

1. The JWG 5 recommends FAO, ILO and IMO Members that have not yet acceded to the Cape Town Agreement of 2012 to do so, with a view to achieving its timely entry into force. The JWG 5 also recommends FAO, ILO, IMO Members that have not yet acceded to the PSMA, STCW-F Convention, MARPOL and ILO C.188, to become a party to these instruments, with a view to achieving safe and sustainable fisheries and ensuring decent living and working conditions for fishers at global level.
2. The JWG 5 recommends FAO, ILO and IMO Secretariats to improve their coordination and further strengthen joint activities, such as capacity development activities and pilot-projects that address the five key treaties for their promotion and effective implementation, as appropriate.

5.1 Agreement on Port State Measures

3. The JWG 5 recommends FAO, ILO and IMO to continue advancing the development of guidance documents to increase coordination and information exchange among fisheries, maritime and labour authorities of Parties for effective implementation of international instruments of the three Organizations.
4. The JWG 5 recommends FAO, ILO and IMO Members to consider establishing integrated information systems at national level for efficient coordination, cooperation and information exchange among fisheries, maritime, labour and other relevant authorities.

5.2 Voluntary Guidelines for Transshipment

5. The JWG recommends FAO, ILO and IMO Secretariats to conduct a study on the risks inherent in other transfers that may occur in the context of transshipment, such as transfer of supplies, crew and other materials, and on the manner in which such transfers could be monitored to mitigate those risks.
6. The JWG 5 recommends ILO and IMO Member States, subject to the findings of the Study, to consider developing measures as appropriate, informed by the Voluntary Guidelines for Transshipment, for the monitoring of other transfers that may occur in the context of maritime and labour matters, such as transfer of supplies, crew and other materials.

5.3 Flag State Performance

7. The JWG 5 recommends FAO, ILO and IMO Secretariats to develop a practical guidance document, in particular for use at the national level, that integrates the requirements of the FAO, ILO and IMO instruments, especially the PSMA, the Cape Town Agreement of 2012 and the Work in Fishing Convention (C.188).
8. The JWG 5 recommends FAO and IMO, taking into account experience of IMO in implementing the IMO Member State Audit Scheme, to promote the exchange of information on best practice of mechanisms that monitor implementation of the international instruments and coordination of activities at national level.
9. The JWG 5 recommends FAO, ILO, and IMO Members to ensure their relevant authorities contribute to the management of the IMO Number Schemes, by requesting for assignment

of new numbers and updating data associated to existing numbers linked to national registers of fishing vessels.

5.4 WTO Agreement on Fisheries Subsidies

10. The JWG 5 encourages FAO, ILO and IMO Members to ratify the WTO Agreement on Fisheries Subsidies to bring its entry into force.
11. The JWG 5 recommends FAO, IMO and other relevant organizations to coordinate in joining forces for capacity development of States in relation to the WTO Agreement on Fisheries Subsidies.

5.5 Regional fisheries mechanisms

12. The JWG 5 recommends FAO Members to include relevant agencies, in particular maritime and labour authorities, in their national delegations to RFB meetings.

6.1 Introduction

13. The JWG 5 recommends FAO, ILO and IMO Members that have not yet acceded to the 2007 Nairobi Wreck Removal Convention to ratify the Convention, and contracting States to the Nairobi Wreck Removal Convention to ensure the issuing and maintaining of the compulsory financial insurance certificate, also in relation to fishing vessels.
14. The JWG 5 recommends FAO, ILO and IMO to review the scope and status of the voluntary instruments listed in paragraph 3.1.3 of document JWG 5/4/2, with a view to revising these instruments in future and reporting the findings to JWG 6.

6.2 IMO Cape Town Agreement, STCW-F Convention and safety-related instruments

15. The JWG 5 recommends interested States that need legal/technical assistance for becoming a party to the Cape Town Agreement of 2012, to:
 - liaise with the IMO Secretariat for assistance;
 - benefit from the Implementation Guidelines on Part B of the Code, the Voluntary Guidelines and the Safety Recommendations, jointly prepared by IMO, ILO and FAO; and
 - utilize the draft guidelines to assist in the implementation of the Cape Town Agreement of 2012 when finalized, and the fishing safety portal that is accessible on IMO's public web-site.

6.3 ILO Work in Fishing Convention and related work to promote its ratification, implementation and enforcement

16. The JWG 5 recommends States, when regulating fishing capacity, to ensure that measures taken do not have a detrimental effect on the working and living conditions of fishers (for example on accommodation).

Bis Proposal from ILO [fishers' and employers' representatives](#)

The JWG 5 recommends States, when regulating fishing capacity, to ensure that measures taken do not have a detrimental effect on the working and living conditions of fishers (for example on accommodation) and consider using its net tonnage (NT), instead of gross tonnage (GT), as one of the factors determining the fishing capacity of a fishing vessel.

17. The JWG 5 recommends FAO, ILO and IMO Members, as well as PSC regimes, to send participants to existing FAO/ILO/IMO courses to strengthen their capacity in relation to inspection of fishing vessels under the PSMA, C.188, the Cape Town Agreement of the 2012 and the STCW-F Convention.

18. The JWG 5 recommends FAO, ILO and IMO to consider the development of a guidance document for national fisheries agencies to contribute to implementing relevant ILO and IMO instruments governing fishers and workers in the seafood industry throughout the supply chain. Such effort may be informed by ILO research and tools as well as the FAO *Scoping Study on Decent Work in Fisheries: Exploring Challenges and Evolving Legal and Policy Avenues for Strengthened Decent Work Standards*. The JWG recommends FAO, IMO and ILO Secretariats to consider organizing, in the framework of JWG, an intersessional expert meeting to this end.

Bis (US proposal)

Recommend FAO host an expert workshop to develop guidance for national fisheries agencies to implement relevant ILO and IMO labor related instruments for workers in the seafood industry throughout the supply chain. This effort should be done in collaboration with the ILO and IMO, and may be informed by, or otherwise coordinated with, FAO's ongoing scoping study on Decent Work in Fisheries: Exploring Challenges and Evolving Legal and Policy Avenues for Strengthened Decent Work Standards, as appropriate.

Abandonment of seafarers and fishers cases

19. The JWG 5 recommends FAO, ILO and IMO Members to increase their efforts to improve the reporting of cases of abandonment of fishers to the Joint IMO-ILO Database of reported cases of abandonment and facilitate their resolution. ILO should address the issue of abandonment of fishers in any future review of C.188.

20. The JWG 5 recommends flag and port States to take further action to ensure the presence of financial security to assist fishers in the event of their abandonment, as recommended by the *Guidelines on provision of financial security in case of abandonment of seafarers (resolution A.930(22))*, and to take appropriate action when financial security is not in place.

21. Proposal from ILO fishers' and employers' representatives

~~*The JWG 5 recommends the ILO, IMO and FAO to jointly research for gaps related to abandoned fishers and protections of observers and other gaps identified.*~~

6.4 Addressing forced labour and child labour in fishing

22. (US proposal) *The JWG 5 recommends FAO, ILO and IMO Members to establish a mechanism for information sharing related to labour and fisheries, and encourage JWG Members and observers to share information intersessionally on:*

- *mechanisms and tools for achieving decent work in the seafood sector, including those that support ethical recruitment, detect forced labour on fishing vessels, promote fundamental rights, and improve crew access to communication tools at-sea;*
- *best practices for enforcement mechanisms in fisheries, as well as seafood trade and importation;*
- *best practices for enhanced coordination amongst relevant government agencies, including government entities responsible for inspections of vessels and working conditions of crew.*

23. The JWG 5 recommends ILO, in collaboration with FAO and IMO, to promote and disseminate the new ILO Handbook for the Detection of Forced Labour in Commercial Fishing, and build the capacity of labour, maritime and fisheries enforcement authorities as well as social partners to effectively use this handbook. In addition, JWG 5 recommends FAO, ILO and IMO Members to redouble their efforts to eradicate forced labour in the fishing sector, including by ratifying and implementing the Forced Labour Protocol (P.29).

24. The JWG 5 recommends FAO, ILO and IMO to promote and disseminate the forthcoming update of the FAO-ILO Guidance on addressing child labour in fisheries and aquaculture.

25. Proposal from Indonesia

ILO to provide Member States and international organization with ILO's data on countries' non observance to the C29 and C05 for an ease reference.

6.5 Safety of observers at sea

26. The JWG 5 recommends FAO, ILO and IMO Secretariats to organize, in the framework of JWG, an intersessional expert meeting to identify and analyze the gaps in protections for, and authorities over, safety of fisheries observers, including with respect to insurance coverage, jurisdictional conflicts, and safe and decent working conditions, and explore ways to enhance the safety, working and living conditions of fisheries observers, including possibly through a review of relevant international instruments, such as C.188. This expert meeting will propose recommendations to address these gaps for consideration by FAO, ILO, and IMO, and report to JWG 6.

Bis (US proposal)

Recommend that the JWG establish an intersessional working group to identify and analyze the gaps in protections for, and authorities over, safety of fisheries observers, including with respect to insurance coverage, jurisdictional conflicts, and safe and decent working conditions. This working group will propose recommendations to address these

gaps for consideration by FAO, ILO, and IMO. JGW6 will review the outcomes of this intersessional work, and make additional recommendations, as necessary.

27. The JWG 5 recommends FAO, ILO and IMO Members to review their national legislation to strengthen accountability of vessel owners on ensuring safety of fisheries observers.

6.6 Environmental issues related to fisheries

6.7 Marking of fishing gear

28. The JWG 5 recommends FAO and IMO to develop a global Strategy to support effective implementation of existing, and any future, ALDFG-related instruments, including amendments to MARPOL Annex V to make mandatory the marking of fishing gear and FAO's Voluntary Guidelines on the Marking of Fishing Gear (VGMFG). The global Strategy could address, inter alia, fishing gear marking, reporting of lost fishing gear, recovery of ALDFG, port reception facilities, and end-of-life-measures for fishing gear.

Bis (US proposal)

FAO and IMO will develop a strategy to support effective implementation of existing, and any future, IMO ALDFG related instruments and requirements, such as updates to MARPOL Annex V, building from FAO's existing work to support implementation of the FAO Guidelines of Fishing Gear Marking. A draft strategy and any progress shall be shared with IMO and FAO members for their consideration and comment.

29. The JWG 5 recommends FAO and IMO Members to develop national action plans to address ALDFG.

6.8 Collection and analysis of casualties' related data involving fishing vessels

30. The JWG 5 recommends IMO to continue developing and enhancing its core function of collection, collation, and analysis of casualty data, as part of its rule-making mandate for maritime safety and the prevention of marine pollution, and coordinate with other organizations accordingly.
31. The JWG 5 recommends FAO, ILO and IMO Secretariats to organize, in the framework of JWG, an intersessional expert meeting to discuss on improving reporting of casualties' related data involving fishing vessels, under the purview of FAO following the decision of COFI on the collection of casualty data involving fishing vessels.
32. The JWG 5 recommends IMO, FAO and ILO to cooperate in developing capacity-building activities for the investigation of casualties in the fisheries sector and reporting thereon, making use of the available expertise.

7.1 PSMA Global Information Exchange System

33. The JWG 5 recommends FAO, ILO and IMO Members to further utilize GIES to improve their risk analysis particularly when processing advanced requests for port entry and making decisions on which vessels should be inspected.
34. The JWG 5 also recommends FAO, ILO and IMO to explore ways to facilitate information exchange from the GIES to inform risk analysis of maritime and labour matters and from IMO and ILO information systems to further inform risk analysis in the fisheries sector.

7.2 Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels

35. The JWG 5 recommends FAO, ILO and IMO to promote and further enhance use of the UN/FLUX standard for information exchange through the FAO Global Record, the GIES and complementary information systems.
36. The JWG 5 recommends FAO and IMO to re-establish the hyperlink between the FAO Global Record and IMO GISIS, as well as other relevant systems, as an efficient way of accessing additional relevant information about the vessel.
37. The JWG 5 recommends FAO and IMO Secretariats to organize an intersessional expert meeting on beneficial ownership of fishing vessels to look into aspects such as what beneficial ownership information to be collected, how to collect it, and best practice in collecting such information with due consideration of security and confidentiality requirements.

Bis proposal from UK

Recommend FAO convene an expert meeting to discuss the concept of beneficial ownership. This should include discussions on the definitions of beneficial ownership, linkages with IUU Fishing, the data currently collected by states, and what information is required to have effective controls. The expert meeting should identify joint next steps in addressing the gaps in understanding related to beneficial ownership and links to IUU fishing and develop best practices or guidelines. This effort should be done in collaboration with the ILO and IMO, as well as in collaboration with FATF and OECD who have done substantial groundwork on this, in order to avoid duplication of work so far.

7.3 IMO Number Schemes

38. The JWG 5 recommends IMO Secretariat to maintain close cooperation with FAO, ILO and the managers of the schemes to address the needs of various users in the context of FAO's Global Record and IMO regulatory requirements for fishing vessels.

7.4 Data information systems

39. The JWG 5 recommends IMO, in its review of relevant GISIS modules, to address the needs of fishing vessels in consultation with FAO and ILO, in particular in the context of IMO regulatory requirements for fishing vessels in connection with combating IUU fishing.
40. (Proposal from UNECE) *The JWG 5 recommends FAO, IMO and other relevant organizations to promote the implementation of relevant international standards and instruments, such as UN/LOCODE and UN/FLUX, to enhance communication and electronic exchange of data for sustainable fisheries management.*

7.5 Vessel tracking systems

41. The JWG 5, recognising that VMS is the established system for fisheries control and enforcement, notes with concern the use for these purposes of AIS, which is intended for safety of navigation and rescue, whilst noting its potential use for assessing risks including for targeting labour inspections particularly those operating on the high seas where VMS information might not be accessible to relevant authorities. The JWG recommends FAO Secretariat, to include ILO and IMO, in the Study that FAO will conduct to review the state of implementation and effectiveness of various tools and related systems for tracking of fishing vessels, including information sharing mechanisms, to propose options to promote and enhance the use of tracking tools for fishing vessels at global scale. The JWG 5 recommends FAO in development of such a Study to also consider how vessel tracking systems can contribute to addressing forced labour and other labour violations in fisheries, in collaboration with ILO.
42. The JWG recommends FAO, ILO and IMO Secretariats to maintain close collaboration in the monitoring and optimization of data information and vessel tracking systems.

7.6 Compliance information and intelligence exchange

43. The JWG 5 encourages FAO, ILO and IMO Members to appreciate and utilize the extended value of the GIES in exchanging compliance information not only for the PSMA to prevent, deter and eliminate IUU fishing, but also to increase compliance with other international instruments such as the UNFSA, the FAO Compliance Agreement, conservation and management measures of RFMOs and relevant international voluntary guidelines (especially the Voluntary Guidelines for Transshipment).
44. The JWG 5 recommends FAO, IMO, ILO and other relevant organizations to strengthen international cooperation on compliance information exchange, including the use of the GIES to develop indicators of compliance of fishing vessels.

7.7 Fraudulent Registration and Registry

45. The JWG 5 recommends IMO, in close cooperation with FAO and ILO, to engage in the identification of, and development of remedial actions against, deceptive activities associated with the fraudulent registration and registry of fishing vessels.

8.1 International organisations cooperation, including with WTO, UNODC and Interpol

46. The JWG 5 recommends FAO, ILO and IMO to cooperate, including with social partners, for the coordination of the various different activities relating to the implementation of FAO, ILO and IMO instruments that contribute to the fight against IUU fishing and related matters. These activities include training activities, development of guidance documents and policy briefs.
47. The JWG 5 recommends FAO, ILO, IMO and other relevant international organizations such as UNODC and INTERPOL, to strengthen inter-agency cooperation at international, regional and national levels, in carrying out of inter-agency trainings to increase awareness and responsiveness to IUU fishing and related matters, with a view to contributing to enhanced enforcement action.
48. (ILO Employers' representative proposal) *In support of a recommendation to ensure consistent representation of the actors of the fishing sector in the context of interagency coordination, JWG 5 noted that the employers' ILO representative will further consider an option to be represented at IMO by the Nautical Institute which has been an NGO in consultative status with IMO since 2009.*
49. The JWG 5 recommends FAO, ILO and IMO Secretariats to look for options for mobilization of resources for the holding and work of the subsequent JWG sessions.

8.2 National interagency cooperation

50. The JWG 5 recommends FAO, ILO and IMO Members to promote inter-agency cooperation for aligning their legal frameworks with different international instruments adopted by FAO, ILO and IMO and for the establishment of a national mechanism for all stakeholders to share experiences and information in the fight against IUU fishing and related matters.
51. The JWG 5 recommends FAO, ILO and IMO Members to promote social dialogue within the fisheries sector.
52. The JWG urges FAO, ILO and IMO Member delegations attending the subsequent JWG sessions to include representatives from fisheries, maritime and labour authorities.

8.3 Integration of port state measures within the broader framework of port State control

53. The JWG 5 recommends FAO, ILO and IMO to promote and facilitate the development of the initiatives within other regions similar to the pilot project involving the IOMoU and IOTC.

54. (Spain proposal)

Spain, supporting IOMoU and ITOC pilot project, proposes that FAO/IMO/ILO host expert workshops and/or working groups in order to develop similar pilot projects, support inspections from Flag and Port states, to develop practical guidance and checklist documents, in particular for use at the national and/or regional level, and integrates the requirements of the FAO, ILO and IMO instruments.

55. The JWG 5 recommends FAO, ILO and IMO to promote, facilitate and support the initiatives relating to PSC regimes plan to initiate or strengthen inspection for fishing vessels and the adoption of a policy for the inspection of fishing vessels, in particular through relevant technical support and capacity building projects.