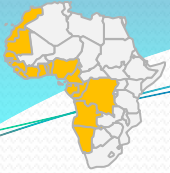




# International instruments relating to the health and medical care of fishermen



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ATLAFCO Secretariat  
Rabat 05 December 2022

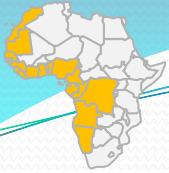


## Introduction

From 'In Hope of Providence' Herman Heijermans, 1900 "Who gets the fish out of the sea? Who is risking his life every hour of the day? Who is walking with hands full of salt?"

- ❑ Fishing is widely considered one of the **most dangerous peacetime occupations** due to the high incidence of fatalities (International Labor Organization, 1999)
- ❑ Health is **affected by economic, social, political, and behavioral circumstances** (World Health Organization, 2017).
- ❑ The impacts of ill health are exacerbated by the self-employed nature of most fishers
- ❑ who are often remunerated on a catch share basis and may fall through **the gaps of social security systems**
- ❑ Fishing is tough and demanding work and requires a good level of **fitness and health**





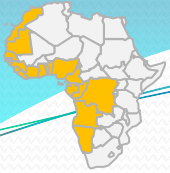
## The problematic of health and medical care of fishermen



Efthimios E. Mitropoulos, former Secretary-General of the International Maritime Organization (IMO):

- ❑ The lack of internationally enforced standards of education, training, minimum competency and minimum vessel safety has, and will continue to, **cost fishers their lives, their property and their livelihoods**
- ❑ Sea fishing is a remote profession and therefore **deprived from immediate medical assistance** at a level shore-based people can rely on.
- ❑ In relation with the relevant safety challenges performing their work at sea, it's important that fishers on board fishing vessels **are qualified and fit for their duties**



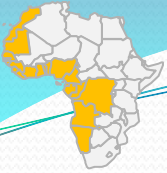


# Requirement of work and conditions of seafaring



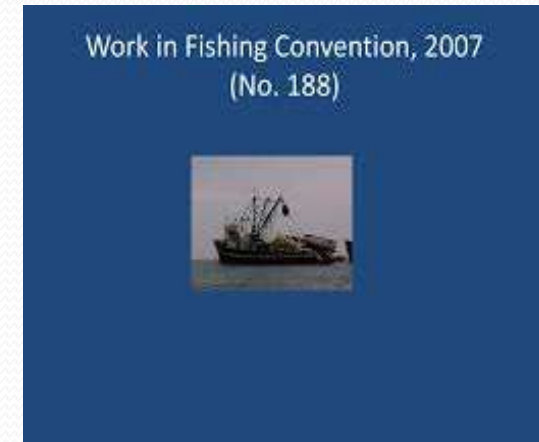
- The very dangerous nature of work and conditions of seafaring pressed the need for special treatment and regulation of employment conditions and rights of category of workers
- The international community, noting these factors, has been rendering various efforts to set international standards with a view to protect the rights of seafarers and regulate their labor conditions through the ILO





# Work in Fishing Convention, 2007 (No. 188)

- ❑ **MEDICAL EXAMINATION Article 10**
  - ❑ 1. No fishers shall work on board a fishing vessel **without a valid medical certificate attesting to fitness to perform their duties**
  
- ❑ **MEDICAL CARE / Article 29** *Each Member shall adopt laws, regulations or other measures requiring that:*
  - ❑ (a) **fishing vessels carry appropriate medical equipment and medical supplies for the service of the vessel...**
  
  - ❑ (b) **fishing vessels have at least one fisher on board who is qualified or trained in first aid and other forms of medical care and who has the necessary knowledge to use the medical equipment and supplies for the vessel concerned....**
  
  - ❑ (c) **medical equipment and supplies carried on board be accompanied by instructions or other information in a language and format understood by the fisher or fishers....**
  
  - ❑ (d) **fishing vessels be equipped for radio or satellite communication with persons or services ashore that can provide medical advice....**
  
  - ❑ (e) **fishers have the right to medical treatment ashore and the right to be taken ashore in a timely manner for treatment in the event of serious injury or illness**



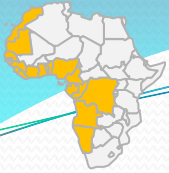


## Work in Fishing Recommendation, 2007 (No. 199)

### Medical care on board

- ❑ The competent authority should establish a list of **medical supplies and equipment appropriate to the risks concerned** that should be carried on fishing vessels
- ❑ Fishers should receive **training in basic first aid in accordance** with national laws and regulations, taking into account applicable international instruments

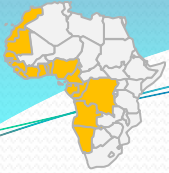




## The International Medical Guide for Ships

- ❑ World Health Organization (WHO) has developed a **recommended list of medicines, based on professional assessment and best practice**, linked to the International Medical Guide for Ships (IMGS) and published as an appendix to the IMGS
- ❑ The IMGS shows **designated first-aid providers how to diagnose, treat, and prevent the health problems of seafarers on board ship**
- ❑ This Guide is a standard reference **for training courses of medical first aid and medical care**
- ❑ is designed for use by all **crew members charged with providing medical care on board.**





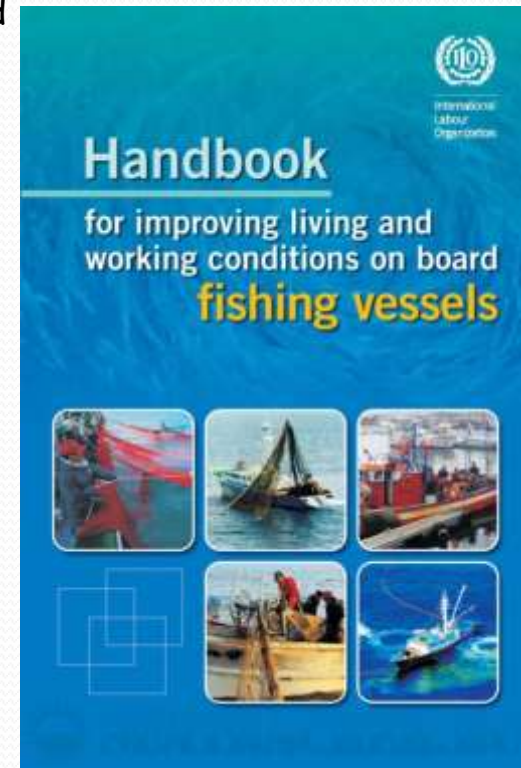
# Improving living and working conditions on board fishing vessels



- This Handbook on improving living and working conditions on board fishing vessels has been developed in 2010 to assist:
  - competent authorities,
  - representative organizations of employers and workers (in particular, representative organizations of fishing vessel owners and fishers),
  - as well as others with an interest in the sector

## In order to gain a better understanding of the provisions of Convention No. 188 and Recommendation No. 199

- it attempts to look at each of the provisions of these standards from the point of view of
  - government officials,
  - fishing vessel owners,
  - fishers
  - inspectors
- This may help to stimulate national tripartite discussion and may encourage States to take concrete steps towards implementation and ratification of the Convention
- **Most importantly, whether or not a State decides to ratify the Convention immediately or otherwise**
- the Handbook will be a useful tool for looking at the **current legal protection of fishers, for analyzing the situation, and for making improvements.**

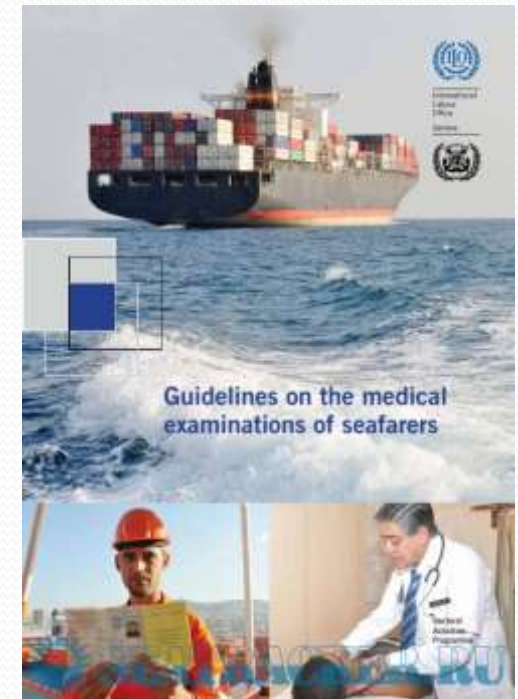


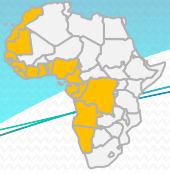


## Guidelines on the medical examinations of seafarers



- ❑ These Guidelines published in 2013 are intended to provide maritime administrations with an internationally recognized set of criteria for use by competent authorities either directly or as **the basis for framing national medical examination standards that will be compatible with international requirements.**
- ❑ Valid and consistent guidelines should assist medical practitioners, shipowners, seafarers' representatives, seafarers and other relevant persons with **the conduct of medical fitness examinations of serving seafarers and seafarer candidates**
- ❑ Their purpose is to help administrations establish criteria that will lead to equitable decisions about **who can safely and effectively perform their routine and emergency duties at sea, provided these are compatible with their individual health-related capabilities**



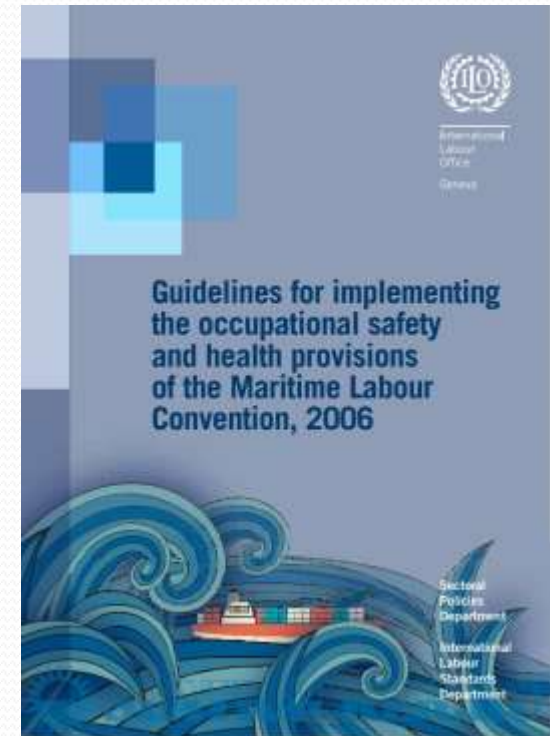


## Guidelines for implementing the occupational safety and health provisions on the MLC 2006



- ❑ The purpose of these guidelines (2015) is to assist States to implement **the occupational safety and health provisions of MLC, 2006 of (ILO)**.
- ❑ They are intended to provide supplementary practical information to flag **States to be reflected in their national laws and other measures** to implement Regulation 4.3 and the related Code of the MLC, 2006, as well as other relevant provisions under Regulations 3.1 and 1.1
- ❑ It must be emphasized that the guidelines are intended **as a practical resource** to be used by any government which finds them helpful

*In all cases, the relevant national laws or regulations, collective bargaining agreements or other measures to implement the MLC, 2006, in the flag State should be viewed as the authoritative statement of the requirements in that State*





## Qualification of fishers to fit their duties

- ❑ In relation with the relevant safety challenges performing their work at sea, it's important **that fishers on board fishing vessels are qualified and fit for their duties**
- ❑ This reality is well recognized by international and European legislation which require fishers to hold a valid **medical certificate issued in accordance with their provisions**





## Need for guidelines on the medical examinations of fishers

- ❑ In practice, however, despite the obligation for fishers to hold a medical certificate, there are no specific international **Guidelines on the medical examinations of fishers**, in stark contrast with merchant seafarers.
- ❑ In the making of **international medical guidelines for the examination of seafarers, fishers were shockingly excluded.**
- ❑ While certain countries **apply guidelines for seafarers to fishers,**
- ❑ **those guidelines haven't been designed with that goal in mind, and they don't completely fit specificities of sea fishing**





## Guidelines on the medical examinations of fishers

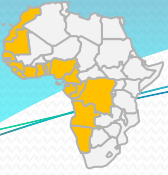
- ❑ European Transport Workers' Federation (ETF) and Europêche have been working together with the IMHA on closing **this gap in international occupational health**
- ❑ Have published new **Guidelines on the medical examinations of fishers**, paving the way for the **harmonization of standards for health and fitness checks across Europe and worldwide**





# Concluding remarks

- ❑ In such a physically-demanding job, **the existence of specific guidelines for medical examination of workers is a must**
- ❑ Relevant institutions should continue to promote **the harmonization of standards for the medical examinations of fishers at regional and International level**
- ❑ The new guidelines will be used as a tool by **doctors performing medical examinations to have a clear understanding of the unique aspects of fishing**, as their professional judgement is critical to the health and safety of fishers
- ❑ Competent authorities should also **harmonize the criteria used for the medical checks of fishers and thereafter mutually recognize certificates of medical fitness**
- ❑ Using harmonized approaches and carrying out systematic monitoring programs will be vital in **improving fishers' health and safety**



Thank you for your attention



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