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SAFETY AT SEA IN THE FISHERIES SECTOR

Executive Summary

This document provides a summary of recent FAO activities that support the implementation of the Code of Conduct for Responsible Fisheries with regard to safety at sea in the fisheries sector.

*This document can be accessed using the Quick Response Code on this page;
an FAO initiative to minimize its environmental impact and promote greener communications.
Other documents can be consulted at www.fao.org/cofi/en/*



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I. INTRODUCTION

1. The FAO Code of Conduct is explicit in relation to the principle of “safety” in Article 6.17 where it is stressed that “States should ensure that fishing facilities and equipment as well as all fisheries activities allow for safe, healthy and fair working and living conditions and meet internationally agreed standards adopted by relevant international organizations”. Article 8.1.5 expands on the principle of safety, requesting States “to ensure that health and safety standards are adopted for everyone in fishing operations and that such standards should not be less than the minimum requirements of relevant international agreements on conditions of work and service”. This is followed by Article 8.4.1 that refers to fishing operations with the request that “States should ensure that fishing is conducted with due regard to the safety of human life”.

2. Fishing is considered to be the world’s most dangerous occupation, with more than 24 000 casualties per year¹ (which corresponds to approximately 80 fatalities per 100 000 fishers per year). COFI has repeatedly highlighted the importance of safety at sea in the fisheries sector and welcomed the effective cooperation established in this regard between FAO and the International Labour Organization (ILO) and the International Maritime Organization (IMO). At its 2014 session, many Members stressed the link between safety at sea and forced labour and the occurrence of IUU fishing activities. They referred, in this context, to the ILO Convention No. 188 and to the Cape Town Agreement of 2012 on the implementation of the provisions of the Torremolinos Protocol of 1993.

II. GLOBAL REVIEW OF SAFETY AT SEA IN THE FISHERIES SECTOR

3. This document, which was recently published as FAO Fisheries and Aquaculture Circular No. 1153², is a global review of safety at sea in the fisheries sector, with a particular focus on the small-scale fisheries sector in developing countries. Among other relevant safety issues, it considers existing legislation, fisheries management measures and data recording. The information presented has been obtained from studies and workshops organized by FAO and other organizations and institutions, as well as country-related information, legislation and statistics. Following both global and regional overviews, the document is structured by region. The following regions and countries are considered in the document:

- Latin America and the Caribbean (Argentina, Belize, Colombia, Costa Rica, Ecuador, El Salvador, Grenada, Mexico and Peru);
- Pacific Islands (Fiji, Kiribati, Samoa, Tonga and Tuvalu);
- Southeast Asia (Indonesia, Maldives, Myanmar, Sri Lanka, the State of Tamil Nadu (India) and Thailand);
- South West Indian Ocean (Comoros, Kenya, Madagascar, Mauritius, Seychelles and the United Republic of Tanzania); and
- West Africa (Cameroon, Cabo Verde, Côte d'Ivoire, the Gambia Guinea, Guinea-Bissau, Mauritania, Senegal, Sierra Leone and Togo).

4. It is expected that this document will be useful for international and regional organizations in identifying regions and countries for projects aiming at improving safety at sea in the fisheries sector.

¹ Tripartite Meeting on Safety and Health in the Fishing Industry, Geneva, 13-17 December 1999.

² See document COFI/2018/SBD.2

III. CAPE TOWN AGREEMENT OF 2012 ON THE IMPLEMENTATION OF THE PROVISIONS OF THE 1993 PROTOCOL RELATING TO THE TORREMOLINOS INTERNATIONAL CONVENTION FOR THE SAFETY OF FISHING VESSELS, 1977 (CAPE TOWN AGREEMENT)

5. The Cape Town Agreement, which was adopted in 2012, will enter into force 12 months after the date on which not less than 22 States, the aggregate number of whose fishing vessels of 24 m in length and over operating on the high seas is not less than 3 600, have expressed their consent to be bound by it. As of 20 March 2018, nine States (Congo, Denmark, France, Germany, Iceland, Netherlands, Norway, Saint Kitts and Nevis and South Africa), with 1 144 fishing vessels of 24 m in length and over, have ratified the Agreement.

6. In December 2015, the 29th Session of the IMO Assembly adopted resolution A.1107(29), on entry into force and implementation of the 2012 Cape Town Agreement, that:

- URGES Governments to consider accepting the Agreement at the earliest possible opportunity;
- INVITES Governments which experience difficulties in the process of becoming Parties to the Agreement to inform the Organization of the circumstances thereof, so that consideration can be given to taking appropriate action in this respect, including providing necessary technical assistance;
- REQUESTS the Maritime Safety Committee to review the situation concerning entry into force of the Agreement and, in the light of such review, to take action as it deems appropriate; and
- REQUESTS the Secretary-General to take any such additional measures as may be required aimed at assisting Member Governments in the process of becoming Parties to and implementing the Agreement.

7. In addition to improving safety at sea in the fisheries sector, it is expected that the Cape Town Agreement would also become a useful tool in combating IUU fishing, and thereby complement the PSMA, since fishing vessels falling under the scope of the Agreement would be subject to port State control.

8. Following the adoption of the Cape Town Agreement in 2012, FAO agreed to IMO's request for FAO's assistance in developing and conducting regional seminars on the implementation and ratification of the Cape Town Agreement. So far, such seminars have been held in Morocco, Peru, Belize, Indonesia, Costa Rica, Côte d'Ivoire, Cook Islands and South Africa.

9. The Third Session of the Joint FAO/IMO Ad Hoc Working Group on IUU Fishing and Related Matters (JWG)³, held at IMO headquarters in London, United Kingdom, on 16-18 November 2015, expressed great concerns over the slow pace of the acceptance of the 2012 Cape Town Agreement and recommended that:

- the IMO Secretariat, in cooperation with the FAO Secretariat, further consider organizing international events, particularly with the participation of States with large fishing fleets, for a focused consideration of the entry into force of the 2012 Cape Town Agreement both at the technical level and the decision-making level and support to the efforts of IMO on capacity building;
- the FAO and IMO Secretariats, their respective Member States and regional organizations share information on processes relevant to the accession to the 2012 Cape Town Agreement, which might support and facilitate the entry into force of the instrument; and

³ See document COFI/2016/SBD.8 - The report of the Third Session Of The Joint FAO/IMO Ad Hoc Working Group on IUU Fishing and Related Matters.

- IMO and FAO invite their Member States to make use of the FAO/ILO/IMO Implementation Guidelines on Part B of the Code, the Voluntary Guidelines and the Safety Recommendations, as appropriate, since they are useful in the context of the Cape Town Agreement of 2012.

10. The JWG recommended that the outcome of its meeting be reported jointly by FAO and IMO for detailed consideration by relevant bodies of the two Organizations, commencing with the report of the third JWG meeting. COFI 32 in July 2016 was informed about the outcome of JWG 3 and the Committee broadly welcomed the work of the JWG.

11. In considering the outcome of JWG 3, two IMO committees, the Marine Environment Protection Committee (MEPC) and the Maritime Safety Committee (MSC), which met in October and November 2016, respectively, agreed to refer the full report of JWG 3 to the Sub-Committee on Implementation of IMO Instruments (III) for detailed consideration and advice to the MEPC and MSC.

12. With regard to the Cape Town Agreement both the MEPC and MSC were invited by III, which was held on 25-29 September 2017, to take action on a number of items, which can be found in the report of the sub-committee⁴. These actions will be considered by the MEPC 72 (9-13 April 2018) and the MSC 99 (16-25 May 2018), respectively.

IV. THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR FISHING VESSEL PERSONNEL, 1995 (1995 STCW-F)

13. The 1995 STCW-F, which sets the certification and minimum training requirements for crews of seagoing fishing vessels of 24 m in length and above, entered into force on 29 September 2012. Recently, IMO started its comprehensive review of the Convention with a target completion year of 2018. FAO is participating in this work. The above-mentioned JWG recommended, at its Third Session, that IMO, based on the outcome of the review of the annex to the 1995 STCW-F, initiate, in cooperation with FAO and ILO, the review of the FAO/ILO/IMO Document for Guidance on Training, and Certification of Fishing Vessel Personnel.

14. With regard to the 1995 STCW-F and the FAO/ILO/IMO Document for Guidance on Training, and Certification of Fishing Vessel Personnel, the MEPC and MSC were invited by III to take action on a number of items, which can be found in the report of the sub-committee.⁵ These actions will be considered by the MSC 99 (16-25 May 2018).

V. THE ILO WORK IN FISHING CONVENTION, 2007 (No. 188)

15. The Work in Fishing Convention, 2007 (No. 188) was adopted at the 96th International Labour Conference (ILC) of ILO in 2007. The objectives of the Convention is to ensure that fishers have decent conditions of work on board fishing vessels with regard to minimum requirements for work on board; conditions of service; accommodation and food; occupational safety and health protection; medical care and social security. ILC also adopted a resolution on port State Control that invites ILO to seek technical expertise of FAO and others on this issue.

16. The Convention entered into force on 16 November 2017, i.e. 12 months after the date on which it has been ratified by ten Members, eight of which are coastal States. As of 2 April 2018, the

⁴ Reference is made to document COFI/2018/SBD.12 – The report of the 4th session of the IMO Sub-Committee on Implementation of IMO Instruments, in particular paragraphs 14.26-14.27, 14.47.2.6, 14.47.3.5 and 15.2.

⁵ Reference is made to document COFI/2018/SBD.12 – The report of the 4th session of the IMO Sub-Committee on Implementation of IMO Instruments, in particular paragraphs 14.28-14.29, 14.47.4.4 and 15.2.

Convention has been ratified by ten States (Angola, Argentina, Bosnia and Herzegovina, Congo, Estonia, France, Lithuania, Morocco, Norway and South Africa).

VI. THE FIFTH INTERNATIONAL FISHING INDUSTRY SAFETY AND HEALTH CONFERENCE (IFISH 5)

17. The Fifth International Fishing Industry Safety and Health Conference (IFISH 5) will be held in St. John's, Newfoundland and Labrador, Canada, on 10-13 June, 2018.

18. Key themes for IFISH 5 will include topics on safety and health in commercial fishing as well as occupational health and safety issues related to aquaculture and seafood processing. It is anticipated that the agenda will include occupational safety and health studies highlighting collaboration with industry, evaluations of interventions, improvements to protective gear such as personal flotation devices, fisheries management and safety relationships, and the economic impacts of occupational safety and health.

19. FAO is co-sponsoring IFISH 5 by supporting the participation of up to 15 experts from developing countries.

VII. THE SAFETY-FOR-FISHERMEN WEBSITE

20. Through a global safety at sea project for small-scale fisheries in developing countries (GCP/GLO/200/MUL)⁶ FAO developed the "Safety-for-fishermen" website, which is today a major gateway for quality sea safety material with a focus on fishers and fishing vessels. The website, which is hosted by FAO and managed by a selected group of experts (including experts from ILO and IMO), can be consulted at <http://www.fao.org/fishery/safety-for-fishermen>.

⁶ This project was supported by the Swedish International Development Cooperation Agency (Sida), the International Maritime Organization (IMO) and the Swedish Maritime Administration (SMA).