

Monitoring Labour Standards on Fishing Vessels in the Pacific



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Introduction.

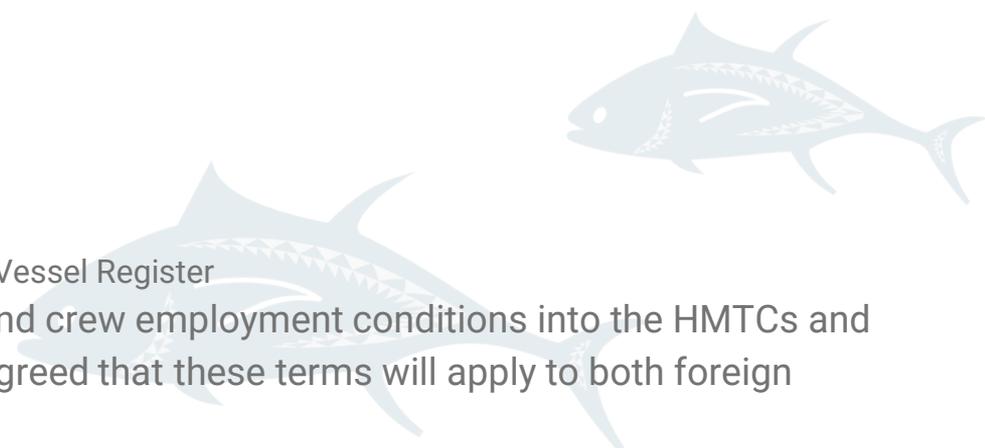
- FFA Member's steps to improve Labour Standards on Fishing Vessels.
 - Harmonised Terms and Conditions for Access by Fishing Vessels
 - C188 – Work in Fishing Convention
 - New Zealand Funded Labour Standards on Fishing Vessels Project
- FFA's approach to Monitoring, Control and Surveillance of Labour Standards on Fishing Vessels.
 - Complexities of Monitoring Labour Standards on Fishing vessels in the WCPO
 - National Level Monitoring
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- Other considerations with regards to monitoring, control and surveillance of labour standards on fishing vessels.



FFA Member's steps to improve Labour Standards on Fishing Vessels.

The Harmonised Minimum Terms and Conditions for Access by Fishing Vessels (HMTCs)

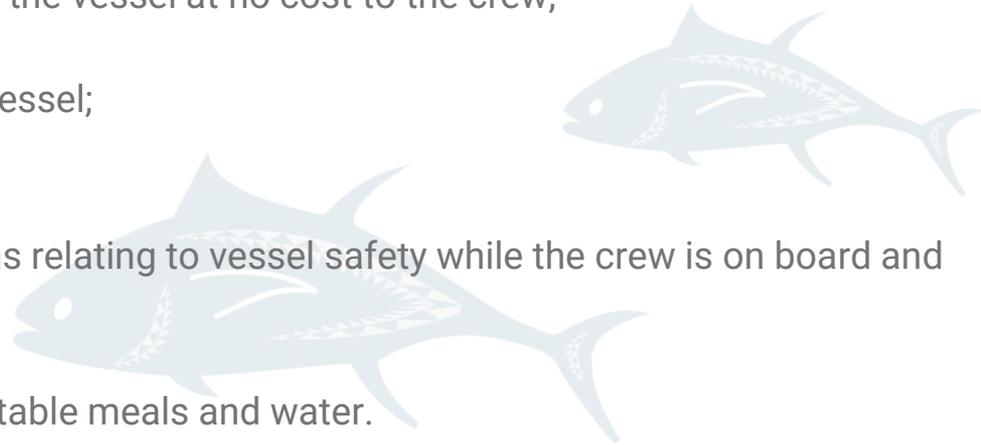
- Key strategic tool for FFA Members to regulate access to their Exclusive Economic Zones (EEZs) to ensure sustainable and effective management of their fisheries.
- Non-binding instrument but the decisions of the Forum Fisheries Committee are binding and members are obligated to implement at the national level.
- The HMTCs are the minimum standards for members to include as a part of their license conditions and/or other national legislative instruments.
- Examples of HMTCs
 - Ban on Transshipment at sea
 - VMS requirements
 - Requirement to be on Good Standing in the FFA Vessel Register
- In 2019, FFC endorsed the inclusion of labour and crew employment conditions into the HMTCs and the Pacific Islands Fisheries Ministers further agreed that these terms will apply to both foreign flagged and domestic flagged vessels.



FFA Member's steps to improve Labour Standards on Fishing Vessels.

Contents of The Harmonised Minimum Terms and Conditions for Access by Fishing Vessels (HMTCs) Crew and Employment Conditions

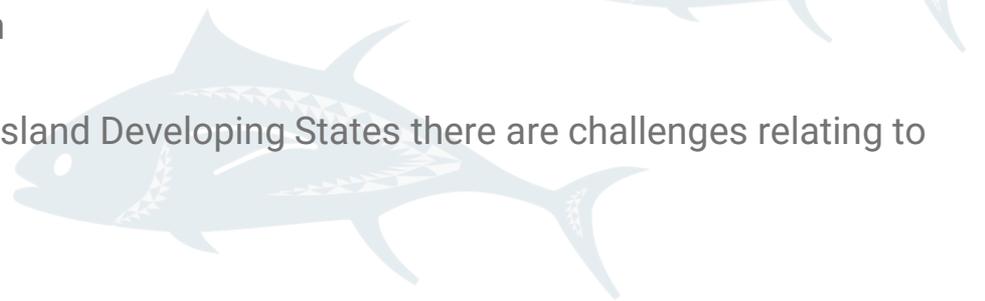
- The HMTCs are based off the Work in Fishing Convention (C188)
- A written contract in a language each crew member can understand;
- Protection of the basic human rights of the Crew in accordance with accepted international human right standards;
- Procedures covering the death of crew member and for advising next of kin in the event of an emergency;
- Full travel costs from the point of hire to and from the vessel at no cost to the crew;
- Decent and fair remuneration;
- Full insurance coverage to and from, and on, the vessel;
- Provision of medical care;
- Adequate rest periods;
- Provision for health and safety including provisions relating to vessel safety while the crew is on board and throughout the duration of the contract;
- Provision of safety equipment, tools and training;
- Proper accommodation, sanitary facilities and suitable meals and water.



FFA Member's steps to improve Labour Standards on Fishing Vessels.

ILO Work in Fishing Convention (C188)

- No FFA Members have ratified C188 at this stage.
- Agree with the convention on principle.
- Roughly 20% of fishing vessels operating within the EEZs of Members are flagged to FFA Member countries.
- While Labour and human rights violations on fishing vessels in the WCPO is a data poor area, the reports that we are seeing indicates there is a higher rate of issues on vessels that are not flagged to FFA Member countries so ratification of C188 would have less of an impact on the people that are suffering from violations than the FFA approach
- With the majority of FFA Members being Small Island Developing States there are challenges relating to capacity of agencies with regards to ratification



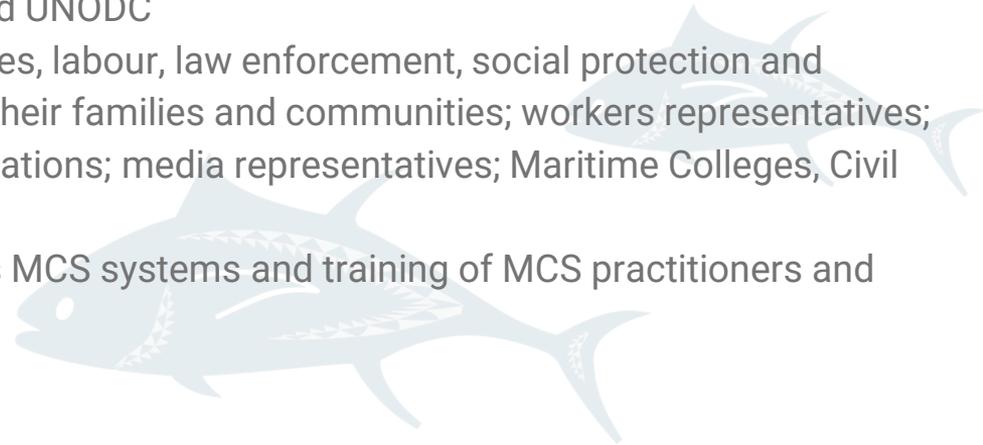
FFA Member's steps to improve Labour Standards on Fishing Vessels.

Challenges of Implementing the HMTCs at the National Level.

- COVID-19 Pandemic.
- Small Administrations with limited capacity.
- New Area of work for fisheries ministries/authorities.

New Zealand Funded Labour Standards on Fishing Vessels Project

- \$5.5 Million New Zealand Dollar project
- Four implementing Partners: FFA, ILO, IOM and UNODC
- Project Partners: Representatives from fisheries, labour, law enforcement, social protection and maritime safety agencies; Fishers, as well as their families and communities; workers representatives; fishing companies and fishing industry associations; media representatives; Maritime Colleges, Civil Society Organizations, International Agencies
- The Project has a broad scope which includes MCS systems and training of MCS practitioners and government officers



FFA's approach to Monitoring, Control and Surveillance of Labour Standards on Fishing Vessels.

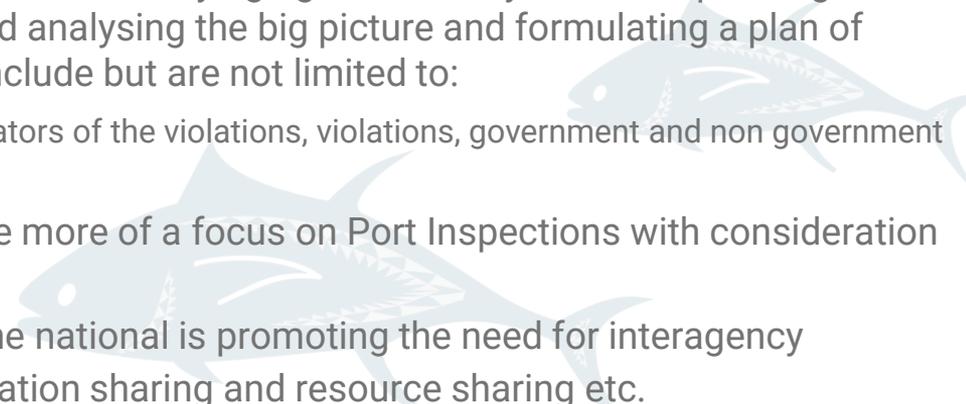
Complexities of Monitoring Labour Standards on Fishing vessels in the WCPO

- Vessels are at sea for long periods of time over a vast ocean area.
- Low Observer Coverage
 - 100% Purse Seine Vessels
 - 5% Longline Vessels – Main Vessels of Interest
- Some countries not having legislations covering Minimum Labour Conditions.
- Fisheries Officers not trained in inspecting Labour conditions.
- Labour Inspectors not training in inspecting fishing vessels
- Lack of information sharing between agencies.
- Fisheries Ministry/Agency not being a part of Trafficking In Persons taskforces
- Labour Related inspections being routine and reactive.



FFA's approach to Monitoring, Control and Surveillance of Labour Standards on Fishing Vessels.

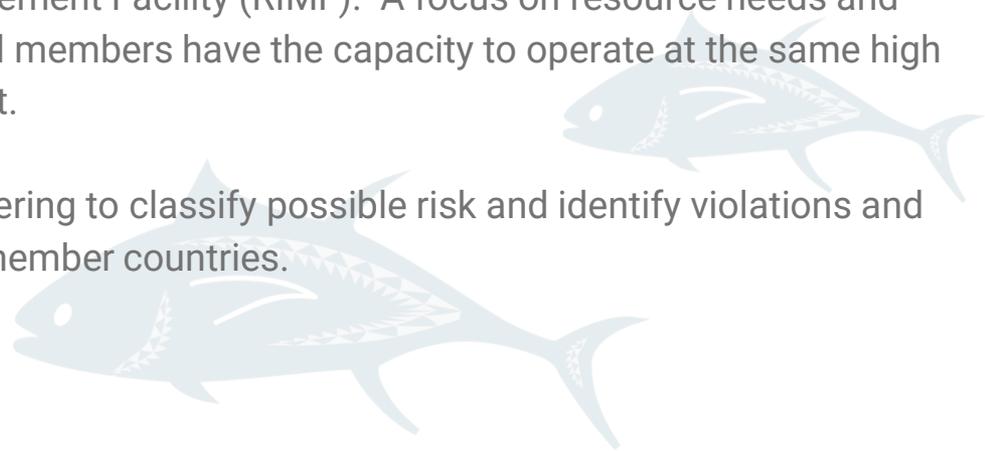
National Level Monitoring

- FFA has developed the “Multi-Agency Plan of Action for Labour Monitoring” (MAPALM).
 - This is a highly interactive workshop for the relevant compliance and enforcement agencies to come together and develop a multi-agency approach to ensure labour standards on fishing vessels are being complied with as well as using other means to promote good compliance through proactive and holistic interventions.
 - MAPALM is focussed on agencies being proactive and efficient in its inspection regimes through using a compliance risk index.
 - MAPALM starts with an interactive workshop where the varying agencies analyse and map a range of areas in a focussed manner before mapping and analysing the big picture and formulating a plan of action. Some elements participants consider include but are not limited to:
 - Interventions, influences on compliance, perpetrators of the violations, violations, government and non government involvement.
 - The MAPALM process at the National level have more of a focus on Port Inspections with consideration of at sea inspections.
 - One of the overall focus areas of MAPALM at the national is promoting the need for interagency cooperation and collaborations, through information sharing and resource sharing etc.
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FFA's approach to Monitoring, Control and Surveillance of Labour Standards on Fishing Vessels.

Regional Level Monitoring

- MAPALM for the Regional Level is very similar to the national level with a couple of elements added. Due to the transnational nature of the area of interest, a regional approach will be most effective.
- The Regional Level MAPALM will continue the model of the national level MAPALM but will have more focus on data and resource needs and allocations. This is because the Regional Fisheries Surveillance Centre will administer the day to day coordination of the monitoring of labour standards on fishing vessels through its Regional Information Management Facility (RIMF). A focus on resource needs and allocations will also aid the process to ensure all members have the capacity to operate at the same high standards and to promote capacity development.
- Further focus will be placed on intelligence gathering to classify possible risk and identify violations and promoting the sharing of information between member countries.



Other Considerations

Wellbeing of Officers

- Particularly with Fisheries Officers that have not spent time inspecting people. Due to the frontline nature of Fisheries Officers work and experiencing people being abused they will need to be equipped with personal tools to deal with what they experience.

Training of relevant agencies

- The range of different agencies involved in the MAPALM will all require training to cover the range of different areas where they will have gaps in knowledge.
- I will be promoting the internal train the trainer approach that will have the relevant agencies training one another in their own specialties.

Emergence of new technologies

- The emergence of new technologies will mean that consideration will be required to ensure that all systems developed can incorporate new technologies and developments



Thanks!

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