



FISHERIES REGULATION

EU IUU gives 'yellow card' to Taiwan, lifts from PNG and 'red card' decision on Thailand pending

Taiwan was issued a yellow card under the EU IUU regulation in October. This was in response to what the EU calls 'serious shortcomings' in its fisheries law, insufficient IUU sanctions, and ineffective 'monitoring, control and surveillance of the long-distance fleet'.² Given the importance of the Taiwanese fleet in WCPO purse seine fisheries, the risk of a red card has serious implications for the supply of canning-grade tuna to producers supplying the EU market, especially Thailand.

At the same time the EU recognised PNG's new 'robust legal and policy frameworks' to fight IUU fishing and lifted its yellow card status,³ which had been hanging over PNG's tuna industry since June 2014 and subsequent extension in February 2015. The yellow card on Ghana was also lifted in parallel. So far very few red cards have been applied, indicating that the EU will only use this option if a country does not demonstrate some propensity to reform.

Thailand was given a yellow card in April for 'shortcomings in its fisheries monitoring, control and sanctioning systems' and is still facing a potential red card.⁴ A recent flurry of fisheries policy reform in Thailand in response to the yellow card as well as to US government pressure (e.g. the State Department's negative ranking of trafficking in persons in Thailand⁵) means that Thai government and industry expect the yellow card to either be extended or lifted entirely.⁶ An EU ban on Thai fish products seems politically unlikely from both a food security and a commercial perspective as it would exclude one of the largest and cheapest export-orientated producers of seafood.

US rejects purse seining petition, threat of impacts on American Samoa

Tri Marine filed petitions in May to the US National Marine Fisheries Service (NMFS) for a conditional exemption to an Effort Limit Area for Purse Seine (ELAPS) in the US EEZ, as reported in the last issue of *FFA Trade and Industry News*.⁷ NMFS denied the petition on 19 October.

A prior impact review of the new rule found that the fishing limit 'is expected to have substantial adverse economic impacts on U.S. purse seine fishing businesses in the WCPO' and on 'income and employment ... in business sectors with backward and forward linkages to the producers'.⁸ But NMFS argues that there is insufficient information 'to determine whether the 2015 ELAPS limit is likely to jeopardize the ability of the American Samoa canneries to compete in world markets' and that such information will not be available in a sufficiently timely manner.

The fall-out of the failed petition includes warnings from the Western Pacific Regional Fishery Management Council that the new limit may push fishers out. This could in turn have negative impacts on raw material supply to tuna processors in American Samoa – StarKist and Tri Marine. Council members emphasised that '[w]e just have the fisheries for job creation in American Samoa compared to the highly diversified economy of the US mainland; and remarked that 'StarKist and Tri Marine are our government's life support in terms of our economy and jobs and our people's social growth'.⁹

There may, however, be a silver lining for US territories such as American Samoa. NMFS has announced that it is 'considering proposing regulations that mitigate

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adverse economic impacts of purse seine fishing restrictions on the U.S. Participating Territories', as long as they comply with WCPFC obligations.¹⁰ NMFS is currently inviting submissions of information on how to best assess these impacts.

American Samoa minimum wage hike pushed by mainland competitor

In early October, the US Congress signed a law that will increase American's Samoa's minimum hourly wage by US\$.40. In tuna processing, this will boost minimum wages from US\$4.76/hour to US\$5.06/hour. The increase follows a 2007 bill that set in motion a series of incremental wage increases in the US Territories with the aim to bring them up to the minimum wage on the mainland. Initially, the House unanimously supported a bill to delay the hike until end of 2016. This move was blocked by US Senator Johnny Isakson when the bill moved to the Senate, at which time, American Samoa's non-voting delegate to the House of Representatives introduced the bill that yielded the increase.¹¹

Despite having left the island, Chicken of the Sea's operational strategy played a central role in the most recent wage increase. When COSI closed its doors in Pago Pago in 2009, it cited increasing minimum wage as one of a suite of issues to do with high operating costs in American Samoa. After leaving the island, COSI opened a new cannery on the mainland in Lyons, Georgia that mimics Bumble Bee's Santa Fe Springs model: it imports loins and processes them into cans, enabling the plant to source low-duty raw material that has been cleaned and pre-cooked in Thailand where its parent company, Thai Union, undertakes the labour intensive fish cleaning process with productive, lower cost labour. In order to protect the jobs in the new plant, Georgia Senator Johnny Isakson actively pressed for the minimum wage increase, citing 'artificially lower wages in American Samoa' as offering a competitive advantage for the island economy that puts jobs and growth for Georgians at risk.¹² Previously, Isakson consistently opposed efforts to boost minimum wages, including the 2007 law that set in motion the American Samoa wage increases.

Following the last wage increase, Starkist reported reducing overtime, freezing hiring and raising prices as part of its efforts to contend with increased labour costs.¹³ This time around, both Starkist and TriMarine (who recently began processing operations in Pago) will have to contend with the new cost; both opposed the increase. However, the new politics emerging around the COSI Georgia investment indicate that competition between the mainland and American Samoa is deepening, even as American Samoa's advantages of duty free access to the mainland market is potentially being eroded by the proliferation of regional free trade agreements and access to raw material is becoming more difficult (see prior story on US rejection of TMI petition). Further, Isakson has reportedly threatened to move to eliminate tax breaks that American Samoa offers to the tuna firms.¹⁴ The next minimum wage hike in American Samoa is scheduled to go into effect in three years.

FISHERIES MANAGEMENT

Outcomes from WCPFC's 11th Technical and Compliance Committee Meeting¹⁵

The WCPFC's Eleventh Technical and Compliance Committee (TCC11) met in Pohnpei, Federated States of Micronesia on 23-29 September to discuss technical and compliance matters in advance of WCPFC12.

Rejected petition threatens tuna processing in American Samoa warns Western Pacific Regional Fishery Management Council

NMFS invites comments on possible new regulation to mitigate impacts of purse seining regulations on American Samoa

American Samoa's canneries will face a 40-cent increase in minimum wage



TCC is responsible for administering the Commission's Compliance Monitoring Scheme (CMM 2014-07). During the annual TCC meeting a review is conducted in a closed working group session of compliance of Commission members' and cooperating non-members' (CCMs) with obligations established in the WCPFC Convention, scientific data requirements, Commission Decisions and Conservation and Management Measures (CMMs).

TCC11 marked the fifth year of implementation of the Compliance Monitoring Scheme, with several days dedicated to conducting the compliance monitoring review. The compliance of 36 CCMs was reviewed with a priority list of over 100 obligations for 2014. A three-tiered system of rating compliance was applied for the second year running, where members are rated for each obligation as compliant (green), non-compliant (orange) or priority non-compliant (red) (when a CCM is non-compliant for an obligation for two or more years, is breaching catch limits and/or is not submitting Annual Reports). If a CCM is in compliance with all assessed obligations, TCC recommends an overall compliant rating to WCPFC. Following the compliance monitoring review process, TCC11 developed a Provisional Compliance Monitoring Report to be forwarded to WCPFC12 for consideration which includes a provisional assessment of each CCM's compliance status and recommendations for corrective action, as well as issues arising during the compliance monitoring review process and requests for assistance and capacity building. While CMM 2014-07 includes provisions for responses to non-compliance, including the establishment of a small working group to identify a range of responses to non-compliance, this issue was not progressed by TCC11. Since the current Monitoring Scheme measure expires in 2015, time was also spent during TCC11 to develop proposed text to extend the Scheme into 2016 and beyond.

In previous years, a key TCC concern was continued failure of South Korea, Japan, Chinese Taipei and China to provide operational level data, which compromises the ability of the Commission to carry out its compliance functions, as well as reducing the robustness of stock assessments. At WCPFC11, operational level data requirements were included in the CMM on tropical tunas (CMM 2014-01) to help address this issue. TCC11 noted there has been significant progress in the provision of operational data from Korea and China, but further improvements are still required. Further progress is expected in 2016.

Discussions on the Regional Observer Program touched on the paramount concern for health and safety of observers, particularly in light of the recent case of a US-observer going missing from a Panamanian carrier in Peru, as well as other reported cases of harassment, intimidation and assault. WWF delivered a strong statement to TCC11 about the critical issue of observer health and safety and indicated that it will be pushing for market-based sanctions for companies/fishing vessels who violate observer health and safety. WWF's position was supported by several WCPFC CCMs.

TCC11 discussed proposed amendments to existing WCPFC CMMs as well as new CMMs for consideration by WCPFC12. New Zealand proposed that catch data on non-tuna species be subject to mandatory collection under Scientific Data provision Rules. Australia is calling for agreement on a workplan for developing the harvest strategy for key tuna species (CMM 2014-06). Once again, Cook Islands is proposing changes to Eastern High Seas Pocket requirements including the prohibition of high seas transshipment in this area (CMM 2010-02). Given the Commission's Charter Notification Scheme will end in 2015, FFA members are proposing an extension of the scheme for another three years (CMM 2012-05). Both FFA members and the EU have once-again called for 5% fin:carcass ratio requirement for sharks to be replaced with a requirement that is easier for enforcement and compliance monitoring (e.g.

*Competition
between the
mainland
COSI plant
and American
Samoa
producers is
deepening*

*TCC10 reviewed
36 WCPFC
members' and
non-cooperating
members'
compliance
with over
100 priority
conservation
and
management
obligations*



fins remain naturally attached) (CMM 2010-07). FFA members are calling for changes to the South Pacific Albacore measure to address difficulties reviewing the number of vessels 'actively' fishing for albacore south of 20°S to set a baseline for assessing compliance (given some longline vessels targeting other tuna species/swordfish/sharks also catch albacore as by-catch) (CMM 2010-05). The US has called for specific requirements for leatherback turtles to be included in the CMM on sea turtles (CMM 2008-03).

On proposed new CMMs, at the time of TCC11 only one new proposal had been tabled by PNA for establishing a WCPO skipjack target reference point, which is a revision on their 2014 proposal to WCPFC11. At time of writing there were no proposals tabled by any members on major changes to the existing measure or a proposal for a new measure for skipjack, yellowfin and bigeye, despite this being one of the most contentious and highly-debated measures in recent years. However, TCC11 has recommended WCPFC12 address some ambiguities in the text (e.g. defining 'current' levels) to better facilitate review of compliance with certain requirements. Also, there are elements that are required to be addressed in 2015 by WCPFC12 including high seas purse seine effort limits, purse seine yellowfin catch limits and longline yellowfin measures. Additional FAD measures for 2015 and the capacity management work plan may also be discussed. FFA members also met in late October for their annual Management Options Consultation where they usually prepare multiple proposals.

Call to review all MSC tuna certifications after Echebatar fails assessment

On 22 September, in the final stage of the objection process in the MSC assessment of Echebatar's Indian Ocean purse seine free-school fishery, the Independent Adjudicator, Eldon Greenberg, upheld an objection by WWF and ruled that the MSC Conformity Assessment Body, Acoura Marine, must revise its original scoring downwards on the performance indicator relating to harvest control rules (PI 1.2.2.) to below 60 (fail). This will ultimately result in the fishery failing the assessment and not being eligible for MSC certification.¹⁶

Pesqueras Echebatar S.A. (Echebatar) is a Spanish family-owned purse seine company with five vessels operating in the Indian Ocean under Spanish (3) and Seychellois (2) flags, with catches landed in Seychelles. The RFMO responsible for management of the fishery is the Indian Ocean Tuna Commission (IOTC). In January 2013, Echebatar entered its purse seine fleet into an MSC assessment under six units of certification (UoC) covering free-school and FAD-related catches of skipjack, yellowfin and bigeye (around 40,000mt/year). Over two years later, on 24 March 2015, Acoura released a final report covering only the three free-school units of certification for skipjack, yellowfin and bigeye, with a determination that the fishery should be certified in accordance with MSC Principles for sustainable fishing, subject to ten conditions being fully met within the five-year life of the MSC certification. These conditions related to strengthening reference points and harvest control rules, improved data collection for retained species (oceanic white tip and silky shark) and endangered, threatened and protected species, the establishment of incentives for sustainable fishing/penalties for unsustainable fishing, and establishing well-defined fishery specific objectives.¹⁷

Objections to the final report and determination were lodged by WWF and the International Pole and Line Foundation (IPNLF). WWF objections largely centred on the Conformity Assessment Body misapplying MSC's definition of 'harvest strategy'

*Korea
and China
have made
considerable
progress in
providing
operational
level data*

*At TCC11, there
were no major
amendments
to the existing
measure or
new proposals
discussed for
tropical tunas
in advance of
WCPFC12*



and 'harvest control rules' to award pass scores on two performance indicators under Principle 1 (target stock status), when there is actually no formal harvest strategy or well-defined and effective harvest control rules in place under existing IOTC management arrangements for the fishery.¹⁸ IPNLF objections included the Conformity Assessment Body's failure to follow MSC procedures in conducting the assessment (i.e. failure to notify suspension/withdrawal of three FAD-related units of certification; failure to respond/take into account stakeholder comments in the final report/determination), as well as scoring irregularities in a number of P3 (fisheries management) performance indicators.¹⁹

Despite consultations facilitated by the Independent Adjudicator between WWF, IPNLF, Echebatar and the Conformity Assessment Body, the issues raised in the objections were not able to be resolved to the satisfaction of all parties, with the assessment proceeding to independent adjudication. Taking into consideration all of the objections laid, the Independent Adjudicator deemed that the single most serious issue (as raised by WWF) is that harvest control rules are not in place or available for the fishery (in accordance with PI 1.2.2 requirements), which in his view means the Conformity Assessment Body incorrectly assigned a pass score of 60. According to MSC Principles and scoring, the fishery must fail if any single performance indicator score below 60. The Independent Adjudicator indicated 'the flaw is fundamental, irremediable and fatal' and that on these grounds alone, the fishery must fail, eliminating the need to examine other issues raised by the objectors. He argued that while the MSC-certified Maldives pole and line fishery (also managed by IOTC) was awarded a pass score of 60 for harvest control rules in 2012, the Conformity Assessment Body's justification that this sets a precedent for harmonisation of the scoring is invalid, as the Maldives' assessment on harvest control rules was incorrect and sets a precedent for perpetuating a scoring error in other Indian Ocean tuna fishery assessments.²⁰ He also dismissed the precedent set by PNA's MSC-certified purse seine free-school fishery which was also awarded a pass score of 60 for P1.2.2. given this fishery is managed under a different regime (WCPFC vs. IOTC). In any case, he claims that the PNA score is not binding on him and is inconsistent with his analysis of how P1.2.2. should be scored.²¹

Echebatar has taken a strong public stance about the outcomes of the Independent Adjudication process and has accused the MSC of applying double-standards, given the Maldives pole and line fishery is MSC certified, while theirs will fail, despite both fisheries coming under the same management system. Echebatar is insisting all tuna (and swordfish) fisheries currently certified are reviewed and that the same principles, standards and arguments be applied to these fisheries (and tuna fisheries in assessment), which would result in existing fisheries being de-certified. In particular, Echebatar is calling for the Maldives pole and line fishery and PNA free-school purse seine skipjack fishery to be reviewed.²² Echebatar's call for reviews to be conducted of all existing MSC tuna fisheries has been echoed by WWF, raising concerns that Acoura (and other Conformity Assessment Bodies) have been 'misapplying MSC requirements for a number of years'. WWF believes that the Echebatar ruling will restore the necessary rigour in MSC tuna assessments against the MSC standard and prevent consumers from losing confidence in the eco-label. WWF claims that the main effective control for managing the Indian Ocean tuna fisheries has in fact been Somali piracy which has forced many vessels to shift or reduce their fishing operations, not fisheries management.²³

This is a landmark decision as it is the first time an upheld objection has resulted in a Conformity Assessment Body's pass determination being overturned to a fail for an MSC tuna assessment. The possible precedent set for harvest control rules is proving worrisome for existing MSC certified fisheries and fisheries currently in assessment.

An independent adjudication process has upheld a WWF objection which will result in the Echebatar purse seine free-school fishery failing an MSC assessment

Echebatar and WWF are calling for MSC to review all existing MSC tuna assessments

The Echebatar ruling may have implications for Pacific tuna fisheries currently in MSC assessments



There is now speculation that Maldives' pole and line skipjack and yellowfin fishery could have its certification suspended after its next annual surveillance audit in November 2015.²⁴ Similarly, this may affect tuna fisheries currently in assessment, including two Pacific Island fisheries – Tri Marine's US purse seine free-school skipjack and yellowfin fishery and Solomon Islands' purse seine and pole and line skipjack and yellowfin fisheries. However, WCPFC is considered to be more advanced in the establishment of harvest control rules than IOTC and should have less difficulties meeting the requirements. While comments from MSC have been limited to date, it has indicated that the outcomes from the Echebstar objections process relate only to that fishery and do not set a binding precedent (i.e. automatic suspension) for other fisheries with overlapping elements.²⁵ MSC is currently working on strengthening the guidance to Conformity Assessment Bodies regarding scoring of P1.2.2, as well as harmonisation of scoring between assessments in overlapping fisheries.²⁶

TUNA INDUSTRY

Tuna groups meet in Fiji at 5th Pacific Tuna Forum

At the 5th Pacific Tuna Forum, some 250 delegates from various sectors with interest in the tuna industry met for talks on the health of tuna stocks and the potential benefits for various management systems.

Dr. Shelton Hartley of SPC offered an overview of fish stocks and trends in the fishery, noting record catches in the WCPO in the last several years and reiterating longstanding scientific advice that the fishery as a whole is tilting towards the need to reduce catch and rebuild stocks. This recommendation takes on more significance in light of increasing efficiency, effort and capacity in the purse seine sector that looks to be impacting the long-stable skipjack fishery. Increasing catch per unit effort has coincided with recent declines in skipjack biomass.²⁷ Concern over overcapacity, increasing catching efficiency (effort creep) and their link to declining prices was further emphasised by Phil Roberts of Tri Marine. Roberts also suggested that concessions for developing states in the WCPFC measure to limit capacity are being used as an avenue for major fishing powers to build new purse seine vessels.²⁸

Attention to the dynamics of the VDS, particularly the dramatic increase in returns that it has yielded for the PNA countries and projections that there is room for further increases in access revenues, sparked discussion on potential management approaches. In particular, debate was on the relative merits of a shift from an effort-based scheme (vessel days) to a harvest-based scheme (catch management) in order to curb overcapacity in the fishery. On behalf of the PNAO, Dr Transform Aqorau argued that taxing fishing effort can be as effective as quotas by limiting the incentive for overinvestment. He noted that while a variant on an individual transferable quota (ITQ) could potentially more effectively manage catch limits in the multi-species fishery, it remains questionable if such a scheme could be enforced in the complex PNA fishery. He announced that the PNA Members have initiated a study about the feasibility of transforming the VDS into a system based on individual harvest restrictions.²⁹ This discussion was coupled with an overview of the ongoing effort to develop a longline VDS in PNA waters that would replace the flag-based bigeye catch limits with an aim to control longline fishing and provide a basis for longline management in the WCPO more broadly.

Multiple presenters discussed opportunities and constraints associated with domestic industry operations in Pacific Island countries. On the fishing side, PITIA representatives emphasised the need for government support, including through

Over 250 delegates gather in Fiji to discuss tuna stocks and industry and management directions

Commentators expressed concern over ecological and economic effects of increasing purse seine effort, capacity and efficiency

The PNA have initiated a feasibility study on shifting the VDS to a harvest restriction management system



the development of tuna management plans that provide confidence, offer secure and long term resource access, and attract foreign firms and their associated skills and expertise to make domestic investments.³⁰ Meanwhile, Pete Celso of RD Tuna compared tuna processing costs in PNG to costs in the Philippines, asserting that creating on-shore returns has been constrained by competitive disadvantages, increasing costs associated of fishing access and the need for building greater economies of scale.³¹

Hugh Walton of FFA bridged these discussions with an overview of regional investment and the future of Pacific fisheries. In addition to looking at the viability of fishing and processing, he offered an overview of the Future of Fisheries Roadmap³² recently endorsed by Pacific Island leaders that couples goals and strategies for tuna fisheries as well as coastal fisheries. These include generating sustainability, value, employment and food security by improving zone-based management, progressively limiting fishing on the high seas by foreign fleets, directing raw material supply in the region, and establishing regional processing hubs with high employment standards in fishing and processing. The roadmap also focuses on livelihoods and food security for coastal communities impacted by declining fisheries resources.³³

In a newer topic of discussion, Patricia Kailola of Pacific Dialogue presented a discussion paper on growing attention to poor conditions and abuse of crew on fishing vessels and to the need for attention to worker conditions in the tuna industry. Citing examples of credit bondage, issues with safety and sea, and working conditions, the discussion paper urges attention to human rights onboard vessels. Kailola argued that as more information about human rights conditions emerges, Western consumers will demand change. Her paper points to existing regulatory structures that might be able to incorporate human rights issues and urges tuna interest groups to begin gathering data and address the problem.³⁴

Sanford New Zealand pulls out of WCPO tuna purse seine fishery

Sanford Ltd, a large, established New Zealand fishing company whose shares are publicly traded on the New Zealand Stock Exchange, has exited the WCPO tuna purse seine fishery and has sold at least two of its three vessel purse seiners with the third reportedly still for sale.³⁵ On 1 September 2015 Sanford's CEO, Volker Kuntzsch, released a statement announcing that, after a management review of 'the viability of the Company's Pacific Tuna business', it found 'unsatisfactory returns driven by low prices and the strict commodity nature of skipjack tuna coupled with ever increasing access costs to the fishery'. This 'resulted in the decision to exit this business and offer the vessels for sale'.³⁶

The company had been reviewing its performance in the tuna business for some time, and indicated in its June 2015 Interim Report that it had entered into a conditional agreement to sell both purse seine vessels in April.³⁷ Sanford reported that skipjack sales were a relatively small portion (5%) of its overall revenue of NZ\$226 million (US\$143 million) for the six months ending 31 March 2015.³⁸ Sanford's departure from the fishery leaves just one NZ company, Talley's, and their two active vessels.

The business-like statements above released by Sanford Fisheries and its CEO contrast with those made by the latter to the press prior to the December 2014 WCPFC meeting in Apia. At that time he was quoted as saying that Sanford hoped measures would be taken to improve the business returns in the fishery: 'Are they going to listen to us or are they going to say "the money we are getting from other countries

Pacific leaders develop Future of Fisheries Roadmap that focuses on sustainability, value, employment and food security

Sanford management identified 'unsatisfactory returns driven by low prices'

Sanford claims management of VDS undermined its competitiveness



is worth more than your little contribution to our economy?"" Referencing the Vessel Day Scheme, he said that 'Days are given away sometimes in excess of what should be allowed and there is no knowledge of what is caught on those days'.³⁹ Sanford thus appears not only influenced by the current market for skipjack in its decision to exit the fishery, but is also at odds with the manner in which the fishery is being managed.

TUNA MARKETS

Greenpeace takes on Thai Union in USA and UK

Greenpeace in the UK and the USA have once more been targeting the canned tuna industry. While the focus of prior campaigns was on environmental sustainability (anti-FAD, pro-pole and line) with some emphasis on equity (especially coastal state development), the recent attack has placed heavy emphasis on the alleged abuse of workers. This reflects a broader growth of interest in labour standards in the seafood industry as reported in *FFA Trade and Industry News* since 2009.⁴⁰

The 'Not Just Tuna' campaign in the USA plays on the product being about not *just* (i.e. not solely) tuna but as having a negative effect on overfishing, bycatch, workers' rights and labour standards. Instead it calls for a *just* can of tuna (i.e. justice). The target is Chicken of the Sea, owned by Thai Union (TUF). In a major new development the campaign is supported by three US labour unions representing 4.7 million workers.⁴¹ In a solidarity statement with Greenpeace the President of the United Food & Commercial Workers Union called 'on Thai Union to end destructive fishing while respecting the labor and human rights of all those employed within its supply chain'.

In the UK the focus is on John West, also owned by TUF, and its pulling back from sustainability commitments made in 2011. The campaign has enlisted celebrity chefs, made national TV, and been front-page news on *The Times*;⁴² it has also bred stories containing wild inaccuracies about the industry.⁴³ While other labour organisations and NGOs have been working behind-the-scenes with TUF to advance the improvement of workers' lives, this most recent Greenpeace campaign puts TUF once again in the public spotlight. The probable logic of the campaign being that a unified international effort on both sides of the Atlantic targeting the largest firm in the business will affect system-wide change.

For its part, TUF has responded to Greenpeace accusations by highlighting that it shares an interest 'in effecting real change that will minimize bycatch, protect stock levels, preserve oceans, improve working conditions and ensure safe and legal practices throughout every fishing operation in the world'. It criticised Greenpeace for factual inaccuracies on 'the purposeful capture of sharks', claims around IUU (TUF holds up International Seafood Sustainability Foundation policies as the main standard here), and company-specific reforms on Business Ethics and a Labor Code of Conduct.⁴⁴ Questions remain however, certainly at the national scale, as to the effectiveness of the implementation of new regulation and the US State Department, international unions and NGOs will no doubt continue to exert scrutiny.

Greenpeace's story is a little simplistic in painting Thai Union as the 'bad guy' and as such can be easily countered by industry. For example, Thai Union is also the company that procures raw material and packs it for UK supermarkets' own-brand 'sustainable' tuna. Much of the pole-and-line caught raw material comes from the Maldives, which TUF purchases the bulk of.⁴⁵ And while there are well reported links

Greenpeace
USA campaign
supported by
trade unions

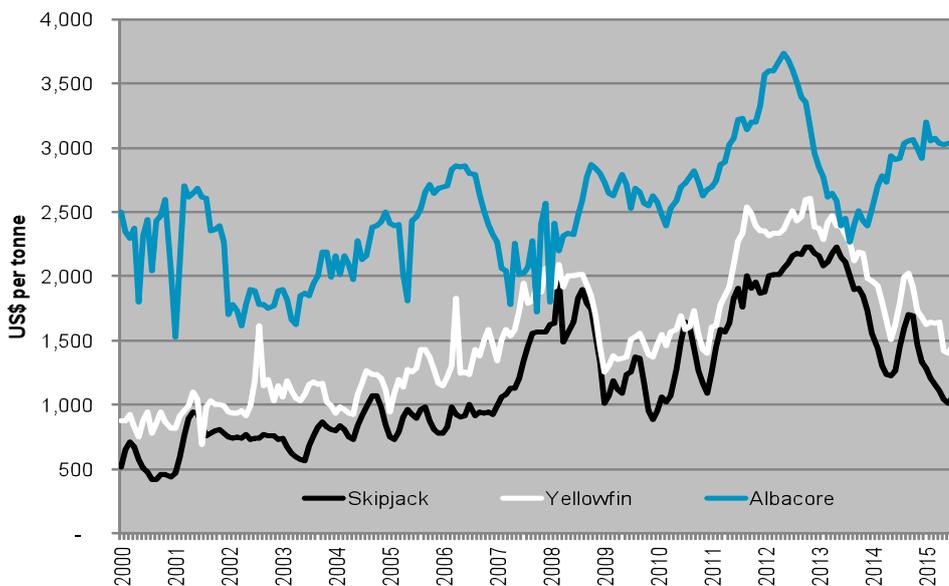
Greenpeace
UK campaign
makes national
TV and front-
page news

Thai Union
draws on
International
Seafood
Sustainability
Foundation as a
major basis of
its response

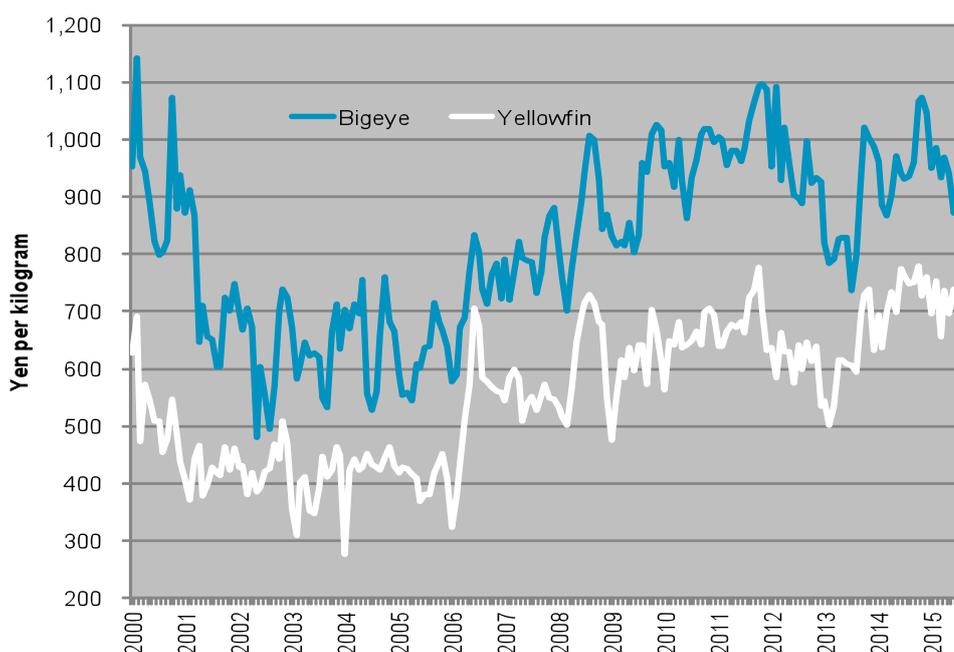
between Thai Union and forced labour, these are in relation to crew working on boats catching fish-feed that TUF procures for shrimp aquaculture, with little to do with TUF's tuna business.

TUNA PRICE TRENDS⁴⁶

Bangkok canning-grade prices to August 2015⁴⁷

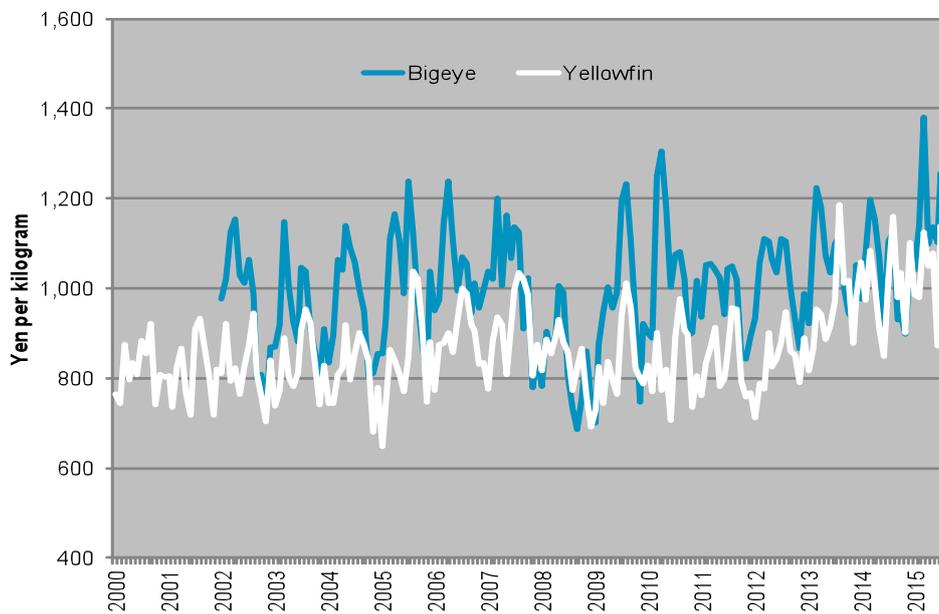


Japan frozen sashimi prices (ex-vessel, Japanese ports) to August 2015⁴⁸

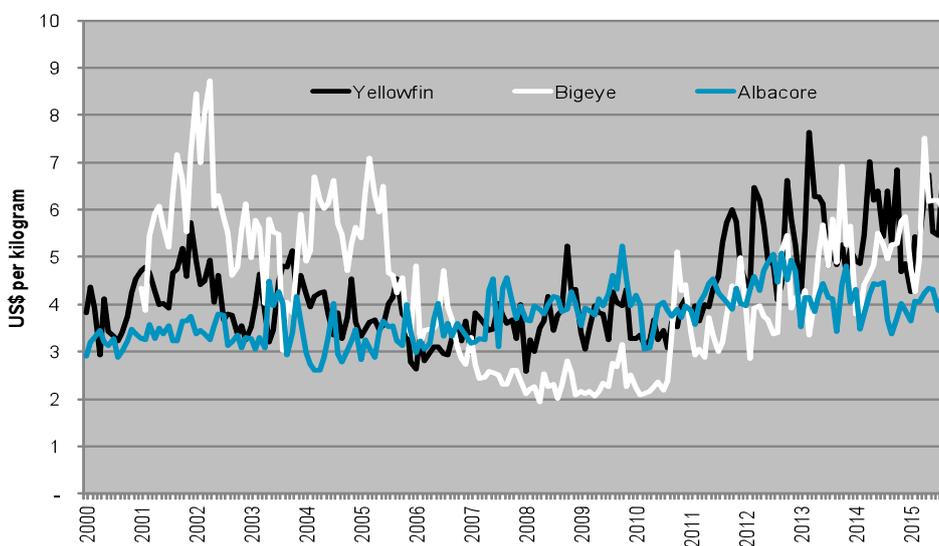


Factual weaknesses in Greenpeace campaign may undermine credibility

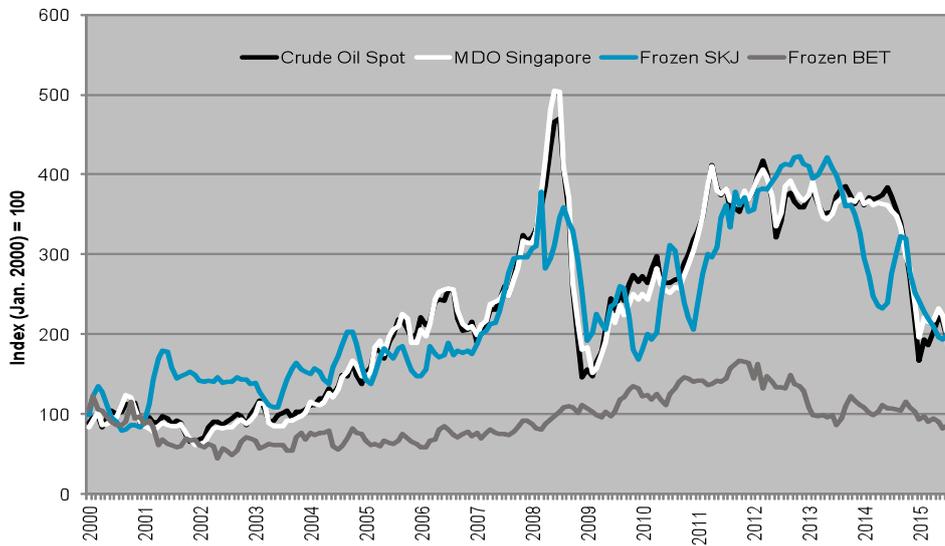
Japan fresh sashimi prices (origin Oceania) to August 2015⁴⁹



US imported fresh sashimi prices to August 2015⁵⁰



Crude oil, canning-grade frozen skipjack (SKJ) and frozen bigeye (BET) price index to August 2015⁵¹



¹ Prepared for the FFA Fisheries Development Division by Dr Liam Campling, School of Business and Management, Queen Mary University of London and Dr Elizabeth Havice, University of North Carolina at Chapel Hill, both Consultant Fisheries Trade and Market Intelligence Analysts, Fisheries Development Division, FFA. Desktop publishing by Antony Price. The authors would like to thank Mike Batty for his input on an earlier draft of this briefing. The contents of this briefing (including all analysis and opinions) are the responsibility of the authors and do not necessarily reflect the positions or thinking of the FFA Secretariat or its Members.

² European Commission - Press release, 'Fighting illegal fishing: Commission warns Taiwan and Comoros with yellow cards and welcomes reforms in Ghana and Papua New Guinea', Brussels, 1 October 2015. Available at: http://europa.eu/rapid/press-release_IP-15-5736_en.htm

³ Ibid.

⁴ European Commission - Press release, 'EU acts on illegal fishing: Yellow card issued to Thailand while South Korea & Philippines are cleared', Brussels, 21 April 2015. Available at: http://europa.eu/rapid/press-release_IP-15-4806_en.htm

⁵ Liam Campling, Elizabeth Havice and Mike McCoy 2015, 'Thailand ranked again in lowest tier in US Trafficking in Persons report', FFA Trade and Industry News, 8 (4): July-August. Available at: http://www.ffa.int/trade_news

⁶ 'EU decision on fishery ban in December', The Nation (Bangkok), 3 October 2015. Available at: <http://www.nationmultimedia.com/politics/EU-decision-on-fishery-ban-in-December-30270113.html>

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