



### Explanatory Memorandum

The objective of the proposal is to prepare the ground for a decision at next year's IOTC annual meeting to improve working conditions and reduce labour rights violations on fishing vessels in the IOTC Area, through the implementation of clear labour standards and agreed obligations on IOTC CPCs and CNCPs to enforce on fishing vessels authorised to fish in the IOTC area of competence.

A specific ILO standard (C188) contains minimum acceptable standards to be implemented across all fisheries and the EU is committed to its full implementation.

At the same time, the IOTC shall take into account the adoption by other RFMOs of recommendations on labour standards on fishing vessels, and by WCPFC of a binding measure.

Against this background, the proposal tasks the recently established Working Party on Socio-Economics to discuss the issue with the aim of coming up by the 30<sup>th</sup> IOTC session with a proposal covering:

- Minimum working standards onboard fishing vessels and agreed actions in the event of forced or compulsory labour and other mistreatment.
- Actions in the event of crew member's death; illness; or if a crew member is missing or has fallen overboard.
- Reporting requirements on the implementation of this measure.

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**RESOLUTION 25/xx**  
**ON CREW LABOUR STANDARDS**

**The Indian Ocean Tuna Commission (IOTC),**

CONCERNED about occurrences of poor labour conditions for crew members onboard fishing vessels, forced or compulsory labour, and other forms of human trafficking, such as servitude, bonded labour, the worst forms of child labour and other human rights abuses;

RECALLING the importance of respect for and protection of human rights, as set out in the Universal Declaration of Human Rights 1948, and enshrined in the International Covenants on Civil and Political Rights and Economic, Social, and Cultural Rights of 1966;

NOTING the ILO C029 Forced Labour Convention (1930), the ILO Declaration on Fundamental Principles and Rights at Work (1998, amended 2022) and the ILO C188 Work in Fishing Convention (2007) and its objective to ensure that fishers have decent conditions of work on board fishing vessels with regard to minimum requirements for work on board, conditions of service, accommodation and food, occupational safety and health protection, medical care and social security;

RECALLING Articles 6 and 8 of the 1995 FAO Code of Conduct for Responsible Fisheries which set out international standards, including for the responsible conduct of fishing activities to allow for safe, healthy and fair working and living conditions;

FURTHER RECALLING Articles 6 and 8 of the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication;

FURTHER RECOGNIZING the obligations in the United Nations Convention on the Law of the Sea (UNCLOS) relating to the duties of the flag State to ensure safety at sea, including through the manning of ships, labour conditions and the training of crews, to render assistance, and to ensure effective protection of human life and to cause an inquiry into any loss of life or serious injury to nationals of another State which has been caused by a marine casualty or incident of navigation;

RECALLING Article 32 of the Convention on the Rights of the Child, which requires State parties to recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

NOTING the 1995 International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel which promotes safety at sea for the crews of fishing vessels by setting certification and minimum training standards;

NOTING the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 Relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 which sets minimum safety requirements for fishing vessels of 24 metres in length;

NOTING the guidance on death at sea, including burial at sea, set out in the International Medical Guide for Ships.

ADOPTS, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following:

1. The Working Party on Socio-Economics shall develop, at its next meeting, minimum crew labour standards onboard fishing vessels and propose a draft Resolution for the consideration of the Commission at its 30<sup>th</sup> annual session.
2. The proposal shall cover as a minimum the following aspects:
  - a) Minimum working standards onboard fishing vessels and agreed actions in the event of forced or compulsory labour and other mistreatment.

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- b) Actions in the event of crew member's death; illness; or if a crew member is missing or has fallen overboard.
  - c) Reporting requirements on the implementation of this measure.
3. In developing its proposal, the Working Party on Socio-Economics shall take into account the existing ILO standards, in particular the ILO C188 Work in Fishing Convention, as well as Recommendations and binding Resolutions recently adopted by other RFMOs.
  4. This measure will take effect immediately to allow the Working Party on Socio-Economics to address the request at its next meeting.