Pacific handbook for

human rights, gender equity and social inclusion

in tuna industries

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MODULE 1

Overview of human rights (HR), gender equity and social inclusion (GESI) in tuna industries

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Module 1: Overview of human rights (HR), gender equity and social inclusion (GESI) in tuna industries

Kate Barclay, Josephine Kalsuak, Natalie Makhoul, Aliti Vunisea

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www.spc.int | spc@spc.int

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This handbook is about human rights, gender equity, and social inclusion in Pacific tuna industries. This first module introduces the key concepts and terms, as a foundation for understanding issues raised in the following modules. It is divided into three main parts:

1. Overview of human rights (HR) and tuna industries
2. Overview of gender equity (GE) and tuna industries
3. Overview of social inclusion (SI) and tuna industries.

Then there are a couple of tools at the end of this module showing in a direct and practical way what needs to happen to protect human rights in tuna industries.
Finally, there is a list of international commitments to HR, GE and SI made by Pacific Island countries.

Key points

- The reason we have tuna industries is for the benefit of the people of the Pacific.
- Progressing human rights, gender equity and social inclusion is an essential part of building socially sustainable tuna industries that equitably benefit Pacific Island people today and for generations to come.
- Gender equality and social inclusion are fundamental human rights.[1] Equity is a principle that helps us work towards the goal of equality (see Figure 1.5). In this module we focus on gender equity.
- Social inequalities hold back social, political and economic development.
- Enabling everyone involved in tuna industries to enjoy their human rights will boost the gains in health, education, food security, employment and livelihoods that flow from tuna resources.

Industrial fishing methods in the Pacific[2]

Purse seine

Mainly skipjack and small yellowfin are caught by purse seine gear. Most catch is for canning. About 75% of the tuna catch in the Western and Central Pacific Ocean (WCPO) region is by purse seine gear, about 1.9 million tonnes in 2009. Most of the purse seine catch is taken within 5° of the equator.

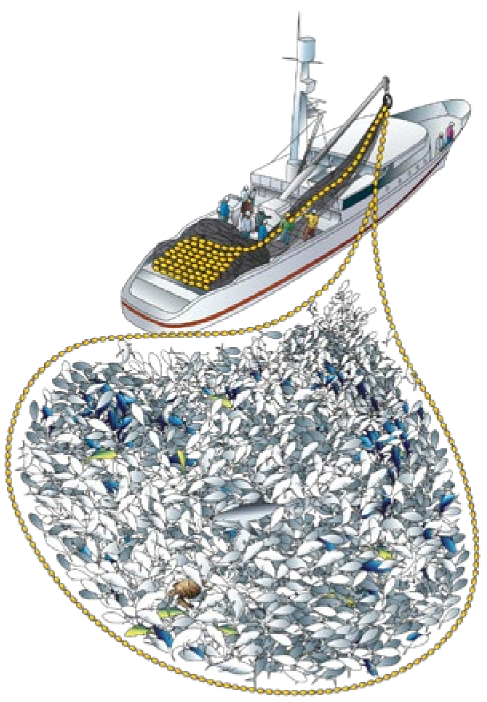

Figure 1.1 Purse seine vessel and gear

1 International Covenant on Civil and Political Rights (1966); International Covenant on Economic, Social and Cultural Rights (1966).
2 The text and graphics in this section have been sourced from the Pacific Community website: https://oceanfish.spc.int/en/tuna-fisheries/fishing-methods.

Pole-and-line

Mainly skipjack and small yellowfin tuna are caught by pole-and-line gear. Most catch is for canning or producing a dried product. About 7% of the tuna catch in the WCPO region is by pole-and-line gear, about 147,000 tonnes in 2009. In the 1980s several Pacific Island countries had fleets of these vessels, but most no longer operate due to competition with the more productive purse seine gear.

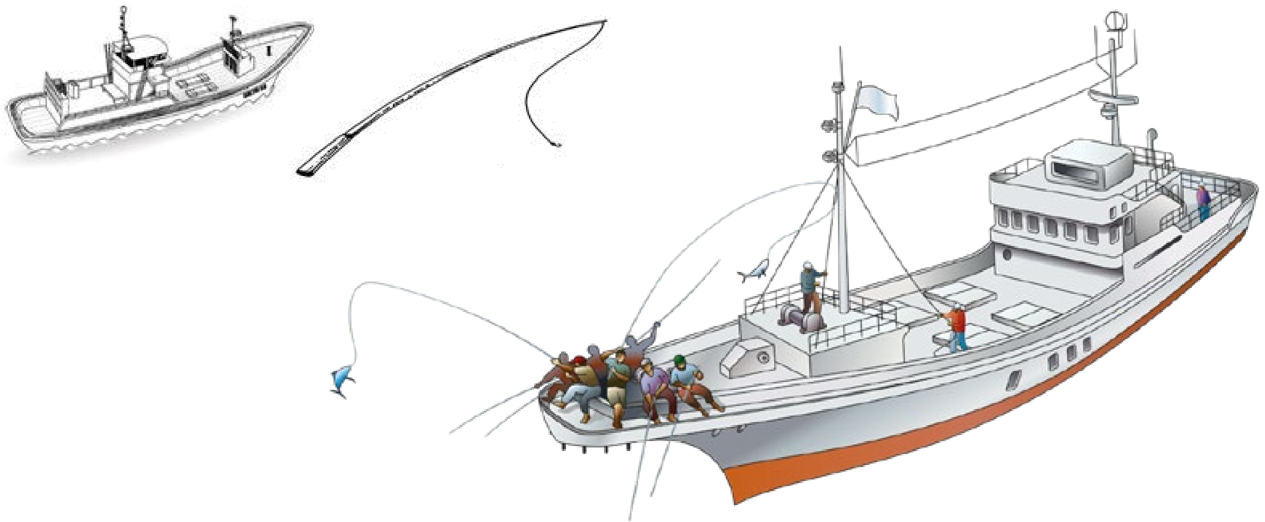

Figure 1.2 Pole-and-line vessel and gear

Longline

Most tuna caught by longliners are large size yellowfin, bigeye and albacore tuna. The prime yellowfin and bigeye are often exported fresh to overseas markets. Most of the albacore is for canning. About 10% of the tuna catch in the WCPO region is by longline gear, about 240,000 tonnes in 2009. There are two major types of longliners: (1) relatively large vessels with mechanical freezing equipment (often based outside the Pacific Islands), and (2) smaller vessels that mostly use ice to preserve fish and are typically based at a port in the Pacific Islands.

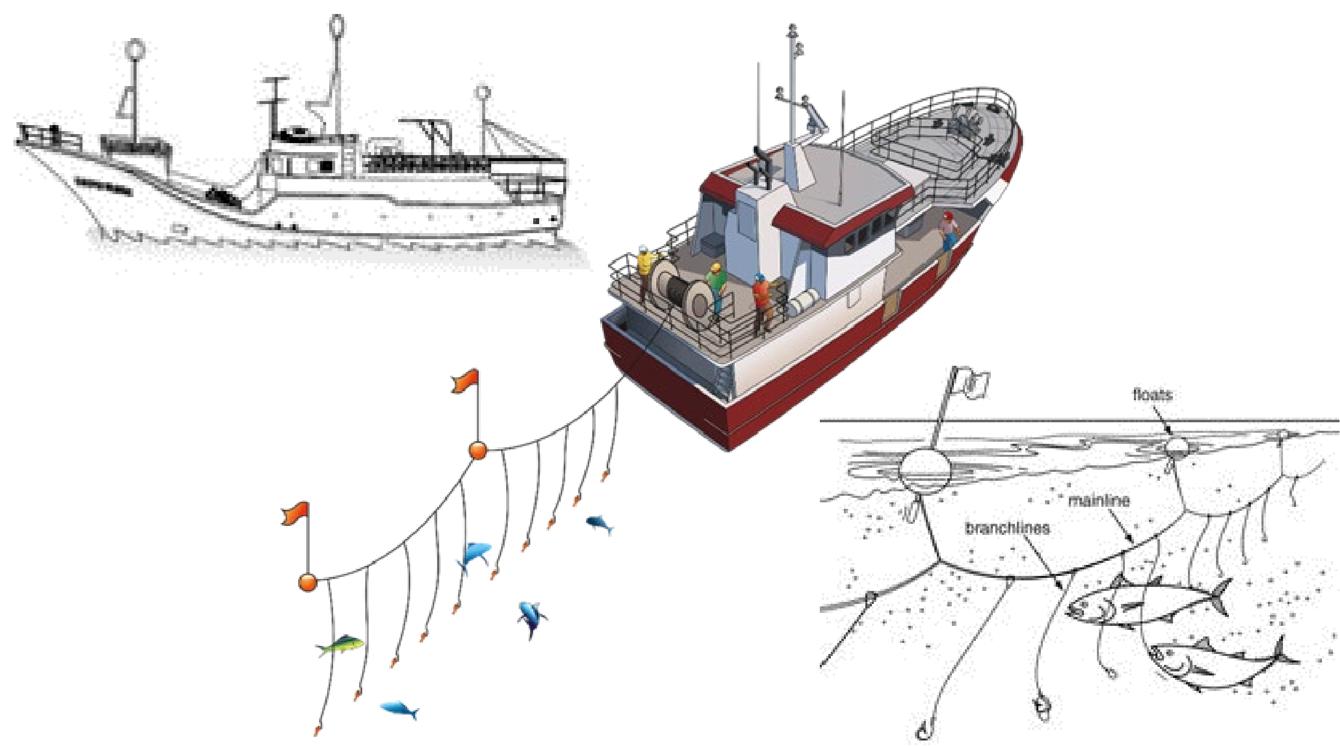

Figure 1.3 Longline vessel and gear

Troll

Large-scale trolling targets albacore tuna for canning. Gear types other than the three listed above are responsible for about 13% of tuna catch in the WCPO. Large-scale trolling by US vessels is an important part of this. It is carried out in the cool water to the south and north of the Pacific Islands region. Trolling in the south results in about 5,000 tonnes of albacore tuna annually.

Figure 1.4 Troll vessel and gear

Noro ©Kate Barclay

Social (or human) dimensions of tuna industries

Tuna is a vitally important resource for Pacific Island countries– bringing in revenue to governments, jobs onboard vessels, post-harvest jobs on shore, and food and livelihoods for coastal fishers and market sellers. Tuna industries are an important part of the economic mix in the Pacific – along with forestry, mining and tourism – in the context of limited private sector markets and Pacific Island countries being remote from major trade routes. For some Pacific Island Forum Fisheries Agency (FFA) countries the access and license fees make up a vital source of government revenue – for Tokelau tuna fees have made up 81% of government revenue in recent years, for Kiribati 68%, Tuvalu 57% and for Marshall Islands and Federated States of Micronesia over 40%.[3] In 2020 tuna industries provided nearly 23,000 jobs in FFA member countries, more than half of these in onshore processing, with the remainder in fishing and public sector fisheries management roles.[4]

The social (or human) dimensions of fisheries are their social, cultural, personal, governance and economic aspects – so:

- What are we missing when we overlook the social dynamics or human dimensions of tuna industries?
- What are those social dynamics?
- What are the benefits and risks associated with the jobs available in tuna industries?

Tuna resources constitute an important economic opportunity for Pacific Small Island Developing States (SIDS). Historically, the processes of colonialism stunted development in SIDS, and now climate change looks likely to cause the tuna resource to move out of many Pacific Island exclusive economic zones (EEZs).[5]

At the same time, industrial commercial tuna fisheries are part of the seafarer culture around port areas, which is associated with social problems around alcohol and drug use, and violence. There have also been human rights problems on some vessels, such as forced labour and unsafe work conditions.

Human rights-based approaches (HRBA) and gender equity and social inclusion (GESI) can illuminate where working environments can be made safer and people can be supported to raise their problems and participate in developing effective solutions.

HR and GESI are also important for oceanic fisheries management and the science supporting decision-making. For example, there is only a small amount of social and economic data and only basic analysis about the social and economic aspects of tuna industries, which means it is difficult to make evidence-based decisions about improving human rights and equity. Fisheries policy and the data used to inform policy, especially social and economic data, can really shape the social impacts of tuna fisheries in positive and negative ways. Taking account of gender in fisheries means discussing the varied impacts on women and men in different areas of work. Paying attention to HR and GESI throughout the policy cycle, through implementation and monitoring and evaluation practices is an important goal in itself in protecting people's rights and can also improve the social and developmental performance of fisheries.[6] This handbook offers general pointers about the kinds of research and information needed to understand and improve social impacts in tuna industries, including monitoring and evaluation (Module 2) and mainstreaming GESI in fisheries management and science (Module 7).

3 FFA. (2020). Tuna Economic and Development Indicators 2019. FFA Pacific Islands Forum Fisheries Agency.
4 FFA and Pacific Community. (2021). Tuna Fishery Report Card 2020. Forum Fisheries Agency (FFA), Pacific Community (SPC).
5 Bell, J. D., Senina, I., Adams, T., Aumont, O., Calmettes, B., Clark, S., … Williams, P. (2021). Pathways to sustaining tuna-dependent Pacific Island economies during climate change. Nature Sustainability, 4(10), 900–910. https://doi.org/10.1038/s41893-021-00745-z
6 United Nations Office of the High Commissioner for Human Rights. (2011). UN Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework. New York and Geneva: United Nations. https://doi.org/10.4324/9781351171922-3

Overview of human rights and tuna industries

Definition of 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."[7]

All human beings have rights, and must respect the rights of others. In other words, having human rights does not mean we can act without regard to others. Human rights come with responsibilities. Rights and responsibilities work together. One example is that people have a right to free speech; however, they also have a responsibility to ensure that their free speech (what they say) does not hurt anybody. For example, captains on fishing vessels should not say racist things about Pacific Islander or Indonesian crew on their vessels, or sexist things about the women who come aboard. People's duty not to kill other people is part of other people's right to life.

Human rights are made up of entitlements and obligations. For example, people have a right to life, a right to food, a right to health. These rights have corresponding duties to be respected, protected and fulfilled. This means that from a human rights perspective there are 'rights holders' – individuals and their representative organisations – and 'duty bearers', the organisations and people responsible for protecting and enforcing human rights, usually governments. The responsibility of businesses in preventing human rights abuses has also been established at the United Nations level,[8] and in some European countries there is legislation that companies can be held liable for failing to protect human rights. **This means that in tuna industries, fisheries management agencies, other government bodies responsible for labour rights and policing, as well as tuna fishing and processing companies are all 'duty bearers' with a responsibility to prevent, investigate, punish and compensate for human rights violations in tuna supply chains.**

What does 'respect, protect and fulfil' human rights oblige the government to do in practice?[9]

- Respect human rights: Government officials must refrain from interfering with people's human rights (e.g. if crew who have been abused by their captain retaliate and kill the captain, they must be provided with a fair trial that takes the human rights abuses into consideration in sentencing.
- Protect human rights: Government officials must protect individuals and groups against human rights abuses from private actors or third parties (e.g. if crew on fishing vessels are being beaten, government officers must step in to stop the violence).
- Fulfil human rights: Government officials must take positive action to ensure the enjoyment of human rights (e.g. legal labour conditions on fishing vessels must be enforced by governments).

Human rights are written down in international human rights treaties, national constitutions and legislations (see Annex 1). These legal documents lay out citizens' rights and responsibilities and the duties or obligations for governments of states that sign on to the treaties.[10] They cut across priority sectors, including economic, social and cultural rights,[11] and political and civil rights and freedoms.

7 United Nations. (n.d.). What are Human Rights? Retrieved October 31, 2022, from https://www.ohchr.org/en/what-are-human-rights
8 United Nations Office of the High Commissioner for Human Rights. (2011). UN Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework. New York and Geneva: United Nations. https://doi.org/10.4324/9781351171922-3
9 Regional Resource Rights Team. (2017). Pacific Guide to Statistical Indicators for Human Rights Reporting. Suva, Fiji: Pacific Community.
10 Regional Resource Rights Team. (2017). Pacific Guide to Statistical Indicators for Human Rights Reporting. Suva, Fiji: Pacific Community.
11 Finkbeiner, E. M., Fitzpatrick, J., & Yadao-Evans, W. (2021). A call for protection of women's rights and economic, social, cultural (ESC) rights in seafood value chains. Marine Policy, 128(March), 104482. https://doi.org/10.1016/j.marpol.2021.104482

Pacific island governments are making tremendous efforts to align their national legislations with international human rights standards. All Pacific Island countries have varying protections within the Bill of Rights provisions of their national constitution.[12][12]Pacific cultures value fairness, equality, protection of the most vulnerable, helping and serving others, participation, dialogue and consensus building.[13] These human rights values and principles are not foreign but are embedded in Pacific beliefs, laws and policies.

Types of human rights abuses existing in tuna industries

The connection between human rights and fishing rights has been written about since the 2000s, by scholars and by organisations such as the United Nations Food and Agriculture Organization (FAO) and the International Collective in Support of Fishworkers (ICSF). For example, the FAO noted that a rights-based approach to fisheries should include the human rights of fishers around livelihoods, equitable allocation of rights to fish, and the protection of small-scale fish workers' access to resources and markets.[14] Other considerations have included the freedom, well-being and dignity of all fishing people. For example, the Conservation Alliance definition of social responsibility in the seafood sector includes protecting human rights, dignity and access to resources.[15] Taking a human rights-based approach to fisheries is seen as likely to lead to better and more sustainable human development outcomes.[16]

Human rights are sometimes abused for the purposes of commercial exploitation. That sometimes happens in seafood industries. The types of human rights abuses known to be taking place in Pacific tuna fisheries include slavery. **Modern slavery** is not the same as the old form of buying and selling human beings as European colonists did with African people in the Americas, or 'blackbirding' of people from Solomon Islands and Vanuatu. Modern slavery involves **forced labour**, **human trafficking** and **debt bondage**. Forced labour is forcing people to work by threat, for example of violence or economic harm. Human trafficking is transporting or holding people by threat, and has overlap with forced labour. Debt bondage is when people in poverty are trapped into a debt and forced to work to repay it (see the Glossary at the start of this handbook for more detailed definitions of these terms).

Human rights-based approach

We can address human rights abuses in tuna industries through taking a human rights-based approach (HRBA). HRBA means that human rights standards, principles and state obligations are placed at the centre of planning, policy, programming and practice to empower the most vulnerable people to participate in decision-making processes and hold duty bearers accountable.[17] HRBA seeks to address inequalities via three principles.[18]

The principles of HRBA[19]

- Activities are based on standards to promote and protect human rights. Vulnerable and marginalised people are the focus.
- Activities respect the human rights principles of participation, accountability, non-discrimination, transparency, human dignity, empowerment and the rule of law. These principles apply to the design, implementation, monitoring and evaluation of programmes and projects, in order to improve targeting, efficiency, effectiveness and the quality of the outcomes.
- Rights, duties, responsibilities and accountability mechanisms are promoted by developing the capacity of duty bearers to meet their obligation and of rights holders to claim their rights.

12 Pacific Community, & The United Nations Office of the High Commissioner for Human Rights. (2016). Human rights in the Pacific – A situational analysis. Retrieved from http://www.spc.int/wp-content/uploads/2016/12/Human-right-Pacific.pdf

13 Pacific Community, & The United Nations Office of the High Commissioner for Human Rights. (2016). Human rights in the Pacific – A situational analysis. Retrieved from http://www.spc.int/wp-content/uploads/2016/12/Human-right-Pacific.pdf

14 Charles A. (2011). Human rights and fishing rights in small-scale fisheries management. In R. S. Pomeroy & N. L. Andrew (Eds.), Small-scale fisheries management: frameworks and approaches for the developing world (pp. 59–74). CAB International. https://doi.org/10.1079/9781845936075.0059

15 Kittinger J. N., Te L. C. L., Allison E. H., Bennett N. J., Crowd, L. B., E. M. Finkbeine, … T. A. Wilhelm (2017). Committing to Socially Responsible Seafood. Science, 356(6341), 912–913.

16 Charles A. (2011). Human rights and fishing rights in small-scale fisheries management. In R. S. Pomeroy & N. L. Andrew (Eds.), Small-scale fisheries management: frameworks and approaches for the developing world (pp. 59–74). CAB International. https://doi.org/10.1079/9781845936075.005

17 European Network of National Human Rights Institutions (ENNHRI). (2019). Applying a Human Rights-Based Approach to Poverty Reduction and Measurement: A Guide for National Human Rights Institutions. Brussels: ENNHRI.

18 Food and Agriculture Organization of the United Nations (FAO). (2015). Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries. Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication. United Nations Food and Agriculture Organization (FAO). Retrieved from http://www.fao.org/docrep/field/003/ab825f/AB825F00.htm#TOC

19 Food and Agriculture Organization of the United Nations (FAO). (2017a). Exploring the human rights-based approach in the context of the implementation and monitoring of the SSF Guidelines. Retrieved from http://www.fao.org/3/a-i6933e.pdf

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HRBA are minimum standards and can be tailored to any government or business activities.

A human rights-based approach to fisheries means:

1. enhancing the rights of fisheries-dependent people, and
2. fisheries management following human rights standards and principles.

HRBA for small-scale tuna fishers, informal processors and traders

Internationally, work has been done to articulate an HRBA for small-scale fisheries, including capture, processing and trade, in the *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries*.[20] The guidelines promote rights of access to fisheries resources through governance of tenure and resource management, principles of decent work and the right to work along fishery value chains, and gender equality. There is a companion *Handbook Towards Gender-Equitable Small-Scale Fisheries Governance and Development*.[21] See Module 6 for further discussion on HR and GESI in small-scale tuna enterprises in the Pacific.

Applying HRBA in tuna industries means placing people who are engaged in tuna industries at the centre of all decision-making processes. This means fisheries management and development should enhance the capacity of fisheries managers and tuna companies (**duty bearers**) to meet their obligations (such as safe working conditions, and fair pay for decent work) and of **rights holders** (including crew, factory workers) to make claims (such as grievances about unsafe work conditions or being underpaid). HRBA in tuna industries could also extend to the communities affected by tuna industries, for example, through pollution. In this handbook, however, we focus mainly on people working in the tuna sector.

The *UN Guiding Principles on Business and Human Rights* (UNGPs) (2011)[22] show how to apply HRBA in business contexts. These principles outline the **duty of states** to protect against human rights abuses by business enterprises and the **responsibility of business** enterprises to respect internationally recognised human rights – understood, at a minimum, as those expressed in the *Universal Declaration of Human Rights* (1948) and the *ILO Declaration on Fundamental Principles and Rights at Work* (1998). The UNGPs call for companies to implement 'human rights due diligence', which means identifying, preventing, mitigating, and accounting for adverse human rights impacts. The four key steps of this process are: assessing actual and potential human rights impacts; integrating and acting on the findings; tracking responses; and communicating about how impacts are addressed. Companies are responsible for undertaking effective remediation of all adverse human rights impacts caused by their own activities, and also adverse human rights impacts to which they are linked through business relationships (e.g. supply chain companies), even if the company itself did not directly contribute to those impacts.

A recent study has looked at the application of HRBA and the UNGPs in seafood workplaces, identifying the legal minimum standards that have been internationally agreed.[23] Based on a review of workplace procedures to protect human rights in fish work, the study presents a list of **legally established rights and 'duty actions' for employers to implement, governments to oversee, and for supply chain companies to track as part of their human rights due diligence**. The paper provides a set of lists identifying issues to promote human rights in seafood workplaces (see Tool at the end of this Module).

To uphold fundamental rights in seafood workplaces, employers must provide: [24]

- rights training for all new recruits in a language they understand
- a safe, responsive channel for workplace grievances linking into the line of command
- provisions for safe work in hazardous conditions
- safe passage for individuals choosing to leave.

20 Food and Agriculture Organization of the United Nations (FAO). (2015). Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries. Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication. United Nations Food and Agriculture Organization (FAO). Retrieved from http://www.fao.org/docrep/field/003/ab825f/AB825F00.htm#TOC

21 Food and Agriculture Organization of the United Nations (FAO). (2017b). Towards gender-equitable small-scale fisheries governance and development - A handbook. In support of the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication, Retrieved from http://www.fao.org/3/i7419en/I7419EN.pdf

22 United Nations Office of the High Commissioner for Human Rights. (2011). UN Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework. New York and Geneva: United Nations. https://doi.org/10.4324/9781351171922-3

23 and 24 Nakamura K., Ota Y., & Blaha F. (2022). A practical take on the duty to uphold human rights in seafood workplaces. Marine Policy, 135, 104844. https://doi.org/10.1016/j.marpol.2021.104844

Distilled list of rights to prevent forced labour in fish work:[25]

1. Every new recruit is entitled to reach an agreement on terms prior to entering the work environment at the outset of the life–work cycle. This may be a contract or other form of agreement but never left open to discretion (by owners, supervisors or brokers). It must, at minimum, be compliant with national law for labour and safety.
2. Upon arrival, rights training for all new recruits is mandatory in a language they understand.
3. A safe, responsive channel for workplace grievances must be accessible to everyone working at the facility and must be linked into a credible and timely response by management (see box below on a safe complaints channel).
4. Clearly written terms for paying wages are to be explicit about deductions and limited to what is legal in the country of operation, or else prohibited. (Fees for equipment, ongoing service fees, and excessive deductions as typically defined by national labour are generally illegal).
5. All of the above-mentioned points are to involve and be verified by people working there themselves or their representatives in a safe and voluntary manner.

Example of a safe, responsive complaints channel

SolTuna cannery and loining plant in Solomon Islands established a new complaints and grievance system a few years ago. Previously workers had to report their grievances to their line manager, and the line manager was supposed to fix it. But what if their complaint is about their line manager? Even if their line manager is not the problem, it can be hard to raise complaints to their manager. SolTuna placed anonymous feedback boxes around the facility. People could write their complaints on a piece of paper and slip it into the box privately. Then company management responded to all the complaints in the monthly company newsletter. Everyone could then see the complaint, and management responding to the complaint.

Human rights for workers in tuna industries

In relation to tuna industries we are mainly talking about people's rights in their place of work, so there is a lot of overlap between human rights and labour standards for the issues covered in this handbook. Labour issues are conventionally dealt with between: (1) employers; (2) workers (often represented by trade unions); and (3) governments (often through a Ministry of Labour). Just as with human rights, there is an international framework for labour standards through the International Labour Organization (ILO).

> "Since 1919, the International Labour Organization has maintained and developed a system of international labour standards aimed at promoting opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and dignity. In today's globalized economy, international labour standards are an essential component in the international framework for ensuring that the growth of the global economy provides benefits to all."[26]

You can see from this quote that labour standards are very much what we are talking about regarding HR in Pacific tuna industries. So, are decent and safe working conditions in tuna industries a human rights issue, or a labour standards issue? The answer is: both, and more!

25 Nakamura K., Ota Y. & Blaha F. (2022). A practical take on the duty to uphold human rights in seafood workplaces. Marine Policy, 135, 104844. https://doi.org/10.1016/j.marpol.2021.104844

26 International Labour Organization. (n.d.). Introduction to International Labour Standards. Retrieved December 7, 2021, from https://www.ilo.org/global/standards/introduction-to-international-labour-standards/lang--en/index.htm

There are many guidance documents and standards that are relevant for tuna fisheries (e.g. child labour in fisheries). They were developed jointly by ILO and the UN Food and Agriculture Organization (FAO), but also with the International Maritime Organization (IMO) on topics such as:[27]

- training and certification of fishers
- design, construction and equipment of vessels
- safety of fishing vessels.

The cross-border nature of tuna industries, since so many crew work outside their country of citizenship, means decent and safe working conditions are also a migration issue. The International Office of Migration (IOM), established in 1951, is another relevant forum for when migrant crew or observers are mistreated, or require assistance if they are left stranded overseas by their employer, without money for a ticket to return home. Domestically such matters fall within the jurisdiction of border control and immigration agencies.

Furthermore, decent and safe working conditions in tuna industries are also a fisheries issue. As noted earlier, fisheries management agencies and their officers, as government duty bearers, are responsible for protecting human rights in fisheries under their jurisdiction. Internationally the FAO is involved in efforts to reduce human rights abuses of fish workers.

Human rights in tuna industries is a fisheries issue, and a labour issue, and a migration issue

So, when people try to say that protecting the human rights of fish workers is not a fisheries or maritime issue, and is instead a human rights or a labour issue, or an immigration issue, they are incorrect. The human rights of workers in tuna industries are all of these things – labour, migration, shipping/navigation and fisheries.

See Annex for a list of all the different international treaties that are relevant for decent and safe working conditions in fishing.

Human rights and gender

Gender equity and social inclusion are fundamental to the achievement of human rights and are therefore a critical dimension of tuna industries. The majority of Pacific Island countries have ratified the international Convention for the Elimination of Discrimination and Violence Against Women (CEDAW), showing that the governments and societies of the Pacific generally agree with the principle of ending discrimination and violence against women. However, there is still a way to go until this goal is reached. Family health and safety surveys conducted by SPC and the United Nations Population Fund (UNFPA) in the Pacific show that many women – from 25% up to 68% in some countries – have experienced violence from an intimate partner during their lifetime.[28]

It is important to note that 'gender' is not only about women – it is also about men. Gender includes women and men in all their diversities and how social expectations about male and female roles shape peoples' lives (see the following section).

While gender roles and relationships vary across cultures, in most societies, women struggle to exercise their human rights, have limited access to productive resources, less control over incomes and little say in decision-making. Some women, such as those who come from important families or who achieve high levels of education and career status, are more powerful than some men without those benefits in life. But in general, there tends to be a power imbalance against women, which makes gender a core issue in human rights.

What is gender?

The sex of a person as male or female is biological. But a person's gender is part of their **identity**, their sense of themselves as a man or a woman, girl or boy (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 *fakafifine* in Niue).[29] 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.

27 Relevant IMO conventions include the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F) (1995) and the International Convention on the Safety of Life at Sea Convention (SOLAS) (1974).
28 For more information see: Pacific Community. 2015. Beijing +20: Review of progress in implementing the Beijing Platform for Action in Pacific Island countries and territories. Noumea, New Caledonia: SPC. https://www.spc.int/sites/default/files/wordpresscontent/wp-content/uploads/2016/12/Beijing20.pdf
29 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.

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Overview of gender equity in tuna industries

Usually people talk of gender 'equality' but in this handbook we focus on gender 'equity', because we believe the target audience of the handbook is more comfortable with the term equity.

Equity and equality: What is the difference?

Gender equality is the equal rights, responsibilities and opportunities of men and women, girls and boys. Gender equality does not mean that people must become the same. It means that even though they are different, they have the same rights. Equity means compensating for disadvantages so that outcomes are equal.

In fisheries, we want to achieve equality in development outcomes for everyone in the community. But providing everyone with the same inputs or interventions may not be the best way to ensure equality in outcomes, because people have different life conditions or different capacities. To ensure equality of outcomes, an intervention must be tailored to fit these differences. Achieving equality of outcomes from fisheries development may require providing different resources or a different amount of resources to different groups in the community. This may mean the intervention is unequal but the end result is greater equality across groups in society.

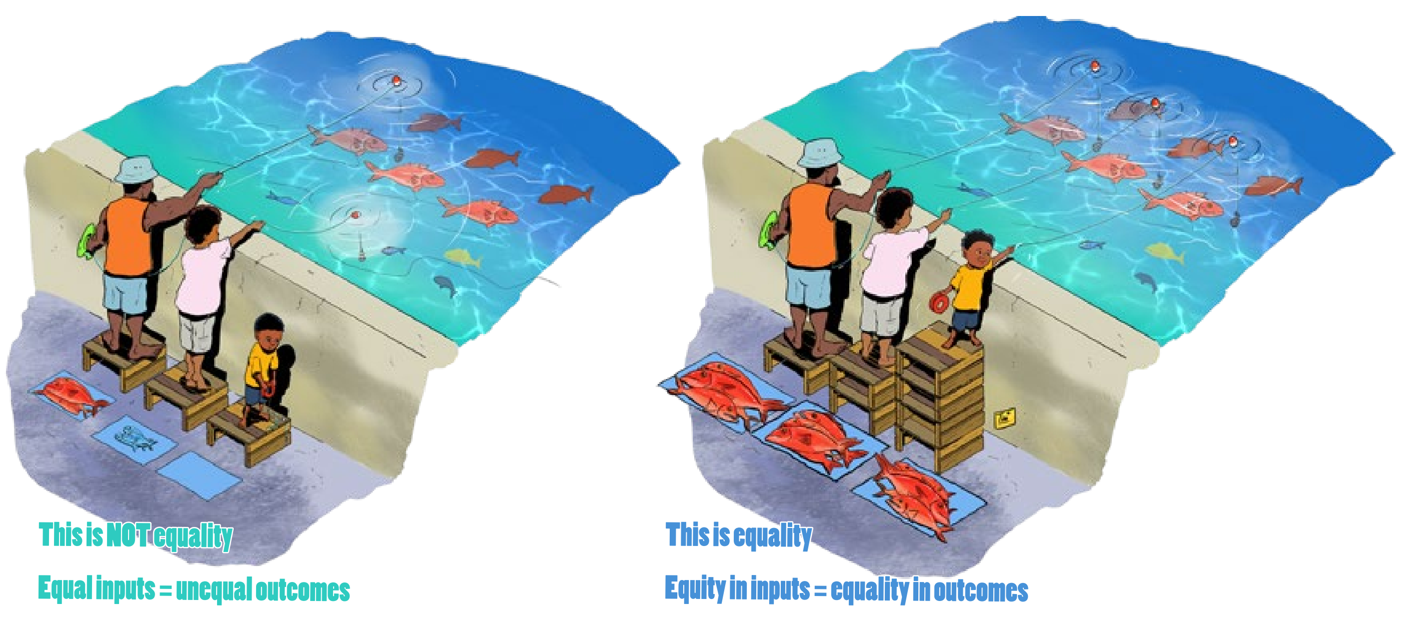

Figure 1.5 Equality and equity

Source: Barclay, K., S. Mangubhai, B. Leduc, C. Donato-Hunt, N. Makhoul, J. Kinch, & J. Kalsuak (Eds.) (2021), *Pacific handbook for gender equity and social inclusion in coastal fisheries and aquaculture* (2nd ed.). Noumea, New Caledonia: Pacific Community.

Gender equality in the Pacific

Laws still exist in Pacific island countries that treat women and girls differently from men and boys or ignore gender-specific needs and barriers, restricting their opportunities and rights in areas such as employment, social protection, sexual harassment in the workplace, and decision-making over resources, among others.[30] Nevertheless, gender equality has been promoted by Pacific Islanders for over 25 years and has increasingly been integrated in domestic policies and legislation (see Annex 1).

30 Vunisea A. (2021). Gender Mainstreaming in Fiji's Offshore Tuna Industry. Suva, Fiji: WWF-Pacific. Retrieved from https://wwfasia.awsassets.panda.org/downloads/gender_mainstreaming_in_fiji_s_offshore_tuna_industry_report.pdf

Gender equality, according to Pacific Ministers of Women's Affairs, means that women and men of all diversities have:[31]

- the right to be safe
- the right to be respected
- the right to earn incomes
- the right to express their views and be heard
- the right to express their gender identity
- the right to choose how many children they have
- the right to choose their intimate partner
- the right to have safe and accessible services and infrastructure for people differently abled
- the right to participate in decision-making and occupy leadership positions, and
- the right to decide for themselves the future they want.

According to the Pacific Islands Forum Secretariat, the main issues around gender inequality in Pacific Island countries are visible in:[32]

- high rates of gender-based violence;
- very limited representation and participation of women in decision-making at all levels. The Pacific region has the lowest rate of female political representation in the world;
- limited access to employment and income-generating opportunities, and invisibility of women's roles in livelihood activities and unpaid care work;
- difficulties in accessing the justice system;
- attitudes to sexual and reproductive health and rights. These rights are often not recognised or not translated into effective legislation, policies and services.

Legal structures and informal influences in society interact to create inequalities. For example, domestic violence legislation and services have been specifically designed to support women and children escaping violence, but many women do not use the law or services due to shame, family pressure, cultural practices of forgiveness, and so on.

The East Asia and Pacific region has substantial loss in human capital from gender discrimination, an estimated USD 49.9 trillion in 2018.[33] As yet there is no data on the costs of gender discrimination in the Pacific separate from East Asia, but the Pacific Community Human Rights and Social Development (HRSD) Division is improving regional data on gender so there might be data in future.

31 Pacific Community. 2017. Pacific Platform for Action on Gender Equality and Women's Human Rights 2018–2030. Noumea, New Caledonia: Pacific Community. https://www.spc.int/sites/default/files/wordpresscontent/wp-content/uploads/2017/09/PPA-2018-Part-I-EN2.pdf. The content is adopted from Barclay K., Mangubhai S., Leduc B., Donato-Hunt C., Makhoul N., Kinch J. and Kalsuak J. (Eds.) (2021), Pacific handbook for gender equity and social inclusion in coastal fisheries and aquaculture (2nd ed.). Noumea, New Caledonia: Pacific Community.
32 Pacific Islands Forum Secretariat. 2016. Pacific Leaders Gender Equality Declaration trend assessment report 2012–2016. Suva, Fiji.
33 Wodon Q., and de la Briere B. (2018). Unrealized Potential: The High Cost of Gender Inequality in Earnings. Washington D.C. https://doi.org/10.2307/2845116.

The current interest in 'gender and fisheries' follows from an early wave of effort in the 1980s to promote the role of 'women in fisheries' in the Pacific.[34] The focus on gender equity, equality and social inclusion comes from awareness of women's critical role in fisheries and management of marine resources, and the importance of equitable benefits from marine resources. Differences between the roles of women and men of different ages and their power relations in terms of decision-making and income sharing, is often at the root of development and environmental issues.[35] Women may not actively participate at the same level as men in governance bodies, especially those set up to address natural resources management. Researchers have found that when gender is not considered in natural resource management, decisions can reinforce gender inequities, and enable the inequities to continue.[36] In the past, the belief that fisheries is a male-dominated sector in which women played a small role as 'helpers' shaped how programmes and services were designed by external agencies such as development partners.

Gender composition in tuna industry workforces

The **gendered division of labour** is 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. It varies across groups and can change quite quickly when the social context of work changes. For example, new employment opportunities for women in tuna processing facilities have changed gendered divisions of labour in those women's families and villages. Another common division of labour is where women fish in inshore reefs and mudflats and men fish beyond the outer reefs. This tradition has contributed to the misconception that women cannot go on industrial or offshore fishing vessels.

There are mixed female and male workforces in some parts of tuna industries, such as trading, office work, quality control units, port handling and facilities management. But some parts of the tuna industry have a strong tendency to employ either women or men.[37]

Fishing crews tend to be entirely male, and the processing lines in factories are almost entirely female. For example, in Fiji in 2020, there were 1429 men employed in the tuna catching sector and 126 women, but most of these women were in onshore roles – 1032 men were employed on vessels, and only five women.[38] All-male fishing vessels may have particular kinds of masculine on-board culture, and shore leave recreational habits involving sex, drug and alcohol abuse and gambling, both of which can increase risk of harm to crew, their families back home and communities (see further discussion on these points in Modules 3 and 4).

Workplaces that lack diversity can be problematic. Masculinity can take many forms within cultural contexts, including features that are positive for individuals, families and communities. However, under poor leadership, fishing vessels, like other all-male working environments, can develop a form of 'toxic masculinity' that involves violence and substance abuse (see Module 3 for more discussion of 'toxic' masculinity).[39] Having gender diversity on fishing vessels could improve the workplace culture.

Pacific Islands leaders have committed to encouraging the employment of more women in the maritime sector. In 2019, transport ministers from around the Pacific Islands region endorsed the *Regional Strategy for Pacific Women in Maritime 2020–2024* in Apia. This commitment includes improving equal opportunity and safe working environments on vessels for women working in the sector. Currently that does not include fishing vessels, but the issues and working environment are similar.

On the other hand, mainly women are employed on tuna processing lines. In 2020 in Fiji's largest tuna processing company, PAFCO, 66.5% of employees were women, and 88% of them worked on the fish cleaning lines.[40] For the Pacific region as a whole, it is estimated that women make up 70%–90% of the tuna processing workforce.[41] Given there are few formal employment opportunities for women without tertiary education across the Pacific islands region, tuna processing facilities provide a positive employment opportunity. There is more to be done, however, to improve salary and conditions for the lowest paid roles so that they meet the standards of 'decent work'.

34 Williams M.J. 2014. Twenty-five issues of the Women in Fisheries Information Bulletin: The story within the story of 25 years of women in fisheries at SPC. Women in Fisheries Bulletin 25 (October). Noumea: SPC. 5–10. http://coastfish.spc.int/en/publications/bulletins/ women-in-fisheries/433-women-in-fisheries-information-bulletin-25
35 Lawless S., Lau J., Ruano-Chamorro C., Cohen P. and Mcdougall C. (2019). Advancing Gender Equality for Equitable Livelihoods in Coral Reef Social-ecological Systems. Policy Brief, James Cook University and WorldFish. https://digitalarchive.worldfishcenter.org/handle/20.500.12348/4919
36 James R., Gibbs B., Whitford L., Leisher C., Konia R. and Butt N. (2021). Conservation and natural resource management: where are all the women? Oryx, 55(6), 860-867. doi:10.1017/S0030605320001349.
37 Price K. (2021, May 25). In the fishing industry, women face hidden hardships: study. Genderaquafish. https://www.genderaquafish.org/2021/05/25/in-fishing-industry-women-face-hidden-hardships-study/
38 Vunisea A. (2021). Gender Mainstreaming in Fiji's Offshore Tuna Industry. Suva, Fiji: WWF-Pacific. Retrieved from https://wwfasia.awsassets.panda.org/downloads/gender_mainstreaming_in_fiji_s_offshore_tuna_industry_report.pdf
39 Alliso, E. H. (2013). A "provocation" on maritime masculinities – and why they matter for management. Paper presented at MARE People and the Sea Conference, University of Amsterdam. Retrieved from https://genderaquafish.files.wordpress.com/2013/08/04-allison-mare-maritime-masculinities.pdf
40 Vunisea A. (2021). Gender Mainstreaming in Fiji's Offshore Tuna Industry. Suva, Fiji: WWF-Pacific. Retrieved from https://wwfasia.awsassets.panda.org/downloads/gender_mainstreaming_in_fiji_s_offshore_tuna_industry_report.pdf
41 Gillet, R. and Tauati M. I. (2018). Fisheries of the Pacific islands: Regional and national information. FAO Fisheries and Aquaculture Technical Paper.

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Gender norms, stereotypes and bias in tuna industries

> 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). Norms change over time, and they vary between cultural groups. Rigid gender norms can result in gender stereotypes. The idea that women should not work on offshore fishing vessels is a gender norm. The idea that women are better at men than cleaning fish is a gender stereotype.

There is a tuna industry–wide stereotyping of women as being well suited to the task of preparing fish for canning, due to their smaller hands being suited to work that requires fine motor skills and dexterity.[42] Similar kinds of stereotypes exist in manufacturing industries, but it has been found that the root cause of the stereotype is the beliefs of managers, not an objective difference in the capabilities of men and women for fine hand work.[43] If women are 'naturally' better at doing detailed food preparation jobs, because of hand size or something else, then we would expect to see a similar gender bias across all food preparation industries. Chefs, however, are often men. It is important to recognise stereotypes because they are part of the 'unconscious bias' that can result in discrimination (for a definition of unconscious bias see the Glossary at the start of this handbook).

There are biological differences to do with strength or dexterity that make certain people more skilled at some jobs than others. But not all men and all women have the same body types and skills as each other. On average men are physically bigger and stronger than women, but this does not mean that no women are strong enough to work as fishers. Unconscious bias can contribute to keeping stereotypical thinking alive. Gender is a socially constructed concept that changes when societal structures change, but if unconscious bias leads people to believe that women or men doing particular jobs is based on the biological characteristics of their sexes, then people may argue against change.

In many cases of bias people are not intending to discriminate. The rationales for not allowing women to go to sea are often about protecting them from work considered to be too physically heavy for women, or protecting them from the bad behaviour of men on board. In these cases the discrimination is underlying and not obvious, but the outcomes remain discriminatory.

Misconception: Gender equality in tuna industries means fishing crew and processing lines must be 50:50 male:female

What would gender equality in tuna industries look like? It would mean that anyone who wants to work on a fishing vessel, or a fish processing line, and has the skills to do it well, can pursue that career and feel like they belong as a respected employee and workmate, with equal pay for equal work and equal opportunities. Equality of proportions of female:male workers in different areas are not the goal, they are an indicator. When proportions of men or women are uneven it can indicate that there are reasons men or women do not feel comfortable in that type of work, and some of those reasons can be fixed to enable equal opportunity.

There is an existing assumption that women are not suited to employment on fishing vessels and in shore-based roles involving heavy equipment, or traditionally male roles such as electrician, plumber or mechanic. Is this a problem? It is a form of discrimination, so some people may be missing out on roles that would really suit them. Men who would appreciate cannery processing work, and may be very good at it, are excluded by the stereotype that women are better at cleaning fish.

42 Barclay K. (2008). A Japanese Joint Venture in the Pacific: Foreign Bodies in Tinned Tuna. London: Routledge; USAID Oceans. (2018a). Gender analysis of the fisheries sector: Bitung, Indonesia. Manado Indonesia: Report authored by the Faculty of Fisheries and Marine Science Sam Ratulangi University for the USAID Oceans and Fisheries Partnership (USAID Oceans). Retrieved from https://www.seafdec-oceanspartnership.org/wp-content/uploads/USAID-Oceans_Indonesia-Gender-Analysis_2018-Final.pdf; USAID Oceans. (2018b). Gender analysis of the fisheries sector: General Santos City, Philippines. Iloilo City: Report authored by WINFISH for the USAID Oceans and Fisheries Partnership (USAID Oceans). Retrieved from https://www.seafdec-oceanspartnership.org/resource/gender-analysis-of-the-fisheries-sector-general-santos-city-philippines/

43 Villareal A. and Yu W-h. (2007). Economic globalisation and women's employment: the case of manufacturing in Mexico. American Sociological Review 72: 365-389.

Case study: women in non-traditional roles

- Solomon Islands tuna companies, SolTuna (processing) and National Fisheries Development NFD (fishing) have experimented with placing women in conventionally male occupations. For example, SolTuna had been offering trainee positions to women in the maintenance and engineering department but were unable to recruit many. They had more success with forklift-driving – training and hiring two women. NFD offered women cadetships on tuna fishing vessels, although none of those three women stayed working on the vessels long term; they left once they had children. As of 2021, NFD is interested to continue the programme and is considering new approaches that will result in cadets seeing their training through and making a career in fishing.[44]
- In PNG the Australian Government in partnership with PNG shipping companies has supported cadetships for women to spend three years doing a combination of study at maritime college and training on vessels at sea, on a career path to possibly become captains or chief engineers.[45] Nako Fisheries in Milne Bay Province has employed women in roles such as mechanics and electricians for many years.[46]
- One challenge for companies is to factor in maternity leave and arrangements for childcare close to the workplace so women can continue breastfeeding their infants when they return to work. It is not feasible for mothers to continue breastfeeding if they go to sea for weeks at a time, and WHO recommends babies are breastfed until six months of age, so ideally women working on vessels who have young infants should be given the choice to work shore-side during the breastfeeding period. There are also other types of work on tuna landing facilities that have been all-male and could benefit from drawing from a larger and more diverse labour pool through also employing women, such as fuel bunkering, slipways, and gear maintenance.

Gender-based violence and tuna industries

Development activities of any type carry risks of violence within families.[47] For example, a project that improves women's incomes may contribute to violence in households if male relatives try to control the income. Likewise, women taking up work in processing factories can also mean a heavy burden on women, with paid work outside the house added to their household family care responsibilities. There may be violent conflict if men become angry about housework, or if male relatives feel threatened by women's paid work situation. When men who have been away fishing for long periods come home they may react to the various stresses in their lives by being violent when they return to their families and communities. Women selling fish and seafood in local markets are at risk of sexual harassment and other forms of abuse that occur in public areas.[48]

Opportunities in tuna industries can contribute to women's economic empowerment but also have the potential to generate conflict. The solution is not to avoid improving the socio-economic situation of women, but to work with people or organisations with gender and development expertise, and civil society organisations that offer services, to find the right approach to deliver the services and put safeguards in place to prevent gender-based violence.

44 IFC. (2016). SolTuna – Tuna processing, Solomon Islands - Gender Case Study. Washington DC: International Finance Corporation (IFC), World Bank Group; IFC. (2017). Investing in Women: New Evidence for the Business Case. Washington DC: International Finance Corporation (IFC), World Bank Group; Funnell, C. (2020). Facing inequality head on helps SolTuna succeed. Retrieved February 21, 2020, from https://www.ifc.org/wps/wcm/connect/news_ext_content/ifc_external_corporate_site/news+and+events/news/tackling-gender-inequality-solomon-islands; IFC. (2019). Investing in Fisheries and People in Solomon Islands. Retrieved November 27, 2019, from https://www.ifc.org/wps/wcm/connect/news_ext_content/ifc_external_corporate_site/news+and+events/news/investing+in+fisheries+and+people+in+solomon+islands

45 PNG Women in Maritime Association. (2019). Cadets set sail on MV Szechuen. Retrieved December 8, 2021, from https://www.facebook.com/PNGWiMA/photos/cadets-set-sail-on-mv-szechuenpng-saw-its-first-batch-of-female-cadets-step-on-b/553386678492279/

46 Kinch J., and Bagita J. (2003). Women in fisheries in Milne Bay Province, Papua New Guinea. SPC Women in Fisheries Information Bulletin, 12(May), 32–37.

47 Eves R. and Crawford J. 2014. Do no harm: The relationship between violence against women and women's economic empowerment in the Pacific. Canberra: Australian National University, State Society and Governance in Melanesia (SSGM). https://openresearch-repository.anu.edu.au/bitstream/1885/143080/1/ SSGM_IB_2014_3_0.pdf

48 Tuara Demmke, P. (2006). Gender issues in the Pacific Islands Tuna Industry (DEVFISH Project). Honiara, Solomon Islands: Pacific Islands Forum Fisheries Agency (FFA), Pacific Islands Forum Secretariat (PIFS), Secretariat of the Pacific Community (SPC). Retrieved from https://www.ffa.int/system/files/Gender issues in P. I. Tuna Industries 1_0.pdf; UN Women. (2014). Markets for Change, Fiji, Solomon Islands, Vanuatu: Market Profiles. Suva, Fiji. Retrieved from https://www.empowerwomen.org/en/resources/documents/2014/11/markets-for-change-fiji-solomon-islands-vanuatu-market-profiles?lang=en

Pacific cultures and gender

Culture is a central part of life, including for peoples of the Pacific, and so is a huge influence on gender (Figure 1.6). Pacific cultures value fairness, working together as a community for the collective good, protection of the most vulnerable, helping and serving others, participation, dialogue and consensus building.[49] These values are opportunities that can be used as a foundation for working on gender equity.

Terms like 'gender equality' may seem foreign; however, most Pacific Island cultures value women's roles. In Marshall Islands women have been respected as protectors of land and peace. In Fiji intricate cultural norms exist of gifting land and rights to women and their children (vasu). In Tonga, Samoa and most Micronesian countries women have special status in resource use, and decision-making. There are also some cultural traditions directly connected to norms against women fishing for tuna. In various places around the Pacific women may not go on boats to fish and may not venture beyond the reef edge. The basis of this rule, which appears especially in Polynesia, is respect for and protection of women, who are the bearers of future generations.

Pacific island cultures, like cultures everywhere, are not static. They change over time as a result of urbanisation, education, technology, media, communication, migration, and so on. This does not mean cultural identity and practices are wiped out. Rather, they continually adapt. For example, in the past, it was rare to see Pacific island women working in the government and occupying decision-making positions. Now it is normal in many countries. Cultural knowledge gaps also exist between the older generation and the young, so a lot of cultural traditions are being lost. At the same time, there is continued respect for the cultural, traditional roles of men and women in a society. Islanders' cultures keep communities strong, so it is important to support cultural continuation.

Cultural challenges in working on gender equity: Gender roles, social status and social hierarchies are often deeply ingrained in cultural traditions. Questioning power and identifying what differentiates men and women across all ages and social status groups may be uncomfortable. Principles of equality may be viewed as being 'foreign', 'westernised' or 'urban' concepts that are in conflict with traditional cultures and values. In some instances, a process is seen as fair when someone takes a decision on behalf of the household or the community. However, in those instances, the concept of fairness is far from being equal or inclusive.

Cultural solutions in working on gender equity: Gender equality can be achieved while maintaining core cultural values, by adopting practices that avoid harmful outcomes. Social change is never an easy process, and some people may fear losing their privilege and power. The message here is that 'everybody should work together, side by side, so that we can all advance as one community'. One way to approach these discussions is to think about the origins of a practice that causes social exclusion and examine whether it is still useful today, or if it has become something that community would like to change. In fact, fair and equal treatment of an individual is the basis for a healthy community, and a healthy community is the backbone of Pacific communal lifestyles.

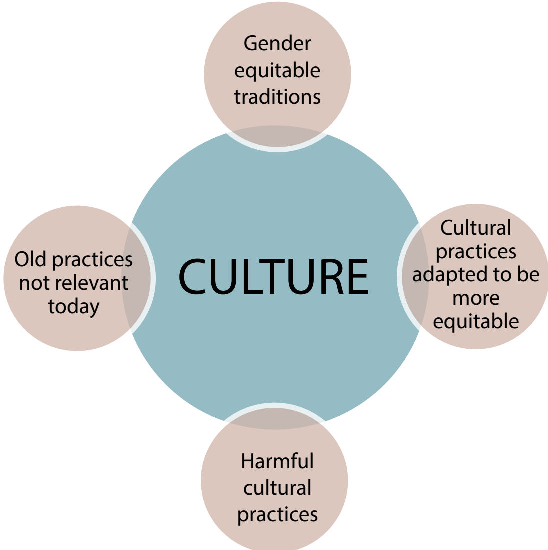

Figure 1.6 Culture is central to gender equity

Adapted from: Delisle, A., Mangubhai, S., & Kleiber, D. (2021). Module 6: Community Engagement. In K. Barclay, S. Mangubhai, B. Leduc, C. Donato-Hunt, N. Makhoul, J. Kinch, & J. Kalsuak (Eds.), Pacific handbook for gender equity and social inclusion in coastal fisheries and aquaculture (2nd ed.). Noumea, New Caledonia: Pacific Community.

49 Tukuitonga C. 2015. Opinion: Advancing human rights in the Pacific. .https://www.spc.int/updates/news/media-release/2015/12/opinion-advancing-human-rights-in-the-pacific

Gender equitable traditions

Some cultural traditions promote gender equity. For example, in rural parts of Fiji where cultural practices are intact, when women marry they go to their husband's village. They have a safety net, however, through the practice of *covicovi ni draudau*, which means she and her children retain a right to use *mataqali* , the land of her birth village if she needs it. This practice ensures women always have access to land and resources, and that they maintain their cultural and spiritual connection to their ancestral home. This practice has provided a reserve for women's food security.

Harmful cultural practices

The 'culture of silence'[50] is an example of a cultural tradition that is inequitable. It is the unwritten rule that women only speak when spoken to or if asked, and must not go against decisions made by elders and community leaders. This practice is common in many Pacific Island cultures and continues to limit the full participation of women and young people in decision-making processes, including those relating to fisheries and aquaculture.

In Tuvalu, women were traditionally excluded from actively engaging in the Falekaupule, the local decision-making body. Instead, they were only allowed to sit at the back and observe. This exclusion was to protect them from the physical and verbal violence that used to occur during heated political debates, but acted to prevent women from having a voice in local decision-making. The rule was embedded in the law, which hindered women's formal participation in the local structure, even though Tuvaluan political debates are no longer associated with violence. The law was amended in 2012 to allow women's voices in the Falekaupule. However, women still largely do not speak in the Falekaupule due to long-standing practice. This is an example of an old cultural practice that is based on the idea of protecting women, and is no longer relevant but is nonetheless still in use, with discriminatory outcomes.[51]

There is a lot of cultural difference between groups across the Pacific about whether women should speak up in public meetings. Kiribati has a similar custom to Tuvalu, called the Maneaba, and Wallis and Futuna is also similar. In Fiji and some other Melanesian countries, women who are chiefs, the wives of chiefs or who are from important families are accepted to speak, while women with lower status are subject to the culture of silence. In Palau, on the other hand, it is the opposite, because land rights in Palau are passed on matrilineally. Women speak up at meetings about coastal resources and men wait to be invited to speak. In the Marshall Islands and Nauru the culture is also more matrilineal. In Samoa, young men are excluded from community meetings.

Adapting cultural practices to be more gender equitable

Culture does not stay the same for ever, it is flexible and community members can choose to adapt cultural practices to new circumstances. Some communities with a culture of silence for women have adapted the traditions around public meetings to allow more participation by women. In Fiji in community-based fisheries management meetings, as well as the women chiefs who could already speak, now female fisheries officers are also expected to be involved in discussions.

In Kiribati, historically community decision-making in the Maneaba also involved women sitting behind the men to protect them from any violence that may have arisen, and not participating in the discussion except to listen to what is being decided by the men. Many say that women speaking in the Maneaba is not part of Kiribati culture. At the same time, more and more young women graduate from universities and want to use their knowledge to help their communities. Some younger women have found a way to contribute to community discussions without eroding the Kiribati culture, by first seeking permission from elders to speak in the village meeting at the Maneaba. 'If I pay respect to the village elders and seek their permission to speak in the Maneaba, then together we can maintain our cultural values while also enabling me as a young woman to contribute my education for community benefit' says Maiango Teimarane of the Kiribati Islands Conservation Society.[52]

These examples are not about breaking culture, but adapting it, to make new possibilities to bring women into community-based decision making.

50 Vunisea A. 2008. The 'culture of silence' and fisheries management. SPC Women in Fisheries Information Bulletin #18, March 2008. Noumea: SPC. 42-43.

51 Delisle A., Mangubhai S., & Kleiber D. (2021). Module 6: Community engagement. In K. Barclay, S. Mangubhai, B. Leduc, C. Donato-Hunt, N. Makhoul, J. Kinch, & J. Kalsuak (Eds.), Pacific handbook for gender and social inclusion in small-scale fisheries and aquaculture (2nd ed.). Noumea, New Caledonia: Pacific Community, p.16.

52 Barclay K., Leduc B., Mangubhai S., Vunisea A., Namakin B., Teimarane M., & Leweniqila L. (2021). Module 1: Introduction. In Barclay K., Mangubhai S., Leduc B., Donato-Hunt C., Makhoul N. , Kinch J., & Kalsuak J. (Eds.), Pacific handbook for gender equity and social inclusion in coastal fisheries and aquaculture (2nd ed., p. 20). Noumea, New Caledonia: Pacific Community, p.8.

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Overview of social inclusion in tuna industries

What is social inclusion?

Social inclusion 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.[53]

Identity – 'Who you are'

Your gender, your age, and the family and social groups you belong to give you your roles, responsibilities, social status and entitlements. Identity includes gender (male, female, other gender); age (young, middle-aged, old); physical condition (do you have a disability, do you have 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 [54] (high caste, low caste, commoner); sexual orientation (e.g. heterosexual, gay, lesbian); and relationship status (married, single, widowed, separated).

People experience economic opportunities and problems differently depending on their identity. For example, when household resources are limited, more may be put towards education for boys rather than girls. The reverse may also happen, with boys sent out to work to support the schooling of their sisters. People who don't finish high school have very limited work opportunities. People who have not finished school can work as deckhands on fishing boats, but these days even entry-level processing work in a cannery requires a high school diploma.

People with disabilities are often excluded from formal employment, including in tuna industries, where some work involves heavy manual labour, and other work involves heavy equipment, such as forklift trucks. Company managers regard it as unsafe to employ people with disabilities. Social exclusion often translates to being dependent on the generosity of others and being vulnerable to poverty.

In all societies social inclusion and exclusion is influenced by people's identity. Socially excluded people have limited capacity to influence and participate in decision-making even if they are involved in fishing or processing tuna, or are affected by tuna industries by living near a port or processing facility. For example, a young woman with low social status who has an opportunity for education may get a good job in a tuna cannery, but may still not be comfortable to take on leadership roles at work due to her low social status. A young woman from a high social status family, with a good education, may be employed in fisheries management. She may have been brought up to be confident as a leader, so go on to achieve high ranking jobs in her career.

In fisheries management policy and projects it is important to enable social inclusion. Experience shows that when equity and inclusion issues are addressed well, better outcomes result.[55] For example,the tuna processing company SolTuna has used 'gender-lens' human resources ideas to make it easier for women fish processing workers to attend work for the full pay cycle and to reduce harassment of women in the workplace. These initiatives have improved all employees' feelings of being valued and respected, with men as well as women appreciating the benefits (see Module 5 for further details). Inclusive approaches can lead to improved outcomes for everyone in tuna industries, not only for groups who are disadvantaged and discriminated against.

Social inclusion goes beyond including people in a project designed for the 'majority'. It is about designing policies and projects to address the needs of marginalised people and establishing rules that:

- recognise the diversity of concerns and needs of different segments of the population, and
- contribute to removing the obstacles causing the social exclusion of some members of a society.

53 World Bank. 2022. Understanding poverty / topics / social inclusion. The World Bank website. https://www.worldbank.org/en/topic/social-inclusion
54 Some Pacific societies have a clear 'caste' system that differentiates high-caste and low-caste people (sometimes called 'commoners'). Each caste has different sets of privileges, responsibilities and rights, with clear ownership rights. In Tonga, for example, the system of royal, aristocratic and commoner status also shapes social hierarchies. In Yap in the FSM, a caste system still exists which deprives the participation of lower castes, when there are higher castes in meetings or discussions.
55 Levitas R., Pantazis C., Fahmy E., Gordon D., Lloyd E. and Patsios D. 2007. The multi-dimensional analysis of social exclusion. University of Bristol: United Kingdom.

Social inclusion is not about striving to put people in a 'frame', but rather transforming the frame to make it inclusive (see Figure 1.7). Social inclusion requires transforming institutions or the 'rules of the game'. It involves removing barriers that maintain unequal opportunities to access development outcomes, and introducing changes at the system level. If professional or management practices result in some people not having the same opportunities as others, those practices ('how we do things here') need to change. In sum, social inclusion recognises and values diversity, i.e. the fact that people are different and do not all have the same life experiences and needs.

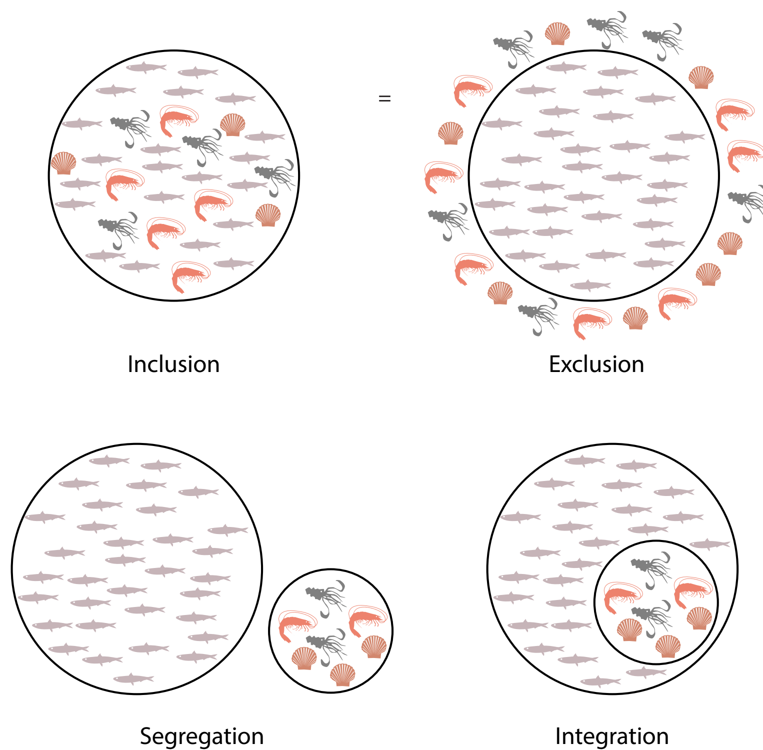

Figure 1.7 Difference between inclusion, exclusion, segregation and integration

What is social exclusion?

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 exclusion – or marginalisation – is a complex and multidimensional process. It involves the lack of resources, rights, goods and services, and the inability to participate in the normal relationships and activities available to other people in a society, in economic, social, cultural or political areas. It affects both the quality of life of individuals and the equity and cohesion of society as a whole.

Social exclusion is difficult to define because the people who are socially excluded are not the same everywhere – it depends on the social context. For example, in some countries, elders are highly respected and they are the decision-makers in their household and community. However, in other societies, elders are seen as a burden and not fit for modern society, so their voice in decision-making is very limited.

Social exclusion affects individuals who cannot participate in a tuna industry, or do not benefit equally from tuna resources because of their identity. For example, there are two deckhands working on a longline vessel – one is Fijian, one is Indonesian. They are employed to do the same job, but the Fijian is paid more than the Indonesian. This is because Indonesian deckhands are recruited from the section of Indonesian society that has very limited economic opportunities and they will accept lower wages. Fijian deckhands can benefit more in terms of wages because their economic context is different – with better land-based wage possibilities than the Indonesian crew. On the other hand, the identity of 'Pacific Islander' (see below for an explanation of identity), contains stereotypes of being bigger and stronger. For this reason Fijian deckhands may be pressured by the rest of the crew to do more heavy lifting work than crew of another nationality.

Even when laws and policies claim that all people are equal, the reality is that they do not experience equality in all dimensions of their lives. Women and other socially excluded groups – such as people disadvantaged through

poverty, women-headed households, single fathers, disabled people, migrants and elderly people without support – struggle against unequal treatment in many areas. Even if policies and rules do not discriminate against marginalised people or prevent them from accessing resources and services, marginalised people still do not benefit equally in terms of development outcomes because they have different needs and capacities (see Figure 1.5 earlier in this module, on equity and equality). The violation of marginalised people's rights is often overlooked in development initiatives and public services.

For example, there is a settlement called Kalekana at Lami in Fiji. In the mid-20th century most of the people in Kalekana were from Solomon Islands; now the settlement is more mixed, with people from all over Fiji. The Solomon Islander descendants are marginalised in Fijian society, without access to *mataqali* land, although the land given to the original Solomon Islander settlers includes a small area for farming. Many of the young men do not have as much schooling or other training as other Fijians; they leave school and rely on fishing as a job. The young men from Kalekana and other poor settlements around Suva are more willing to work on the longline vessels than other Fijians. When people have low levels of schooling they are not well able to check contracts or pay records, although in Fiji there is a problem of companies not always providing written contracts in any case. Lack of other work choices due to lack of schooling or training, and lack of skills for checking on contracts and conditions are two of the ways marginalised people can be open to exploitation, and may have their human rights abused.

The informal rules related to identity may mean people benefit more or less than people from other identity groups, or even deny people their right to participate at all. Women are largely denied the opportunity to work on tuna fishing vessels. Thus, the way people are treated because of their identity leads to them becoming marginalised. Being marginalised is the same as being socially excluded.

To see who is socially excluded you need to:

- understand the cultural and social dynamics of a work environment in terms of people's age, gender, disabilities, nationality, educational background, leadership mechanisms, and social and economic status;
- identify who attends decision-making meetings within companies, with community leaders in tuna towns and within fisheries management circles. See who speaks up and who does not express their views[56]. See also who does not attend meetings. For example, unions and women's groups are not part of the NGO group at the Western and Central Pacific Fisheries Commission (WCPFC) meetings. These patterns reveal whose concerns and interests are being discussed, and whose are not;
- observe social interactions to determine who is likely to be socially excluded. Are there people who are subject to violence or mockery, or who are ignored? Do people from some groups behave in a submissive way? Are they shy or silent? Do they stay away from social interaction?
- think about the workplace culture. The 'culture of silence' prevalent in Pacific Island countries means that some people feel comfortable to speak up in the workplace (see the box in the previous section about harmful cultural practices), and this can lead to social exclusion. In these cases, social inclusion means that workplace practices are developed to enable them to participate;
- analyse differences in the standard of living among groups in workplaces based on income level, quality of housing, food and clothing, ownership of new technology (e.g. mobile phones), and ownership of bikes, motorbikes, outboard motor boats and cars.

In many societies around the world, women experience various levels of social exclusion, as do other groups who are disadvantaged or face discrimination. The situation is not the same across the Pacific region, and there is less discrimination than in the past. There are matrilineal societies, such as Marshall Islands, Federated States of Micronesia (FSM) and Nauru, and others that are mixed matrilineal and patrilineal in Melanesia and Polynesia. In some of these places, and in matriarchal cultures such as in Palau, there are obstacles for men, especially young men. It is important to work flexibly within appropriate cultural frameworks to remove obstacles that prevent groups in tuna industries from exercising their human rights and benefiting equitably from programmes and services.

56 Dyer M. 2018. Transforming communicative spaces: The rhythm of gender in meetings in rural Solomon Islands. Ecology and Society 23 (1): 17. doi:10.5751/ES-09866-230117

Empowerment and social inclusion

Empowerment is about people taking control of their lives by gaining skills, being able to solve problems, making decisions for themselves, being self-reliant and believing in their capacity. It is about people exercising their rights. A combination of resources and actions is needed to support this process. 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' according to opportunity, 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.

Social inclusion means supporting the empowerment of people who are socially excluded. Different strategies for empowerment work best in different contexts, such as the type of workplace, and which groups of people might feel threatened by empowering the socially excluded group. The process for supporting one socially excluded group (such as youth) may be very different from the best process for another group (such as people with disabilities). Moreover, people may be empowered in one area of their lives and disempowered in other areas. For instance, a woman may be empowered in her work life because she has good employment and holds a director's position, but she may be disempowered in her family life because she has to conform to social norms that compel wives to obey their husbands or suffer domestic violence. Empowerment requires training and capacity building for both more powerful and less powerful groups, to work towards a common platform of understanding.

When people are empowered, they participate in decision-making that affects their lives and they exercise their rights. When people who are socially excluded are empowered, they have greater capacity to address their issues and transform the rules that have contributed to their exclusion. For example, the Rise Beyond the Reef initiative in Fiji[57] empowered women in rural areas through income generation activities, which contributed to the development of whole communities, and led to women being supported by other members of the community to become more involved in decision-making.

57 https://risebeyondthereef.org/pages/mission

Tool: HRBA for tuna industries

Table 1.1 Human rights-based approach for tuna industries

HRBA principles	Tuna industry action points
Participation – Everyone has the right to participate in decisions that affect their human rights. Participation must be active, free and meaningful. It is both a means and an end in itself.	Tuna company owners and managers should provide an enabling platform to engage in mutual dialogues with fish workers (crew, processing workers) so that they can actively voice their concerns and needs to management. Tuna industry workers should be free to participate and be members of trade unions.[58] Government agencies (for fisheries, labour, etc.) must regulate companies to allow union membership. All relevant stakeholder groups are part of government decision-making processes about tuna industries management and development (see Module 8 on stakeholder engagement).
Non-discrimination – As human beings we are all equal. No one should be denied their rights because of factors such as race, colour, gender, language, religion, political or other opinion, national or social origin, property or birth.	All national and migrant fish workers should be treated equally. Migrant fishers in the distant water fishing fleet must be paid at least the national minimum wage and provided with equivalent social protection.[59] Women and men should be given equal opportunity to work in all areas. Fair recruitment includes ensuring international recruitment agencies follow national laws, and that contracts depict the actual terms and conditions in the workplace, conform to national law, and, for people travelling for work, are consistent with what was agreed before their departure.
Transparency – Humans should be free to seek, receive and impart information (freedom of expression). This provides the basis for transparency in government and in companies, so people can see why and how decisions are reached.	Labour conditions, including investigations of HR abuses, should be monitored in tuna industries, and publicly reported on. Outcomes of complaints and grievance processes should be reported back to staff. All fish workers should be aware of their rights, of what practices constitute abuse, and how to lodge effective complaints.
Human Dignity – All people have a special value because they are human. This value is not because of their class, race, gender, religion, abilities, or any other factor other than them being human.	Work should be safe and decent. Workplace health and safety should be in line with legal requirements, on fishing vessels, processing plants, fish markets. Sexual harassment is not allowed. Shaming people around sex work is not acceptable. Women who work on fishing vessels should not be shamed.
Empowerment – Everyone should be able to claim and exercise their human rights. This means understanding their rights, and participating actively in developing policies and practices that affect their lives.	Do fish workers understand the content of their work contracts? Do they have access to information, but also access to justice, including through existing grievance mechanisms (see accountability)?
Rule of Law – All people should be treated equally in legal processes. Equality before the law means people are not punished unless they have broken the law, and that all law breakers, even wealthy and powerful people, are punished.	Labour and human rights and anti-discrimination laws should be enforced as well as fisheries management measures. This could mean enforcing the FFA Harmonised Minimum Terms and Conditions for fishing crew and observer safety.
Accountability – Compliance with human rights should be effectively monitored against standards and achievement of human rights goals. Human rights abuses should be effectively fixed.	Human rights in tuna industries are monitored and reports are made public. There should be a grievance mechanism that enables workers to lodge complaints to people other than their manager, including anonymously, and the investigation and resolution of complaints are reported back to relevant employees.

58 Environmental Justice Foundation. (2019). Blood and water. Human rights abuse in the global seafood industry, 1–44.
59 Greenpeace International. (2020). Greenpeace Sustainability, Labour & Human Rights, and Chain of Custody Asks for Retailers, Brand Owners and Seafood Companies. Amsterdam: Greenpeace International. Retrieved from https://www.greenpeace.org/usa/wp-content/uploads/2020/03/Final_GP-seafood-market-ask_Feb-2020.pdf

Tool: Operational requirements for protecting human rights in seafood work

Table 1.2 Operational requirements for protecting human rights in seafood work

Human right	Requirements/How to achieve them
Upholding basic universal rights	Before the arrival of new recruits in the workplace, the operation must have a system for managing human resources that delivers mandatory rights protections per the coastal, port or flag state or, at minimum, mandatory human rights due diligence in jurisdictions offering insufficient governance for protecting human rights (like open registries / flags of convenience)
	All people working (including informally) are provided with access to a grievance channel
	Every person in fish work holds a written work agreement compliant with ILO core standards, itemising terms and pay in a language they understand, and signed by the facility owner
	Working conditions comply with 15 years as the minimum age to work onshore and 16 years on fishing vessels, where schooling is also facilitated and hazardous work is limited
	Workers cannot be required to work without pay
	Earnings must meet or exceed minimum wage rates in the country of operation and be consistent with decent work, including wages based on productivity rather than time
	Deductions from pay for costs of work or taken at the supervisor's discretion are prohibited per domestic regulations and tracked and eliminated to reduce the exposure debt bondage, forced labour and human trafficking
	People working in a confined workplace are provided with access 24/7 to their personal identification documents (passports, ID cards) and to telecommunication or other ways to signal distress
	Individual rights to associate and to bargain collectively are upheld and provided for, per the coastal, port or flag state or, at minimum, mandatory human rights due diligence in jurisdictions disallowing it
	People in fish work earn equal pay for equal work regardless of gender identifications
	Women in fish work have full and effective participation and equal opportunities for leadership at all levels of decision-making across the operations
	Working conditions are protected from gender-based violence and sex role stereotyping
	Discrimination in hiring, work placement and advancement are tracked and eliminated
	Parental leave is provided or facilitated
	Medical insurance or coverage is provided for workplace injuries and incidents
	Migrant fish workers earn equal pay for equal work and are provided with equal opportunities for decent work terms and benefits, and to advance as nationals
Fair recruitment	Seafood operations hire directly or use a labour recruiter registered with a competent authority
	No people working in the seafood operation shall be charged directly or indirectly, in whole or in part, any fees or related costs for their recruitment, unless conforming to domestic law
	A list of people working in the operation and copies of their signed work agreements are maintained for every fish worker in the facility
	Work agreement documents depict the actual terms and conditions in the workplace, conform to domestic law, and for people travelling for work are consistent with what was agreed before their departure
	Work agreements do not specify any pay deductions for necessary items to do the job, such as boots, protective clothing, or costs of transit to and from the operation

Human right	Requirements/How to achieve them
Safe work in hazardous conditions	Conditions in the workplace comply with international standards for operational health and safety, including conditions and equipment for worker safety
	Conditions in the workplace comply with domestic standards for operational health and safety and with requirements by regulatory inspectors and law enforcement
	Minimum rest hours and working hour limits are observed in all workplaces, including fishing vessels
	All new recruits are provided with safety training and annual upgrading to raise their professional qualifications
	All new recruits are provided with health coverage for workplace injuries and illnesses
	First aid is accessible to all people working at the facility at all times
	People who are injured on the job are transported to clinics or hospitals without delay and at the employer's cost
	All work safety resources and documentation are accessible in the workplace, including safety manuals, crew handbook, medical certificates and insurance documents
	In a confined workplace, access is provided to nutritious and sufficient food and at all times to clean water
	On fishing vessels, safety risks for crew members on the vessel are assessed annually and addressed
	On fishing vessels smaller than 24 m, appropriate training and personal equipment are provided
Rights of local people affected by operations	Equal rights of local operators to resources (like fish, water, ice) to make income are recognised
	Access to public resources (like fish, water, ice, dock and loading space) is facilitated equitably
	Discriminatory practices to women in local seafood enterprises are eliminated
	Access to markets for local operators is facilitated by governments and never blocked by larger or foreign companies
	Customary rights to fish and to aquatic resources for indigenous and local people and enterprises are recognised
	Respect for rights is demonstrated to smaller scale local operators and to self-employed people and all who work informally, without exclusion due to age, gender, disability, race or ethnicity
	Food security is maintained by seafood operations that are removing food resources from a local area for trade, and food insecurity is mitigated for local people by governments
	Free, informed and prior consent is obtained and developments are reported publicly in advance where they will cause actual and potential adverse impacts to the rights of local people
	Local area management or engagement is recommended among rights holders of aquatic and fish resources to coordinate benefit sharing and adaptation to climate change
	Respect is demonstrated and adjustments made for different cultural contexts and approaches.

Source: Nakamura, K., Ota, Y., & Blaha, F. (2022). A practical take on the duty to uphold human rights in seafood workplaces. Marine Policy, 135, 104844. https://doi.org/10.1016/j.marpol.2021.104844

Acronyms

CEDAW Convention on the Elimination of Discrimination and Violence Against Women

EEZ Exclusive economic zone

FAO Food and Agriculture Organization of the United Nations

FFA Pacific Islands Forum Fisheries Agency

FSM Federated States of Micronesia

GESI gender equity and social inclusion (outside this handbook the word 'equality' is usually used, rather than 'equity', in GESI)

HIES household income and expenditure survey

HR human rights

HRBA human rights-based approach

HRSD Human Rights and Social Development Division in the Pacific Community

ICSF International Collective in Support of Fishworkers

ILO International Labour Organization

IMO International Maritime Organization

IOM International Organization for Migration

IUU Illegal, unreported and unregulated [fishing]

NFD National Fisheries Developments, a tuna fishing company in Solomon Islands

NGO Non-governmental organisation

UNFPA United Nations Population Fund

UNGPs United Nations guiding principles on business and human rights

OHCHR United Nations Office of the High Commissioner for Human Rights

WCPFC Western and Central Pacific Fisheries Commission

Alotau ©Lalavanua

Annex 1: Pacific commitments to human rights, gender equity and social inclusion

Pacific Island governments have committed to promote human rights, gender equality and social inclusion in coastal resource management and development internationally, nationally and regionally.[60]

Table 3. International and regional commitments regarding HR and GESI in the Pacific

Commitment	Relevance to HR and GESI in tuna industries	Pacific governments committed
Human rights		
UN Universal Declaration on Human Rights (1948)	The initial formal international agreement on Human Rights.	As a 'declaration' this is not legally binding but the international community agreed on it and many of the human rights provisions are considered binding as part of international customary law. The protection of rights and freedoms outlined have also been incorporated into many national constitutions and other domestic legal frameworks.
Convention on the Elimination of Racial Discrimination (1965)	Racial discrimination remains a barrier to the full realisation of human rights. This committee works to break down exclusions and restrictions based on race, colour, descent, and national or ethnic origin.	Governments that sign and ratify 'conventions' accept the responsibility to implement and maintain the guaranteed rights and are legally bound by their commitment. Signed and ratified: Fiji, PNG, RMI, Solomon Islands, Tonga. Signed but not ratified: Nauru, Palau.
International Covenant on Economic, Social and Cultural Rights (1966)	In addition to HR, economic, social and cultural (ESC) rights were internationally agreed as very important, especially for livelihoods, so are relevant for fisheries industries.[61]	A 'covenant' is like a 'convention' and is legally binding. Signed and ratified: Fiji, PNG, RMI, Solomon Islands. Signed but not ratified: Palau.
International Covenant on Civil and Political Rights (1966)	Adding to the UN Declaration on HR, this convention specifies that all humans have civil and political rights, which is about the self-determination of peoples, as well as individuals' rights within countries.	As a covenant this is legally binding. Signed and ratified: Fiji, PNG, RMI and Solomon Islands. Signed but not ratified: Palau, Nauru.
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)	This agreement flows from the Declaration on HR and the Covenant on Civil and Political rights, to focus on eliminating torture internationally.	As a convention this is legally binding. Signed and ratified: Fiji, Nauru, RMI, Samoa, Vanuatu. Signed but not ratified: Palau.
Convention on the Rights of the Child (1989)	This agreement focuses on upholding HR for children.	All independent Pacific Island countries have ratified and signed this agreement.
UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000)	The main international agreement relevant for the forced labour elements that exist in the global fishing industry, including tuna.	State parties are bound by their obligations under this protocol. Signed and ratified: Fiji, Kiribati, FSM, Nauru and Palau.
Convention on the Rights of Persons with Disabilities (2006)	People with disabilities are not often employed in tuna value chains, which reflects their exclusion in society. Workplace safety is a problem in tuna fishing, and is a cause of disability.	Signed and ratified: All independent Pacific Island countries except Niue. Signed but not ratified: Solomon Islands, Tonga.
UN Guiding Principles on Business and Human Rights (2011)	A framework that helps define how HR should be promoted in business, including seafood businesses.	'Guiding principles' are not legally binding.

60 For an analysis of how well international commitments are followed through in regional and national documents, see: Govan H. (in press). Coastal Fisheries Policies: Linkages between Pacific Island and global policies. FAO Fisheries and Aquaculture Circular No. C1192. Apia, FAO. See also Graham A., & D'Andrea A. (2021). Gender and human rights in coastal fisheries and aquaculture: A comparative analysis of legislation in Fiji, Kiribati, Samoa, Solomon Islands, Tonga and Vanuatu. Noumea, New Caledonia: Pacific Community (SPC).

61 Finkbeiner E. M., Fitzpatrick J., & Yadao-Evans W. (2021). A call for protection of women's rights and economic, social, cultural (ESC) rights in seafood value chains. Marine Policy, 128(March), 104482. https://doi.org/10.1016/j.marpol.2021.104482

Commitment	Relevance to HR and GESI in tuna industries	Pacific governments committed
Labour rights in general		
International Labour Organization (ILO) Abolition of Forced Labour Convention 105 (1957)	In this Convention, HR about forced labour are addressed by the International Labour Organization (ILO), showing this clear overlap between HR and labour rights.	In force (signed and ratified): Cook Islands, Fiji, Kiribati, PNG, Samoa, Solomon Islands, Vanuatu. Not ratified: RMI, Tonga, Tuvalu.
International Convention on the Protection of the Rights of all Migrant Workers and Members of the Families (CMW) (1990)	Fishing crew working across international boundaries in tuna industries are migrant workers. This is relevant for both Asian crew working in the Pacific and Pacific Islander crew who work on distant water fleets.	Only Palau has signed this convention, and has not ratified it. No other Pacific Island country has signed or ratified it.
ILO Declaration on Fundamental Principles and Rights at Work (1998)	Member states should respect and promote principles and rights in these four categories: 1) freedom of association and the effective recognition of the right to collective bargaining (e.g. in trade unions); 2) the elimination of forced or compulsory labour; 3) the abolition of child labour; and 4) the elimination of discrimination in respect of employment and occupation.	This is a 'declaration' so is not binding.
ILO Worst Forms of Child Labour Convention 182 (1999)	There is no evidence that child labour is a significant problem in Pacific tuna industries; however, most of the international measures against forced labour include child labour.	In force: Cook Islands, Fiji, Kiribati, Palau, PNG, RMI, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu.
ILO Violence and Harassment Convention No. 190 (2019)		In force: Fiji. Not ratified: Cook Islands, Kiribati, Palau, PNG, RMI, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu. Not signed or ratified: FSM, Nauru, Niue.
Labour rights and safety in fisheries		
International Labour Organization (ILO) Work in Fishing Convention No. 188 (2007)	Sets minimum standards for workers at sea, alongside other measures including PSMA (see below), CTA (see below) and STCW-F, to enable port states to ensure working conditions on fishing vessels are safe and decent (and fishing is legal).	No Pacific Island country has ratified ILO C188, but most have signed it. Not signed or ratified: FSM, Nauru, Niue.
International Maritime Organization (IMO) International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F)	Sets certification and minimum training requirements for crews of seagoing fishing vessels aiming to promote safety at sea, taking into account the unique nature of the fishing industry and the fishing working environment.	All independent Pacific Island countries are party to this convention, except Nauru and Tuvalu.
IMO Cape Town Agreement on Fishing Vessel Safety (CTA) 2012	Seeks to enhance safety onboard fishing vessels via an internationally binding agreement to facilitate better control of fishing vessel safety by flag, port and coastal states.	As of 2022 this treaty is not yet in force, The treaty will enter into force 12 months after at least 22 states, with an aggregate 3,600 fishing vessels of 24 m in length and over operating on the high seas have expressed their consent to be bound by it. Cook Islands is one of 17 contracting member states; no other Pacific island countries are.

Commitment	Relevance to HR and GESI in tuna industries	Pacific governments committed
FAO Agreement on Port State Measures (PSMA) (2009)	The PSMA is a binding international agreement against illegal, unreported and unregulated (IUU) fishing by preventing vessels engaged in IUU fishing from using ports and landing their catches. By strengthening port state control over fishing vessels, port states can potentially investigate and prosecute for labour and HR abuses.	Party states: Fiji, Palau, Tonga, Vanuatu.
ILO Seafarers Identity Documents Convention No. 185 (2003)	Seafarers identity document using fingerprints or retinal (eye) scan to aid in identification without a passport.	In force: RMI, Vanuatu. Signed but not ratified: Cook Islands, Fiji, Palau, PNG, Samoa Solomon Islands, Tonga, Tuvalu.
Western and Central Pacific Fisheries Commission (WCPFC) 2018-01 Resolution on Labour Standards for Crew on Fishing Vessels	This resolution flagged the importance of labour rights for tuna fishing crew, but is not binding on members. As of 2021 a working group of the WCPFC was preparing a binding measure for voting on at a future meeting.	Not a binding measure.
Pacific Islands Forum Fisheries Agency (FFA) Harmonised Minimum Terms and Conditions (HMTC) for Access by Fishing Vessels (2019)	The FFA HMTC was revised to protect working conditions and safety for observers (Part III Section 9) and crew (Part V) in 2019. In principle vessels contravening the HMTC could be removed from the list of vessels of good standing, and thus not be allowed to fish, but in practice there are various obstacles to implementing it this way. It needs to be enabled in domestic legislation, and currently there is no clear system for monitoring, investigating or prosecuting.	All FFA member countries have agreed to the HMTC. As of 2022 it is not yet implemented in national legislation in any countries.

Commitment	Relevance to HR and GESI in tuna industries	Pacific governments committed
Gender equality in general		
Convention for the Elimination of Discrimination Against Women (CEDAW) (1979)	'Discrimination against women' means any distinction, exclusion or restriction made on the basis of sex which has the effect of impairing women's human rights and fundamental freedoms in the political, economic, social, cultural, civil arenas. Article 11 is about equality in employment. Article 14 is about the particular problems faced by rural women, such as those involved in fishing and aquaculture.	Signed and ratified: all independent Pacific island countries except Tonga and Niue have signed and ratified this. Signed but not ratified: Palau
Beijing Declaration and Platform for Action (1995)	The Beijing Platform for Action is aimed at removing all the obstacles to women's active participation in all spheres of public and private life through ensuring women have a full and equal share in economic, social, cultural and political decision-making.	This is a declaration, not a binding agreement.
Commission on the Status of Women, 62nd Session (2018)	Rural women are critical agents in poverty eradication, in enhancing sustainable agricultural and rural development as well as fisheries. Meaningful progress in these areas necessitates closing the gender gap, introducing appropriate gender-responsive policies, interventions and innovations, including women's equal access to agricultural and fisheries technologies, technical assistance, productive resources and markets (para. 16). Encourages the provision of support and resources for: women fishers in developing countries (para. 50); empowerment of all rural women and girls (para. 46); mainstreaming a gender perspective in fisheries development (para. 46 r); and facilitating rural women's entrepreneurship (para. 46 dd).	The Commission resulted in agreed conclusions, but is not legally binding.
SAMOA Pathway (2014) – Outcome of the Third International Conference on Small Island Developing States (SIDS)	Based on the recognition that gender equality and women's empowerment and the full realisation of human rights for women and girls have a transformative and multiplier effect on sustainable development and are a driver of economic growth in SIDS (see paras 76, 77 a, b, c, d, e, f, g, h, i).	The Conference called for support for the efforts of SIDS but is not legally binding.
Pacific Platform for Action on the advancement of women and gender equality (1994, revised 2004 and 2017)	The original document and its revisions aim to increase efforts to mainstream gender perspectives across all legislation, policies, programmes and services delivered by governments, CROP (Council of Regional Organisations in the Pacific) agencies and CSOs (civil society organisations). This includes establishing mechanisms and systems to make stakeholders accountable for implementing commitments on gender equality and the human rights of all women and girls, including through harmonised monitoring and reporting.	Not a legally binding document.

Commitment	Relevance to HR and GESI in tuna industries	Pacific governments committed
Pacific Leaders Gender Equality Declaration (2012)	The Leaders of the Pacific Islands Forum committed with renewed energy to implement the gender equality actions of the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), the Revised Pacific Platform for Action on Advancement of Women and Gender Equality (2005 to 2015); the Pacific Plan; the 42nd Pacific Island Forum commitment to increase the representation of women in legislatures and decision-making; and the 40th Pacific Island Forum commitment to eradicate sexual and gender-based violence.	Not a binding legal document.
Regional Strategy for Pacific Women in Maritime 2020–2024	The strategy covers merchant marine, not fishing vessels, but could potentially be applied to fisheries in future.	Not a binding legal document.
Pacific Islands Forum Fisheries Agency Gender Equity Framework (2016)	A framework to underpin gender equity in the work of FFA, with member countries.	Not a binding legal document.
Development goals, including those regarding fisheries, gender equality and social inclusion		
Sustainable Development Goals (SDGs) – 2030 Agenda for Sustainable Development	SDG 1: End poverty in all its forms everywhere SDG 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all SDG 5: Achieve gender equality and empower all women and girls SDG 14: Conserve and sustainably use the oceans, seas and marine resources	The SDGs are not legally binding but governments are expected to take ownership of the SDGs, working with civil society, academia and businesses to work towards the goals.
Pacific Youth Development Framework (2014)	Four outcomes: 1) More young people secure decent employment; 2) Young people's health status is improved; 3) Governance structures empower young people to increase their influence in decision-making processes; 4) More young people participate in environmental action.	Not a binding legal document.
Future of Fisheries: Regional Roadmap for Sustainable Pacific Fisheries (2015), Pacific Islands Forum Fisheries Agency and the Pacific Community.	Contains four goals for tuna fisheries for the region from 2010 to 2035: 1) sustainability; 2) value; 3) employment; and 4) food security.	Not a binding legal document.
Pacific Framework for the Rights of Persons with Disabilities (2016)	Improve the social and economic inclusion of people with disabilities in all areas of life – by ensuring that they have equal access to development opportunities, representation in government decision-making, access to sexual and reproductive health services, and that their special vulnerabilities to intersectional discrimination, including all forms of violence, are addressed.	Not a binding legal document.

Commitment	Relevance to HR and GESI in tuna industries	Pacific governments committed
Gender equality and social inclusion in coastal fisheries (includes small-scale tuna fisheries)		
Voluntary guidelines for securing sustainable small-scale fisheries (SSF) (2015)	Developed under the auspices of the UN Food and Agriculture Organization (FAO), the SSF guidelines take a human rights-based approach to the principles for the responsible management and development of small-scale fisheries and value chain fish work. They apply to small-scale coastal tuna fisheries, processing and marketing activities. FAO has also developed a handbook to support gender equity in implementing the SSF guidelines.[62]	As the name suggests, these are voluntary guidelines.
A new song for coastal fisheries: The Noumea strategy (2015)	'A new song for coastal fisheries' is the key document guiding Pacific coastal fisheries. It emphasises that the contributions of women and youth are often overlooked or diminished and says that women and youth must have a greater role in decision-making about coastal resources and more equitable access to benefits from them.	Not a legally binding document.
Melanesian Spearhead Group (MSG) roadmap for inshore fisheries management and sustainable development 2015–2024	The MSG (Fiji, Papua New Guinea, Solomon Islands and Vanuatu) has pledged to implement this set of principles in national jurisdictions by 2024. Its vision is to achieve sustainability for economic, social, ecological and food security purposes, including by empowering communities to manage their coastal resources.	Not a legally binding document.
Pacific Framework for Action on Scaling up Community-based Fisheries Management (2021-2025), Pacific Community	The goal of the Framework for Action is: "Coastal communities are empowered and supported as crucial for scaling up effective management to ensure sustainable coastal fisheries provide benefits to Pacific peoples in terms of food, nutrition, livelihood, culture and health."	Not a legally binding document.

62 Food and Agriculture Organization of the United Nations (FAO). (2017b). Towards gender-equitable small-scale fisheries governance and development - A handbook. In support of the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication, by. Retrieved from http://www.fao.org/3/i7419en/I7419EN.pdf