International Labour Office contribution to Part II of the report of the Secretary-General on Oceans and Law of the Sea pursuant to the United Nations General Assembly resolution 75/239 of 31 December 2020, entitled "Oceans and the law of the sea".

Contribution to Part II of the report regarding all other developments in the field of ocean affairs and the law of the sea within the scope of the activities of the Organization, including information on ILO's response to the COVID-19 pandemic in the maritime context

I. General – The ILO, SDGs and how they relate to the ILO's work: ensuring decent work for seafarers and fishers to secure the sustainable use of oceans

As the only tripartite U.N. agency, the ILO brings together governments, employers and workers of 187 Member States to set labour standards, develop policies and programmes promoting decent work for all. Founded in 1919, the ILO has worked for over 100 years to improve the conditions of seafarers and fishers, including through the adoption of Conventions and Recommendations specific to the shipping and fishing sectors. 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.

Sustainable Development Goals

The two most relevant Sustainable Development Goals (SDGs) from the 2030 Agenda for the ILO with respect to the oceans are SDG 8 - to promote inclusive and sustainable economic growth, employment and decent work for all - and SDG 14 - to conserve and sustainably use the oceans, seas and marine resources.

The ILO has made voluntary commitments linked to SDG 14 at the United Nations Conference to support its' implementation: conserve and sustainably use the oceans, seas and marine resources for sustainable development. The ILO is following up on these commitments. In addition, the ILO has made commitments at the various Our Ocean Conferences, the most recent of which was held in Bali, Indonesia, in 2018.

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 addition, the ILO made a commitment at the Our Ocean conference in 2018 to address forced labour and trafficking at sea, in particular in the fishing and fisheries sector.

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 has included efforts, 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 their ratification or accession and implementation through legal frameworks.

Links to UNCLOS

A number of the provisions of the United Nations Convention on the Law of the Sea (UNCLOS) are relevant to addressing the issues faced by seafarers and fishers. These include Article 94, which,

provides that "Every State shall effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag"; Article 73, which provides that "Arrested vessels and their crews shall be promptly released upon the posting of reasonable bond or other security", and that "Coastal State penalties for violations of fisheries laws and regulations in the exclusive economic zone may not include imprisonment, in the absence of agreements to the contrary by the States concerned, or any other form of corporal punishment". Other relevant articles include Article 99, which prohibits the transport of slaves; and Article 292 concerning the prompt release of vessels and crews, which is also often cited with regard to unlawful arrest.

Both the ILO's MLC, 2006 and the Work in Fishing Convention (No. 188) refer to UNCLOS in their preambles, recognizing that UNCLOS sets out the general legal framework within which all activities in the oceans and seas must be carried out.

ILO and the Blue Economy

The UN defines the Blue Economy as "an economy that comprises a range of economic sectors and related policies that together determine whether the use of ocean resources is sustainable".[1] The World Bank defines the Blue Economy as "the sustainable use of ocean resources for improved livelihoods and jobs, and ocean ecosystem health". [2] The Blue Economy as a matter of policy is applicable to all States, but remains particularly interesting for Small Island Developing States (SIDS) and Coastal Least Developed States (CLDS) which have been at the vanguard of discussions on the topic.

In 2017, at the UN Oceans Conference, the ILO noted that 350 million peoples' livelihoods depended on the oceans, and highlighted the sectoral approach to the Blue Economy, in particular with respect to shipping, fishing and coastal tourism.

Since then, the ILO Centenary Declaration for the Future of Work[3] stated that taking into account the profound transformations in the world of work, and further developing its human-centered approach to the future of work, the ILO must direct its efforts to ensuring a just transition to a future of work that contributes to sustainable development in its economic, social and environmental dimensions.

At the conference entitled "Creating a sustainable future of work and a just transition towards the Blue Economy", held in the Seychelles, from 7-9 May 2019, Seychellois Minister of Labour, Myriam Telemaque pledged that the Government was committed to developing programmes of actions to implement the outcomes of the conference at a national, regional and international level with the support of the ILO. [4] The outcome document of the meeting recognized the importance of International Labour Standards for social justice and decent work. In the context of the blue economy, delegates expressed their commitment to promote the ratification of and compliance with the Maritime Labour Convention, the Work in Fishing Convention as well as the relevant ILO standards on labour migration and the transition from the informal to the formal economy." In response, the ILO's assistant director-general and regional director for Africa stated that the Island states of Africa should continue to explore ways to use the opportunities provided by the Blue Economy to build a brighter future of work. In the spirit of South-South cooperation, the outcome of the meeting held in the Seychelles was incorporated at the global youth employment forum held in Abuja, Nigeria that year, where the Blue Economy was discussed in a panel on more and better jobs for youth.[5]

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[1] https://www.un.org/sg/en/content/sg/speeches/2020-02-08/remarks-the-blue-economy-event;
[2] https://www.worldbank.org/en/news/infographic/2017/06/06/blue-economy;
[3] https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_711674.pdf
[4] http://www.seychellesnewsagency.com/articles/10958/Seychelles+hosts+regional+African+island+states+to+examine+Blue+Economy+ahead+of+UN+climate+change+summit;
5 https://yef2019.ilo.org/agenda/;

Further, at the 11th meeting of Caribbean ministers of labour in Barbados, on 17 May 2019, which focused on "Job creation and a just transition towards a Green and Blue Economy".[6] The ILO highlighted the importance of de-carbonizing the economy and creating more jobs through a sustainable approach prioritizing the ocean and rural economy. Special focus was given to depleting fish stocks, and how they resulted in job losses within the fishing industry.

More recently, at the Virtual Oceans Dialogue of the World Economic Forum,[7] the ILO Director-General stated that the ocean was essential to global economic recovery post-pandemic. The pandemic and its consequences disproportionately affected the Ocean economy and COVID-19 responses ought to integrate all of the objectives the International Community has set itself, including in respect of the oceans, through the 2030 UN Sustainable Development Agenda. , Recalling the distressing situation of seafarers around the world, the Director General stressed the need for international cooperation and coordination of efforts in the international Ocean Economy and stated that these commitments must not be forgotten in light of the pandemic.

II. Shipping

Maritime Labour Convention, 2006, as amended

The ILO has always given special consideration to the maritime sector. Since the 1920s, it has adopted many international labour standards specific to shipping, fishing, inland waterways and ports. The MLC, 2006 brought together nearly all of the ILO's instruments for seafarers in a single, comprehensive convention. The MLC, 2006 consolidated 37 existing ILO Conventions and related Recommendations. It establishes minimum conditions for decent work aboard a vessel addressing all aspects of work such as minimum age, medical fitness and training; and conditions of work including hours of rest, wages, leave, repatriation, medical care and occupational safety and health protection.

The 2014 amendments to the MLC, 2006, which relate to financial security of seafarers in cases of abandonment (Regulation 2.5) and contractual claims for compensation in the event of a seafarer's death or long term disability due to an operational injury, illness or hazard (Regulation 4.2), entered into force on 18 January 2017.

The 2016 amendments to the MLC, 2006 came into force on 8 January 2019. These amendments call upon States to take into account the latest version of the Guidance on eliminating shipboard harassment and bullying jointly published by the International Chamber of Shipping and the International Transport Workers' Federation (Guideline B.4.3.1); and provided for the extension of the validity of the maritime labour certificate issued for ships in cases where the renewal inspection required by paragraph 2 of Standard A5.1.3 has been successfully completed, but where a new certificate cannot immediately be issued to that ship (Standard 5.1.3 and Appendix A5-II).

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 have entered into force on 26 December 2020. These amendments have an important significance in terms of the additional legal protection that they provide to seafarers and their families. Their implementation will ensure that seafarers held captive as a result of acts of piracy or armed robbery against ships will continue to receive their wages and entitlements. The seafarers' employment agreement will not expire during the entire period of captivity and until the seafarer is released and duly repatriated.

As of 31 May 2021, the MLC, 2006 has been ratified by 98 States representing over 91% of the world's gross tonnage of merchant ships, with several other ratifications on the way.

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6 https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-port_of_spain/documents/presentation/wcms_702218.pdf;

7 https://www.ilo.org/global/about-the-ilo/newsroom/statements-and-speeches/WCMS_747301/lang--en/index.htm;

In addition to promoting ratification and implementation of its Conventions, the ILO also supervises the application of international labour standards such as the MLC, 2006. This is done in accordance with the ILO's Constitution through the work of the Committee of Experts on the Application of Conventions and Recommendations (CEACR). The CEACR has now reviewed 85 first reports submitted by ratifying Member States (including non-metropolitan territories) in relation to the implementation of the MLC, 2006.

At its 2020 session, in addition to the direct requests and observations addressed to individual countries, the CEACR adopted a *General observation on matters arising from the application of the Maritime Labour Convention, 2006, as amended (MLC, 2006) during the COVID-19 pandemic*[8]. The general observation took into account the observations submitted by the International Transport Workers' Federation (ITF) and the International Chamber of Shipping (ICS) under article 23 18 of the ILO constitution in October 2020, the replies and other information provided by governments, as well as hundreds of individual seafarers' complaints received by the International Maritime Organization (IMO) Seafarer Crisis Action Team (SCAT). Recalling that the MLC, 2006, does not contain any provisions allowing for the temporary suspension of the implementation of its provisions in case of crisis, health-related or otherwise, the CEACR expressed its view that it is precisely at times of crisis that the protective coverage of the MLC, 2006, assumes its full significance and needs to be most scrupulously applied.

Further, the ILO delivers a wide range of capacity-building activities at national and international level. The ILO developed many resources, including a website devoted to the MLC, 2006, which contains updated information on activities under the Convention and a database containing country-specific information and guidance on the legislation and measures adopted for its implementation. This has been continuously updated to provide guidance to Members in the context of the COVID-19 pandemic. In addition, the Maritime Labour Academy, based at the ILO's International Training Centre in Turin, organizes workshops on the Convention, including short-term residential training courses for inspectors and trainers of maritime labour inspectors, workshops in cooperation with the international organizations representing seafarers and shipowners, and workshops for lawyers. [9] In 2020, the ITC has adapted its offer to deliver interactive and participatory online learning opportunities to those stakeholders. Organized in collaboration with the International Training Centre of the ILO, a three-day global digital forum on the MLC, 2006 provided the opportunity for stakeholders to analyze and discuss the recent developments, future perspectives and the impact of COVID-19 on the maritime sector.

More information can be accessed on the Maritime Labour Convention website: http://www.ilo.org/global/standards/maritime-labour-convention/lang--en/index.htm

More information on the ITC ILO training offer can be accessed here: www.itcilo.org/topics/maritime-labour.

Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)

The Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185) guarantees the rights of seafarers to temporarily enter a country for the purpose of shore leave, transfer or transit. The Convention was adopted by the International Labour Conference in 2003 and amended by the same body in 2016. The latest amendments entered into force on 8 June 2017 and are aimed at aligning the technical requirements of the Convention with the latest standards adopted by the International Civil Aviation Organization (ICAO) regarding the technology for seafarers' identity documents. It is expected that the issuance of the new seafarers' identity document, with technology similar to the one currently in use in electronic passports, will strongly contribute to facilitating

[8] See https://www.ilo.org/ilc/ILCSessions/109/reports/reports-to-the-conference/WCMS_771042/lang--en/index.htm

seafarers' access to shore leave, transfer and transit, whilst enhancing security in ports through the use of an internationally recognized document. The Convention has been ratified by 36 States as of 31 May 2021. In December 2020, the Philippines was approved as the first ratifying Member of the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185) to be listed as fully meeting the minimum requirements for the issue of seafarers' identity documents following the entry into force of the 2016 amendments to the annexes of the Convention."[10]

More information on the Convention can be accessed here:

http://www.ilo.org/global/standards/maritime-labour-convention/WCMS_557117/lang--en/index.htm

Special Tripartite Committee of the Maritime Labour Convention, 2006 (MLC, 2006)

The Governing body of the ILO keeps the working of the MLC, 2006 under continuous review through a committee established by it with special competence in the area of maritime labour standards. The Special Tripartite Committee established in accordance with Article XIII of the MLC, 2006 met in 2014, 2016, 2018 and 2021. It adopted amendments to the MLC, 2006, recommendations concerning the review of maritime-related instruments (instruments adopted prior to the MLC, 2006) and resolutions related to maritime labour issues.

The amendments, resolutions and recommendations of the meetings can be accessed here:

https://www.ilo.org/global/standards/maritime-labour-convention/special-tripartite-committee/lang--en/index.htm

In early 2020, as a follow up to the Resolution concerning amendments to the ILO flag State inspection and port State control guidelines to reflect amendments to the Code of the Maritime Labour Convention, 2006, a subsidiary body, in the form of a correspondence group, commenced work to update the MLC, 2006 flag and port State control guidelines to reflect the 2014, 2016 and 2018 amendments. The outcome of this work, which is coordinated by the Officers of the STC was published following a decision by the Governing Body of the ILO in March 2021.

The Guidelines for flag and port State inspections under the MLC, 2006 can be accessed here:

https://www.ilo.org/sector/Resources/codes-of-practice-and-guidelines/lang--en/index.htm

From 19 to 23 April 2021, the ***Fourth Meeting of the Special Tripartite Committee of the Maritime Labour Convention, 2006 (MLC, 2006), Part I,*** took place virtually, for the first time in its history. It brought together more than 100 governments, seafarers and shipowners, who met virtually from 19 to 23 April 2021 to review the impact of COVID-19 on the maritime sector.

At the outcome of the discussion, the STC adopted two resolutions. The *Resolution concerning the implementation and practical application of the MLC, 2006 during the COVID-19 pandemic* renews calls for States to designate and treat seafarers as key workers and take all necessary steps to ensure that they can travel to and from their country or place of residence and their place of work, and obtain medical care ashore as well as shore leave. States are called upon to take all necessary steps to ensure that seafarers are not required to stay on board a vessel longer than the period specified in their seafarer's employment agreement, without their consent, and under no circumstances for longer than the maximum period of service stipulated by the MLC, 2006.

The *Resolution concerning COVID-19 vaccination for seafarers* calls on governments, in accordance with their national vaccination programmes, to make supplies of World Health Organization

[10] https://www.ilo.org/gb/GBSessions/GB340/ins/WCMS_763474/lang--en/index.htm

Emergency Use List (WHO-EUL) vaccines available for seafarers on ships visiting ports in their territories, and for governments to consider establishing vaccination hubs for seafarers in ports. It encourages States to accept vaccines given to seafarers by other States and, in consultation with shipowners' and seafarers' organizations and in coordination with the WHO and International Maritime Organization (IMO), to consider establishing an international programme for seafarers that will facilitate access to vaccinations ashore.

The STC also agreed to actions to restore the full respect of seafarers' rights under the MLC, 2006, and called for the convening of a United Nations inter-agency task force to examine the implementation and practical application of the Convention during the pandemic, including its impact on seafarers' fundamental rights and on the shipping industry.

It further made *recommendations* concerning the status of 34 maritime labour standards concerning seafarers, many of which have been revised by the MLC, 2006. By 2030 the majority of those standards should be abrogated by the International Labour Conference, leaving the MLC, 2006 as the up-to-date ILO instrument in the maritime field.

All documents relating to the meeting may be accessed here:

www.ilo.org/global/standards/maritime-labour-convention/events/WCMS_679152/lang--en/index.htm

Subcommittee on Wages of Seafarers of the Joint Maritime Commission

This Subcommittee, composed of seafarers and shipowners representatives, meets every two years for the purpose of updating the basic pay or wages of able seafarers, as referred to in the MLC, 2006. Shipping is the only industry that has a worldwide minimum basic wage figure. This subcommittee is special as it is the only bipartite committee within the ILO (only the seafarers' and the shipowners' representatives participate). At the November 2018 meeting, an agreement was reached to increase the ILO minimum monthly basic wage figure for an able seafarer from US$614 to US$618 as of 1 July 2019, US$625 as of 1 January 2020 and US$641 as of 1 January 2021.

In 2021, the JMC subcommittee meeting coincided with the 75th anniversary of the first minimum wage of seafarers conference held at the ILO. For the first time in history, the meeting was held virtually.

More information on the outcome of the 2018 meeting, may be accessed here:

https://www.ilo.org/sector/activities/sectoral-meetings/WCMS_619085/lang--en/index.htm.

The report for discussion of the 2021 meeting, as well as related materials, may be accessed here:

https://www.ilo.org/sector/activities/sectoral-meetings/WCMS_748682/lang--en/index.htm.

Database on reported incidents of abandonment of seafarers

The abandoned seafarers` database was established as a result of the meeting of the 2002 Joint IMO/ILO Ad Hoc Expert Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers (Joint Working Group), which expressed the need for a joint database. This database contains a regularly updated list of vessels that have been reported to the ILO as abandoned in various ports of the world by Governments or appropriate seafarers' and shipowners' organizations. The purpose of the database is to monitor the problem of abandoned seafarers in a transparent and informative manner.

The database includes all reported cases from 1 January 2004. In recent years, there has been a relative increase in the number of reported cases, although the number of resolved cases remains comparatively low. Since its establishment, 520 cases of abandonment have been reported and

recorded in the database. There were 40 cases reported in 2019, and 80 in 2020. As of 7 May 2021, 30 cases have been reported.

The 2014 amendments to the MLC, 2006 (mentioned above) require that a financial security system be put in place so that shipowners ensure compensation to seafarers and their families in the event of abandonment, death or long-term disability due to an occupational injury, illness or hazard. Mandatory certificates and other evidence will be required to be carried on board ships to establish that the financial security system is in place to protect the seafarers working on board. These new requirements will help prevent seafarers from being stranded in port for long periods when shipowners abandon their crews without paying their wages or repatriating them to their home States.

In early 2020, the website for the abandonment database was updated to clarify how to report, who can report and why report cases. Furthermore, the sentence "If and when a case of abandonment is deemed to be related to the COVID-19 pandemic, the organization or Government reporting the case can include the relevant information in the "Circumstances" box of the PDF template" was added in an attempt to capture the impact of the pandemic on abandonment cases.

The database can be found at:

http://www.ilo.org/dyn/seafarers/seafarersbrowse.home.

III. Fishing

The fisheries sector makes vital contributions to global food security and supports the livelihoods of millions of people worldwide. Seafood is a primary source of protein globally, especially in developing countries. Global fisheries are a limited and shared resource, the increasing global demand on these resources threatens sustainability and global food security. There is a need to promote sustainable fisheries to tackle overexploitation of precious resources and fighting illegal, unreported and unregulated (IUU) fishing. In 2018 an estimated 59.5 million people were engaged in capture fisheries and aquaculture. Of these, approximately 20.5 million were engaged in aquaculture and 39.0 in capture fisheries.[11] Fishing remains one of the most dangerous occupations in the world.[12]

Work in Fishing Convention, 2007 (No. 188) and Work in Fishing Recommendation, 2007 (No. 199)

The Work in Fishing Convention No.188 (2007), adopted by the International Labour Conference in 2007 revises and updates several earlier ILO fishing Conventions.

The objective of the Convention is 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, medical care and social security. It sets out binding requirements to address the main issues concerning work on board fishing vessels, including occupational safety and health and medical care at sea and ashore, rest periods, written work agreements, and social security protection at the same level as other workers.

The widespread ratification and enforcement of the Convention is key to ensuring that there is effective protection for all the people who work in the sector. It is also key to addressing global concerns such as forced labour, human trafficking and the exploitation of migrant fishers. It provides for regulation that will help prevent unacceptable forms of work, open up effective complaint mechanisms upholding the ILO`s commitment to ensuring decent working conditions for all fishers in the sector.

[11] http://www.fao.org/state-of-fisheries-aquaculture/en/;
[12] Ibid.

States that ratify and give effect to the Convention commit to exercising control over fishing vessels, through inspection, reporting, monitoring, complaint procedures, penalties and corrective measures, and may then also inspect foreign fishing vessels visiting their ports and take appropriate action.

The Work in Fishing Convention, 2007 (No. 188) came into force on 16 November 2017 after receiving 10 ratifications from Angola, Argentina, Bosnia and Herzegovina, Congo, Estonia, France, Lithuania, Morocco, Norway and South Africa. As of 1 February 2021 the Convention has been ratified by 18 States.

The CEACR has now reviewed nine first reports submitted by ratifying Member States in relation to the implementation of the Convention. In December 2020, in a number of direct requests addressed to Members States that have ratified the Work in Fishing Convention, 2007 (No. 188), the CEACR noted with deep concern the impact of the COVID-19 pandemic on the protection of fishers' rights as laid out in the Convention.

The ILO, to promote the ratification and implementation of the Convention, has been working directly with ILO member States, as well as through ILO projects to assist States to undertake gap analyses and validation workshops on Convention No. 188.

A number of publications and tools have been developed to assist States to ratify and implement the Convention. These may be found at: https://www.ilo.org/global/industries-and-sectors/shipping-ports-fisheries-inland-waterways/fisheries/lang--en/index.htm.

The most recent product, a training package on inspection of labour conditions on board fishing vessels, published at the end of 2020, may be found at: https://www.ilo.org/sector/Resources/training-materials/WCMS_766744/lang--en/index.htm;

The Joint FAO/ILO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated (IUU) Fishing and Related Matters

The ILO is now a full member of the Joint FAO/ILO/IMO Ad Hoc Working Group on Illegal Unregulated and Unreported (IUU) Fishing and Related Matters, and participated in the fourth session of the Joint Working Group held in Torremolinos, Málaga, Spain, in October 2019. . The Joint Working Group adopted "Recommendations" (see JWG 4/15), including "that FAO, ILO and IMO work together on the proposals contained in document JWG 4/8/2, taking into account the discussions on this item, as well as the responsibilities of flag States under UNCLOS; the lessons learned from the ILO SEA Fisheries project and the SEA Forum for Fishers; and the outcome of the EU social partners' initiative to produce guidelines for decent recruitment, placement and posting of (migrant) fishers. JWG 4 recommended that the outcome of this joint work be submitted to JWG 5, as appropriate". The documents and Recommendations of the meeting are found on the IMO website, under the site for documents of the IMO III Sub-committee, and will be submitted to the appropriate bodies of the three Organizations (there have been delays due to COVID-19).

The ILO continues to coordinate with IMO, FAO and other UN system specialized agencies 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 compliance to these international instruments. The ILO continues to promote ratification of the Cape Town Agreement, STCW-F Convention, Convention No. 188 and the Port State Measures Agreement as a holistic package to ensure maritime safety and decent work for fishers.

Project on Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry

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). The project was funded by the EU and the ILO and worked closely with partners including the Thai Government, employers' organizations, workers' organizations and buyers towards the prevention and reduction of unacceptable forms of work in the Thai fishing and seafood processing sectors. The project addressed four core objectives with special focus on Thailand's key fishing and seafood regions:

1. *Strengthen Policy*: strengthen the legal, policy and regulatory framework in the fishing and seafood sectors by raising labour standards and facilitating more legal migration into the seafood & fishing sectors;
2. *Enhance Government*: enhance the capacity of Government officers to effectively identify and take action against forced labour and other labour rights abuses in the fishing & seafood processing sectors;
3. *Improve Compliance*: improve compliance with the Fundamental Principles and Rights at Work (Core Labour Standards) in the seafood and fishing industries through the implementation of the Good Labour Practices (GLP); and
4. *Support Workers*: increase capacity of unions and Civil Society Organizations to support workers and victims of labour abuses including women and children.

On 10 March 2020, the project published the Endline research findings on fishers and seafood workers in Thailand, which followed-up the 2017 survey from the ILO's baseline research on fishers and seafood workers in Thailand. Using similar research methodology and data collection tools, the report captured the progress made in improving working conditions and identified the needs and challenges for the next phase of reforms in the Thai fishing and seafood processing industry.

This project contributed to the ratification of Convention No. 188 by Thailand in January 2019. Awareness about the Convention was also raised in Southeast Asia. The project also contributed to the ratification by Thailand of the 2014 Protocol to the Forced Labour Convention, 1930.

Programme on Ship to Shore Rights South East Asia

In 2020, the ILO launched the "Ship to Shore Rights South East Asia", a four year (2020-2024) programme implemented by the ILO the International Organization for Migration (IOM) and the United Nations Development Programme (UNDP). The €10 million (US$11.29 million) initiative is funded by the European Union (EU). It will build upon the earlier Ship to Shore Rights project, and has the objectives of strengthening legal frameworks, protecting labour rights, and empowering workers in the fishing and seafood processing sectors in Cambodia, Indonesia, Laos People's Democratic Republic, Myanmar, the Philippines, Thailand and Viet Nam. It aims to protect the rights of migrant workers and address issues such as forced labour, human trafficking, illegal recruitment practices, and poor access to information.

The programme will work with current, potential and returning migrant workers in the fishing and seafood processing sectors, their families, and communities in the countries of origin and destination. It will also collaborate with national government authorities, workers' and employers' organizations, recruitment agencies, vessel owners and their associations, civil society organizations, and community-based organizations.

More information on the Ship to Shore Rights Project can be accessed here:

https://shiptoshorerights.org/

ILO SEA Fisheries Project (Strengthened Coordination to Combat Trafficking in Fisheries in Southeast Asia)

This project, funded by the United States Department of State through the Office to Monitor and Combat Trafficking in Persons (J/TIP), aimed 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 Southeast Asia. The project steering committee organized events, provided publications, mapping and knowledge platforms to constituents within the ASEAN region. The aim was to strengthen coordination within the region in order to combat human trafficking in the fishing industry. The project ran from November 2017 to July 2020.

For more information on the SEA Fisheries Conferences, and their follow up, see:

https://seafisheriesproject.org/events/

Most recently, the project held an Online Working Group Meeting focused on the impact of COVID-19 on forced labour and human trafficking in the fisheries sector, which is reported on the above mentioned website but may also be seen at Southeast Asian Forum for Fishers strengthen efforts to better protect migrant fishers.

Project on Strengthening the Identification of fishers in forced labour

The project, funded by the United States Department of Labour (US DOL) will strengthen the identification of workers victims of forced labour on fishing vessels. This project will improve and augment the identification of forced labour in the fishing industry by piloting a unique multi-layered approach involving research, indicators, guidelines and capacity-building. The project has three strategic objectives: improve understanding of obstacles to victim identification and how they can be overcome; develop tools for addressing obstacles to victim identification; and build capacity for victim identification through training on the application of the identification tools.

For more information on the work of the ILO in Fisheries in general, see:

http://www.ilo.ch/global/industries-and-sectors/shipping-ports-fisheries-inland-waterways/fisheries/lang--en/index.htm

IV. Ports

Portworker Development Programme

The Portworker Development Programme in Bulk Terminals (PDP II) has been developed with the long-term global goal of ensuring the safety, health, welfare and vocational training of port workers and assisting countries in establishing and/or improving their port training capability. PDP II was initiated by the ILO with the support of the Government of the Republic of Korea. Work on the development of the project began in 2014. This built upon the experiences of PDP I (1994) to cover the training of port workers working with bulk cargoes. The main focus of PDP II is on occupational safety & health and environmental issues. Dry bulk terminal operations are inherently dangerous for port workers unless safe systems of work are rigorously employed both on-board ship and in the terminal. 70% of port workers engaged in handling dry bulk cargoes belong to job categories considered by terminal operators as unskilled - training is often not perceived as a priority, yet port workers are exposed to extremely challenging and hazardous conditions. There is a need to increase the knowledge, skills and attitude of port workers so as to improve their motivation and help bring about improvements in safety, environmental controls, performance and improve their status worldwide.

The ultimate beneficiaries of the Program are the over 300,000 workers at more than 1,500 terminals worldwide and often do not have access to adequate training opportunities.

More information is available on the website:

http://www.ilo.ch/sector/Resources/training-materials/WCMS_549818/lang--en/index.htm

V. ILO, COVID-19 and the maritime sectors

The world of work is being profoundly affected by the COVID-19 global pandemic. In addition to the threat to public health, the economic and social disruption threatens the long-term livelihoods and wellbeing of millions. The ILO and its constituents – Governments, workers and employers – will play a crucial role in combating the outbreak, ensuring the safety of individuals and the sustainability of businesses and jobs. As noted earlier, the Fourth Session of the STC of the MLC, 2006 also discussed COVID-19 issues in great detail, and adopted two resolutions on the issue.

The ILO website (www.ilo.org) provides further information on this substantial work. Since the beginning of the pandemic, the ILO in close collaboration with other UN agencies, the International Chamber of Shipping (ICS) and the International Transport Workers Federation (ITF) issued numerous appeals for collaborative action in support of keeping ships moving, ports open and cross-border trade flowing. This included drawing attention to the right of seafarers, under the MLC, 2006, to have access to medical care ashore and calls for urgent. and coordinated action to release the seafarers trapped on board ships around the world because of measures to contain the COVID-19, as well as for the designation of seafarers, marine personnel, fishing vessel personnel, aviation personnel, air cargo supply chain personnel, and service provider personnel at airports and ports as key workers for facilitating crew changes in ports and airports.

In addition to the actions indicated in its 2020 contribution[13], the following highlights several of the actions taken as of 31 May 2021, by the ILO itself but also in collaboration with other UN agencies, in response to the pandemic:

- The ILO's Governing Body has adopted a Resolution concerning maritime labour issues and the COVID-19 pandemic (8 December 2020). In this resolution, the Organization's executive organ has taken an exceptional action of calling upon the Member States that have ratified the MLC, 2006 to adopt without delay the necessary measures to fully implement the Convention in law and practice during the COVID-19 pandemic in coordination among relevant ministries and agencies within national administrations, in cooperation with other ratifying Members and in consultation with relevant social partners. The Governing Body also requested the Director-General to continue collaborating with the International Maritime Organization (IMO) and to report[14] on the coordinated action taken by United Nations organizations and the social partners to follow-up on this resolution.

- Since the adoption of the ILO Governing Body resolution, there has been considerable activity at all levels by ILO constituents and other partners, including by the Officers of the STC of the Maritime Labour Convention, 2006, as amended (MLC, 2006) as well as continued social dialogue among shipowner and seafarer representative organizations, to address maritime labour issues related to COVID-19. The following is highlighted:

    - The ILO has continued to update the information available on the ILO website dedicated to COVID-19 and maritime shipping and fishing and to provide updated guidance to Members in the context of the pandemic. In December 2020, a three-day global digital forum on the MLC, 2006[15], organized in collaboration with the International Training Centre of the ILO, provided the opportunity for stakeholders to

[13] See ILO contribution to Part II of the report of the SecretaryGeneral on Oceans and Law of the Sea pursuant to United Nations General Assembly resolution 74/19 of 10 December 2019, entitled "Oceans and the law of the sea", available at https://www.un.org/Depts/los/general_assembly/contributions_2020/ILO.pdf

[14] See report submitted on 29 March 2021 on Progress on coordinated action taken by United Nations organizations and the social partners to follow-up on the Resolution concerning maritime labour issues and the COVID-19 pandemic

[15] Over 100 participants attended the Global Forum on the MLC, 2006: Current and Future Developments on 15–17 December 2020.

analyse and discuss the recent developments, future perspectives and the impact of COVID-19 on the maritime sector. In February 2021, the Office revised its Information note on maritime labour issues and COVID-19[16] to relay the urgent call made by the CEACR[17] to restore the protection of seafarers' rights as well as the more recent statement of the Officers of the STC.

- On 26 March 2021 the ILO, IMO, WHO, ICAO and IOM issued a Joint statement calling on governments to prioritize seafarers and aircrew in their national COVID-19 vaccination programmes, together with other essential workers, in accordance with the advice from the WHO SAGE Roadmap for prioritizing uses of COVID-19 vaccines in the context of limited supply .[18]

- A joint seafarers and shipowners Vaccination Taskforce has been set up to identify crew vaccination issues and promote practical measures to facilitate crew vaccination. The products of this taskforce include a practical guide on COVID-19 vaccination for seafarers and shipping companies and a Roadmap for vaccination of international seafarers[19]. The industry *Recommended framework of protocols for ensuring safe ship crew changes and travel during the COVID-19 pandemic* has also being revised to reflect the issue of vaccination of seafarers[20].

- On 6 May 2021, a new due diligence tool[21] by the UN Global Compact (UNGC), the Office of the High Commissioner for Human Rights (UN Human Rights), the International Labour Organization (ILO) and the International Maritime Organization (IMO) was published to help businesses uphold their responsibility to protect human rights at sea. This practical tool promotes active and constructive engagement of national and multinational companies with the relevant social partners to help facilitate crew changes in a manner that respects the human rights and labour rights of seafarers with particular reference to the MLC, 2006.

The ILO has also produced news items on its public website that draw attention to the situation faced by seafarers and to the relevant provisions of ILO instruments, particularly the MLC, 2006. These include the most recent call for full respect of seafarers' rights and for the vaccination of seafarers, referring to the resolutions adopted by the Fourth meeting of the STC.

The above only refers to the ILO's actions specific to the maritime sector. The COVID-19 pandemic has affected all workers, and the ILO's sectoral brief on COVID-19 and maritime shipping & fishing sets out the Organization's broader efforts to address this global crisis. This includes the issue of an assessment and a range of policy options to mitigate the impact of the crisis and facilitate a strong and rapid recovery.

[16] Regional Memoranda of Understanding (Tokyo MoU, Paris MoU and Indian Ocean MoU) have since revised their interim guidance for port State authorities' action during the pandemic, taking into account, among others, the revised version of this information note.
[17] See https://www.ilo.org/global/standards/maritime-labour-convention/WCMS_764384/lang--en/index.htm
[18] https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_776797/lang--en/index.htm
[19] Available at https://www.ics-shipping.org/publication/coronavirus-covid-19-vaccination-practical-guide/
20 See MSC.1/Circ.1636/Rev.1
[21] Available at https://unglobalcompact.org/library/5886