

Wednesday 14 September 2016

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Agreement on the implementation of the Work in Fishing Convention

European Parliament resolution of 14 September 2016 on the proposal for a Council directive implementing the Agreement concluded between the General Confederation of Agricultural Cooperatives in the European Union (COGECA), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises (EUROPÊCHE) of 21 May 2012 as amended on 8 May 2013 concerning the implementation of the Work in Fishing Convention, 2007, of the International Labour Organisation (2016/2794(RSP))

(2018/C 204/10)

The European Parliament,

- having regard to the Commission proposal for a Council directive implementing the Agreement concluded between the General Confederation of Agricultural Cooperatives in the European Union (COGECA), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises (EUROPÊCHE) of 21 May 2012 as amended on 8 May 2013 concerning the implementation of the Work in Fishing Convention, 2007, of the International Labour Organisation (COM(2016)0235),
 - having regard to the Agreement concluded between the General Confederation of Agricultural Cooperatives in the European Union (COGECA), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises (EUROPÊCHE) of 21 May 2012 as amended on 8 May 2013 concerning the implementation of the Work in Fishing Convention, 2007, of the International Labour Organisation,
 - having regard to Article 155 of the Treaty on the Functioning of the European Union,
 - having regard to Rule 101(3) of its Rules of Procedure,
- A. whereas, under Article 155(1) of the Treaty on the Functioning of the European Union, social partners have the possibility, should they so desire, to enter into a dialogue that may lead to contractual relations, including agreements;
- B. whereas Article 155(2) stipulates that agreements concluded at Union level may be implemented at the joint request of the signatory parties, by a Council decision on a proposal from the Commission;
- C. whereas workers in the fisheries sector require special protection, considering, among other things, the special characteristics of work on board fishing vessels; the high rate of fatal and non-fatal accidents, as well as the risk and incidence of occupational diseases, in comparison with other sectors, in a hazardous working environment; the unclear distinction between work hours, rest and leisure, and the impact on health and safety of fatigue resulting, in part, from insufficient rest; the prevalence of informal and non-standard working relationships and wage arrangements, including crew share systems;
- D. whereas the ILO Work in Fishing Convention (No 188), along with Recommendation (No 199), covers essential matters to ensure decent working and living conditions on board, including responsibilities of fishing vessel owners and skippers with regard to workers' health and safety (Article 8); the definition of a minimum working age and protection of young workers (Article 9); mandatory medical examinations and certificates (Articles 10-12); rest periods (Articles 13 and 14); crew lists (Article 15); work agreements stating duties and labour conditions (Articles 16-20); entitlement to repatriation (Article 21); recruitment and placement (Article 22); regular payment of fishers and family transfers (Articles 23 and 24); accommodation and food standards (Articles 25-28); the definition of safety and health standards at work and the provision of medical care on board (Articles 29-33); social security protection (Articles 34-37); protection in the event of work-related sickness, injuries or death (Articles 38-39); compliance and enforcement (Articles 40-44);

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- E. whereas, to date, only eight countries have ratified the ILO Work in Fishing Convention (No 188); whereas despite the Council decision to authorise the EU Member States to ratify the ILO Work in Fishing Convention (No 188), only two, France and Estonia, have done so; whereas the EU and the Member States should play a leading role in promoting decent remuneration and working conditions in the fisheries sector;
- F. whereas this Agreement applies to all fishers employed on board a fishing vessel which is registered in, or flying the flag of, an EU Member State and which is engaged in commercial fishing operations; whereas by incorporating the Agreement of the social partners on the ILO Work in Fishing Convention into EU legislation, the EU will be in a stronger position to promote its implementation in partner countries worldwide, thereby contributing to a fair and level playing field for the global fishing sector, including the fight against the worst forms of exploitation of fishers, such as forced labour, trafficking and child labour;
1. Takes note of the Commission proposal for a Council directive implementing the Agreement concluded between the General Confederation of Agricultural Cooperatives in the European Union (COGECA), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises (EUROPÊCHE) of 21 May 2012 as amended on 8 May 2013 concerning the implementation of the Work in Fishing Convention, 2007, of the International Labour Organisation; regrets, however, the delay in presenting the social partners' agreement, finalised in 2013, to the Council; underlines the importance of social dialogue, including at the European level;
2. Welcomes the fact that the Agreement as concluded by the social partners and the Commission proposal provide only for minimum requirements, allowing Member States and/or social partners to adopt measures which are more favourable to workers in the area concerned; notes that this agreement also applies to self-employed fishers working alongside workers on the same vessel; underlines the need to develop those provisions related to wages, social protection and social security in order to ensure an adequate and decent income for workers and their families, including in the case of injury, accident or death; highlights the importance of establishing the mechanisms for implementation of the agreement, including the development of appropriate inspection and enforcement measures;
3. Recommends the immediate adoption of the Council directive, as requested by the social partners;
4. Instructs its President to forward this resolution to the Council, the Commission and the social partners.
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