

Supply Chain Transparency in Thai Fishing Industry



Big Question:

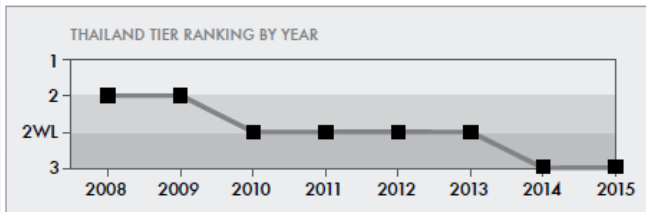
**Whether Transparency in Thai-Fishing
Supply Chain is needed?**

Urgent Need of Thai Fishing Supply Chain Transparency (1/2)

TLCS

KDW

"35 fishing facts that will make you never want to eat fish again"



- US - TIP 2014/2015
- News Reports: AP/Reuters/Guardian etc.
- Consumer Boycott
- Customer Pressure
- NGOs' Negative Campaigns
- IUU - Sustainable fishing + trafficking free supply chain



NOT URGENT ENOUGH
To Make Change In Fishing
Producing Supply Chain?

MORE



Urgent Need of Thai Fishing Supply Chain Transparency (2/2)

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-
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Now

- California Supply Chain Transparency Act → **supply chain transparency**

Now

- UK Slavery Act → **supply chain transparency**

upcoming

- U.S. Executive Order 13627 - Model Compliance for Federal contractors/supplier/supplier of supplier → **import ban**

upcoming

- U.S. Tariff Reauthorization Bill - *Elimination of consumptive Demand Exception* → **import ban** on individual company that its supply chain tainted by forced labor

upcoming

- U.S. Business Supply Chain Transparency on Trafficking → **supply chain transparency**

- requires that manufacturers and retailers with over \$100 **post a disclosure statement of steps they have taken to prevent and address human trafficking in their supply chains.**
- Engages in **verification of product supply chains** to evaluate and address risks of human trafficking and slavery. – third party verification?
- Conducts **audits of suppliers** to evaluate supplier compliance with company standards for trafficking and slavery in supply chains. - independent and unannounced audit?
- Requires **direct suppliers** to certify that materials incorporated into the product **comply with the laws regarding slavery and human trafficking**
- **Maintains internal accountability standards and procedures** for employees or contractors failing to meet company standards regarding slavery and trafficking.
- Provides company employees and management **training on human trafficking and slavery**, particularly with **respect to mitigating risks within the supply chains** of products.

Violation of California Supply Chain Transparency Act

Any consumer in the U.S can
bring lawsuit against retailers
and its suppliers



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MONICA SUD, individually, and on behalf of
all others similarly situated

Plaintiff,

COSTCO WHOLESALE CORPORATION,
a Washington Corporation; **CHAROEN**
POKPHAND FOODS, PCL, a Bangkok,
Thailand Corporation; **C.P. FOOD**
PRODUCTS, INC., a Maryland Corporation

Defendants.

CLASS ACTION COMPLAINT FOR:

1. Violations of California Business & Professions Code § 17200 *et seq.*
2. Violations of California Business & Professions Code § 17500 *et seq.*
3. Violations of the Civil Code § 1750 *et seq.*

DEMAND FOR JURY TRIAL

Class Action Case: Seeking Reliefs



Put the Right Label to Products

“Defendants’ practices are fraudulent in that Defendant Costco affirmatively represents that it enforces its standards to prohibit the use of slave labor and it fails to identify the fact that the frozen Thai prawns it is selling is produced using slave labor.”



**California
Transparency in Supply
Chains Act (2010)**

**US - Legislation Bill
Business Supply Chain
Transparency on Trafficking**



REQUIRES BUSINESS SUPPLY CHAIN TRANSPARENCY



UK Slavery Act - Supply Chain Transparency

- September 2012 - Executive Order 13627: **“Strengthen Protections Against Trafficking in Persons in Federal Contracts”**
- January 29, 2015 - FAR Council Released **“The Final Rule to Implement EO 13627”**
- Verite’ - **“Model Compliance on Human Trafficking”**



Source: Verite’

The 1930 Tariff Act – put import ban on goods/commodities produced with forced, coerced or indentured child or adult labor – except **when domestic supply was insufficient to meet consumer demand. (called “consumptive demand exception”)**



Bill on Tariff Reauthorization Act:



Several Trade Bills → **Eliminate Consumptive Demand Exception**



The 1930 Tariff Act, if amended, - any consumer can file requests at U.S. Customs and Border Protection **to prohibit imports** of goods produced under abusive labor conditions

**Action against individual company

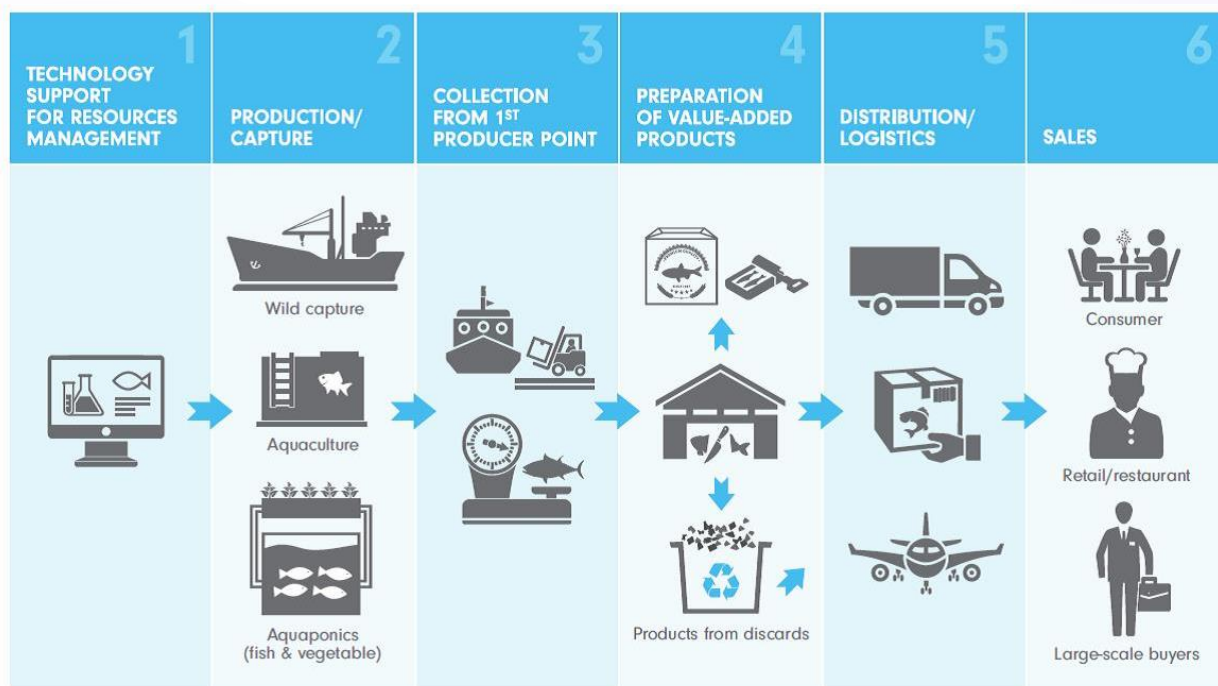
What U.S., EU, U.K. Consumers, Customers, Civil Society, NGOs, and grieved labors need from Thai Fisheries Industry?

“TAKE ACTION”

seas

Accountable Supply Chain

Plates





seas

Accountable Supply Chain

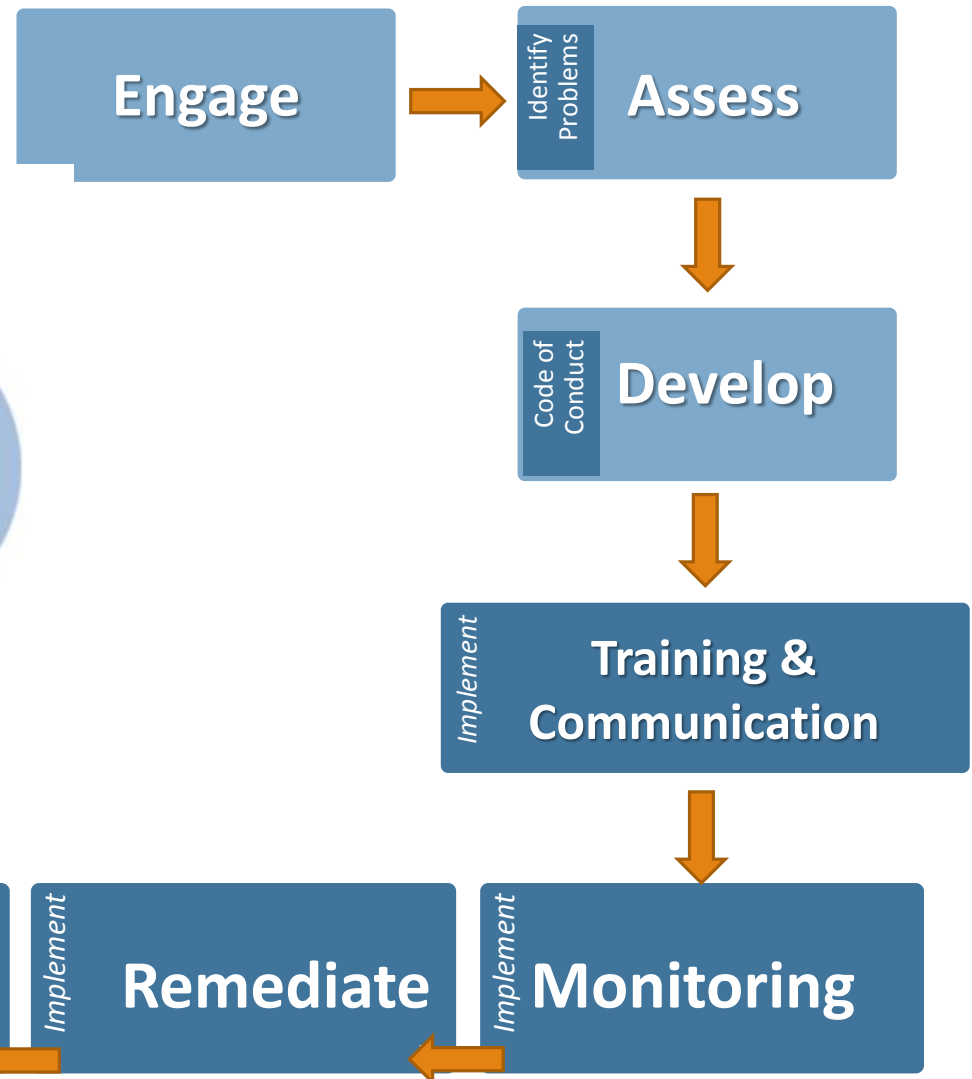
Plates

Deliverables:

- Adopt **Model Compliance Plan** for the Industry
- **Implement to the Compliance** for individual fishing producers
- Design Effective **Verifying and Monitoring System**
- **US-EU Advocacy**
- **Strategic PR** - recover Customer/consumer Confidence in Thai Seafood
- Enhance Fishing Industry to Qualify for **Certificate(s) of Responsibilities**

Empowering Good Labor Practice in Fishing Industry

Work on Top of TLS, GLP and other Standards



THANK YOU

GROUP OF EXPERTS ON SUPPLY CHAIN TRANSPARENCY:

- TLCS LEGAL ADVOCATE** (BANGKOK)
- KELLEY DRYE & WARREN** (WASHINGTON DC)
- THE MARA PARTNERS** (WASHINGTON DC)
- STOVE BOATS COMMUNICATION** (WASHINGTON DC)