



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/D3/RM (2021)

Dear Mr Trujillo,
Dear Mr Van der Zwan,
Dear Mr López van der Veen,

Thank you for your letter of 5 May 2021 containing the joint EUROPECHE-ETF-LDAC request for the transposition of key legal international instruments on maritime safety and labour in fisheries.

Let me start by underlining again the important role played by the European social partners in Sea fisheries in improving the working and living conditions of EU fishers. The 2012 agreement of the Social Partners on the implementation of the ILO 'Work in fishing Convention', implemented through Council Directive (EU) 2017/159, is a clear demonstration of the willingness of the EU fisheries sector itself to be at the forefront on maritime safety and decent work in fisheries.

I fully subscribe to the need to further promote the ratification and implementation of the key international conventions on safety and labour in fisheries by our Member States and worldwide, in line with the EU's international ocean governance agenda. The forthcoming Communication on decent work for all, which is part of the international dimension of the European Pillar for Social Rights Action Plan, will reiterate this commitment and propose concrete actions in this context.

You refer in your letter to the 2021 Commission work programme. The initiative launched by our colleagues in the Directorate-General for Mobility and Transport (DG

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MOVE) on the evaluation of Directive 97/70/EC¹ is indeed important. I would also inform you that the same Directorate-General is currently developing initiatives on the revision of the Directives on port State control² and flag State requirements³, as well as on maritime accident investigation⁴, which may be relevant for the fisheries sector.

As you may be aware, Directive 2009/18/EC on maritime accident investigation already applies to accidents and incidents involving fishing vessels of more than 15 metres in length and our colleagues in DG MOVE are now looking at the possibility of extending the scope of this legislation to certain types of accidents independently of the size of the vessel.

In relation to your request on the enforcement of the provisions of Council Directive (EU) 2017/159 and/or those of the Work in Fishing Convention (C188) of the International Labour Organization, we need to take account of the outcome of the ongoing impact assessment study for the revision of the port State control Directive. This study will, among others, examine the possibility of creating a system of port State control inspections of larger (over 24 metres) fishing vessels, which call to a port outside their country of registration. I can also inform you that the Commission is closely following the developments within the Paris Memorandum of Understanding on Port State Control, where a dedicated taskforce will study the feasibility of applying the lessons learned in the port State control of merchant shipping to the fishing sector.

Finally, I take due note of your observations regarding the Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 of the International Maritime Organization (STCW-F). The Commission continues to encourage Member States to honour their commitment set out in Council Decision (EU) 2015/799 to ratify that important Convention⁵. As you are well aware, the STCW-F is currently undergoing a thorough revision. Once this revision is completed, the Commission services will examine whether to propose the implementation of this Convention into EU law.

I look forward to our continued cooperation with a view to improving the safety and working conditions of fishers in the EU and worldwide.

Yours sincerely,

Charlina VITCHEVA

¹ Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over

² Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control

³ Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements

⁴ Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council

⁵ Report from the Commission to the Council on the progress of Member States' accession to the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, of the International Maritime Organisation, according to Article 2 of Council Decision (EU) 2015/799, COM (2019)157

c.c.:

Messrs Hololei (DG MOVE) and Korte (DG EMPL)

