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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.

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an FAO initiative to minimize its environmental impact and promote greener communications.
Other documents can be consulted at <http://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). The importance of safety at sea in the fisheries sector was highlighted at the 2014 session of COFI, where the Committee welcomed the effective cooperation established in this regard between FAO and the International Labour Organization (ILO) and the International Maritime Organization (IMO). Many Members stressed the link between safety at sea and forced labour and the occurrence of Illegal, Unreported and Unregulated (IUU) fishing activities. They referred, in this context, to the ILO Convention 188 and to the Cape Town Agreement of 2012 on the implementation of the provisions of the Torremolinos Protocol of 1993.

II. BEST PRACTICES TO IMPROVE SAFETY AT SEA IN THE FISHERIES SECTOR

3. Following a recommendation by COFI, the FAO Secretariat has developed technical guidelines on best practices to improve safety at sea in the fisheries sector. In addition to fishing vessels, these guidelines² also refer to vessel operations in aquaculture. The guidelines are primarily intended for the use of maritime, labour and fisheries administrations; industry; fisher associations and representatives. They seek to raise awareness of the extensiveness of the problem of safety at sea, and to offer guidance on the broad range of issues that must be addressed if the safety issues are to be tackled in an effective and holistic manner.

III. EFFECTS OF FISHERIES RESOURCE MANAGEMENT MEASURES ON THE SAFETY OF FISHING OPERATIONS

4. In 2001, FAO published a paper, titled Safety at sea as an integral part of fisheries management³ that argued that safety at sea should be integrated into the general management of the fisheries in each country. Moreover, FAO contracted researchers to prepare country-specific case studies on fisheries management and safety in 16 countries around the world. The results and analyses of these case studies, as well as conclusions and recommendations, are presented in the [FAO Fisheries and Aquaculture Circular No. 1073](#), titled International Commercial Fishing Management Regime Safety Study: Synthesis of Case Reports.⁴ This publication is the first document of its kind to provide an empirical review, at a global level, of the effects of fisheries resource management measures on the safety of fishing operations. The document also provides practical guidelines for fisheries managers on how they can help to make fishing safer.

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

² [FAO. Fishing operations. 1. Best practices to improve safety at sea in the fisheries sector. FAO Technical Guidelines for Responsible Fisheries No. 1, Suppl. 3. Rome.](#)

³ [FAO Fisheries Circular No. 966.](#)

⁴ See document COFI/2016/SBD.2.

IV. 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 it has been ratified by 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. As of 19 April 2016, only five States (Congo, Denmark, Iceland, Netherlands and Norway), with 694 fishing vessels, 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 of IMO 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, 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 of the Cape Town Agreement. So far, such seminars have been held in Morocco, Peru, Belize and Indonesia.

9. The Third Session of the Joint FAO/IMO Ad Hoc Working Group on IUU Fishing and Related Matters (JWG),⁵ 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:

- (a) 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;
- (b) 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

⁵ See also 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.

- (c) IMO and FAO invite their Member States to make use of the [*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.

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

10. 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. 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.

VI. THE ILO WORK IN FISHING CONVENTION, 2007 (NO. 188)

11. 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.

12. The Convention will come into force 12 months after the date on which it has been ratified by ten Members, eight of which are coastal States. As of 19 April 2016, seven States (Argentina, Bosnia and Herzegovina, Congo, France, Morocco, Norway and South Africa) have ratified the Convention.

13. ILO, which is concerned about the slow progress in ratifying the Convention, has organized events to discuss challenges in the Convention's implementation. FAO participated in an ILO Global Dialogue Forum, held in Geneva in 2013, that highlighted the importance of the sector for global food security and of addressing the problems of IUU fishing. The Forum also invited the Director-General of ILO to continue to expand strategic partnerships with other UN agencies and international organizations to foster policy and programme coherence in the fishing sector to promote the ratification and effective implementation of Convention No. 188.

14. In September 2015, ILO organized the Meeting of Experts to Adopt [*Flag State Guidelines for the Implementation of the Work in Fishing Convention, 2007 \(No.188\)*](#), in which FAO participated. The Guidelines, which were adopted by the meeting, specifically refer to the [*FAO Voluntary Guidelines for Flag State Performance of 2014; FAO/ILO/IMO Implementation Guidelines on Part B of the Code, the Voluntary Guidelines and the Safety Recommendations*](#); and the FAO Technical guidelines on [*Best practices to improve safety at sea in the fisheries sector*](#).

VII. THE SAFETY-FOR-FISHERMEN WEBSITE

15. Through a project on 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

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

website, which is hosted by FAO and managed by a selected group of experts (including experts from ILO and IMO), can be consulted at www.fao.org/fishery/safety-for-fishermen.