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Agenda item 8

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COMPREHENSIVE REVIEW OF THE 1995 STCW-F CONVENTION

Proposal to use the term "fisher" in the STCW-F Convention and Code

Submitted by Iceland, Netherlands, Spain, FAO, ILO and ITF

SUMMARY

Executive summary: This document provides a proposal to replace the term "fishing vessel personnel" with "fisher" in the STCW-F Convention and Code in order to align with the ILO Work in Fishing Convention, 2007 (No.188) and to improve readability of the STCW-F Convention text.

*Strategic direction,
if applicable:* 6

Output: 6.12

Action to be taken: Paragraph 12

Related documents: MSC 95/19/3; HTW 3/6, HTW 3/19; MSC 96/25; HTW 4/16; HTW 5/6, HTW 5/6 and HTW 5/16

Introduction

1 The Maritime Safety Committee at its ninety-fifth session (MSC 95) approved the inclusion of a new work programme item on "Comprehensive review of the 1995 STCW-F Convention" on the agenda of the Sub-Committee on Human Element, Training and Watchkeeping (HTW) and instructed the Sub-Committee, as a first step, to define the scope of the comprehensive review.

2 At HTW 4, Japan proposed a way forward for the comprehensive review of the 1995 STCW-F Convention in document HTW 4/6 including the draft revised regulations and the draft new STCW-F Code.

3 HTW 4 established the Correspondence Group on the Comprehensive Review of the 1995 STCW-F Convention, under the coordination of Japan.

Discussion

4 At HTW 5, the report of the Correspondence Group (document HTW 5/6) noted that during the Group's consideration, a participant proposed a new definition of "fishing vessel personnel" or "fisher" in line with the STCW Convention, taking into account future needs. The Group agreed that further consideration should be given to the introduction of this definition at HTW 5. The annex to the report sets out that:

Fishing vessel personnel [Fisher] means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers.

5 In this regard, it is noted that the ILO Work in Fishing Convention, 2007 (No.188), in part I. Definitions and Scope, article 1(e) provides that:

Fisher means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers;

6 The Food and Agriculture Organization of the United Nations (FAO) applies the term "fisher" in its binding and voluntary international instruments on fisheries, such as the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA), which has been ratified by 100 countries, as well as in the 1995 Code of Conduct for Responsible Fisheries (CCRF) and the 2015 Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines). The term "fishing vessel personnel" is not being used by FAO.

7 The group of crew members falling under the definition of fishing vessel personnel in the draft text of the revised STCW-F is identical to the group falling under the definition of fisher according to the ILO Work in Fishing Convention, 2007 (No.188) for the reason that the definitions of "fishing vessel personnel" and "fisher" are identical, as shown in the table below.

Definition of fishing vessel personnel in the draft revised STCW-F Convention	Definition of fisher in ILO Work in Fishing Convention, 2007 (No.188)
<i>Fishing vessel personnel</i> means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers.	<i>Fisher</i> means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore based persons carrying out work aboard a fishing vessel and fisheries observers.

Proposal

8 In the interest of inter-agency policy coherence and alignment, where possible, of terms used in international conventions and agreements on fisheries and to improve readability of the STCW-F Convention, the co-sponsors of this document propose that the revised version of STCW-F Convention uses the term "fisher" instead of "fishing vessel personnel".

9 Where the present draft revised text of the STCW-F Convention and Code refers to fishing vessel personnel in the singular, the term "fisher" can be applied and where the text indicates plural, fishing vessel personnel can be replaced by "fishers".

Conclusion

10 The definition of "fishing vessel personnel" in the draft revised text of the STCW-F Convention is identical to the definition of "fisher" in part I. Definitions and Scope, article 1, paragraph e, of the ILO Work in Fishing Convention, 2007 (No.188).

11 Therefore, the co-sponsors of this document propose to replace the term "fishing vessel personnel" in the draft revised STCW-F Convention with the term "fisher". This replacement will not have effect on the composition of crew members falling under the definition and will increase the readability and the alignment between relevant conventions.

Action requested of the Sub-Committee

12 The Sub-Committee is invited to consider the proposal in paragraph 8 and take action, as appropriate.
