The situation with regard to the relevant international conventions: accession and implementation

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Harnessing today without compromising tomorrow...
The system of international labor standards takes the form of Conventions and Recommendations. Are negotiated and adopted by the tripartite International Labor Conference, held every year in Geneva, Switzerland.

**International Labor Conventions**
- Conventions are open to ratification by member States of the ILO.
- They are international treaties which are binding on the countries that ratify them.
- Under the Constitution of the ILO, when countries voluntarily ratify Conventions, they undertake:
  - To apply them,
  - To ensure that their national laws and practice comply with the requirements of the Conventions.
  - To accept international supervision.

**International Labor Recommendations**
- Recommendations are not international treaties.
- They set non-binding guidelines which may guide national policy and practice; governments do not ratify Recommendations.
- They give more detailed measures on how the provisions in the Convention can be applied.
Setting international standards for fisheries

- The 50 million men and women working in fisheries worldwide are operating in a highly dangerous and mostly unregulated profession

- International standards of working and living conditions need to be set

- Decent work on board fishing vessels
Ratifications by ATLAFCO Member States

<table>
<thead>
<tr>
<th>Country</th>
<th>Date</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>Angola</td>
<td>11 Oct 2016</td>
<td>In Force</td>
</tr>
<tr>
<td>Congo</td>
<td>14 May 2014</td>
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<td>Senegal</td>
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</tr>
<tr>
<td>Togo</td>
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Guideline for an approach to undertaking a comparative analysis (or “gap analysis”) of the Work in Fishing Convention, 2007 (No. 188) and national laws, regulations or other measures...

These guidelines suggest the approach the Government may wish to follow in determining the extent to which its laws and regulations and other measures would need to be adjusted or complemented to meet the requirements of the Work in Fishing Convention, 2007 (No. 188).
Article 6, paragraph 1 provides that: “Each Member shall implement and enforce laws, regulations or other measures that it has adopted to fulfill its commitments under this Convention with respect to fishers and fishing vessels under its jurisdiction” and that “Other measures may include collective agreements, court decisions, arbitration awards, or other means consistent with national law and practice”

- Sets out seafarers’ rights at work, including
  - Employment terms
  - Health and safety
  - Living and working conditions
  - Access to medical care and social security.
<table>
<thead>
<tr>
<th>Country</th>
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<th>Status</th>
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<tbody>
<tr>
<td>Benin</td>
<td>13 Jun 2011</td>
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<tr>
<td>Cabo Verde</td>
<td>06 Oct 2011</td>
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<tr>
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<td>Gabon</td>
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<td>Gambia</td>
<td>09-NOV-2018</td>
<td>will enter into force on 09 Nov 2019</td>
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<td>Ghana</td>
<td>16-AUG-2013</td>
<td>In Force</td>
</tr>
<tr>
<td>Liberia</td>
<td>07-JUN-2006</td>
<td>In Force</td>
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<td>Morocco</td>
<td>10-SEP-2012</td>
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<td>Nigeria</td>
<td>18-JUN-2013</td>
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<td>Senegal</td>
<td>09-SEP-2019</td>
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<td>Sri Lanka</td>
<td>12-JAN-2017</td>
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<td>Togo</td>
<td>14-MAR-2012</td>
<td>In Force</td>
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</table>

- Contains a model for legal provisions that implement the Convention,
- It is not a proposal for a national law (although with some adjustments it could be used as such)
- it is intended as an aid, in whole or in part, for national legislators and legislative counsel in drafting the necessary legal texts to implement the MLC, 2006.

The handbook on social security has been prepared by the International Labor Office under the auspices of the ILO’s five year (2006-2011) Action Plan **to achieve rapid and widespread and effective implementation** of the Maritime Labor Convention, 2006.

It is intended to assist countries that **may need additional information or technical support to ratify and implement this innovative Convention**.

These innovations relate to the Convention's legal structure and terminology, its comprehensiveness, its areas of flexibility as well as its expanded compliance and enforcement provisions.
MLC implementation guidelines and other key documents

- **Guidelines for port State control officers carrying out inspections under the Maritime Labour Convention, 2006**

- The guidelines are an important international resource for implementing port State responsibilities under the Maritime Labor Convention, 2006 (MLC)
Guidelines for flag State inspections under the Maritime Labour Convention, 2006

The Guidelines for flag State inspections under the Maritime Labor Convention are an important resource for implementing flag State responsibilities under the MLC, 2006.
Conclusion and recommendations

- The big step forward would be if the Member States ratify and implement the existing international and regional instruments in the area of health and safety in the fisheries sector.

- In order to make the application of these measures more effective, there is a need to improve co-operation between the different authorities involved, at national, and regional level.

- The need to create a structure to co-ordinate all efforts both at national and regional level aimed at increasing prevention and safety measures in fisheries. In particular, this structure will establish common databases and will facilitate the exchange of information, experience and know-how.

- The commitment of the necessary financial resources, at an appropriate level, for all those involved (administration, ship owners and fishermen).
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ready.
set.
go!

THANK YOU