

S.2 Improving working and living conditions and upholding human rights on board fishing vessels

1. What, in brief, is the solution?

The improvement of working and living conditions on fishing vessels would represent a significant step forward in achieving equitable livelihoods for fishers in the fishing sector and upholding human rights, in building back better, sustainable and resilient fishing supply chains and in improving the image and reputation of the global fishing industry.

The first step to attain this goal is for governments to establish a national legal framework of working and living conditions of men and women working on board commercial fishing vessels, in line with ILO Work in Fishing Convention, 2007 (No. 188), which contains provisions covering all aspects of working life: fair recruitment; minimum hours of rest; written work agreements, signed by the fishing vessel owner or the representative, which are comprehensible to the fishers and set out the terms of their work, such as methods of payment and the right to repatriation; regular pay; appropriate accommodation; proper food and water; occupational safety and health; medical care ashore/at sea and social security protection.

The subsequent and indispensable step in achieving decent work in fishing is for governments, as appropriate, to put in place systems of Flag State inspection and Port State control of working and living conditions on board fishing vessels. The requirements for inspection systems are laid down in the ILO Work in Fishing Convention, 2007 (No. 188) and supplemented by sets of ILO Guidelines on flag State inspection and port State control respectively. Establishing inspection systems to ensure and enforce decent working and living conditions for fishers will also contribute to addressing other issues such as illegal, unreported and unregulated (IUU) fishing, forced labour and human trafficking, and child labour.

Furthermore, case studies have revealed that there are almost as many women as men employed in the fisheries sector but women's role in fisheries has remained buried in the data-poor sub-sectors of part-time employment and post-harvest activities. So it follows that one of the solutions needed is a greater focus on how the roles of women in fishing can be enhanced and recognized (through gender disaggregated data collection), gender equity achieved, and any bad practices eliminated. This includes a call for gender equitable small-scale fisheries with particular reference to the FAO Small Scale Fisheries Guidelines.

Fisher means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers (ILO C.188, Article 1(e)).

2. What was/were the source(s) from which this solution emerged?

The solution has emerged from international recognition of the high degree of exploitative working and living conditions on board fishing vessels, especially as fishing crews on deep-sea vessels often employ a high percentage of migrant workers. There is also growing cooperation on improving labour standards in fishing between international agencies such as the International Maritime Organization, FAO and ILO (for example, the FAO-ILO-IMO Joint Working Group on IUU Fishing and Related Matters), national

fisheries agencies, national fisheries (employers) organisations, trade unions representing fishers and regional fisheries management organizations.

3. What problem is it trying to address within food systems?

Environmentally, economically and socially sustainable fisheries are vital for global food security.

Difficult working and living conditions are common in fishing regardless of the type of commercial fishing operation. Fishing involves long working hours and strenuous activity in a marine environment where weather and sea conditions can rapidly change. Fishing is considered to be one of the four most hazardous and high-risk occupations. Fishers' fatality and injury rates are much higher than national averages for all workers in many countries. Even the voyages to reach and return from fishing grounds can be perilous. In the event of injury or illness at sea, fishers may be far from professional medical care and must rely on others on board for such care; medical evacuation services vary considerably among countries and regions. Fishing vessels engaged in long-distance fishing operations may refuel, resupply, change crew and offload catch in foreign ports or at sea using resupply vessels and fish carriers. Fishing vessels may be at sea for long periods (weeks or even months, sometimes years at a time), operating in distant fishing grounds, and in such cases the standard of the accommodation and food provided on board is particularly important. Moreover, fishers often face difficulty in taking shore leave in foreign ports and problems obtaining visas allowing them to join or leave the vessel in foreign countries. In some countries, there is a lack of clarity on terms of employment, fundamental rights are not being respected and there is a lack of a systematic approach to occupational safety and health. Lastly, many fishers are self-employed, or are considered as such due to the share system (remuneration based on a share of the value of the catch rather than a set wage), thus often falling through gaps in labour and social security laws and regulations that protect shore workers nationally.

FAO amended its global estimate of the number of fatalities fisheries in 2019 to 32 000 casualties per year. The basis for this amendment was the increase in the number of fishers worldwide from around 30 million in 2000 to 40 million in 2016. The 1999 ILO' established rate of 80 fatalities annually per 100 000 active fishers was maintained for this new estimate. It should be noted that the amended FAO global estimate is likely an underestimation. Reports from the few developed countries that collect fisheries accident data commonly show rates of more than 100 fatalities per 100 000 active fisheries. In fact, in some industrial fishing fleets, accident and fatality rates have been on the rise recently. Furthermore, there is anecdotal evidence that in developing countries with small-scale fishing fleets the fatality rates among fishers are significantly higher.

4. Why is addressing that problem important for achieving the goal of your working group?

Improving working and living conditions on board fishing vessels is a vital element in ensuring socially, economically and environmentally sustainable fisheries and resilient fish supply chains (including by helping address IUU fishing practices which often go hand in hand with labour exploitation of vulnerable fishers, forced labour and human trafficking, and child labour.)

5. How can this solution address that problem (theory of change)?

As one of the outcomes of the FSS, a major international effort to improve working and living conditions on board fishing vessels would build capacity of all stakeholders at the national level to ensure a socially, economically and environmentally sustainable fishing industry, and strengthen international cooperation.

6. Why does this solution align to the definition and criteria for a ‘game changing solution’ developed by the Summit?

The solution would have great impact potential at scale, would be easily actionable and would result in sustainable, permanent improvements in working and living conditions on board fishing vessels, and a better image and reputation for the global fishing industry.

7. Existing evidence supporting the argument that this solution will work, or at least achieve the initial outcomes

Following the rapid ratification and implementation of the ILO Maritime Labour Convention, 2006, as amended (MLC, 2006) by over 30 of the world’s major shipping countries, there have demonstrable improvements in the working and living conditions of Seafarers (any person who is employed or engaged or works in any capacity on board a ship other than a fishing vessel) and in the safety of the vessels in which they sail. A similar process for Fishers could occur if the FSS could promote renewed international efforts to ensure equitable livelihoods for fishers, including wider ratification and efficient implementation and enforcement of ILO Convention No. 188.

8. What is the current and/or likely political support for this idea?

There is growing awareness of the need for more action by governments, international agencies, the private sector, and trade unions and civil society organisations to raise living standards for fishers.

9. Are there certain contexts for which this solution is particularly well suited, or, not well-suited?

The solution can be applied to both deep sea and coastal fishing.