



INDEPENDENT REPORT

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UNDERSTANDING THE WORKING CONDITIONS OF WESTERN & CENTRAL PACIFIC OCEAN FISHERIES OBSERVERS: A BASELINE SURVEY

A follow-up to the Human Rights at Sea Report:

**FISHERIES OBSERVER DEATHS AT SEA,
HUMAN RIGHTS & THE ROLE & RESPONSIBILITIES
OF FISHERIES ORGANISATIONS**

Dated 1st July 2020

11th NOVEMBER 2020



University of
Nottingham
Rights Lab

in Partnership with



HUMAN RIGHTS AT SEA

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Human rights apply at sea, as they do on land

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Glossary

AI	Artificial Intelligence
APO	Association for Professional Observers
CSR	Corporate Social Responsibility
FAO	Food and Agriculture Organization of the United Nations
GDPR	General Data Protection Regulation
HRAS	Human Rights at Sea
HRD	Human Rights Defenders
NGO	Non-Governmental Organisation
PNA	Pacific Nauru Agreement
RFB	Regional Fisheries Bodies
RFMO	Regional Fisheries Management Organisation
ROP	Regional Observer Programme
SME	Subject Matter Expert
UDHR	Universal Declaration of Human Rights
UN	United Nations
WCPFC	Western and Central Fisheries Commission
WCPO	Western and Central Pacific Ocean

Foreword

This joint Human Rights at Sea (HRAS) and University of Nottingham Rights Lab (Rights Lab) Western and Central Pacific Survey Report (the Survey and the Report) is an initial independent and combined civil-society and academic project. It is part of a dedicated series of internationally published documents by HRAS specifically addressing workplace safety, security and well-being concerns of Fisheries Observers. It follows up on the HRAS 1 July 2020 Report: **'Fisheries Observer Deaths at Sea, Human Rights and the Role and Responsibilities of Fisheries Organisations'**.¹

The Survey has been initiated to deliver increased public, State and commercial awareness of the issues Fisheries Observers face when operating out at sea. This may otherwise be invisible to the general public, as well as policy and senior decision-makers, as Fisheries Observers and their working conditions are invariably 'out of sight and out of mind'. This lack of public awareness has also been characterised as 'sea blindness' in the global shipping sector.

The reason for the project development of this series of HRAS Fisheries Observer reports is the growing international awareness of reported and alleged abuses towards Fisheries Observers highlighted by issues of concern. These issues include a lack of transparency in reporting of incidents, lack of availability of comprehensive employment contracts, lack of access to professional insurance provisions, ongoing concern for the level of coastal State-level engagement in investigations and the apparent lack of enforcement follow-up. Concerns also extend to the negative societal, financial and family support effects upon the dependants of deceased Fisheries Observers.

The Report aims to drive State-level, commercial and civil-society reflection on the matters raised herein thereby resulting in related policy and legislative changes in-sector. For retailers, the results should be a trigger for placing internal supply chain audits on notice that all may not be well within their sphere of influence.

The focus for this initial survey work was determined to start within the Western and Central Pacific Ocean (WCPO) region referring back to the previous work undertaken in the 1 July Report. It is also based on the HRAS founding principle that 'human rights apply at sea, as they do on land'.

The intent of the initial Survey is to publicly provide the data and results reflecting a starting point for consideration of future and more in-depth regional surveys. HRAS recommends undertaking future research using this Survey instrument as a baseline for a standardised instrument across the international fishing industry where Fisheries Observers are specifically assigned to work. The use of this research work should also act as the basis for further studies to address similar issues raised within other Regional Fisheries Management Organisations (RFMOs).

The Report specifically accompanies a concurrent and in-depth review of the previously proposed Ten Recommendations (the Recommendations) from the 1 July 2020 HRAS Report, 'Fisheries Observer Deaths at Sea, Human Rights and the Role and Responsibilities of Fisheries Organisations'.² Of note, and when referring to 'human rights', HRAS explicitly refers to the Universal Declaration on Human Rights 1948 (UDHR), as well as other pertinent national and international human rights instruments.

Finally, the Survey was undertaken in memory of Eritara Aati Kaiherua and all other Fisheries Observers who have been lost or died while working at sea, or have otherwise suffered injuries, disablement or other deprivations through their work. We would like to explicitly thank all who have been involved in its preparation, drafting, reviews and publication.

David Hammond Esq., CEO | Human Rights at Sea | 11 November 2020

1 https://www.humanrightsatsea.org/wp-content/uploads/2020/07/HRAS_Abuse_of_Fisheries_Observers_REPORT_JULY-2020_SP_OPTIMISED.pdf

2 https://www.humanrightsatsea.org/wp-content/uploads/2020/07/HRAS_Abuse_of_Fisheries_Observers_REPORT_JULY-2020_SP_OPTIMISED.pdf

Author

The author of this project and Report is the UK registered charitable non-governmental organisation (NGO), Human Rights at Sea, which is regulated by the UK Charity Commission and overseen by a Board of Trustees under English law. It has been supported by instructed subject matter experts (SMEs) from within the civil-society fisheries community, national and international organisations, and senior research staff of the Rights Lab (UK).³

The research structure, methodology and questions were designed and implemented by Dr Jessica Sparks of the Rights Lab using the Qualtrics platform. The Report was drafted by Mr Daniel Shepherd.

Report Funding

The project and Report have been funded by charitable funds from HRAS. Annual accounts are available to review via the UK Charity Commission website,⁴ while Impact and Annual organisation reports are also available to download via the Charity's website.⁵

Dr Jessica Sparks' time was funded through a University of Nottingham Research Fellowship, and as part of an established partnership with HRAS.

Conflicts of Interest

There are no known conflicts of interest to be declared in the concept, preparation, drafting or publishing of this Report.

Disclaimer

The content of this Independent Report has been published by Human Rights at Sea (HRAS or the Charity) following public desk-top research, provision of first-hand testimonies, online survey data, voluntary interviews taken by independent researchers and charity staff, and responses quoted with express permissions. The contents have been checked as best as possible for accuracy by the authors at the time of writing. Human Rights at Sea is not liable in anyway whatsoever, in any jurisdiction for the contents of this Report which has been published in good faith in support of the Charity's Objectives. All text and pictures have been acknowledged where able. Any stated opinions, perspectives and comments are solely those of the authors quoted. Any omissions or factual inaccuracies should be immediately alerted to HRAS by writing to: enquiries@humanrightsatsea.org.

Executive Summary

Background

This combined civil-society and academic project and resultant Report forms part of a series of dedicated HRAS documents published in 2020 focusing on the human rights, welfare and safety of Fisheries Observers. The Survey upon which this Report is based is the first of its kind outside any official Observer programmes.

In 2017, the Western and Central Pacific Fisheries Commission (WCPFC) adopted minimum safety, security and welfare standards for Fisheries Observers,⁶ but following the untimely death of Kiribati Fisheries Observer, Eritara Aati Kaierua, there have been concerns that 1) these minimum standards are not being met, and 2) that there is a need for minimum standards in other WCPO fisheries not governed by the WCPFC.

3 <https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/index.aspx>

4 <https://www.gov.uk/find-charity-information>

5 <https://www.humanrightsatsea.org/reports/>

6 WCPFC (2017) Conservation and Management Measure for the Protection of WCPFC Regional Observer Programme Observers, CMM 2017-03, <https://www.wcpfc.int/doc/cmm-2017-03/conservation-and-management-measure-protection-wcpfc-regional-observer-programme> and WCPFC The Agreed Minimum Standards and Guidelines of the Regional Observer Programme, <https://www.wcpfc.int/docx/wcpfc-regional-observer-programme-standards%20updated%202016>

Survey Project

As a result, a 60-day initial Survey project was conducted by HRAS in partnership with the Rights Lab on the working conditions of WCPO Fisheries Observers. Dr Jessica Sparks of the Rights Lab designed and implemented the Survey. Independent ethical approval for this Survey was granted by the Research Ethics Committee at the Rights Lab and a copy of this approval is available upon written request.

As part of the project, **Fisheries Observers from 14 States were remotely engaged online** to help understand their pre-departure experiences (such as aspects of their contract and/or employment arrangements), on-board experiences while performing their job responsibilities, and post-trip experiences (such as reporting incidents of abuse and harassment).

Limitations

In terms of complexity and difficulty, the online self-administered Survey was also conducted against the backdrop of the global COVID-19 pandemic. This imposed severe restrictions on the method of survey employed, the numbers surveyed and its reach. It also limited researcher access to the participants and instead it relied primarily on voluntary facilitating 'gatekeepers' who themselves disseminated the Survey link and supporting documentation to reach their intended respective audiences.

It is rightly acknowledged that this dissemination strategy was open to bias, and the potentially unrepresentative findings of this work are tempered by this fact. It is therefore fair to say that the current Survey findings are inconclusive as to the actual 'ground truth' of the working conditions at sea and the issues being raised to civil-society. **Further State-led and funded studies are therefore required to achieve a greater depth of corroborated statistical analysis.**

Respondents

Despite these limitations, a small but workable sample was obtained. From 106 submitted Surveys, the final sample size was 63 respondents after potentially fraudulent and/or incomplete responses (Surveys with three or fewer questions answered) were eliminated. Participants answered a combination of 54 close- and open-ended questions. Open-ended responses were character-limited to prevent disclosure of confidential information and dedicated survey software with embedded artificial intelligence (AI) algorithms was used for the purposes of information security and to limit fraud.

HRAS believes that this response rate has nevertheless provided credible independent data and the findings provide a valuable baseline insight into the current working conditions of Fisheries Observers. Although there were no statistically significant findings associated with this study, there are some key data points that provide 'hooks' into the development of further lines of enquiry and research.

By way of example, Fisheries Observers have varying expectations as to what provision for certain welfare matters should be in their contracts; some are not informed about their labour rights; insurance provisions remain an ill-defined condition of service; and relevant safety equipment is not provided at all in some cases. Labour violations have also been reported in addition to instances of harassment, abuse, violence and interference, both as a victim of such treatment and in witness thereof.

Further, although working conditions seem better than what some stakeholders predicted they would be at the outset of the Survey, approximately 10–20% of respondents indicated that they had experienced harassment, abuse and/or interference in their work across most-to-all measures. It is therefore important that these perspectives and workers' voices are not drowned out by the comparative signs that 'all is ok'.

It is therefore fair to conclude that there is both a general absence of standards and norms and enough evidence to raise the industry's alert level in relation to potential human rights violations.

HRAS Recommendation for Future Research

HRAS recommends undertaking future research using this Survey instrument as a baseline for a standardised instrument across the international fishing industry where Fisheries Observers are specifically assigned to work. However, there is first a need to refine the instrument using more exploratory and qualitative social science methods to ensure the inclusion of all relevant observable factors. In accordance with the aims and objectives of this Survey, the data sets can be used to 1) identify patterns in working conditions and incidents of harassment and abuse over time, and 2) yield data for monitoring and evaluating the effectiveness of State-level and commercial interventions and policy actions.



Photo Credits: Alex Hofford

Introduction

Aims and Key Objectives

The aims and key objectives of this Survey were to explore the working conditions of Fisheries Observers in WCPO fisheries, including understanding the extent and nature of abuse and harassment incidents by:

- a) identifying factors that increase the risk of poor working conditions for Fisheries Observers in WCPO fisheries, and to establish a baseline measure of the extent of incidents of harassment and abuse;
- b) developing a self-administered questionnaire that can be re-administered over time to construct a longitudinal data set that could: 1) identify patterns in working conditions and incidents of harassment and abuse over time, and 2) yield data for monitoring and evaluating the effectiveness of interventions and policy action.

Background

Eritara Aati Kaierua, a Fisheries Observer from Kiribati working on board a Taiwanese flagged vessel the WIN FAR 636 fishing off Nauru, was purportedly unlawfully killed in March of 2020.⁷ At the time of writing, the investigation of the incident is ongoing with an asserted presumption of innocence by the flag administration, though with concerns raised about the transparency, access to and confliction of evidence by the deceased's family against an update of the vessel's recent release to continue commercial fishing activities. This incident is the most recent in a string of suspicious disappearances of Fisheries Observers from vessels in the WCPO fisheries,⁸ a marine area well known for its high-value tuna and tuna-like species.⁹

As Fisheries Observers are on board to report compliance with environmental measures and collect scientific data to ensure sustainability, they can be perceived as a threat to the vessel's economic activities, also noting crew sidelines for catching endangered species to sell to supplement meagre pay levels, such as shark finning.

Further, the fish that they are intended to observe end up in supermarkets across the globe formally certified as sustainable by international certification bodies despite the potential human rights abuses associated with ensuring their sustainability. Increased and transparent commercial collation, review and remediation efforts to effectively address human rights abuses in the supply chain must therefore become a primary action by those entities, and not simply part of a potential corporate social responsibility (CSR) whitewash.

In response to these earlier suspicious Observer disappearances, in 2017, new regulatory guidelines to ensure Fisheries Observers health, safety, and well-being were adopted by several intergovernmental fisheries bodies. Yet, a preliminary report suggests that delayed and poor implementation and a lack of transparent monitoring has only worsened working conditions for Observers.¹⁰ For example, while some Fisheries Observers programmes have started asking about incidents of harassment and abuse and overall working conditions, some Fisheries Observers have claimed that these reports "disappear" and their concerns are never addressed.¹¹

Further complicating the regulatory environment, national courts have ruled that Fisheries Observers are not seafarers, and thus cannot be afforded the legal protections of seafarers. Nor are they classified as fishers, thus, they fall through regulatory cracks that result in a lack of enforced labour and human rights protections.

7 McVeigh, K. (2020), 'Disappearances, danger and death: what is happening to fishery observers?', <https://www.theguardian.com/environment/2020/may/22/disappearances-danger-and-death-what-is-happening-to-fishery-observers>

8 Ibid.

9 FAO (2011), <http://www.fao.org/3/i2389e/i2389e.pdf>

10 https://www.humanrightsatsea.org/wp-content/uploads/2020/07/HRAS_Abuse_of_Fisheries_Observers_REPORT_JULY-2020_SP_OPTIMISED.pdf

11 Ibid.

To date, there has been no known independent civil-society survey of Fisheries Observers' working conditions in the WCPO conducted by an independent third party outside of the official Observer programmes. Such a survey is necessary to amplify the voices of the Fisheries Observers, and to use evidence-based approaches to new regulatory development, implementation and monitoring.

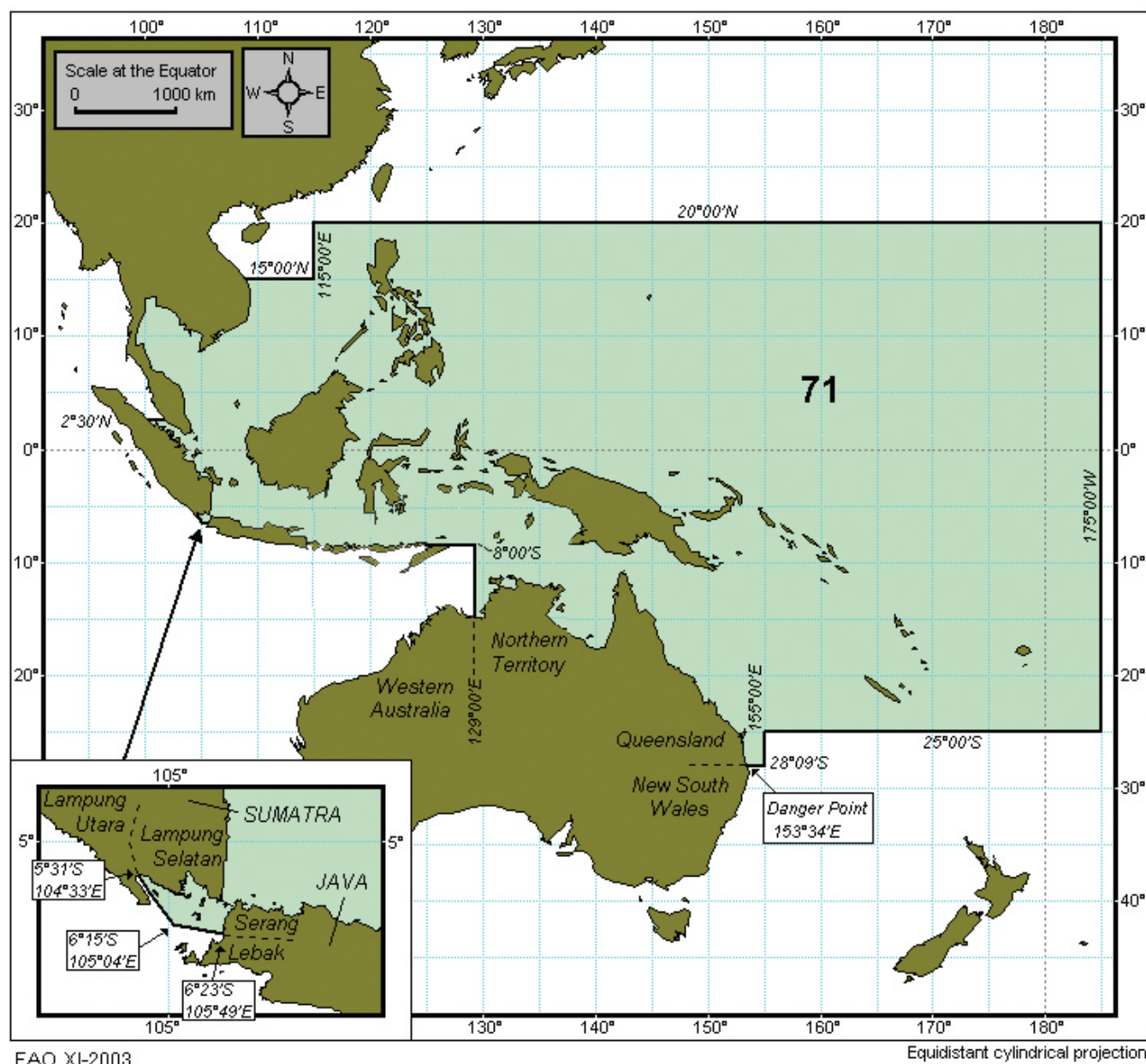
Finally, it should be noted there are initial advocacy efforts by some civil-society organisations to potentially raise the issue of Fisheries Observers being classified by the United Nations (UN) as human rights defenders reflecting business and human rights standards, though these are at a fledgling stage and will require further research and investment.

Geographical Scope

The geographical scope of the Survey spanned the WCPO region and the fisheries within it. In the absence of definitive and agreed latitudinal and longitudinal coordinates for this geographical area, the Survey adopted the Food and Agriculture Organization of the United Nations' (FAO) Major Fishing Area 71 as its basis, and included all RFMOs, Regional Fisheries Bodies (RFBs) and national fisheries organisations which either intersect or fall within this FAO-defined geographical area.

The Survey included respondents across 14 different nationalities.

Figure 1: Pacific, Western Central (Major Fishing Area 71)



Methodology

Methods

The main data collection tool was an anonymous quantitative survey instrument comprised 54 questions, most of which were close-ended. The survey instrument was hosted by the scientific web-based platform Qualtrics.¹² The participants themselves were located in various States both within the WCPO region and globally.

Scope

The research/participant population comprised WCPO Fisheries Observers.

Eligibility

Inclusion criteria for participation were: 1) having observed at least one trip in a WCPO fishery (as defined by FAO Fishing Area 71) since 2017, and 2) being over the age of 18.

Consent Form

Participants were provided with a written overview of the project being conducted, its purpose, aims and objectives, and they were expressly informed that participation was purely voluntary. Eligibility criteria for participation in the Survey was outlined at the outset. This information was contained in a consent form which participants were asked to confirm they had read and understood before completing the online Survey questionnaire.

How the Survey Worked

The Survey was online only. Prospective participants were emailed with information pertaining to the Survey. They were asked if they were interested in participating in the project and if so, to click on the link in the email or message. Participants were then taken to a page that repeated their rights as a research participant. After reading this information, if they still consented to participate they were asked to tick a series of boxes indicating their consent and that they met the relevant eligibility criteria to participate in the Survey. Once these boxes had been ticked, participants were taken to the Survey questions. Participants were informed that, among others, they would be asked questions pertaining to their pre-departure experiences (such as aspects of their contract and/or employment arrangements), on-board experiences while performing their job responsibilities, and post-trip experiences (such as reporting incidents of abuse and harassment).

The Survey was completely anonymous and no identifiable demographic information was collected. To help ensure this, the software's IP address collection was disabled. Further, the Survey deliberately did not measure for gender, despite its likely relevance, due to the low number of female Observers in the WCPO and concerns about identifiability.

All questions were in English and the expected completion time was between 20–25 minutes.

Recruitment Strategy

The recruitment advertisement was repeatedly posted on the Association for Professional Observers¹³ (APO) Facebook page.¹⁴ A study information sheet combined with a list of support services and a GDPR privacy notice were attached to the posting. It was concurrently similarly disseminated through the Pacific Nauru Agreement (PNA)¹⁵ office staff of PNA Tuna¹⁷ based in the Marshall Islands, through the WCPFC Secretariat and WCPFC Fisheries Observers manager list, via supporting civil-society and commercial organisations, and through both direct email and media profiling.

¹² <https://www.qualtrics.com/uk/>

¹³ <https://www.apo-observers.org>

¹⁴ <https://en-gb.facebook.com/groups/apobservers/>

¹⁵ https://www.ffa.int/nauru_agreement

¹⁶ PNA Members are Federated States of Micronesia, Kiribati, Marshall Islands, Nauru, Palau, Papua New Guinea, Solomon Islands and Tuvalu

¹⁷ <https://www.pnatuna.com/About-Us>

In addition, HRAS posted a press release¹⁸ on their website that included the recruitment message and the study information sheet and regularly tweeted (Twitter @hratsea¹⁹) a link to the press release alongside postings on the HRAS Facebook²⁰ and LinkedIn²¹ pages. These were mirrored by the Rights Lab media platforms.²² The recruitment advertisement (with combined information sheet, list of support services and privacy notice) was sent to all gatekeepers and key commercial stakeholders and followed up on multiple occasions.

Checks and Balances

In order to limit the scope for tampering or interference in any way, the recruitment message, information sheet, list of support services, and privacy notices were all sent as locked PDFs. Additionally, a shorter recruitment message was developed, instead including ancillary information in the information sheets and in the consent form. Gatekeepers did not have access to the consent form.

It was explicitly stated in the consent form that: **“No one can force you to take the survey or to respond to questions in a certain way, including the person who sent you the information for this survey.”**

The study's information sheet and list of resources were also embedded in the Survey's consent form in the event it was not forwarded with the recruitment messaging, and the following language was included in the consent form: **“We strongly encourage you to download, read, and save a copy of the study's information sheet here before you take the survey, to ensure you received the correct information about the study and in case you have any questions about your rights as a research participant.”**

Further, in the recruitment advertisement, participants were encouraged to forward the email and Survey link to others in their network who may have been eligible to participate in the study. This was believed to be the best way to reach this subgroup since COVID-19 travel restrictions prohibited in-person enumerated surveys in the countries of interest.

Gatekeepers

While gatekeepers could have potentially consciously or unconsciously influenced which Fisheries Observers participated and which did not, due to COVID-19 restrictions, the difficulty of accessing Observers who work at sea and the desire to preserve anonymity meant that an online web-based survey was the best approach. And while other methods were used to recruit participants, using gatekeepers likely increased the response rate. That said, the use of gatekeepers could also have limited the number of responses as some researchers received multiple potential participant enquiries in relation to more information/assurance about the Survey's confidentiality and anonymity measures. The potential biases associated with such a method are therefore recognised as a limitation in this Survey.

Of note, the researchers posted a follow-up recruitment message three weeks after the initial press message was published. The researchers also sent the follow-up recruitment email to the gatekeepers to disseminate to their Fisheries Observer networks.

Information Collection and Handling

The Survey was completed anonymously, General Data Protection Regulation (GDPR) policies were followed, and no IP addresses were logged.

Participants were not asked for any identifying information except for their nationality (they did not have to answer this question). All other questions were about their most recent trip as a Fisheries Observer, or general working conditions that they have experienced throughout their career. If they did not want to answer a question, they could select 'prefer not to say' in the responses or skip the question. This did not impact their ability to participate in the study.

All data was downloaded from the Survey website and is stored securely in a password-protected online file that only researchers have access to. The responses were subsequently analysed, some of which are enumerated below in this Report.

No individual Survey responses are described in this Report, only the summary of responses. The summarised data will be kept for seven years in an online database where other researchers can view it.

¹⁸ <https://www.humanrightsatsea.org/2020/09/04/fisheries-observers-survey-for-western-and-central-pacific-now-live/>

¹⁹ <https://twitter.com/hratsea>

²⁰ <https://www.facebook.com/humanrightsatsea/>

²¹ <https://www.linkedin.com/company/human-rights-at-sea>

²² <https://twitter.com/rightsbeacon?lang=en>

Advantages and Disadvantages of Taking Part

Participants were informed of the likely advantages and disadvantages of taking part.

Although participating in the study may not have benefited participants directly, it was explained that the data collected could be used to advocate for improved working conditions and compliance with human and labour rights, and safety measures, if results indicated this. Ultimately, it was hoped that the Survey results would help motivate Fisheries Observer programmes, managers, governments and other actors such as RFMOs to meet the minimum requirements for Fisheries Observer human and labour rights, health, safety and welfare.

In terms of disadvantages, it was pointed out that participants might find answering some of the questions upsetting, but that such topics would not be different from the sorts of things they would ordinarily discuss with family or colleagues. Participants were further advised that they could skip any questions they did not want to answer and that they may stop taking the Survey at any time. Should they have experienced any emotional distress while participating in the study, at the end of the document a list of supportive resources who they could contact was provided. This list of resources was also made available for download at the end of each section of the Survey and at the overall end of the Survey.

Ethics

If participants had a concern about any aspect of the project, they were advised to speak to Dr Jessica Sparks, the research lead, whose contact details were provided.

Further, if they were not satisfied with how the project had been conducted, or if they had any concerns, complaints or general questions about the research or their rights as a participant, they were asked to contact the University of Nottingham Rights Lab's Chief Ethics Officer, Professor Zoe Trodd.

Participants were strongly encouraged to download and save a copy of the project's information sheet, should they have had any questions about their rights as a research participant.

All planned research was looked at by an independent group of people, called a Research Ethics Committee, to protect the interests of participants. The study was reviewed and approved by an ethics committee at the Rights Lab.

If participating in the Survey caused participants any distress, as outlined above, they were provided with a list of supportive resources.

The Survey Instrument

The 54 questions spanned a vast array of topics including, among others, sea days spent observing, nationality, training, employers, contracts, insurance, working conditions, safety equipment, vessel flag States, types of vessel, species fished, prevalence of abuse or harassment, and the role of Fisheries Observers in relation to human rights defenders.

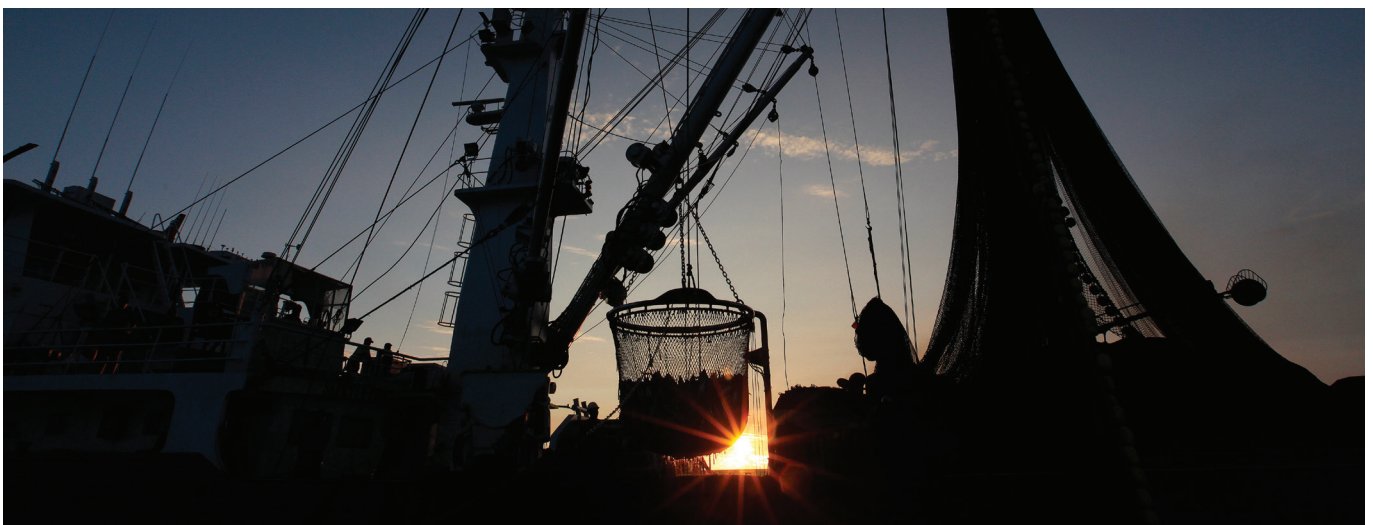


Photo Credit: Alex Hafford/Greenpeace

Key Findings

Fisheries Observers' Nationalities (14)



Observer Engagement

At least 106 respondents went through and consented to take the Survey, scrolled to the end and pressed 'submit'. After going through and eliminating those that answered three or fewer questions in total (n = 34), those flagged as fraudulent by Qualtrics (n = 4), and duplicates (n = 5), a total sample size of 63 respondents remained.²³

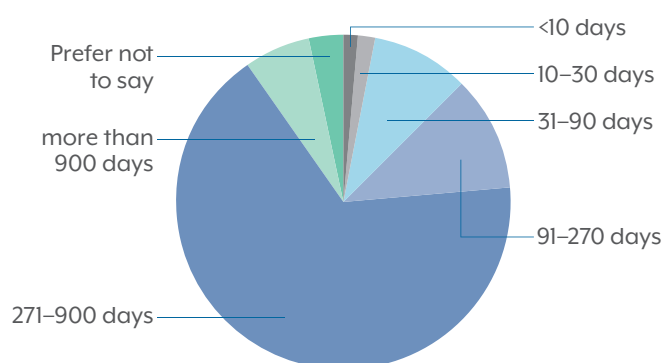
Key Points to Note

An important point to note is that there were substantial levels of missing data in the 63 responses, so researchers handled missing data using what is known as 'pairwise deletion'.²⁴ This means that the researchers only excluded cases with missing data from analyses using specific variables with missing values (versus excluding cases with missing data from the entire Survey, which is what was technically undertaken for the 34 Surveys that only answered the first three questions).

Demographic Information

Question: "How many sea days have you observed in total?" (n = 63)

	N	%
<10 DAYS	1	1.6%
10-30 DAYS	1	1.6%
31-90 DAYS	6	9.5%
91-270 DAYS	7	11.1%
271-900 DAYS	42	66.7%
MORE THAN 900 DAYS	4	6.3%
PREFER NOT TO SAY	2	3.2%



²³ NB: 'n' relates to 'number'

²⁴ James L. Peugh and Craig K. Enders (2004) Missing data in educational research: A review of reporting practices and suggestions for improvement, Review of Educational Research Vol: 74, Issue: 4, pp.525-536

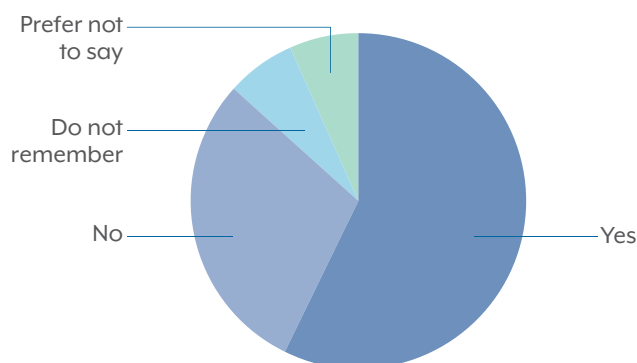
Key Points to Note

66.7% of participants stated that they had observed between 271 and 900 sea days in total. 11.1% stated between 91 and 270 sea days while 9.5% stated between 31 and 90 sea days. 6.3% of participants stated that they had observed over 900 sea days. The remainder of participants observed between 10 and 30 sea days (1.6%), less than 10 sea days (1.6%), or preferred not to say (3.2%).

Training and Contracts

Question: “Did your training to become an Observer include training on your labour rights?” (n = 61)

	N	%
YES	35	57.3%
NO	18	29.5%
DO NOT REMEMBER	4	6.6%
PREFER NOT TO SAY	4	6.6%



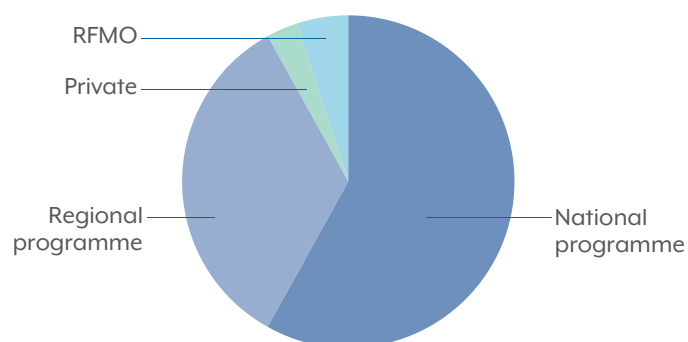
Training on Labour Rights – Key Points to Note

There are two key points about this result.

- 1 Researchers had a “did not complete Observer training” response option and found that no participant selected it. It was therefore considered that it was safe to assume that every participant did complete professional training as required by the likes of PNA. Nonetheless, in private correspondences concerns were raised by stakeholders that Fisheries Observers affiliated with private programmes did not have mandatory professional training. This allegation would require further investigation as it is serious in its substance, if correct.
- 2 Researchers performed a bivariate logistic regression²⁵ to determine if total number of sea days observed was a predictor of receiving training on labour rights or not. This analysis was undertaken because researchers wondered if newer Fisheries Observers in role (i.e. Fisheries Observers with fewer sea days) were more likely to have received information on their labour rights. Results showed that they were not.

Question: “What type of Observer programme were you contracted to or employed by during your most recent trip?” (n = 62)

	N	%
NATIONAL PROGRAMME	36	58.1%
REGIONAL PROGRAMME	21	33.9%
RFMO	2	3.2%
PRIVATE	3	4.8%



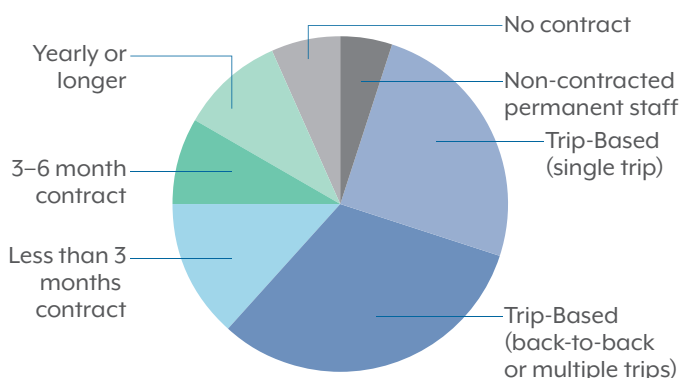
²⁵ A statistical approach used to see if the researchers could determine the probability of whether or not someone completed Observer status based on the number of sea days they had observed (i.e. their level of experience).

Type of Observer Programme – Key Points to Note

58.1% of participants stated that they were either contracted to or employed by a National Observer Programme during their most recent trip. 33.9% stated that they were contracted to or employed by a Regional Observer Programme, while 4.8% and 3.2% stated that they were contracted to or employed by Private and RFMO Observer Programmes, respectively.

Question: What type of contract did you have with your employer during this trip? (n = 60)

	N	%
NON-CONTRACTED PERMANENT STAFF	3	4.8%
TRIP-BASED (SINGLE TRIP)	15	23.8%
TRIP-BASED (BACK-TO-BACK OR MULTIPLE TRIPS)	19	30.2%
LESS THAN 3 MONTHS CONTRACT	8	12.7%
3-6 MONTH CONTRACT	5	7.9%
YEARLY OR LONGER	6	9.5%
NO CONTRACT	4	6.3%



Type of Contract – Key Points to Note

There are two key points about this result.

1 Researchers ran a statistical analysis to determine if a Fisheries Observer programme type was a significant predictor of contract type and it was found not to be. This means that there is a state of uncertainty for employment status and assurance of protections while at work in both national and regional programmes. For the researchers, the results showed that only 9 (15%) had job assurance (relating to non-contracted permanent staff, or yearly or longer contracts). Researchers therefore consider that temporary contracts are a hallmark of precarious labour conditions and should be flagged as a potential risk indicator in which conditions exist for abuses to occur. On review, researchers classified 51 of the results (85%) as being precarious based on the type of contract (or lack of contract).

2 Researchers reviewed the employment contract elements which highlighted a low-level of comprehensive employment terms and conditions:

- Only 9 out of the 62 (one respondent skipped the question) respondents (14.5%) reported having all of the following elements included/addressed in their contract: wages, travel allowances, at sea allowances, health insurance, personal injury insurance, life insurance and repatriation.
- Travel allowances (n = 44 or 69.8%) were the most likely element to be included.
- Less than half of the respondents reported any form of insurance being included in their contract (health, personal injury or life), with life insurance the least likely element to be included (19 or 30.6%) in contracts.

Vessel Flag State

Question: What was the vessel's flag State?

		FREQUENCY	%	VALID %	CUMULATIVE %
VALID	China	7	11.1	11.5	11.5
	Taiwan	7	11.1	11.5	23.0
	Federated States of Micronesia	1	1.6	1.6	24.6
	Fiji	6	9.5	9.8	34.4
	Indonesia	2	3.2	3.3	37.7
	Japan	4	6.3	6.6	44.3
	Kiribati	1	1.6	1.6	45.9
	Panama	1	1.6	1.6	47.5
	Philippines	9	14.3	14.8	62.3
	Republic of Korea (South Korea)	5	7.9	8.2	70.5
	Republic of Marshall Islands	2	3.2	3.3	73.8
	Solomon Islands	3	4.8	4.9	78.7
	Spain	1	1.6	1.6	80.3
	United States of America	9	14.3	14.8	95.1
	Vanuatu	1	1.6	1.6	96.7
	Panama	1	1.6	1.6	98.4
	Prefer not to say	1	1.6	1.6	100.0
TOTAL		61	96.8	100.0	
MISSING	99	2	3.2		
TOTAL		63	100.0		

Flag States

Of the 16 flag States, the majority of vessels Fisheries Observers reported working on during their last trip were flagged to the United States of America (14.8%) and the Philippines (14.8%). This was closely followed by China (11.1%) and Taiwan (11.1%). Fiji (9.5%), South Korea (7.9%) and Japan (6.3%) were the next most popular responses, with all other flag States listed featuring in less than 5% of the responses.

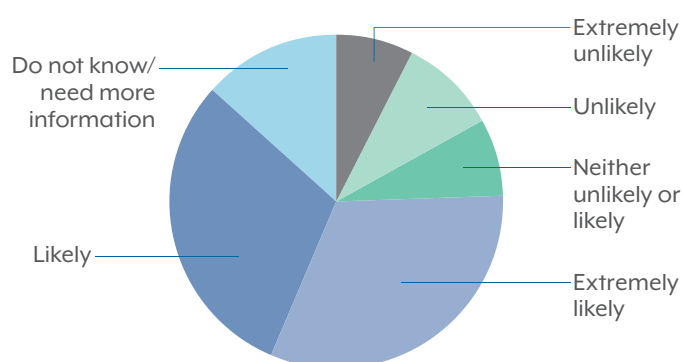
Fisheries Observers as Human Rights Defenders

In concert with views expressed to HRAS by partner NGOs and other International Organisations that in future, Fisheries Observers could potentially be classed as Human Rights Defenders (HRDs) in undertaking their day-to-day roles; two questions were included to test initial views. The focus of both questions was on the individual safety and security of Fisheries Observers working at sea.

While HRAS has no current position on the questions posed, the highlighted responses could lead to subsequent WCPFC research on the HRD topic. Further analysis is highlighted in the following section under 'Other Significant Findings', though initial findings appear inconclusive and contradictory.

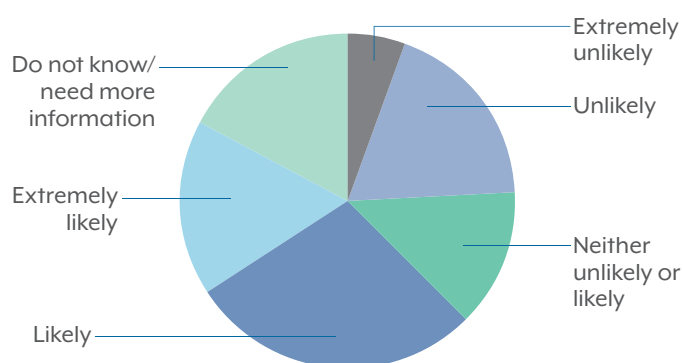
Question: In your opinion, how likely is it that designating Fisheries Observers as human rights defenders will increase the safety and security of Observers at sea?

	N	%
EXTREMELY UNLIKELY	4	7.5%
UNLIKELY	5	9.5%
NEITHER UNLIKELY OR LIKELY	4	7.5%
LIKELY	17	32.1%
EXTREMELY LIKELY	16	30.2%
DO NOT KNOW/NEED MORE INFORMATION	7	13.2%



Question: In your opinion, how likely is it that designating Fisheries Observers as human rights defenders will decrease the safety and security of Observers at sea?

	N	%
EXTREMELY UNLIKELY	3	5.6%
UNLIKELY	10	18.8%
NEITHER UNLIKELY OR LIKELY	7	13.2%
LIKELY	15	28.3%
EXTREMELY LIKELY	9	17.0%
DO NOT KNOW/NEED MORE INFORMATION	9	17.0%



Other Significant Findings

General and Aggregated Key Findings with HRAS Comments

Pre-Departure Placement Meeting

Approximately half (55.7%) of respondents reported being satisfied or very satisfied with their pre-departure Observer placement meeting. **However, 21.3% of respondents reported not having a pre-departure meeting.**

HRAS Comment: It should be queried why 1:5 Fisheries Observers did not undertake a pre-departure placement meeting. If there is no explicit requirement for the meeting, the absence immediately introduces a notable degree of risk to the work environment in which the Observer is stepping and their up-front understanding of the checks and safeguards for their safety, welfare and well-being for that trip. Further, if those vessels are undertaking fishing activities specifically relating to sustainability certification schemes with catches entering the supply chain for ultimate public sales by retailers, this issue should additionally be registered as a risk factor in any third-party audits. Further, retailers should be aware and undertaking de-risking activities.

Safety Equipment

Researchers asked participants about four standard pieces of safety equipment: 1) life vest with strobe light, 2) personal locating beacon, 3) SOS device, and 4) a two-way communication device independent from the vessel. Approximately one-quarter of respondents (23.7%) reported receiving all four pieces of equipment and being satisfied or very satisfied with the quality of the equipment. However, 8.5% of participants reported receiving none of these items, and 15.3% reported being very dissatisfied or dissatisfied with the equipment they did receive. For example, of the 37 participants that reported receiving a two-way communication device, 27% reported having problems with the device while at sea.

HRAS Comment: There should be minimum global safety equipment standards that all Fisheries Observer programmes are legally required to implement, oversee and confirm are in place for all Observers working at sea prior to departure. This should be linked to insurance provisions for the operation of the vessel/fleet. Further, allegations of donated safety equipment going missing and not being issued remain unsubstantiated and require corroboration, if correct. Retailers should be aware and undertaking de-risking activities.

Labour Violations

8.6% of respondents reported not receiving their contracted wages and travel and other allowances for their most recent trip. And when looking at working conditions across their careers, 27.1% reported working more days than they were paid for on at least (approximately) half or more of all trips they've worked.

HRAS Comment: There should be a basic and enforceable standard by Observer programmes and managers that every Fisheries Observer who takes employment and goes to sea is in possession of a lawfully structured employment contract, are aware of its contents, are provided with a translated copy in any native language, and have the contents explained to them prior to departure. Further, copies alongside insurance policies and welfare provisions are lodged with their dependants. Retailers should be aware and undertaking de-risking activities.

Vessel Compliance

Approximately half (49.1%) reported witnessing fishing violations that the captain did not want reported on more than half of the trips they had observed, though approximately 75% reported that they agreed or strongly agreed that they could report vessel non-compliance without repercussion.

HRAS Comment: Fisheries' sustainability infractions are seemingly common at sea, and while Fisheries Observers may have the ability to report, factors mean that they may not do so. These factors require to be identified where support can be provided to assure Observers' safety and security to be able to carry out their roles without undue pressure, threats or other interference activities which may place them in difficult positions while operating alone at sea. Retailers should be aware and undertaking de-risking activities.

Harassment, Abuse and Interference

Only 16.7% of respondents reported never experiencing any type of harassment, abuse, violence or interference. Whereas just over half of all respondents (51.7%) reported at least one form of harassment, abuse, violence and/or interference on half or more of their trips. Psychological/emotional violence was the most common form of harassment/abuse/interference reported and sexual assault/violence was the least commonly reported. And over 60% of respondents reported experiencing general interference on at least 10% of all trips they had observed. Related to the experiences of harassment, abuse and interference, approximately one-third of participants reported they were dissatisfied or extremely dissatisfied with the reporting processes/mechanisms for these incidents. And 40% reported feeling unsafe or very unsafe in addition to dissatisfaction with the processes.

HRAS Comment: There appears to have been significant degrees of personal interference with the respondents, which in any work environment is unacceptable. It should not be tolerated, condoned or be culturally embedded in other professional work environments and should not be for Fisheries Observers at sea. Routes to confidential reporting must be made available and overseen by independent third parties to maintain confidentiality and data protection. Retailers should be aware and undertaking de-risking activities.

Predictors of Observer Harassment, Abuse and Interference

While several statistical models were run to identify key factors that explain why some Observers are more likely to experience precarity, abuse, harassment and/or interference, none of them identified statistically significant predictor conditions. This lack of a finding could be attributed to several reasons. 1) The relatively small sample size and imbalance of the sample across generally good and poor working conditions inhibited the detection of statistically significant effects. 2) There are alternative factors that were not measured in the Survey that could be confounding the relationships we analysed. 3) When asking questions about sensitive topics like violence and abuse in general, respondents often have to be asked about incidents several times before they consistently disclose the experiences. In the Survey data, participants were generally more positive about their most recent trip (the first set of questions) versus their overall experiences across their career days observed (the second set of questions). These potential inconsistencies, if extant, could have also influenced the findings.

HRAS Comment: While respondents are indicating there are notable levels of personal interference in their activities and towards their person, the factors which lead to, and result in, such unacceptable activities towards them remain unclear. If it is correct that conditions exist which could result in an increased likelihood of abuse occurring, Observer programmes and managers must be made aware, and routes to confidential reporting must be established and/or put in place without delay with independent oversight to assure confidentiality and protection of source information. Retailers should be aware and undertaking de-risking activities.

Human Rights Defenders

Participants were also asked for their opinions on the designation of Fisheries Observers as human rights defenders²⁶ in a series of two questions.

The first question asked about the likelihood of the designation increasing Observer safety and security. The second question asked about the likelihood of the designation decreasing safety and security. Initially, over 60% of participants regarded the designation favourably, regarding it as likely or extremely likely to improve safety and security. However, of these 33 favourable responses, more than half (18) also said that it was likely or extremely likely that the designation would decrease the safety and security of Fisheries Observers. This suggests that any findings for either question are inconclusive.

HRAS Comment: The issue of whether or not Fisheries Observers could be classified by the UN as human rights defenders is an increasingly topical issue that is being raised by some civil-society and international organisations. The results from the respondents are inconclusive, but do highlight that the issue requires a deeper review, and that there is a degree of wider education of the role, responsibilities and protections for human rights defenders to be undertaken in-sector.

²⁶ 'Human rights defender' is a term used to describe people who, individually or with others, act to promote or protect human rights, <https://www.ohchr.org/en/issues/srhrdefenders/pages/defender.aspx>



Photo Credit: Jamie Ling

Follow-on Recommendation

A single over-arching Recommendation has been extrapolated from the Survey findings.

HRAS recommends undertaking future research using this Survey instrument as a baseline for a standardised instrument across the international fishing industry where Fisheries Observers are specifically assigned to work. However, there is first a need to refine the instrument using more exploratory and qualitative social science methods to ensure the inclusion of all relevant observable factors. In accordance with the aims and objectives of this Survey, the data sets can be used to 1) identify patterns in working conditions and incidents of harassment and abuse over time, and 2) yield data for monitoring and evaluating the effectiveness of State-level and commercial interventions and policy actions.

Conclusion

The overall research findings from this initial independent HRAS and Rights Lab Survey reflect that most Fisheries Observers as respondents to this project were generally satisfied with their working conditions, but with issues of concern also being highlighted.

Fairly noting the size of the Survey sample (63), the highlighted bias, the Survey structure and mechanism of it being only available online promulgated through gatekeepers, combined with the restrictive background of the COVID-19 pandemic, there appear a number of worrying trends.

These include a lack of minimum employment standards included and upheld within the respondents' employment contracts. This is evidenced by the variety of contract types and the inconsistencies for what is, and what is not included in a standard contract. This array of employment standards is further emphasised by the fact that some Fisheries Observers had a pre-departure placement meeting while others did not, and some Observers received the full panoply of safety equipment while others did not. It has been suggested from direct correspondence, though unsubstantiated, that donated safety equipment is not reaching those for whom it is designated.

There is also evidence of labour violations with respect to incorrect wages and travel allowances being paid. This is in addition to over half of the participants reporting that they had experienced at least one form of harassment, abuse, violence and/or interference on half or more of their trips. Notably, this corresponds with participants' observations in relation to crew abuses, with over half reporting witnessing crew abuse on at least half of their trips.

Such poor employment conditions create uncertainty which has the potential to create the resultant circumstances of an enhanced risk for perpetuation of potentially exploitive working conditions on board fishing vessels. This evidence was backed by 10–20% of respondents consistently reporting issues and/or dissatisfaction across all employment conditions and measures and further supported by the fact that respondents highlighted that Fisheries Observers are currently experiencing harassment, abuse and interference in their daily working environment.

In respect of access to the facts and the 'ground-truth', it is clear that Fisheries Observers' voices must be heard and their allegations and concerns formally collated, recorded and remediated against. It is notable, however, that despite negative employment experiences highlighted within this initial Survey, the respondents do appear to be separating out such unsatisfactory incidents from their overall working conditions and longer-term experiences. This potentially points to a pattern of isolated incidents, rather than a pattern of sustained or systemic abuse and exploitation.

To conclude, there is a clear and urgent requirement for continuous and coordinated data sampling of Fisheries Observers' employment conditions, reporting pathways and remediations relating to human and labour rights abuses to provide confidence in data sampling and results related to their safety, security and well-being across all RFMOs.



Photo Credit: Alex Hofford/Greenpeace

Appendix 1 – Survey Questions

Below is a copy of the Survey instrument used for the online research:

1. How many sea days have you observed in total?
a. Response options will be: <10 days; 10–30 days; 31–90 days; 91–270 days; 271–900 days; more than 900 days; prefer not to say.
2. Your nationality (as per the passport you are using):
a. Will be a free response.
3. Did your training to become an Observer (e.g. Observer training course or certificate/certification programme) include training on your labour rights?
a. Response options: Yes; no; did not receive Observer training; don't know/don't remember; prefer not to say.

For questions 4 to 32, please respond based on your most recent trip as an Observer.

4. What type of Observer programme/provider were you contracted to (or employed by) for this trip?
a. Response options: national programme; regional programme (e.g. FFA or SPC); RFMO; private (e.g. PNA); don't know; prefer not to say.
5. What was the name of the provider you were contracted to (or employed by) for this trip?
a. Free response (with a prefer not to say option).
6. What type of contract did you have with your employer during this trip?
a. Response options: Non-contracted permanent staff; trip-based (single trip); trip-based (back-to-back trips); < 3 months; 3–6 months; 7–11 months; yearly or longer; no contract; other (specify); prefer not to say.
7. Did your contract include (check all that apply):
a. Response options: Wages; travel allowances; at sea allowances; health insurance; personal injury insurance; life insurance; repatriation; did not have a contract; don't know/remember; prefer not to say.
8. What was the vessel's flag State?
a. Response options: Australia; Belize; Cambodia; China; Chinese Taipei (Taiwan); Cook Islands; Federated States of Micronesia; Fiji; France; Honduras; Indonesia; Japan; Kiribati; Malaysia; Nauru; New Zealand; Palau; Panama; Papua New Guinea; Philippines; Republic of Korea; Republic of Marshall Islands; Russia; Samoa; Singapore; Solomon Islands; Spain; Sri Lanka; Thailand; Tonga; Tuvalu; United States of America; Vanuatu; Vietnam; other (specify); don't know/remember; prefer not to say.
9. What was the captain's nationality?
a. Free response.
10. What was the fishing master's nationality?
a. Free response.
11. What nationality(ies) were the crew (list all that apply)?
a. Free response.

12. Where was the vessel fishing (check all that apply)?
- Response options: RFMO, domestic waters/EEZ; don't know/remember; prefer not to say.*
 - [Using skip logic, if selected preceding question with RFMO] What RFMO was the vessel fishing in?
 - Response options: South Pacific Regional Fisheries Management (SPRFMO); North Pacific Fisheries Commission (NPFC); Western and Central Pacific Fisheries Commission (WCPFC); Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR); Commission for the Conservation of Southern Bluefin Tuna (CCSBT); other(specify); prefer not to say.*
 - [Using skip logic, if selected preceding question with EEZ] What EEZ was the vessel fishing in?
 - Response options: Australia; Cambodia; China; Chinese Taipei (Taiwan); Cook Islands; Federated States of Micronesia; Fiji; Indonesia; Japan; Kiribati; Malaysia; Nauru; New Zealand; Palau; Papua New Guinea; Philippines; Republic of Korea; Republic of Marshall Islands; Samoa; Singapore; Solomon Islands; Thailand; Tonga; Tuvalu; Vanuatu; Vietnam; other (specify); don't know/remember; prefer not to say.*
13. What was the targeted species the vessel was fishing for (check all that apply)?
- Response options: Albacore; anchovies; bigeye; bream; mackerel; Pacific bluefin tuna; prawns; shrimp; skipjack; southern bluefin tuna; swordfish; squid; yellowfin; other (specify); don't know/remember; prefer not to say.*
14. What type of vessel were you observing on?
- Response options: Carrier; trawler, troller, driftnet, purse seine, set gillnet, squid jigger, pole and line, set longline, pots and traps, drifting longline; artisanal gear; other (specify); don't know/remember; prefer not to say.*
15. Do your Observer duties include responsibilities for private certifications such as ecolabels?
- Response options: Yes; no; don't know; prefer not to say*
 - [Using skip logic] If yes, which ones (select all that apply):
 - Response options: MSC; Friends of the Sea; Fair Trade; ISSF Proactive Vessel Register; WWF Pacific's Sustainable Fisheries and Seafood Programme; other (specify); prefer not to say.*
16. What ports were visited during this trip, including ports for boarding and disembarking (include all that apply)?
- Free response.*
17. How satisfied were you with your Observer placement meeting?
- Response options: Very dissatisfied; dissatisfied; neither dissatisfied or satisfied; satisfied; very satisfied; did not have an Observer placement meeting; prefer not to say.*

18. Pre-departure (during Observer placement meeting or otherwise), how satisfied were you with the following (if received)?

	Very dissatisfied	Dissatisfied	Neither dissatisfied or satisfied	Satisfied	Very satisfied	Not applicable	Did not receive or have access to pre-departure	Prefer not to say
Observer book (or tablet with Observer app)								
Information about your worker rights as an Observer								
Copy of health insurance policy								
Copy of life insurance policy								
Signed copy of your contract								
Copy of Observer emergency action plan								
Information about who on shore will be responsive to an emergency (name, schedule, etc.)								
Information on workers compensation benefits								
Information on personal injury insurance								
Information on repatriation								
Information on reporting perceived vessel compliance issues								
Information on documenting and collecting evidence of vessel compliance issues								
Information on recourse (e.g. lawsuits) for disputes between you and your contractor/ employer								
Procedures for appealing decisions (e.g. worker compensation claims; personal injury claims)								
Information and/or resources about stress and depression								
Information on reporting Observer abuse, harassment and/or interference								
Information on documenting and collecting evidence of Observer abuse, harassment and/or interference								

19. What personal safety equipment did you receive pre-departure (check all that apply)?
a. Response options: Inflatable life vest with strobe light; personal locating beacon; device that can transmit an emergency SOS request; two-way communication device that was independent from the vessel (e.g. Garmin); other (specify); did not receive safety equipment; don't know/remember; prefer not to say.
20. If you received a two-way communication device, did you have any problems with it working while at sea?
a. Response options: Yes; no; don't know/remember; prefer not to say.
21. Did you receive training on how to use the personal safety equipment?
a. Response options: Yes; no; don't know/remember; prefer not to say.
22. Once on the vessel, did you participate in the on-board safety drills?
a. Yes; no; was not provided the opportunity; not applicable (safety drills didn't occur when you were on board); prefer not to say.
23. Were you required to sign any type of liability waiver pre-departure (e.g. a document that said the Observer programme and/or the vessel was not responsible if you got injured, sick, etc.)?
a. Response options: Yes; no; don't know/remember; prefer not to say.
b. If yes, what was the waiver for (e.g. COVID-19, injury risk, etc.)?
i. Free response.
24. Did you receive your expected wages for this trip?
a. Response options: Yes; no; prefer not to say.
25. Did you receive your expected allowances for this trip?
a. Response options: Yes; no; not applicable (not part of contract); prefer not to say.
26. Did you have to pay for your transport costs (e.g. airfare, taxi, bus, ferry) for this trip?
a. Response options: Yes; no; not applicable (didn't have to travel); prefer not to say.
27. While on board the vessel, were you provided with the following, at no expense to you or your government, and at a reasonable standard equivalent to those normally available to an officer on board the vessel?

	Yes	No	Not applicable	Prefer not to say
Food				
Accommodation/living quarters				
Medical facilities/care				
Radio access				

28. Please indicate your level of agreement with the following statement: During this trip my data was safe and secure.
a. Response options: Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know/remember; prefer not to say.
29. Please indicate your level of agreement with the following statement: During this trip, I was able to perform all my job responsibilities and duties without feeling pressured, intimidated, obstructed, harassed or abused.
a. Response options: Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know/remember; prefer not to say.
30. During this trip, how satisfied were you with the amount of Observer coverage (i.e. Observer coverage was sufficient for the size of the vessel, the number of hours worked by the crew, etc.)?
a. Response options: Very dissatisfied; dissatisfied; neither dissatisfied or satisfied; satisfied; very satisfied; don't know/remember; prefer not to say.

31. During this trip, what were your primary activities/responsibilities (select all that apply)?
 a. Response options: Collect scientific data; record gear type compliance; record compliance with catch restrictions; record compliance with by-catch policies; record compliance with discard policies; record interactions with species of special interest; record compliance during transshipment; record sightings of unauthorised vessels in the RFMO; record compliance with pollution policies; other (specify); don't know/remember; prefer not to say.

32. Were you debriefed after this trip?
 a. Response options: Yes; no; not applicable; prefer not to say.

Page break in Qualtrics

For questions 33 to 43, please respond based on all trips you have observed throughout your career.

33. While at sea, I can report vessel non-compliance accurately and honestly without repercussion.
 a. Response options: Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.

34. While at sea, how often have you witnessed the following (even if you weren't required to report it)?

	Never	Rarely (e.g. you experienced this on approximately 10% of your trips)	Sometimes (e.g. you experienced this on approximately half your trips)	Often (e.g. you experienced this on approximately 70% of your trips)	Always	Don't know/remember	Prefer not to say
Fishing violations that the captain did not want reported (e.g. illegal catch, bycatch, discard, etc.)							
Illegal transshipment							
Mistreatment of crew (e.g. crew members being physically assaulted, verbally threatened, etc.)							

35. While at sea, how often have you worked more days than you were paid for?
 a. Response options: Never; rarely (i.e. less than 10% of the trips); sometimes (i.e. about half the trips); often (i.e. about 70% of the trips); always; don't know/remember; prefer not to say.

36. While at sea, how often have you experienced each of the following?

	Never	Rarely (e.g. you experienced this on approximately 10% of your trips)	Sometimes (e.g. you experienced this on approximately half your trips)	Often (e.g. you experienced this on approximately 70% of your trips)	Always	Don't know/remember	Prefer not to say
Non-sexual harassment							
Sexual harassment							
Physical assault/violence							
Sexual assault/violence							
Psychological/emotional assault/violence (e.g. insults that make you feel less important than others on board)							
Verbal threats (e.g. threatening to throw you overboard)							
Bribery attempts							
General interference with your work							

37. In comparing harassment and abuse from crew and harassment and abuse from captains, captains are:
a. Response options: Much worse; somewhat worse; about the same; somewhat better; much better; don't know; prefer not to say.
38. How safe do you feel submitting an incident report of harassment and/or abuse at sea?
a. Response options: Very unsafe; unsafe; neither unsafe or safe; safe; very safe; don't know; prefer not to say.
39. How satisfied are you with the incident reporting process/mechanisms?
a. Response options: Very unsatisfied; unsatisfied; neither unsatisfied or satisfied; satisfied; very satisfied; don't know; prefer not to say.
40. In your opinion, what is the likelihood of being believed when reporting an incident of abuse/harassment?
a. Response options: Extremely unlikely; unlikely; neutral; likely; extremely likely; don't know; prefer not to say.
41. What effect, if any, does harassment and abuse have on your ability to perform your job responsibilities?
a. Response options: No effect; minor effect; neutral; moderate effect; major effect; don't know; prefer not to say.
42. How likely are you to change your reporting numbers (and not report the correct numbers separately), under report, or 'look the other way' due to harassment or abuse?
a. Response options: Extremely unlikely; unlikely; neutral; likely; extremely likely; don't know; prefer not to say.
43. How concerned would you be about retaliation (such as being fired, not being able to get another Observer job, etc.) if you made a harassment/abuse incident report?
a. Response options: Not at all concerned; slightly concerned; somewhat concerned; moderately concerned; extremely concerned; don't know; prefer not to say.

For questions 44 to 51 please indicate your level of agreement with each statement.

44. If something happened to me at sea, I would know how to file for compensation.
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*
45. If something happened to me at sea, I would have the necessary information to file for compensation.
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*
46. If something happened to me at sea, my family would know how to file for compensation.
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*
47. If something happened to me at sea, my family would have the necessary information to file for compensation.
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*
48. If I reported concerns and/or incidents of harassment and/or abuse, action would be taken in a timely manner.
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*
49. Incident reports of Observer harassment and/or abuse are being suppressed (e.g. they 'disappear').
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*
50. The regional fisheries management organisations are adequately monitoring the safety of Observers at sea.
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*
51. The regional or sub-regional Observer programmes (ROP) are adequately monitoring the safety of Observers at sea.
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*
52. My government is adequately monitoring the safety of Observers at sea.
a. Response options: *Strongly disagree; disagree; neither agree or disagree; agree; strongly agree; don't know; prefer not to say.*

For questions 53 and 54, 'human rights defender' is a term defined by the United Nations as a person, "who individually or with others, acts to promote or protect human rights... Human rights defenders include individuals and groups who strive to protect and promote human rights relating to the environment." Some think that one way to improve the working conditions for Fisheries Observers and to increase their safety at sea is to give Fisheries Observers this designation, since the responsibilities of Fisheries Observers may help protect fish stocks.

53. In your opinion, how likely is it that designating Fisheries Observers as human rights defenders will improve/increase the safety and security of Observers at sea?
a. Response options: *Extremely unlikely; unlikely; neutral; likely; extremely likely; don't know/need more information; prefer not to say.*
54. In your opinion, how likely is it that designating Fisheries Observers as human rights defenders will decrease the safety and security of Observers at sea?
a. Response options: *Extremely unlikely; unlikely; neutral; likely; extremely likely; don't know/need more information; prefer not to say.*

Who We Are

BACKGROUND

Human Rights at Sea was established in April 2014. It was founded as an initiative to explore issues of maritime human rights development, review associated policies and legislation, and to undertake independent investigation of abuses at sea. It rapidly grew beyond all expectations and for reasons of governance it became a registered charity under the UK Charity Commission in 2015.

Today, the charity is an established, regulated and independent registered non-profit organisation based on the south coast of the United Kingdom. It undertakes **R**esearch, **A**dvocacy, **I**nvestigation and **L**obbying specifically for human rights issues in the maritime environment, including contributing to support for the human element that underpins the global maritime and fishing industries.


The charity works internationally with all individuals, commercial and maritime community organisations that have similar objectives as ourselves, including all the principal maritime welfare organisations.


OUR MISSION


To explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.





STAY IN CONTACT

 We welcome any questions, comments or suggestions. Please send your feedback to:
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Human Rights at Sea

INDEPENDENT REPORT

UNDERSTANDING THE WORKING CONDITIONS OF WESTERN & CENTRAL PACIFIC OCEAN FISHERIES OBSERVERS: A BASELINE SURVEY



Photo Credit: Alex Hofford/Greenpeace








HUMAN RIGHTS AT SEA

Human Rights at Sea is a Registered Charity in England and Wales No. 1161673. The organisation has been independently developed for the benefit of the international community for matters and issues concerning human rights in the maritime environment.

Its aim is to explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.

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