

Input of the International Labour Organization for the background note for the High-Level UN Conference to Support the Implementation of SDG 14, Lisbon 2 – 6 June 2020

Introduction: Role of the ILO with respect to seafarers and fishers

As the only tripartite organization of the United Nations, the ILO brings together governments, employers and workers of 187 member States to set labour standards, develop policies and devise programmes promoting decent work for all women and men. Decent work means fairly paid, productive work carried out in conditions of freedom, equity, security and human dignity. The 2030 Agenda for Sustainable Development as Sustainable Development includes SDG 8 on decent work and inclusive growth. Decent work is also a critical element in achieving many other SDGs, not least SDG 14 aiming to conserve and sustainably use the oceans, seas and marine resources for sustainable development,

The ILO continues to work to improve the conditions of seafarers and fishers. Over the last 100 years since its founding, the ILO has given special consideration to the maritime sector with the adoption of a range of Conventions and Recommendations specific to the shipping and fishing sectors. The [Maritime Labour Convention, 2006, as amended \(MLC, 2006\)](#) – brought together nearly all of the instruments for seafarers in a single, comprehensive Convention. This Convention has been ratified by 94 States representing 91 per cent of world gross tonnage of merchant ships, and hence has significant reach and impact. Similarly, the [Working in Fishing Convention, 2007 \(No.188\)](#) consolidated earlier ILO fishing sector conventions into a single instrument; it entered into force on 16 November 2017 and to date has 14 ratifications.

Activities, challenges and opportunities relating to the implementation of SDG 14

The ILO has made [voluntary commitments](#) linked to SDG 14 at the United Nations Conference to Support the Implementation of SDG 14 and is following up on these commitments. In addition, the ILO has made commitments at the various Our Ocean Conferences. The commitments from both conferences relate to the implementation of the key ILO maritime instruments which are the Maritime Labour Convention, 2006, as amended (MLC, 2006); the Work in Fishing Convention (No. 188) and the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), as amended. In relation to the fishing sector, the ILO made a

commitment to address issues regarding migrant fishers, combatting unacceptable forms of work and human trafficking in the fishing and seafood industry.

Status and trends

The ILO is a member of UN-Oceans, where it has sought to raise awareness of labour issues in the maritime sector, and ILO's standards and other tools that address these matters across the UN system. This included a proposal, with respect to indicator 14.c.1, to include key international labour standards for seafarers and fishers on the list of instruments in which States would have to report on with regard to their ratification or accession and implementation through legal frameworks. The widespread ratification and implementation of these sector-specific standards and the realization of fundamental principles and rights at work for all working at sea, is critical to ensuring that the three pillars of ocean sustainability-economic, environmental and social are respected.

Challenges and opportunities

The fishing (or fisheries) sector is facing pressures including climate change; overfishing; illegal, unreported and unregulated fishing, and the growing scale of marine pollution in the form of litter and debris. As requested by the [Conclusions](#) on the promotion of decent work for migrant fishers adopted at the 2017 [Tripartite Meeting on issues relating to Migrant Fishers](#), a promotional campaign for the Work in Fishing Convention, 2007 (No. 188) has been launched. The campaign aims to raise awareness of the Convention to encourage more ratifications and effective implementation. Activities include raising awareness of the Convention and its supplementing Recommendation; building capacity of constituents through development cooperation; the development and dissemination of tools and training materials; providing technical assistance to member States; and supporting the follow up to the resolution and conclusions of the Tripartite meeting.

A number of ILO member States have conducted a comparative or “gap” analysis of their laws, regulations and other measures in order to discern where changes are needed to bring them in line with the minimum standards set out in Convention No. 188. A gap analysis has been conducted on Thai national laws, regulations and other measures concerning conditions of work on board fishing vessels. This was prepared by an inter-disciplinary team of the ILO, including staff from the European Union-funded [Ship to Shore Rights Project](#) following extensive consultations conducted by the ILO in partnership with the Ministry of Labour. The report examined Thailand's existing legal framework for work in fishing followed by a section-

by-section analysis of the gaps between Thai law and the definitions, scope, general principles, and provisions of Work in Fishing Convention, 2007 (No. 188). This gap analysis contributed to a commitment by the Thai Government and social partners to ensure that workers in the fishing industry have acceptable working and living conditions. This commitment culminated in Thailand ratifying Work in Fishing Convention, 2007 (No. 188), becoming the first Asian country to do so.

A working paper on bilateral, regional or multilateral agreements concerning migrant fishers is being produced in keeping with the Conclusions adopted by the Tripartite Meeting on Issues relating to Migrant Fishers in September 2017, according to which the ILO should “advise States engaged in bilateral, regional and multilateral agreements concerning migrant fishers, with a view to ensure that such agreements are based on social dialogue and are consistent with relevant ILO standards and fundamental principles and rights at work”. The paper: (i) describes the phenomenon of migration in the fishing sector providing an overview of the relevant regulatory framework; (ii) takes stock of the types of agreements with a bearing on migrant fishers and existing relevant agreements; (iii) highlights certain parameters and trends currently shaping the fishing sector; and (iv) provides topical policy advice on the possible contents of agreements, or provisions therein, aimed at migrant fishers

SDG target 8.7 calls for immediate and effective measures to be taken to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour amongst others. The ILO’s [SEA Fisheries Project](#) (Strengthened Coordination to Combat Trafficking in Fisheries in South East Asia) aims to reduce human trafficking in the fishing sector by strengthening coordination and increasing the efficiency and effectiveness of existing national and regional level anti-trafficking efforts in South East Asia. On 29 November 2018, representatives from eight countries from Southeast Asia resolved to establish the Southeast Asian Forum to End Trafficking in Persons and Forced Labour in Fisheries (SEA Forum for Fishers) at the Southeast Asian Conference on Regional Coordination and Action concerning Fishers.

[The Global Action Programme against forced labour and trafficking of fishers at sea](#) (GAPfish) is a cross-cutting global programme that will have regional and national impacts to promote and protect fishers’ human and labour rights. It aims to tackle forced labour and human trafficking in the fisheries sector. The GAPfish project consists of four pillars—research, prevention/protection/prosecution, capacity building and awareness raising, and transparency

and multi-stakeholder initiatives (MSI). The primary beneficiaries of the project are migrant fishers in small-scale and industrial fisheries, and, indirectly, their dependents and local communities.

In 2019, the various activities surrounding the maritime sector were guided by the overarching theme of gender (notably the 2019 World Maritime Day and 2019 UN World Oceans Day). The ILO's Women at Work Initiative aims to identify and understand why delivering on decent work for women has been slow and what needs to be done towards securing a better future for women at work. The 2019 [Tripartite sectoral meeting on the recruitment and retention of seafarers and the promotion of opportunities for women seafarers](#) addressed, among other things, the specific issues that women face, as an under-represented group among seafarers. Indeed, women account for only two percent of the global seafarer workforce. The meeting adopted conclusions regarding the promotion of equal opportunity and treatment of women seafarers and combatting harassment, bullying and discrimination issues that women seafarers may face prior, during and upon completion of their employment aboard vessels. This meeting is in line with another Sustainable Development Goal, SDG 5: achieve gender equality and empower all women and girls, providing women and girls with equal access to education, health care, decent work, and representation. The outcomes of the Meeting called on the various stakeholders to continue to advance decent working conditions for women seafarers. The outcomes and conclusions of these meeting also call on the ILO to continue and further its work in the promotion of opportunities for women seafarers, through means such as conducting research on women seafarers in the industry, partnering with other organizations, the promotion of its Conventions and further promote diversity and inclusion in the industry.

The third meeting of the Special Tripartite Committee established by the Governing Body in accordance with Article XIII of the Maritime Labour Convention, 2006 (MLC, 2006) took place at the ILO in Geneva from 23 to 27 April 2018. The amendments adopted by the third meeting of the STC were approved, on 5th June 2018, by an overwhelming majority of the delegates to the 107th session of the International Labour Conference. The 2018 amendments to the MLC, 2006 relate to the protection of seafarers' wages and entitlements while they are held captive on or off a ship as a result of acts of piracy or armed robbery against ships. They are expected to enter into force on 26 December 2020. These amendments are the result of ILO's ongoing work on the protection of seafarers' wages in case of piracy and armed robbery against ships at sea.

Marine pollution in the form of litter and plastics is becoming a matter of global concern with important social and employment implications. UN Environment estimated that such pollution is increasing by 8 million metric tons annually. At such a pace, it is quite likely that the goal of a significant reduction in marine pollution by the year 2025, as reflected in Sustainable Development Goal target 14.1, will not be achieved.

In addressing the problem of marine pollution from litter and plastics, it is important to consider upstream solutions to prevent marine litter as well as working with private sector to reorient production processes based on the circular economy approach, but also downstream solutions through effective waste management and recycling.

In all these areas, the ILO has role to play through its normative body of conventions and recommendations and the engagement of governments and social partners to formulate appropriate responses. In this regard, the ILO participates actively in the UN Environment Management Group's Task Team on Marine Litter and Microplastics.

Development of partnerships

The ILO coordinates with IMO, FAO and other UN system specialized agencies and organizations on matters related to ensuring decent work for seafarers, fishers and others working in the maritime sectors. This includes participation in each other's meetings and events, and jointly promoting that international instruments are respected. The ILO continues the joint promotion of the Cape Town Agreement, STCW-F Convention, Convention No. 188 and the Port State Measures Agreement. This inter-agency cooperation helps encourage institutional cooperation at the national government level, which is necessary in the maritime sector.

At its 335th Session (March 2019) the Governing Body (GB) considered ILO participation in the Joint FAO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related Matters

Following decisions taken by the GB in March 2019, the ILO participated, as a full member in the Joint FAO/ILO/IMO a Working Group on Illegal, Unreported and Unregulated fishing (held in Torremolinos, Spain, in October 2019), previously a joint FAO/IMO working group. The ILO, in accordance with the Governing Body decision, was represented by Employer and Worker representatives nominated by their respective groups. The Joint Working Group adopted recommendations, to be submitted to the relevant FAO, ILO and IMO bodies, which

will contribute to future coordinated work by the three agencies and lead to greater attention on addressing working conditions, including combatting forced labour, on fishing vessels, in the context of efforts to address IUU fishing.

The ILO, in partnership with Thailand's Ministry of Labour and the Delegation of the European Union (EU) to Thailand, launched the project on "Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry" on 17 March 2016, in Bangkok (now referred to as the ILO "Ship to Shore Rights Project). On 12 December 2018, the Ship to Shore Rights Project organized its eighth project steering committee. The tripartite meeting composed of government, employers, worker organizations, and civil society had the objective to promote decent work in the Thai fishing and seafood industry. A mutual understanding was reached on approval for ratification of Convention No. 188, advanced training for labour inspectors, strengthening GLPs and an updated review of activities by trade unions and corporate social responsibility partners as well as the various NGOs that were present at the meeting. This project has contributed to the ratification of Convention No. 188 by Thailand in January 2019. In addition, awareness has been raised about the convention in the wider Southeast Asian region. The project had also contributed to the ratification of Thailand of the Protocol of 2014 to the Forced Labour Convention, 1930.

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