



## **SUMMARY REPORT AND CONCEPT NOTE**

### **Informal Meeting between LDAC and Europêche Brussels, Tuesday 18 December - 10:30-12:00 h**

#### Participants:

<b>EUROPECHE</b>	<b>LDAC</b>
Ment van der Zwan	Iván López
Daniel Voces	Béatrice Gorez
Rosalie Tukker	Alexandre Rodriguez

### **1. Background**

During the last LDAC Working Group 5 meeting (Horizontal Issues) held on 24 October in Brussels, it was agreed that more emphasis should be put into the inclusion of labour and social issues<sup>1</sup> in the CFP. It was also agreed that enhanced cooperation and dialogue between all concerned actors (including fishing operators, ship-owners, trade unions, stakeholders and civil society) was necessary.

This proposal put forward by WG5 was subsequently endorsed and formally adopted by the LDAC Executive Committee held in Madrid on 4 December 2018. A mandate was given to the LDAC Chair, Vice Chair and Secretary to meet EUROPECHE (EU ship-owners/employers' representatives) and the European Transport Federation-ETF (trade unions/employees representatives) before the end of the year to agree upon the suggested way forward.

In order to develop this idea, it was decided that as a first step an informal meeting could be arranged between a LDAC delegation and key members of the European Social Dialogue Committee (namely EUROPECHE + ETF) to discuss labour issues as a first step.

The aim of this meeting was to exchange views between EU social partners working on this actively and the LDAC (both fishing sector and NGOs) to jointly identify areas of common work and develop a roadmap towards widespread ratification of the international instruments for safety at sea in fishing.

The aim of the LDAC is to analyse existing work carried out by the Social Dialogue Committee and prepare a set of recommendations and advice to the European Institutions and EU Member States.

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<sup>1</sup> Social issues in fisheries include issues related to labour, food security, fisheries dependent communities, social cohesion, etc.



The LDAC might also consider to get involved in the organisation of a joint event with the social partners or engaged in consultations from FAO, IMO and ILO in order to raise awareness on the need to ensure a socially, environmentally and commercially sustainable fisheries. An example of a specific action would be to participate in the consultation that will take place in 2019 on future FAO draft guidelines on social sustainability in the fisheries value chain.

## **2. Core messages / ideas**

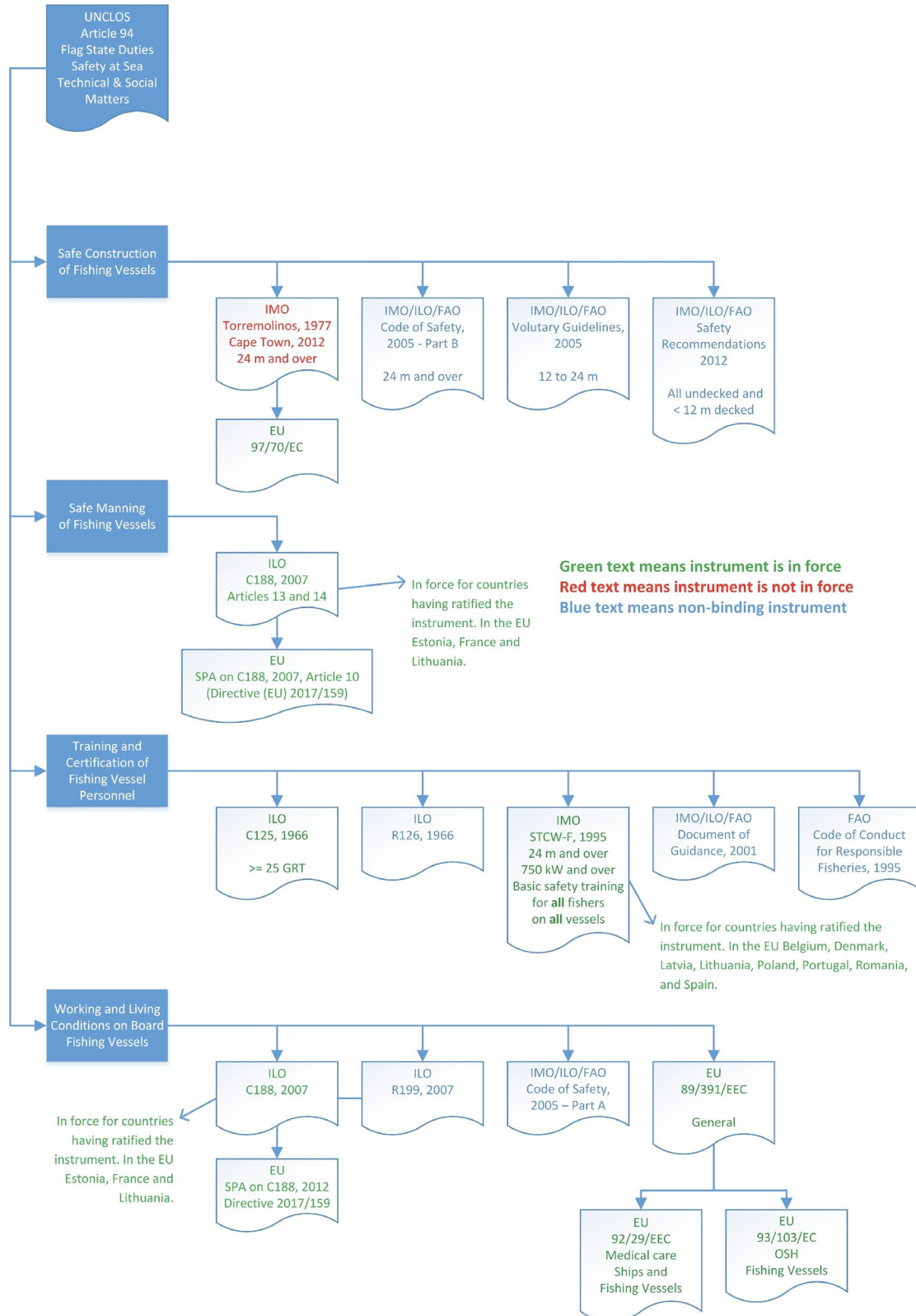
- To foster ratification, implementation and/or transposition into EU and MS law of relevant instruments and provisions of international law related to safety at sea and decent working conditions which are the legal foundations of the protection of fishermen across the world.
- To promote a harmonised and robust framework within the EU in line with internationally agreed safety, social and labour standards and link this process to the future reform of the CFP.
- To identify and bridge gaps in EU labour and social legislation for fisheries, including the lack of harmonisation of professional training and certification of fishermen; alternatives to Gross Tonnage and Kw as fishing capacity measurements which are detrimental for the safety and comfort of fishermen; cross-border labour market services and migrant fisher.
- To ensure coherence between internal and external dimension of the CFP, e.g. regarding observance of flag state obligations in SFPAs and RFMOs.
- To highlight importance of compliance with international instruments of labour law, human and social rights in the area of Trade Agreements (FTA/EFTA/GSP+), including social and labour standards linked to control of fish imports.



### **3. International legal framework for safety at sea in fishing**

Main legislation of interest for the LDAC applicable / in force:

- Legal basis (“umbrella”): UNCLOS Art 94
- FAO Code of Conduct 1995 for Responsible Fisheries and Agreement on Port States Measures
- ILO Work in Fishing Convention (C188) 2007 (*manning and labour conditions*), in force since 16 November 2017. Currently ratified by Estonia, Lithuania and France; upcoming ratifications expected from UK, NE.
- Directive (EU) No 2017/159 (*Social Partners Agreement on C188 2007, Art 10*)
- IMO STCW-F 1995 (*safety and training*)
- IMO Torremolinos Convention 1977 and Cape Town 2012 Agreement (*safe construction of fishing vessels*)





#### **4. Areas of work: proposed way forward / roadmap**

##### Year 2019

Critical review and analysis of published reports by the EU funded Project “*Pillars of the Sea*” 2017/2018 and formulate recommendations on:

- Report of Pillar 1: Professional training and certification of fishermen (STCW-F) – Author: Ment van der Zwan. December 2018.
- Report of Pillar 2: Definition and measurement of fishing capacity by GT and propulsion power ceilings – Author: Aarie Aalbers. November 2018.

Problems with measurement regarding losing storage space (hold) in favour of improving safety and working and living conditions of the crew on board fishing vessels) -> benchmark of different systems and practical examples. Investigate ways of introducing a flexible approach of measuring fishing capacity by fisheries in line with FAO IPOA on Capacity while concealing this with adequate control measures in place to ensure compliance.

##### Year 2020

Critical review and analysis of published reports by the EU funded Project “*Pillars of the Sea*” 2019-2020 and formulate recommendations on:

- Medical examinations of fishers (required under C188 + STCW-F)
- Cross-border labour market services and migrant fishers: preparation of guidelines for collective bargaining agreements; social security coverage of fish workers by country of residence...
- Labour issues linked to control of fish imports.

#### **5. Relations with institutions and international organisations**

- Inviting representatives of DG MARE, DG TRADE, DG EMPLOYMENT and/or EEAS to future LDAC meetings to promote the coherent implementation of fisheries labour and trade policies; and to discuss how to develop a strong legislative framework to apply labour standards to imports (inspired by the IUU Regulation).
- Specific countries to be monitored for cases of labour abuses linked to fishing sector.
- Strengthening of relations and collaboration with FAO / ILO / WTO
  - Side-events: FAO COFI, RFMO Annual Meetings, Brussels Seafood Expo, Our Ocean, ATLAFCO-COMHAFAT, etc.
  - High profile event on social aspects for CFP Reform (tbc)

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