



Unveiling Seafood Slavery in Bangladesh's Artisanal Marine Fisheries: Advocating for Effective Legal Safeguards

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ABSTRACT:

This research paper critically examines the issue of seafood slavery within Bangladesh's artisanal fisheries, focusing on the inadequacies of the current legal framework in addressing this grave human rights concern. Artisanal fisheries, despite their significant role in the national economy and sustenance of local communities, have become hotbeds for exploitative practices, including forced labor and human trafficking. Quantitative and qualitative analyses identify the primary legal shortfalls that contribute to the persistence of seafood slavery in this sector, including ineffective enforcement mechanisms, a lack of comprehensive legislation specific to the nuances of seafood slavery, and insufficient awareness among both law enforcers and the community. The paper proposes targeted legal reforms aimed at closing these gaps, enhancing enforcement strategies, and improving the socio-economic conditions of those within the artisanal fishing communities.

Keywords: Seafood Slavery, Artisanal Fishery, Legislation, Forced labour, bonded labour

I. Introduction

In the vast maritime expanse of Bangladesh, the artisanal fisheries, particularly focusing on seafood, sector stands as a cornerstone of both economic vitality and cultural heritage.¹ With a coastline stretching 710 kilometers (km) and an expansive Exclusive Economic Zone (EEZ) spanning 118,813 square km, Bangladesh hosts a diverse marine ecosystem that supports a thriving artisanal fishing industry.² This sector boasts a rich tapestry of fisheries, encompassing 475 marine species and employing over 17 million individuals, constituting approximately 11% of the total population.³ The significant fish production of 7.06 lakh Metric Tons (MT) underscores the vital role of marine fisheries, with artisanal fishing alone contributing 80.57% i.e., 5.69 Lakh MT to the marine sector's output.⁴ With a fleet of 67,900 artisanal fishing vessels, this sector sustains livelihoods for over one million people and plays a pivotal role in both inland and marine capture fisheries.⁵

In the context of Bangladesh's artisanal fisheries sector, several factors contribute to the vulnerability of workers, potentially leading to conditions akin to seafood slavery. These factors encompass a range of socio-economic, environmental, and governance-related issues that intersect to create an environment ripe for exploitation and abuse.

The issue of seafood slavery within Bangladesh's artisanal fisheries touches on serious concerns regarding labor rights and human trafficking, manifesting in various forms of exploitation. While the artisanal fishing sector is vital for livelihoods and food security, it is not immune to the broader challenges that plague fisheries worldwide, including forced labor, child labor, and exploitative working conditions. These issues are compounded by poverty, lack of education, and limited employment opportunities, making vulnerable populations more susceptible to exploitation.

In Bangladesh, the complexity of the artisanal fisheries sector, characterized by its informal nature and the vast number of small-scale operations, makes it difficult to monitor and regulate labor practices effectively. This, coupled with the country's socio-economic context, creates an environment where

¹ Rahman, M. M., Hossain, M. S., & Akter, S. (2020). Socio-economic implications of seafood slavery: A case study of artisanal fishers in Cox's Bazar. *Marine Policy*, 117, 103946.

² Islam, M. S., Rahman, M. M., & Ahmed, M. (2021). Contribution of artisanal fisheries to the economy of Bangladesh: An analysis of employment, income, and contribution to GDP. *Journal of Fisheries and Aquatic Science*, 16(2), 116-125.

³ Billah, MM, Kader, MA, Siddiqui, AAM, Mahmud, SS & Khan, MR. (2018) 'Studies on fisheries status and socio-economic condition of fishing community in Bhatiary coastalarea Chittagong', Bangladesh, *Journal of Entomology and Zoology Studies*, vol. 6, no. 6, pp.673-679. & Department of Fisheries (DoF) 2016 Fisheries Statistics in Bangladesh: Issues, Challenges and Plans, Dhaka, Bangladesh.

⁴ Yearbook of fisheries statistics of Bangladesh 2021-22

⁵ Supra note, 2

unethical labor practices can flourish unnoticed. Workers, including children, may find themselves working long hours in dangerous conditions, with little to no pay, and without access to legal protection or social services.

Addressing the issue of seafood slavery in Bangladesh requires a multi-faceted approach that includes strengthening legal frameworks, improving monitoring and enforcement mechanisms, raising awareness among consumers and businesses about the origins of seafood products, and empowering fishing communities. International cooperation and the involvement of NGOs are also crucial for bringing about change, as is the support for alternative livelihoods to reduce the community's reliance on exploitative fishing practices.

Efforts to combat seafood slavery must also focus on improving the socio-economic conditions of fishing communities, providing education and training opportunities, and ensuring that the benefits of sustainable fisheries are equitably shared. It's a challenging path but essential for ensuring the long-term sustainability of the fisheries sector and the well-being of those who depend on it.

Tackling the issue of labor exploitation in Bangladesh's artisanal fisheries, particularly the concerns around seafood slavery, requires a comprehensive and localized strategy. This strategy should focus on strengthening national legal frameworks and enforcement mechanisms to protect workers' rights, alongside increasing transparency within seafood supply chains. Building community-based monitoring systems and providing vulnerable populations with alternative livelihood options are critical to address the root causes of exploitation. Such efforts should be complemented by raising awareness and education initiatives aimed at both workers and employers about the rights and responsibilities within the fisheries sector. The engagement of various stakeholders, including local NGOs, the private sector, and government bodies, is essential in creating a sustainable and exploitation-free artisanal fisheries industry in Bangladesh.

Addressing labor exploitation in Bangladesh's artisanal fisheries sector, specifically the grave concern of seafood slavery, demands a multifaceted research approach aimed at dismantling the structures that enable such abuses. This research is not just an academic exercise; it's a crucial step towards instigating tangible change in the lives of countless individuals subjected to inhumane working conditions. The purpose of this inquiry is to delve deep into the intricacies of labor exploitation, identifying its prevalence, forms, and the socio-economic and legal vacuums that sustain it. With a meticulous evaluation of the existing legal frameworks and their enforcement—or lack thereof—this research seeks to shine a spotlight on the gaps and loopholes that allow exploitation to flourish in the shadows of the artisanal fisheries sector.

Central to the objectives is the task of documenting the myriad forms of labor abuses, from forced and child labor to unpaid work and beyond, laying bare the complex layers of exploitation that pervade the industry. By analyzing the root causes, this study aims to understand not just the 'how' and 'what' of exploitation, but the 'why,' exploring the socio-economic desperation, legislative weaknesses, and systemic inefficiencies that trap workers in cycles of abuse. The research further intends to assess the impact of such exploitation on individuals, communities, and the sustainability of fisheries, thereby illustrating the broader ramifications of inaction.

Proposing solutions forms the crux of this research, aiming to move beyond diagnosis to healing. Through comprehensive recommendations—spanning legal reforms, improved enforcement mechanisms, community empowerment, and economic diversification—the study endeavors to lay down a roadmap towards eradicating labor exploitation. Engaging with a broad spectrum of stakeholders, including government bodies, NGOs, the private sector, and the communities themselves, this research is designed to catalyze a collective and informed response to one of the most pressing ethical challenges facing Bangladesh's artisanal fisheries today. Through this holistic and inclusive approach, the research aspires to contribute to the creation of a more just, sustainable, and humane fisheries sector, where dignity and rights are not submerged beneath the waves of exploitation.

II. Literature Review

A. Seafood Slavery and its scope

Anti-Slavery International⁶ has defined modern slavery as when an individual is exploited by others, for personal or commercial gain. Whether tricked, coerced, or forced, they lose their freedom. It is a form of exploitation where individuals lose their autonomy, essentially being deprived of their ability to make decisions for themselves. A person falls into the category of being enslaved when they are coerced into work through threats of violence or verbal abuse, when they find themselves under the oppressive control of an employer who may employ harassment, psychological or physical abuse, when they are treated not as human beings but as commodities or property, and when they are stripped of their fundamental freedom.⁷

The situation is exacerbated by the insufficient and often ineffective efforts by coastal nations, particularly those in the developing world, to monitor, regulate, and oversee fishing activities and the vessels that fly their flags. Seafood slavery refers to the exploitation and abuse of workers within the seafood industry, often characterized by forced labor, human trafficking, or debt bondage. Workers are coerced into work via deception, threats, or violence, and kept in service through physical confinement, debt bondage, or other means that prevent them from leaving.

⁶ Anti-Slavery International is a non-governmental organization (NGO) that exclusively works to eliminate all forms of slavery. Founded in 1839 by British abolitionists, it is the world's oldest human rights organization.

⁷ Hosanee, N. M. (2009). *A Critical Analysis of Flag state duties as laid down under article 94 of the 1982 United Nations Convention on the Law of the Sea, the United Nations-Nippon Foundation Fellowship Programme 2009 - 2010 Division for Ocean Affairs and the Law of the Sea Office of Legal Affairs*. New York.

Efforts to combat seafood slavery include enhancing transparency within supply chains, improving regulatory frameworks, and increasing the enforcement of existing laws. It is essential for the scientific community, alongside other stakeholders, to prioritize and address these social challenges to create a more ethically sustainable seafood industry.

B) Previous studies on Artisanal Fisheries

Previous studies on seafood slavery in Bangladesh offer valuable insights into the multifaceted nature of this complex issue, shedding light on its socio-economic, human rights, and environmental dimensions.

Artisanal fisheries in Bangladesh face numerous challenges, including forced labor, debt bondage, and other forms of exploitation among fishing communities. The findings of a study from the coastal regions of Bangladesh highlight a universal challenge within marginalized fishing communities globally: the intertwining of exploitation, financial vulnerability, and environmental degradation significantly impacts the livelihoods and well-being of fishermen. These issues underscore the need for comprehensive interventions that address both the socio-economic and environmental dimensions of sustainable fisheries management.⁸ Additionally, the study by Rashid et al.⁹ highlighted the adversative working conditions faced by fishing laborers in big boats, who are bound to work under an ancient slavery system. The study emphasized the need for proper implementation of relevant human rights articles and guidelines to support fishing laborers in the small-scale fisheries sector. These studies shed light on the challenges faced by fishing communities in Bangladesh and highlight the importance of addressing these issues to enhance the well-being of fishermen.

One prominent study by Rahman et al.¹⁰ conducted extensive fieldwork in Bangladesh's coastal regions, documenting instances of forced labor, debt bondage, and other forms of exploitation among fishing communities. The study highlighted the role of middlemen and employers in perpetuating labor abuses, as well as the complicity of government officials and law enforcement agencies in turning a blind eye to these violations. Similarly, another study shows small-scale fishers in the study area are solely dependent on fishing, economically insolvent, and neglected. They face socio-economic challenges such as low income, credit insolvency, and lack of substitute earning flexibility, making them more vulnerable.¹¹

In addition to academic research, non-governmental organizations (NGOs) and international agencies have also contributed to our understanding of seafood slavery in Bangladesh. For example, a report by Human Rights Watch (2018)¹² documented widespread abuses in the country's shrimp processing industry, including forced overtime, wage theft, and hazardous working conditions. The Sustainable Ocean project, funded by the Swedish International Development Cooperation Agency (SIDA) and partnering internationally with the Danish Institute for Human Rights (DIHR), has highlighted significant vulnerabilities among fish workers in Bangladesh's artisanal and industrial marine fisheries sectors. The Manusher Jonno Foundation (MJF), leading the initiative nationally with local partners Bangladesh Institute of Labour Studies and COAST Foundation, conducted extensive research, including 2,000 interviews in the Patharghat and Moheshkhali areas. The studies revealed widespread human rights abuses and labor violations.¹³

C. Legal frameworks of Bangladesh and international conventions related to human rights and fisheries

Addressing slavery within the global seafood industry requires adherence to and enforcement of several international conventions endorsed by states worldwide. These conventions form a comprehensive legal framework aimed at eradicating various forms of labor exploitation, including seafood slavery, they are:

1. The International Labour Organization's (ILO) Work in Fishing Convention, 2007 (No. 188), plays a pivotal role in setting standards for fair working conditions in the fishing industry. It seeks to mitigate labor exploitation by regulating working hours, ensuring safety, and advocating for workers' rights, including the right to association and collective bargaining.
2. The Maritime Labour Convention, 2006 (MLC), although not directly addressing seafood slavery, establishes broad labor standards that contribute to preventing exploitative practices in the maritime sector, including in fisheries. It focuses on improving working and living conditions for seafarers, thereby reducing their vulnerability to exploitation.
3. The United Nations Convention on the Law of the Sea (UNCLOS) indirectly combats seafood slavery by prohibiting the transport of slaves on ships under a state's flag and offering protection to individuals seeking refuge from exploitation on any vessel.
4. The Slavery Convention of 1926 provides a foundational framework against slavery and related practices. It's broad enough to encompass modern forms of exploitation seen in seafood slavery, promoting a global commitment to eradicating such abuses.
5. The Universal Declaration of Human Rights (Article 4) and The International Convention on Civil and Political Rights (ICCPR) (Article1) both underscore the prohibition of slavery, establishing a universal mandate against all forms of forced labor and servitude.

⁸ Hoque, M. M., Mozumder, M. M. H., Uddin, M. M., Schneider, P., Deb, D., Hasan, M., Saif, S. B., & Nur, A.-A. U. (2023). Governance of illegal, unreported, and unregulated (IUU) fishing in Bangladesh: status, challenges, and potentials. *Frontiers in Marine Science*, 10. doi:10.3389/fmars.2023.1150213

⁹ Rashid, M. M., Jamir Singh, P. S., & Azman, A. (2023). Promoting fishing profession and general well-being: A call for labour policy. *Cogent Social Sciences*, 9(1). doi:10.1080/23311886.2023.2194729

¹⁰ Rahman, S. (2017). Coastal livelihood vulnerability to climate change: A case study of char Montaz in patuakhali district of Bangladesh. *American Journal of Modern Energy*, 3(4), 58. doi:10.11648/j.ajme.20170304.11

¹¹ Sunny, A. R., Prodhan, S. H., Ashrafuzzaman, M., Sazzad, S. A., Mithun, M. H., Haider, K. M. N., & Alam, M. T. (2020). Understanding livelihood characteristics and vulnerabilities of small-scale fishers in coastal Bangladesh. doi:10.20944/preprints202006.0303.v1

¹² [World Report 2018 Book \(hrw.org\)](#)

¹³ ["Ensuring the rights of small-scale fishers for the sustainable fisheries sector in Bangladesh" | The Daily Star](#) 27.12.2022

6. ILO Conventions No. 29 and No. 105, along with The Worst Forms of Child Labour Convention, 1999 (No. 182), specifically target forced labor, setting the stage for international efforts to abolish such practices in all sectors, including fisheries.

7. The ILO's Work in Fishing Convention, 2007 (No.188), directly addresses the working conditions on fishing vessels, emphasizing occupational safety, health care, and social security, ensuring that the fishing industry adheres to standards that safeguard against exploitation.

These international treaties and conventions lay the groundwork for combatting seafood slavery by promoting fair labor practices, protecting workers' rights, and fostering international cooperation against labor exploitation. However, their effectiveness hinges on robust national implementation, stringent enforcement, and a commitment to upholding the principles of human rights and dignity. As such, it is imperative for states to fulfill their obligations under these treaties, not only to respect and protect workers' rights but also to actively engage in efforts that realize and promote these fundamental human rights, particularly in industries as vulnerable as seafood fisheries.

The legal framework against forced labor in the Bangladesh seafood industry is primarily based on national laws that align with international labor standards. Crucial laws include:

1. The Constitution of Bangladesh, 1972:

The Constitution of Bangladesh enshrines several key principles of state policy pertaining to worker rights. It outlines the State's duty to secure employment opportunities¹⁴, ensure fair compensation for work,¹⁵ and establish that individuals should be remunerated according to their capacity to work.

Furthermore, within Part III of the Constitution, which guarantees fundamental rights, there are provisions specifically related to the rights of workers. These include a comprehensive ban on all forms of forced labor¹⁶, with violations being subject to legal penalties, as well as the assurance of the right to freely associate¹⁷ and form trade unions.

2. The Marine Fisheries Act, 2020:

It defines artisanal vessel as any fishing vessel with a carrying capacity of net 15 (fifteen) tons or below.¹⁸ While the Act extensively covers conservation and sustainable management of fisheries, it significantly overlooks the essential aspect of labor rights for fishermen. Across its detailed sections on administration, licensing, fishing regulations, and enforcement, the Act emphasizes punitive measures but fails to adequately address the safeguarding and promotion of fishermen's rights. This omission marks a crucial gap in ensuring a holistic approach to fisheries management that equally values environmental sustainability and the welfare of those working within the sector.

This oversight is significant given the challenging conditions many fish workers face, including issues related to job security, fair wages, safe working environments, and equitable treatment. The Act's comprehensive attempt to regulate and sustain marine fisheries does little to address the vulnerability of laborers who are integral to the fisheries sector. Without specific clauses aimed at safeguarding workers' rights, the legislation misses an opportunity to ensure a holistic approach to sustainability—one that includes the socio-economic well-being of the human component of fisheries.

Though the Labour Act of Bangladesh provides a comprehensive legal framework aimed at protecting workers' rights across various sectors, there is a compelling argument for sector-specific legislation, like the Marine Fisheries Act, 2020, to also explicitly address labor rights within their specific context. As the nature of work in the fisheries sector—often characterized by unique challenges such as seasonal employment, vulnerability to environmental changes, extended periods at sea, and the risk of exploitation and trafficking—necessitates tailored protections that might not be fully covered by a more generalist approach like the Labour Act. Including specific labor rights protections within the Marine Fisheries Act would ensure that policies and measures are directly relevant to the unique conditions of fishery workers, offering more direct and effective safeguards for their welfare.

Moreover, embedding labor rights within sector-specific legislation underscores a holistic approach to sustainability that integrates environmental conservation with socio-economic justice. This dual focus is crucial in sectors like fisheries, where the sustainability of natural resources is inherently linked to the communities that depend on them. It also reinforces Bangladesh's commitment to international standards and conventions on labor rights, aligning sectoral policies with global best practices.

3. The Labor Act of Bangladesh, 2006:

Currently, the primary legal framework for labor law in Bangladesh is the Bangladesh Labour Act, which was enacted in 2006. Subsequently, the Bangladesh Labour Rules were introduced in 2015 to complement and provide further details for the implementation of the Act.

The 2006 Labour Act of Bangladesh defines a worker or "labour" as anyone, including trainees and probationers, employed directly or indirectly via a contractor for various jobs—whether skilled, unskilled, physical, technical, for business development, or clerical work—in any industry, excluding those primarily in managerial, administrative, or supervisory roles. This Act enshrines fundamental worker rights, such as payment of wages, regulated working hours and entitlement to leave, aligning with international labor standards that advocate for humane working conditions and essential freedoms for workers. Specifically, the Act restricts the workday to a maximum of 8 hours, with any work beyond this considered overtime, requiring appropriate

¹⁴ Article 19 of the Bangladesh Constitution

¹⁵ Ibid, Article 20

¹⁶ Ibid, Article 34

¹⁷ Ibid, Article 38

¹⁸ Section 2(3) of the Marine Fisheries Act, 2020

compensation. It sets forth guidelines for workday breaks, caps the weekly working hours at 48, and details provisions for overtime. Moreover, the legislation ensures workers receive a weekly holiday, along with stipulations for casual, sick, and annual leave with wages, including festival bonuses and leaves, thereby upholding the rights and welfare of workers within the nation's labor force.

A key aspect of the Bangladesh Labour Act of 2006 is its substantial focus on ensuring workers' health, safety, and welfare, imposing several responsibilities on employers to create and maintain humane working conditions. This includes requirements for maintaining cleanliness through regular cleaning schedules, ensuring proper drainage especially in wet manufacturing processes, and maintaining general upkeep. The Act stresses the importance of adequate ventilation and temperature control to offer comfort and prevent health hazards to workers. Additionally, the Act outlines the necessity for effective waste disposal systems, access to clean drinking water, and sanitary facilities for all workers.

Moreover, the Act enshrines workers' rights to comprehensive welfare facilities aimed at enhancing their well-being and job satisfaction. This includes mandates for accessible first aid boxes and sick rooms equipped with dispensaries, suitable washing facilities, etc. It also requires the availability of restrooms or shelters with proper lighting and ventilation where workers can eat, ensuring a supportive and healthy work environment.

This Act contains provisions for the protection of workers' rights, including the prohibition of forced labor under section 374 of the Bangladesh Penal Code.

Additionally, it has provisions for the establishment of a Labour Court to deal with violations of the law, thus offering a legal recourse for workers subjected to exploitative labor practices. By setting these standards, the Bangladesh Labor Act of 2006 plays a central role in the legal framework aimed at safeguarding workers from exploitation and ensuring fair labor practices in various industries, including the seafood sector.

4. The National Child Labor Elimination Policy, 2010: Aims to eliminate child labor in Bangladesh, which can be a component of exploitative labor practices in industries, including seafood.
5. The Overseas Employment and Migrants Act, 2013: This provides protection for migrant workers, which can include those working in the seafood processing and export industry.
6. Counter Trafficking in Persons Act of 2012^{**}: It specifically targets the issue of human trafficking, which encompasses forced labor within the seafood industry and other sectors.

D. Challenges in enforcing laws and regulations in Bangladesh's fisheries sector

Enforcing laws and regulations in Bangladesh's fisheries sector faces several significant challenges. These challenges stem from a combination of socio-economic, institutional, and environmental factors, which collectively hinder effective management and sustainability efforts in the fisheries sector. Below are some of the key challenges, along with citations from relevant literature and reports:

1. Lack of Adequate Resources and Infrastructure: The fisheries department and other relevant enforcement agencies often suffer from a lack of adequate resources, including funding, personnel, and technological support, necessary for effective monitoring, control, and surveillance of fisheries activities.¹⁹
2. Insufficient Legal Frameworks and Inconsistent Enforcement^{**}: While Bangladesh has numerous laws and regulations intended to manage fisheries and protect marine resources, the enforcement of these laws is limited.²⁰ The legal frameworks often contain loopholes, and there is a lack of coordination among various government agencies responsible for enforcement.
3. Corruption and Lack of Transparency: Corruption within the fisheries sector and related regulatory bodies can undermine efforts to enforce laws and regulations. This includes bribery, favoritism, and illegal issuance of fishing licenses, which contribute to overfishing and resource depletion (Transparency International Bangladesh, 2014).
4. Community Engagement and Awareness: There is often a lack of community engagement and awareness regarding fisheries regulations and the importance of sustainable practices. Many fishermen are unaware of the regulations or the reasons behind them, leading to non-compliance (FAO, 2018).
5. Impact of Climate Change and Natural Disasters: Bangladesh's fisheries sector is highly vulnerable to the impacts of climate change and natural disasters, such as cyclones and flooding. These environmental challenges can exacerbate the difficulties of enforcing fisheries regulations, especially in remote and vulnerable areas (World Bank, 2019).²¹
6. Socio-economic Pressures: The dependency of a large portion of the population on fisheries for their livelihoods creates socio-economic pressures that complicate enforcement efforts. Measures that restrict fishing activities can face resistance from local communities dependent on fishing for their daily sustenance and income.

These challenges highlight the need for a multifaceted approach that includes strengthening legal and regulatory frameworks, enhancing monitoring and enforcement capabilities, promoting community participation and awareness, addressing corruption, and considering socio-economic factors in policy development.

¹⁹ Popi, Jenifar Nesa,

²⁰ Shamsuzzaman, M. M., Islam, M. M., Begum, A., Schneider, P., & Mozumder, M. M. H. (2022). Assessing fisheries policies of Bangladesh: Need for consistency or transformation? *Water*, 14(21), 3414. doi:10.3390/w14213414

²¹ World Bank, 2019. "South Asia's Hotspots: The Impact of Temperature and Precipitation Changes on Living Standards." World Bank Group: Washington, DC

III. Methodology

This study adopted a mixed-methods approach to examine the prevalence and dynamics of seafood slavery within the fisheries sector of Bangladesh. The aim was to uncover the complexities of labor exploitation and provide recommendations for improving working conditions and regulatory enforcement.

The research design incorporated both qualitative and quantitative elements, enabling a comprehensive examination of labor practices within the fisheries sector. This approach allowed for an in-depth exploration of personal experiences and systemic issues, contributing to a nuanced understanding of the factors leading to seafood slavery.

Data were collected through a combination of focus group discussions and semi-structured interviews. Specifically, ten focus groups with fishermen and twenty interviews with boat owners were conducted. These methods ensured the inclusion of diverse viewpoints, capturing the experiences of those directly engaged in fishing activities as well as the perspectives of vessel owners. Moreover, insights from two representatives of the Department of Fisheries were sought to provide a regulatory and policy context. Although these representatives did not directly participate in the focus groups or interviews, their expertise significantly informed the study's understanding of the sector's regulatory frameworks and enforcement mechanisms.

Participants for both the focus group discussions and interviews were selected through purposive sampling. This technique targeted individuals with direct experience or expert knowledge of labor practices within the fisheries sector, aiming to gather in-depth insights into the phenomenon of interest.

The study undertook thematic analysis of the qualitative data collected from focus group discussions and interviews. Additionally, descriptive analysis of any quantitative data obtained was conducted. This combined analytical approach facilitated the identification of prevalent patterns, trends, and themes related to experiences of exploitation, perceptions of labor rights, and the challenges encountered within the fisheries sector.

Ethical considerations, such as informed consent and confidentiality, were strictly adhered to, following ethical guidelines for research involving human subjects. The findings of this study provided valuable insights into the realities of seafood slavery in Bangladesh's fisheries sector, aiming to inform policy development and practices that mitigate labor exploitation and promote the advancement of workers' rights in the industry.

IV. Findings and discussion

A. Overview of the artisanal fisheries sector in Bangladesh

In Bangladesh, the artisanal fisheries sector stands as a cornerstone of the national economy, cultural heritage, and food security, with its vast network of rivers, estuaries, coastal areas, and the expansive Sundarbans mangrove forest supporting a rich biodiversity and providing livelihoods for millions. This sector, characterized by its small-scale, traditional fishing practices, is not only crucial for the sustenance of the local population—given fish's role as a primary protein source—but also faces pressing challenges such as overfishing, habitat degradation, and, notably, the dark shadow of labor exploitation known as seafood slavery. The latter raises significant ethical, social, and economic concerns, as it involves the use of forced labor, child labor, and other forms of worker exploitation under conditions that strip individuals of their dignity and rights.

Addressing these challenges requires a comprehensive understanding of the key stakeholders involved in the sector. Central to the artisanal fisheries are the fishermen and fisherwomen, who, with their traditional knowledge and practices, bear the brunt of exploitation risks. Boat owners and operators, who control the means of production and labor conditions, play a pivotal role in either perpetuating or mitigating these risks. Local communities, deeply intertwined with the fisheries for their cultural and economic sustenance, have a vested interest in sustainable and ethical fishing practices. Government and regulatory bodies are tasked with overseeing the sector, enforcing labor laws, and ensuring the protection of workers' rights, although their efforts are often hampered by resource limitations and enforcement challenges.

Non-Governmental Organizations (NGOs) and advocacy groups are instrumental in bringing attention to issues of labor exploitation, advocating for fishers' rights, and supporting victims. Their efforts are complemented by international bodies and trade partners, who, through the establishment of certification standards and trade policies, exert pressure on the sector to adhere to ethical practices. Additionally, consumers, both locally and globally, wield significant influence through their demand for ethically sourced seafood, encouraging market shifts towards more responsible fishing practices.

The interplay among these stakeholders is complex, with each group holding varying degrees of power and influence over the sector's dynamics. Effective interventions to combat seafood slavery and promote sustainability in Bangladesh's artisanal fisheries sector must therefore be multifaceted, involving coordinated efforts across all levels of involvement. Strategies must include strengthening legal frameworks and their enforcement, enhancing community awareness and empowerment, improving working conditions, and fostering international cooperation to ensure ethical practices throughout the supply chain. By addressing the root causes of exploitation and promoting sustainable, ethical fishing practices, it is possible to safeguard the livelihoods of those who depend on the artisanal fisheries sector, while also ensuring the long-term health and productivity of Bangladesh's vital aquatic ecosystems. Such efforts are crucial for achieving a balance between economic development and social justice, ensuring that the artisanal fisheries sector can continue to serve as a source of livelihood, nutrition, and cultural identity for future generations in Bangladesh.

B. Factors contributing to seafood slavery

Following factors are contributing to seafood slavery, they are:

1. Structural inequalities:

Structural factors such as unequal power dynamics and marginalization of vulnerable groups contribute to seafood slavery within the fisheries sector. Participants identified systemic inequalities that perpetuate exploitation, including limited access to legal protections, social services, and alternative livelihood opportunities.

2. Economic pressures and vulnerabilities:

Economic pressures, including poverty, unemployment, and lack of alternative livelihood options, trap fishermen in exploitative labor arrangements. Participants emphasized the role of economic vulnerabilities in perpetuating cycles of debt bondage and coercion, highlighting the need for comprehensive interventions to address underlying socio-economic drivers of seafood slavery.

3. Lack of enforcement of labor regulations:

Weak enforcement mechanisms and regulatory failures enable seafood slavery to persist within the fisheries sector. Participants cited challenges in implementing and enforcing labor regulations, including corruption, inadequate resources, and limited access to justice for marginalized workers. The absence of effective enforcement mechanisms undermines efforts to protect fishermen's rights and address labor rights violations.

C. Case Studies

1. On April 7, 2023, authorities discovered the bodies of 10 individuals, including a 17-year-old boy, on a trawler near Cox's Bazar. The victims were found with their hands and legs tied, suggesting potential foul play. Decomposition hindered immediate identification, exacerbating the mystery surrounding their deaths. Speculation arose among locals, hinting at a possible dispute between fishermen, raising concerns about exploitation or coercion within the fishing industry. Some individuals had left home prior to the incident, purportedly for fishing trips, raising suspicion about their involvement. The bodies, believed to be of Bangladeshi citizens, were sent for autopsy to determine the motive behind the murders.

2. On October 29, 2023, Rubel Sardar, a 25-year-old fisherman, was shot dead in Padma Char, Munshiganj. The incident occurred during an attempted robbery of hilsa fish, orchestrated by a man named Riyad and his accomplices. Local fishermen resisted the robbery, leading to a confrontation resulting in Rubel's fatal shooting. The incident underscores the prevalence of violence and exploitation within the fisheries sector, where disputes over resources escalate into deadly conflicts. The involvement of armed individuals in robbing fish from local fishermen highlights the exploitation and lack of respect for labor rights within the industry. Rubel's tragic death exemplifies the risks faced by fishermen defending their livelihoods against external threats, exposing them to violence and harm. The incident underscores the urgent need for comprehensive measures to address exploitation and promote the rights and safety of workers in the fishing industry.

The critical analysis of the presented cases involves examining various factors to reach the conclusion that seafood slavery exists within the fisheries sector of Bangladesh:

Pattern of Exploitation: Both cases depict a pattern of exploitation and abuse within the fisheries industry. In Case 1, the discovery of bodies with signs of restraint suggests potential coercion or forced labor. Additionally, the victims' intentions to embark on fishing trips, coupled with their subsequent deaths, raise suspicions of deceptive recruitment tactics and exploitation. In Case 2, the involvement of armed individuals in robbing fish from local fishermen and the fatal shooting of Rubel Sardar exemplify the risks faced by workers defending their livelihoods against external threats.

Structural Inequalities: The incidents highlight underlying structural inequalities within the fisheries sector, including economic disparities and power imbalances between boat owners and fishermen. In both cases, fishermen are depicted as vulnerable to exploitation due to economic pressures, lack of resources, and limited access to legal protections. The involvement of armed perpetrators in Case 2 underscores the unequal distribution of power and resources within the industry, exacerbating the vulnerability of fishermen to exploitation and abuse.

Violations of Labor Rights: The cases reveal violations of labor rights and inadequate enforcement mechanisms within the fisheries sector. The lack of specific provisions for wages, working hours, and occupational safety in the responses of boat owners in Case 1 indicates a disregard for labor regulations and standards. Similarly, the use of violence and coercion to rob fish from local fishermen in Case 2 highlights the absence of legal protections and accountability mechanisms to safeguard workers' rights.

Impact on Communities: The incidents have broader implications for fishing communities and social cohesion. The prevalence of exploitation and violence within the industry undermines trust and solidarity among fishermen, leading to tensions and conflicts within communities. Moreover, the perpetuation of seafood slavery perpetuates cycles of poverty and marginalization, further entrenching structural inequalities and social injustices within affected communities.

In conclusion, the critical analysis of the presented cases reveals compelling evidence of seafood slavery within the fisheries sector of Bangladesh. The patterns of exploitation, structural inequalities, violations of labor rights, and adverse impacts on communities underscore the urgent need for comprehensive measures to combat seafood slavery, strengthen regulatory frameworks, and promote the rights and well-being of workers in the fishing industry.

The discovery of bodies on a trawler near the coast suggests a lack of effective monitoring and regulation of fishing vessels. This incident indicates that fishing vessels may operate without adequate oversight, allowing criminal activities to occur unnoticed. Also, the presence of a 17-year-old boy among the victims raises concerns about the involvement of underage individuals in fishing activities. The exploitation of adolescent labor violates labor laws and exposes young individuals to dangerous and exploitative working conditions. Moreover, the victims were found with their hands and legs tied,

indicating the absence of safety measures and protections for workers on fishing vessels. This highlights the vulnerability of fishermen to violence and abuse, underscoring the need for improved safety regulations and enforcement.

V. Evaluation of the effectiveness of Legal Frameworks and current enforcement mechanisms

Labor exploitation in the fisheries sector, often referred to as seafood slavery, is a pressing issue globally, including in regions like Bangladesh. This section presents the results of focus group discussions conducted with 100 fishermen in Bangladesh to analyze and understand the prevalence and manifestations of labor exploitation in the sector.

1. Participant Characteristics

The participants in the focus group discussions were predominantly fishermen involved in artisanal fishing activities. A concerning observation emerged regarding the involvement of approximately 20% adolescents in fishing boats. According to the Labor Act of 2006, adolescents can work under certain conditions, including not hampering their education and not working during school hours. However, as fishing trips typically last 5-10 days, adolescents are unable to attend school, potentially violating their right to education and raising questions about compliance with labor laws.

2. Experiences of Exploitation and Unfair Treatment

While discussing experiences of exploitation or unfair treatment, 2% of participants reported directly experiencing or witnessing such incidents. This seemingly low percentage might not fully capture the extent of exploitation in the sector due to underreporting or normalization of such practices among fishermen.

3. Challenges Faced in the Work

A unanimous concern expressed by all participants was the significant challenges they face in their work, including low income and occasional idleness due to seasonal variations in fishing activities. This precarious economic situation can create conditions conducive to exploitation, as fishermen may feel compelled to accept unfair treatment to secure their livelihoods.

4. Debt Bondage and Coercive Labor Arrangements

The findings reveal that a staggering 98% of participants reported taking money advances, which can result in debt bondage and coercive labor arrangements. The reliance on advance payments indicates a lack of financial stability among fishermen and raises questions about the fairness of lending practices within the sector.

5. Perceptions of Existing Labor Regulations and Enforcement Mechanisms

Participants expressed dissatisfaction with the effectiveness of existing labor regulations and enforcement mechanisms in protecting their rights as fishers. They highlighted a lack of training on labor rights from the government, suggesting gaps in knowledge and awareness among fishermen regarding their entitlements and protections under the law.

6. Safety Measures and Occupational Health Standards

Concerns about safety measures and occupational health standards were raised, with participants noting the absence of essential safety equipment such as floating jackets, first aid boxes, and radios in deep-sea fishing operations. The inadequate provision of safety equipment increases the risk of accidents and injuries among fishermen, further exacerbating their vulnerability to exploitation.

7. Challenges for Artisanal Fishermen Due to Industrial Trawling

Industrial trawlers operating in shallow waters with bottom trawling techniques pose significant challenges to artisanal fishermen, whose livelihoods depend heavily on these fishing grounds. The efficiency of bottom trawling for catching large volumes of fish comes at a high cost, not just environmentally, but also to the small-scale fishing communities. As these trawlers deplete fish stocks and disrupt the seabed, artisanal fishermen are compelled to venture further into the sea to find adequate catches, resulting in longer, more arduous, and potentially more dangerous trips.

8. Influence of Social Networks and Community Relationships

The influence of social networks and community relationships emerged as a factor shaping fishermen's experiences and opportunities within the sector. Disparities in accessing government subsidies during the ban period were observed, with only 40% of participants reporting receipt of subsidies, indicating potential inequities in the distribution of social welfare benefits.

9. Desired Improvements in the Fisheries Sector

Participants articulated several recommendations for improving the rights and well-being of fishermen in the sector, including the determination of minimum wages, universal distribution of subsidies during the ban period, and enhanced monitoring to prevent robbery, industrial trawler's fishing beyond 40m depth, and harmful fishing practices. These recommendations underscore the need for comprehensive reforms to address systemic issues of exploitation and vulnerability in the fisheries sector.

VI. Recommendations for legal reforms and enhancements

To address the critical issue of seafood slavery and enhance the overall sustainability and fairness of Bangladesh's artisanal fisheries sector, a comprehensive set of recommendations is proposed. These recommendations not only aim to combat exploitative practices but also to improve the regulatory, economic, and social environment of the fisheries sector:

1. Amend the Fisheries Act: Specific legal amendments are necessary to address the nuances of forced labor, debt bondage, child labor, and trafficking within the fisheries sector. These should establish clear legal definitions, obligations, and penalties to deter exploitation.
2. Increase Manpower for the Department of Fisheries: To effectively monitor and enforce regulations, there should be a significant increase in the manpower and resources allocated to the Department of Fisheries. Enhanced capacity will enable more comprehensive inspections, better compliance with existing laws, and a more responsive approach to violations.
3. Demarcation of Fishing Areas: Strict enforcement of laws to demarcate separate fishing areas for industrial trawlers and artisanal boats is crucial. This measure will prevent overfishing, reduce conflicts between different fishing methods, and protect the livelihoods of artisanal fishers from being overshadowed by industrial operations.
4. Equal and Sufficient Distribution of Subsidy: During Ban Periods: Ensure fair and adequate distribution of subsidies and financial support to artisanal fishers during fishing ban periods. This will mitigate the economic impact on these communities, reducing their vulnerability to exploitative labor practices.
5. Strengthen Enforcement and Regulatory Capacity: The regulatory bodies and law enforcement agencies require bolstering through improved training, adequate funding, and the adoption of advanced monitoring technologies. Community-based monitoring should be encouraged to leverage local insights and participation in safeguarding against exploitation.
6. Implement Due Diligence Processes: Businesses in the fisheries sector must be mandated to conduct thorough due diligence to ensure their supply chains are free from exploitative practices. Regular audits and transparent reporting should be part of accountability measures for non-compliance.
7. Protect and Support Victims: Establish comprehensive support mechanisms for victims of seafood slavery, including legal aid, healthcare, education, and alternative livelihood programs. These measures are vital for victims' recovery, empowerment, and reintegration into society.
8. Promote Awareness and Education: National campaigns to raise awareness about seafood slavery and the importance of ethical labor practices are essential. Such initiatives should target all stakeholders, including workers, employers, and consumers, to foster a culture of fairness and respect for labor rights.
9. Invest in Alternative Livelihoods: Supporting the development of alternative livelihoods for fishing communities can reduce dependence on exploitative practices. This could involve training, financial support for small enterprises, and infrastructure improvements to diversify income sources.
10. Legal Protection for Whistleblowers: Legislation to protect those who report labor exploitation or fisheries law violations is necessary to ensure they can come forward without fear of retaliation.
11. Heighten Health and Safety Standards: Enforce stricter workplace health, safety, and sanitation protocols, including mandatory risk assessments and regular monitoring of conditions.
12. Enhance Welfare Facilities: Mandate improved workplace welfare amenities to better uphold the overall well-being of workers.
13. Facilitate Worker Participation: Amend labor laws to promote greater involvement of workers in workplace decision-making, facilitating the establishment of worker councils and supporting collective bargaining efforts.

Furthermore, recognizing the unique challenges confronted by fishers, including their distinctive work environment and vulnerabilities, the fisheries act must address these specific concerns. This entails integrating targeted safety protocols, health standards, and rights protections tailored to the nuances of fishing work. By embedding these tailored provisions within the Fisheries Act, Bangladesh can ensure that fishers receive the specialized attention and protection they necessitate, thereby augmenting the overall efficacy of labor laws in safeguarding the rights and welfare of all workers.

By taking these steps, Bangladesh can significantly advance the protection of labor rights within its artisanal fisheries sector, moving towards a more sustainable, equitable, and humane industry. This effort will require the dedication and collaboration of multiple stakeholders, including the government, the private sector, civil society, and the international community, to ensure the effective implementation of these recommendations and the eradication of seafood slavery.

VII. Conclusion

In the rich maritime landscape of Bangladesh, the artisanal fisheries sector emerges as a crucial component of the economy and a bearer of cultural significance, employing over 17 million people and contributing significantly to the nation's fish production. However, beneath the surface of these vital contributions lies a darker narrative: the prevalence of seafood slavery, marked by exploitative labor practices that threaten the dignity and rights of

countless workers. This study has delved into the depths of these issues, uncovering the socio-economic, environmental, and governance challenges that facilitate such exploitation.

Incorporating the findings from our survey, this paper illuminates the grim reality of seafood slavery within Bangladesh's artisanal fisheries sector, evidenced by practices such as human trafficking, debt bondage as a form of forced labor, and child labor. These findings not only highlight the urgent need for comprehensive legal reforms but also call for a critical reevaluation of current enforcement mechanisms to protect those vulnerable to exploitation.

To address these issues, a legal solution is proposed: the enactment of specific amendments to the Fisheries Act to incorporate provisions that directly address the nuances of seafood slavery. This includes the establishment of clear definitions and legal parameters around forced labor, debt bondage, child labor, and trafficking within the fisheries sector. Furthermore, it is imperative to strengthen the enforcement of these provisions by enhancing the capacity and resources of regulatory bodies tasked with monitoring fisheries activities. This can be achieved through increased funding, the deployment of specialized training for law enforcement and regulatory personnel, and the integration of community-based monitoring initiatives.

Moreover, the legal framework should mandate the implementation of robust due diligence processes for businesses operating within the fisheries sector, requiring them to verify their supply chains are free from exploitative practices. This approach not only places a legal obligation on companies but also encourages a culture of accountability and transparency within the industry.

Additionally, to provide a safety net for victims of seafood slavery, the law should establish mechanisms for their protection, rehabilitation, and integration, including access to legal recourse, healthcare, education, and alternative livelihood opportunities. Such measures would not only aid in the recovery and empowerment of victims but also contribute to the dismantling of the socio-economic structures that perpetuate exploitation.

In conclusion, while the path to eradicating labor exploitation in Bangladesh's artisanal fisheries is complex, the integration of specific legal solutions into the Fisheries Act, coupled with a concerted effort from all stakeholders, can pave the way towards a more sustainable, just, and humane sector. By documenting the realities of seafood slavery and proposing targeted legal strategies, this research aims to catalyze meaningful change, ensuring that the artisanal fisheries sector of Bangladesh can thrive without compromising the rights and dignity of its workers.

However, the journey towards eradicating labor exploitation in Bangladesh's artisanal fisheries is fraught with complexities. The informal nature of this sector, coupled with socio-economic constraints, poses significant challenges to monitoring and regulation. Therefore, a multi-faceted approach is required—one that not only strengthens legal frameworks but also fosters community empowerment and promotes awareness to dismantle the structures enabling such abuses.

The analysis of labor rights and conditions in Bangladesh, particularly within the fisheries sector, has revealed critical gaps in legal protections and workplace standards. Key findings indicate a lack of specific provisions for fishers' safety, inadequate enforcement of existing labor laws, and a general shortfall in workplace welfare facilities. Additionally, the disparity between the comprehensive scope of the Labour Act and the specialized needs of fishery workers highlights the necessity for sector-specific adjustments.

These findings underscore the urgent need for policy reforms and enhanced practices that prioritize workers' rights and safety, especially in the fisheries sector. The implications for policy and practice are clear: there is a pressing requirement for the integration of targeted safety measures and legal protections for fishers, improved enforcement of labor laws, and the institution of comprehensive welfare facilities across all sectors.

In conclusion, this paper calls for a concerted effort to bridge the gaps in current legal protections and to foster a fisheries sector that respects the rights and dignities of all workers. By documenting the realities of seafood slavery and proposing targeted solutions, this research aims to catalyze meaningful change, urging stakeholders at all levels to engage in creating a sustainable, just, and humane fisheries industry in Bangladesh. The path forward is challenging, yet essential, for the well-being of the artisanal fishing communities and the long-term sustainability of the fisheries sector.

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