



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



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International Labor Standards Conventions and Recommendations



- **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.

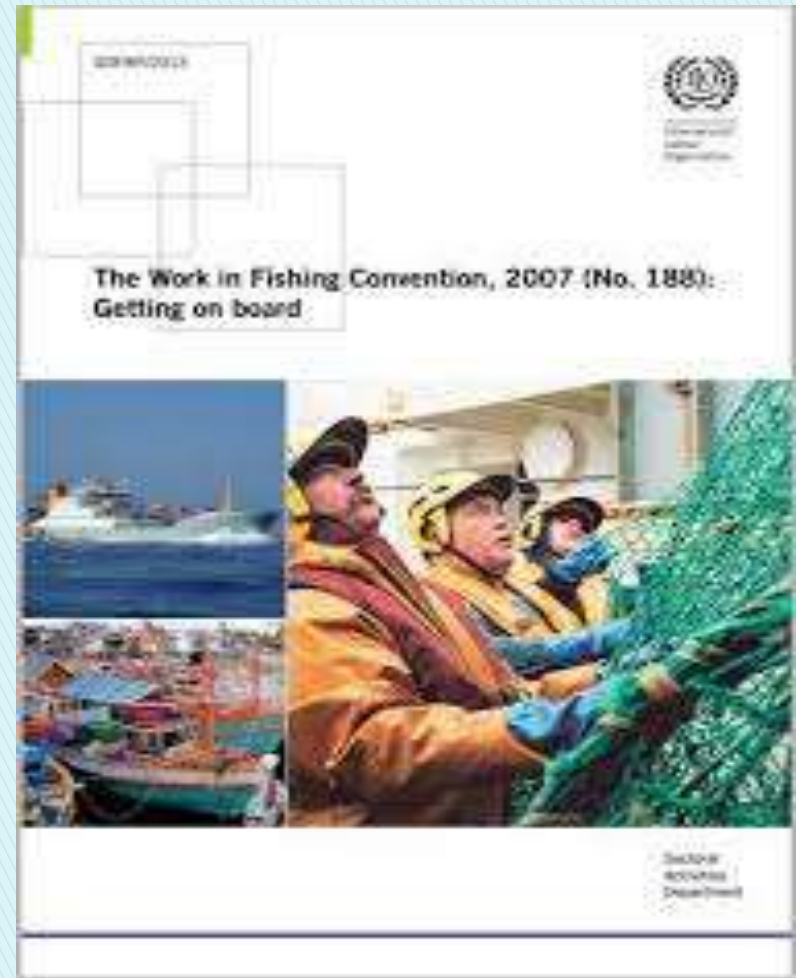


C188 - Work in Fishing Convention



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





C188 - Work in Fishing Convention

entry into force: 16 Nov 2017



Ratifications by ATLAFCO Member States

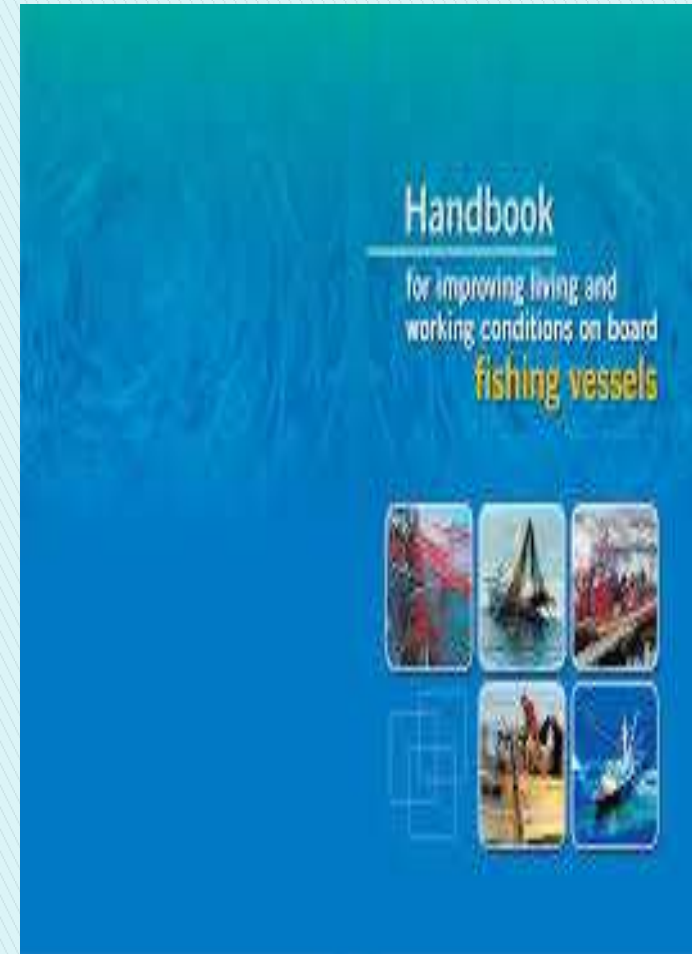
Country	Date	Status
Angola	11 Oct 2016	In Force
Congo	14 May 2014	In Force
Morocco	16 May 2013	In Force
Namibia	20 Sep 2018	In Force
Senegal	21 Sep 2018	In Force
Togo		



C 188-TOOLS



- 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).





C188-Implementation



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**”*





The Maritime Labour Convention 2006 (MLC)

entry into force: 20 Aug 2013



- **Sets out seafarers' rights at work, including**
 - Employment terms
 - Health and safety
 - Living and working conditions
 - Access to medical care and social security.





MLC/Ratifications by ATLAFCO Member States



Country	Date of ratification	Status
Benin	13 Jun 2011	In Force
Cabo Verde	06 Oct 2011	In Force
Congo	26-MAR-2014	In Force
Gabon	25-SEP-2014	In Force
Gambia	09-NOV-2018	will enter into force on 09 Nov 2019
Ghana	16-AUG-2013	In Force
Liberia	07-JUN-2006	In Force
Morocco	10-SEP-2012	In Force
Nigeria	18-JUN-2013	In Force
Senegal	09-SEP-2019	will enter into force on 19 Sep 2020.
Sri Lanka	12-JAN-2017	In Force
Togo	14-MAR-2012	In Force



MLC implementation guidelines and other key documents



Handbook: Guidance on implementing the Maritime Labour Convention, 2006 - Model National Provisions

- ❑ 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.





MLC implementation guidelines and other key documents



- ▶ Handbook: Guidance on implementing the Maritime Labor Convention, 2006 and Social Security for Seafarers
- *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)*





MLC implementation guidelines and other key documents



- ❑ 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