

# ATUNSA

## Code of Conduct



# ATUNSA CODE OF CONDUCT

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# PREAMBLE

This Code of Conduct forms the basis for the operating expectations of all vessels of Atuneros Congeladores y Transportes Frigoríficos, S.A. (ATUNSA). The principles set forth in this document provide clear guidance on conduct expected of each vessel of the company.

The management on ATUNSA and its employees<sup>1</sup> are fully committed to adopt practices of conduct that ensure that the activities of the members are conducted with the utmost integrity, both onshore and offshore, at all the operational sites. This is the minimum prerequisites for a virtuous, beneficial, and mutually respectful dynamic.

To help each employee performs his or her work with the required level of integrity, ATUNSA promotes this Code of Conduct for application at every company level. All the means (conditions, procedures, and standards) displayed here constitute the Code of Conduct and helps everyone understand what serves as minimum requirements for ATUNSA in the relevant areas.

**ATUNSA**  
**January 2023**

<sup>1</sup> Employees refers to all company employees and all outside or temporary employees.

# COMMITMENTS

## REFUSING AND COMBATING CORRUPTION

Through this Code of Conduct, ATUNSA reaffirms its commitment to conduct its operations with the utmost integrity, based on two fundamental commitments:

- ATUNSA prohibit corruption, bribery, and related illicit practices in any form.
- ATUNSA condemn all corrupt practice<sup>2</sup> and are committed to combatting all forms of corruption, whether active (on the part of the person offering) or passive (by the person requesting or accepting).

## RESPECT AND PROMOTING HUMAN RIGHTS

For ATUNSA, the respect of human rights is “a global standard of expected conduct [which] exists independently of States’ abilities and/or willingness to fulfil their own human rights obligations. And it exists over and above compliance with national laws and regulations protecting human rights”<sup>3</sup>.

ATUNSA expect their employees to pay particular attention to respect for human rights as set out in the Universal Declaration of Human Rights and in the conventions of the International Labour Organization (ILO). ATUNSA commit itself to progressively implement the measures prescribed by the Work in Fishing Convention on all vessels, irrespective of their flag.

<sup>2</sup> Corruption is requesting, offering, giving or accepting, directly or indirectly, a bribe or any other undue advantage or prospect thereof, which distorts the proper performance of any duty or behaviour required of the recipient of the bribe, the undue advantage or the prospect thereof.

<sup>3</sup> Guiding Principles on Business and Human Rights, Office of the UN High Commissioner for Human Rights, 2011.

# CONDUCT TO ADOPT

## FIGHTING CORRUPTION AND INFLUENCE PEDDLING

### *Facilitation payments*

Facilitation payments are intended to persuade public officials to undertake an action or provide a service that normally falls within the scope of their official responsibilities. They take the form of payments, often of modest amounts, made directly or indirectly to a public official to carry out or expedite regular administrative operations.

Rules of conduct:

- ATUNSA prohibit such payments, even if local laws permit them.
- Where an employee is confronted with a public official requesting a facilitation payment, he or she must refuse it. If the official concerned refuses or slows down the operation in question, the employee must inform his or her line manager.

### *Conflict of interest*

A conflict of interest exists where a person or organization for which they work, whether a government, company, or civil society organization, is in a situation where they have to choose between the duties of their position and their own personal interests. Personal interest means interests that may, or may appear to, affect the way in which the employee carries out the duties entrusted to him or her by ATUNSA.

Rule of conduct:

- Any employee who has an actual or potential conflict of interest must inform his or her line manager and see with him or her what action to take. The Compliance Manager can be consulted to assist in analysing the situation.

### *Gifts and business invitations*

Gifts are benefits of all kinds, given by someone as a sign of gratitude or friendship, without expecting anything in return.

Offering or being offered meals, accommodation, or entertainment (shows, concerts, sporting events, etc.) is considered an invitation.

As a matter of principle, ATUNSA does not prohibit the offering or receipt of gifts or business invitations. However, depending on the amount and/or frequency, gifts can alter business

relationships by creating a kind of obligation to the offeror. ATUNSA therefore wish to limit as much as possible the number and value of gifts and invitations, whether offered or received by their employees.

Rules of conduct:

- Gifts and invitations are not prohibited by applicable law.
- Gifts and invitations offered by employees must not have the purpose of obtaining an undue advantage or influencing official action.
- Employees must decline any offer of gift or invitation when the circumstances, frequency or manifest value are such as to rise doubts on the disinterested nature of the offer. The solicited employee must notify his or her line manager.
- Their value is reasonable and appropriate to the recipient's situation, and to the circumstances or occasion. The Manager may be consulted to assist in assessing the reasonableness and appropriateness of gifts and invitations.

### *Donations, patronage and sponsorship*

Donations and contributions to charitable organizations consist of donating funds or objects of a certain value to a public or private organization, for charitable purposes and /or to contribute to a cause, without expecting or asking for anything in return.

Patronage or sponsorship consists of financial or material support provided by a company in aid of an action, or a social, cultural or sporting initiative in order to communicate and promote the company's values.

As part of our social responsibility, ATUNSA is attentive to its social impact, including its support of associations (social, cultural, sports, charitable, etc.). However, Members must ensure that such support is not tied to any consideration other than contributing to, and supporting the development of, local communities.

Rules of conduct:

- Any donation, patronage or sponsorship must be approved by the line manager and brought to the attention of the Compliance Manager.
- Donations or charitable contributions must not be made to obtain an undue advantage or to unduly influence a decision.

# PROMOTING HUMAN RIGHTS

## *Child Labour*

In full compliance with the International Convention on the Rights of the Child, ATUNSA members consider that children must be protected against economic exploitation and not be subjected to any work that is likely to endanger their education, interrupt their schooling or harm their health or development.

Member companies do not tolerate any violation of the absolute prohibition of child labour.

Rules of conduct:

- The minimum age for employees is 18. Checks are systematically carried out before any employee joins the company.
- By way of exception, where permitted by applicable legislation, a student over 16 years of age may be authorized to receive training related to the work done on a internship contract, provided that the student does it during his/her training period and he/she receives the training voluntarily and that his/her health, safety and morality are fully guaranteed.
- As soon as an employee become aware of a Member's partner using child labour, they must immediately notify their line manager and the Compliance Officer to decide what action to take.

## *Forced Labour*

According to the International Labour Conventions, forced or compulsory labour is “any work or service extracted from any person under the threat of any penalty and for which the said person has not offered himself voluntarily”<sup>4</sup>.

ATUNSA prohibits all forms of forced labour for their employees: slavery, compulsory labour, servitude, prison labour or labour related to human trafficking. There can be no exceptions to this rule.

Rules of conduct:

- Member's employees must work freely, without constraint, with full prior knowledge of the nature, working conditions and remuneration of the work assigned.
- None of the Members impose any costs to any employee for any reason.

<sup>4</sup> UN Convention on the Rights of the Child, Article 32

- All crew members have direct access to Captain and Skipper and can fill out a formal complaint if so required. Crew members have also contact with human resources personnel of every company to report any grievance or complaint.
- At any time, in accordance with applicable national law and the conditions set forth in their contract, employees are free to terminate the signed contract with no sanction applicable to them, except for transportation and/or repatriation costs caused by the advanced cancelation of the contract. For employees on board a ship, this freedom is exercised at the next scheduled port of call, with at least 10 days 'notice. However, if the employee on board wants to leave the vessel imminently, Members shall make available all necessary means to enable the employee to comply with his/her will, without affection the normal operations of the vessel.
- Recruitment processes are made directly by Member companies, with a full contract and social security coverage as required by every nationality. Local agents facilitate the recruitment with full contracts in the employee mother tongue, where all the conditions of payment, resting time and holidays are reflected.
- Members cover the costs of repatriation to their places of origin as part of the employment contract signed by the parties.
- All employees have freedom of association and assembly. Members also collaborate with Shipowners' Associations and Trade Unions to improve workers training and safety. But when repatriation is voluntary (voluntary termination of employment on an employee's own initiative) the cost of repatriation is borne by the employee.
- Members absolutely prohibit the use of violence, reporting to the authorities or threats as a means of exerting pressure on an employee.

# IMPLEMENTATION MEASURES

To ensure the effective implementation of the commitments guiding its employees' social and sanitary conditions, maritime safety, fisheries control and good fishing practices, ATUNSA have a comprehensive system for identifying risks, providing the necessary means to manage them and establishing a culture of "zero tolerance" as regards corruption and human rights abuses.

Compliance with these principles is an essential element in our business success. All Members are audited annually and certified against several internationally recognized social standards, that may vary from time to time.

Members are committed to a code of good practices that affect the minimum age to work on board fishing vessels; medical examination prior to boarding; written employment contract; minimum wage; rest hours; duration of the contract, voyage and rest period between campaigns; endowment; illness, injury or death; repatriation; medical care; prevention of occupational hazards and social Security.