ITF FISHERIES SECTION

ITF FISHERIES POLICY

Key Messages

ITF

THE INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF) IS A DEMOCRATIC, AFFILIATE-LED GLOBAL FEDERATION OF 740 TRADE UNIONS IN OVER 150 COUNTRIES, REPRESENTING NEARLY 16.5 MILLION WORKING MEN AND WOMEN IN ALL TRANSPORT SECTORS. THE ITF PASSIONATELY CAMPAIGNS FOR TRANSPORT WORKERS' RIGHTS, EQUALITY AND JUSTICE.

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FOREWORD

Fishing is a highly profitable industry. Yet, the work of fishers is precarious, arduous and dangerous. Indeed, it is now increasingly well understood that the job of a fisher is one of the most dangerous in the world.

But despite the risks fishers face every day working in the complex and opaque global supply chains that bring fish from the sea to our plates, fishers and seafood workers everywhere face systemic abuses of their labour rights.

The International Transport Workers' Federation's (ITF) vision for the future of fisheries is clear: we want a world where fishers are empowered to fight for and win safer working conditions, better wages and benefits, and stronger workplace protections nationally, regionally and globally.

We believe that to achieve this, we must eliminate what the ITF now calls the 'Flags of Non-Compliance' (FONC) system. There are a range of criteria – outlined in full in this report – which determine whether we label a flag a FONC.

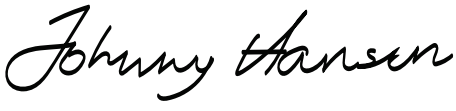
There are clear parallels with the ITF's Flags of Convenience (FOC) campaign, which marked its 75th anniversary in 2023, and which has done so much to elevate the conditions of seafarers in the merchant marine.

This new policy is now at the heart of the ITF's work on fisheries. As such, it has been developed by the ITF with the full involvement of our global affiliates.

It holds the dual purpose of positioning ITF work on fisheries and guiding ITF affiliates on issues and policies that relate to sustainable fishing, human and labour rights at sea, occupational safety and health, and the role of unions and the ITF in organising fishers and resolving issues relating to work in fishing and the seafood supply chain.

We know that through collective action and trade union organising we can realise our vision for fisheries. And it is the ITF's role as one of the world's leading global union federations to coordinate and organise the initiatives that will build fishers' collective power.

We will be proud to work alongside our fellow trade unionists to ensure the success of our FONC campaign and a better world for fishers.



Johnny Hansen, Chair, ITF Fisheries Section

KEY MESSAGES

- The new ITF Fisheries Flags of Non-Compliance (FoNC) Policy builds on our existing ITF Fisheries Section Policy, 2002, and was developed from 2021 to 2024 in consultation and with the full involvement of our global affiliates.
- The purpose of this policy is two-fold: to position ITF work on fisheries worldwide and to guide and advise existing and future affiliates on particular issues and policies that relate to sustainable fishing, human and labour rights at sea, and the role of unions and the ITF in resolving issues relating to work in fishing and seafood supply chains.
- It was adopted by the ITF Fisheries Section Conference at the 46th ITF Congress in Marrakech, Morocco, and became operational in October 2024.

This publication is an abridged 'key messages' version of the full policy. The full policy is available upon request and/or can be downloaded from the ITF website.

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CHAPTER ONE
INTRODUCTION

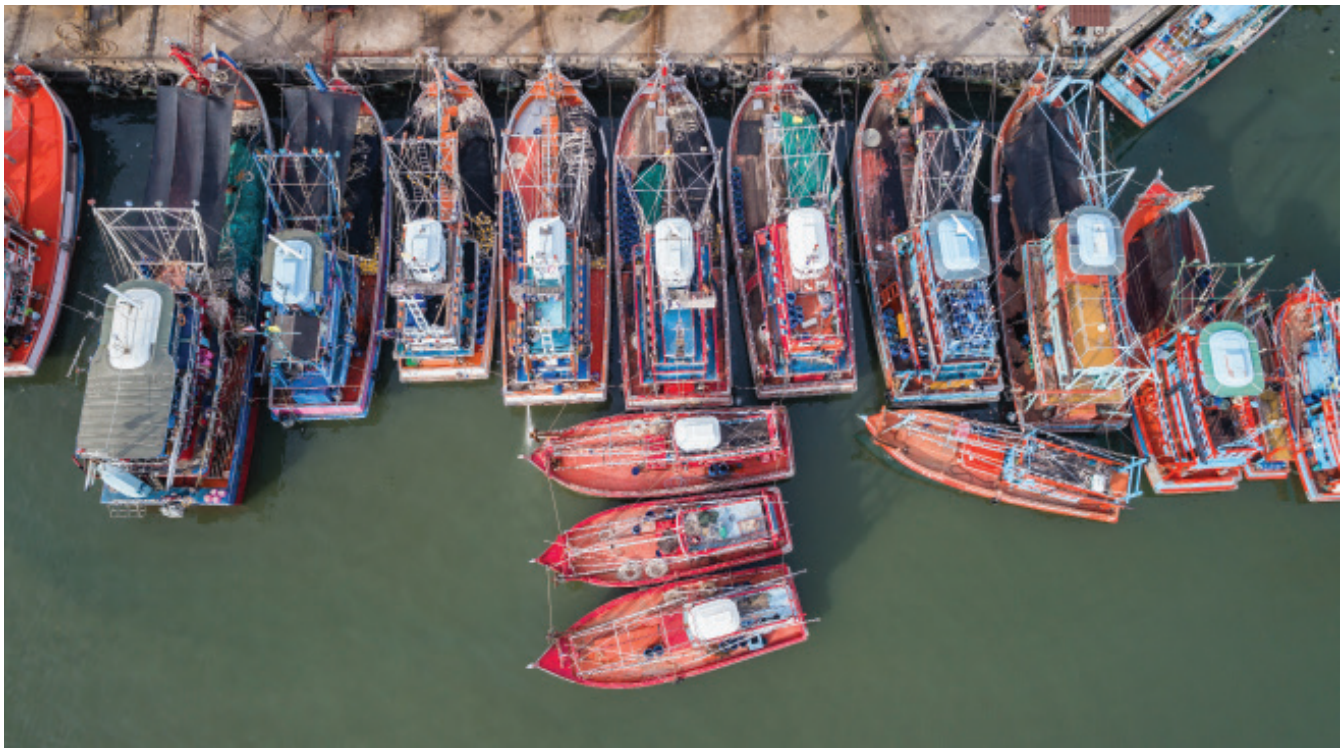
- The International Transport Workers' Federation (ITF) is a democratic, affiliate-led federation recognised as the world's leading transport authority. The ITF fights passionately to improve working lives, connecting more than 700 affiliated trade unions in more than 150 countries that may otherwise be isolated, and helping their members to secure rights, equality and justice. We are the voice for nearly 16.5 million working men and women across the world.
- The ITF represents fishers working at sea as part of the seafood supply chain. We campaign for better working conditions in an industry that can be harsh and oppressive to those working outside regulation.
- The fisheries sector is a global industry with complex international supply chains that requires a series of legal and practical steps to be taken on an international, regional and national level in order to improve conditions for fishers, seafood workers and also for the sustainable and equitable management of marine resources. The ITF actively participates in the development and improvement of international instruments for the benefit of fishers, their local communities and the marine environment, based on the principles contained in this document.

INTERNATIONAL REGULATORY FRAMEWORK

- The International Maritime Organization (IMO), the International Labour Organization (ILO) and the Food and Agriculture Organization (FAO) have developed and adopted a range of international instruments that provide a strong legal framework for responsible fisheries, the safety of fishing vessels and fishers, and decent working and living conditions in fisheries. The ITF actively supports the development, ratification and consequent implementation of these instruments.
- The ITF fully subscribes to the ILO Declaration on Fundamental Rights and Principles at work based on the obligation of States to respect, to promote and to realise, in good faith and in accordance with the ILO Constitution, the principles concerning the fundamental rights which are the subject of the ILO's Core Conventions, namely:
    a. Freedom of association and the effective recognition of the right to collective bargaining;
    b. The elimination of all forms of forced or compulsory labour;
    c. The effective abolition of child labour;
    d. The elimination of discrimination in respect of employment and occupation;
    e. A safe and healthy working environment.
- The United Nations Convention on the Law of the Sea (UNCLOS) Article 99 (Prohibition of the Transport of Slaves), ILO Work in Fishing Convention No. 188, and the IMO 2012 Cape Town Agreement for safety aboard fishing vessels, as well as the FAO Agreement on Port State Measures (PSMA) provide complementary means for tackling violations of labour and working conditions in global fisheries.

THE ROLE OF THE ITF

- The ITF works alongside the ILO to secure decent working conditions for all fishers, the IMO to ensure the safety of fishers and the FAO, which governs the sustainable management of fisheries. Together, we work to create a fairer, safer, sustainable future for fishers and fisheries alike.
- The ITF considers that the fishing industry should be run on a sustainable basis and in a socially and environmentally responsible manner. Therefore, the industry should, in addition to complying with the FAO Code of Conduct for Responsible Fisheries and other applicable international instruments, also be run in a manner consistent with the three pillars of sustainable development, i.e., environmental, social and economic, and as articulated in the UN 2030 Agenda and the associated UN Sustainable Development Goals (SDGs).



STATEMENT OF PRINCIPLES

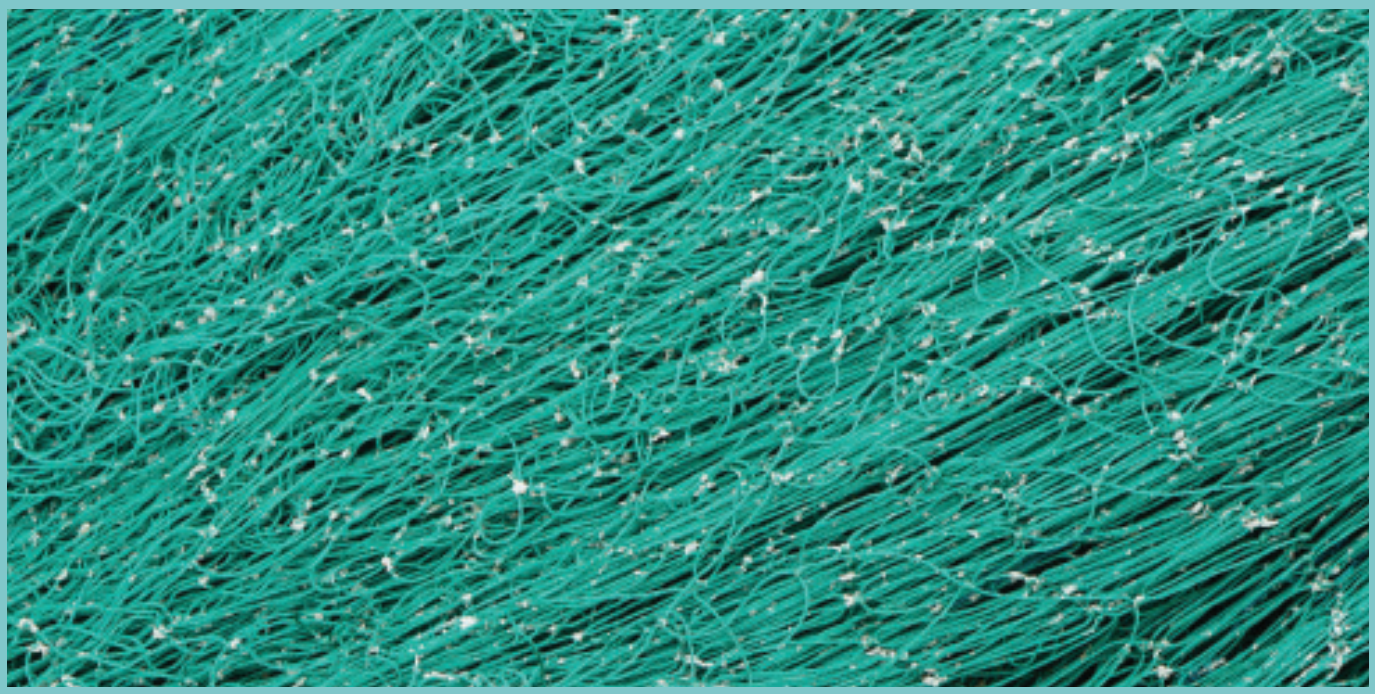
- The ITF supports the enforcement of the highest possible labour and social standards for those working in fishing and the seafood supply chain. These standards include international human and fundamental labour rights, international safety standards and international maritime labour standards now underpinned by the ILO Work in Fishing Convention №188, 2007 (ILO C188).
- The ITF promotes and supports trade union rights for fishers and demands full enforcement of these standards on board fishing vessels.
- The ITF supports the growth of union density and collective bargaining coverage in fisheries and the cooperation and coordination of democratic and independent trade unions globally.
- The ITF opposes owners seeking to minimise their operational costs by, inter alia, tax avoidance, trade union avoidance, exploitation of migrant fishers on very low wages, failing to provide welfare and social security for their crews and avoiding proper application of labour, safety and environmental standards. These issues are often associated with IUU fishing.
- The ITF opposes unfair wage competition.
- Fishing vessel owners should facilitate and contribute to the ongoing training and career development of those working on their vessels.

STATEMENT OF OBJECTIVES

In order to give effect to these principles, the ITF campaigns to:

- Protect and improve the conditions of employment of fishers and to ensure that all fishers are protected from exploitation regardless of race, nationality, immigration status, sex, religion, sexual orientation or gender identity;
- Prevent substandard employment in fishing and seek ITF-acceptable standards on all vessels, irrespective of vessel and crew nationality, using all the political, industrial and legal means available;
- Strengthen affiliated unions in order to maximise international solidarity in support of our campaigns worldwide;
- Achieve universal ratification and effective implementation of the ILO Work in Fishing Convention No 188, 2007, (C188);
- Pressure governmental and intergovernmental organisations to raise standards within the fishing industry;
- Secure acceptable minimum wages and working conditions for fishers by engaging in international, national, regional and local collective bargaining with vessel owners and other employers, as well as other forms of meaningful social dialogue with participants in the catching sector and seafood supply chain;
- Eliminate the Flags of Non-Compliance (FoNC) system in practice (as described in chapter 5), where there is a substantial *decent work* deficit, through political activities, industrial actions and active co-operation with all interested parties;
- Eliminate exploitation and ensure social protections for all fishers (by using all means available to the ITF).

CHAPTER TWO
SUSTAINABLE FISHERIES AND FISHERIES MANAGEMENT



- The ITF supports sustainable and precautionary fisheries management measures. Headline fisheries management objectives (Maximum Sustainable Yield (MSY) objectives) must consider the impacts on labour and the social dimension. The ITF supports action on reducing fishing capacity in a socially just manner.
- The ITF supports the FAO in ending overfishing, curtailing harmful subsidies, encouraging non-harmful subsidies, increasing economic benefits from sustainable fisheries, and ensuring access to resources and markets for small-scale fishers.
- Decommissioning schemes should be based on the principles of a just transition and ensure enhanced worker compensation (in addition to vessel owner compensation).
- The ITF is firmly opposed to illegal, unreported or unregulated (IUU) fishing wherever it takes place, and the ITF supports action against IUU fishing by governments, regional fisheries management organisations (RFMOs), intergovernmental and non-governmental organisations worldwide.
- Fishing rights must remain the property of the state and local fishing communities, based on a total allowable catch that is distributed to the fishing industry according to nationally determined social, economic and environmental criteria, in a time-bound manner. This may be best achieved by well-regulated and controlled Exclusive Economic Zones (EEZs).
- The ITF is firmly against the imposition of individual transferable quota (ITQ) fisheries management schemes, which would enable the market alone to become a vehicle for the restructuring of the industry.
- The ITF supports Marine Protected Areas (MPAs) designated in consultation with the fishing sector as well as the development of selective and fuel-efficient fishing gear.
- The ITF believes that unions and fishers (or their representatives) must have a clear role and function in the operation and decision-making functions of the RFMOs.
- A just transition for fishers, reflecting the challenges and risks arising from climate adaptation, must consider social protection measures such as income protection, high quality training as well as robust health and safety measures to ensure that fishers are protected from any new risks arising from the introduction of these new technologies.

CHAPTER THREE
LABOUR CONDITIONS AND SOCIAL DIMENSION

- The fisheries sector is a global industry with complex international supply chains that requires a series of legal and practical steps to be taken to improve conditions for fishers and seafood workers.
- The ITF actively participates in the development and improvement of international instruments for the benefit of fishers and their local communities.
- The ITF fully subscribes to the ILO Declaration on Fundamental Rights and Principles at work, based on the obligation of States to respect, to promote and to realise the principles concerning the fundamental rights which are the subject of the ILO's Core Conventions, namely:
    a. Freedom of association and the effective recognition of the right to collective bargaining;
    b. The elimination of all forms of forced or compulsory labour;
    c. The effective abolition of child labour;
    d. The elimination of discrimination in respect of employment and occupation;
    e. Safe and healthy working conditions.
- The ITF supports corporate accountability legislation that would hold lead firms at the top of global supply chains responsible for ensuring decent work for fishers. The ITF will engage directly with brands/lead firms to implement Human Rights Due Diligence (HRDD) policies which adequately protect the best interests of fishers and workers. Fishers' and their trade unions' perspectives must be at the heart of corporate social responsibility efforts.
- The ITF welcomes legislation at national and international levels that serves to impede the importation of seafood products that are tainted with forced labour or human trafficking.
- The ITF advocates for the ratification, proper implementation, and enforcement of ILO C188 globally, as fishers should have the same rights and protections as shore-based workers. Significant work is required at the national level for effective implementation and enforcement, and the ITF and its affiliates will work to ensure strong protections for fishers, seafarers and migrant workers are included in national legislation.
- The ITF and its affiliates support promoting decent work through policy reforms at the national level. Securing decent work in fisheries must necessarily take into consideration the perspectives of fishers and their representative organisations, not only international standards and corporate agendas.
- The ITF advocates for the implementation of port state control mechanisms including inspections on foreign fishing vessels in line with ILO C188 to protect fishers at sea. Binding measures on working conditions should be adopted by RFMOs, ensuring they are aligned with ILO C188 and other relevant ILO standards.
- The working conditions of fishers should be comparable to working conditions in the merchant marine (Maritime Labour Convention 2006), with adequate consideration being given to addressing the unique conditions that apply to fisheries.
- The conditions of work for fishers should, as a general rule, be the result of collective agreements and negotiations between vessel owners and the appropriate fishers' trade unions, meet core labour standards adopted by the ILO, ILO C188 and other international treaties and standards.
- National law should, depending on national labour market conditions and customs, supplement the conditions set out in such agreements.
- The development of a safety culture amongst fishers should be a priority for all those involved in the fishing industry. A safety culture requires the adoption of a holistic approach to all aspects, including social and labour conditions.

CHAPTER FOUR
THE SAFETY ASPECTS

- Fishing is one of the most dangerous occupations, with high accident and fatality rates.
- Safety on board fishing vessels is a matter of major concern to the ITF. While a number of safety initiatives, including the IMO STCW-F Convention, have reduced losses of life, fishing is still the most hazardous occupation at sea.
- The ITF believes it is fundamental and essential that fishers are adequately trained and certified before they work at sea.
- The ITF strongly supports inspection and enforcement of safety measures as per the IMO Cape Town Agreement and the ILO Work in Fishing Convention through effective flag and port state control worldwide.
- Port state control measures must be enforced and applied to fishing vessels with the same rigour as the merchant maritime sector.
- The ITF calls for setting out minimum global standards in line with these conventions for the design, construction, and control of fishing vessels and equipment, as well as procedures and requirements for inspection of fishing vessels.
- Fisheries observers are independent specialists who work on fisheries vessels as part of at-sea monitoring programs. It is essential to create an environment where observers feel safe to report any threats or incidents they encounter while carrying out their duties.

CHAPTER FIVE
FLAGS OF NON-COMPLIANCE AND ITF ENFORCEMENT

- The ITF aims to ensure better working conditions for those working in the fishing industry. Rights associated with worker voice and workers' collective organising are protected through ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- The ITF believes that the only way to empower fishers and to secure proper enforcement and implementation of decent conditions onboard fishing vessels is through an international or national ITF-approved Collective Bargaining Agreement (CBA) or a national CBA with better conditions.
- The ITF believes that fishers should be treated equally to their seafarer colleagues in merchant shipping covered by comprehensive collective bargaining agreements covering pay and all conditions of work. They should be entitled, as a minimum, to the ILO minimum basic wage for an able seaman (AB), or the minimum wage of the flag state should be applied, whichever is higher.
- Wages on board FONC fishing vessels, where there is an ITF-approved CBA, should be in line and/or comparable to the ITF interpretation of the ILO minimum consolidated wage for an AB on merchant ships.
- An effective ITF oversight strategy to ensure decent work for fishers shall be established through CBA inspection and enforcement involving ITF inspectors and contacts, as appropriate.
- Moreover, the introduction of an ITF campaign (regime for) challenging Flags of Non-Compliance (FONC) is critical in order to overcome abuses and bring about the necessary improvements to fishers' livelihoods and their social well-being.
- An FONC enables flag-hopping to avoid scrutiny and/or to access fishing rights. Flags that are largely non-cooperative with international sustainability efforts and the prevention of IUU fishing are selected by these operators, as FONC countries use their registries as commercial enterprises.
- The ITF **defines** a flag as an FONC where any of these instances are met:

a. The flag state does not prevent IUU and labour abuses and does not have proper measures for safety and welfare of fishers. In this case, the flag will be considered as a FONC regardless of where the beneficial ownership of that vessel is located;

b. The flag state denies or fails to protect fundamental labour and human rights of fishers;

c. The flag state fails to prevent IUU fishing, and thereby exposes fishers, especially migrant fishers, to forced labour, human trafficking, and slavery;

d. The beneficial ownership of a vessel is found to be in a different country to the flag that the vessel is flying;

e. The flag state fails to implement and enforce proper measures to secure safety and welfare of fishers on board;

f. The wages on board a fishing vessel are below either the ILO minimum basic wage for an AB or the minimum wage of the flag state.

CHAPTER SIX
FISHER ORGANISING, CAMPAIGNING AND COMMUNICATIONS

- The ITF believes a better future for fishers is best achieved through collective action and trade union organising.
- The ITF is an affiliate-led global union federation that supports building and renewing democratic trade unions and assisting affiliates with modern, effective approaches to organising and campaigning.
- The ITF supports the development of in-person and online network-building opportunities and platforms for fishers to share their experiences along with strategic knowledge to grow fishers' power within and across regions.
- The ITF supports multi-stakeholder initiatives by the ILO and others to work with unions to address regional issues throughout seafood supply chains.
- We are committed to supporting efforts to organise migrant fishers into collective organisations and collective bargaining agreements, to support the vision of global fisher solidarity and improved industry conditions.
- The ITF encourages fisheries affiliates to engage with other maritime, logistics, and fisheries-related supply chain workers and their unions at the national level, to support organising efforts and develop joint leverage.
- The ITF is committed to strategic campaigning to assist existing fisheries affiliates and organising campaigns, industrial partners, global agencies, and other organisations of common cause.

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