



Pacific handbook for human rights, gender equity and social inclusion in tuna industries



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Pacific handbook for

human rights, gender equity and social inclusion

in tuna industries

Kate Barclay, Aliti Vunisea, Megan Streeter,
Senoveva Mauli and Natalie Makhoul



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About this handbook

Authorship of each module

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Background

The initial idea for the Pacific Handbook for Human Rights, Gender Equity and Social Inclusion in Tuna Industries was raised during the development of the 2nd edition of the Pacific Handbook for Gender Equity and Social Inclusion in Coastal Fisheries and Aquaculture. The significance and importance of the Pacific's tuna industry for the fulfilment of Pacific people's economic, social and environmental rights in light of the Blue Growth debate was emphasised and a need was expressed by fisheries and social scientists to develop a similar handbook that provides guidance and practical support for tuna industry stakeholders. The lack of advice guided by human rights and knowledge in a sector that has been associated by the nature of the work with risk, danger and lack of transparency stood out. It became clear that a tuna-specific handbook needs to focus on human rights in addition to the gender and social inclusion dimensions while also pointing out the interplay of gender equality as a human right and how human rights dimensions touch on social inclusion.

Purpose of the handbook and target audience

This handbook is designed as a learning guide (1) to improve knowledge and awareness and (2) to provide practical ideas and approaches towards the application of gender equity, social inclusion and human rights (GESI/HR) to a mixed target audience.

The primary audience is Pacific national fisheries agencies and other public or semi-public and intergovernmental institutions that can, through their work, positively shape the Pacific's tuna industry towards a more equitable, inclusive, and human rights-based orientation. While portfolios for the tuna industry sit mainly with the offshore divisions in the respective Pacific Ministries of Fisheries, the handbook aims to provide practical guidance to oceanic fisheries managers, scientists, officers, economists and legal experts in these divisions. The overlapping nature of tuna fisheries with small-scale coastal fisheries is also acknowledged in this handbook (Module 6), and thus staff from coastal fisheries divisions may also benefit from this handbook.

In addition, this handbook acknowledges the role the private sector plays by uplifting the idea of a shared responsibility of private and public players to ensure that the Pacific's GESI and HR commitments and internationally recognised standards are applied in legal and policy frameworks as well as in business practices. This handbook provides angles, case studies, and information that is directly linked to how the private sector can apply GESI/HR lenses in business operations.

As a secondary audience, training and education institutions are targeted; these include the maritime colleges and the University of the South Pacific Marine Institute and the broader non-governmental and civil society organisations that advocate, raise awareness of and provide technical assistance to government agencies on matters that concern GESI and HR in the broader oceanic fisheries scene.

Structure and concept

This handbook is designed to provide applications support through tools, case studies, examples, best practices, tips, discussions and ideas, while also providing information, knowledge and research findings to increase understanding and awareness. An important aim of this handbook is to make it practical by tailoring GESI/HR concepts to suit the tuna industry's nature, and thus practitioners can pick it up and apply it in their daily work.

The handbook covers key thematic areas in eight modules ranging from introductory content on concepts and definitions to GESI and HR issues in various aspects of offshore and onshore tuna activities, management and science as well as stakeholder engagement processes. Additionally, Module 9 provides a case study for Fiji, highlighting an inside perspective of issues around labour conditions and documented human rights violations while pointing out challenges and opportunities to integrate GESI/HR lenses in the country context.

The handbook modules are designed as stand-alone units with integrated tools to enable and simplify content-specific learning and applications for practitioners. However, the handbook is an integrated learning tool with important links and references between modules. First-time users are therefore encouraged to work with the whole handbook – in particular the introductory modules – to build on the foundational basics as a starting point.

I. Introduction – the basics



II. Site-specific HR and GESI issues – from the sea to the shore



III. Broader HR and GESI relevance



IV. The national scale



Glossary

Debt bondage is the most common form of slavery today. People trapped in poverty acquire a debt and are forced to work to pay it off. For example, a fishing crew on a very low wage might be required to pay for their airfares between home and their vessel, and deductions for expenses related to their work, such as rain gear and rubber boots.

Empowerment is about people controlling their lives through their skills, having the ability to solve problems, making decisions for themselves, being self-reliant and believing in themselves. Empowerment can come from recognition and respect within families. For example, when husbands and wives work together for the mutual benefit of the family, and allow for shifting roles of ‘breadwinner’ and ‘caregiver’, then both may be empowered. Empowerment can come from recognition and respect within tuna companies. If workers who have been abused are able to raise their grievances, receive support and have the problem addressed, they are empowered.

Forced labour: “Work that is performed involuntarily and under the menace of any penalty. It refers to situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as manipulated debt, retention of identity papers or threats of denunciation to immigration authorities”.¹ Indicators of forced labour are: high vulnerability; deception; physical abuse; intimidation and threats; abusive working conditions; retention of identity documents; and excessive overtime.

Gender: the sex of a person as male or female is biological. But a person’s gender is their **identity**, their sense of themselves as a man or a woman. Gender identity is learned by children as they grow up as part of their culture, through norms, behaviours and roles that are assigned to girls and boys, men and women (and other genders, such as fa’afafine in Samoa, vaka sa lewa lewa in Fiji, palopa in PNG, akava’ine in Rarotonga, fakaleiti in Tonga and fakafine in Niue).² **Norms** are informal social rules about how people should behave. Gender norms are the accepted attributes and characteristics of being a woman or a man (ideas of how men and women should be and act) at this point in history for this society or community. Norms change over time, and they vary between cultural groups.

Gendered division of labour: the allocation of different jobs or types of work to women and men. For example, men doing fishing and women doing processing or marketing activities, or men working outside the house for cash and women doing housework and work related to care of family members.

Human rights: “Human rights are rights we have simply because we exist as human beings; they are not granted by any state. These universal rights are inherent to us all, regardless of nationality, sex, national or ethnic origin, colour, religion, language, or any other status. They range from the most fundamental – the right to life – to those that make life worth living, such as the rights to food, education, work, health, and liberty.”³

Table 1. Characteristics of human rights

Characteristics	Definition
Universal	Human rights are universal, regardless of political, economic or cultural systems.
Inalienable	Human rights are inherent in all human beings and cannot be transferred from an individual or group except with due process and in specific circumstances.
Equal and non-discriminatory	The Universal Declaration on Human Rights states: “All human beings are born free and equal in dignity and rights.” Freedom from discrimination ensures this equality.
Interdependent	Human rights are interdependent, as the level of enjoyment of any one right is dependent on the level of realisation of the other rights.
Indivisible	All human rights are equally important, and the improvement of any right cannot be at the expense of the realisation of any other right.

Source: Office of the High Commissioner for Human Rights. (2022). What are human rights? <https://www.ohchr.org/en/what-are-human-rights>

Human trafficking: “The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”⁴

1 International Labour Organization. (2021). What is forced labour, modern slavery and human trafficking? Retrieved December 7, 2021, from <https://www.ilo.org/global/topics/forced-labour/definition/lang-en/index.html>

2 Strong, K. (2022). Why western gender labels don’t work for Pasifika. Pacific Media Network, 9 August, <https://pacificmedianetwork.com/articles/western-gender-labels-dont-work-for-pasifika-1>.

3 United Nations. (n.d.). What are Human Rights? Retrieved December 7, 2021, from <https://www.ohchr.org/en/what-are-human-rights>

4 United Nations Office on Drugs and Crime. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Article 3, paragraph (a)), Pub. L. No. Resolution 55/25 (2003). Retrieved from <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>

Slavery is the severe exploitation of other people for personal or commercial gain ... From the outside, it can look like a normal job. But people are being controlled – via violence or threats, or through being forced into inescapable debt, or their employer may hold their passport and threaten that the employee will be deported. People fall into slavery through trying to find work that enables them and their families to escape poverty or insecurity and improve their lives.⁵ Slavery includes forced labour, human trafficking and debt bondage.

Social exclusion is the other side of inclusion, it is when people are unable to join in the majority social system or enjoy its rights and privileges. Usually social exclusion happens because of poverty or if people belong to a social group that is discriminated against.

Social identity is who a person is, in terms of the groups to which they belong. Examples of social identities are gender (male, female, other gender); age (young, middle-aged, old); physical condition (with a disability, with poor or good health); residency and citizenship status (indigenous, local, migrant); race or ethnicity (Pacific Islander, Indian, Chinese, European, mixed race); property (landless, landowner); caste (high caste, low caste, commoner); sexual orientation (e.g. heterosexual, gay, lesbian); and relationship status (married, single, widowed, separated).

Social inclusion, according to the World Bank, is the process of improving the terms on which individuals and groups take part in society – improving the ability, opportunity, and dignity of those disadvantaged on the basis of their identity.

Unconscious bias is the discriminatory views, beliefs and attitudes that we have towards others that we are unaware of. It becomes embedded in our thinking processes through social and cultural messages surrounding us in our childhood and daily lives. It causes us to stereotype persons and situations. We might assume women or men are more skilled at, interested in, or suited to a certain task or profession based on their sex. We may believe women pay more attention to detail and are more patient. We may believe that men are greater risk takers and ‘naturally’ better leaders.

⁵ Anti-slavery. (n.d.). What is modern slavery? Retrieved December 7, 2021, from <https://www.antislavery.org/slavery-today/modern-slavery/>



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