

5th session

Progress made to recommendations from JWG 4

Agenda Item	Recommendation from JWG4	Progress	Comments
<p>No. 5 Update by the secretariats on the status of IUU fishing</p>	<p>Noting that States have obligations under instruments covering fisheries, maritime and labour affairs, JWG 4 recommended that FAO, ILO and IMO promote and support the development of ways to increase coordination and information sharing for inspection and control procedures at national level, including through technical assistance to developing countries, thereby increasing efficiency and effectively supporting the implementation of the respective instruments.</p>	<p>The ILO has been providing technical support for the strengthening of coordinated inspections of maritime, fisheries and labour authorities and effective referral between different agencies (e.g. in South Africa, Ghana, Indonesia, Thailand, Namibia)</p> <p>Development of pilot project of cooperation between IOMoU and IOTC</p> <p>Under the FAO PSMA Global Capacity Development Programme, many activities and initiatives were implemented to promote interagency collaboration at national level, in particular through supporting development of MOUs and SoPs between fisheries, maritime and port authorities for implementing port State measures, and training of inspectors.</p>	

<p>No. 6 Global legal framework</p>	<p>6.1. Further to the consideration of document JWG 4/6 on the <i>IMO Action Plan on marine litter from ships</i> and the actions related to fishing vessels, JWG 4 recommended that members and observers of FAO and ILO bring forward relevant comments and viewpoints, following further national and international coordination, to the respective meetings of IMO bodies, where the implementation of the actions contained in the <i>IMO Action Plan on marine plastic litter from ships</i> will be further discussed.</p> <p>6.2. JWG 4 also recommended that IMO consider developing guidance to assist competent authorities in the implementation of the Cape Town Agreement of 2012 on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, through the most appropriate process. The process of developing guidance should allow for further discussion on its content and scope and be informed by FAO, ILO, other relevant Organizations and stakeholders.</p>	<p>6.1 Work is ongoing at IMO in the MEPC and the PPR Sub-Committee on the <i>IMO Action Plan on marine plastic litter from ships</i>, including actions related to fishing vessels, based on submissions from Member States and observers.</p> <ul style="list-style-type: none"> • MEPC 78 agreed to develop a goal-based standard under MARPOL Annex V for the mandatory marking of fishing gear. • Ongoing consideration of documents and intersessional work to facilitate and enhance reporting of the loss or discharge of fishing gear. <p>6.2 The work is ongoing at the III Sub-Committee. A Correspondence Group was established at III 9 in July last year. The draft guidance, as further developed, will be submitted to III 10, with a view to finalization. The Guidance is planned to be of use mainly for those Member States planning to accede to the Cape Town Agreement of 2012.</p>	
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<p>No. 7 Status of combating IUU fishing international, regional and national interagency coordination to combat iuu fishing, fisheries-related crimes and crimes associated with fisheries</p>	<p>7.1. JWG 4 recommended that various regional PSC inspection regimes consider opportunities to coordinate their activities and to share information about various inspections under FAO/ILO/IMO instruments.</p> <p>7.2. JWG 4 also recommended that FAO and IMO, together with ILO and relevant organizations and regimes, as appropriate, consider developing guidance to facilitate cooperation, coordination and information-sharing between authorities carrying out inspections in ports of the merchant and fishing sectors, in line with relevant international instruments related to fishing vessels, fishing vessel personnel and fishing operations.</p> <p>7.3. JWG 4 welcomed the initiative of the Indian Ocean MoU on Port State Control (IOMOU) to explore a collaborative programme with the Indian Ocean Tuna Commission (IOTC), pending consideration by the members of the latter. In this context, JWG 4 further recommended further exchange between IOMOU and IOTC, as well as potential similar contact opportunities in other regions, for mutual awareness and the consideration of training material, as appropriate.</p>	<p>Development and promotion of pilot project IOMoU and IOTC. Consideration PSC regimes of strengthening of inspection of fishing vessels.</p> <p>7.2. FAO, in collaboration with IMO and ILO, have developed a Global Study on Integrating Port State Measures into the Broader Framework of Port State Control to assist countries in identifying mechanisms, procedures, and tools to ensure that the implementation of the PSMA complements and supports the implementation of the Cape Town Agreement of 2012 and the C.188, and vice versa.</p> <p>7.3. Delivery of the first phase of the Programme by IOTC, IOMOU, FAO, ILO, IMO, and The Pew Charitable Trusts, aimed at improving the coordination and efficiency of the implementation of the respective fishing vessel inspection instruments (including PSMA, CTA and C.188), through the development of training materials and a training programme, and the delivery of three separate in-country training courses.</p>	<p>7.3. Second phase of the Programme to be completed by June 2024. The Programme may be expanded to other regions to explore synergies between the distinct inspection regimes (Port State Control and Port State Measures).</p>
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<p>No. 8. cooperation and dialogue on labour issues and fisheries</p>	<p>8.1. JWG 4 recommended 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.</p>	<p>With respect to the proposals contained in document JWG 4/8/2, the ILO has carried out the following actions:</p> <p>(i) The ILO has developed a series of training materials gathering existing mechanisms and tools for the purpose of building the capacity of constituents in the fight against forced labour and other labour abuse in the fishing industry. Online and in-person capacity building programmes are also available through the ITC-ILO. Most notably, the recently published Handbook Towards Freedom at Sea; Handbook for the detection of forced labour in commercial fishing.</p> <p>(ii) Technical support has been provided to ILO constituents on the ratification and implementation of Convention 188, the Forced Labour Protocol (P29) by conducting gap analyses to assess national legislation and to identify relevant gaps. The ILO has carried out needs assessments in each of the target countries of the 8.7 Accelerator Lab component on addressing forced labour in the fishing industry.</p> <p>(iii) The ILO also supports enforcement agencies in the development of strategic compliance plans / multi-disciplinary inspections including in the development of tools and trainings at global and national level (e.g. Indonesia new inspection guidelines). The capacity building trainings have gathered various national agencies including labour ministry officials and inspectorate, maritime agencies, fisheries departments, transport ministry officials, among others.</p> <p>(iv) With the support of the 8.7 Accelerator Lab, several Memoranda of Understanding</p>	
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		<p>on joint inspections of fishing vessels and the referral of cases of labour rights abuse on board fishing vessels have been signed between authorities at the national level. For the purposes of operationalisation of said MoU, Standard Operating Procedures have also been developed.</p> <p>(v) The ILO has developed a number of guidance tools on fair recruitment. The ILO has also assisted its constituents in:</p> <ul style="list-style-type: none"> • Improving law and policy to better protect workers during the recruitment process, with particular attention paid to migrant workers. • Capacity building on fair recruitment for employers, manning agents and workers. • Establishment and support to Migrant Resource Centre. 	
	<p>8.2. JWG 4 also recommended that the work of ILO and IMO, with respect to the issues of abandonment and fair treatment of seafarers, be extended to include fishers.</p>	<p>(vi) Technical support for the strengthening of coordinated inspections of maritime, fisheries and labour authorities and effective referral between different agencies. Besides this, the ILO has also supported the integration of labour related provisions in instruments of Regional Fishery Bodies and Regional Fisheries Management Organizations.</p> <p>(vii): Mapping of digital solutions that are being used or are in the process of being developed or trialled to address labour rights abuses and forced labour in the fisheries sector.</p>	<p>Ad. 8.2:</p> <p>A.930(22) on Guidelines on provision of financial security in case of abandonment of seafarers also applies to fishing vessels engaged in international voyages. Resolution A.987(24) on Guidelines of fair treatment of seafarers in the event of a maritime incident applies to persons employed or engaged or working in any capacity on board a ship (excluding warships or naval auxiliaries).</p>

	<p>8.3. JWG 4 further recommended that FAO consider how to promote fisheries observer safety globally, through the most appropriate process. This process should review available information and existing national and regional measures on the safety, security and working and living conditions of fisheries observers under existing observer programmes and be informed by IMO, ILO, other relevant Organizations and stakeholders, while taking into account the views expressed during the discussions on this item.</p>		
<p>No. 9 cooperation and dialogue on environmental issues related to fisheries</p>	<p>JWG 4 recommended that the FAO/ILO/IMO Secretariats consider a joint intervention and/or commitment during the 2020 UN Ocean Conference (Lisbon, 2-6 June 2020) to raise awareness on its joint work on IUU fishing and related matters.</p>		

<p>No. 10 joint/global capacity development programmes</p>	<p>Following consideration of document JWG 4/10/1, JWG 4 recommended that the FAO/ILO/IMO Secretariats, WMU, WFU, IMLI, ILO International Training Centre, any relevant UN-Agency such as IOC-UNESCO, and other interested stakeholders, cooperate in the exchange of information and experience in the context of the scope and content of a potential integrated capacity-building and technical cooperation programme on IUU fishing and promotion of international instruments relevant to fishing, taking into consideration existing implementing tools and material.</p>	<p>Commitment to contribute, often remotely, to capacity-building activities developed by other organizations. Implementation by WMU of the CAPFISH project</p>	
<p>No. 11 status of development of the FAO's global record of fishing vessels, refrigerated transport vessels and supply vessels and IMO ship identification number scheme</p>	<p>11.1 JWG 4 recommended that the Member States of FAO, IMO and ILO, as appropriate, and Regional Fisheries Management Organizations, consider taking appropriate action for the effective allocation of IMO ship identification numbers to fishing vessels.</p> <p>11.2 JWG 4 also recommended that the FAO Member States consider the application of the IMO Ship Identification Number Scheme to eligible vessels conducting fishing and fishing-related activities, as per IMO resolution A.1117(30) in the framework of the Global Record.</p> <p>11.3 JWG 4 further recommended that the review of the IMO Ship Identification Number Scheme be carried out at IMO, as may be</p>	<p>11.1 Continuous review process of both IMO number schemes to address needs of fishing sector. Review of IMO numbers for potential increase of available numbers</p> <p>11.2 Many RFMOs require IMO number mandatory for eligible fishing vessels. FAO Voluntary Guidelines for Transshipment, in its annex of transshipment annex and landing annex also requires IMO number mandatory for eligible vessels.</p>	

	necessary, in cooperation with FAO and ILO, as appropriate.		
No. 12 agencies' review processes of, and follow-up actions to, the report and recommendations of JWG 4	JWG 4 recommended that the FAO/ILO/IMO Secretariats bring its recommendations to the consideration of their appropriate bodies.	<p>Purview of relevant IMO bodies, e.g. MSC, MEPC and III Sub-Committee</p> <p>For FAO, recommendations from the JWG were brought to the attention of the FAO Committee on Fisheries (COFI).</p> <p>For ILO, please refer to Document GB.344/POL/2(Rev.1).</p>	
No. 13 future collaboration between FAO, ILO and IMO and preparation of JWG 5	Following consideration of document JWG 4/J/3, JWG 4 recommended that relevant FAO, ILO and IMO bodies review the terms of reference of the JWG with a view to providing directions to the FAO/ILO/IMO Secretariats for the development of draft rules of procedure and revised terms of reference to be considered at, and adopted, as appropriate, by JWG 5.	Developed ToRs reviewed and approved by FAO/ILO/IMO executive bodies	