fishing fleet, as well as a thorough accounting of the Chinese program used to enlist and transport a large number of Uyghurs over 1,000 miles from Xinjiang, in the land-locked, northwestern part of China, to seafood processing plants in Shandong, on the east coast.

The report made a big splash in the seafood industry.

Several major US retail chains, including Albertsons Companies and Shaw's, and German retailers Aldi and Lidl, have ended their relationships with Chinese processing companies in advance and following the publication of the report.

Albertsons has dropped two products from High Liner Foods involving flounder and yellowfin sole after it was revealed in the report that one of Canada's largest seafood companies was buying from Yantai Sanko Fisheries, a Chinese processor accused of taking on Uyghur workers under the Chinese government's labor transfer program. The United Nations and human rights organizations consider this to be forced labor.

Urbina told the congressional-administrative panel on Tuesday how the OOP team spent four years working on their project, describing how they decided to focus on the Chinese squid fleet. He said his team was successful at getting on vessels but, when that didn't work, they threw plastic bottles onto the backs of the vessels as they were steaming ahead. Crew members responded by throwing the bottles back with notes inside.

□ A still from a video contained in the Ocean Outlaw Project series shows plastic bottles being thrown on to the back of a Chinese fishing vessel.

Uyghurs were confirmed as working at certain seafood processing plants with the help of both social media posts by the workers and also memorandums published by companies thanking the Chinese government for their help in providing employees, he said.

The investigative reporter described the difficulty that exists in determining the source of seafood and whether labor abuses are occurring, noting the "many handoffs" that occur for seafood in trade.

"What certification regimes that have emerged in the private sector, whether they focus on environmental or labor concerns, do a very poor job even at identifying and countering such crimes in these supply chains," he told panel members.

Urbina said his team focused on China, in part, because it is the "undisputed superpower of seafood" as its distant water fishing fleet is vastly larger than any other country's and because it also serves as a processing hub for much US-sourced seafood.

"China matters and was the focus of our investigation, not just because it is the global linchpin of seafood production, but also because China is the most opaque of settings, the most prone to illegal fishing practices and, come to find out, the most dependent on forced labor when it comes to seafood," he said.

Urbina said his team found a "widespread pattern" of abuses on Chinese vessels and in processing facilities. He said the OOP investigation determined that half of the Chinese fleet, 357 of 751 vessels studied, were "tied to human rights or environmental violations on land." He described the problem with forced labor as being "deep and consistent," noting how China helped its seafood industry during the pandemic by "moving thousands of workers across the country from Xinjiang."

Since 2018, he said, "More than a thousand workers from Xinjiang have been forcibly relocated to at least 10 seafood processing plants in Shandong that supply dozens of major US seafood brands, as well as brands in at least 20 other countries."

Since 2018, 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 an independent audit.

However, OOP reported finding 11 plants accused of using forced Uyghur labor transferred from the Xinjiang region with MSC chain-of-custody certifications, as reported by [Undercurrent](#).

Urbina was joined at the witness table on Tuesday by Robert Stumberg, a law professor at Georgetown University; Greg Scarlatou, executive director of the Committee for Human Rights in North Korea; and Sally Yozell, director of the environmental security program at the Stimson Center. Among those present on the panel were its co-chairs, representative Christopher Smith, a New Jersey Republican, and senator Jeff Merkley, an Oregon Democrat, as well as Thea Lee, undersecretary at the US Department of Labor.

Stumberg and Yozell both called for the expansion of SIMP in their testimony, with Yozell mentioning the prospective future inclusion of pollock, cod and haddock, in particular. Urbina said he agreed with the sentiment.

"Bob and Sally have both said SIMP is a flawed tool but the one that's probably the most developed on the table," Urbina said. "Building on SIMP, expanding it, redefining it, getting more agencies involved in it, is at least what I hear from experts is probably the best step for trying to get the supply chain of this product more under control."

Urbina pointed to SIMP again when discussing the problem of federal agencies not communicating with each other enough, too.

"So you even look at things like trafficking getting introduced as an element within SIMP," he said. "The bigger issue is that the agency that oversees SIMP isn't built to be looking at trafficking issues and labor issues. [The Bureau of International Labor Affairs, or ILAB] is and even State is, but the whole program resides under an agency that's a bunch of folks that are really, really strong on fishery issues and marine issues, but not labor issues. But everyone is defensive about their jurisdiction and therefore there's language in the rule but not real actual implementation of it."

Contact the author jason.huffman@undercurrentnews.com

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