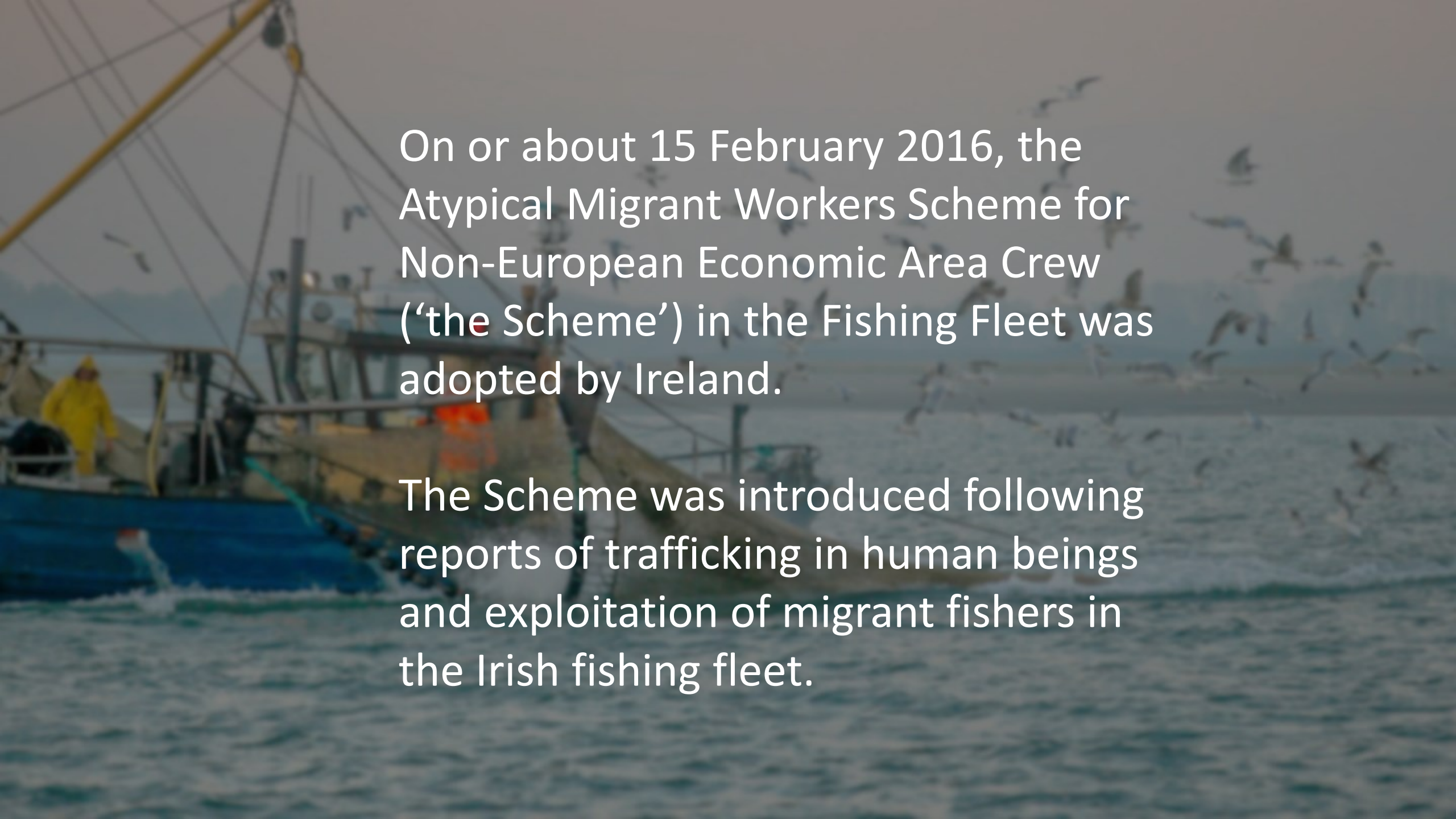


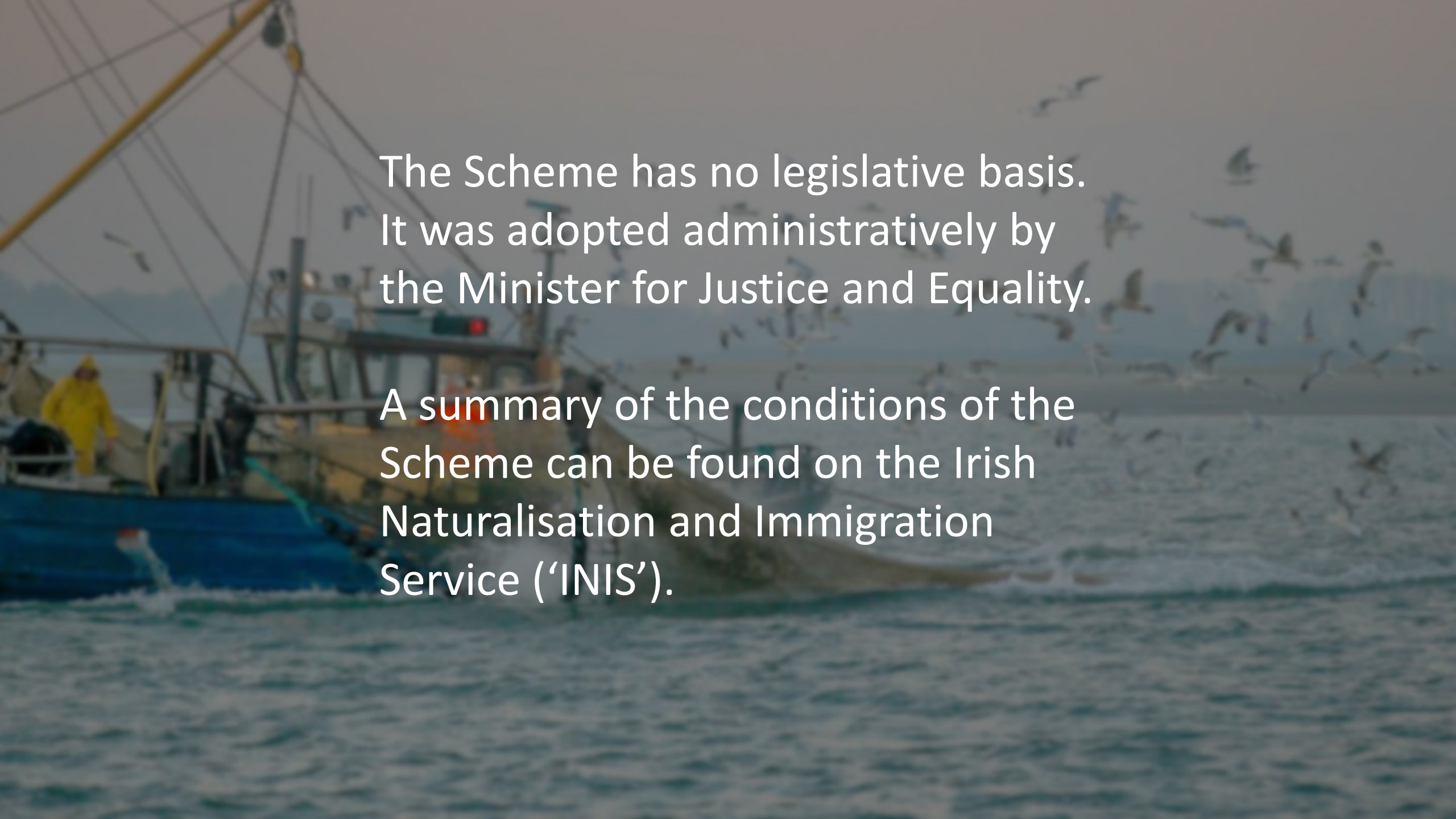
A fishing boat is shown on the water, with a large flock of birds flying overhead. The boat has a yellow mast and a person in a yellow raincoat is visible on the deck. The water is blue and the sky is overcast.

**ITF PRESENTATION**  
**12 SEPTEMBER 2018**  
**KEN FLEMING**

A fishing boat is shown on the water, with a person in a yellow jacket visible on the deck. The sky is filled with many birds, likely gulls, flying around the boat. The water is a deep blue-green color.

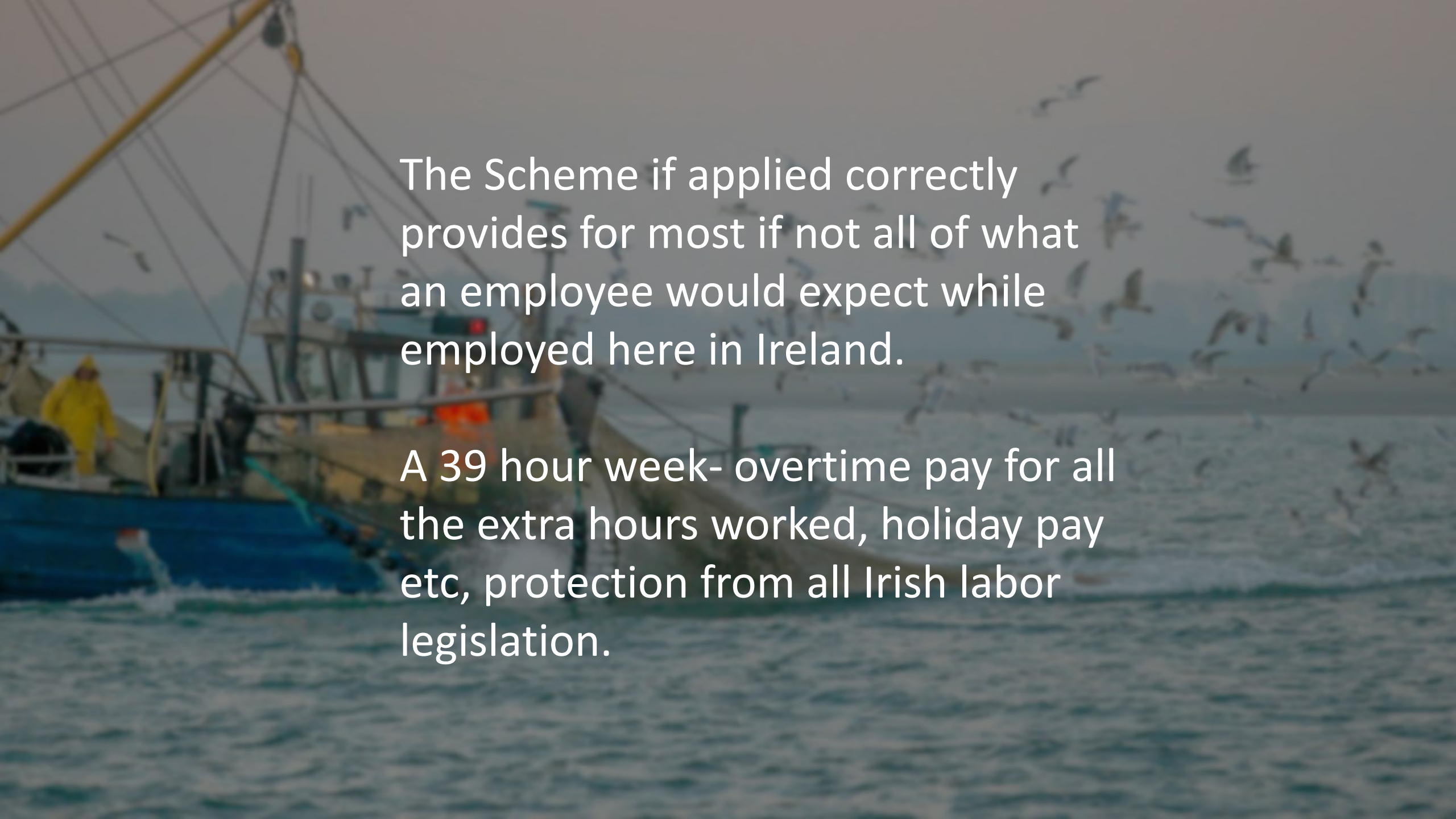
On or about 15 February 2016, the Atypical Migrant Workers Scheme for Non-European Economic Area Crew ('the Scheme') in the Fishing Fleet was adopted by Ireland.

The Scheme was introduced following reports of trafficking in human beings and exploitation of migrant fishers in the Irish fishing fleet.

A fishing boat is shown on the water, with a person in a yellow raincoat visible on the deck. The boat is surrounded by a large number of birds, likely gulls, flying in the air. The background shows a hazy sky and distant land.


The Scheme has no legislative basis.  
It was adopted administratively by  
the Minister for Justice and Equality.

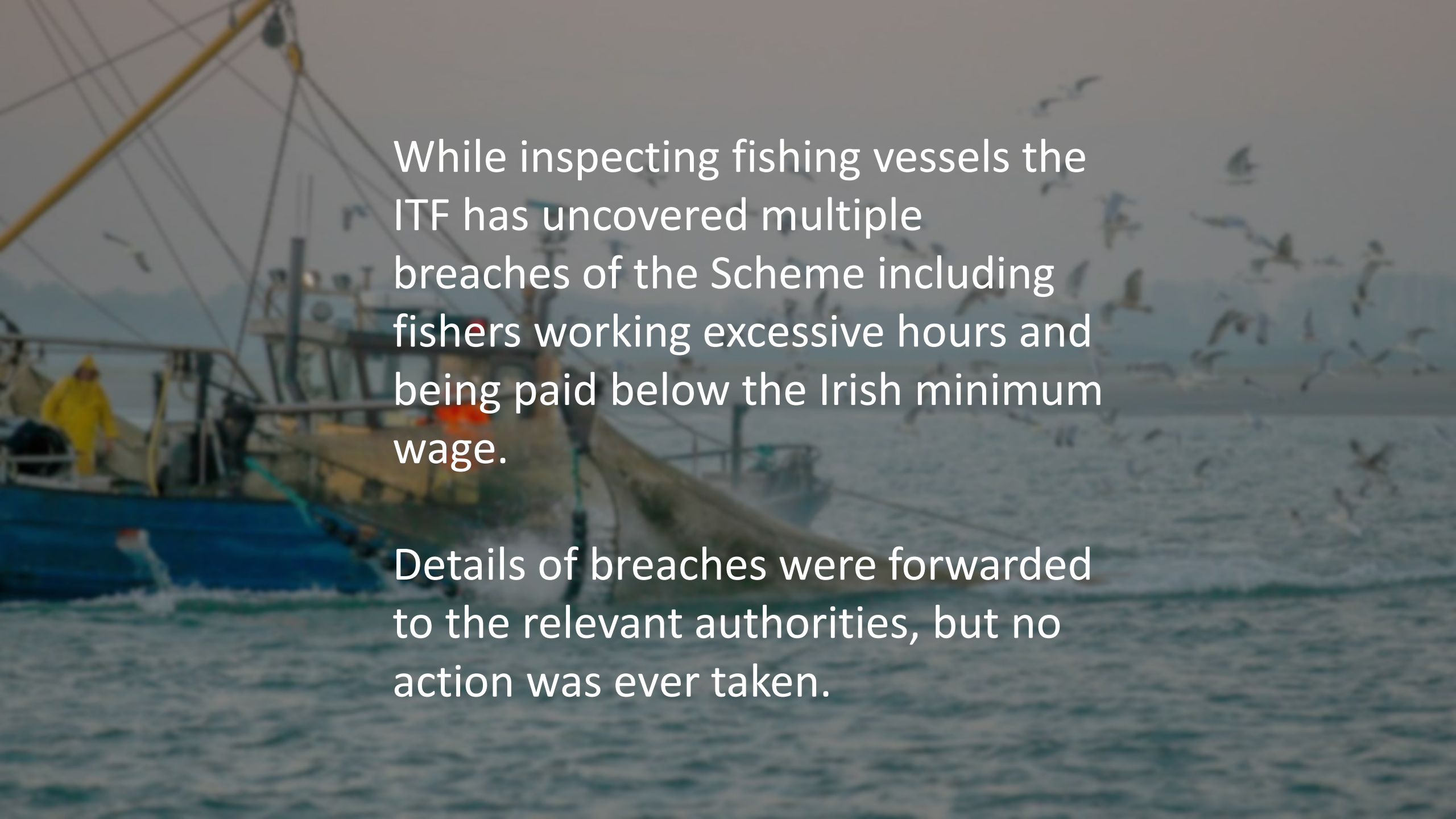
A summary of the conditions of the  
Scheme can be found on the Irish  
Naturalisation and Immigration  
Service ('INIS').

A fishing boat is shown on the water, with a person in a yellow raincoat visible on the deck. The sky is filled with many seagulls in flight. The text is overlaid on the right side of the image.

The Scheme if applied correctly provides for most if not all of what an employee would expect while employed here in Ireland.

A 39 hour week- overtime pay for all the extra hours worked, holiday pay etc, protection from all Irish labor legislation.

- 
- A fishing boat is shown on the water, with a large number of birds flying around it. The boat has a yellow mast and a red light. A person in a yellow jacket is visible on the deck. The water is blue and the sky is overcast.
- No prosecutions of boat owners for breaches of workers rights
  - Single figure prosecutions for not keeping proper rest records
  - WRC has recovered less than 10,000 Euro since June 2016

A fishing boat is shown on the water, with a person in a yellow jacket visible on the deck. The sky is filled with many birds, likely gulls, flying around the boat. The water is a deep blue-green color.

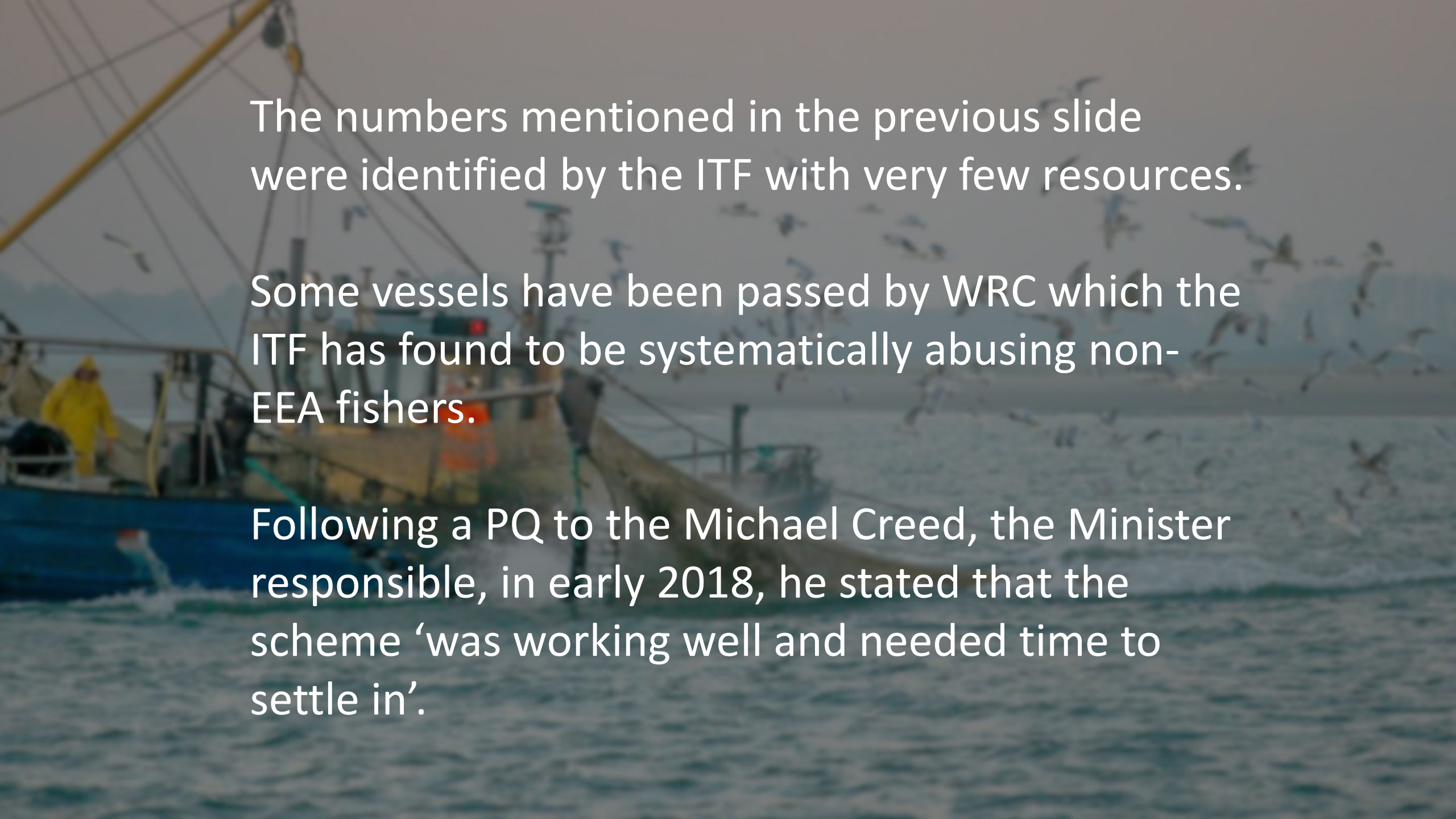
While inspecting fishing vessels the ITF has uncovered multiple breaches of the Scheme including fishers working excessive hours and being paid below the Irish minimum wage.

Details of breaches were forwarded to the relevant authorities, but no action was ever taken.

A fishing boat is shown on the water, with a person in a yellow raincoat visible on the deck. The sky is filled with many birds, likely gulls, flying around the boat. The water is a deep blue-green color.

Since the introduction of the Scheme:

- 15 fishers who held permits to work in Ireland have been identified by the Garda National Protective Services Bureau as potential victims of human trafficking.
- 6 fishers who did not hold permits have also been officially identified as potential victims.

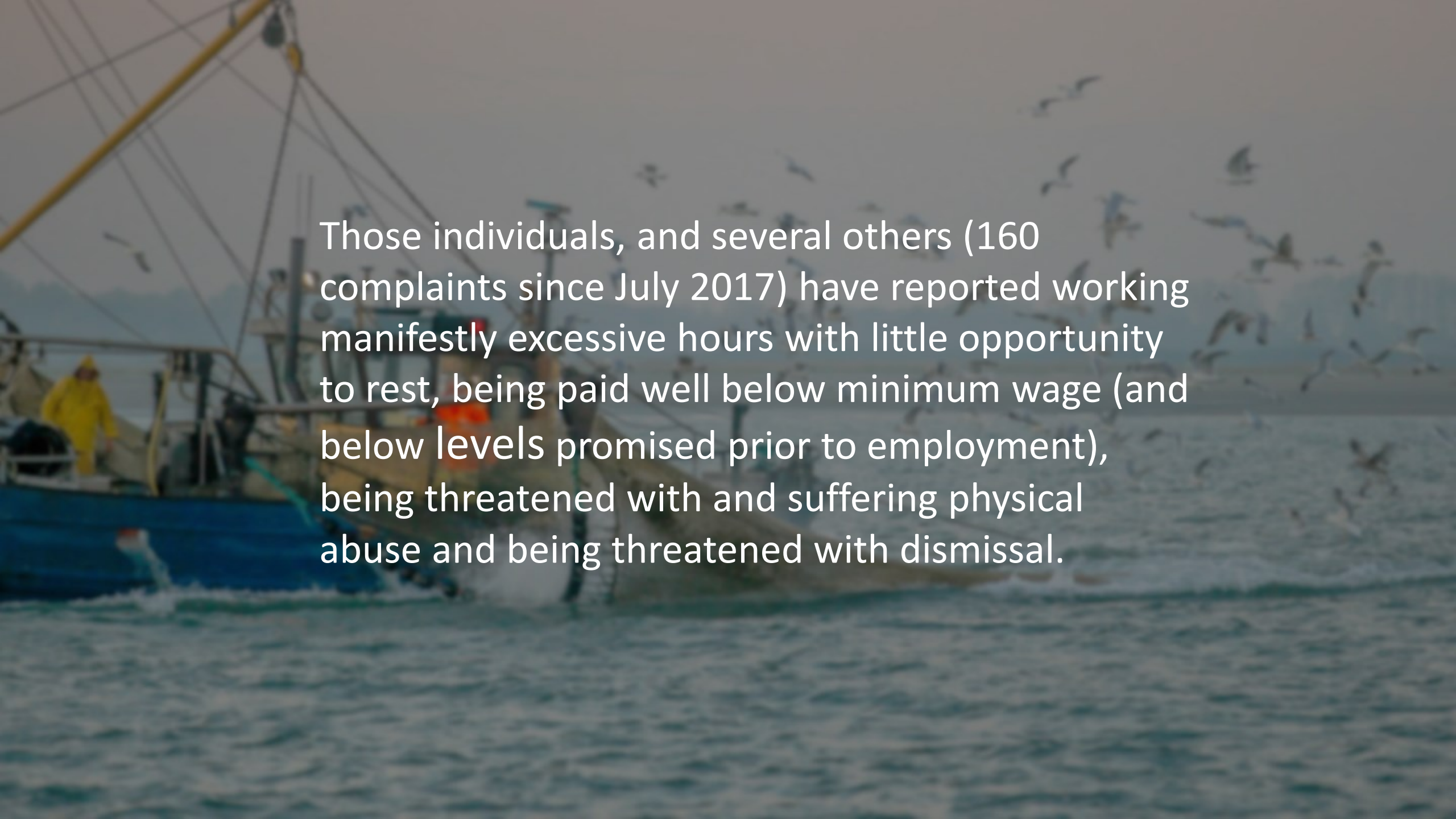
A fishing boat is shown on the water, with a person in a yellow jacket visible on the deck. The sky is filled with many birds, likely gulls, flying around the boat. The water is a deep blue-green color.

The numbers mentioned in the previous slide were identified by the ITF with very few resources.

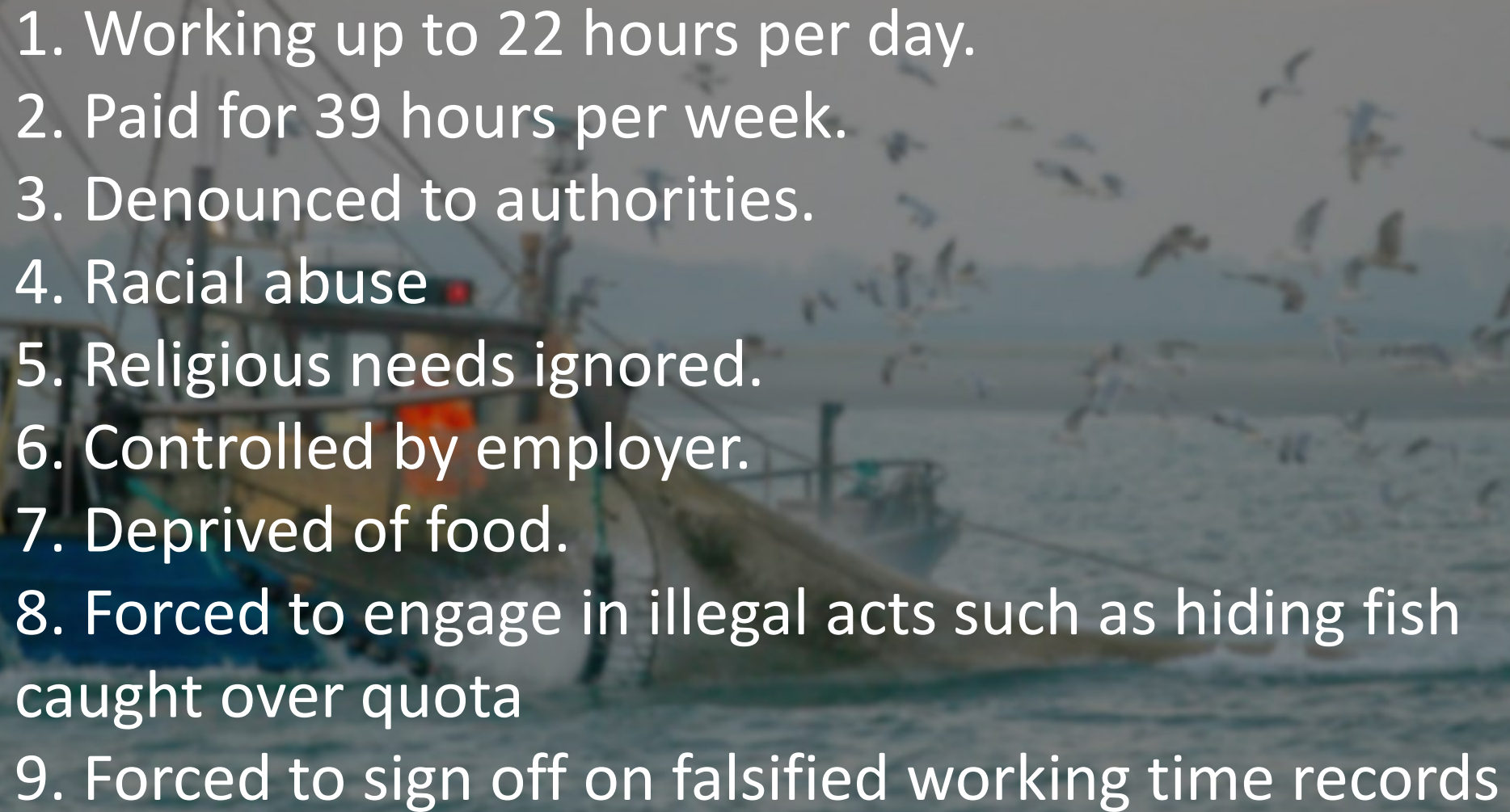
Some vessels have been passed by WRC which the ITF has found to be systematically abusing non-EEA fishers.

Following a PQ to the Michael Creed, the Minister responsible, in early 2018, he stated that the scheme 'was working well and needed time to settle in'.



A photograph of a fishing boat on the water, with a large number of birds flying around it. The boat is partially visible on the left side of the frame. The water is a dark blue-grey color. The sky is overcast and grey. The text is overlaid on the right side of the image.

Those individuals, and several others (160 complaints since July 2017) have reported working manifestly excessive hours with little opportunity to rest, being paid well below minimum wage (and below levels promised prior to employment), being threatened with and suffering physical abuse and being threatened with dismissal.

- 
- A photograph of a fishing boat on the water, with a large number of birds flying around it. The boat is partially visible on the left side of the frame. The water is a deep blue-grey color. The sky is overcast and grey. The birds are in various stages of flight, some with wings spread wide, others in a more compact shape. The overall scene is somewhat somber and busy.
1. Working up to 22 hours per day.
  2. Paid for 39 hours per week.
  3. Denounced to authorities.
  4. Racial abuse
  5. Religious needs ignored.
  6. Controlled by employer.
  7. Deprived of food.
  8. Forced to engage in illegal acts such as hiding fish caught over quota
  9. Forced to sign off on falsified working time records


A fishing boat is shown on the water, with a large flock of birds flying overhead. The boat has a yellow mast and a blue hull. A person in a yellow jacket is visible on the deck. The text "Outside Agencies have remarked on the performance of Ireland." is overlaid on the image.

Outside Agencies have remarked  
on the performance of Ireland.

A fishing boat is shown on the water, with a person in a yellow jacket visible on the deck. The boat is surrounded by a large number of birds, likely gulls, flying in the air. The background is a hazy, overcast sky.

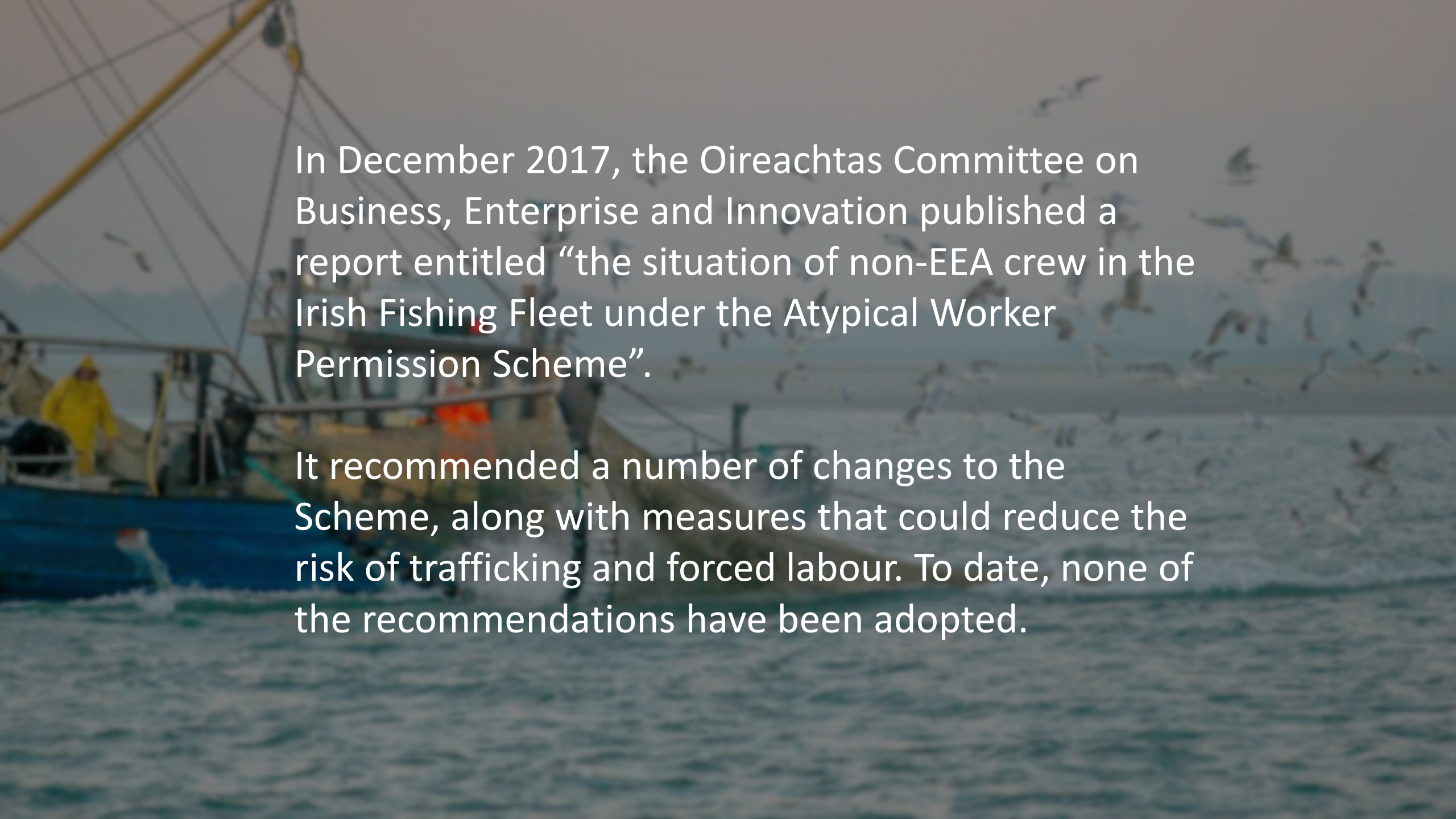
The Trafficking in Persons Report ('TIP Report') 2018, published by the United States Department of State, downgraded Ireland over its human trafficking record. The TIP report concluded that Ireland was not compliant with the minimum standards required under US legislation.

It stated that Ireland's efforts in this regard "were not serious and sustained" and pointed to the state's failure to secure a single conviction under anti-trafficking legislation introduced in 2013. The fishing industry is mentioned several times within the report.

A fishing boat is shown on the water, with a person in a yellow jacket visible on the deck. The sky is filled with many birds, likely gulls, flying around the boat. The water is a deep blue-green color.


In September 2017, the Group of Experts on Action against Trafficking in Human Beings (GRETA) published its report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Ireland.

The report notes some of the failings of the Scheme and recommends that Ireland review “the application of the Atypical Working Scheme in the fisheries industry with a view to ensuring that it contains sufficient safeguards against trafficking and exploitation of fishermen”

A fishing boat is shown on the water, with a person in a yellow raincoat visible on the deck. The sky is filled with numerous seagulls in flight. The text is overlaid on the image in white font.

In December 2017, the Oireachtas Committee on Business, Enterprise and Innovation published a report entitled “the situation of non-EEA crew in the Irish Fishing Fleet under the Atypical Worker Permission Scheme”.

It recommended a number of changes to the Scheme, along with measures that could reduce the risk of trafficking and forced labour. To date, none of the recommendations have been adopted.

A fishing boat is shown on the water, with a person in a yellow raincoat visible on the deck. The sky is filled with many seagulls in flight. The text is overlaid on the image.

In addition, a report published in December 2017 by the Migrant Rights Centre Ireland (MRCI) criticised the lack of enforcement and availability of information in respect of employment rights for migrant workers.

Its' report found that over sixty-five percent of migrant fishers in Ireland worked more than one hundred hours a week for which they were paid, on average, less than three euros an hour.

The report also found that one in four migrant workers had experienced physical and/or verbal abuse.

A fishing boat is shown on the water, with a large number of seagulls flying around it. The boat has a yellow mast and a blue hull. A person in a yellow jacket is visible on the deck. The text is overlaid on the image.

The ITF has made an application to the High Court to injunct the Irish Government and close down the scheme.

As these proceedings are in their early stages, it would be inappropriate to comment further on them.



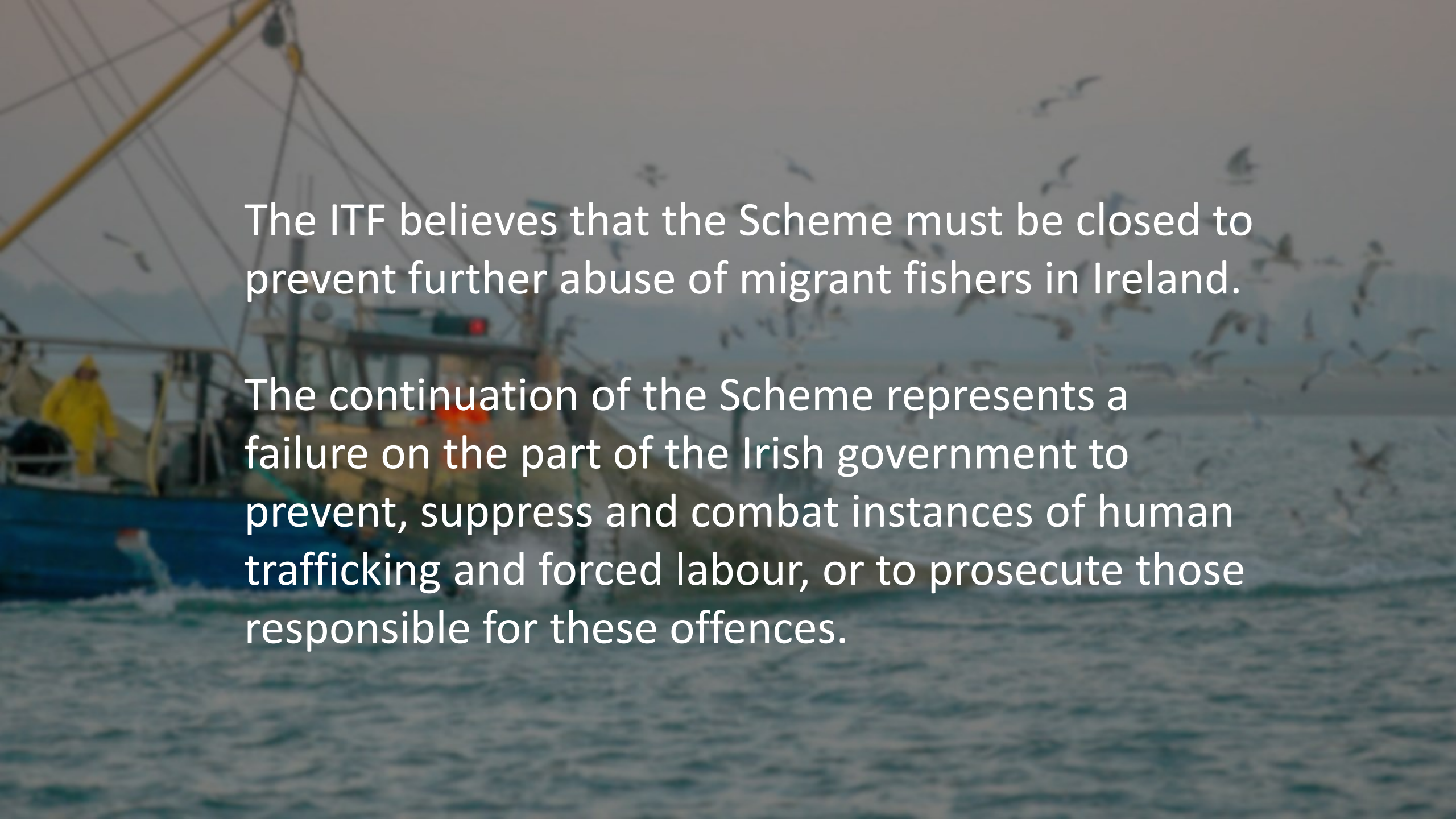
A fishing boat is shown on the water, with a large flock of birds flying overhead. The boat has a yellow mast and a blue tarp. A person in a yellow raincoat is visible on the deck. The water is choppy, and the sky is overcast.

<sup>3</sup> <https://www.coe.int/en/web/anti-human-trafficking/ireland>

<sup>4</sup> <https://www.oireachtas.ie/en/committees/32/business-enterprise-innovation/documents/>


<sup>5</sup> <https://www.state.gov/j/tip/rls/tiprpt/2018/>

<sup>6</sup> <https://www.mrci.ie/press-centre/severe-exploitation-persists-on-irish-fishing-boats-says-new-report-11122017/>

A fishing boat is shown on the water, with a person in a yellow raincoat visible on the deck. The sky is filled with a large number of seagulls in flight. The overall scene is somewhat overcast and misty.

The ITF believes that the Scheme must be closed to prevent further abuse of migrant fishers in Ireland.

The continuation of the Scheme represents a failure on the part of the Irish government to prevent, suppress and combat instances of human trafficking and forced labour, or to prosecute those responsible for these offences.

A fishing boat is shown on the water, with a large flock of birds flying overhead. The boat has a yellow mast and a blue hull. A person in a yellow jacket is visible on the deck. The text "THANK YOU ANY QUESTIONS" is overlaid in white on the image.

THANK YOU  
ANY QUESTIONS