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United Nations



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Joining forces in the fisheries sector

Promoting safety, decent work and the fight against IUU fishing

Outcomes from the Regional Technical Seminar

More than sixty specialists working in the fisheries and labour sector from the South Asia region (Cambodia, Indonesia, Republic of Korea, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Viet Nam) and representatives of several international organizations, (FAO, ILO, IMO, SEAFDEC, IUF, ITF, ICSF, Greenpeace, the Coalition of Organizations and Ministries Promoting the Abolition of Slavery at Sea [COMPASS]) met in Manila, the Philippines, on 21-22 March 2018 to participate in a regional technical seminar on "*Joining forces in the fisheries sector: promoting safety, decent work and the fight against IUU fishing*".

The meeting was jointly organized by the Food and Agriculture Organization of the United Nations (FAO) and the Apostleship of the Sea (AoS), in collaboration with the International Labour Organization (ILO) and the International Maritime Organization (IMO). The objectives of the meeting were to:

- increase awareness on the protection of human rights in the fishing sector along with the main legal frameworks covering the issue;
- promote increased cooperation among responsible international agencies like FAO, IMO and ILO and related regional and national authorities;
- increase political commitment and the development of regional/national actions and measures to fight labour abuses and IUU fishing in the fishing sector; and
- identify possible ways of inter-agency collaboration and future actions by concerned stakeholders.

This first regional technical seminar followed recommendations made during the High Level Event on Human Rights in the Fisheries

Sector on 21 November 2016¹. Other similar seminars will be organized in different regions.

The Manila meeting resulted in a *Call for Action* in which participants acknowledged that the 2012 IMO Cape Town Agreement, the 2009 FAO Agreement on Port State Measures, the ILO Protocol to the Forced Labour Convention, 1930 (No. 29) and the ILO Work in Fishing Convention (No. 188) are important instruments to ensure decent working conditions, safety for fishers and fish workers, and to combat IUU fishing.

The international community has, in fact, long recognized the linkages between IUU fishing, safety at sea and forced labour, for instance during several sessions of FAO's Committee on Fisheries (COFI)². Furthermore, in this respect, the Third Joint FAO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated fishing and Related Matters called the three UN organizations and others to collaborate on matters related to fishing industry, safety and decent working conditions.

Ensuring good working conditions has also become a priority for businesses. Participants therefore recalled the importance of the United Nations Guiding Principles for Business and Human Rights and businesses corporate responsibility to respect human rights. The Manila meeting recognized that regional and national inter-institutional coordination is key to effectively target IUU fishing, safety and labour conditions.

¹ FAO. 2017. La violación de los derechos humanos en el sector pesquero. Discursos de presentación durante el Día Mundial de la Pesca (21 de noviembre del 2016) en la FAO. The violation of human rights in the fishing sector. Introductory speeches on the occasion of World Fisheries Day (21 November 2016) at FAO.

² 27th, 31st and 33rd sessions of COFI.

“Manila Call for Action”

We, the participants of the Regional Technical Seminar titled “**Joining forces in the fisheries sector: promoting safety, decent work and the fight against IUU fishing**”,

Having exchanged information on human rights abuses within the fisheries sector, on the interlinkages between and among IUU fishing and fisheries related crimes; and on the interrelationship between and among IUU fishing, abuse of fishers and fish workers’ rights, deficits of decent work and safety;

Having taken note of international and national instruments, which have been developed to address labour, safety and human rights protection in the fisheries sector;

Noting the need for improved cooperation between countries and between international agencies such as ILO, FAO, IMO, IOM, UNODC, and others in addressing labour protection in the fisheries sector;

Understanding the need for (improved) cooperation between national authorities like Ministries and Departments responsible for fisheries and aquaculture, Ports authorities, Coast Guard, Defence, Labour, Justice, Human Rights, Maritime Safety, etc., in ensuring compliance with International Human Rights and Labour Standards of relevance to the fisheries sector;

Recognizing the role the Apostleship of the Sea, International Transport Workers’ Federation, International Union of Food and Allied Workers Associations, and IGOs like Greenpeace, ICSF, etc, and national trade unions play in addressing human rights abuse, IUU fishing;

Taking into account international instruments available for the fight against IUU fishing and human rights abuses

and poor working conditions, such as the ILO Convention 188³, FAO Port State Measures Agreement, IMO Cape Town Agreement 2012, ILO Protocol of 2014 to the Force Labour Convention, 1930;

Recognizing the positive developments in some countries in the region in terms of adoption national legal frameworks for the protection of fishers and fish worker’s rights,

Identified the following priority themes in the fisheries sector, where actions should be taken to address safety, decent work, and the fight against IUU fishing in the region:

- Legal frameworks;
- Workers’ rights and social protection;
- Corporate responsibility;
- Governance;

The participants:

Acknowledge that C188, the Protocol of 2014 to the Force Labour Convention, 1930, the PSMA and the Cape Town Agreement, are important instruments to ensure decent working conditions and safety for fishers and fish workers and to combat IUU fishing;

Agree that access to Social Protection for all Fishers and Fish Workers should be secured;

Recommend that fishers and fishworkers should be protected under national labour legislation in compliance with international standards and norms;

Recommend that cooperation and coordination, in the areas of fisheries conservation and management, safety, migration, labour and employment at the national regional and international level be improved;

³ ILO. 2007. C188. *Work in Fishing Convention, 2007*. ILO (No.188).





Encourage States to implement the Voluntary Guidelines for Securing Sustainable Small Scale Fisheries in the Context of food security and poverty eradication (SSF Guidelines);

Encourage the harmonization and strengthening of national, regional and international law of relevance to the fisheries sector;

Encourage the implementation and effective enforcement of national, regional and international law of relevance to the fisheries sector;

Encourage ASEAN to develop a Regional Plan of Action on Labour in fisheries (RPOA-LabourF);

Recommend to promote the ASEAN Sectoral Working Group on Fisheries is to work with other relevant ASEAN sectoral working groups to ensure decent work in the fisheries sector;

Encourage the provision of support to fishers and fish workers in their efforts to organize and engage in collective bargaining and to participate effectively in decision making processes. Participants further note that ILO conventions C87⁴ and C98⁵ are important in this regard;

⁴ ILO. 1948. C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948, (No. 87).

⁵ ILO. 1949. C098. Right to Organise and Collective Bargaining Convention, 1949, (No. 98).

Recommend that fishers and fish workers' representation at national, regional and international levels be institutionalized;

Recommend that public and private companies, transnational corporations, including retail traders and outlets, investors and financial institutions, need to be held accountable for the human rights abuses and criminal activity in the sector, both on the sea and on the land;

Recommend that companies must be urged to undertake human rights due diligence in accordance with the UN Guiding Principles on Business and Human Rights and act to influence labour conditions in their entire supply chains to comply with international standards. That includes recruitment agencies, fisher associations and labour brokers;

Recommend that international and national market access be conditionally related to the human rights, environmental behavior record and respect for decent work standards of the companies;

Recommend that companies effectively ensure workers have the right to organize and bargain collectively for their wages, working conditions and insurance;

Recommend that awareness raising be continued on the abovementioned issues.



More information and resources

- **United Nations.** 1948. The Universal Declaration of Human Rights
- **OHCHR.** 2011. UN Guiding Principles on Business and Human Rights Office of the High Commissioner

ILO

- **ILO.** 2007. C188. Work in Fishing Convention, 2007. ILO (No.188)
- **ILO.** 1930. C029. Forced Labour Convention, 1930 (No. 29)
- **ILO.** 2014. P029. Protocol to the Forced Labour Convention, 1930 (P029).
- **ILO.** 2014. R203. Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)
- **ILO.** 2016. ILO Standards on Forced Labour - The new Protocol and Recommendation at a Glance / International Labour Office, Fundamental Principles and Rights at Work Branch (FUNDAMENTALS) - Geneva: ILO, 2016.
- **ILO.** 1948. C087. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).
- **ILO.** 1949. C098. Right to Organise and Collective Bargaining Convention, 1949, (No.98)

IMO

- **IMO.** 1995. International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessels Personnel (STCW-F), 1995
- **IMO.** 2012. Cape Town Agreement

FAO

- **FAO.** 2009. Agreement on Port States Measures (PSMA) to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.
- **FAO.** 2014. Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication
- **FAO/IMO.** 2016. Report of the Third Session of the Joint FAO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated (IUU) Fishing and Related Matters, London, 16–18 November 2015. FAO Fisheries and Aquaculture Report No. 1152, Rome, Italy.
- **FAO.** 2017. La violación de los derechos humanos en el sector pesquero. Discursos de presentación durante el Día Mundial de la Pesca (21 de noviembre del 2016) en la FAO. The violation of human rights in the fishing sector. Introductory speeches on the occasion of World Fisheries Day (21 November 2016) at FAO.

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