



LONG DISTANCE ADVISORY COUNCIL

Work on promoting the social dimension of the CFP and implementation of international safety at sea provisions

NWWAC Horizontal Working Group, 8 July 2020



WHAT IS THE EU LONG DISTANCE FLEET?

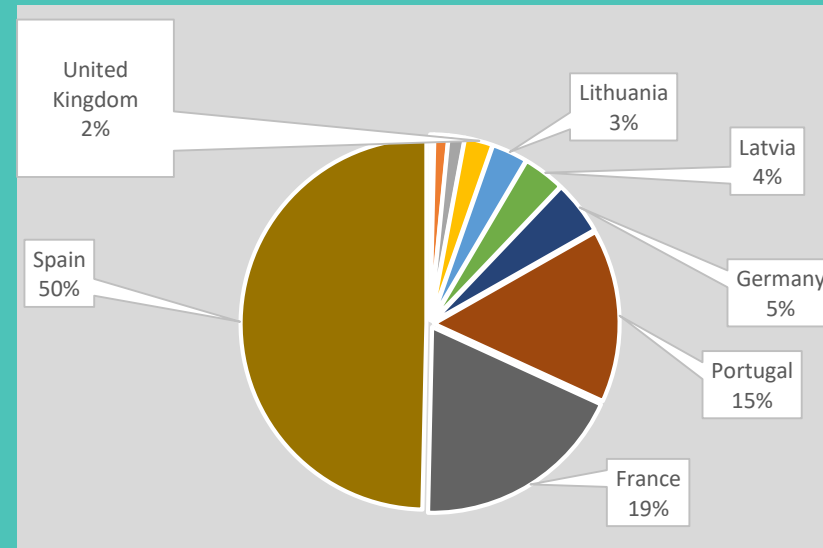
- The EU **distant water fleet** are "all EU registered vessels above 24 metres LOA operating predominately in non-EU waters". This covers all DCF fleet segments over 24m with more than 50% of their effort (by days at sea) occurring outside EU waters EEZs. (Source: STECF AER 2019).
- They include all fishing areas outside EU waters and in *Areas Beyond National Jurisdiction*, covered by Regional Fisheries Management Bodies, NAFO, ICCAT, IOTC, International waters of the Mediterranean Sea, NEAFC, WECAFC and CECAF. (Source: DG MARE).
- They also include fishing areas within the EEZ of third countries regulated under sustainable fisheries partnership agreements (SFPAs) and also private agreements (Source: CFP External Dimension – DG MARE).
- The EU Distant Water Fleet are industrial vessels operating in fishing trips (*marées*) of 6-10 weeks avge. in the high seas.



Composition of the EU Long Distance Fleet

(Note: Current No of Vessels as per AER 2019: 255)

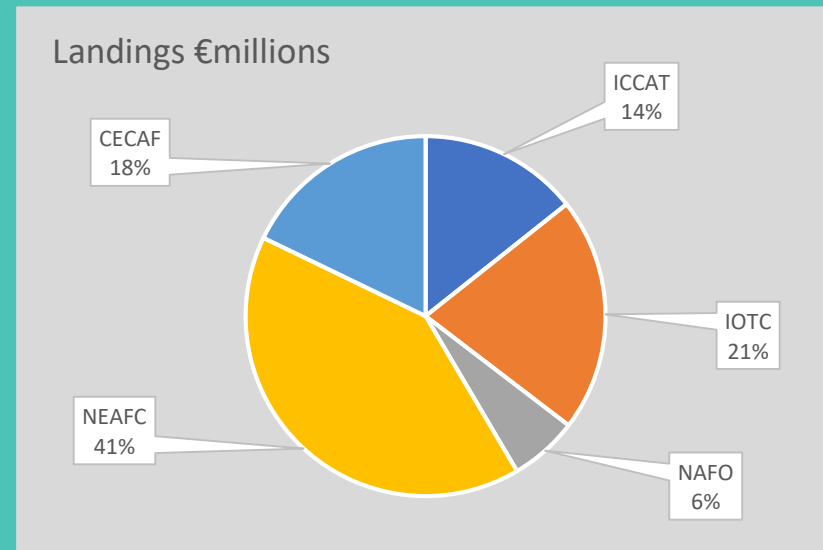
Member State	ICCAT	IOTC	NAFO	NEAFC	CECAF	Vessels	Fleet
Spain	127	30	17	73	40	287	50%
France	10	12		85		107	19%
Portugal	50	5	9	11	12	87	15%
Germany				27		27	5%
Latvia				9	12	21	4%
Lithuania				9	9	18	3%
United Kingdom				14		14	2%
Italy		1			7	8	1%
The Netherlands					7	7	1%
Poland					2	2	0%
	187	48	26	228	89	578	



	ICCAT	IOTC	NAFO	NEAFC	CECAF	Total
GT	54,882	79,505	38,105			172,492
kW	101,062	117,801	42,715			261,578

Average GT	293	1,656	1,466			298
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	ICCAT	IOTC	NAFO	NEAFC	CECAF	Total
Employment (FTEs)	2,865	1,582	798	3,392	2,172	10,809
Fishing Days	35,472	8,958	2,879	52,978	19,714	120,001
Landings €millions	€248	€364	€106	€702	€308	€1,728
€/FTE	€86,422	€230,088	€132,832	€207,081	€141,972	



ACTION PLAN FOR 2019-2020

**Disciplining
Fisheries
Subsidies
(WTO-
SDG 14.6)**

**Fight against
IUU fishing
(Implementation
of EU Regs)**

**FAO
Consultation
on social
sustainability
in the fisheries
value chain**

**WORK
PRIORITIES**

**Decent labour
conditions
and
safety at sea
(EU social
Dialogue)**

**International
Ocean
Governance
(RFMOs/UNGA/
BBNJ/CBD/ISA)**

**Sustainable
small scale
fisheries in
African
countries**

- Dialogue with **DG MARE / DG TRADE / DG EMPLOY / DG SANTE**
- Work with **EU Social Dialogue Committee (Pillars of the Sea Project)**
- **FAO Consultation on social sustainability in the fisheries value chains**
 - In particular, highlighting role of women in FVC
- Implementation of **maritime safety at sea** provisions into EU Law



Supporting EU Headline Ambition
“An economy that works for people”



Decent working conditions at sea

International Legal Instruments

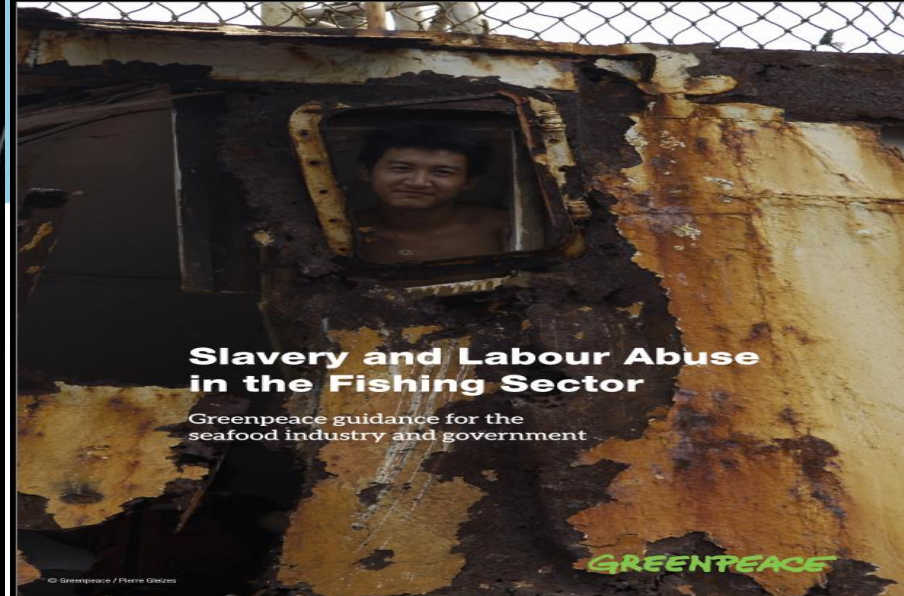
Why are international legal instruments key for ensuring decent living and working conditions on board fishing vessels?

- ❖ Only 1 out of every 25 people working at sea are seafarers; the other 24 are fishers!
- ❖ Fishing is a hazardous occupation and requires a specific treatment in terms of coverage of marine accidents and professional diseases
- ❖ No State acting alone can achieve its aims
- ❖ Industrial Fishing is an international, cross-border activity at sea
- ❖ Without international standards we are in the “wild west” and chaos rules at sea.
- ❖ Level playing field in labour conditions among flag states and also for migrant and native workers within a same vessel
- ❖ Market aspects – fight human rights abuses by raising standards: not purchasing fish caught by forms of “modern slavery”

**“FISHERS ARE
HUMAN BEINGS
AND SHOULD BE
TREATED LIKE
HUMAN BEINGS.”**

#WEAREITF

Johnny Hansen
Chair, ITF Fisheries Section



PIRATES AND SLAVES
How Overfishing in Thailand Fuels Human Trafficking
and the Plundering of Our Oceans



THE PERMANENT OBSERVER
MISSION OF THE UNION OF
THE UNITED NATIONS



ENDING HUMAN TRAFFICKING BY 2030



Decent labour conditions and work at sea

1. Adoption, ratification and implementation by Flag and Coastal States of international instruments of safety at sea – legal basis: art 94 UNCLOS.

- UNCLOS Montego Bay 1982
- IMO Cape Town Agreement 2012 on Torremolinos Protocol 1993 & Torremolinos Convention 1977 (safe construction of fishing vessels)
- IMO International Convention on Standards of Training (STCW-F)
- ILO Fishing Convention 2007 (C188)
- FAO Port State Measures Agreement (IUU fishing – legally binding).
- Geneva Declaration of Human Rights at Sea 2019

2. Cooperation & dialogue between all concerned actors.

Example in Europe of EU Social Dialogue Committee (Europêche-ETF).

3. Promoting similar environmental and social production conditions and standards for fish imports in Trade Agreements (e.g. Sustainable Development Chapter of SGP+)



The role of Trade Unions in the EU Fisheries Policy

- **ETF: European organisation representing employed fishers in Europe**
- Cooperates with ITF Fisheries Section – Member of ILO Tripartite Board
- **Work on the Social Dimension of Fisheries**
 - Fishing licence allocation (track record, cohabitation, sustainable practices...)
 - Access to funds limited for coastal communities (e.g. FLAGs)
 - Assistance to develop sectorial/national CBAs (e.g. CEPESCA-CCOO-UGT)
- **Impact of Technical Measures**
 - Gross Tonnage and propulsion power limitation
 - Safety issues linked to Landing Obligation



Example of a Regional Initiative: EU Social Dialogue Committee for Sea Fishing

- ❖ EU social partners have the right to make agreements on certain social
- ❖ Body composed of fishing industry (Europeche) and trade unions (ETF)
- ❖ Recipient of advice: European Commission (policy maker)
- ❖ Mission: to promote implementation and development of social dimension of fishing by aligning the EU CFP with international labour and social standards.

Main Outputs to date

- ❖ Work on transposition of Social Partners' Agreement into EU law
Adoption of Directive No 2017/159
(legal basis: ILO C 188, Art 10)
- ❖ Research Projects: "Pillars of the Sea"
- ❖ Participation in IMO-ILO-FAO meetings
- ❖ Organisation of Side Events on Social Responsibility (e.g. FAO COFI33)





EU Social Dialogue Committee: "PILLARS OF THE SEA" PROJECT

Work on 2017/2018 (completed)

1. Implementation of IMO STCW-F. Professional training and certification of fishermen – Author: Ment van der Zwan. December 2018.
2. Alternatives to definition and measurement of fishing capacity by GT and propulsion power ceilings – Author: Aarie Aalbers. November 2018.
3. Survey on legislation in force regarding deck machinery.

Areas of action for 2019-2020 (in course)

1. Guidelines on cross labour market services and migrant fishers: preparation of guidelines for collective bargaining agreements; social security coverage of fish workers by country of residence, and decent recruitment of non-EEA fishers
2. Guidelines on medical examination of fishers (required under C188 + STCW-F)
3. Labour issues linked to control of fish imports.



EXAMPLE OF PUBLIC CERTIFICATION FROM A SPANISH OPERATOR

OPAGAC TUNA RESPONSIBLE FISHING (APR)

AENOR Asociación Española de Normalización y Certificación

BEST LABOUR CONDITIONS



MARITIME SAFETY



LEAST ECOSYSTEM IMPACTS
CODE OF GOOD PRACTICES



BEST SANITARY STANDARDS



CONTROL





HOW DOES ILO C188 WORKS IN PRACTICE? WORK IN FISHING CONVENTION, 2007

1. Minimum age to work onboard
2. Medical review prior to embarkment
3. Written contract:
 - Duration: 8 months max. on board
 - Salary (min. ILO), regular payment and pay slips copies.
 - Paid holidays and resting periods.
 - Medical coverage.
 - Indemnity in case of sickness, injury or death.
 - Social Security.
 - Repatriation.





ILO C188 IN PRACTICE – LDAC IMPLEMENTATION BY TUNA OPERATORS (APR)

1. Minimum crewing certification.
2. Occupational risk prevention:
3. On board evaluation plan.
4. Training plan.
5. Delivery and use plan personal safety gear.
6. One Risk Prevention officer per vessel.
7. Right to Collective Bargaining.





CONDITIONS ON BOARD A TUNA PURSE SEINE VESSEL: THE EXAMPLE OF OPAGAC FLEET (SPAIN)



CONDITIONS ON BOARD A TUNA PURSE SEINE VESSEL: THE EXAMPLE OF OPAGAC FLEET (SPAIN)





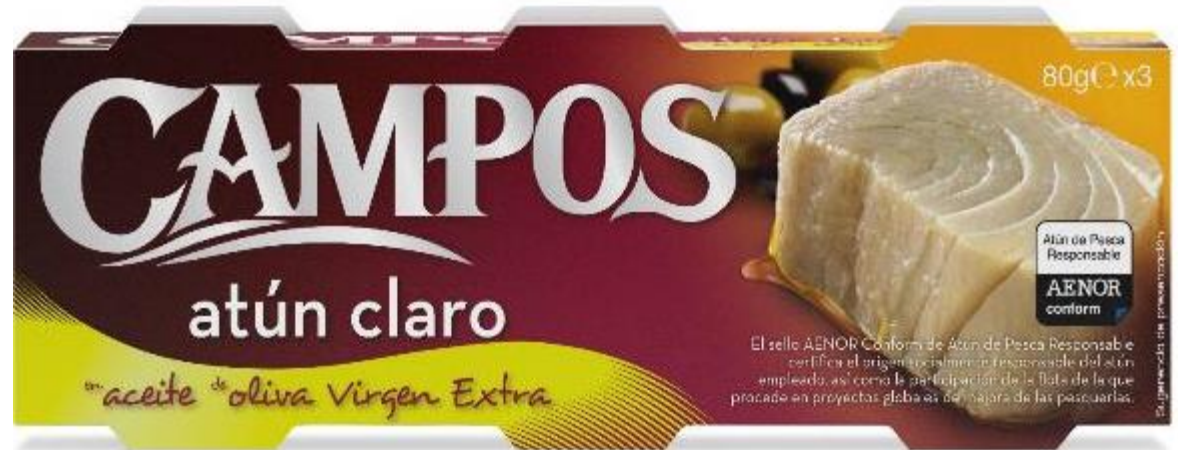
REGULATION FOR THE CHAIN OF CUSTODY: COMMERCIALISATION SPANISH TUNA BRANDS

AENOR

Asociación Española de
Normalización y Certificación

Atún de Pesca
Responsable

AENOR
conform





Improving social and labour conditions for Small Scale Fisheries in West Africa

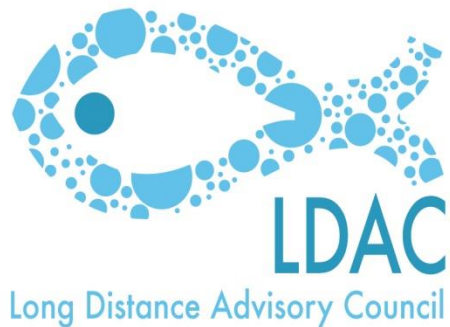
- ❖ Promote the implementation of FAO voluntary Guidelines for securing sustainable SSF, particularly in SFPAs (e.g. use of sectorial support funds)
- ❖ Disseminate and follow FAO Manual of Safety at Sea for Small Scale Fishers
- ❖ Insert a revised “*social clause*” in future SFPAs between the EU and West African coastal states. This clause would refer to standards of social protection and coverage for non EU fishermen working on board vessels operating the SFPAs.
- ❖ Ensure that funds from international donors and sectorial support of EU SFPAs contribute to the sustainable development of fishing coastal communities:
 - Training of artisanal fishermen and up-skilling
 - Access to regular supplies of raw product (e.g. EU-Cote d’Ivoire SFPA by tuna supply to women’s cooperatives of fish processors in Port of Abidjan)
- ❖ Collection and analysis of socio-economic data (catch reporting, no of employments, income, gender aspects, market flows for direct consumption...)



Examples of Policy Making Initiatives: FAO Consultation on Social Sustainability of the Fisheries Value Chain

The LDAC participated in an inclusive and iterative process of consultation launched by FAO through regional stakeholders dialogues (Vigo, Agadir, Brussels, Shanghai and Rome) in 2018 and 2019. It provided feedback to an online consultation aimed to draft a Guidance Document for adoption at COFI34

- **Full chain traceability** – need to ensure that all wild fish which enters to the market has been caught in sustainable manner, i.e. on biologically healthy stocks and by fleets with decent labour conditions and control of the custody thorough all the steps of the value chain.
- **A reliable system of labour inspections** - similar to that existing for the merchant shipping under ILO MLC (i.e. through classifications societies under responsibility of the flag state)
- **Science and technology to assist with labour and control tasks:** biological analysis detecting high levels of histamine on tuna (and tuna-like species) can factories; Block Chain for supply, Electronic Eye for species and by catches, QR codes for traceability, Internet of Things for freeze chain...
- **Lack of transparency of public and private fishing agreements is a challenge for international ocean and fisheries governance (remedies through regulations such as SMEFF, SFPAs, FITI...)**
- **Be flexible in the adoption of requirements tailored to cultural, legal and economic aspects of fishing communities, acknowledging the role of women as key economic players in fisheries communities**



MERCI / GRACIAS / THANK YOU!

Contact: Alexandre Rodríguez, Executive Secretary

Email: alexandre.rodriguez@ldac.eu

Phone: 0034 91 432 36 23

www.ldac.eu

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