



International
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Concept Note

Second Regional Meeting on the Protection of Migrant Fishers: ASEAN Information Sharing on 'Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels'

28-29 April 2015
Aryaduta Hotel
Jakarta, Indonesia

1. Background and Rationale

Over 87 per cent of the world's fishers and 73 per cent of the global fleet of fishing vessels come from Asia (FAO, 2012). The issue of work in fishing brings together several countries in Southeast Asia, for example, Cambodian and Myanmar migrant fishers work on Thai vessels fishing in Malaysian and Indonesian waters. Beyond the ASEAN region, Vietnamese, Indonesian and Filipino fishermen also work on Korean and Taiwanese (China) vessels.

With increased attention being paid to illegal, unreported and unregulated (IUU) fishing in ASEAN, it is also important to consider the associated issue of exploitative labour practices. Migrant fishers are particularly vulnerable to abuse, even forced labour, for a number of reasons: the nature of the work in fishing means that working hours and periods away from home are long, living and work conditions are tough and there are a number of hazards involved. There is limited inspection of conditions; and migrants have limited access to grievance procedures or complaints mechanisms.

The ILO Convention on Work in Fishing (No. 188) was adopted in 2007 with overwhelming support from governments, workers' and employers' organizations around the world. It covers a broad range of issues particular to the fishing industry, including minimum age for work, minimum standards for work agreements (for example, terms of payment, annual leave, and termination), rest periods, standards for living conditions and food on board, OSH and basic medical care, social security, etc.

To facilitate the effective implementation of Convention No. 188, the ILO will put in place a system of flag and port State control inspection of working and living conditions on board fishing vessels. Port-state controls were adopted in 2011, and in September 2015, a Meeting of Experts to Adopt Flag State Guidelines for the Implementation of the Work in Fishing Convention will be convened in Geneva. These Guidelines will assist States and others to effectively exercise their jurisdiction and control over vessels that fly their flag by establishing a system for ensuring compliance with the requirements of the Convention. The requirements include inspections, reporting, monitoring, complaint procedures, appropriate penalties and corrective measures. The Government of Indonesia has been invited to nominate an ILO-sponsored expert attend the Meeting of Experts, and the Government of Thailand will be invited as an observer to this meeting.

In September 2013, the ILO and the Indonesian Government organized a Regional Meeting on Work in Fishing: Increased Knowledge Base and Sharing Good Practices for the Protection of Migrant Workers. Participants from around Southeast Asia discussed international standards on work in fishing, shared national policy and legislative frameworks, and shared experiences on the protection of migrant fishers in this sector in the region and around the world.

A second regional meeting on work in fishing, focusing on the protection of migrant fishers, will be convened in 2015 to further discuss more detailed cooperation; to present the international standards and instruments on work in fishing, share national policy and legislative developments, and procedures related to flag State and port State controls; and to provide inputs from the region to the development of the draft Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels on implementation of Convention 188.

2. Objectives

The overall objective of the meeting is to strengthen understanding and regional cooperation on the issue of work in fishing. The specific objectives include:

1. To review national policy and legislative frameworks on work in fishing and follow up actions to implement Recommendations from the first Regional Meeting on work in fishing
2. To share information on the draft Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels
3. To identify concrete follow up measures for national level capacity building, and bilateral and regional cooperation on the protection of migrant fishers

3. Expected outputs:

1. Information sharing on the Draft Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels
2. Recommendations document identifying measures for national level capacity building, and bilateral and regional cooperation on the protection of migrant fishers

4. Meeting organizers

The second regional meeting on fishing is co-organized by the ILO ASEAN and GMS TRIANGLE projects in collaboration with ILO Geneva SECTOR and SEAFDEC.

5. Financial Support

The meeting is supported by the ILO ASEAN TRIANGLE project, funded by the Canadian Government and the GMS TRIANGLE project, funded by the Australian Government. Participants from fishing departments will be sponsored by SEAFDEC. Some participants will be invited on a self-funded basis.

6. Participants / Resource Persons

Participants will be invited from:



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- Labour ministries and government departments with authority on inspecting working and living conditions on board fishing vessels – from Cambodia, Indonesia, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam (14)
- Relevant workers' and employers' organizations at the national and regional level; plus ASEAN Confederation of Employers (ACE) and ITUC-APRO (18)

Resource persons:

- Government of New Zealand.

Observers:

- Southeast Asian Fisheries Development Center (SEAFDEC)
- Representatives of the ASEAN Secretariat, representing the ASEAN Committee on the Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) and the Senior Officials Meeting of Agriculture and Forestry (SOM-AMAF)
- International Collective in Support of Fishworkers (ICSF)
- Regional representative of the International Transport Workers' Federation (ITF)
- International Organization of Employers (IOE)
- 3 Recruitment agencies sending migrant fishers
- 1 representative from the Canadian Department of Foreign Affairs and Trade
- 1 representative from Australian Department of Foreign Affairs and Trade
- FAO
- AAPTIP

ILO:

- 3 ILO ROAP
- 3 ILO Jakarta
- 1 worker's specialist, 1 employers' specialist (ROAP)
- 1 SECTOR