Responsible supply chains in Asia







Responsible business conduct in the Vietnamese aquaculture sector

Global decent work challenges in the sector

Global aquaculture production reached 85.3 million MT in 2019, with 66% consisting of finfish (FAO 2021). Other aquaculture species were molluscs (20.6%), crustaceans (12.3%), and other aquatic animal species (1.1%). The top five aquaculture producing countries were China (57%), India (9%), Indonesia (7%), Vietnam (5%), and Bangladesh (3%). Aquaculture provided 47% of the global seafood supply in 2019.

It is estimated that over 89% of aquaculture output is sold in domestic markets (Naylor, et al. 2020). Global aquaculture trade remains limited to a relatively small number of species such as shrimp, catfish, tilapia, and salmon. Global seafood businesses are usually active in the distribution of capture fisheries and aquaculture products.

In 2019, there were 22.34 million people who worked in primary aquaculture production (FAO 2021). There are, however, studies that indicate a higher estimate of jobs generated in the aquaculture sector. A 2016 study conducted by the FAO and WorldFish covering nine countries estimated global employment in the aquaculture sector to fall somewhere between 27.7 million and 56.7 million full- and part-time jobs (Phillips, et al. 2016). According to the study, about 73% of the jobs were generated on farm and the remaining 27% from other links in the chain. In a jobs value chain analysis conducted by World Bank in the Philippines, a metric tonne production of prawns generated about 0.61 fulltime equivalent employment (FTE) from primary production to local marketing. Fish farming accounted for 70% of the FTE, while processing made up 26%.

The labour productivity of small-scale aquaculture producers is lower than that of medium- and large-scale producers (Phillips, et al. 2016). The low labour productivity among small scale aquaculture producers can be primarily attributed to limited access to financial services, modern technology, and infrastructure. Likewise, small aquafarmers do not possess adequate technological, financial, and human resources to deal with the impacts of climate change.

There are also gender disparities in access and control over resources needed to participate in the aquaculture value chain, and women's equal engagement in the value chain (FAO 2021). Women dominate the postharvest sector, and are the main workforce in fish processing factories, often in low-skilled positions.

Alongside environmental challenges, the aquaculture sector faces decent work challenges. Many of the workers engaged in the aquaculture sector are often not employed under formal terms. To a significant extent, the prevalence of informal workers in the aquaculture sector makes it prone to poor working conditions, breaches of national and international labour standards, and child and forced labour. Child labourers in the sector are most commonly employed in feeding and harvesting fish, as well as postharvest activities such as sorting, processing, and selling fish. Migrant workers are predominantly employed in seafood processing, with majority of them being women. Many of the migrant workers pay recruitment fees, incurring significant debts, to secure their jobs (Oxfam International; Sustainable Seafood Alliance Indonesia 2018). Instances of forced labour have also been reported in fishery operations, particularly those which supply fishmeal for aquaculture operators, as well as in processing facilities.

Decent work challenges also stem from the need of market actors to boost profitability within a highly competitive market, while meeting the low prices demanded by consumers. Labour is a significant cost of aquaculture production and processing. Companies thus seek to reduce labour costs in efforts to boost price competitiveness and profitability. Some companies have reduced labour costs through process and technology upgrading. During recent years, aquaculture production, especially among medium and largescale producers, has become more intensive over time with greater use of technologies, capital investment in aeration, split ponds, offshore cages/net pens, and other production systems (Engle 2021). Other companies adopted less strategic mechanisms to reduce labour costs, such as through low wages, long working hours, and poor safety and working conditions. Women workers in Indonesia, for example, had to work long hours to hit production targets for peeled shrimp to earn the minimum wage (Oxfam International;Sustainable Seafood Alliance Indonesia 2018). In many cases across the globe, production systems of the top traded species prioritize reducing production costs to maintain competitiveness, which raises concerns regarding the impact this has on decent work and the environment.

Occupational safety and health issues appear to be most prevalent in the processing segment on a global scale. In many of the shrimp processing units or peeling sheds, for example, workers spend long hours on their feet with their hands in ice buckets, as they peel and clean the shrimp. Many workers suffer cuts and infections on their hands and arms as well as allergic reactions to the shrimp. Workers in processing facilities are also at risk of repeated injuries from unsafe cutting knives, the high pace of work and slippery and cluttered floors (ILO 2021). Underdeveloped OSH management systems and weak regulatory frameworks and enforcement systems, particularly in informal and rural economies, exacerbate these challenges (ILO 2021).

Only a small number of workers in the sector are trade union members, with women facing additional challenges in participating in trade unions (ILO 2021). Informal, temporary, seasonal and subcontracted workers are often unable to form or join a union.

Due to the movement restrictions imposed to contain the spread of the COVID-19 virus, demand and supply of fish were disrupted, resulting in reduced livelihoods and economic vulnerability of fish farmers and workers (Monirul Alam, et al. 2021). The following were the key impacts of COVID-19 related restrictions: (i) limited access to capital/financial services; (ii) increased cost of inputs and transportation; (iii) hampered availability of seed stock; (iv)reduced demand and price; (v) increased burden of maintaining unsold stock; and (vi) reduced production of processed food items. The disruptions generated by the pandemic have led to increased unemployment, underemployment, and inactivity; and losses in labour and business income, particularly for micro, small and medium-sized enterprises (ILO 2021). Women and migrant workers were the most impacted by the COVID-19 crisis.

Vietnam: generating decent work in the aquaculture sector through responsible business practices

Ranked as the fourth-largest producer of seafood from aquaculture, Vietnam produced 4.44 million MT of farmed seafood in 2019 valued at US\$ 12.04 billion (FAO 2021). The country is the largest producer and exporter of pangasius (catfish), and it ranks in the top 5 of the largest shrimp exporters in the world.

It is estimated that the sector generates about 1.6 million fulltime equivalent employment (IDH 2018). Most of the women workers are employed in the processing facilities and retail outlets. Enterprises in the sector use third-party labour providers and subcontractors (Impactt 2021).

The Vietnam aquaculture industry is, to a significant extent, still fragmented although there is an increasing number of vertically integrated firms. The shrimp industry, for example, is comprised of the following actors:

Trawler vessels. The vessels collect trash fish for selling to feed mills. Various reports indicated the presence of child labour on trawlers. Although

Vietnamese labour law prohibits the employment of children under 18 years of age in distant water fishing, a study conducted by the Environmental Justice Foundation (EJF) found a total of 12 children below the age of 18 working full time on board the 41 vessels surveyed (EJF 2019).

Feed mills. The feed market is highly consolidated with large feed mills, comprised mainly of multinational enterprises, accounting for about 85% of the market share (BCG 2019). Workers in large feed mills enjoy security of tenure. These companies are generally compliant of national labour laws.

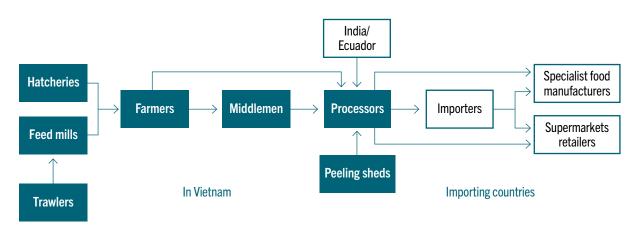
Feed mills are reducing their dependence on trash fish by recycling fish processing by-products for the production of fish meal. Some feed mills are replacing fish meal with marine microbes, imitating what shrimp would eat in their natural habitat (BCG 2019).

Hatcheries: About 50% of the seedstocks are produced by about 2,500 small hatcheries and the remaining 50% by large firms (BCG 2019).

Farmers: Of the 1.74 million (FAO 2021) fish farmers, about 220,000 (BCG 2019) grow shrimp. Small farms account for about 65% of the national shrimp production (BCG 2019). The remaining 35% are produced by commercial farms, which a majority of are owned by seafood processors/ exporters and vertically integrated farms.

The main risk factor that leads shrimp farmers into an unsustainable debt situation is through farming failures due to disease outbreaks or other lost harvest events.





Vietnam shrimp value chain

Middlemen. They serve as gatekeepers and facilitators between shrimp farmers and processors, as well as between hatcheries and farmers, and among feed mills and hatcheries and farmers. Middlemen handle the trading of about 80% of the total shrimp production (BCG 2019). Shrimp processors purchase from between five to 50 intermediaries to obtain the raw materials they need (ILO 2020).

Many of the intermediaries provide credit to small farmers to secure their supply. A study conducted by the ILO in 2020 indicated that although small shrimp farmers lack access to capital, they have low risk of debt bondage, as they can sell their harvest to the highest bidding buyers.

Processors. Shrimps are peeled, prepared, and packed for transportation either to domestic or export markets by processors, who may also be handling other capture and farmed fish species. Domestic supply of shrimp is supplemented by imports from India and Ecuador. On average, about 70% of the production output is exported. Among the different actors in the global supply chain, seafood processors, especially the shrimp processing companies, were the most affected by the downward pressure on price alongside stringent quality standards and rising production costs, which also had negative implications on the welfare of workers. It is estimated that about 75% of the workers are women. The seafood processing sector employs mostly migrant workers from rural areas. An assessment carried out by IDH in two provinces in Vietnam showed that workers in seafood processing plants work, on average, three hours overtime per day; do not receive sufficient payment for social insurance; lack labour contracts; experience unsafe working conditions; and lack necessary facilities (IDH 2021). Workers generally express their discontent by going on strike and moving from one company to the other.

Shrimps for the export markets are sold via importers/wholesalers, specialist food manufacturers, and directly to supermarkets and other retail outlets. Top importing countries of shrimp from Vietnam are the United States of America (USA), Japan, European Union, and China.

The pangasius value chain is, to a large extent, comparable with the shrimp value chain. Main markets of pangasius from Vietnam are USA, Europe, and China. Given the complexity of aquaculture chains, due diligence initiatives of many of the global retailer brands do not go beyond first tier suppliers, making it difficult to know the conditions of workers farther down the chain. The aquaculture industry is also dominated by smallholders and micro enterprises, many of which are operating in the informal sector and are thus, not covered by labour regulations and inspection.

Decent work at a glance: Vietnam aquaculture sector			
Employment promotion	 Estimated at 1.6M fulltime employment 		
Social security	 Only workers with labour contracts are provided with social insurance. 		
Child labour	 Child labour was reported in trawler vessels supplying trash fish to feed mills. Some companies and labour providers had inadequate age verification procedures. 		
Equality of opportunity	 Small scale enterprises have limited access to financial services, technology, and training. Not all companies and labour providers were trained in non-discrimination policies (Impactt 2021). Workforce perceptions around "female appropriate" roles contributed to gender imbalances in the workplace and a lack of opportunity for women's progression. 		
Security of employment	 Workers lack formal contracts of employment. Some companies use continuous short-term contracts for subcontracted workers, contrary to Vietnamese labour law (Impactt 2021). 		
Training	 Companies provide basic skills training to their workers. 		
Conditions of work and life	 Processing companies generally had weak OSH management systems and compliance. There were incidences where workers had to take pay cuts due to poor harvest brought about by adverse weather conditions. Some companies did not pay the mandated minimum wage and benefits (Impactt 2021) Farm workers in farms with Aquaculture Stewardship Council (ASC) certification received higher salaries than the mandated minimum wage (WWF Austria; WWF Vietnam; ASC 2017). The ASC certified farms provided higher benefits for the workers than the non-certified farms. 		
Industrial relations	 All trade unions in Vietnam are affiliated to a state-controlled organisation (Impactt 2021). This undermines genuine worker representation. 		

Source: (Polyanskaya, et al. 2020) (Westerlaan and de Vries 2020)

The practice of corporate social responsibility (CSR) or responsible business conduct (RBC) in the aquaculture sector has primarily been fostered through codes of conduct and compliance to

voluntary sustainability standards (VSS) required by foreign buyers. Nonetheless, many companies still perceive CSR as a philanthropic responsibility.

Good socially responsible labour practices

Tesco: working together with its supply chain actors to promote ecent work Corporate buyers and importers can have significant influence over practices in their supply chains. A core part of Tesco's CSR is to ensure that its supply chains across the world do not just create jobs, but good jobs. The company works with supply chain actors in improving the economic, social, and environmental performance of supply chains. Supply chains are assisted in complying with Tesco's supplier code of conduct through regular due diligence and acting on decent work challenges identified.

In Vietnam, Tesco and supply chain partners Hilton Food Group, Westbridge Foods Ltd., and Vietnam-based Amanda Seafood regularly conduct an assessment to identify and assess the human rights impacts of their business activities on workers in the Vietnamese shrimp industry. In 2020, the assessment covered seven sites in the shrimp supply chain, spanning fishmeal production to shrimp processing. The majority of the findings of this assessment indicated decent working conditions, which include the following:

- Payment of wages above the legal minimum wage. Some companies conducted surveys to measure living costs as basis for the annual salary increases.
- Stable and regular orders from Tesco contributed to secure jobs providing income and livelihoods to more than 2,500 households.
- In general, working hours were regular and not excessive. Sites use overtime frequently in response to predictable peaks in production. Weekly overtime hours were within legal limits.
- Proactive and effective communication among the actors within the supply chain prevented negative impacts on workers in cases when there were changes or cancellations of orders.

To address existing and potential decent work challenges, the following actions are being taken by Tesco and its supply chain partners:

Feed inputs. Suppliers built on existing mapping of feed input to assess key human rights risks and identify mitigation measures. Tesco has released the updated policy 'Tesco Seafood Sourcing Requirements' in consultation with suppliers. Technological innovations are being piloted to reduce dependence on trash fish.

Subcontractor management. The reliance on subcontracted labour, especially for harvesting, has significantly reduced. Subcontracted labour is now included in the scope of annual ethical audits, supplier policies as well as broader Human Rights Due Diligence.

Promotion of gender equality. Suppliers, via direct worker engagement, ensure that policies to prevent sexual harassment and discrimination are understood by new workers. Refresher gender training is being provided to existing workers. Suppliers are mapping the number of women in supervisory roles and will develop a time-bound action plan to meet the target 30% of roles to be occupied by women. Suppliers are exploring the introduction and promotion of shared parental leave entitlements.

Strengthening of communication and purchasing commitments. Tesco is reviewing how to provide greater certainty to all supply chain actors regarding future volumes. Tesco will maintain direct communication with suppliers, ensuring that any changes to volume and planning are communicated adequately in advance.

Harmonization of standards and expectations. Tesco reviewed the Vietnamese Labour Code and assessed the potential gaps and impacts when compared to Tesco's Human Rights Policy. Areas of difference were discussed with suppliers, and clear commitments on Tesco requirements were established and agreed upon.

Improving age verification policies and procedures. Suppliers came up with an improved age verification processes that are consistently implemented across directly employed and sub-contracted labour, including the submission of personal documents, with copies retained on file.

Sources: (Impactt 2021); (Tesco 2022)

The way forward

The ILO MNE Declaration

Corporate social responsibility (CSR) as defined by the International Labour Organization (ILO) is "a way in which enterprises give consideration to the impact of their operations on society and affirm their principles and values both in their own internal methods and processes and their interaction with other actors." The main guiding instrument regarding the labour dimension of CSR or responsible business conduct (RBC) is the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (MNE Declaration), which was adopted in 1997 and most recently updated in 2017. The MNE Declaration sets out principles in the fields of general policies, employment, training, conditions of work and life and industrial relations which governments, employers 'and workers 'organizations and multinational and national enterprises are recommended to observe on a voluntary basis.



How a company relates with its workers, suppliers, host communities, and the marketplace can greatly contribute to the sustainability of its business success. For companies to stay productive, competitive, and relevant in the face of rapid globalization, they have to become environmentally viable and socially responsible. Labour related CSR entails companies taking responsibility for their impacts on decent work throughout their operations and with their business partners and identifying ways to enhance their positive contribution to decent work in dialogue with their workers, suppliers, host communities, and buyers. Responsible businesses create social value by addressing needs and challenges of their stakeholders while simultaneously creating their own economic value.



The reform of Vietnam's Labour Code brings it into closer alignment with ILO core Conventions, which the government has prioritised in the context of the EU-Vietnam Free Trade Agreement and the Comprehensive and Progressive Trans-Pacific Partnership (Impactt 2021). The Responsible Supply Chains in Asia (RSCA) programme, in partnership with the International Centre for Aquaculture & Fisheries Sustainability (ICAFIS), facilitated the establishment of CSR Think Tank, which brings together policymakers, the private sector and relevant actors to engage in policy dialogues on the promotion of decent work and International Labour Standards in the seafood sector in Vietnam. Participants to the dialogues included representatives from the Directorate of Fishery of the Ministry of Agriculture and Rural Development, Ministry of Labour Invalids and Social Affairs, Vietnam Fisheries Society, Vietnam Tuna Association, and multinational enterprises. The outcomes of these dialogues in the form of policy recommendations are outlined below. The recommendations are aimed at fostering the integration of socially responsible business practices in the daily business operations of seafood enterprises with a view of 'building back better' by advancing decent work in COVID-19 recovery of the farmed seafood sector in Vietnam.

Poli	Policy recommendation Stakeholder		
a)	ILO and ICAFIS should continue to strengthen the capacity of the CSR Think Tank to: (i) foster dialogue and the linkages between national suppliers and international buyers, particularly from the EU; and share socially responsible labour practices that strengthen performance; (ii) build capacity for the uptake of CSR/RBC practices in shrimp, pangasius and tuna supply chains, set CSR/RBC targets and design interventions at the grassroots business level, and design a roadmap for sustainable imbedding of the CSR/RBC agenda in the supply chains; and (iii) set targets for policy consultation and advocacy so that the goal of promoting the CSR/RBC and the decent work agenda become an essential element of the policies of the Ministry of Agriculture and Rural Development, the business associations, and enterprises, which should focus on inclusive and sustainable development of businesses involved in national seafood supply chains.	ILOICAFIS	
b)	 ILO, in partnership with other international development partners, should support global supermarket chains, specialized food manufacturers, and importers to promote RBC/CSR from the perspective of labour in their respective supply chains in Vietnam. Actions may include: Supporting the development of a due diligence system, processes, and tools that can be shared across enterprises to ease the burden of compliance and facilitate sharing of emerging good practices. Parallel to this, building the capacity of enterprises to integrate due diligence findings into procurement and other business decisions. Developing and/or strengthening platforms (e.g., roundtable discussions, web portals, social dialogues, etc.) to facilitate information sharing and discussions, where companies, trade unions, providers, and governments can acquire CSR/RBC knowledge such as the fundamental concepts and guidelines, practical implementation measures, outcome measurement, etc. The information sharing and discussion platforms can also provide opportunities to collectively address underlying causes of non-compliance to labour standards and systemic risks present in the electronic supply chains. Providing training and technical assistance to Vietnamese enterprises on the implementation of socially responsible labour practices. Building the capacity of providers including employers' and workers' organizations to provide RBC related financial and non-financial services. 	 ILO Other international development partners 	

Poli	cy recommendation	Stakeholder
c)	Government, in cooperation with employers' organizations/industry associations, should initiate a simple labour related CSR performance measurement monitoring and disclosure/reporting mechanism among key lead firms in the Vietnamese aquaculture industry, with the aim of producing a picture of labour practices within the sector. This can be shared online and shared through regular dialogues to create a critical accountability mechanism and promote greater supply chain transparency. The CSR performance monitoring can contribute to the development of a business case and drive behavioural change, as well highlight opportunities for innovation.	 Government Employers' organizations
d)	The CSR Think Tank, with the support of civil society organizations, should build the capacity of trade unions to effectively engage workers in the agri-food sector, including those employed by manpower agencies and labour service cooperatives. Strengthen the capacity of trade unions and labour service cooperatives to effectively participate in RBC initiatives.	 CSR Think Tank Civil society organizations
e)	The CSR Think Tank, in cooperation with the government and civil society organizations, should strengthen the capacity of labour service providers/subcontractors to promote decent work and integrate responsible business practices in their operations. Actions may include: (i) conducting refresher training on labour protection and international labour standards; (ii) facilitating dialogues between subcontractors and seafood enterprises to have a shared understanding of the codes of conduct and responsibilities of each party; and (iii) exploring the viability of establishing a code of conduct or similar instruments for labour service providers and subcontractors.	 CSR Think Tank Civil society organizations Government
f)	The CSR Think Tank should continue to provide technical support to government agencies and policymakers in crafting policies that will better integrate different international CSR instruments or standards such as the ILO Declaration of Principles on Multinational Enterprises and Social Policy or the MNE Declaration, the UN Guiding Principles on Business and Human Rights and others.	 CSR Think Tank



For more information:

MNE Declaration web portal – www.ilo.org/mnedeclaration

Responsible Supply Chains in Asia https://www.ilo.org/asia/projects/rsca/lang--en/index.htm

Responsible Supply Chains in Asia – Vietnam https://www.ilo.org/hanoi/Whatwedo/Projects/WCMS_632390/lang--en/index.htm

Labour Standards in Global Supply Chains: An ILO training module for SMEs and other enterprises https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/instructionalmaterial/ wcms_725761.pdf

Labour Standards in Global Supply Chains (Burmese language) https://www.ilo.org/yangon/publications/WCMS_835471/lang--en/index.htm

ILO Helpdesk for Business on international labour standards (www.ilo.org/business) How to align corporate policies and practices with International ILS and build good industrial relations

Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/--multi/documents/publication/ wcms_094386.pdf https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_684935.pdf

Responsible Business: Key Messages from International Instruments https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_724747.pdf

Labour Issues in CSR: Examples from the ILO Helpdesk for Business Q & A https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/instructionalmaterial/ wcms_740229.pdf

ILO company-union dialogue facilitation https://www.ilo.org/empent/areas/mne-declaration/WCMS_572115/lang--en/index.htm

Measurement for the employment and labour-related impacts of the Multinational Enterprises (MNEs) https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/ wcms_620788.pdf

The ILO MNE Declaration: What's in it for Workers? https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_627351.pdf

Engaging multinational enterprises on more and better jobs

http://www.oit.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_175477.pdf

Responsible business -- labour standards in global supply chains

https://www.itcilo.org/courses/responsible-business-meeting-labour-standards-global-supply-chains - rolled out together with the ILO SCORE programme, targeting SMEs in global supply chains (enhance manager-workers workplace cooperation)

Responsible Supply Chains in Asia (RSCA) Programme in Vietnam

https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/publication/ wcms_729353.pdf

https://mneguidelines.oecd.org/EU-ILO-OECD-Responsible-Supply-Chains-in-Asia-VIETNAM.pdf

The "Responsible Supply Chains in Asia" (RSCA) programme (RAS/16/13/EUR) is a programme developed by the European Union together with the International Labour Organization (ILO) and the Organisation for Economic Co-operation and Development (OECD). The programme promotes corporate social responsibility (CSR) / responsible business conduct (RBC) with regard to the environment, decent work and the respect of human rights.

This initiative is a part of the EU's long-standing commitment to promote human rights, decent work and sustainable development, a pledge underpinned by the EU Treaties and reinforced in the European Commission's trade policy strategy of 2015 "Trade for All". It falls in particular under the Commission's commitment to identify opportunities for responsible supply chain partnerships and the EU's strategic approach to responsible business conduct, which is based on internationally agreed principles and guidelines. It will also contribute to the EU strategic approach to CSR/RBC as put forward in the Commission 2011 Communication "A renewed EU strategy 2011-14 for Corporate Social Responsibility."

The four-year programme (2018-2021), carried out in collaboration with Japan, China, Myanmar, Philippines, Thailand and Vietnam, has two broad objectives to:

- a) Promote smart, sustainable and inclusive growth by ensuring that investors and businesses have a better understanding of corporate social responsibility;
- b) Create policy environments conducive to promoting responsible business conduct and increased opportunities for dialogue.

The programme in Vietnam is making an impact in a number of areas, including through:

Facilitating platforms for dialogue with the seafood sector to deliver preliminary research findings and recommendations on challenges identified in the industry.

Establishing forums for dialogue, including with the Vietnam Business Coalition on CSR, between suppliers and buyers to share goals and expectations on incorporating responsible business practices into their supply chains.

Training sessions of leading representatives from Vietnamese employer organisations, academia, government institutions and worker's organisations to on-train companies, MNEs, SMEs, future business leaders and others in responsible business practices.

Promoting and supporting policy coherence around responsible business practices, including in investment-related policies in order to support national objectives to promote further linkages with the global economy.

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