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**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX III**

to the Commission Implementing Decision on the financing of the multiannual action plan in favour of Asia-Pacific for 2024-2025 covering ASEAN, and migration, forced displacement and mobility

**Action Document for “Ship to Shore Rights in South-East Asia – Safe migration for decent work in the blue economy”**

**MULTIANNUAL PLAN**

This document constitutes the multiannual work programme within the meaning of Article 110(2) of the Financial Regulation, within the meaning of Article 23 of the NDICI-Global Europe Regulation.

## 1 SYNOPSIS

### 1.1 Action Summary Table

<b>1. Title CRIS/OPSYS business reference Basic Act</b>	Ship to Shore Rights in South-East Asia – Safe migration for decent work in the blue economy OPSYS number: ACT-62744 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)
<b>2. Team Europe Initiative</b>	No
<b>3. Zone benefiting from the action</b>	The action shall be carried out in South-East Asia: Cambodia, Indonesia Malaysia, Myanmar, Philippines and Thailand, and with relevant ASEAN sectoral bodies.
<b>4. Programming document</b>	Regional Multi-annual Indicative Programme (RIP) for Asia and the Pacific - 2021-2027 <sup>1</sup>
<b>5. Link with relevant MIP(s) objectives / expected results</b>	This action responds to the priority area 3 “Migration, forced displacement and mobility” of the Regional Multi-annual Indicative Programme (RIP) for Asia and the Pacific.  Specific Objective 2 of priority area 3: “Contribute to strengthening migration governance and management, to enable orderly, safe, regular, and responsible migration (including labour migration) and mobility of people”.
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>	
<b>6. Priority Area(s), sectors</b>	151 - Government & Civil Society-general 160 - Other Social Infrastructure & Services 313 – Fishing
<b>7. Sustainable Development Goals (SDGs)</b>	Main SDG: 10.7 facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. Other significant SDGs:

<sup>1</sup> C(2021) 9251 of 15.12.2021

	SDG 5 - gender equality SDG 8 - decent work and economic growth SDG 14 - life below water			
<b>8 a) DAC code(s)</b>	15190, Facilitation of orderly, safe, regular and responsible migration and mobility 50% 16070 Labour rights 40% 31310 Fishing policy and administrative management 10%			
<b>8 b) Main Delivery Channel</b>	40000 – Multilateral organisation			
<b>9. Targets</b>	<input checked="" type="checkbox"/> Migration <input type="checkbox"/> Climate <input type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input checked="" type="checkbox"/> Biodiversity <input type="checkbox"/> Education <input checked="" type="checkbox"/> Human Rights, Democracy and Governance			
<b>10. Markers (from DAC form)</b>	<b>General policy objective @</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Combat desertification @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>11. Internal markers and Tags</b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Digitalisation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	digital connectivity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	/
	digital governance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital entrepreneurship	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital skills/literacy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	digital services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Connectivity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	digital connectivity	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
	energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	education and research	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Migration @	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reduction of Inequalities @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Covid-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>BUDGET INFORMATION</b>				
<b>12. Amounts concerned</b>	Budget line(s) (article, item): 14.020131 Total estimated cost: EUR 11 000 000 Total amount of EU budget contribution EUR 11 000 000			
<b>MANAGEMENT AND IMPLEMENTATION</b>				
<b>13. Type of financing</b>	Indirect management with the entity(ies) to be selected in accordance with the criteria set out in section 4.3.1.			

## 1.2 Summary of the Action

The blue economy is an important source of employment in South-East Asia. In 2020, Asia was home to more than 19 million fish farmers and 30 million fishers and accounted for 84% of all people employed in the fisheries and aquaculture sector worldwide. In some countries of Asia, the blue economy constitutes as much as a 20% share of GDP, and an estimated 625 million people in the region depend on the ocean for their livelihoods.<sup>2</sup> In addition, a large share of the future job growth in the fishing, seafood processing and aquaculture sectors is expected to be in the Asian region.

In recent decades, the ASEAN labour market in the fishing, seafood processing and aquaculture sectors has shifted dramatically in response to the region's rapid social and economic development. Migrant workers now fill a substantial share of these jobs because of the reluctance of nationals to pursue work which is often viewed as low-paid, physically demanding and hazardous. Although disaggregated official data on migrant workers employed in these sectors remains limited, they are known to represent a significant portion of the region's 10.6 million international migrants.<sup>3</sup>

Substantial improvements have been achieved in recent years, but major decent work deficits persist in the region's blue economy. Information received from ILO indicates that one out of five migrant fishers from South-East Asia have worked under conditions of forced labour. Although the prevalence varies significantly in each destination country, none of the labour markets recruiting migrant workers in fishing and seafood processing from South-East Asia appear free of forced labour, including Thailand, Taiwan, China, Republic of Korea and Japan.

Employment in the fishing, seafood processing and aquaculture sectors in South-East Asia is highly gendered and includes specific challenges for women, men and LGBTQI+ workers. Women account for 21% of those working in fishing and aquaculture and tend to have more precarious employment conditions. More than 60% of women workers reported unspecified or part-time employment status. Despite their significant role in the blue economy supply chain, women are more likely than men to be engaged in the most informal, lowest paid, and least stable

<sup>2</sup> ADB, 2021.

<sup>3</sup> UNDESA, 2020.

segments of the workforce.<sup>4</sup> Women also face restrictive and discriminatory gender norms that preclude them from working in certain occupations, prevent them from advancing professionally and subject them to gender pay gaps, violence and harassment, and termination of employment based upon pregnancy.<sup>5</sup>

The overall objective of the proposed Action “Ship to Shore Rights in South-East Asia: Safe migration for decent work in the blue economy” is **to promote safe labour migration and decent work for a sustainable fish and seafood supply chain, including primary production (capture fishers and aquaculture) and post-harvest processing in South-East Asia.**

The Specific Objectives of the Action are:

1. To increase ASEAN and sub-regional connectivity and cooperation on safe labour migration and decent work in the fish and seafood supply chain.
2. To support national authorities to design, implement and enforce stronger legal and policy frameworks on labour migration, labour protection, and sustainable fisheries.
3. To promote a culture of accountability, sustainable corporate practices, due diligence, and responsible fishing practices among employers and enterprises, including promoting promising practices and exchanging knowledge.
4. To promote social dialogue, increase freedom of association and collective bargaining, and empower migrant workers, their families and communities to protect and assert their human and labour rights.

The Action will be implemented at the regional level in ASEAN, as well as in the target countries of Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, and Thailand. The action at national level will also contribute to strengthen ASEAN regional cooperation on labour migration in the intended sectors. The Action will adopt an asymmetrical approach that responds to national priorities and emerging trends, and a corridors approach that allows for interventions at all stages of the migration process. The key migration corridors covered by the Action are Cambodia and Myanmar to Thailand, as well as Indonesia, Cambodia and Myanmar to Malaysia. The Philippines is also a key country of origin for migrant workers in the blue economy, with Filipino fishers working across several countries within the global commercial fishing fleet.

The proposed Action is aligned with EU priorities under the Regional Multi-annual Indicative Programme (MIP) for Asia and the Pacific (2021-2027). The Action will contribute to Priority Area 3: “Migration, forced displacement and mobility” of the Regional MIP, in particular to Specific Objective 2: Contribute to strengthening migration governance and management, to enable orderly, safe, regular, and responsible migration (including labour migration) and mobility of people.

The Action will significantly advance progress towards achieving Sustainable Development Goals (SDG) 10: reduce inequality within and among countries, particularly target 10.7 facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. The Action will also advance SDG 5 (achieve gender equality and empower all women and girls), SDG 8 (promote sustained, inclusive, and sustainable economic growth, full and productive employment and decent work for all), as well as support SDG 14 (conserve and sustainably use the oceans, seas and marine resources for sustainable development).

### 1.3 Zone benefitting from the Action

The Action is expected be carried out in Cambodia, Indonesia, Myanmar, Malaysia, Philippines, and Thailand, out of which all targeted countries included in the list of ODA recipients.

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<sup>4</sup> FAO, SOFIA 2022

<sup>5</sup> <https://www.ilo.org/publications/ship-shore-rights-south-east-asia-gender-equality-and-womens-empowerment>

## 2 RATIONALE

### 2.1 Context

#### *Trade linkages between the EU and ASEAN countries*

The EU is the largest single import market for seafood in the world and ASEAN countries are jointly the bloc's third-largest trading partners.<sup>6</sup> Ensuring sustainability and fair trade in fish and seafood products has been an important element of the EU's partnerships in South-East Asia. Following the recent FTAs signed with Viet Nam and Singapore, additional free trade agreements are being negotiated with Indonesia, and Thailand. The EU and the Philippines announced the resumption of the free trade negotiations in March 2024. Any backtrack on sustainability conditions could have an impact on the FTA negotiations. Strong commitment by negotiating partners to an effective implementation of sustainability rules, as reflected in the provisions of a Trade and Sustainable Development (TSD) chapter of the agreement, will greatly contribute to the success of these negotiations.

The ASEAN region is one of the most prolific areas for fish and seafood production globally. Indonesia, the Philippines, Thailand, Malaysia, and Myanmar are among the world's top producers of marine capture fisheries products, while Indonesia, Thailand, the Philippines and Myanmar are also among the world's top aquaculture producers.<sup>7</sup> In 2021, South-East Asia as a region contributed 21% of the world's fish and aquaculture production.<sup>8</sup> The importance of South-East Asia as a trading partner of fish and seafood products may grow significantly as the EU adopts additional restrictive measures against Russia, which was the world's 5<sup>th</sup> largest producer of marine capture in 2020.

Within ASEAN, Member States have economically liberalized their fisheries by removing tariffs to enhance intra-ASEAN fisheries trade and investment. Nevertheless, the external trade value of fish and seafood products significantly outweighs intra-ASEAN exports. In 2021, the total value of ASEAN's trade in fishing and seafood-related products to the rest of the world was an estimated USD 13.7 billion.<sup>9</sup>

#### *Labour migration in South-East Asia's blue economy*

Migrant workers now fill a substantial share of the jobs in the fishing, seafood and aquaculture sectors because of the reluctance of nationals to pursue work which is often viewed as low-paying, arduous and unsafe. Although disaggregated official data on migrant workers employed in these sectors remains limited, they are known to represent a significant portion of the region's 10.6 million international migrants. In Thailand, for example, an estimated 90 per cent of fishers in the Thai fleet are from Myanmar and Cambodia,<sup>10</sup> and Malaysian fisheries are similarly recognized to be heavily dependent on migrant workers.<sup>11</sup>

Given the expanding labour shortages in the sector, there is a need to simplify and streamline migration processes to make regular migration channels easier, faster, less expensive, and more protective of the rights of migrant workers. For example, the EU-funded Ship to Shore Rights South-East Asia programme is supporting the

<sup>6</sup> EU, Blue Economy Report 2021, p 35 and [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/association-south-east-asian-nations-asean\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/association-south-east-asian-nations-asean_en)

<sup>7</sup> FAO, SOFIA 2022 and [https://www.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---sector/documents/meetingdocument/wcms\\_818149.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/meetingdocument/wcms_818149.pdf)

<sup>8</sup> <http://www.seafdec.org/stat2021/>

<sup>9</sup> <https://asean.org/wp-content/uploads/2023/08/AMO-1.pdf>, No disaggregated information for intra-ASEAN trade in fish and seafood product are publicly available, but intra-ASEAN trade comprised 22.3% of total ASEAN trade in 2022, surpassing trade with other partners. Trade with EU comprised 7.7% of all ASEAN trade in 2022. Exports to the EU comprised 9% of exports, imports at 6.3%. <https://www.aseanstats.org/wp-content/uploads/2023/10/ASH-2023-v1.pdf>

<sup>10</sup> ILO 2019 Less is More

<sup>11</sup> <https://www.malaymail.com/news/malaysia/2021/02/20/fisheries-dept-govt-committed-to-reducing-foreign-labour-dependence-in-fishe/1951245>

Cambodian and Thai Governments to negotiate a bilateral labour migration agreement that will provide a regular channel for migration into the fishing sector.

Momentum is growing within the ASEAN region to do more to ensure decent working conditions for migrant workers in fishing and seafood processing. With technical and financial support from the EU-funded Ship to Shore Rights South-East Asia programme, ASEAN member states agreed to the adoption of the Declaration on the Placement and Protection of Migrant Fishers at the 42<sup>nd</sup> ASEAN Summit in May 2023.<sup>12</sup> The Declaration sets out important commitments to enhance the welfare and protection of migrant fishers. It also calls for action to address violence, exploitation and abuse against migrant fishers, for instance by strengthening labour inspection and referral systems. Guidelines for the implementation of the Declaration are expected to be adopted by ASEAN in October 2024, including establishing to develop work plans through the ASEAN Committee on the Protection and Promotion of the Rights of Migrant Workers (ACMW).

The Action will continue to strengthen political commitments and contribute to trade enhancements between ASEAN and the EU, in support of the Strategic Partnership in place since December 2020. By addressing labour migration issues in the blue economy, the Action also supports the EU's engagement in green cooperation with ASEAN. The Action will foster collaboration within South-East Asia and among ASEAN Member States to establish evidence-based policies, ensuring migrant workers in the fish and seafood supply chain have access to safe migration and decent work.

#### ***State of play and key elements of progress funded from previous Actions***

Since 2016, the EU-funded Ship to Shore Rights programme (EUR 13,515,000) has established itself as a flagship initiative addressing safe migration and decent work in the fishing and seafood processing sectors in South-East Asia. With the support of Ship to Shore Rights, a total of 28 policies and laws have been adopted or amended in target countries to improve labour standards in the fishing and seafood processing sectors, including ratification of the Work in Fishing Convention (No. 188) and the Forced Labour Protocol (No. 29) by Thailand, and preparations to do so by Indonesia, the Philippines, and Viet Nam. The programme has also strengthened the institutional capacity of key stakeholders. 644 migrant workers trafficked for purposes of labour exploitation were referred nationally or transnationally for protection services, and 425 trafficking survivors received support for safe and dignified return and sustainable reintegration. 3,367 stakeholders received training to improve enforcement and application.

Major communications campaigns to raise awareness reached more than 2.3 million people and a network of 21 Migrant Worker Resource Centres across South-East Asia. Government, trade union and civil society partners have assisted 147,044 migrant workers and their family members. The programme is recognized as having made strong progress and external stakeholders expressed considerable satisfaction with the quality of the programme's technical support.

#### ***Growing importance of aquaculture and decent work deficits***

Aquaculture is the fastest-growing food supply sector. It expanded by 600% in annual output between 1990 and 2020.<sup>13</sup> It is crucial for employment, income and livelihoods especially in rural communities. Women play a significant role in aquaculture, particularly in processing. Most future jobs in industrial fish processing are expected to be in Asia including Philippines and Indonesia, and migrant labour is essential for the sector.<sup>14</sup>

<sup>12</sup> For the purposes of the ASEAN Declaration, “migrant fishers” refer to “migrant workers who are employed in any capacity or carrying out an occupation on board commercial fishing vessels flying the flag of a country other than their own nationality”. [https://asean.org/wp-content/uploads/2023/05/10-ASEAN-Declaration-on-Protection-and-Promotion-of-the-Rights-of-Migrant-Fishers\\_adopted-1.pdf](https://asean.org/wp-content/uploads/2023/05/10-ASEAN-Declaration-on-Protection-and-Promotion-of-the-Rights-of-Migrant-Fishers_adopted-1.pdf)

<sup>13</sup> <https://www.seafish.org/insight-and-research/aquaculture-data-and-insight/value-and-importance-of-aquaculture/#:~:text=time%20equivalent%20jobs-,Growth%20of%20global%20aquaculture,average%20growth%20rate%20of%206.7%25.>

<sup>14</sup> ILO 2021, Technical Meeting on Aquaculture – Notes on Proceedings



Despite its growing contribution to employment rural livelihoods, economic development, food security and nutrition, aquaculture faces significant decent work deficits including the prevalence of informality and discrimination, presence of child and forced labour; lack of organization and social dialogue, low and insecure wages and incomes, low skills, poor conditions and occupational safety and health practices limited social protection, and lack of stable and formal contracts.<sup>15</sup> Addressing these deficits will be key to ensuring the future sustainability of the sector.

Women workers in the aquaculture often face discrimination, restricting their employment opportunities. Women are particularly active in household-based aquacultural activities such as fish feeding, managing ponds and marketing products but are frequently excluded from decision-making and leadership roles. Women are estimated to represent 19% of the global workforce in aquaculture but increasing to 80% in some countries.<sup>16</sup> As such, policies and strategies aimed at empowerment of women engaged in the sector are important, particularly to address the decent work deficits that women aquacultural workers commonly face, including gender wage gaps, occupational safety and health risks, lack of maternity protection and other deficiencies in labour rights protection.

### ***Sustainability of fishing and aquaculture sectors***

Southeast Asia and ASEAN face significant challenges in achieving sustainable seafood production and fisheries. Overfishing and the depletion of wild fish stocks threaten the long-term viability of the industry, with many species at risk of collapse. Fishery resources are declining due to overfishing, pollution, poor resource management, climate change and driven by high demand and inadequate enforcement of fishing regulations, among other factors. Illegal, unreported, and unregulated (IUU) fishing exacerbates the depletion of fish stocks and undermines conservation efforts. Habitat destruction, including coral reef damage and mangrove deforestation, further threatens marine biodiversity. Climate change impacts, such as rising sea temperatures and ocean acidification, disrupt ecosystems and fish populations. Additionally, there are socio-economic challenges, including the need for better livelihood alternatives for coastal communities and ensuring equitable access to resources. Limited technological infrastructure and insufficient regional cooperation hinder effective monitoring and management. Addressing these multifaceted challenges requires coordinated efforts, robust policy frameworks, and investment in sustainable practices and community engagement. The percentage of fishery stocks within biologically sustainable levels decreased to 64.6%, with more than a third of global fish stocks being overfished. As fish stocks deplete, fishing vessels travel further afield to find abundant grounds, leading to longer fishing trips and increasing fishers' vulnerabilities to labour rights abuses. Distant water fishing hampers authorities' ability to monitor and inspect working conditions, increases fishers' dependence on employers for essentials such as food, water and medical care, and isolate them from assistance and social support.

Global aquaculture production continues to rise, reaching a record of 122.6 million metric tonnes in 2020, with Asia producing 91.6% of the total. While aquaculture is sometimes seen as the solution to overfishing,<sup>17</sup> the growth of aquaculture has often occurred at the expense of the environment and the sustainable development of aquaculture remains critical to supply the growing demand for fish and seafood products.<sup>18</sup>

### ***Intervention Strategy***

As a reference partner, the EU will play a pivotal role in facilitating knowledge exchange, capacity building, policy coherence, creating a culture of compliance in the private sector, and empowering workers to drive sustainable change. Through the Action, the EU will support key trade partners in ASEAN to strengthen migration regulatory frameworks, enhance labour standards, advance commitments to respecting human rights, strengthen enforcement of fishing regulations and environmental standards, and promote inclusive growth within the fish and seafood

<sup>15</sup> ILO 2021, Technical Meeting on Aquaculture Background Document [https://webapps.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---sector/documents/meetingdocument/wcms\\_841121.pdf](https://webapps.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/meetingdocument/wcms_841121.pdf)

<sup>16</sup> FAO and ILO 2021 technical meeting Background Document [https://webapps.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---sector/documents/meetingdocument/wcms\\_841121.pdf](https://webapps.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/meetingdocument/wcms_841121.pdf)

<sup>17</sup> <https://www.euronews.com/green/2021/04/26/what-is-aquaculture-and-can-it-prevent-overfishing> and <https://www.forbes.com/sites/forbestechcouncil/2024/03/08/fish-farming-is-the-sustainable-solution-to-overfishing/?sh=4e3a14b14f18>

<sup>18</sup> FAO SOFIA 2022.

supply chain. Sustained engagement and collaboration will help to promote workers' rights and well-being, paving the way for a more equitable and sustainable future for all stakeholders involved in the supply chain. The Action will be fully in line with the EU's policies and restrictive measures pertaining to Myanmar.

The existing EU-funded Ship to Shore Rights programme has made significant progress in safe migration and decent work first in Thailand, and then more broadly in South-East Asia's fishing and seafood processing sectors. The inclusion of aquaculture ensures a from "sea to shelf" whole-of-supply chain approach as downstream activities such as processing and wholesale trade, aquaculture is often combined with capture fisheries.<sup>19</sup>

The Action will support the consolidation and robust implementation of policy frameworks and institutional mechanisms that have been established, and scale up its long-term impact, particularly in Cambodia, Indonesia, Myanmar, the Philippines and Thailand. It will also cover Malaysia, which produces 2% of the world's marine capture products and is a destination country for migrant workers in South-East Asia. It will continue advocacy and institutionalize essential infrastructure for the protection of workers, and integrate support to labour, social and environmental safeguards to ensure sustainability in the fish and seafood supply chain.

### ***Contributions to EU strategies and political framework***

The Action will contribute to Priority Area 3: "Migration, forced displacement and mobility" of the Regional Multi-annual Indicative Programme (RIP) for Asia-Pacific, in particular to Specific Objective 2: Contribute to strengthening migration governance and management, to enable orderly, safe, regular, and responsible migration (including labour migration) and mobility of people. Further, the Action will contribute to the realization of the European Green Deal, by supporting a sustainable blue economy. It will also indirectly support the implementation of the EU Regulation to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing,<sup>20</sup> by addressing abusive labour practices closely linked to IUU fishing.

Sustainable fish and seafood production is an essential part of the EU's Farm to Fork Strategy, which anticipates the proposed EU Directive on Corporate Sustainability Due Diligence<sup>21</sup> and the proposed regulations to ban products made with forced labour in the EU market.<sup>22</sup> The forthcoming legislative changes in the EU aim at enhancing cooperation among primary producers, rewarding those who transition to sustainable practices and furthering efforts to combat forced labour in global supply chains.

The proposed action will contribute to the EU-ASEAN Strategic Partnership and economic cooperation (free and fair trade based on cross-border rules and regulations, and labour rights), as well as sustainability development (human rights). It will also support EU-ASEAN Dialogues on Safe Migration & Labour Rights, Fisheries and IUU, Gender Equality, and Human Rights.<sup>23</sup>

The Action will also continue to strengthen political commitments contribute to trade integration between ASEAN and the EU and support the Strategic Partnership in place since December 2020. By addressing labour migration issues in the blue economy, the action also supports the EU's reinforced engagement in green cooperation with ASEAN. The Action will foster collaboration within South-East Asia and among ASEAN Member States to establish evidence-based policies, ensuring migrant workers in the fish and seafood supply chain have access to safe migration and decent work.

### ***Coherence with global policy commitments and international normative frameworks***

<sup>19</sup> <https://www.ilo.org/resource/technical-meeting-future-work-aquaculture-context-rural-economy>

<sup>20</sup> Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing

<sup>21</sup> [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_22\\_1145](https://ec.europa.eu/commission/presscorner/detail/en/IP_22_1145)

<sup>22</sup> [https://food.ec.europa.eu/horizontal-topics/farm-fork-strategy/sustainable-food-production\\_en](https://food.ec.europa.eu/horizontal-topics/farm-fork-strategy/sustainable-food-production_en), EU COM (2022) 453

<sup>23</sup> <https://euinasean.eu/the-eu-asean/#:~:text=The%20EU%20is%20working%20towards,livelihoods%20in%20the%20ASEAN%20region>



The Action will significantly contribute to Sustainable Development Goals (SDG) 10: reduce inequality within and among countries, particularly target 10.7 facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. The Action will also advance SDG 5 (achieve gender equality and empower all women and girls), SDG 8 (promote sustained, inclusive, and sustainable economic growth, full and productive employment and decent work for all), as well as to a certain extent support SDG 12 (responsible consumption and production) and SDG 14 (conserve and sustainably use the oceans, seas and marine resources for sustainable development).

The Action is committed to advancing the rights of migrant workers and sustainable development. The Action is grounded in international labour standards through widely ratified ILO Conventions of general application, including the eleven “fundamental” instruments. In addition, the Action will also be grounded in key technical instruments including the Work in Fishing Convention, 2007 (No. 188); the ILO General principles and operational guidelines for fair recruitment and definition of recruitment fees and related cost; as well as normative instruments related to social protection, occupational safety health, labour inspection and others.<sup>24</sup>

In seeking to strengthen efforts to prevent and respond to trafficking for forced labour and labour exploitation, the Action will also be guided by the widely ratified Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children, and the EU Strategy on Combatting Trafficking in Human Beings (2021-2025).

The Action will be informed by and, in turn, inform the Global Compact for Safe, Orderly and Regular Migration, a commitment made by the UN Member States under the New York Declaration for Refugees and Migrants. The Global Compact for Migration is consistent with target 10.7 of the 2030 Agenda and the commitment to cooperate internationally to facilitate safe, orderly and regular migration.

## 2.2 Problem Analysis

### *Challenges and opportunities to be addressed by the Action*

The COVID-19 pandemic exacerbated pre-existing vulnerabilities, and in some cases, led to regression in working conditions in the blue economy. Fisheries and aquaculture production relying on export markets were particularly impacted. Domestic fresh fish and seafood supply was also severely impacted by the closure of the food service sector.<sup>25</sup> The negative impacts of the pandemic were significantly worsened for migrant fishers due to substantial gaps in their realization of fundamental principles and rights at work.

In the post-pandemic period, new contextual challenges and opportunities have emerged within the region, highlighting the need for sustained intervention and support on labour standards and migration governance in the blue economy. In Thailand, the new Government has committed to reviewing key fisheries and labour governance laws and policies, in response to aggressive lobbying by fisheries associations. In Myanmar, deteriorating economic conditions, violent conflict and the forced conscription policy introduced by the de facto authorities has increased the volume of migration and vulnerability of migrant workers to exploitation. In the Philippines, the Department of Migrant Workers was established in 2022 and there are opportunities for policy and regulatory reform in response to the ongoing review of the rules and regulations concerning migrant workers in sea-based

<sup>24</sup> The normative basis of the Action includes the eleven fundamental instruments of the International Labour Organization: Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Forced Labour Convention, 1930 (No. 29) and its 2014 Protocol; Abolition of Forced Labour Convention, 1957 (No. 105); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Occupational Safety and Health Convention, 1981 (No. 155); Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). Key technical Conventions underpinning Action include Migration for Employment Convention (Revised), 1949 (No. 97) and Migration for Employment Recommendation (Revised), 1949 (No. 86); Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and Migrant Workers Recommendation, 1975 (No. 151); Work in Fishing Convention, 2007 (No. 188) and Work in Fishing Recommendation, 2007 (No. 199); Private Employment Agencies Convention, 1997 (No. 181); Labour Inspection Convention, 1947 (No. 81); and Violence and Harassment Convention, 2019 (No. 190). Other instruments underlying the Action include the various instruments related to fair recruitment, social security, social protection, occupational safety and health, and labour inspection.

<sup>25</sup> SOFIA 2022

sectors. The new Action will galvanize the impact of the programme, respond to the new opportunities and safeguard progress to ensure decent work and safe labour migration in the fish and seafood supply chain. The inclusion of aquaculture in the Action will allow for a more comprehensive approach to providing decent work in the fish and seafood supply chain and to address sustainable seafood production across the entire value chain. The capture fisheries and aquaculture sectors are often also closely related. Interventions responding to the need for improved working conditions in the aquaculture sector will help to ensure that problems with exploitation and abuse of migrant workers do not bleed over from the fishing industry as result of increased regulation.

### ***1. Decent work deficits in the blue economy***

**Fishing** is widely recognised as a hazardous occupation. Migrant workers in the fishing industry are substantially more likely to experience poor working conditions and labour abuses due to lack of protection of their basic labour rights. Low union density and lack of organization among fishers contribute to decent work deficits, and migrant fishers continue to face further practical and legal constraints in their ability to participate in worker organizations. Migrant fishers are also subject to duress and coercion amounting to forced labour through a variety of means, such as the retention of identity documents and ATM cards, the withholding and theft of their wages, debt bondage and excessive overtime. Provisions for fishers to terminate their contracts and repatriate to the home country are often unclear. Major gaps in occupational safety and health on-board fishing vessels lead to frequent injuries and accidents, without sufficient access to medical care and workers' compensation schemes.

Despite progress in improving the inspection and monitoring of working conditions on board fishing vessels in the region, Thailand remains the only country in the region that has a national system in place for inspection of working conditions on fishing vessels. However, the effectiveness of the inspections continues to be limited with low detection rates and enforcement actions taken for labour rights violations and a lack of trust between migrant workers and inspectorate authorities. In Indonesia, no national system of inspection for working conditions on fishing vessels exists. However, with the support of EU-funded Ship to Shore Rights South-East Asia programme, the Province of Central Java issued a decree providing a legal basis to establish joint mechanisms to monitor and inspect working conditions on fishing vessels in 2023. The decree is the first of its kind in Indonesia, and technical assistance is needed for the provincial government to carry out inspections.

**Aquaculture**, despite its potential for employment creation, and its growing contribution to employment, rural livelihoods, economic development, food security and nutrition in many countries, aquaculture faces significant decent work deficits alongside other important social and environmental challenges. The above-mentioned decent work deficits often characterize the sector, especially in many developing and emerging economies.<sup>26</sup>

In addition, many aquacultural workers are not protected by labour legislation due to the informal nature of their work, the absence of an employment relationship or their lack of legal status as migrant workers in the country of employment. Furthermore, law enforcement, labour inspection and compliance are often lacking or ineffective in the rural economies of some countries, particularly due to the remote and hard-to-reach nature of the workplaces.

Work in **seafood processing** has more in common with other land-based work such as manufacturing. However, the seasonality of capture fisheries and certain aquaculture species affects the livelihoods and jobs not only of those engaged in upstream activities but also in processing.<sup>27</sup> Labour migration patterns into the fishing and seafood processing sectors in South-East Asia are highly gendered and include specific decent work deficits faced by women and men. Migrant women comprise the majority of workers in seafood processing largely because employers believe they are better suited for this type of work. Women are assumed to have “nimble fingers”, making them effective as workers in detailed manual labour jobs. Women are concentrated in seafood processing factories and, especially, in the informal pier-based pre-processing work.<sup>28</sup> Work is often precarious,<sup>29</sup> with few labour or social protections, wages can be low and irregular, and women earning an average 13% less than men in factories.<sup>30</sup> Women also face restrictive and discriminatory gender norms that preclude them from working in certain occupations, prevent them from advancing professionally and subject them to gender pay gaps, violence

<sup>26</sup> [https://www.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---sector/documents/meetingdocument/wcms\\_818149.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/meetingdocument/wcms_818149.pdf)

<sup>27</sup> Background document Aquaculture ILO 2021

<sup>28</sup> S2SR Gender Strategy

<sup>29</sup> Humanity United/Freedom Fund (2019), *Tracking Progress*.

<sup>30</sup> Gender Strategy

and harassment, and termination of employment based upon pregnancy. In Thailand, even when informal workers have paid into voluntary social protection schemes and believe they should be eligible for benefits, often they are not able to access them, and access to other services often depends on a Thai intermediary.<sup>31</sup>

## **2. Labour migration and recruitment risks**

Migrant workers in all these sectors face additional risks throughout the recruitment and placement process due to excessive recruitment fees, language barriers, limited information on their rights and available services, and the risks of debt bondage and forced labour. For fishers and other sea-based occupations, national regulations are often weak or exceptionally regulated through ad hoc and/or temporary legislation. In Thailand, for example, migrant fishers are exceptionally recruited by the Department of Fisheries in response to the industry perception of a labour shortage, and not through Thailand's MOU processes. Periodic amnesty policies to register irregular migrant workers have reduced the number of undocumented migrant workers but increased costs for migrant workers to obtain documentation. In South-East Asia, only the Philippines has developed specific regulations to govern the recruitment and placement of sea-based workers abroad.

Costly and cumbersome migration channels are not unique to migrant fishers. Recent research by the ILO found that the recruitment of migrant workers to Thailand, including in seafood processing, remains an area for improvement despite recent efforts to promote regular migration.<sup>32</sup> Employers often turn to intermediaries and brokers for more efficient recruitment services, and the costs are in turn passed on to workers.

Recruitment fees and related costs can make workers more vulnerable to abuse, particularly if they require migrant workers to take on excessive debt or the lead to wage deductions. Fishers are particularly exposed, as there is often insufficient transparency and regulatory oversight over the deductions made from their wages to cover these expenses. In the worst cases, fraudulent and deceptive recruitment practices together with abusive working conditions lead to debt bondage, and amount to forced labour and human trafficking of migrant workers. In some cases, some migrant workers have turned to irregular channels, including family and friends, for quicker and cheaper despite the potential of increased risks.

Contrary to international labour standards, recruitment fees and associated costs are still routinely charged to migrant workers in the fishing and seafood processing supply chain. National legislation in some countries in South-East Asia is still not fully consistent with international labour standards. There remains a need to support the implementation of fair recruitment principles by recruitment agencies and businesses, as well as by governments.

For migrant workers from Myanmar, the major economic contraction, ongoing conflict, a shrinking job market, and lack of decent employment opportunities since the military takeover are key push factors that have contributed to more workers seeking employment abroad. There has been a substantial growth in the number of brokers operating in Myanmar, providing an extensive range of recruitment services that are often necessary to facilitate the process due to the breakdown of rule of law but at the same time create additional vulnerabilities to exploitation and abuse.

Labour mobility in the region is governed by a combination of admission policies and bilateral agreements. Given the expanding labour shortages, there is a need to simplify and streamline migration processes to make regular migration channels easier, faster, less expensive, and better protective of the rights of migrant workers. The inclusion of fishers in bilateral labour migration agreements is also needed.

Although governments in South-East Asia are making efforts to provide safe migration information to migrant workers, there remain significant gaps in the provision of accurate, sector-specific and corridor-specific information for migrants in the fish and seafood supply chain. An expansion of more authoritative and comprehensive direct support services for migrant workers are needed, including counselling, legal assistance, information and training, networking, worker organizing, and return and reintegration.

While some governments in the region have established referral systems to respond to cases of trafficking in persons, response and protection challenges persist. National regulations are not always aligned with international frameworks, and limited victim screening and identification procedures, as well as insufficient capacity amongst authorities on trafficking in persons (TIP), has led to many victims not being formally recognized or able to access victim support. Labour trafficking networks often operate across borders, exploiting regulatory loopholes and

<sup>31</sup> Gender Strategy

<sup>32</sup> <https://www.ilo.org/publications/recruitment-fees-and-related-costs-what-migrant-workers-cambodia-lao>

jurisdictional challenges. This transnational nature complicates efforts to combat trafficking and requires coordinated responses at national, bilateral and multilateral levels. In particular, there is a need to strengthen victim protection systems, support the implementation of existing bilateral agreements to protect survivors of trafficking, build the capacities of frontline officials to effectively screen, identify and coordinate the delivery of rights-based services. Comprehensive, needs- and rights-based services for migrant workers, especially those who have experienced rights violations, are needed. **3. *Barriers to freedom of association and collective bargaining for migrant workers***

International labour standards and human rights treaties set clear provisions on the rights to freedom of association and collective bargaining for all workers, including migrant workers. However, the application of these rights in national laws, policies and practices is often restricted, with many migrant workers in South-East Asia facing legal and practical barriers to organizing.<sup>33</sup>

In Thailand, migrant workers are prohibited by law to form unions or hold executive positions in existing trade unions. They face significant limitations in joining existing unions or engaging in genuine collective bargaining. In the fishing and seafood processing sectors, which are dominated by migrants, the challenges are particularly acute because no existing trade unions (formed and led by Thai nationals) represent migrants' interests. The Malaysian Constitution restricts freedom of association to citizens only. Although migrant workers can join trade unions, they cannot hold union office unless with the approval of the Minister, a requirement that hinders the right of trade union organizations to freely choose their representatives for collective bargaining purposes. Malaysian Courts have also held that migrant workers on fixed contracts can be excluded from benefiting from the conditions in the collective agreements.<sup>34</sup> In addition, many migrants in Malaysia are reluctant to actively engage with trade unions due to fear of retaliatory dismissal and deportation.<sup>35</sup>

Trade union density is low in sectors dominated by migrant workers, including aquaculture, fishing, and seafood processing, particularly in the informal segments of the industries. In Thailand, the migrant-dominated sectors of fishing and seafood processing, labour exploitation and abuse remain prevalent despite government reforms in the monitoring and inspection of these sectors.<sup>36</sup> In aquaculture, limited organization and opportunities for voices to be heard among aquaculture workers prevent them from exercising their rights and influencing decision-making processes that affect their working and living conditions. Research by the ILO has shown that forced labour is almost always linked to restrictions on workers' ability to exercise their rights to organize.<sup>37</sup>

To address the obstacles to worker organizing among migrants, trade unions and worker organizations need to be supported to develop innovative strategies to reach, organize and represent migrant workers, including reaching out to organize workers who are informally employed, ensuring inclusive membership among women and LGBTIQ+ persons, establishing cross-border partnerships and other new approaches.

#### **4. *Occupational safety and health***

As mentioned above (see 1. *Decent work deficits in the blue economy*), fishing is a hazardous occupation, with capture fisheries having among the highest incidences of occupational injuries and fatalities.<sup>38</sup> A recent estimate of the annual fatalities among fishers globally suggests there may be more than 100,000 deaths per year.<sup>39</sup> Many of the injuries and accident that occur are preventable if more attention is paid to occupational safety and health. Many fishers do not receive adequate basic training, which puts them at risk once on board. Even when a basic safety training certificate is a prerequisite for the issuance of a seamen's book or identity documents, the lack of coordination means that fishers are often required to pay but never receive adequate training. In addition, many fishing vessels do not have well-stocked first aid kits or essential medical supplies.

There is also a lack of adoption of minimum standards for training of fishers in the region. The International Maritime Organization's International Convention on the Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel 1995 (STCW-F) sets out the minimum training requirements for fishers on board

<sup>33</sup> <https://www.ilo.org/publications/migrant-workers-rights-freedom-association-and-collective-bargaining>

<sup>34</sup> <https://ilo.org/publications/migrant-workers-rights-freedom-association-and-collective-bargaining>

<sup>35</sup> <https://www.ilo.org/publications/review-labour-migration-policy-malaysia>

<sup>36</sup> <https://ilo.org/publications/migrant-workers-rights-freedom-association-and-collective-bargaining>

<sup>37</sup> <https://www.ilo.org/publications/major-publications/ending-forced-labour-2030-review-policies-and-programmes>

<sup>38</sup> <https://www.ilo.org/publications/decent-work-migrant-fishers>

<sup>39</sup> <https://fishsafety.org/projects/the-human-cost-of-fishing/>



seagoing fishing vessels of 24 meters in length and above. However, Indonesia is the only country in the region to ratify the instrument to date and has yet to begin practical implementation.

Workers in aquaculture are often exposed to multiple occupational safety and health hazards with short- and long-term consequences. Aquaculture-specific data on safety and health is sparse as it is not typically disaggregated from the broader agricultural sector. In most aquaculture-producing countries, the focus of policies and regulations has mainly been on product quality, food safety and environmental risks, but much less on worker safety and health. Scoping studies have found a wide range of hazards, including physical, chemical, biological, ergonomic and psychosocial. The risks appear to vary significantly depending on the type of aquaculture operation, the specific work process involved, the species that are being cultivated, the scale of operation/production. The development of stronger occupational safety and health regulatory frameworks and management systems is needed.

### ***5. Just transition for decent work and sustainability in the blue economy***

The marine environment, as well as fishers and fish farmers, face significant challenges. In addition to threats to the marine environment posed by climate change, biodiversity loss due to multiple anthropogenic pressures, there have also been market disruptions including the COVID-19 pandemic, as well as the rise in fuel and fish feed prices.<sup>40</sup> Pressures on the marine ecosystem include IUU fishing, marine transportation, and threats linked to human activities including various forms of marine pollution. Healthy marine environment with healthy fish stocks and rich biodiversity is crucial to ensuring that workers in the blue economy have a prosperous future.<sup>41</sup>

The Glasgow Climate Pact from the 2021 UN Climate Change Conference (COP26) highlighted the urgent need for ocean-based action for climate change, and called for strengthened and accelerated climate migration and adaptation policies in fisheries and aquaculture.<sup>42</sup> Some fishers and fish farmers are already adapting to climate change by diversifying their livelihoods, adjusting to changes in the environment and modifying their fishing and fish farming techniques, but more rapid changes in institutions and management systems must be in place to foster autonomous adaptation and avoid maladaptation.<sup>43</sup>

Adaptation requires a transition to resilient and more sustainable production systems. A just transition requires engagement with the fishing and seafood supply chain, and consideration of options to transition to other fishing activities or emerging sectors, while avoiding unintended consequences on other fisheries and the marine ecosystems.<sup>44</sup> To facilitate these transformational changes, there is a need to invest in increased capacity, skill and knowledge within government institutions, trade unions, employers, enterprises, and communities to advocate for and implement green strategies.

Fisheries and aquaculture communities in transition need to be supported to have full access to a range of opportunities for economic diversification. Policy shifts are needed to support social dialogue to promote social protection measures during transition, and to incentivise expanded compliance with marine resource protections. Fishing and fish farming operations can be made more sustainable by effectively enforcing catch regulations, and promoting sustainable fishing practices such as the use of low-impact fishing gears, and the adoption of more selective and less harmful, and less-fuel-consuming fishing practices.<sup>45</sup> Re-training opportunities are needed for workers to adapt to sustainable practices, new technologies and innovations.<sup>46</sup>

Targeted business information and advice on green business practices and eco-innovation are also needed for the private sector.

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the Action:

<sup>40</sup> <https://faolex.fao.org/docs/pdf/eur217860.pdf>

<sup>41</sup> <https://faolex.fao.org/docs/pdf/eur217860.pdf><sup>41</sup>

<sup>42</sup> <https://openknowledge.fao.org/server/api/core/bitstreams/6e614210-0433-48f7-a634-83264b58b3e5/content/sofia/2022/adaptations-to-climate-crisis.html> and [https://unfccc.int/sites/default/files/resource/cma2021\\_10\\_add1\\_adv.pdf](https://unfccc.int/sites/default/files/resource/cma2021_10_add1_adv.pdf)

<sup>43</sup> <https://openknowledge.fao.org/server/api/core/bitstreams/6e614210-0433-48f7-a634-83264b58b3e5/content/sofia/2022/adaptations-to-climate-crisis.html>

<sup>44</sup> <https://www.blumarinefoundation.com/projects/just-transition/#:~:text=A%20just%20transition%20requires%20early,sea%20users%2C%20or%20the%20environment>

<sup>45</sup> <https://faolex.fao.org/docs/pdf/eur217860.pdf>

<sup>46</sup> [https://webapps.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/documents/publication/wcms\\_860571.pdf](https://webapps.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/documents/publication/wcms_860571.pdf)

The Action will take an inclusive and multi-stakeholder approach at both regional and national levels to address the intersecting issues impacting the living and working conditions, and the current and future livelihoods, of migrant workers in the blue economy. The Action will engage with both duty bearers and rights holders to facilitate the envisaged outcomes.

### **Engagement with duty bearers**

#### *ASEAN and regional level*

The Action will engage with ASEAN Secretariat and sectoral bodies, including ASEAN Senior Labour Officials Meeting (SLOM), ASEAN Committee to Implement the Declaration on the Protection and Promotion of the rights of Migrant Workers (ACMW), the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), ASEAN Labour Inspection Committee (ALICOM), ASEAN Intergovernmental Commission on Human Rights (AICHR), and Sectoral Working Group on Fisheries (ASWGFi). ASEAN Senior Officials Meeting on Transnational Crime (SOMTC). The Action will also engage with the ASEAN Trade Union Council (ATUC) and ASEAN Confederation of Employers (ACE). Further, it will engage with Regional Fisheries Management Organizations, such as the Southeast Asian Fisheries Development Center (SEAFDEC) and the Western and Central Pacific Fisheries Commission (WCPFC). For interventions focused on combatting trafficking in persons and protection of survivors, the Action will engage with the Coordinated Mekong Ministerial Initiative Against Trafficking in Persons (COMMIT) where relevant.

#### *National level*

The Action will engage with the following stakeholders in each country of action:

- *Government:* as responsibility for the enforcement of migrant worker labour protection in the fish and seafood supply chain is often unclear and falls between different line ministries, the action will engage with authorities from a range of technical areas, including social dialogue, labour, fisheries and aquatic resources management, maritime agencies, justice, health, public security, anti-trafficking mechanisms, as well as national human rights institutions.
- *Businesses, employers' organizations, sectoral industry associations and recruitment agency associations:* the Action will build the capacity of employers' organizations to improve working conditions in the fishing and seafood processing sectors in line with international standards and increase the adoption of responsible business practices.
- *Trade unions, workers' organizations, and civil society organizations:* the Action will build and strengthen workers', and civil society organizations, in particular those working with migrants within the fish and seafood supply chain. The Action will improve institutional and management capacity, support outreach, and strengthen their effectiveness as a source of information and services for migrant workers throughout the migration cycle.

### **Engagement with rights-holders**

**Primary beneficiaries:** Women, men and LGBTQI+ migrant workers and their families in the fish and seafood supply chain in and from ASEAN countries, covering sectors such as capture fisheries, aquaculture, and post-harvest processing, including pier-based and informal work.

The Action will engage with the following rights-holders:

- *Current, potential and return migrant workers in the fish and seafood supply chain:* the Action will seek to ensure safe migration and decent work for migrant workers before, during and after their migration into the blue economy, including survivors of human trafficking. The Action will support the amplification of the voices of migrant workers (including survivors of trafficking) and expand their participation in policy-making.
- *Families, destination and origin communities:* the Action will target migrants' families and their communities through community-based outreach, advocacy, and awareness campaigns to realize safe migration, labour rights protection, occupational safety and health, and sector-specific awareness.

Migrant workers, their families, their communities and their representatives (workers organizations, civil society organizations, and community-based organizations), will be part of national and regional consultations during the



Action's inception phase, which will refine the interventions to be implemented by the Action. These stakeholders will also participate in the National Programme Advisory Committees established in each country of action, which will provide project governance and monitor and guide the implementation of the Action (See Section 4.5)

#### **Engagement with International organisations and initiatives**

The Action will seek to collaborate with international organizations and initiatives with complementary objectives and approaches including the EU-UN 'PROTECT' project in Cambodia, Indonesia, Malaysia, and Thailand; the EU-Sweden and IOM Migration Business and Human Rights Programme; the Eco Fishing Ports project implemented in blending with AFD in Indonesia, , and the UNODC global "PACTS" project the multi-donor 8.7 Global Accelerator Lab in Indonesia on fishing; the US-funded Addressing Labor Exploitation in Fishing in ASEAN; the Australia-Canada funded ILO TRIANGLE in ASEAN programme, the ILO Migrant Workers Empowerment and Advocacy (MWEA) project in Malaysia, the ASEAN–Australia Counter Trafficking (ASEAN-ACT) project, US-funded Asia Regional Migration Programme and other initiatives.

## **3 DESCRIPTION OF THE ACTION**

### **3.1 Objectives and Expected Outputs**

The Overall Objective of this action is **to promote safe labour migration and decent work for a sustainable fish and seafood supply chain, including primary production (capture fishers and aquaculture) and post-harvest processing in South-East Asia.**

The Specific Objectives of this action are:

1. To increase ASEAN and sub-regional connectivity and cooperation on safe labour migration and decent work in the fish and seafood supply chain.
2. To support national authorities to design, implement and enforce stronger legal and policy frameworks on labour migration, labour protection, and sustainable fisheries.
3. To promote a culture of accountability, sustainable corporate practices, due diligence, and responsible fishing practices among employers and enterprises, including promoting promising practices and exchanging knowledge.
4. To promote social dialogue, increase freedom of association and collective bargaining, and empower migrant workers, their families and communities to protect and assert their human and labour rights.

The Outputs to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

#### **Contributing to Outcome 1 (or Specific Objective 1)**

- |            |   |
|------------|---|
| Output 1.1 | Strengthened coherence and implementation of ASEAN policies on safe labour migration and decent work in the fishing and seafood processing supply chain, including the ASEAN Declaration and Guidelines on the Placement and Protection of Migrant Fishers.   |
| Output 1.2 | Enhanced capacity of ASEAN sectoral bodies and Member States to develop policies and guidelines to strengthen labour inspections, protect labour rights, and combat trafficking in persons and support successful return and reintegration of migrant workers in the fish and seafood supply chain. |
| Output 1.3 | Improved public awareness and attitudes towards the role and contributions of women, men and LGBTIQ+ migrant workers in ASEAN's blue economy.   |

#### **Contributing to Outcome 2 (or Specific Objective 2)**

- Output 2.1 Expanded evidence base and social dialogue to inform the development of national policy and legal frameworks on migration, labour and social protections and environmental sustainability in the fish and seafood supply chain.
- Output 2.2 Strengthened capacity of government authorities to implement and enforce labour, social and environmental protections for a sustainable fish and seafood supply chain, applying a multi-disciplinary approach in collaboration with workers, employers, and civil society organizations.
- Output 2.3 Increased capacity of government authorities to identify, refer, prosecute and protect survivors in cases of human trafficking for purposes of forced labour.

#### **Contributing to Outcome 3 (or Specific Objective 3)**

- Output 3.1 Increased knowledge and commitment of employers and enterprises with respect to their human and labour rights obligations, and climate change mitigation strategies to support a sustainable fish and seafood supply chain.
- Output 3.2 Strengthened capacity of employers and enterprises to comply with international labour standards, and implementation of gender-responsive and sustainable corporate practices and due diligence measures for environmental safe-guarding and decent work.

#### **Contributing to Outcome 4 (or Specific Objective 4)**

- Output 4.1. Increased capacity and inclusiveness of worker and civil society organizations providing information, organizing and support services to workers in the fish and seafood supply chain.
- Output 4.2 Improved access to accurate information and responsive support services for migrant workers, their families, and communities throughout the migration cycle, including counselling, legal assistance, information and training, networking, worker organizing, and return and reintegration services.

### **3.2 Indicative Activities**

#### **Activities relating to Output 1.1**

- 1.1.1 Conduct comparative research on recruitment, working conditions, labour governance frameworks and labour inspection policies with a focus on hard-to-reach, hazardous, and informal sectors with migrant workers in the fishing, aquaculture, and seafood processing within ASEAN.
- 1.1.2 Convene a regional dialogue among the ASEAN Socio-Cultural Community, ASEAN Political Security Community and other relevant sectoral bodies to disseminate the ASEAN Declaration and Guidelines on the Placement and Protection of Migrant Fishers and promote safe labour migration and decent work.
- 1.1.3 Support migrant workers' organizations and civil society to participate in regional and sub-regional forums and produce advocacy tools for the interests of migrant workers in the fish and seafood supply chain and promote social justice.
- 1.1.4 Organize bilateral and multilateral dialogue among ASEAN Member States and sectoral bodies to enhance cooperation, including for the development of bilateral agreements on work in fishing, implementation of fair recruitment corridors, exercise of port State control and case management for the inspection of foreign-flagged fishing vessels, cross-border cooperation to enhance access to complaints mechanisms and social protection benefits, and sustainable management of coastal and marine resources and combat Illegal Unreported and Unregulated (IUU) fishing.

#### **Activities relating to Output 1.2**

- 1.2.1 Support the development and implementation of ASEAN operational tools to increase the effectiveness of labour inspections in hard-to-reach, hazardous, and highly informalized sectors of work, including within the fishing, aquaculture and seafood processing sectors.

- 1.2.2 Develop technical guidance and tools to support the implementation of the ASEAN Declaration and Guidelines on Placement and Protection of Migrant Fishers, including in cooperation with ASEAN Trade Union Council, ASEAN Confederation of Employers, and other ASEAN sectoral and affiliated bodies.
- 1.2.3 Organize regional dialogues between ASEAN Sectoral Bodies to exchange knowledge and increase capacity for the implementation of the ASEAN Multi-Sectorial Workplan Against TIP 2023-2028 to develop an interagency coordination mechanism to respond to trafficking for forced labour.
- 1.2.4 Convene regional civil society forums to support the implementation of the ASEAN Guidelines on the Effective Return and Reintegration of Migrant Workers.
- 1.2.5 Convene regional coordination meetings between civil society and workers' organizations engaged in promoting decent work in the fishing, seafood food processing and aquaculture sectors within ASEAN.

#### **Activities relating to Output 1.3**

- 1.3.1 Conduct media training to promote increased recognition of the contributions of migrant workers in the fishing and seafood processing supply chain and to drive public support for a just transition to decent and sustainable work in the blue economy.
- 1.3.2 Support worker-led regional communications campaigns to disseminate information to migrant workers, their families, and their origin and host communities to educate them about working conditions and labour rights in the blue economy.
- 1.3.3 Support the development of civil society and worker's organization initiatives that amplify the voices of migrant workers in the fish and seafood supply chains.

#### **Activities relating to Output 2.1**

- 2.1.1 Conduct research, legislative reviews and gap analyses of national legislative and institutional frameworks to support greater alignment with international labour standards, including the Work in Fishing Convention (No. 188), the Private Employment Agency Convention (No. 181), the Forced Labour Protocol (No. 29), and other fundamental and technical Conventions, guidelines, and instruments of the ILO.
- 2.1.2 Conduct assessments and develop guidance to streamline and simplify migration processes to make regular migration channels attractive and accessible for migrant workers without compromising the protection of their labour rights.
- 2.1.3 Provide technical support to the development and implementation of national policies and legal frameworks to combat Illegal Unreported and Unregulated (IUU) fishing, promote the sustainability of fisheries and aquaculture, and climate change adaptation.
- 2.1.4 Support social dialogue and convene inclusive national consultations with governments, employers' and workers' organizations, and CSOs on proposed legal and policy reforms to mobilize support from all stakeholders, including on the ratification of international instruments and implementation of guidelines.
- 2.1.5 Provide technical assistance on policy design and law reforms to improve labour and social protections in the fishing, aquaculture, and seafood processing sectors, including strengthening the regulation of recruitment, extending legal coverage to informal and seasonal workers in view of a just transition to decent and sustainable work.

#### **Activities relating to Output 2.2**

- 2.2.1 Support multi-disciplinary training and development of tools for officials from relevant line Ministries and authorities to detect, identify and investigate labour violations, including in recruitment, forced labour, child labour, workplace accidents and injuries, and complaints.
- 2.2.2 Support the development of operational tools and procedures for case management, investigations and referrals of labour rights violations against women and men migrant workers in the fish and seafood supply chain, including in cases of workplace injuries and accidents between labour authorities and other law enforcement authorities.

- 2.2.3 Develop collaboration and partnerships between labour authorities, fisheries departments, and relevant Regional Fisheries Management Organizations for the detection, identification and investigation of labour violations, including in recruitment, forced labour, child labour, workplace accidents and injuries, and complaints.
- 2.2.4 Strengthen national capacity to combat IUU fishing and eliminate illegal fishing products in the supply chain through traceability systems.
- 2.2.5 Develop standardised instruments and tools for strategic compliance planning and labour inspections of living and working conditions on board fishing vessels, particularly in relation to food and water standards; engagement of workers and civil society organizations; access to medicine and medical care; prevention of workplace injuries and accidents, and improved occupational safety and health outcomes for workers.
- 2.2.6 Provide technical assistance and organizational support to convene roundtables between governments, employers, recruitment agencies, workers and civil society to share information and promote collaboration on the monitoring of working conditions and recruitment practices, promote accountability and support access to remedies in hard-to-reach, hazardous and informal sectors in the fish and seafood supply chain.

### **Activities relating to Output 2.3**

- 2.3.1 Facilitate bilateral meetings between countries of origin and destination to strengthen protection services for survivors of trafficking, including expansion of services to male survivors of trafficking for forced labour.
- 2.3.2 Support sub-regional cooperation between governments on combatting trafficking in persons and strengthen protection of victims.
- 2.3.3 Develop standard operational procedures, tools and training to strengthen governments' capacity to detect, investigate, prosecute, and deliver protection and support services for survivors of trafficking for forced labour and facilitate safe returns and sustainable reintegration.
- 2.3.4 Assess the accessibility and availability of gender-responsive protection services for male survivors of trafficking in Thailand to support the implementation of the National Referral Mechanism and Operational Guidelines on Trafficking in Persons.

### **Activities relating to Output 3.1**

- 3.1.1 Continue the implementation, upscaling and expansion of the Seafood Good Labour Practices (SGLP) programme as a continuous improvement system for enterprises throughout the fish and seafood supply chain.
- 3.1.2 Support the training, knowledge exchange and sharing of promising practices in relation to climate change adaptation and sustainable fisheries and aquaculture among employers and businesses.
- 3.1.3 Provide information and training for employers on obligations and resources with respect to human rights, labour rights, due diligence, and corporate social responsibility in the global supply chain, including the impact of legislation from key trading partners such as the EU.
- 3.1.4 Provide training and develop toolkits for employers and recruitment agencies to expand their understanding and application of fair recruitment practices within the fishing, aquaculture, and seafood processing sectors.

### **Activities relating to Output 3.2**

- 3.2.1 Research to support just transition and blue transformation in the fishing and aquaculture sectors through improved understanding of measures that promote climate adaptation and mitigation, decent work conditions, and social protection for fishers and fish farmers (such as retrofitting of fishing vessels, occupational safety and health for fishers and fish farmers).
- 3.2.2 Organize training for employers and workers to increase their common understanding of occupational safety and health issues and develop agreed-upon mitigation measures, in line with international labour and safety standards in the fish and seafood supply chain.

- 3.2.3 Provide technical assistance and support for the development of gender-responsive policies at the enterprise level for women, men and LGBTQI+ migrant workers in the fish and seafood supply chain.

**Activities relating to Output 4.1**

- 4.1.1. Provide training for trade unions, and CSOs on proposal writing, project management, financial management, research and knowledge mobilization, monitoring and evaluation, and communications to improve institutional and management capacity.
- 4.1.2 Support outreach, training, and promotion of migrant workers' rights (including women and LGBTQI+ migrant workers) through expansion of their membership in trade unions and other worker organizations and through increased diversity and inclusion in leadership and decision-making positions.
- 4.1.3 Promote peer-to-peer learning, create opportunities for worker advocates to network, exchange knowledge, and share promising practices with advocates on social justice issues including activists and advocates working fighting climate change, promoting racial and gender equality and other human rights issues.
- 4.1.4 Support the expansion of worker organizations in the fish and seafood supply chain, including opportunities for workers to take collective action and negotiate collective agreements to address key decent work deficits, including in relation to occupational safety and health, and wage protection.

**Activities relating to Output 4.2**

- 4.2.1 Support the implementation of Migrant Worker Resource Centres in countries of origin and destination to enable them to provide direct information and support services to migrant workers, their families and communities.
- 4.2.2 Develop tools to strengthen the operation of Migrant Worker Resource Centres, including case management and referrals to improve legal assistance and increase access to remedies for migrant workers.
- 4.2.3 Provide training and ongoing technical support to build the capacity of Migrant Worker Resource Centre staff on operations and other relevant subjects to improve their effectiveness and long-term sustainability.
- 4.2.4 Develop worker-centred training packages to provide sector and country-specific information to migrant workers and their families seeking jobs in the blue economy, including at pre-departure, pre-employment and post-arrival stages.
- 4.2.5 Support public legal education and awareness-raising of workers, their families, and their communities on human rights and labour protections, as well as their obligations in relation to sustainability and environmental protection, and opportunities in a just transition towards decent and sustainable work.
- 4.2.6 Disseminate practical and engaging information on safe migration, labour rights, occupational safety and health, and financial literacy among migrant workers in the fish and seafood supply chain.
- 4.2.7 Develop tools and provide training for civil society organizations to assist and monitor returns and reintegration in countries of origin and destination.
- 4.2.8 Conduct community-based outreach and awareness raising of the risks of trafficking for forced labour among vulnerable communities in countries of origin and destination.
- 4.2.9 Support community-based livelihoods and access to finance for survivors of trafficking.

### 3.3 Mainstreaming

#### Environmental Protection & Climate Change

##### **Outcomes of the SEA screening** (relevant for budget support and strategic-level interventions)

The Strategic Environmental Assessment (SEA) screening concluded that **no further action was required**.

##### **Outcomes of the EIA (Environmental Impact Assessment) screening** (relevant for projects and/or specific interventions within a project)

The EIA (Environment Impact Assessment) screening classified the action as **Category B** (not requiring an EIA, but for which environment aspects will be addressed during design).

##### **Outcome of the CRA (Climate Risk Assessment) screening** (relevant for projects and/or specific interventions within a project)

The Climate Risk Assessment (CRA) screening concluded that this action is **no or low risk (no need for further assessment)**

The adverse impacts of climate change can interact with other social and economic factors to drive migration, both internal and across borders. In this context, migration can be an adaptive strategy,<sup>47</sup> and migrants who can access decent work opportunities can benefit from and contribute to their home country's development through remittances, the transfer of knowledge and skills, and the development of social networks that can lead to entrepreneurship and new markets.<sup>48</sup>

Capture fisheries and aquaculture are vulnerable to climate change, which also impacts downstream supply chains, including seafood processing. COP26 highlighted the urgent need for ocean-based action in respect to climate change and called for strengthened and accelerated climate migration and adaptation in fisheries and aquaculture.<sup>49</sup> Rapid changes in institutions and management systems must be in place to foster autonomous adaptation and avoid problems with maladaptation.

The Action will support a just transition to decent work through more resilient and sustainable production systems, by increasing capacity within government institutions, trade unions, employers, enterprises, and communities to advocate for and implement green strategies, and through support for skills and knowledge development among enterprises and workers on implementation of mitigation strategies.

#### Gender equality and empowerment of women and girls

As per the OECD Gender DAC codes identified in section 1.1, this action is labelled as G1. This implies that gender equality is a significant objective mainstreamed across all activities, outcomes, and specific objectives.

The Action will address the protection of women, men, and LGBTQI+ migrant workers in the fish and seafood supply chain, and will support the increased outreach to, participation and leadership of women and LGBTQI+ workers in trade unions and CSOs. The Action will focus on gendered dynamics of labour migration in the communities of origin and destination, and in the fish and seafood supply chain. Labour rights for women and girls will be promoted to close the gender wage gap, reduce violence and harassment, eliminate discriminatory treatment, and provide access to maternity leave and other social protections.

The Action will continue to implement the Gender Equality and Women's Empowerment Strategy<sup>50</sup> for the fishing and seafood processing sectors developed during the existing EU-funded Ship to Shore Rights South-East Asia programme, which aims to make gender inequality visible and to reset it through a gender transformative approach. The Action will also apply gender budgeting to ensure that a minimum of 25% of the programme activity budget is used to finance activities specifically targeting women or aimed at addressing issues of gender equality. In addition, all M&E data will continue to be collected and analysed by sex, with specification of the share of women

<sup>47</sup> ILO (2023). [Summary of Discussions](#). The Impact of Climate Change on Labour Migration, Thematic Workshop. Global Forum for Migration and Development. 29 March 2023

<sup>48</sup> <https://www.ilo.org/migration-stub-9231/human-mobility-climate-change-and-just-transition>

<sup>49</sup> <https://openknowledge.fao.org/server/api/core/bitstreams/6e614210-0433-48f7-a634-83264b58b3e5/content/sofia/2022/adaptations-to-climate-crisis.html>

<sup>50</sup> <https://www.ilo.org/publications/ship-shore-rights-south-east-asia-gender-equality-and-womens-empowerment>



and men to be reached in indicator targets and gender-responsive indicators included in the logframe. The Action will also provide training to stakeholders and partners on the issues of gender equality and women's empowerment to ensure robust implementation and M&E for the Strategy.

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## **Human Rights**

The Action will ensure a rights-based approach to migration as enshrined in the ILO Multilateral Framework on Labour Migration (2005) and the Global Compact for Safe, Orderly and Regular Migration (2018), which respects the dignity and agency of migrant workers throughout all stages of migration, and protects their rights under international law, including the principles of equality and non-discrimination. Interventions to ensure decent work, labour rights and human rights for migrant workers will be mainstreamed throughout the migration process and in the fish and seafood supply chain. International labour standards, including fundamental principles and rights at work, will be applied and monitored at all levels to guide programming.

Recognizing that migrant workers are vulnerable to human trafficking for forced labour, the programme will strengthen anti-trafficking responses, consistent with UN Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.

The adverse effects of climate change are recognized to impact human rights.<sup>51</sup> The Action will support the development of sustainable fish and seafood production systems, and increase the capacity of government institutions, workers, trade unions, employers, enterprises, and communities to implement mitigation measures, as well as contribute to safeguarding of the human rights of those most vulnerable to the impacts of climate change.

The Action will also take into account rights enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CRMW), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC). The Action will also promote the application of the UN Guiding Principles on Business and Human Rights.

The Action will also be aligned with relevant ASEAN instruments, including the ASEAN Declaration on the Protection and Placement of Migrant Fishers, ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, the ASEAN Convention Against Trafficking in Persons, Especially Women and Children, the ASEAN Guidelines on Effective Return and Reintegration and others.

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## **Disability**

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D0. This implies that disability is not a significant objective mainstreamed across all activities, outcomes, and specific objectives.

However, it is acknowledged that persons with disabilities are more likely to experience adverse socioeconomic outcomes such as lower levels of employment, and higher poverty rates, among others. The Action will address the needs of workers with disabilities by incorporating the Washington Group Questions on Disability in research and survey instruments to determine prevalence and collect disaggregated data.<sup>52</sup> The Action will ensure that stakeholders can fully access information, services, meetings, trainings, and other activities, regardless of their disability status. In particular, the Action will support the accessible provision of information in the physical and online environments, services to migrant workers with disabilities, and support stakeholders to make reasonable accommodations and adaptations as needed. In addition, the Action will support the referral of persons with disabilities to appropriate services, including legal assistance for cases of discrimination.

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## **Reduction of inequalities**

The Action will advance Sustainable Development Goals (SDG) 10: reduce inequality within and among countries, particularly target 10.7 facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.

The Action will contribute to the reduction of inequalities by ensuring non-discrimination, equity and inclusion at all levels. By realizing safe labour migration and decent work for women, men, and LGBTQI+ migrant workers, the Action will strengthen equality of treatment and opportunity between migrant workers and national workers.

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<sup>51</sup> <https://www.ohchr.org/en/climate-change/integrating-human-rights-unfccc>

<sup>52</sup> <https://asiapacific.unfpa.org/sites/default/files/pub-pdf/wgq.v4.2.pdf>

The Action will also support climate change mitigation and marine conservation measures and will contribute to inclusive growth of the blue economy. The action will address the causes and impacts of economic and social inequality experienced by migrant workers.

### **Democracy**

The Action will advance the democratic principles and values of the EU and UN, and will strengthen institutions that govern labour migration, human rights, and the rule of law. The Action will strengthen the freedom of association of migrant workers and will enhance the capacity and resilience of trade unions and civil society organizations, particularly to counter the impact of non-democratic regimes that seek to undermine human rights.

The Action will build an enabling environment for the amplification of workers' voice and support their agency. It will support workers' advocacy and representation through labour organizations as well as networks of migrant workers. Transnational coordination between labour organizations will be supported to enhance migrant workers' rights and increase the outreach and participation of men, women, and LGBTQI+ migrant workers. The Action will also support the inclusion of migrant workers in national, regional and international events, ensuring their voices are heard at key multi-stakeholder platforms.

The Action will also take an inclusive approach and broad engagement with a range of stakeholders at all levels: from grassroots organizations, local and sub-national organizations, national and regional entities. To ensure that the Action maximises its impact and sustainability, the stakeholders have been defined broadly, including government authorities responsible for labour migration, fisheries management, maritime regulations, anti-trafficking and women's issues; trade unions and workers' organization; employers' organizations, recruitment agencies, vessel owners and international buyers. The Action will also strongly engage with CSOs, academia, media representatives and others.

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### **Conflict sensitivity, peace and resilience**

The Action will indirectly engage with issues of conflict sensitivity, peace and resilience, which are drivers of mixed migration flows in parts of South-East Asia.

In particular, the Action will address the impact of the military takeover in February 2021 on migration from Myanmar to Thailand and Malaysia.

In addition, trade unions and civil society organizations in Myanmar have faced targeted persecution. The de facto authorities have declared many trade unions and civil society organizations to be operating as "illegal organizations" under the Labour Organization Law, justifying raids of their homes and offices, and seizure of equipment and supplies. Numerous trade unionists and labour activists have been issued with arrest warrants, had their passports cancelled, faced arbitrary arrest and detention or have been placed under surveillance. These measures have substantially limited the ability of CSOs and trade unions to provide assistance to migrant workers.<sup>53</sup>

The Action will support the organizational resilience and capacity of CSOs and trade unions to counter this existential threat to civic space and freedom of association in Myanmar. In addition, the Action will continue to expand the knowledge base, support the delivery of safe migration information and services to Myanmar migrant workers and strengthen protection for survivors of trafficking, in cooperation with civil society organizations and trade unions in Myanmar and destination countries. The Action will apply the "do no harm principle" and ensure that interventions will not cause further damage or negatively impact the affected population or the environment. All of the planned activities in Myanmar will be carefully assessed and discussed with key stakeholders before implementation to ensure that they do not inadvertently exacerbate conflict and instead contribute to strengthening and safeguarding humanitarian space. The Action will be fully in line with the EU's policies and restrictive measures pertaining to Myanmar.

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### **Disaster Risk Reduction**

The Action does not have direct interventions for disaster risk reduction. However, it will be implemented with the recognition that sudden and slow-onset disasters, climate change and environmental degradation directly and indirectly impact the resilience and vulnerability of individuals and communities, compounding drivers to migration as an adaptation. As described above, the Action will support climate change mitigation and a just

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<sup>53</sup> <https://www.ilo.org/resource/brief/riding-out-storm-organizational-resilience-trade-unions-and-civil-society>

transition to decent work in a more resilient blue economy. The Action will also support skills and knowledge development among enterprises, workers, communities, and all levels of government to implement climate change mitigation measures and reduce disaster risk.

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**Other considerations if relevant**

None.

### 3.4 Risks and Lessons Learnt

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
1 (external environment/ contextual)	Negative attitudes towards migrant workers prevail because of stereotypes and perceptions of threats, contributing to the formulation of labour migration policies that restrict their rights in the name of national security.	Medium	Medium	Communication activities will target high-impact media outlets and seek to build long-term relationships with influential journalists to improve coverage. Migration training for journalists will be provided to ensure more balanced and informed reporting. Evidence-based campaigns to promote positive attitudes towards migrant workers and counter misleading rhetoric will be implemented. Discourse with policymakers will continue to highlight equal treatment of migrant workers as a key approach in international labour standards.
1 (external environment/ contextual)	The shrinking space for human and labour rights defenders/CSOs, trade unions, in South-East Asia, caused by the tightening of government regulation, makes it difficult for them to fully engage in advocacy and programmes to protect migrant workers' rights.	High	Medium	The programme will continue to work with a diversity of implementing partners and strategically support the capacity and resilience of CSOs, trade unions, and human rights defenders in all target countries. In Cambodia, Malaysia, Indonesia, Myanmar and Thailand, trade unions and/or CSOs will be directly funded to manage Migrant Worker Resource Centers, increasing institutional resilience. Advocacy with governments will continue to promote the fundamental right to freedom of association for all workers in South-East Asia.
1 (external environment/ contextual)	Lack of adequate engagement and follow-up by the private sector to improve working conditions and recruitment practices for migrant workers in the fishing and seafood processing sectors.	Medium	Medium	The programme and its partners will conduct advocacy with destination country governments – Malaysia and Thailand – as well as other major producing governments such as Indonesia and Philippines and key private sector actors (including buyers) to ensure active engagement of the private sector. Interventions will strengthen the ability of workers to voice collective demands for decent working conditions through labour organizing. Worker-driven approaches will be applied to increase private sector accountability. The business case for improved recruitment practices and working conditions will be researched and communicated.
1 (external environment/ contextual)	Weakening of political will and leadership to retain, progress or implement rights-based labour protections in the fishing, aquaculture, and seafood processing sectors.	Medium	Medium	The programme and its partners will raise emerging concerns with the relevant governments, drawing attention to their obligations under international labour standards and human rights instruments, and advocate for adherence to international law. The programme and its partners will also coordinate advocacy points and approaches to resist any abrogation or dilution of responsibilities.

## Lessons Learnt:

The Action will benefit from the lessons learnt by the EU-funded *Ship to Shore Rights project* (2016-2020), the *South-East Asia regional programme on labour migration in the fishing sector* (2020-2024) and *Safe and Fair: Realizing women migrant workers' rights and opportunities in the ASEAN region programme* (2018-2023).

The Action will build upon several lessons learnt that were distilled from the final evaluation of the Ship to Shore Rights project in Thailand in 2020, including the following:

- Pushing through legislation and ensuring strong enforcement takes political will. The threat of trade sanctions is a powerful motivator, but the concerted action of policy advocates is also needed. Similarly, voluntary compliance initiatives generally require significant pressure from buyers to be effective (**The Action will benefit from trade pressure from the European Union and engage buyers to petition for improved conditions within their supply chains**).
- Effectiveness is dependent on the Implementing Partner's ability to forge relationships with implementation partners that are committed to the same objectives and have the institutional capacity to carry out programs, including governance, leadership, management, staffing and systems. Field staff is critical to organizing efforts. Whether the focus is on community organizing or union organizing, success requires an ability to build trust. Trust is often built around personal relationships sustained over many years (**The Action will benefit from the institutional knowledge of the Implementing Partner on labour migration and fundamental rights and principles at work**).
- Projects need to be tailored to conditions in each country, recognizing the specific political situation and capacity of existing institutions. The ability to effect reforms is dependent on the strength of political support and the absorptive capacity of relevant institutions. While activities may draw on the same body of knowledge on international best practices, projects need to be shaped to fit each country (**The Action will apply an asymmetrical approach to its activities that responds to the specific context in each target country**).

In addition, the action will incorporate the applicable lessons learnt from the mid-term evaluation of *South-East Asia regional programme on labour migration in the fishing sector* in 2023, which highlighted the following approaches:

- Including both countries of origin and destination in a migration corridor ensures easier collaboration between stakeholders (**The Action will include the Cambodia/Myanmar to Thailand and Indonesia/Cambodia/Myanmar to Malaysia corridors within its scope**).
- Regional programmes are successful in broadening the scope of a programme and building on momentum but require sufficient resources in each country to ensure ongoing progress (**The Action will focus on key origin, destination and production countries of migrant workers in the fish and seafood supply chain in South-East Asia in the new phase to ensure sufficient resources are allocated as strategically as possible**).
- Training of labour inspectors is not sufficient on its own. It requires political will to empower labour inspections to enforce regulations and address violations. Encouraging interaction with CSOs is strongly recommended (**The Action will include engagement of CSOs and worker organizations to support improved results of labour inspections**).
- The harmonisation of laws and operating procedures between ministries is a challenging but necessary requirement for supporting the integration of multi-ministries working on a particular area of the enforcement of workers' rights and decent working conditions (**The Action will include interventions to harmonize laws and procedures in Indonesia and other target countries**).
- The engagement of CSOs and workers' organizations remains a key tool in ensuring better response to working condition violations, improved access to justice, and the provision of better response services for survivors of trafficking (**The Action will support a large number of CSOs and workers' organizations to deliver services to migrant workers through migrant worker resource centres**).

Furthermore, the lessons learnt from the final evaluation of the *Safe and Fair: Realizing women migrant workers' rights and opportunities in the ASEAN region programme* in 2024 will be applied:

- Development programming that promotes gender equality can achieve greater impact when it intentionally includes support to further integrate gender equality principles into the work of other UN entities who are executing similar programming (**The Action will implement a gender equality and women's empowerment strategy for the fish and seafood supply chain that will be applied by all implementation partners**).

- Communications and advocacy messaging that call for service provision to all women is an effective strategy to gain support for the inclusion of undocumented women migrant workers into policies and service provision **(The Action will continue to support the delivery of information and services to women migrant workers through migrant worker resource centres regardless of their legal status).**
- Engaging stakeholders through ongoing consultative processes throughout programme implementation helps promote stakeholder ownership and buy-in. However, flexible programming mechanisms must be in place to use stakeholder feedback to make improvements to the programme design and implementation approaches for these processes to be truly meaningful for stakeholders **(The Action will develop mechanisms that allow for stakeholder feedback to be regularly incorporated into the programme to ensure they recognize that their participation in consultations is valued)**

### 3.5 The Intervention Logic

The underlying intervention logic for this action is that the action seeks to promote safe labour migration and decent work for a sustainable fish and seafood supply chain, including primary production (capture fishers and aquaculture) and post-harvest processing in South-East Asia.

**IF** ASEAN and sub-regional connectivity and cooperation on safe labour migration and decent work in the fish and seafood supply chain is increased.

**IF** national authorities are supported to design, implement and enforce stronger legal and policy frameworks on labour migration and labour protection.

**IF** a culture of accountability, sustainable corporate practices and due diligence in the fish and seafood products supply chains is promoted among employers and enterprises, including sharing promising practices and knowledge exchange.

**AND IF** social dialogue, freedom of association and collective bargaining, and empowerment of migrant workers, their families and communities are promoted to protect human and labour rights.

**PROVIDED THAT** the following **ASSUMPTIONS** hold true: (1) Sustained political will at the regional level; and (2) Effective collaboration between diverse stakeholders; (3) Relative political, economic and social stability within the region; (4) Adequate investment in human resources and institutional capacity to support enforcement; (5) Commitment to rule of law is maintained; (6) The business case for employers and enterprises to act responsibly remains strong; (7) Market states continue to implement due diligence requirements for imported fish and seafood products; (8) Commitment of workers' and civil society organizations to engage with migration issues; and (9) Civil society space and respect for the right to organize is maintained.

**THEN** safe labour migration and decent work for a sustainable fish and seafood supply chain will be realized, including in primary production (capture fishers and aquaculture) and post-harvest processing (including pier-based and factory-based work).

**BECAUSE** based upon the implementation of the Ship to Shore Rights South-East Asia programme and the Ship to Shore Rights project in Thailand, the value of a sectoral approach to improving working conditions for migrant workers in the fishing and seafood processing sectors in South-East Asia has been clearly demonstrated. Interventions to promote decent working conditions throughout the whole supply chain are essential to ensuring that fish and seafood products in the region are not produced through exploitation of the vulnerability of migrant workers. In addition, the critical importance of the legally binding normative framework provided by international labour standards in facilitating progress has been clearly evidenced by the experience in Thailand with the ratification of the Work in Fishing Convention (No. 188) and the Protocol to the Forced Labour Convention (No. 29). Achieving credible and sustainable progress towards decent work in the blue economy requires that migrant workers are provided with all of the fundamental principles and rights at work, including freedom of association and effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; the elimination of discrimination in respect to employment and occupation; and a safe and healthy working environment.



### 3.6 Logical Framework Matrix

This indicative logframe constitutes the basis for the monitoring, reporting and evaluation of the intervention.

On the basis of this logframe matrix, a more detailed logframe (or several) may be developed at contracting stage. In case baselines and targets are not available for the action, they should be informed for each indicator at signature of the contract(s) linked to this AD, or in the first progress report at the latest.

New columns may be added to set intermediary targets (milestones) for the Output and Outcome indicators whenever it is relevant.

- At inception, the first progress report should include the complete logframe (e.g. including baselines/targets).
- Progress reports should provide an updated logframe with current values for each indicator.
- The final report should enclose the logframe with baseline and final values for each indicator.

The indicative logical framework matrix may evolve during the lifetime of the action depending on the different implementation modalities of this action.

The activities, the expected Outputs and related indicators, targets and baselines included in the logframe matrix may be updated during the implementation of the action, no amendment being required to the Financing Decision.

Results	Results chain (@): Main expected results (maximum 10)	Indicators (@): (at least one indicator per expected result)	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
<b>Impact</b>	To promote safe labour migration and decent work for a sustainable fish and seafood supply chain, including primary production (capture fishers and aquaculture) and post-harvest processing in South-East Asia.	Indicator 1: % of employed women and men within the fishing and seafood processing supply chain who experience decent working conditions in target countries.	To be confirmed during inception.	To be confirmed during inception.	Mixed methodology baseline and end-line research on working conditions in ASEAN's blue economy.	
<b>Outcome 1</b>	To increase ASEAN and sub-regional connectivity and cooperation on safe labour migration and decent work in the fish and seafood supply chain.	Indicator 1.1: # of ASEAN policy instruments adopted or amended with technical support from the Action.	1 ASEAN policy instruments adopted or amended (Adoption of the ASEAN Declaration on the Placement and Protection of Migrant Fishers).  (Baseline 2025 to be confirmed during inception).	2 ASEAN policy instruments adopted or amended.  (Target 2028)	Consultation minutes, press releases, technical comments provided.	(1) Sustained political will at the regional level; and (2) Effective collaboration between diverse stakeholders; and (3) Relative political, economic and social stability within the region.

<b>Output 1.1</b>	Strengthened coherence and implementation of ASEAN policies on safe labour migration and decent work in the fishing and seafood processing supply chain, including the ASEAN Declaration and Guidelines on the Placement and Protection of Migrant Fishers.	Indicator 1.1.1: # of ASEAN work plans that include interventions on safe migration and decent work in the fish and seafood supply chain.	To be confirmed during inception.	To be confirmed during inception	ASEAN work plans produced by ACMW, ALIC, AICHR and other ASEAN sectoral bodies.	(1) Sustained political will at the regional level; and (2) Effective collaboration between diverse stakeholders; and (3) Relative political, economic and social stability within the region.
<b>Output 1.2</b>	Enhanced capacity of ASEAN sectoral bodies and Member States to develop policies and guidelines to strengthen labour inspections, protect labour rights, combat trafficking in persons and support successful return and reintegration of migrant workers in the fish and seafood supply chain.	Indicator 1.2.1: # of operational tools institutionalized by ASEAN sectoral bodies, labour inspectorates and law enforcement officials.	To be confirmed during inception.	To be confirmed during inception.	Consultation minutes, press releases, technical comments provided.	(1) Sustained political will at the regional level; and (2) Effective collaboration between diverse stakeholders; and (3) Relative political, economic and social stability within the region.

<b>Output 1.3</b>	Improved public awareness and attitudes towards the role and contributions of women, men and LGBTQI+ migrant workers in ASEAN's blue economy.	Indicator 1.3.1: # of media stories published on migrant workers in the blue economy following the delivery of media training.	To be confirmed during inception.	To be confirmed during inception	Media platforms.	(1) Sustained political will at the regional level; and (2) Effective collaboration between diverse stakeholders; and (3) Relative political, economic and social stability within the region.
<b>Outcome 2</b>	To support national authorities to design, implement and enforce stronger legal and policy frameworks on labour migration, labour protection, and sustainable fisheries.	Indicator 2.1: # of policies and laws adopted or amended with technical support from the Action.	27 policies and laws adopted or amended.  (Baseline 2025 to be confirmed during inception).	40 policies and laws adopted or amended.  (Target 2028)	Consultation minutes, press releases, technical comments provided, government gazettes.	(1) Effective collaboration between diverse stakeholders; (2) Adequate investment in human resources and institutional capacity to support enforcement; and (3) Commitment to rule of law is maintained.
<b>Output 2.1</b>	Expanded evidence base and social dialogue to inform the development of national policy and legal frameworks on migration, labour and social protections and environmental sustainability in the fish and seafood supply chain.	Indicator 2.1.1: # of knowledge products published and disseminated to key government, social partner and civil society stakeholders.	15 Knowledge products published and disseminated.  (Baseline 2025 to be confirmed during inception).	25 Knowledge products published and disseminated.  (Target 2028)	Ship to Shore Rights website and external platforms.	(1) Effective collaboration between diverse stakeholders; (2) Adequate investment in human resources and institutional capacity to support enforcement; and (3) Commitment to rule of law is maintained.

<b>Output 2.2</b>	Strengthened capacity of government authorities to implement and enforce labour, social and environmental protections for a sustainable fish and seafood supply chain, applying a multi-disciplinary approach in collaboration with workers, employers, and civil society organizations.	Indicator 2.2.1: % of labour inspections in the fishing and seafood processing sectors that identify violations and lead to enforcement actions.	To be confirmed during inception.	To be confirmed during inception.	Official data reported by labour inspectorates.	(1) Effective collaboration between diverse stakeholders; (2) Adequate investment in human resources and institutional capacity to support enforcement; and (3) Commitment to rule of law is maintained.
<b>Output 2.3</b>	Increased capacity of government authorities to identify, refer, prosecute and protect survivors in cases of human trafficking for purposes of forced labour.	Indicator 2.3.1: # of women and men survivors of human trafficking for forced labour referred for protection services through national referral mechanisms.	644 referrals made for the protection of human trafficking survivors (37% women).  (Baseline 2025 to be confirmed during inception).	1,300 referrals made for the protection of human trafficking survivors (50% women).  (Target 2028)	Referral data reported by anti-trafficking task forces.	(1) Effective collaboration between diverse stakeholders; (2) Adequate investment in human resources and institutional capacity to support enforcement; and (3) Commitment to rule of law is maintained.

<b>Outcome 3</b>	To promote a culture of accountability, sustainable corporate practices, due diligence, and responsible fishing practices among employers and enterprises, including promoting promising practices and exchanging knowledge.	Indicator 3.1: Significance of changes made by private enterprises in the seafood processing sector in compliance with ethical codes of conduct.	0 case studies demonstrate significant changes to compliance with ethical codes of conduct.  (Baseline 2025 to be confirmed during inception).	5 case studies demonstrate significant changes to compliance with ethical codes of conduct.  (Target 2028)	Reports by private sector enterprises.	(1) The business case for employers and enterprises to act responsibly remains strong; (2) Market states continue to implement due diligence requirements for imported fish and seafood products.
<b>Output 3.1</b>	Increased knowledge and commitment of employers and enterprises with respect to their human and labour rights obligations, and climate change mitigation strategies to support a sustainable fish and seafood supply chain.	Indicator 3.1.1: # of women and men who are employed in companies who have committed to adhere to the standards of the Seafood GLP programme.  Indicator 3.1.2: # of incidents of non-compliance with Seafood GLP standards identified and requested to take corrective actions.	75,406 workers are employed in companies committed to the Seafood GLP programme.  (Baseline 2025 to be confirmed during inception).	120,000 workers (50% women) are employed in companies committed to the Seafood GLP programme.  (Target 2028)	Reports by private sector associations.	(1) The business case for employers and enterprises to act responsibly remains strong; (2) Market states continue to implement due diligence requirements for imported fish and seafood products.



<b>Output 3.2</b>	Strengthened capacity of employers and enterprises to comply with international labour standards, and implementation of gender-responsive and sustainable corporate practices and due diligence measures.	Indicator 3.2.1: # of women and men stakeholders trained to improve the environmental and social sustainability of business practices in the fishing and seafood processing sectors.	To be determined during inception.	To be determined during inception (50% women).	Training participant lists.	(1) The business case for employers and enterprises to act responsibly remains strong; (2) Market states continue to implement due diligence requirements for imported fish and seafood products.
<b>Outcome 4</b>	To promote social dialogue, increase freedom of association and collective bargaining, and empower migrant workers, their families and communities to protect and assert their human and labour rights.	<p>Indicator 4.1: Extent to which the support services provided contribute to empowerment of women and men migrant workers and better protection of their human and labour rights.</p> <p>Indicator 4.2: Amount of money awarded to migrant workers to resolve complaint cases and benefit claims.</p>	<p>10 outcome harvesting stories have demonstrated empowerment and better protection of migrant workers.</p> <p>(Baseline 2025 to be confirmed during inception.)</p> <p>US\$663,104 awarded to migrant workers.</p> <p>(Baseline 2025 to be confirmed during inception)</p>	<p>20 outcome harvesting stories have demonstrated empowerment and better protection of migrant workers.</p> <p>(Target 2028)</p> <p>US\$1.2 million awarded to migrant workers.</p> <p>(Target 2028)</p>	Progress reports by implementing partners.	<p>(1) Commitment of workers' and civil society organizations to engage with labour migration issues; (2) Civil society space and respect for the right to organize is maintained.</p>

<b>Output 4.1</b>	Increased capacity and inclusiveness of worker and civil society organizations providing information, organizing and support services to workers in the fish and seafood supply chains.	Indicator 4.1.1: # of women and men workers who are covered by collective bargaining agreements in the fish and seafood supply chains.	To be confirmed during inception	To be confirmed during inception	Progress reports by implementing partners.	(1) Commitment of workers' and civil society organizations to engage with labour migration issues; (2) Civil society space and respect for the right to organize is maintained.
<b>Output 4.2</b>	Improved access to accurate information and responsive support services for migrant workers, their families, and communities throughout the migration cycle, including counselling, legal assistance, information and training, networking, worker organizing, and return and reintegration services.	Indicator 4.2.1: # of women and men migrant workers and members or their families provided with support services.	147,044 migrant workers and their family members (43% women).  (Baseline 2025 to be confirmed during inception)	200,000 migrant workers and their family members (50% women).  (Target 2028)	Progress reports by implementing partners.	(1) Commitment of workers' and civil society organizations to engage with labour migration issues; (2) Civil society space and respect for the right to organize is maintained.
<b>Cross-cutting</b>	Gender equality and women's empowerment	Indicator GEWES: % of programme budget spent on activities that disproportionately benefit women or specifically focus on issues of gender equality and women's empowerment.	25% of programme budget  (Baseline 2025 to be confirmed during inception)	25% of programme budget  (Target 2028)	Coding within programme financial reports.	(1) Acceptance of the principle of gender equality among stakeholders.

<b>Cross-cutting</b>	Communications	Indicator COMMS: # of women and men reached by communications campaigns and products.	2,316,087 people reached with communications.  (Baseline 2025 to be confirmed during inception)	4 million people reached with communications.  (Target 2028)	Progress reports, quarterly newsletters, YouTube views, social media analytics, website report downloads, etc.	(1) Public interest in labour migration issues.
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## 4 IMPLEMENTATION ARRANGEMENTS

### 4.1 Financing Agreement

In order to implement this action, it is not envisaged to conclude a financing agreement with the partner countries.

### 4.2 Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

### 4.3 Implementation Modalities

The Commission will ensure that the EU rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>54</sup>.

#### 4.3.1 Indirect Management with an entrusted entity

This action may be implemented in indirect management with an entity/entities, which will be selected by the Commission's services using the following criteria:

- Knowledge and expertise in labour migration, labour protection, and human trafficking for forced labour in South-East Asia at regional, cross-border and national levels.
- Knowledge and expertise in working conditions and just transition approaches in the fish and seafood supply chain, including capture fisheries, aquaculture, and post-harvest processing.
- Knowledge and expertise in the promotion of international labour standards and human rights, including those related to freedom of association, collective bargaining, non-discrimination, elimination of child and forced labour, and occupational safety and health.
- Experience in normative standards-setting for minimum working conditions in all relevant sectors, including experience in convening broad-based consultations and social dialogue to build consensus.
- Experience in promoting social dialogue, increase freedom of association and collective bargaining, and empower migrant workers, their families and communities to protect and assert their human and labour rights, including ongoing and past operationalization of centres for direct services, information and support for migrant workers in South-East Asia throughout the migration cycle.
- Experience and working relationships with a broad range of stakeholders in South-East Asia, including trade unions, civil society organizations, non-government organizations, employers, businesses, relevant industry associations, media, governments, the ASEAN Secretariat, and ASEAN sectoral bodies.
- Experience in providing technical assistance, capacity building, and advisory services to a range of stakeholders in the public and private sectors, particularly in promoting a culture of accountability, sustainable corporate practices and due diligence in the fish and seafood products supply chains.
- Ongoing and past management of several projects in South-East Asian countries in relation to labour migration and labour protections, including multi-country/cross-border activities.
- Experience in promoting and implementing activities that align with democratic values and principles, international human rights and labour rights standards, EU interests and policies.

<sup>54</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu). Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

The implementation by this entity(ies) entails the implementation of the activities in section 3.2 to achieve the outcomes and related outputs described in section 3.1 above.

#### 4.3.2 Changes from indirect to direct management mode (and vice versa) due to exceptional circumstances (one alternative second option)

In case of exceptional circumstances outside of the Commission's control, the implementation modality described in section 4.3.1 could be changed from indirect management with a pillar assessed entity/entities to direct management through grants for the full amount indicated in section 4.5:

- Grants (direct management):

The objective of the Grants would be the same as the objectives set out in this Action Document: to promote safe labour migration and decent work for a sustainable fish and seafood supply chain, including primary production (capture fishers and aquaculture) and post-harvest processing in South-East Asia, with specific objectives to (i) Increase ASEAN and sub-regional connectivity and cooperation on safe labour migration and decent work in the fish and seafood supply chain. (ii) Support national authorities to design, implement and enforce stronger legal and policy frameworks on labour migration, labour protection, and sustainable fisheries. (iii) Promote a culture of accountability, sustainable corporate practices, due diligence, and responsible fishing practices among employers and enterprises, including promoting promising practices and exchanging knowledge. (iv) Promote social dialogue, increase freedom of association and collective bargaining, and empower migrant workers, their families and communities to protect and assert their human and labour rights.

Target beneficiaries would be public bodies, NGOs, pillar and non-pillar assessed national and international organisations with experience and capacities in the sectors targeted by this Action.

#### 4.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).



## 4.5 Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)
<b>Implementation modalities</b> – cf. section 4.3	
Indirect management with an entrusted entity/ies- cf. section 4.3.1	11 000 000
<b>Evaluation</b> – cf. section 5.2 <b>Audit</b> – cf. section 5.3	May be covered by another Decision
<b>Totals</b>	<b>11 000 000</b>

## 4.6 Organisational Set-up and Responsibilities

The Action will begin with a 6-months inception phase during which further consultations will be held with key stakeholders, including migrant workers, civil society, trade unions, employers, businesses, national governments and ASEAN bodies. The results from the consultations will be used to refine the interventions planned for implementation of the Action. The inception phase will also be used to refine indicators, baselines, and targets in the logframe to measure the results of the Action.

Other organizational set-up tasks will be undertaken during the inception phase including governance structures as described below.

A Project Steering Committee (PSC) will be established to review the implementation and progress of the Action, and to provide guidance at the regional level. The PSC will meet at least once a year and on an ad hoc basis, as required. The PSC will be chaired by the EU Delegation and the identified implementing partner(s). The secretariat of the PSC will be the responsibility of the implementing partner(s). The terms of reference detailing set-up and responsibilities of the PSC will be drafted by the implementing partner(s) in full coordination with the EU Delegation and approved by the PSC.

In addition to the PSC, National Programme Advisory Committees (NPAC) will be established in each country of action, with the EU and the relevant line Ministry as co-chairs. The Committees will be established as a multi-stakeholder governance structure at the national level, which will identify national priorities and monitor and guide the implementation of the Action. The Committees will meet at least once a year and on an ad hoc basis as required. Members of the Committee will include the implementing partners, relevant government authorities, trade unions, employers' organizations, civil society organizations, and migrant worker groups. Other stakeholders may be invited as relevant. The secretariat of these committees will be established by the implementing partners and be the responsibility of the implementing team. The terms of reference detailing the set-up and responsibilities of the committees shall be drafted by the implementing partner(s) in full coordination with the EU and approved by the PSC.

To implement the Action, the regional team will be based in Bangkok, Thailand. National teams will be located in each country of action: Cambodia, Indonesia, Malaysia, Myanmar, Philippines, and Thailand.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action and may sign or enter into joint declarations or statements, for the purpose of enhancing the visibility of the European Union and its contribution to this action and ensuring effective coordination.

# 5 PERFORMANCE MEASUREMENT

## 5.1 Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular

progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Roles and responsibilities for data collection, analysis and monitoring:

- The implementing entity will fully coordinate and monitor the activities on a country-by-country basis and at the regional level and report to the Commission on an aggregated and regular basis.
- The implementing entity will conduct an inception phase at the beginning of the project implementation to define/refine indicators, baselines, and targets of the logframe and measure/monitor the progress of the action during implementation. The implementing entity will submit a detailed monitoring and evaluation (M&E) plan reflecting these strategies and metrics.
- The implementing entity will be responsible for conducting any necessary baseline and final surveys, as well as regular M&E and reporting on all project activities. In addition to its regular M&E functions, and when applicable, the entrusted entity will also be responsible for financial monitoring and management of grants (if applicable), as well as any sub-contracting that might be envisaged, and will include relevant details in the reports referred to above.

All monitoring and reporting shall assess how the action considers the principle of gender equality, human rights-based approach, and rights of persons with disabilities, accessibility, inclusion and diversity. Monitoring and reporting in the action will adopt a do-no-harm principle, which means that interventions, including those relating to anti-trafficking, will not detract from the human rights of beneficiaries. Guarding against harm also means making sure that criminal justice responses do not detract from prevention work, such as efforts to improve access to livelihoods, to counter discrimination and vulnerability, and to provide people vital pathways and opportunities to migrate safely or seek asylum.

Monitoring and evaluation processes will be gender-sensitive and will assess gender equality results and implementation of the principles of a rights-based approach (participation, non-discrimination, accountability and transparency) in relation to the project interventions and outcomes. Key stakeholders will be involved in the monitoring process. The monitoring and evaluation of the project will be based on indicators that are disaggregated at a minimum by sex, sector and country, and even further where appropriate (stakeholder group, legal status, disability, and others).

Adopting a do no-harm approach, all identifying information of survivors of trafficking, and forced labour will be kept confidential unless informed consent specifically and individually granted.

## 5.2 Evaluation

Having regard to the importance and nature of the Action, a mid-term and final evaluation may be carried out for this action or its components via independent consultants contracted by the Commission or via the implementing partner.

The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to the assessment of the continued relevance of the intervention and progress made towards the planned objectives, as well as contribute toward the possible adjustments/reorientation of certain activities, if necessary, to achieve the objectives at the end of the implementation.

The final evaluation will be carried out at the end of the Action. The final evaluation will focus on the outcomes of the programme and its impact. The evaluation will assess the extent to which an intervention achieved its objectives. It will be carried out for accountability and learning purposes at various levels

(including for policy revision), taking into account, in particular, the fact that there is a potential for follow-up programmes.

In case where the evaluation is contracted by the Commission, the latter shall inform the implementing partner at least 60 days in advance of the dates envisaged for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts and, inter alia, provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports may be shared with the partners and other key stakeholders following the best practice of evaluation dissemination. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate apply the necessary adjustments. The financing of the evaluation may be covered by another measure constituting a Financing Decision.

### 5.3 Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

## 6 STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

The 2021-2027 programming cycle will adopt a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

In line with the 2022 “[Communicating and Raising EU Visibility: Guidance for External Actions](#)”, it will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union’s support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

However, action documents for specific sector programmes are in principle no longer required to include a provision for communication and visibility actions promoting the programmes concerned. These resources will instead be consolidated in Cooperation Facilities established by support measure action documents, allowing Delegations to plan and execute multiannual strategic communication and public diplomacy actions with sufficient critical mass to be effective on a national scale.

## Appendix 1 REPORTING IN OPSYS

A Primary Intervention<sup>55</sup> (project/programme) is a coherent set of activities and results structured in a logical framework aiming at delivering development change or progress. Identifying the level of the primary intervention will allow for:

Articulating Actions or Contracts according to an expected chain of results and therefore allowing them to ensure efficient monitoring and reporting of performance;

Differentiating these Actions or Contracts from those that do not produce direct reportable development results, defined as support entities (i.e. audits, evaluations);

Having a complete and exhaustive mapping of all results-bearing Actions and Contracts.

Primary Interventions are identified during the design of each action by the responsible service (Delegation or Headquarters operational Unit).

The level of the Primary Intervention chosen can be modified (directly in OPSYS) and the modification does not constitute an amendment of the action document.

The intervention level for the present Action identifies as (tick one of the 4 following options);

Contract level		
<input checked="" type="checkbox"/>	Single Contract 1	Contribution Agreement with pillar assessed entity(ies)

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<sup>55</sup> For the purpose of consistency between terms in OPSYS, DG INTPA, DG NEAR and FPI have harmonised 5 key terms, including 'Action' and 'Intervention' where an 'Action' is the content (or part of the content) of a Commission financing Decision and 'Intervention' is a coherent set of activities and results which constitutes an effective level for the operational follow-up by the EC of its operations on the ground. See more on the [concept of intervention](#).