



# Canned Tuna Brands - Questions on Human Rights in Pacific Tuna Fishing Operations and Supply Chains (2020/21)

\* The term 'modern slavery' used in this survey is taken to include forced labour, slavery, human trafficking, servitude, bonded and child labour.

**Company:** Kaufland

**Canned Tuna Brands:** K-Classic

## Human Rights Policy

1.

- a. Since January 2019, has your company introduced any **new** human rights policies to address the risk of **modern slavery**\* in its operations or supply chains? Yes / No  
If yes, please provide full details and a link.

Yes.

Our Kaufland Code of Conduct is a binding part of our contracts with suppliers and business partners. All business partners obligate themselves to meet social standards through the whole supply chain (please take attachment No. 1 into consideration). Our website will support with more detailed information regarding Kaufland Code of Conduct (<https://unternehmen.kaufland.de/unsere-verantwortung/machen-macht-den-un...>) ([https://media.kaufland.com/images/PPIM/AP\\_MarketingDocument/deu/36/13/Asset\\_47\\_43613.pdf](https://media.kaufland.com/images/PPIM/AP_MarketingDocument/deu/36/13/Asset_47_43613.pdf))

To underline our commitment for sustainable fish and fishery within our sourcing process we implemented in 2017 our International Fish Policy

<https://unternehmen.kaufland.de/unsere-verantwortung/machen-macht-denunterschied/nachhaltige-sortimentsgestaltung.html#einkaufsrichtlinien>)

One of our latest commitments is the Human Rights Policy Statement published in May 2020.

[https://media.kaufland.com/images/PPIM/AP\\_MarketingDocument/deu/15/90/Asset\\_6791590.pdf](https://media.kaufland.com/images/PPIM/AP_MarketingDocument/deu/15/90/Asset_6791590.pdf))

- b. Since January 2019, has your company **revised or updated** any of its existing human rights policies to address the risk of modern slavery in its operations or supply chains?

No.

2. Since January 2019, if your company has made a **new** commitment address **modern slavery** does it apply throughout your supply chains?

Within our Kaufland Code of Conduct you will find a chapter 3: Prohibition of Forced Labour

We are aware that Forced Labour has many different faces and facets. Therefore modern slavery is one of the essential and challenging topics (e.g. Migrant workers and refugees) and is covered by chapter 3 of our Code of Conduct.

Our strategy regarding fish and products with fish focused on the first stage: Certifications like MSC, Global GAP, ASC, FADs and Dolphin Safe as a necessary requirement within our sourcing process. On a second stage we evaluate the standards behind certifications constantly.

For this reason we start an intense exchange with MSC regarding the improvement of their social standards. This is an activity initiative supported by all German retailers.

From our point of view label organisations take also responsibility to review their standards and open up the scope of their certification and audit procedure. In this concrete case of MSC it means, that workers on the trawlers are under the scope of the audits.

We are committed to increase our offer of sustainable fish products. Beside our own brand products we offer our brands like followfish and fish tales.

<https://unternehmen.kaufland.de/unsere-verantwortung/machen-macht-denunterschied/nachhaltige-sortimentsgestaltung.html>

One of our latest commitments is the Human Rights Policy Statement published in May 2020 you will find the following declaration and that is what we stand for:

The Schwarz Group respects the human rights of its employees and we expect our business partners to do the same. As such, compliance with the highest applicable standard under the laws of the local jurisdiction and the requirements of the ILO core conventions as set out in the Declaration on Fundamental Principles and Rights at Work is essential. The following principles in particular must be respected when defining working conditions:

- compliance with the prohibition on child and forced labour
- equal treatment of all employees and zero tolerance for discrimination
- ensuring health and safety at the workplace
- granting remuneration at least in the amount of the minimum wage guaranteed by law for working hours in accordance with the applicable standards
- protection of personal data
- the right of all employees to establish employee representative bodies and to conduct collective bargaining governing working conditions

These principles are anchored in the codes of conduct adopted by each of the Schwarz Group companies and are incorporated into contractual agreements with our business partners.

The commitment to protecting human rights is a basic prerequisite for all our business relationships.

Ensuring the protection of human rights in global supply chains requires a long-term commitment and a measured approach. While we realise that we will not always be able to fully achieve all of the goals we set for ourselves, our aim is to work together with our partners along the value chain to bring about continuous improvement in this area.

([https://media.kaufland.com/images/PPIM/AP\\_MarketingDocument/deu/15/90/Asset\\_6791590.pdf](https://media.kaufland.com/images/PPIM/AP_MarketingDocument/deu/15/90/Asset_6791590.pdf))

3. Since January 2019, has your company adopted or revised a responsible sourcing or **supplier code of conduct** that prohibits modern slavery?

No, The Code of Conduct specified in 2019 is still valid.

One part of your responsible sourcing strategy includes the increase of certified and ladled products (e.g. MSC, ASC) according to an ambitious timeline.

In Addition to our Kaufland Code of Conduct we have a risk oriented procedure to fulfil Human Rights Due Diligence. Therefore all Kaufland Business Partners are categorized in high and low risk categories. The base of evaluation is the country of origin of resources (please take attachment No. 2 into consideration).

One of our latest commitments is the Human Rights Policy Statement published in May 2020.

([https://media.kaufland.com/images/PPIM/AP\\_MarketingDocument/deu/15/90/Asset\\_6791590.pdf](https://media.kaufland.com/images/PPIM/AP_MarketingDocument/deu/15/90/Asset_6791590.pdf))

## Human Rights Due Diligence Process

4. Has your company **mapped** its tuna supply chains, in whole or part? Yes / No

Yes. The transparency and traceability can be tracked on the products via QR Code. The online platform ftrace provide detailed information on product level.

For more information please click: <http://www.ftrace.com/index.php/en/gb>

5. Does the company source tuna from the **Pacific** region? Yes / No  
If yes, provide location (by country).

Yes, partly.

6. Since January 2019, has your company adopted, or revised, a human rights due diligence policy, process or procedure to identify, assess and manage human rights risks (actual or potential), including modern slavery, in its operations (and those of its subsidiaries) and supply chains? Yes / No

Yes

One of our latest commitments is the Human Rights Policy Statement published in May 2020.

([https://media.kaufland.com/images/PPIM/AP\\_MarketingDocument/deu/15/90/Asset\\_6791590.pdf](https://media.kaufland.com/images/PPIM/AP_MarketingDocument/deu/15/90/Asset_6791590.pdf))

If yes, please provide details and describe the human rights due diligence process. **Key steps include:** (i) identifying and assessing human rights impacts; (ii) integrating and acting on assessment findings; (iii) tracking the effectiveness of the company's response; and (iv) communicating externally about how the company is addressing its human rights impacts.

### **Our approach for implementing human rights due diligence**

Identifying the risks, assessing the potential impacts and developing effective countermeasures is an ever-present challenge in implementing human rights due diligence.

#### ***Risk assessment and action***

The companies of the Schwarz Group conduct risk assessments as part of their business operations.

This involves a company-specific, risk-based classification of business partners and products, for instance based on the analysis of recognized indices and studies regarding

the risk assessment for countries of origin, raw materials and products and – in some cases – in consultation with civil society organizations and experts. The findings of these risk assessments are used to develop specific measures to avoid or mitigate adverse impacts caused by our business activities. In this respect, the Schwarz Group employs a combination of different measures and integrates the findings from its activities into its business processes.

To adequately protect the human rights of our employees, the Schwarz Group has established the necessary processes in its corporate principles, policies and procedures. The Schwarz Group regularly conducts anonymous employee surveys in order to identify potential shortcomings early and respond accordingly. Employees are also provided unrestricted access to internal counselors and fair and transparent grievance mechanisms.

Within our sphere of control with our business partners, we systematically focus on identifying actual violations, followed up by mutual cooperation for improvement. In our non-food supply chains, for example, we have long implemented measures to monitor and develop production facilities.

The risk assessments by the Schwarz Group companies have identified a common major risk factor in the area of raw materials. The Schwarz Group therefore sets concrete goals for raw materials with high human rights risks and works continuously to implement measures. These activities include product- and raw materials-related certifications, for example, and in this regard we also participate in evolving standards and funding projects.

We believe that overcoming human rights challenges in our global value chains is an ongoing task that requires systemic changes in addition to our company-specific activities. One key element for us is therefore to engage with civil society organizations, experts and other businesses – often in the form of multi-stakeholder partnerships – in the aim of achieving improvements and solving complex social issues in a collaborative effort.

We are constantly reviewing the efficacy of our measures. Maintaining regular dialog with civil society organizations helps us assess the effectiveness of our measures.

### ***Grievance mechanism and access to remedy***

Access to grievance mechanisms plays an important role for those affected by or witness to potential human rights violations. The Schwarz Group has online reporting systems for the confidential reporting of suspected compliance and human rights violations. The online systems are in many cases available in more than 25 languages and are generally accessible to every affected individual, ensuring that grievances will be handled confidentially and fairly. The companies of the Schwarz Group are also engaged in a variety of multi-stakeholder initiatives to promote the effectiveness of reporting systems as a whole and across sectors.

Key findings from grievances are used to further develop the mechanisms and identify risks. If adverse impacts are in fact identified that the Schwarz Group caused or contributed to, we endeavor to enable remediation and use our influence to ensure that those affected receive appropriate remediation.

### ***Reporting***

Transparent communication on human rights challenges is a core element of human rights due diligence.

We report regularly on key human rights risks, the actions taken and the progress made, as well as on continuing challenges. (<https://csr.schwarz/>)

7. Since January 2019, has your company taken **practical action** to ensure that modern slavery does not occur in your company's (or its subsidiaries') operations and supply chains for tuna procurement from the Pacific? If yes, please describe.

**Examples** might include:

- i) *training* staff and management, workers, suppliers or business partners about rights, risks, responsibilities and remediation;  
Is in the implementation phase

- ii) *engaging* with NGOs, fishers/ their representatives (including unions) and policy-makers;  
yes, we are in a constant contact and dialog with Greenpeace Germany, WWF, ISSF, Von Thünen Institut
- iii) *cascading contractual*/clauses in supply agreements;  
Our CoC is anchored in our contracts. Item 3 Forced Labor and Disciplinary Measures (ILO Conventions 29, 105)
- iv) *digital traceability* of fish (across entire supply chain, or part only);  
ftrace on the product
- v) *prohibition on recruitment fees*;  
No
- vi) *protective measures to protect against exploitation of migrant* fishers;  
No
- vii) *prohibition on sourcing from suppliers that transship at sea, or use flags of convenience*;  
No
- viii) *ensuring freedom of association* and collective bargaining by fishers/ their representatives (including unions);  
No
- ix) *oversight of recruitment* or labour hire entities; and  
No
- x) *independent supply chain auditing*.  
yes, we are in a constant contact and dialog with MSC

Please provide details.

8. If the company has taken steps to identify and address human rights risks, how does it (a) **prioritise** which risks to address first; and (b) assess and track the **effectiveness** of its actions and response?

Please take the answer of question 3.) and 6.) into consideration.



## Grievance Mechanism

9. Since January 2019, per the [UN Guiding Principles on Business and Human Rights](#), has your company adopted, or made changes to improve, a **grievance/ complaints mechanism** through which workers, including fishers in your supply chains, can raise concerns about human rights? Yes / No

If so, can they access this in their own language and in a way that allows grievances, or concerns, to be reported safely, in confidence and without intimidation? Have any human rights concerns connected with the Pacific tuna sector been reported via your company's complaints mechanism? Please provide details.

### ***Grievance mechanism and access to remedy***

Access to grievance mechanisms plays an important role for those affected by or witness to potential human rights violations. The Schwarz Group has online reporting systems for the confidential reporting of suspected compliance and human rights violations. The online systems are in many cases available in more than 25 languages and are generally accessible to every affected individual, ensuring that grievances will be handled confidentially and fairly. The companies of the Schwarz Group are also engaged in a variety of multi-stakeholder initiatives to promote the effectiveness of reporting systems as a whole and across sectors.

Key findings from grievances are used to further develop the mechanisms and identify risks. If adverse impacts are in fact identified that the Schwarz Group caused or contributed to, we endeavor to enable remediation and use our influence to ensure that those affected receive appropriate remediation.

(<https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=11kfl12&language=ger>)  
(<https://unternehmen.kaufland.de/ueber-kaufland/unsere-werte/compliance.html>)

10. Since January 2019, have you introduced a corrective or **remediation plan** if instances of modern slavery are identified in your operations, or supply chains? Can you describe it?

According to our standard procedure of Kaufland Social Audits every business partner and supplier receive afterwards a Management Action Plan with defined due dates of

implementation. It is important that the supplier confirm Kaufland Management Action Plan to ensure that all measurements are implemented. Follow up process (e.g. Re-Audit) are in place to check if all requirements are implemented. Regarding of the complexity of the whole supply chain of canned tuna we did not yet conduct Kaufland Social Audit in the tuna producing industry.

With the integration of our grievance mechanism, we will be able to address defined measures such as those listed above in a more targeted manner.

11. How many **instances** of modern slavery has your company **identified** over the last 3 years (from and including 2018) in its own operations (including subsidiaries) or in its supply chains that relate to tuna procurement from the Pacific?

No cases are known or recorded.

Please describe by reference to:

- (a) Number of instances (broken down for each calendar year)
- (b) Do you know where they occurred? Please describe event(s).
- (c) How did the company respond to address the issue(s)?

## Reporting

12. Does your company communicate, or **report**, externally on steps taken to address modern slavery? Yes / No

Generally on the subject of human rights but not specifically or exclusively on modern slavery (<https://csr.schwarz/>)

If yes, please provide relevant details, in period since January 2019. This could include statements issued under the [UK](#) or [Australian](#) Modern Slavery Acts.

## Other information

13. Since January 2019, has your company encountered **obstacles or challenges** in implementing its human rights commitments, taking practical action against modern

slavery in tuna supply chains and/or in relation to any of the areas mentioned above? Yes / No

We recognize in general that there are industries, commodities and countries of origins which are constantly facing the challenge to comply with social standards (even national regulations). The process of frequent development is very often a long term challenge and many external influences are slowing down the process. We are looking forward to keep in touch with NGOs, which have a deep knowledge and expertise. Together with different stakeholders, suppliers and all parts of the supply chain we are promoting the idea of dialog, exchange, implementation of effective measurements and projects.

If yes, please explain and provide details of any strategies to overcome them.

14. Since January 2019, has your company joined or been active in any regional, or sectoral, **multi-stakeholder initiatives** that address modern slavery in fishing?

If yes, please provide details.

15. Please provide any **other information** about your company's policies and practices on human rights that may be relevant.

## **COVID-19 impacts**

16. Has the **COVID-19** pandemic affected your ability to identify, assess or respond to modern slavery risks in your tuna supply chains?

Please explain and provide details, including any actions (a) taken or (b) delayed/suspended, by you.