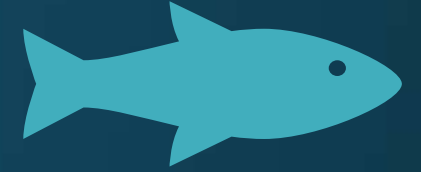




Safety and Social Aspects of Commercial Fishing:  
An Overview of Applicable International and EU Legislation  
Presentation

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# A few introductory remarks



Who is your speaker

Involvement with the topic

Purpose of the presentation

Extract from  
European Parliament  
Resolution of 16  
September 2021 on  
Fishers for the future:  
Attracting a new  
generation of  
workers to the  
fishing industry and  
generating  
employment in  
coastal communities  
(2019/2161(INI))

*"[...] Reiterates that working and living conditions on board cannot be seen separately from safety conditions; takes the view that good working and living conditions on vessels and the suitable modernisation thereof improve the safety conditions in which fishing operations are carried out, as does time to rest for fishers, with direct implications for their safety, as a large percentage of accidents and incidents on fishing vessels continue to be linked to human error, whether caused by lack of knowledge or training or by fatigue".*





Extract from  
European Parliament  
Resolution of 16  
September 2021 on  
Fishers for the future:

[...]European fleets meet among the highest standards in the world in terms of safety, working conditions, skilled jobs, the protection of the environment and biodiversity, and minimizing their environmental footprint [...].

# Fact Sheet



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55 million people worldwide reported to be working in the fisheries industry

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75000 fishing vessels (EU)

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EU: 5<sup>th</sup> producer worldwide

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In 2017 180000 people were employed in the EU fisheries

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Contribution of fisheries sector to the economy (GDP) ranging from around 0,5 -2,5 percent (7% in some countries) (FAO)

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Common Fisheries Policy (CFP) launched in 1983, 3rd reform dates to 2013

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More than 50% of needs in the EU concerning fish comes from third countries

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# Challenges Fisheries sector

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Commercial fishing constituting one of the most dangerous professions

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Min. 24000 deaths annually on commercial fishing vessels!!!

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Illegal, unreported and unregulated fishing threatens sustainability and the well-being of people

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Low levels of ratification of IMO instruments impacting on safety and well-being

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Fishers covered by fragmented regimes which do not interphase smoothly

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Working conditions need improvement

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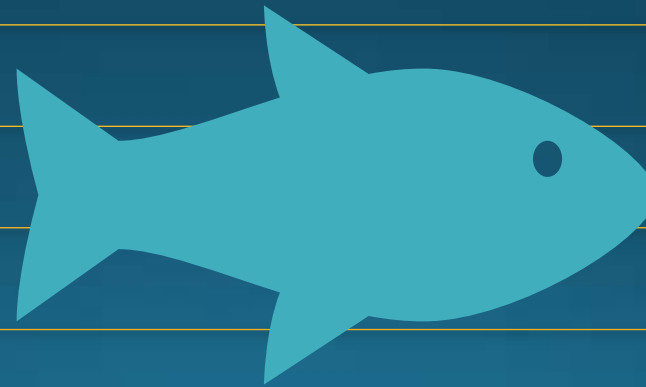
Challenges concerning generational renewal

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Gender equality

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Better training

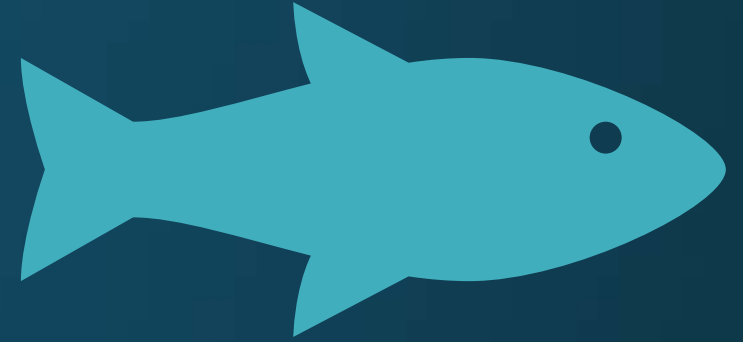


In a nutshell:

- IMO Cape Town Agreement (2012)
- IMO STCW-F (1995)
- ILO Work in Fishing Convention (2007)
- Directive (EU) 2017/159 of 19 December 2016



# Cape Town Agreement (CTA)



Adopted by the IMO in 2012

It builds on the earlier treaties (not effective)

Safety standards on fishing vessels of 24 metres in length and over (stability, seaworthiness, machinery and electrical installations, life-saving appliances, communications equipment, fire protection, construction requirements)

Entry into force requires 22 ratifications + tonnage requirements

So far, 16 States representing 5.57% have ratified

As long as CTA is not effective, there are no mandatory global safety regulations for fishing vessels



# STCW-F (Convention on standards of training, certification and watchkeeping for Fishing Vessel Personnel) (1995)



Effective since 29 Sept. 2012

Ratified by 33 States  
representing 8,64% of world  
tonnage

It sets certification and min.  
training requirements for fishing  
vessel personnel

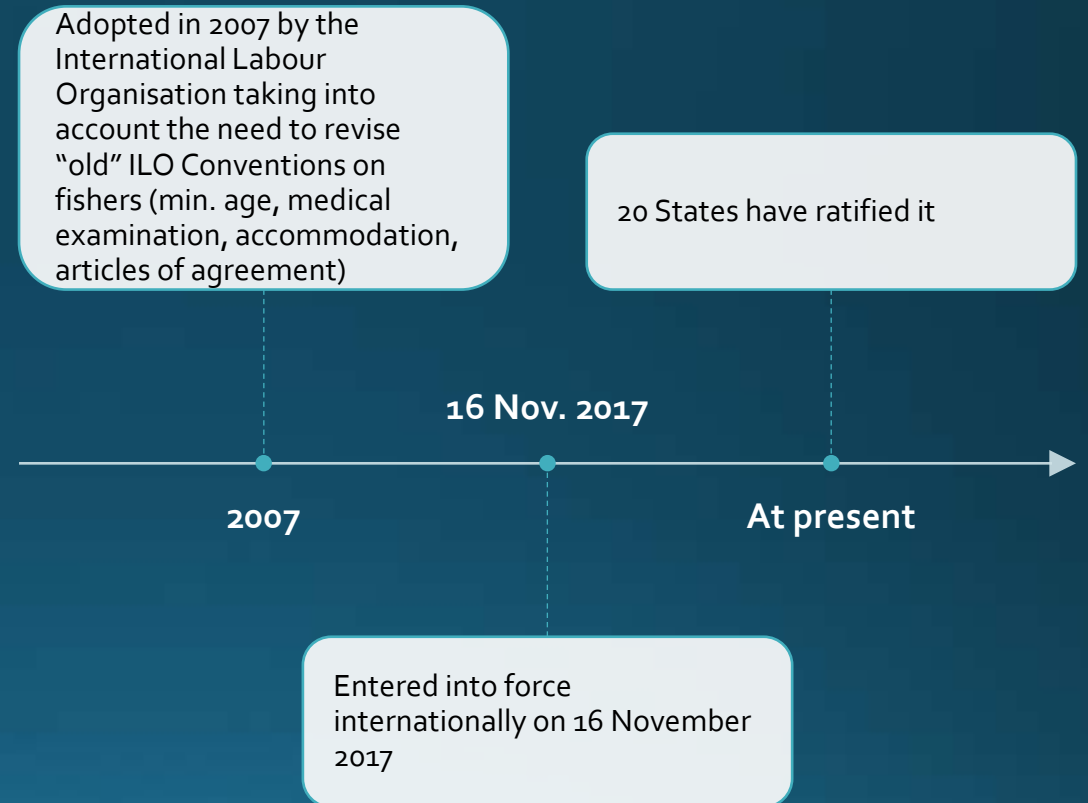
# STCW-F (Convention on standards of training, certification and watchkeeping for Fishing Vessel Personnel) (1995)



Personal scope of application:

*“It generally applies to personnel of seagoing fishing vessels and, in particular, to skippers and officers in the deck department of fishing vessels of 24 metres in length and over, and officers in the engine department of fishing vessels of powered by main propulsion machinery of 750 kW propulsion power or more” (www.imo.org)*

# ILO Work in Fishing Convention (No. 188)



# ILO Work in Fishing Convention (No. 188)

In principle, the Convention applies to all fishers and all fishing vessels engaged in commercial fishing operations



After consultation, Member States may extend in whole or in part to fishers working on smaller vessels the protection provided in the Convention for fishers working on vessels of 24 metres in length and over

# ILO Work in Fishing Convention (No. 188)

Who is a fisher?



*It 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 and other persons in the permanent service of government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers”*

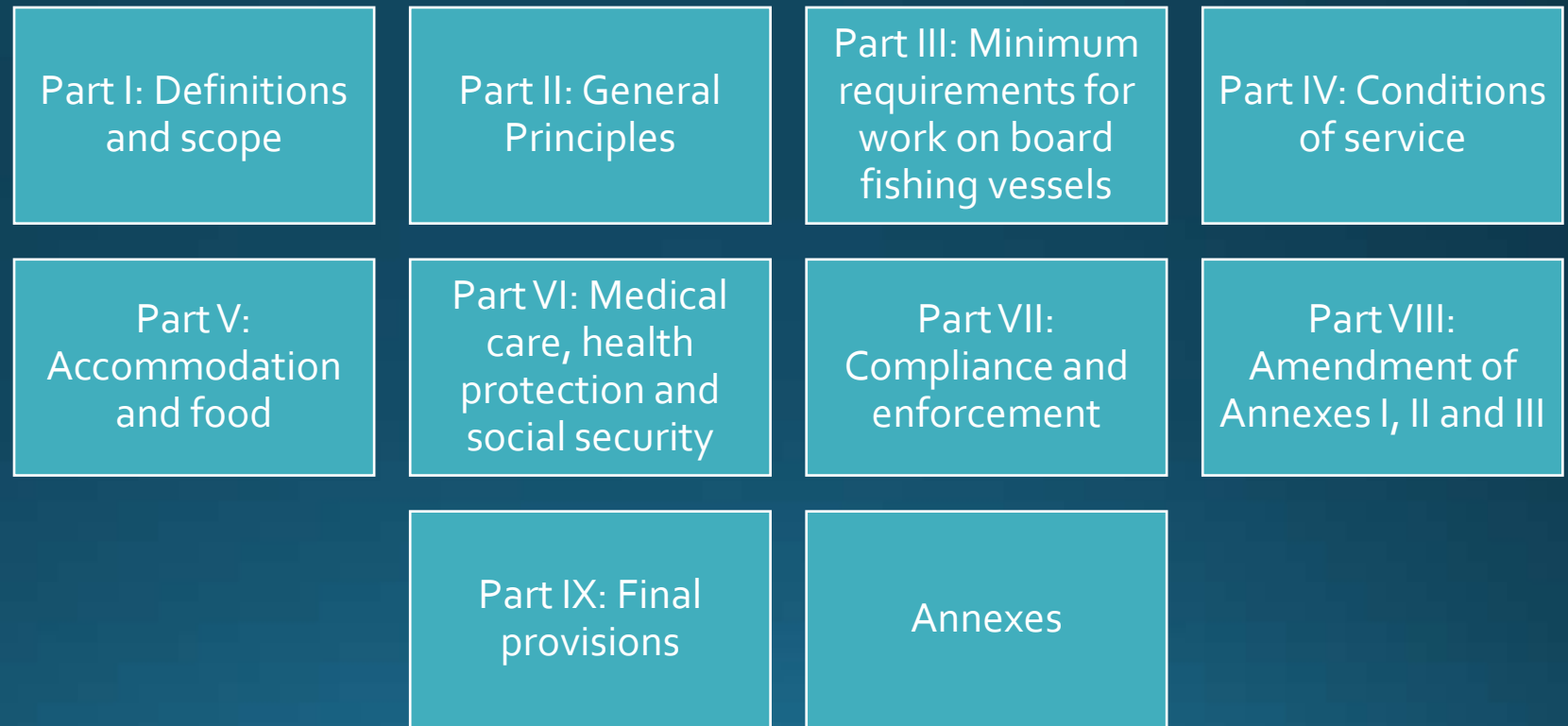
# ILO Work in Fishing Convention (No. 188)

## Definition of fishing vessel



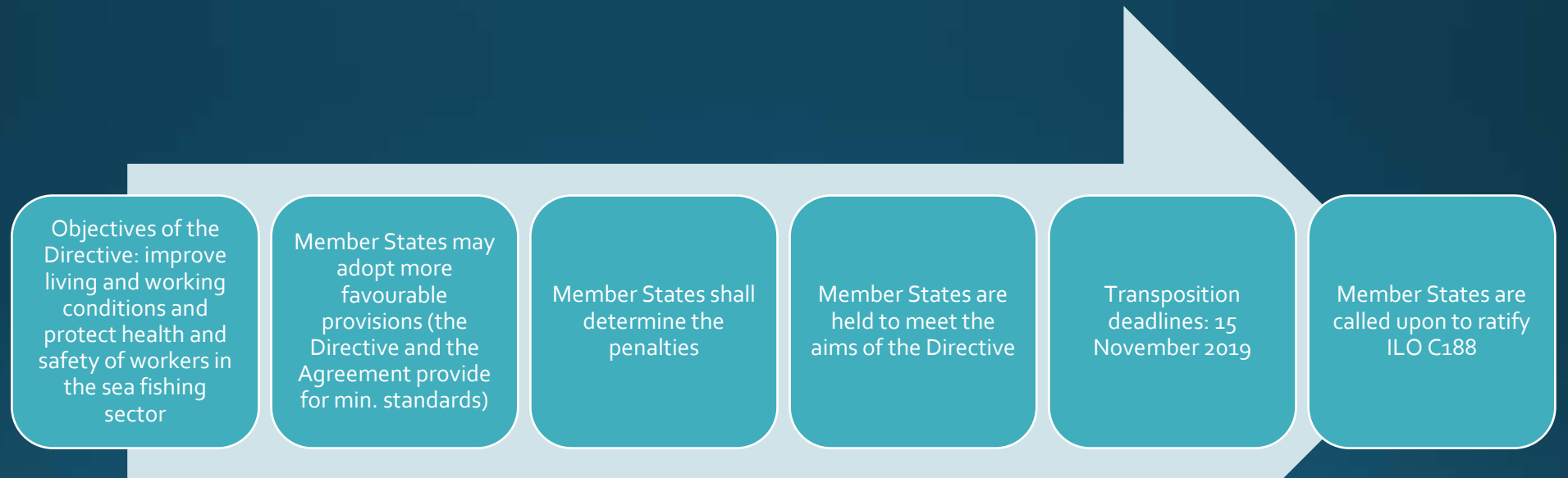
It means *“any ship or boat, of any nature whatsoever, irrespective of the form of ownership, used or intended to be used for the purpose of commercial fishing”*

# ILO Work in Fishing Convention (No. 188)



# Interphase with EU law: Council Directive (EU) 2017/159

of 19 December 2016 Implementing the Agreement concerning the implementation of the Work in Fishing Convention of the ILO, concluded on 21 May 2012 between Cogeca, ETF and Europêche





# European Parliament Resolution of 16 September 2021 on Fishers for the future: Attracting a new generation of workers in the fishing industry and generating employment in coastal communities



- ✓ Better information and profiling of the active population in the fisheries sector
- ✓ Better working and living conditions on board to improve safety
- ✓ Better training and ensuring that training is recognized at EU level
- ✓ Ensuring gender equality in access and employment in this sector
- ✓ Promoting professional fishing activity and generational renewal in the sector

# European Parliament Resolution of 16 September 2021 on Fishers for the future: Attracting a new generation of workers in the fishing industry and generating employment in coastal communities



“[The European Parliament] calls on the Commission and the MS to support efforts to promote social dialogue between the parties, concerning the following in particular:

- (a) training for young entrepreneurs in the fisheries sector;
- (b) professional updating and skills development for sustainable fisheries;
- (c) raising awareness of good fishing practices;
- (d) safety and protection of human life at sea;
- (e) on-board health and safety of workers”.

# EEESC Opinion 25 September 2019 on the Social dimension of fisheries

## Key points:

The European Economic and Social Committee recommends, amongst others, the integration of IMO STCW-F within EU law via a Directive; calls on Member States to ratify ILO C188; reminds of Member States of the importance of transposition of Directive 2017/159; suggests adopting a Directive on control and enforcement



***What should  
be prioritised?***

***Thank you for your  
kind attention!  
Time for discussion  
and questions...***

