

Human Rights Glossary

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Absence of freedom of association and collective bargaining

Workers may be denied the right to establish or join a trade union and to bargain collectively. The International Labor Rights Forum (ILRF) states: “Workers around the world face systemic barriers to organizing, including egregious acts of violence and intimidation. Companies and governments fire workers who attempt to organize, close or relocate factories and farms to eliminate union presence, criminalize activists, and hire migrants and children as replacements. Thousands of workers over the past decade have been arrested, harassed, and even killed for defending this internationally recognized freedom” ([ILRF](#)).

Blacklisting

Workers who speak up against human rights or labor violations or who join trade unions or worker organizations are sometimes targeted for reprisal. Such reprisal can take many forms, such as employment termination or “blacklisting”. In the case of blacklisting, workers might be barred from future employment and be unable to find another job in a particular country or sector ([Resources for Responsible Recruitment](#)).

Bonded labor

The United Nations (UN) states that “people enter the status or condition of debt bondage when their labor... is demanded as a repayment of a loan or of money given in advance, and the value of their labor is not applied towards the liquidation of the debt or the length of the service is not limited and/or the nature of the service is not defined” ([UN 2016](#)). In informal recruitment systems, during the recruitment process, foreign migrant workers may begin to accrue debts to obtain registration documents, be required to pay excessive security deposits or undisclosed fees to brokers and recruitment sub-agents to secure employment, or be required to pay for pre-employment travel, food, and shelter costs. Even before they start employment, these debts can make workers vulnerable to a range of coercion, control, and abuse by employers, producing the circumstances that lead to forced labor and debt bondage.

Child labor

The International Labour Organization’s (ILO) website defines ‘child labor’ as “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.” This includes work that is “mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school.” The ILO’s Worst Forms of Child Labor Convention (No. 182) considers a ‘child’ to be any person under the age of eighteen ([ILO 1999](#)). Although it is difficult to determine the exact number of child laborers employed specifically in the seafood industry, case studies and surveys suggest it is pervasive, both in number and geographic scope ([FAO and ILO 2013](#)).

Collective bargaining

The ILO Collective Bargaining Convention, 1981 (No. 154) defines collective bargaining as all negotiations that take place between workers' organisations and an employer, a group of employers, or employers' organisations. Such negotiations may involve discussion on “determining working conditions and terms of employment, regulating relations between employers and workers, and/or regulating relations between employers or their organisations and workers' organisations” ([ILO 1981](#)).

Corrective action planning (CAP)

A corrective action plan (CAP) is a step-by-step plan developed to remediate non-conformance issues found in business operations, such as if an audit reveals labor violations. The CAP details mechanisms for remediation and timelines for taking action. If an audit uncovers issues upstream in a supply chain, a company may send a CAP to a supplier to guide the remediation process. Taking a systems improvement

approach to CAPs can help companies not only respond to problems surfaced during social audits but also anticipate and prevent these problems from happening again. Effective CAPs outline the company's specific response to the issue, ensure that vulnerable workers are protected, address the root causes of the issues, map out the risks (such as particular business processes or structural gaps), and feed results into a management systems improvement plan ([Verite](#)).

Debt bondage (bonded labor)

The UN states that “people enter the status or condition of debt bondage when their labor is...demanded as a repayment of a loan or of money given in advance, and the value of their labor is not applied towards the liquidation of the debt or the length of the service is not limited and/or the nature of the service is not defined” ([UN 2016](#)). As a result, the value of the bonded laborer's efforts can at times exceed the original amount of money owed.

Decent work

Decent work means opportunities for everyone to get work that is productive and delivers a fair income, security in the workplace, social protection for families, better prospects for personal development, and social integration ([ILO](#)).

Due diligence

“Due diligence is an ongoing risk management process that a reasonable and prudent company needs to follow in order to identify, prevent, mitigate and account for how it addresses its adverse human rights impacts. It includes four key steps: assessing actual and potential human rights impacts; integrating and acting on the findings; tracking responses; and communicating about how impacts are addressed” ([UN Guiding Principles Reporting Framework](#)).

Freedom of association

The ILO defines freedom of association as “the right of workers and employers to form and join organizations of their own choosing” and states that freedom of association is a human right that is at the core of ILO values ([ILO](#)). The formation of independent employer and worker organizations allows for collective bargaining and social dialogue and is critical to protecting worker rights. Freedom of association is enshrined in the ILO Constitution, the ILO Declaration on Fundamental Principles and Rights at Work (1998), and the Universal Declaration of Human Rights.

Freedom of movement

Freedom of movement, sometimes also referred to as mobility rights, refers to the right of individuals to travel within a country or territory and to leave a country and return to it. In the context of human and worker rights, freedom of movement also refers to a worker's ability to terminate employment, switch jobs, or leave their site of work. Restricted freedom of movement is one of the indicators used to ascertain whether a situation amounts to forced labor ([ILO](#)).

Forced labor

All work or service that is extracted from any person under the threat of any penalty and that a person has not offered voluntarily is considered forced labor ([ILO 1932](#)). The definition of forced labor encompasses traditional forms of forced labor, such as slavery, as well as new forms of forced labor that have emerged in recent decades, such as human trafficking ([ILO](#)). According to the U.S. Department of State (USDOS), “forced labor, sometimes also referred to as labor trafficking, encompasses the range of activities – recruiting, harboring, transporting, providing, or obtaining – involved when a person uses force or physical threats, psychological coercion, abuse of the legal process, deception, or other coercive means to compel someone to work. Once a person’s labor is exploited by such means, the person’s prior consent to work for an employer is legally irrelevant: the employer is a trafficker and the employee is a trafficking victim” ([USDOS 2017](#)). In addition, workers may be deceived as to the type, location, or conditions of their employment.

Human rights

According to the UN, “human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination” ([UN](#)).

Human rights due diligence

Human rights due diligence refers to ongoing risk management processes that reasonable and prudent companies need to follow in order to identify, prevent, mitigate, and account for how they address their adverse human rights impacts. Human rights due diligence includes four key steps: assessing actual and potential human rights impacts; integrating and acting on the findings; tracking responses; and communicating about how impacts are addressed ([UNGP Reporting Framework 2015](#)).

Human trafficking (trafficking in persons)

Human trafficking, or trafficking in persons, occurs in a variety of sectors, include seafood. The United Nations Office on Drugs and Crime (UNODC) defines trafficking in persons as “control over another person for the purpose of exploitation” ([UNODC 2004](#)). Trafficking victims can include individuals born into servitude, exploited in their hometown, or smuggled to the exploitative situation as well as individuals who previously agreed to work for a trafficker or participated in a crime as a result of being trafficked ([USDOS](#)). At the core of human trafficking is the traffickers’ intention to exploit or enslave another human being, the coercive, underhanded practices they engage in to do so, and the purpose behind the exploitation ([UNODC 2004](#)).

Labor rights

Labor rights encompass a broader category of issues than trafficking, forced labor, or modern slavery. Labor rights include the ILO’s core standards: freedom of association, right to collective bargaining,

prohibition of forced labor, elimination of the worst forms of child labor, and non-discrimination in employment ([ILO 1999](#)).

Modern slavery

Modern slavery refers to the severe exploitation of other people for personal or commercial gain ([Anti-Slavery](#)). Modern slavery is an umbrella term that can be used to describe a range of situations in which a person is held in compelled service, including trafficking, forced labor, involuntary servitude, and bonded labor ([US DOS 2013](#)).

Overwork and illegally low wages

Workers may be forced to work excessive hours, sometimes up to 20 hours per day, and experience a delay or withholding of wage payment, wages below the legal minimum wage, and salary deductions. Lack of fair wages can keep workers in a cycle of debt bondage ([Environmental Justice Foundation 2019](#)).

Physical and psychological abuse

Workers may experience or witness egregious violations of human rights such as physical abuse and violence, including murder at sea, and psychological and verbal abuse, including derogatory and discriminatory language. Workers may also lack appropriate health care and safe working conditions ([Environmental Justice Foundation 2019](#)).

Restricted freedom of movement

Employers or brokers may take possession of workers identification documents, significantly restricting their freedom of movement and leading to the possibility of imprisonment, deportation, torture, or death if workers attempt to escape. In some cases, workers may even be locked up after disembarkation. Workers lacking documents may not exercise basic rights to health care due to fear of reprisal ([Human Rights Watch 2018](#)).

Social compliance

Social compliance involves a focus on a company's policies and practices as well as the policies and practices of supply and distribution chains to protect the rights, health, and safety of workers ([Insight](#)).

Social responsibility

Social responsibility, applied here within the concept of corporations, refers to the notion that businesses have a responsibility to society, including consumers, employers, the greater community, government, workers, and the natural environment ([CSR and Related Terms](#)). The Monterey Framework for Social Responsibility provides pillars for advancing human rights, equity, and food and livelihood security and is specific to seafood ([Monterey Framework](#)).

Worker engagement

Worker engagement refers to a spectrum of activities ranging from effective grievance mechanisms to worker committees and other forms of worker representation such as unions ([Doug Cahn Group 2018](#)).