



International  
Labour  
Organization

**International Labour Office contribution to the report of the Secretary-General on Oceans and Law of the Sea pursuant to the United Nations General Assembly resolution 77/248 of 9 December 2022, entitled “Oceans and the law of the sea”.**

June 2023



## 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

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# 1. Ensuring decent work for seafarers and fishers to secure the sustainable use of oceans

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The ILO has worked for over 100 years to improve the conditions of seafarers and fishers, adapting to the everchanging challenges faced by those working in the sector. Through its unique tripartite structure, 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. This has included 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.



Figure I. Seafarers. (c) ILO News (2022)



Figure II. Fishers. (c) ILO

## 2. Sustainable Development Goals (SDGs)

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Particularly relevant to the work of the ILO with respect to the ocean are [SDG 8](#) - Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all and [SDG 14](#) - Conserve and sustainably use the oceans, seas and marine resources for sustainable development.

The ILO has made commitments related to SDGs 8 AND 14. These commitments 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, 2007 (No. 188) and the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), as amended. The ILO has committed to promote the effective implementation of the MLC, 2006, in order to improve seafarers' living and working conditions and ensuring a level playing field for shipowners. The ILO has also made a commitment at the Our Ocean conference to address forced labour and trafficking at sea, in particular in the fishing sector. The human-centred, sectoral approach is key to attaining the SDGs during this Decade of Action to deliver the Global Goals. The active involvement of governments, employers' organizations and workers' organizations and stronger tripartite governance in the maritime sector are critical to realizing not only SDGs 8 and 14, but also to addressing the labour dimension in every other SDG.

Throughout this paper, the realization of the SDGs is demonstrated through various means: promoting the ratification and the effective implementation of international labour standards; the development of guidelines, reports, and other tools; promoting social dialogue amongst sectoral constituents; and the implementation of action programmes and development cooperation projects, as well as the provision of technical assistance, capacity-building, and training of inspectors.

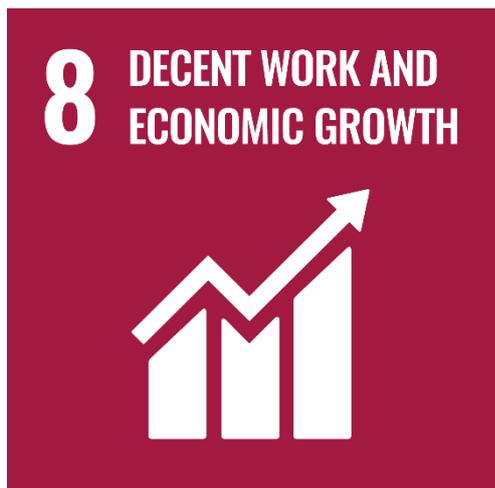


Figure III. Sustainable Development Goals 8. (c) the UN



Figure IV. Sustainable Development Goals 14. (c) the UN

### 3. Links to UNCLOS

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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.

This includes, first and foremost, **Article 94**, concerning Duties of the flag states which, provides that *“Every State shall effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag”*. Article 94 (3) stipulates that such measures shall include those necessary to ensure: (b) each ship is in the charge of a master and officers who possess appropriate qualifications, in particular in seamanship, navigation, communications and marine engineering, and that the crew is appropriate in qualification and numbers for the type, size, machinery and equipment of the ship; (c) the master, officers and, to the extent appropriate, the crew are fully conversant with and required to observe the applicable international regulations concerning the safety of life at sea, the prevention of collisions, the prevention, reduction and control of marine pollution, and the maintenance of communications by radio.

Examples of other relevant articles include:

**Article 73** which provides, in the context of the Coastal State’s exercise of its sovereign rights to explore, exploit, conserve and manage the living resources in the exclusive economic zone, 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”*;

**Article 99**, which prohibits the transport of slaves; and

**Article 292** concerning noncompliance with the duty of prompt release of vessels and crews upon posting of financial security, which is also often cited with regard to unlawful arrest.

## 4. ILO and the Blue Economy

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Blue Economy is a broad concept, with many possible and mutually inclusive definitions. The UN defined 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.”](#) The World Bank defines the Blue Economy as [“the sustainable use of ocean resources for improved livelihoods and jobs, and ocean ecosystem health.”](#) 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.

The ILO has been an active participant in the discussion leading to the growing recognition of the ocean as a workplace. In 2017, the ILO has intervened at plenary of the [UN Ocean’s Conference](#) to stress the sectoral approach to the Blue Economy and the fact that 350 million peoples’ livelihoods depended on the oceans, with shipping, fishing and coastal tourism providing working opportunities for many. In 2022, the ILO contributed to “The Guidance to become a blue port” which was produced by the FAO and highlighted the importance of the cooperation with social partners. At the [G20](#) in September 2022, the ILO has emphasized the significance of human capital as a resource to the blue economy and highlighted the potential of the Blue Economy Roadmap in creating employment opportunities and improving livelihoods in coastal communities in Indonesia. In 2023, the ITCILO has highlighted the ILO’s role in the Blue Economy at *Blue Future Conference: Ministerial Conference on the Blue Economy and Climate Action in Africa: Island and Coastal States at the Forefront*, held from June 12 to 14, in Moroni, Union of Comoros.

*“Humanity, including millions of workers & enterprises, depend on the ocean. We must do all we can to protect it and the biodiversity it hosts & supports. This includes sustainable business practice and decent work for whom the ocean is a workplace.”*

-- Gilbert F. Hounbo, the ILO Director-General

The ILO also aims to identify and delineate specific aspects of the Blue Economy that can benefit from technical development cooperation support. This support will be carried out in partnership with other international organizations and development agencies, to ensure a Just Transition to the Blue Economy to reap its potential gains. To do so, the ILO seeks to establish a regional program on the blue economy. The African Island States (AIS), including Cape Verde, Comoros, Guinea-Bissau, Madagascar, Mauritius, São Tomé and Príncipe, and the Seychelles, have a valuable opportunity for sustainable development and prosperity through the Blue Economy. These countries possess abundant ocean resources that can be utilized to create employment and generate wealth, thus improving the livelihoods of their populations. By focusing on the development of ocean-based and -related sectors, the Blue Economy holds significant potential to address various economic and social challenges faced by the African Island States. These challenges include widespread poverty, high levels of unemployment (especially among the youth), a large informal sector, insufficient social protection systems, environmental concerns, unplanned labour migration, inadequate food security, and pervasive gender inequality. The Blue economy development in AIS provide opportunities to achieve other SDGs as well.

The Blue Economy offers a broad concept that connects economy, human, and nature. In the context of climate change, the decarbonization of shipping has created significant implications for seafarers' working conditions and well-being. The transition to a decarbonized shipping industry will require additional training for [hundreds of thousands of seafarers up to 2050](#).<sup>1</sup> The absence of certainty about future fuel options for

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<sup>1</sup> Maritime Just Transition Task Force. (2022). *Mapping a Maritime Just Transition for Seafarers*. <https://www.ics-shipping.org/wp-content/uploads/2022/11/Position-Paper-Mapping-a-Maritime-Just-Transition-for-Seafarers-%E2%80%93-Maritime-Just-Transition-Task-Force-2022-OFFICIAL.pdf>

shipping is having a knock-on effect on seafarer training, making it imperative to start establishing the necessary training infrastructure immediately.

The ILO works together with the ICS, the ITF, the UNGC, and the IMO under the “Maritime Just Transition Task Force” launched at COP26, to ensure shipping’s response to the climate emergency puts seafarers at the heart of the solution, supported by globally established Just Transition principles. The Task Force coordinates efforts with governments, industry, workers and their representatives. Research and learnings will be developed around the green training and upskilling needs for the maritime industry’s transition and the green job potential of new fuels. A core driver will be how the maritime industry can achieve an equitable transition creating opportunities for local communities and ensuring that green infrastructure, technology investments and opportunities for job creation are open to all. At COP27 in November 2022, the ILO hosted the first ever [Just Transition Pavilion](#), a convening space for events, meetings and knowledge sharing around just transition and climate action in cooperation with the UNFCCC, International Trade Union Confederation (ITUC) and International Organisation of Employers (IOE). The Just Transition Pavilion held a [side event](#) organized by the “Just Transition Maritime Task Force”, which convened Ministers, union heads, the UN and Industry, to mark the launch of a “10-Point Action Plan” by the task force. The Task Force will commence its second phase from June 2023 to December 2024.

*“The ILO Just Transition Pavilion contributed to the effort of ‘a labour-focused just transition with social dialogue, social protection and labour rights at its heart’ through its ‘many activities and high visibility’”*

-- Sharan Burrow, the ITUC’s General Secretary

Seafarer training and skills needed to support decarbonization



Figure V. Maritime Just Transition Task Force. (c) DNV

Just Transition is a people-centred response to address climate emergency, and it means greening the economy in a way that is as fair and inclusive as possible, creating decent work opportunities. ILO will continue seeking a human-centred approach to achieving green shipping, stressing the principles set out in the ILO Guidelines for a Just Transition and respecting the provisions of the Maritime Labour Convention, 2006, as amended, particularly as concerns occupational safety and health of seafarers in the context of new technologies and fuels.

## 5. ILO and the Maritime Sector: Shipping, Ports, Fisheries

Ships carry more than 80 per cent of world trade, whether in containers or through the bulk transport of raw materials, including food. There is increased awareness of the vital role of ships and seafarers in global supply chains. Shipping is one of the most international of sectors, requiring global solutions to labour issues to ensure its economic, social and environmental sustainability.

More than 39 million people work in capture fishing. The sector faces pressures, such as decent work challenges, climate change, over-fishing, and Illegal Unregulated and Unreported (IUU) fishing. Forced labour, trafficking, child labour and high injury and fatality rates also remain a matter of great concern.

Ports are a critical component of supply chains and a point of exchange between the different transport modes (sea, road, railways, and inland waterways). They provide key infrastructure in support of international trade and the global economy.

The graphic below (Figure I) gives a brief overview of the international labour standards related to the shipping, fishing, and ports sectors. The focus of ILO's maritime work is the promotion of the ratification and implementation, and the effective enforcement of these standards using all the ILO's means of action, including advocacy, technical assistance, capacity-building and the dissemination of codes of practice, guidelines, reports and other tools addressing labour issues and fostering decent work in these sectors.



Figure VI. International Labour Standards in the Maritime Sector

## 5.1 Shipping

### 5.1.1 Maritime Labour Convention, 2006, as amended (MLC, 2006)

Adopted by the ILO's Member States in February 2006, the MLC, 2006 brought together existing industry labour standards that no longer reflected contemporary working and living conditions, had low ratification levels, or inadequate enforcement and compliance systems. Combining these, often very detailed, instruments into one Convention, makes it easier for countries to regulate and enforce consistent industry norms and standards, worldwide.

The MLC, 2006 sets out seafarers' rights to decent conditions of work and helps to create conditions of fair competition for shipowners. It is intended to be globally applicable, easily understandable, readily updatable and uniformly enforced. The MLC, 2006 addresses 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, accommodation, occupational safety and health, and social security.

The MLC, 2006 has been designed to become a global legal instrument that will be the "fourth pillar" of the international regulatory regime for quality shipping, complementing the key Conventions of the International Maritime Organization (IMO), such as the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), the International Convention on Standards of Training, Certification and Watchkeeping, 1978, as amended (STCW), and the International Convention for the Prevention of Pollution from Ships, 73/78 (MARPOL).

There are several novel features in the MLC, 2006 as far as the ILO is concerned. It is organized into three main parts: the Articles, placed at the beginning, set out the broad principles and obligations. They are followed by the more detailed Regulations and the Code of the MLC, 2006 which has two parts: Part A (mandatory Standards) and Part B (non-mandatory Guidelines). The Regulations and the Code are organized in five Titles, which cover specific subject matters.

The Code of the MLC, 2006 was amended in [2014](#), [2016](#) and [2018](#). These amendments have regulated subjects such as financial security of seafarers in cases of abandonment; contractual claims for compensation in the event of a seafarer's death or long-term disability due to an operational injury, illness or hazard; extension of the validity of the maritime labour certificate; harassment and bullying on board ships; and the protection of seafarers' wages in cases of piracy or armed robbery.

In 2022, the Fourth Meeting of the STC adopted [eight amendments](#) to the Code of the MLC, 2006, drawing from lessons learned during the COVID-19 pandemic with the aim of improving the living and working conditions of the world's seafarers. The amendments they agreed will ensure that:

- Seafarers have appropriately sized personal protective equipment, in particular to suit the increasing number of women seafarers;
- Good quality drinking water is available free of charge for seafarers;
- States further facilitate the prompt repatriation of abandoned seafarers;
- States provide medical care for seafarers in need of immediate assistance and facilitate the repatriation of the remains of seafarers who have died on board;
- Seafarers are provided with appropriate social connectivity by shipowners and States provide internet access in their ports;
- Seafarers are informed of their rights relating to the obligation of recruitment and placement services to compensate seafarers for monetary losses; and

- All deaths of seafarers are recorded and reported annually to the ILO and the relevant data is published.

The amendments were approved during the 110th Session, June 2022 of the International Labour Conference. They will enter into force on 23 December 2024.

The ILO regularly provides technical assistance to member States and other relevant parties to ensure universal ratification and effective implementation of the MLC, 2006. In addition to promoting 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. All, or nearly all, regional port State control agreements have included the MLC, 2006 in their lists of "relevant instruments" for port State control. The ILO's Maritime Labour Academy at the International Training Centre in Turin, Italy continues to train inspectors, lawyers as well as governments, seafarers', and shipowners' organizations for a harmonious application of the MLC, 2006.

### 5.1.1.1 Consensus building

#### I. Special Tripartite Committee of the MLC, 2006

Article XIII of the MLC, 2006 provides for the establishment of a Special Tripartite Committee (STC) by the ILO's Governing Body. The mandate of this Committee is to keep the working of the MLC, 2006 under continuous review. If difficulties are identified in the working of the Convention, or if the Convention needs to be updated, the Special Tripartite Committee, in accordance with Article XV of the Convention, has the power to adopt amendments to the Code of the MLC, 2006. The Committee also plays an important consultative role under Article VII for countries that do not have shipowners' or seafarers' organizations to consult when implementing the MLC, 2006.

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 [Guidelines for flag State inspections under the Maritime Labour Convention, 2006, as amended](#) and [Guidelines for port State control officers carrying out inspections under the Maritime Labour Convention, 2006, as amended](#) to reflect the 2014, 2016 and 2018 amendments.

In addition, the 2022 STC Meeting adopted three resolutions. One of these was [the Resolution on Harassment and Bullying, including Sexual Assault and Sexual Harassment, in the Maritime Sector](#). It called on the Governing Body to take note of the request of the IMO Maritime Safety Committee, which is to include the topic of harassment and bullying, including sexual assault and sexual harassment, in the maritime sector and consider this as an item to be considered, at the earliest opportunity, by the Joint ILO-IMO Tripartite Working Group to Identify and Address Seafarers' Issues and the Human Element (JTWG), under paragraph 4(c) of the JTWG's Terms of Reference and list of priorities, with the objective of ensuring a safe and inclusive workplace for seafarers. The meeting is planned for early 2024. [The Resolution on contractual redress for seafarers](#) calls upon States to ensure that all seafarers have adequate means of contractual redress against the shipowner and calls upon Flag States to ensure that shipowners are in compliance with Standard A2.1 of the MLC, 2006 before issuing to their ships a Maritime Labour Certificate, and in any intermediate inspections. [The Resolution on financial security](#) calls for the establishment of a working group of the STC, based on past practice, to discuss the financial security system required under Standard A2.5.2 of the MLC, 2006 and make recommendations to the STC on potential improvements that would make the system more effective and sustainable and ensure a greater degree of protection and assistance for abandoned seafarers.

The next STC meeting is planned for scheduled in 2025.

#### II. Subcommittee on Wages of Seafarers of the Joint Maritime Commission

In [2022, the JMC Subcommittee](#) resumed the previous meeting in person and agreed to raise the minimum basic wage for an able seafarer to US\$658 as of 1 January 2023. The rate will be increased to US\$666 as of 1 January 2024 and to US\$673 as of 1 January 2025. The subcommittee also agreed that the figure of US \$673 as of 1 March 2022 should be used as the basis for recalculation purposes and for discussion at the next meeting of the subcommittee, in 2025.

### III. The Joint ILO-IMO Tripartite Working Group

The Joint ILO-IMO Tripartite Working Group held its first meeting at the ILO in December 2022, which discussed and adopted [Guidelines on how to deal with seafarer abandonment cases](#). In March 2023, the ILO's Governing Body authorised the publication of the Guidelines. The IMO Legal Committee endorsed the Guidelines at its 110<sup>th</sup> Session.

#### ***ILO-IMO 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, 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. From 2011 to 2016, the number of cases per year ranged from 12 to 19. However, since 2017, the cases reported has increased drastically. The numbers for the years 2017, 2018, and 2019 were 55, 44, and 40 respectively. Although a direct linkage is unclear, since the outbreak of the COVID-19 pandemic there was another, alarming spike in cases. In 2020, the total number of reported cases reached 85. In 2021, 95 cases were reported, and in 2022, 119 cases were reported. In 2023, as of 15 June, the total number of reported cases reached 46.

The ILO-IMO JTWG discussed the database at its first meeting in December 2022 and [proposed](#) the review the joint ILO/IMO database of abandonment of seafarers. The IMO Legal Committee, at its 110<sup>th</sup> session in March 2023, invited concrete proposals to its 111<sup>th</sup> session in early 2024, including draft terms of reference, for the establishment of a Task Force to review the joint ILO/IMO database of abandonment of seafarers.

*The database can be found at: <http://www.ilo.org/dyn/seafarers/seafarersbrowse.home>.*

## **5.1.2 Seafarers' Identity Documents Convention (Revised), 2003, as amended (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 seafarers' access to shore leave, transfer and transit, whilst enhancing security in ports through the use of an internationally recognized document.

## 5.2 Fishing

### 5.2.1 [Work in Fishing Convention, 2007 \(No. 188\)](#) and [Work in Fishing Recommendation, 2007 \(No. 199\)](#)

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 over exploitation of precious resources and fighting IUU fishing.

In 2018, an estimated 59.5 million people were engaged in the primary sector of fisheries and aquaculture. Of these, 39 million are employed in fisheries and about 20.5 million people were employed in aquaculture. The Food and Agriculture Organization of the United Nations (FAO) [figures](#) shows that women account for just 14 percent of the 59.5 million people engaged in the primary sector of fisheries and aquaculture in 2018. However, numerous NGOs indicate that in the entire value chain of fisheries and aquaculture sectors, approximately half of the workforce consists of women.<sup>2</sup> Women have a vital presence in labour-intensive activities in both commercial and artisanal fishing.<sup>3</sup> However, they frequently find themselves in precarious positions within the industry and assigned unstable roles or poorly paid and even unpaid positions, typically in the secondary sector. Furthermore, their contributions are frequently under-recognized or not recognized.<sup>4</sup>



Video I. [Decent Work for Fishers](#) (c) ILO

<sup>2</sup> The State of World Fisheries and Aquaculture 2020. <https://www.fao.org/state-of-fisheries-aquaculture/2020/en>

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

The Convention No. 188, adopted by the International Labour Conference in 2007 revises and updates several earlier ILO fishing Conventions. The objective of Convention No. 188 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 shore workers. It provides for regulation that will help prevent unacceptable forms of work and open effective enforcement mechanisms upholding the ILO's commitment to ensuring decent working conditions for all fishers in the sector.

The widespread ratification and enforcement of Convention No 188 is key to ensuring that there is effective protection for all the people who working the sector. It is also key to addressing global concerns such as forced labour, human trafficking, and the exploitation of migrant fishers. 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.

Convention No. 188 came into force on 16 November 2017. As of May 2023, 21 countries have ratified the Convention, with Spain being the most recent country ratifying it on 28 Feb 2023. The Convention will enter into force for Spain on 29 Feb 2024.

With a view 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.

The non-binding [Work in Fishing Recommendation, 2007 \(No. 199\)](#) provides guidance on how to implement the provisions of Convention No. 188.

The ILO has also progressed in knowledge development, consensus building, and development cooperation related to the Convention No. 188 and Recommendation No. 199.

### 5.2.1.1 Knowledge Development

#### I. [Frequently Asked Questions: Work in Fishing Convention, 2007 \(No. 188\)](#)

The "Frequently Asked Questions" were developed as part of the Action Plan (2011-2016) to improve the living and working conditions of fishers through the widespread ratification and effective implementation of Convention No. 188. This tool is designed to promote a greater understanding of the Convention amongst ILO constituents, particularly those from the fishing sector. The topics addressed include the scope of its application, the unique flexibility mechanisms for its implementation, and explanations about the advantages of the Convention for fishers, fishing vessels owners, and ILO member States.

#### II. [Guideline to undertake a comparative analysis of the Work in Fishing Convention, 2007 \(No. 188\) and national laws, regulations, or other measures](#)

These guidelines propose an approach a government may take to determine the extent to which its laws and regulations would need to be adjusted or complemented to meet the requirements of the Work in Fishing Convention, 2007 (No. 188). Undertaking a comparative or "gap" analysis is the first step towards the ratification of the Convention. The analysis involves a detailed legal analysis of national laws, regulations or other measures which are intended to give effect to the provisions of the Convention, and careful examination to determine where changes are needed to amend or otherwise adjust national laws or regulations.

#### III. [The flexibility clauses of the Work in Fishing Convention, 2007 \(No. 188\)](#)

This sectoral working paper discusses the various types of flexibility clauses found in the Work in Fishing convention, 2007 (No. 188), with a view to assisting those considering making use of these clauses when ratifying and implementing the Convention, to adapt the application of C188 to national circumstances.

IV. [Guidelines on flag State inspection of working and living conditions on board fishing vessels](#)

The Guidelines aim to assist States in effectively exercising their jurisdiction and control over vessels that fly their flag by establishing a system for ensuring compliance with national laws, regulations and other measures through which Convention No. 188 is implemented. Convention No. 188 requires States to have, as appropriate, inspections, reporting, monitoring, complaint procedures, appropriate penalties and corrective measures, in accordance with national laws or regulations.

The Guidelines are intended to provide flag States with supplementary practical information and guidance that can be adapted to reflect national laws and other measures through which Convention No. 188 is implemented. They may be used by any government that finds them helpful.

V. [Guidelines for port State control officers carrying out inspections under the Work in Fishing Convention, 2007 \(No. 188\)](#)

The Guidelines are intended to provide supplementary practical information and guidance to port State administrations that can be adapted to reflect national practices and policies and other applicable international arrangements in force governing port State control inspections of fishing vessels.

The Guidelines are intended to provide supplementary practical information and guidance to port State administrations that can be adapted to reflect national practices and policies and other applicable international arrangements in force governing port State control inspections of fishing vessels.

The Guidelines should be regarded as complementary to the national measures taken by administrations of flag States in their countries and abroad. They are intended to provide assistance to port State administrations in securing compliance with Convention No. 188.

VI. [Handbook for improving living conditions on board fishing vessels](#)

The objective of the Work in Fishing Convention, 2007 (No. 188) is to ensure that fishers have decent working and living conditions on board fishing vessels.

The Handbook has been developed to assist competent authorities and the representative organizations of employers and workers in the fishing sector gain a better understanding of Convention No. 188 and Recommendation No. 199. The stimulation of national tripartite discussion will encourage States to take concrete steps towards the implementation and ratification of the Convention.

VII. [ILO training package on inspection of labour conditions on board fishing vessels](#)

The training package responds to the needs for training material while being consistent with the requirements of the Work in Fishing Convention, 2007 (No. 188), to the “Guidelines on flag State inspection of working and living conditions on board fishing vessels” and to the “Guidelines for port State control officers carrying out inspections under the Work in Fishing Convention, 2007 (No. 188)”. It further draws upon the wealth of practical experiences on labour inspection in the fishing sector gained in recent years from ILO’s constituents and projects. In particular, it seeks to promote cooperation and coordination among the many authorities that may have a role in the inspection of living and working conditions on fishing vessels, with the aim of ensuring decent work for all fishers.

VIII. ILO online training courses

In 2022, the ILO’s International Training Centre in Turin, Italy, together with the ILO’s Sectoral Policies Department, organized online training courses on the [Training of inspectors of labour conditions on board](#)

[fishing vessels](#). The courses will be held online from 19 June to 7 July 2023. On the [Development and management of inspection systems of labour conditions on board fishing vessels](#), similar courses will be held online around October 2023.

### 5.2.1.2 Consensus Building

*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 IUU Fishing and Related Matters and participated in the fourth session of the Joint Working Group (JWG) held in Torremolinos, Spain, in October 2019. The Joint Working Group adopted a set of Recommendations (see [JWG 4/15](#)).

As a follow up to these Recommendations, the ILO is redoubling its efforts to tackle the scourge of forced labour in fishing, and closely coordinates with IMO and FAO on matters related to fighting IUU fishing while ensuring decent work for fishers and safety at sea. This includes active participation in each other's meetings and events, and jointly promoting compliance with the relevant international instruments. Also, the ILO, FAO and IMO have joined forces to promote the Convention No. 188, the Port State Measures Agreement, the Cape Town Agreement and the STCW-F Convention. This inter-agency cooperation helps encourage institutional cooperation at the national government level, which is necessary in the fisheries sector. At the regional level, the ILO engages actively with the Regional Fisheries Management Organisations and Regional Fishery Bodies to promote decent work in the fishing sector. This includes embedding labour rights of fishers and the elimination of forced labour in agendas, action plans and mandates that have traditionally focused on environmentally sustainable fishing.

The fifth session of the JWG I is expected to be held in late 2023.

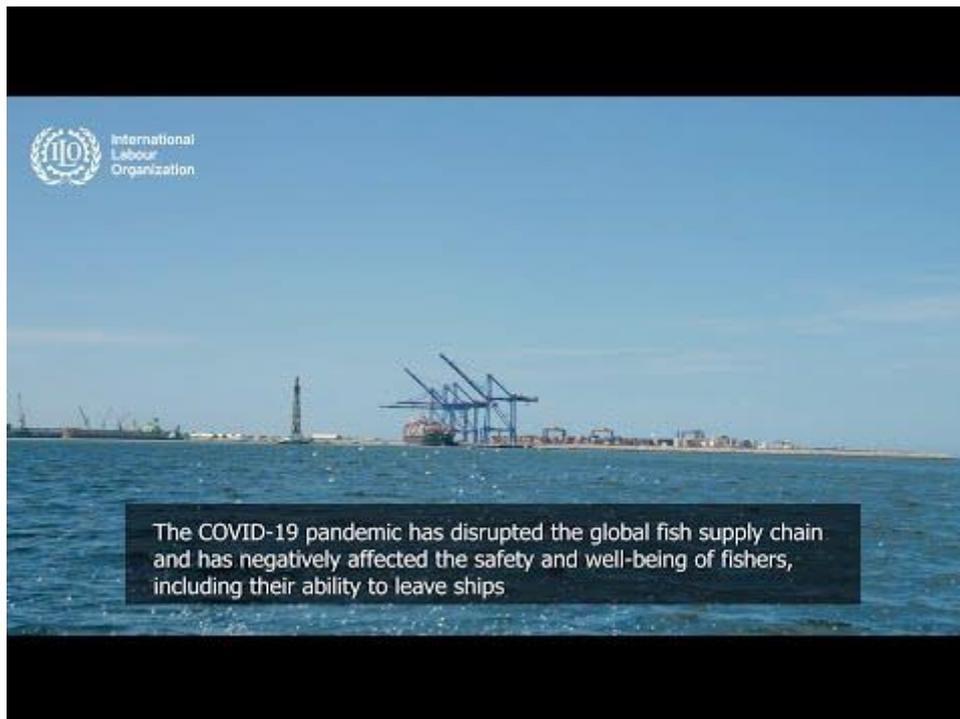
### 5.2.1.3 Development Cooperation

- I. [Sustainable supply chains to build forward better \(SSCBFB\) – Project linked to Fisheries in Namibia](#)



“Sustainable Supply Chains to Build Forward Better” is a joint initiative of ILO and European Commission that sets out to advance decent work in five selected global supply chains for a fair, resilient, and sustainable COVID-19 crisis recovery. The fisheries supply chain in Namibia is one of them. The sector comprises industrialized marine capture fisheries, recreational fisheries, inland capture fisheries, mariculture and freshwater aquaculture. The industry exports over 90 per cent of its total unprocessed and manufactured fish products.

The implementation of the project activities in Namibia are aimed at enhancing knowledge and understanding of the decent work gaps and opportunities in the supply chain among policymakers, employers and business and workers; and other stakeholders. To get there, the ILO carried out a “[deep-dive](#)” study in the fisheries sector so as to facilitate the formulation of sector-specific interventions. This report provides an evidence base to support government and industry stakeholders in developing tools and policy advice and capacity-building initiatives to advance decent work in response to the COVID-19 crisis, making supply chains more resilient, fair, and sustainable.



Video II. [The Impact of COVID-19 in the Namibian Fisheries Supply Chains on Regulators and Workers](#) (c) ILO

The project has also developed a [toolkit](#) to better equip the ILO constituents and key stakeholders in Namibia to promote decent work in the fishing sector.

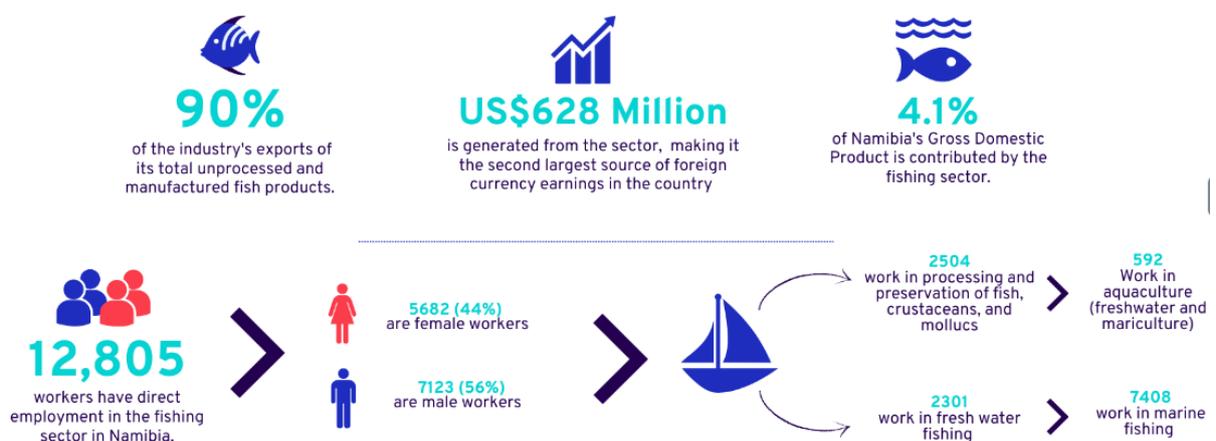


Figure VII. [Context of the fishing sector in Namibia](#). (c) ILO

The project organized a workshop with the Ministry of Labour, Industrial Relations, and Employment Creation to improve coordination among relevant authorities, and to strengthen their ability to apply a [strategic compliance planning approach](#) to inspection in the fishing sector. As a result of the workshop a Strategic Compliance Task Team (SCTT) was created with twelve members from the Government and from workers', and employers' organizations. In the framework of the [Strategic Compliance Planning for Labour Inspectorates](#), the project has furthermore adapted the following tools for the Namibian context: (i) [Field Guide](#) for Carrying out Labour Inspection Visits On-board Fishing Vessels at Port-Side in Namibia; (ii) Leaflet "[Basic Employment conditions for Decent work on board fishing vessels and in seafood factories](#)"; (iii) Leaflet

[“How to stay safe while working on a fishing vessel at sea”](#); and (iv) Development of standardized employment contract templates for permanent (definite/indefinite) and temporal (seasonal, voyage, and short-term) workers in the industrialized marine capture fisheries based on Namibian national laws and the ILO Work in Fishing Convention, 2007 (C.188). The SCTT implemented the following activities among others with the support of the project:

- i. [Basic safety and familiarization certification training for Labour Inspectors](#);
- ii. [Sensitization and Training Workshop on C188 for fisheries stakeholders in Namibia](#);
- iii. [Training on occupational safety and health provisions on fishing vessels](#) for 42 labour inspectors, shop stewards, fisheries inspectors, and fisheries observers;
- iv. A first Joint Pilot Inspection in the Namibian fishing sector involving the three key regulatory agencies (the Ministry of Labour Industrial Relations and Employment Creation (MLIREC), the Ministry of Works and Transport, and the Ministry of Fisheries and Marine Resources). In a period of two weeks, the joint inspection team conducted twelve inspections in Lüderitz and in Walvis Bay; directly impacting 306 fishermen that were interviewed, 294 workers employed by the companies, and 12 vessel managers.

The National Tripartite Advisory Committee (NTAC) made a collective decision to evolve into a standing tripartite National Commission on Decent Work in the Namibian Fisheries sector. This will become the first tripartite body to address decent work challenges and opportunities in the supply chain and to ensure coordination between all concerned stakeholders. Such coordination is called for in the ILO Work in Fishing Convention, 2007 (No. 188), which Namibia ratified in 2018. The proposed National Commission will monitor and evaluate decent work in the Namibian fishing sector through constant, effective, and robust social dialogue between the tripartite members with a bearing on the sector. It will also support and coordinate the full implementation of Convention No. 188, considering the comments of the Committee of Experts on the Application of Conventions and Recommendations on the application of Convention No.188 by Namibia. The terms of reference have been endorsed by the NTAC and submitted to MLIREC for consideration and approval.

The first phase of this project ended in March 2023. The project has been extended for another year and the name for the second phase changed to “Supply Chains for a Sustainable Future of Work”. This phase will mainly consolidate the work that was carried out in previous years and focus on two main outcomes: (i) Policy advice and support to tripartite processes to develop and implement policies and measures to promote decent work for fairer, more resilient, and sustainable fisheries supply chain, and (ii) Technical support and training on compliance with national laws and regulations and respecting the principles contained in international labour standards.

Finally, the ILO’s Sectoral Policy Department in June 2023 published a [synthesis report](#) which summarizes the findings from rapid assessments and deep-dive research into decent work challenges and opportunities in five sectors and countries, including fisheries in Namibia, highlighting its gender dimension.

## II. [Ship to Shore Rights Project South East Asia](#)



The first phase of this project, funded by the EU and the ILO, has been working closely with partners including the Thai Government, employers' organizations, workers' organizations, unions, and civil society organizations towards the prevention and reduction of unacceptable forms of work in the Thai fishing and

seafood processing sectors from February 2016 to March 2020. In recent years, a number of graphic reports have triggered increased awareness of the serious human and labour rights abuses committed in the Thai commercial fishing and seafood processing industries, particularly against migrant workers. Warnings of IUU have drawn specific attention to the situation. On 10 March 2020, the project published [Endline research findings on fishers and seafood workers in Thailand](#). It captures the changes to the working conditions as well as identifies the needs and challenges for the next phase of reforms in the Thai fishing and seafood processing industry. This project has also contributed to the ratification of Convention No. 188 by Thailand in January 2019 and awareness has been raised about the convention in the Southeast Asian region. The project also contributed to the ratification by Thailand of the 2014 Protocol to the Forced Labour Convention, 1930.



Figure VIII. Delegates at the 111<sup>th</sup> Session of the [International Labour Conference](#) immerse themselves in a 360-degree film shot on board to find out what working on a Thai Fishing Boat looks like. (c) ILO

The project has been extended until 2024 in order to reach additional ASEAN States and renamed Ship to Shore Rights South East Asia. It is a four-year (2020-2024) programme implemented by the ILO in collaboration with the IOM and the United Nations Development Programme. The overriding objective is to promote regular and safe labour migration and decent work for all migrant workers in the fishing and seafood processing sectors in South East Asia. This includes 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 Vietnam.



Figure IX. Ship to Shore Rights South East Asia countries. (c) ILO

Countries in South-East Asia are among the world's top producers and exporters of fish and seafood products. The fishing and seafood processing supply chains rely on several elements including capture fisheries and land-based primary and secondary processing. Migrant workers contribute significantly to these sectors as fishers and workers in the processing phase. The regulatory framework for labour migration in the fishing and seafood processing sectors is often weak, with migrant workers frequently recruited through irregular and informal channels. While there have been important improvements in recent years, workers still report lack of written work contracts, underpayment or withholding of wages, other types of wage theft, and coercion or involuntary work.

During its second year of implementation (August 2021 to July 2022), Ship to Shore Rights South East Asia emerged as a dynamic actor supporting multi-disciplinary interventions on safe migration and decent work in the fishing and seafood processing sectors. Major contributions were made to better alignment of labour migration governance frameworks with international labour standards. Timely and innovative knowledge products were launched to inform evidence-based policymaking. Extensive training and development of operational tools were provided to key stakeholders to expand their capacity for effective implementation of labour and anti-trafficking laws. Access to sector-specific information and support services for women and men migrant workers in the fishing and seafood processing industry was dramatically scaled up.



Video III. [Ship to Shore Rights South East Asia project](#). (c) ILO

A summary of the list of activities under each objective of the project is as follows:

Guiding by the objective to “**strengthen legal, policy and regulatory frameworks related to labour migration and employment in the fishing and seafood processing sectors**, the project has published the brief [Rough seas: The impact of COVID-19 on fishing workers in South-East Asia](#) , to examine the effects of the pandemic on migrant fishers and seafood processing workers in the region and the [Ship to Shore Rights South East Asia: Gender equality and women’s empowerment strategy](#), to analyze the highly gendered patterns of employment in the fishing and seafood processing sectors in South-East Asia and proposing a gender transformative approach. The project also published the brief [Riding out the storm: Organizational resilience of trade unions and civil society organizations following the military takeover in Myanmar](#) to document the severe toll that the military coup has taken on these organizations in Myanmar and the [Turning Principles into pathways: The future of the Seafood Good Labour Practices programme](#) assesses how the Seafood GLP programme has impacted the seafood processing companies involved, workers in their factories and the wider supply chain.

The project, in coordination with the Coordinating Ministry of Maritime Affairs and Investments of Indonesia, organized the [Fair Seas Labour Conference](#) in September 2022 with the objectives of revitalizing the SEA Forum for Fishers as a regional coordination forum to address the decent work deficits for workers in the fish and seafood supply chain; renewing more effective protection and increased resilience for all workers, particularly part-time, low-wage, migrants, women workers, and informal workers; bringing together stakeholders from Southeast Asia and address the challenges of labour protection for workers in the fishing sectors; and creating partnerships between South-East Asian stakeholders for collective action to reduce inequalities and foster social and economic inclusion through creating decent jobs.

The project also provided a wide range of technical support in different programme countries, i.e., to the Ministry of Labour, Invalids and Social Affairs on legislative development in Vietnam, resulting in the adoption of 5 subordinate laws for the Law on Contract-Based Overseas Vietnamese Workers. Technical comments to the Ministry of Labour in Thailand on the third revision of the Ministerial Regulation on Labour Protection in Sea Fisheries, which is the key piece of secondary legislation regulating working conditions in the fishing sector and technical comments to the Indonesian Government on the enactment of Government

Regulation No.22 of 2022 Regarding the Placement and Protection of Crews of Migrant Trading Vessels and Crews of Migrant Fishing Vessels.

In terms of communication, the Ship to Shore Rights SEA has reached 1,764,919 people were reached with the programme communications products, including through social media, programme newsletters, website visits, research views and distribution of IEC materials.

The project has also worked to **increased protection of labour rights and safe and secure working environment for migrant women and men workers in the fishing and seafood processing sectors**, through the provision of trainings to labour inspectors from the Department of Labour Protection and Welfare (DLPW) in Thailand to strengthen the capacity of labour inspectors to enforce laws in the fishing and seafood processing sectors. The programme also held regional training on sustainable reintegration of migrant workers for participants from Cambodia, Indonesia, Myanmar and Thailand, as well as regional training for government regulators and private recruitment agencies from Cambodia, Lao PDR, Thailand and Vietnam on fair and ethical recruitment in ASEAN countries. Besides, the project has conducted an independent assessment and published the Good Labour Practice (GLP) programme for Thailand's seafood processing sector, which led to commitments by the Thai Tuna Industry Association and Thai Frozen Food Association to strengthen the implementation of the programme.

On the last objective of the programme, which is to **empower the women and men migrant workers, their families, organization and communities in the fishing and seafood processing sectors**, the programme has established the Migrant Workers Resource Centres (MRCs) in different programme countries, including, Thailand, Lao PDR, Myanmar, Viet Nam and Cambodia. By far, more than 50,000 migrant workers have benefited from various types of support, including the provide informal pre-departure orientation training for migrant workers prior to going abroad and other support services, including safe migration counselling, legal assistance, education and training, trade unions membership and return services. In addition, more than 30,000 migrant workers in Cambodia, Laos PDR, Myanmar and Thailand have also benefited from the programme COVID-19 response services. The programme also organized exchange visits between Thai and Cambodian trade unions to build bilateral cooperation on labour protection and worker organizing for Cambodian migrant fishers.

Besides, on 10 May 2023, the ILO in Indonesia congratulates ASEAN and [welcomes](#) the adoption of the ASEAN Declaration on the Placement and Protection of Migrant Fishers at the 42nd ASEAN Summit held in Labuan Bajo, East Nusa Tenggara. At another occasion, during a European Union's high-level delegates' visit to Lao in May 2023, which was to observe the activities under the Ship to Shore Rights South East Asia and other ILO projects, the ILO [reaffirm](#) commitment to decent work for Lao workers at home and abroad, including for those migrate internationally in pursuit of better job opportunities in fishing and seafood processing sectors.

III. [The 8.7 Accelerator Lab programme](#) and other ILO projects on forced labour in fishing

## 8.7 Accelerator Lab

The 8.7 Accelerator Lab is an initiative of the ILO Fundamental Principles and Rights at Work Branch (FUNDAMENTALS). It was created to accelerate progress towards the eradication of forced labour and the elimination of child labour by optimizing the effectiveness of development cooperation interventions by embracing six acceleration factors that form the core of the program.

The 8.7 Accelerator Lab targets interventions at the national, regional, and global levels, leveraging the use of strategic entry points through an integrated and sectoral approach.

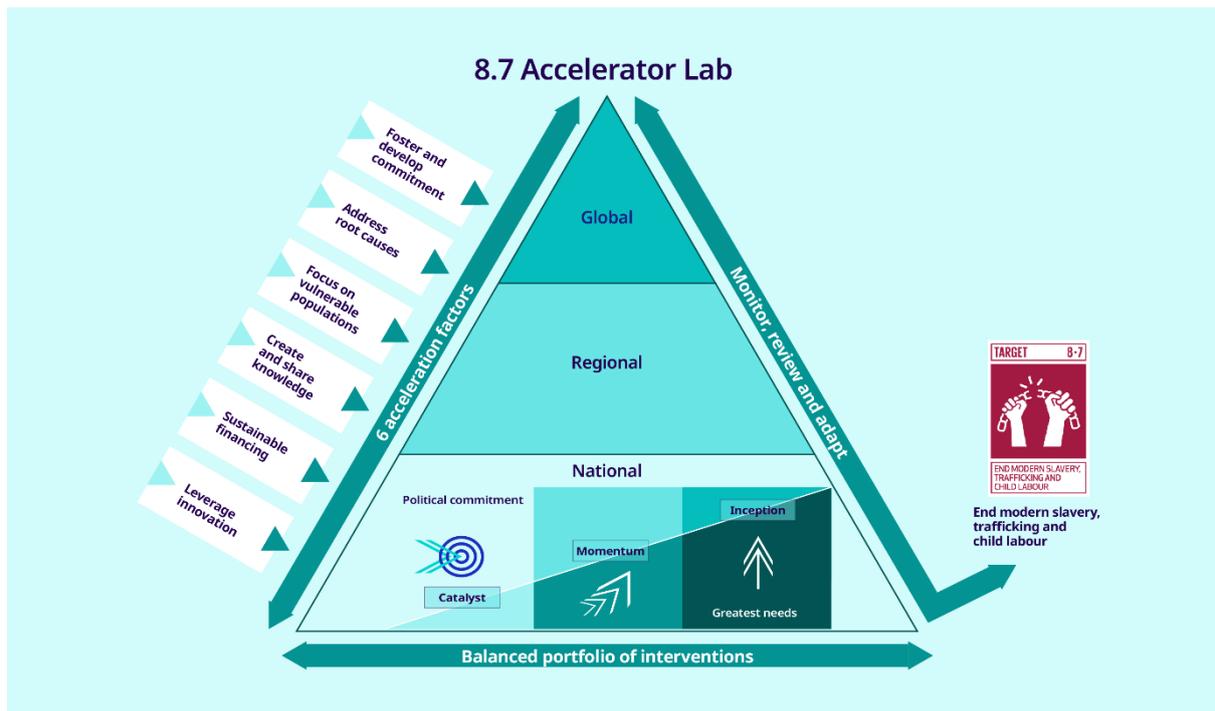
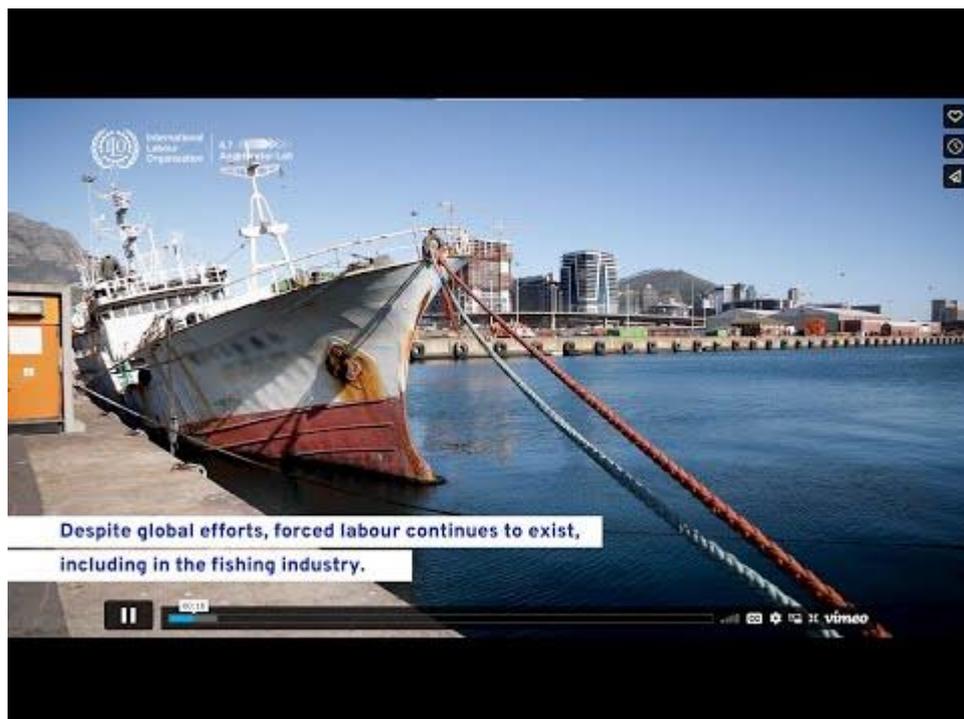


Figure X. 8.7 Accelerator Lab Strategy. (c) ILO

At the national level, with a focus on South Africa, Ghana and Indonesia, the Programme supported labour inspection pilots to improve the detection of forced labour and protection for fishers, carried out gap analyses of national legal frameworks with a view to support the ratification of relevant International Labour Standards and held capacity building workshops with social partners, among other activities.

Following these activities, joint-inspection mechanisms have been consolidated in MoUs between labour and other government agencies, including maritime safety or fisheries departments. Trade union networks and employers' labs on SDG 8.7 have been established with fishing as their first area of focus.



*“We’re optimistic about the progress we can make with the support of the ILO to improve working conditions along the fisheries value chain.”*

-- Mr Séraphin Dedi,  
Secretary-General of the  
FCWC

At the regional level, the ILO 8.7 Accelerator Lab and the Sectoral Policies Department at the ILO are [collaborating](#) closely with Regional Fisheries Management Organisations and Regional Fisheries Bodies to establish connections and address the intersection of the two issues: overfishing and forced labour. In July 2022, the ILO signs [MoU](#) with the Fisheries Committee for the West Central Gulf of Guinea (FCWC) to address the need to promote decent work and the elimination of forced labour in the fishing industry. In March 2023, the ILO also presented a discussion paper on decent work to the Technical Fisheries Committee of the Southern African Development Community. In June 2023, the ILO participated in the Working Group on Labour Standards of the International Commission for the Conservation of Atlantic Tuna (ICCAT) providing technical inputs to the draft non-binding resolution on decent work.

At the global level, the Programme has engaged with business and journalism schools to embed labour rights in fishing into their curriculum and carried out a mapping of actors and digital technologies used to address forced labour on board fishing vessels.

In terms of research, the 8.7 Accelerator Lab also joined forces with the [MAP16 project](#) to develop a handbook on the detection of forced labour in fishing, a qualitative study of migrant fisher journeys and experiences and an online training module for labour inspectors on forced labour in fishing.

ILO’s Fundamental Principles and Rights at Work Branch has also, in collaboration with IOM and United Nations Office on Drugs and Crime supported the development and pilot application of forced labour in fishing prevalence measurement tool. [The Bridge Project](#) is undertaking a qualitative study of fundamental principles and rights in the fishing supply chain in Mauritania in order to inform interventions aimed at addressing fundamental principles and rights in the sector, including forced labour.

The ILO, in collaboration with Walk Free and the IOM, published a report in September 2022. The report indicates that 50 million people were living in modern slavery in 2021, of which [28 million](#) were in forced labour. The report provides statistics of forced labours in fishing:

There are nearly 128,000 fishers who are trapped in forced labour aboard fishing vessels, often at deep sea, a workplace characterized by extreme isolation, hazardousness, and gaps in regulatory oversight.

As another ILO project on forced labour in fishing, the Blue Fairness Project, forms part of the broader Blue Justice Initiative. It is a joint project among IOM, ILO and the United Nations Office on Drugs and Crime (UNODC) to assess the prevalence of forced labour in the fishing industry by developing and testing a new survey methodology.

*For more information on the work of the ILO in Fisheries in general, see: [Fisheries \(ilo.org\)](#)*

## 5.2.2 Aquaculture

Aquaculture, defined as the cultivation of aquatic organisms in controlled aquatic environments involving interventions in the rearing process to enhance production, is an important source of income and livelihoods for many rural communities, both coastal and inland. The sector has grown dramatically over the past five decades and now accounts for half of the world’s fish food supply.

The aquaculture sector provides an important source of employment, income and livelihoods, especially in

rural communities, both coastal and inland, for developing countries. Globally, aquaculture today provides direct work for an estimated 20.5 million people, accounting for approximately one third of all workers engaged in fisheries and aquaculture. Women constitute a significant proportion of the aquaculture workforce, especially in processing. While no up-to-date data on indirect employment generated through aquaculture-related activities is available, it is estimated that for each person employed in primary production in aquaculture and capture fisheries, about three to four related jobs may be involved in secondary activities, including the processing, marketing and service industries.<sup>5</sup>

Despite its growing contribution to employment, rural livelihoods, economic development, food security and nutrition in many countries, aquaculture faces significant decent work deficits, alongside other important social and environmental challenges. These may include: the prevalence of informality and discrimination; the presence of child and forced labour, primarily in the informal economy; a lack of organization and social dialogue; low and insecure wages and incomes; low levels of skills; low productivity; poor working conditions and occupational safety and health (OSH) practices; limited social protection; and lack of stable and formal contracts.<sup>6</sup>

Harnessing aquaculture's potential to effectively contribute to feeding the world's growing population in the decades to come will require concerted efforts to promote sustainable enterprises and decent work for its workforce.

To discuss challenges and opportunities for the promotion of decent work in the aquaculture sector, the ILO convened a [Technical meeting on the future of work in aquaculture in the context of the rural economy](#), held in December 2021, which brought together experts representing governments, employers and workers.

The meeting acknowledged that the fragile nature of employment in the sector was exacerbated by the COVID-19 crisis and that the pandemic had further highlighted the importance of placing the promotion of decent work at the centre of recovery strategies and sustainable growth of the aquaculture sector.

### 5.3 Ports

As the transport sector has become increasingly competitive and global, many developments have taken place in the organization of work in ports which have affected labour and social conditions in the industry.

There are 856 international ports,<sup>7</sup> and over 2,000 ports in total in the world.<sup>8</sup> Port facilities have historically played a pivotal role in seafarer well-being through the provision of welfare services and facilities. These can range from port-based welfare services, including contacts with welfare workers, the use of seafarer canters and port-based facilities, communication with family and friends, shore leave and the provision of spiritual services.

The international labour standards in the ports sector are [the Dock Work Convention, 1973 \(No. 137\)](#) and [Dock Work Recommendation, 1973 \(No. 145\)](#) and the [Occupational Safety and Health \(Dock Work\) Convention, 1979 \(No. 152\)](#).

#### **Development Cooperation**

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<sup>5</sup> FAO, [Improving governance of aquaculture employment: A global assessment](#), 2014

<sup>6</sup> ILO, [The future of work in aquaculture in the context of the rural economy](#), Geneva, 2021; FAO, Scoping study on decent work and employment in fisheries and aquaculture ...; FAO, [The State of World Fisheries and Aquaculture 2020](#), 118; and ILO studies conducted as part of the EU-ILO-OECD Responsible Supply Chains in Asia programme, report forthcoming.

<sup>7</sup> World Bank. Data Catalog – International Ports, updated 16 June 2020.

<sup>8</sup> ILO (2002). Dock Work. General Survey of the reports concerning the Dock Work Convention (No. 137) and Recommendation (No. 145), 1973, Report III (Part 1B), International Labour Conference, 90th Session, p. 14; and Sestini, G., Jeftic, L. and D. Milliman (1989). Implications of expected climate changes in the Mediterranean region: An overview, United Nations Environmental Programme Regional Seas Reports and Studies No. 103, 1989, p. 13.

### *Portworker Development Program*

The ILO is the primary agency responsible within the UN system for the protection of port workers' interests, health and safety. The ILO has accumulated expertise and experience in establishing various international institutional frameworks and labour standards through a series of conventions and tools relevant to the port sector. For this reason, the ILO is uniquely positioned to develop and provide the required training materials for ports, with a proven capability of improving working conditions and productivity of container and bulk port terminals.

The ILO's Portworker Development Programme in Container Terminals (PDP I) has successfully contributed to the goal of creating greater opportunities for port workers to obtain decent work and to ensure their safety, health and welfare. Since its launch in 1989, it has been adopted by more than 70 organizations and major terminals and translated into 9 additional languages. ILO has organized several Training of Trainers (TOT) workshops for supporting the implementation of PDP I in the countries, including two interregional programmes held in ITC/Turin in 2012 and 2013.

Based on the success of PDP I, the ILO launched the Portworker Development Program in Bulk Terminals (PDP II) in 2014. Its main objective was to enable governments and port authorities of developing countries to establish effective and systematic portworker training schemes for port workers in bulk terminals. PDP II covered five major bulk cargoes, namely iron ore, coal, fertilizer, grain and bauxite/alumina. The materials were tested in selected ports in Asia and the first training course was subsequently held in the Republic of Korea. To maximize the effectiveness of the PDP II training programme and ensure its sustainability in the medium and long term, substantial activities to promote the use of PDP II materials need to be put forward by the ILO and interested partners at the global level. In this context, it is important to organize regular Training of Trainers (TOT) workshops to train PDP II chief instructors and terminal managers from all over the world. However, during the unprecedented pandemic and the resulting strict travel restrictions adopted by almost all countries, it has become physically impossible to have on-site TOT workshops and training chief instructors from all over the world at one place. The first TOT on-line workshop was conducted over a 10-day duration from 11 to 25 Oct 2021. The second workshop was conducted from 18-29 July 2022. Through two online workshops, 27 trainers successfully completed PDPII. The ILO held first face-to-face training workshop on PDPII in Busan, South Korea, from 12 to 18 June 2023.



Figure XI. Crane Workers in the harbour of Dar Es Salaam. (c) ILO

*PDP I and PDP II materials are available at the ILO webpage upon registration on the site.*

*More information is available on the website:*

[Portworker Development Programme \(ilo.org\)](https://www.ilo.org/portworker-development-programme)

## **5.4 Developments Affecting the Shipping, Fishing and Port Sectors**

### **5.4.1 Impact of the War in Ukraine**

The war in Ukraine has resulted in significant interference with the transportation of goods across the world, and has been observed to worsen the existing issues related to supply chain disruptions, port overcrowding,

and crew shortages caused by the Covid-19 outbreak.<sup>9</sup> The suspension of port operations in Ukraine has exacerbated logistical challenges in the Black Sea region, thereby adding to the instability in the global shipping environment.

In March 2022, the ILO has adopted a [Resolution concerning the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization](#). The ILO's Governing Body demands all parties to allow safe and unhindered passage to safe destinations outside Ukraine, including seafarers, and urges immediate, safe and unhindered humanitarian access for those in need.

In March 2023, at its [347<sup>th</sup> session](#), the ILO's Governing Body urged once again the Russian Federation to meet all the obligations following from its ratification of ILO Conventions, including the Maritime Labour Convention, 2006, as amended (MLC, 2006), in particular in relation to the repatriation of seafarers and access to medical care.

## 5.4.2 Lessons learned and follow-up to the COVID-19 pandemic

In May 2023, the WHO [announced](#) that COVID-19 is now an established and ongoing health issue which no longer constitutes a public health emergency of international concern. The ILO continues to assure a human-centred and job-rich recovery from the pandemic. According to the [ILO Monitor on the World of Work – 11th edition](#) published on 31 May 2023, various global shocks and risks, including the war in Ukraine and the lingering effects of the COVID-19 pandemic, are holding back labour market recovery, especially in low- and middle-income countries. There is an unequal jobs gap globally, especially for women.

*“Healthcare workers...seafarers...continued to perform their jobs, day in and day out, even at the height of the pandemic, often at great personal risk,” said ILO Director-General, Gilbert F. Houngbo.*

-- Gilbert F. Houngbo, ILO Director-General

The pandemic has negatively affected the safety and well-being of seafarers and fishers, their ability to join their vessels and return home, and the future of their jobs. In some parts of the world, suppliers had been prevented from boarding ships to give masks, overalls and other personal protective equipment to crews. Seafarers were confined to vessels for months because of restrictions on international travel and measures to contain the virus with ports refusing vessels that had previously docked in areas affected by COVID-19, to dock, impeding on a crew change, preventing such vessels from obtaining essential supplies and denying medical care ashore. Whilst there were huge shifts in the day-to-day life of the world, the need for food supplies, medicine and everyday good remained. With maritime trade shipping over 90 per cent of all goods, it is imperative to have measures in place that ensure the safe and efficient movement of ships and the health of the

seafarers who operate them.

Several key documents were issued by the ILO, including:

- [Information note on maritime labour issues and coronavirus \(COVID-19\) \[3 February 2021, Revised version 3.0\]](#)
- [General Observation of the Committee of Experts on the Application of Conventions and recommendations \(CEACR 2020\)](#)
- [Statement of the Officers of the Special Tripartite Committee \(11 February 2022\)](#)
- [COVID-19 and maritime labour issues \(Extracts from the General report of the 2022 CEACR Report\)](#)

<sup>9</sup> United Nations Conference on Trade and Development. (2022). The War in Ukraine and its Effects on Maritime Trade Logistics. [https://unctad.org/system/files/official-document/osginf2022d2\\_en.pdf](https://unctad.org/system/files/official-document/osginf2022d2_en.pdf)

- [the COVID-19 and maritime shipping & fishing brief](#)

In June 2021, at the 109th Session of the International Labour Conference, governments, employers and workers adopted a [Global Call to Action for a Human-Centred Recovery](#). With the Global Call to Action, the 187 Member States of the ILO committed to a human-centred recovery from the COVID-19 crisis that is fully inclusive, sustainable and resilient. The Global Call to Action commits to an accelerated implementation of the [ILO Centenary Declaration for the Future of Work \(2009\)](#). The Centenary Declaration, which also serves as its foundation, is guided by the principle that people and their work must be placed at the centre of business practices and economic, environmental and social policies

The ILO has also worked with other UN agencies to coordinate efforts to aimed at addressing the repercussions of the pandemic on maritime workers. In February 2022, ILO, IMO, UNCTAD and WHO issued a [joint statement](#) urging continued collaboration to address the crew change crisis, safeguard seafarer health and safety, and avoid supply chain disruptions during the ongoing COVID-19 pandemic, calling on governments, national and local authorities, and all relevant stakeholders to take ten critical actions, among them the adoption and effective implementation of the latest legal instruments, including the MLC, 2006 and the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185). The following paragraphs provide an overview of two main inter-agency activities.

► **Joint Action Group to review the impact of the COVID-19 pandemic on the world's transport workers and the global supply chain (JAG-TSC)**

The JAG-TSC was established at a meeting of the Director-Generals of the ILO and the World Health Organization (WHO) with the heads of international transport organizations on 6 December 2021. The JAG-TSC aims to discuss how to minimize adverse impacts on transport workers, their families, global trade and supply chains during the COVID-19 pandemic, while at the same time ensuring that public health needs are fully safeguarded, and local communities are protected.

In January 2023, the Principals of the organizations concerned adopted [Recommendations](#), which include actions to be taken by all members of the Group, by the UN system as a whole, specifically by the UN agencies concerned, through UN Resident Coordinators and Country Teams, and by the international transport sector organizations themselves. They also call on Governments to take concrete actions to protect the rights of transport workers during future public health emergencies of international concern (PHEIC), as well as with continued impact of the COVID-19 pandemic

► **Ad hoc virtual UN inter-agency Task Force on the impact of COVID-19 on seafarers**

The Task Force was established by the United Nations Secretary-General's Executive Committee on 14 January 2022, with the aim to examine the implementation and practical application of the Maritime Labour Convention, 2006 during the pandemic, including its impact on seafarers' fundamental rights and on the shipping industry.

The Task Force, comprised of several UN agencies and entities, met several times in 2022. The outcome of the work of the JAG-TSC was integrated into the work of the Task Force. The report of the Task Force is being submitted to the UN Secretary-General's Deputies and Executive Committee. It includes proposals concerning several areas of follow up by the UN system, including making use of existing platforms to assist UN Resident Coordinators and UN Country Teams to assist States to raise awareness of obligations of States that are members of the Maritime Labour Convention, 2006, including in the context of public health emergencies of international concern (PHEICs).

*“... Valuing key workers means ensuring that they receive adequate pay and work in good conditions. Decent work is an objective for all workers but it is particularly critical for key workers, who provide vital necessities and services both in good times and bad.”*

-- Gilbert F. Houngbo, ILO Director-General