



SAFE AND DECENT WORKING CONDITIONS IN SADC FISHERIES



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Working in fisheries is amongst the most dangerous occupations in the world. With almost 40 million people working in fisheries globally the United Nations estimates that 80 lives are lost annually per 100,000 fishers – that is around four lives lost every hour in the fishery sector, which is four times more than the number lost in road accidents.

In addition, many more fishers and fishery sector workers are injured or become ill due to accidents while at work, including fishery observers and inspectors that work at sea on fishing and patrol vessels. These fishery related fatalities and accidents, often have major and long-term impacts, bringing increased hardship and suffering to, fishers, their families, and their communities, who are often living in vulnerable situations with poor conditions with no insurance or financial safety nets.

The Southern African Development Community (SADC) prioritises improving the lives of people as part of the regional integration agenda. Therefore, reducing risks and saving the lives of those working in the fishery sector – the fishers, crew, fishery officers and observers – is critical to all Member States of the SADC. This can be achieved by preparing for, reducing, or removing risks, through the systematic implementation of agreed standards and procedures for safety, and improving the skills and capacity of those working in the fishery sector.

Working together to achieve safe and decent working conditions within all fishery sectors of the SADC – on all SADC flagged fishing vessels, and for all SADC citizens wherever they work in the world – will contribute to the achievement of development aspirations including the sustainable development goals, the growth of blue economies, and the furtherance of human rights.



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What needs to change?

Twenty-five years ago, those responsible for setting the global agenda for fisheries standards acknowledged the need to improve the safety and wellbeing of those working in the sector: 'States should ensure that fishing facilities and equipment, as well as all fisheries activities, allow for safe, healthy and fair working and living conditions and meet internationally agreed standards adopted by relevant international organisations', 1995, FAO Code of Conduct for Responsible Fisheries.

Since 1995, progress has been made in understanding the factors that increase the risks that make fishing such a dangerous occupation. These are:

- **external risks** e.g., rough weather conditions, navigational hazards and working at sea often a long way from assistance if problems occur;
- **lack of human skills and human behaviour** e.g., lack of safety training, inability to swim, human mistakes, lack of adequate supervision and deliberate mistreatment and abuse; and
- **inadequate vessels and equipment** e.g., poor standard, or malfunctioning fishing vessels or fishing gear, and a lack of adequate, or malfunctioning safety equipment.

Solutions to address these risks have been identified and incorporated into global policies and guidelines, resulting in improvements, such as better access to weather forecasts for small-scale fishers or satellite monitoring of industrial fishing vessels. However, the increased demand for cheap fish and seafood, an increase in fisher numbers, and a decrease in fishery productivity due to overfishing and illegal, unreported, and unregulated (IUU) fishing, has outweighed many of the gains and resulted in an increase in accidents and deaths.

In the SADC, loss of life at sea from industrial vessels is recorded by the regional maritime centres, but there is no record of deaths, accidents or injury related to fisheries. Publicised cases tend to be associated with crew conditions on foreign industrial fishing vessels. An example is the BUAH NAGA NO. 1, a Malaysian registered vessel, that was boarded and inspected in 2018 by Tanzanian authorities. The inspection found proof of illegal shark fining, inhuman living conditions, and a Beretta Pistol and ammunition hidden in the Captain's cabin. The Indonesian crewmembers report that the Captain had threatened them and withheld food as punishment when no fish is caught. An earlier case linked to the high seas of the Indian Ocean, showed video footage of a vessel being attacked in 2012. This was most likely an Iranian dhow, with the crew being shot and run over by longliner fishing vessels.



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SADC commitments to safety in the fishery sector

Agreeing standards between SADC States paves the way for harmonisation, ensuring all SADC citizens are treated similarly and exposed to similar standards.

Practically this process facilitates regional integration by enabling the exchange of expertise between countries, facilitating movement of fishery workers between States without different standards applying, and ensuring a market based on fair competition.

The SADC Treaty lays the framework for improving the lives of SADC citizens. The SADC Protocol on Employment and Labour, Article 4, addresses safety and health standards while Article 11 of the SADC Charter on Fundamental Social Rights addresses improvements in working and living conditions. These conditions are supported by fishery specific commitments made in the 2001 SADC Protocol on Fisheries, which provides for regional coordination on safety in fisheries,

and details the requirements for human resource development. These include for States to:

- actively work towards the enhancement of training in fisheries;
- comply with international standards for certification of seafarers, marine engineers, masters of vessels, and other seagoing professionals;
- encourage and guide the fishing industry to promote the welfare and working conditions of all employees; and
- adopt standards, not less favourable than minimum requirements of relevant international agreements, on conditions of work.

International frameworks

There are a range of international instruments and developments that help to guide in how to safeguard those working in fisheries. For small-scale fisheries these are voluntary instruments, while for industrial fisheries international treaties exist.

Small-scale fisheries

With the total number of fishing vessels in the world being estimated at around 4.6 million and most of these being small vessels, safety for small-scale fishers is important. However, many country's national regulations, guidelines or standards are either non-existent or inappropriate, which is partly due to there being no binding international safety standards in place for small fishing vessels. Instead for both inland and marine fisheries, guidelines and voluntary agreements have been developed to support national authorities and regional bodies to incorporate best practice into policy, procedures, and practices. These include the Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels, 2005 and the Safety Recommendations for Decked Fishing Vessels of Less than 12 metres in Length and Undecked Fishing Vessels approved in 2010.

In addition to these guidelines, the 2015, Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication is a key document to broadly guide best practice in the small-scale fishery sector. These guidelines recognise the complexity that surrounds safety in the fisheries sectors, in inland and marine fisheries, and the multiple causes behind deficient safety. The guidelines prioritise the need for the development and implementation of coherent and integrated national strategies, with the active participation of fishers, incorporating elements of regional coordination. These could include integrating the safety of fishers into disaster risk management strategies, particularly those addressing resilience to climate variations and including safety training into community-based awareness campaigns.

Improving safety in small-scale freshwater and marine fisheries would benefit all SADC States. Cooperation to harmonise minimum standards, develop training programmes and monitoring systems will enable countries to share expertise to build capacity and for shared waterbodies and coastlines to implement compatible safety systems. This harmonised approach will support small-scale fishers to remain safe while undertaking their important job to provide fish and seafood to their communities, contributing to food, nutritional and economic security of the region.

Industrial fisheries

The international policy approach to safety in fisheries consists of instruments and processes led by different United Nations agencies, including the International Maritime Organization (IMO), the Food and Agriculture Organization (FAO) and the International Labor Organization (ILO). Each organisation focuses on specific factors affecting safety which together complement each other, creating a comprehensive system for safety in industrial fisheries.

International standards are important for effective control and monitoring of safety related to fishing vessels, catch and crew. This is relevant in the SADC due to the Atlantic, Indian and Southern Oceans bringing foreign distant water fishing vessels to fish in the waters of SADC countries, to use SADC ports, to employ SADC crew, and to sell their catch into SADC processing factories and markets. Ensuring that foreign and national crews, catch and vessels adhere to minimum and harmonised safety standards is key to protecting the wellbeing of SADC citizens, the health of the oceans and the security of the SADC markets.



Safe fishing vessels

Fishing vessel safety has been on the international agenda for many decades, however, to date no international agreement has been successful in bringing minimum standards into force. The latest effort – the 2012 IMO Cape Town Agreement (CTA) – provides standards on the design, construction and equipment of fishing vessels and includes regulations designed to protect the safety of crews and observers, and to provide a level playing field for the industry. The Agreement incorporates length-dependent requirements starting with vessels 24 meters in length and increases the safety demands as vessels get bigger. Newly built vessels must, once the Agreement is in force, immediately adhere to requirements while operating vessels have reduced requirements and time for gradual implementation. Over 50 States have signed a Declaration indicating their intention to ratify the CTA by October 2022, including three SADC States: The Democratic Republic of Congo, Mozambique, and Namibia in addition to South Africa that is already a party to the Agreement. If all SADC countries joined the CTA and implemented its requirements the safety, working, and living conditions of fishers and observers, including SADC citizens working on vessels abroad would vastly improve. This would result in reduced accidents, oil spills, shipwrecks, and the need for search and rescue, ultimately creating a safer environment for all and a robust basis for sustainable blue growth.

Safe conditions for work at sea

Every seafarer has the right to a safe and secure workplace that complies with safety standards, fair terms of employment, decent working and living conditions onboard vessels, health protection, medical care, welfare measures and other forms of social protection. The ILO Work in Fishing Convention (C188) which entered into force in 2017, sets out these minimum requirements for work at sea in all commercial fishing operations.

To date Angola, Namibia and South Africa have ratified and are implementing C188 in their ports, on their flagged vessels and for their citizens. If ratification and implementation of the Convention were widely achieved across the region, SADC would offer a level playing field for the industry in respect to safety and reduce reputational risks connected with poor working conditions including slavery.

Safety training

The International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995 is a key building block in the promotion of safety of life at sea and the building of a competent work force of seafarers in the fisheries sector. Better skilled and trained personnel will decrease the likelihood of fatal accidents and improve general safety of fishing operations.

Namibia and South Africa benefit from being party to the Convention, with many fishing vessels operated by competent national officers and crew, underpinning their large and growing fishery sectors. A wider uptake of the Convention among SADC States would increase opportunities for SADC seafarers to participate in work on foreign and national vessels and enable countries to develop their national fishing fleets, operated by qualified citizens, resulting in a range of increased benefits.

Stopping illegal operators

Poor safety conditions on fishing vessels are often linked to incidents of IUU fishing as illegal operators are less likely to prioritise safety, as safety costs money. When the international Agreement on Port State Measures to Prevent, Deter, and Eliminate IUU Fishing (PSMA), 2009, is comprehensively applied, illegally caught fish and illegal operators are more likely to be identified. Coordinating interagency fishing vessel inspections for implementation of the PSMA, the CTA and the C188 will result in enhanced safety, legality, and fairness in SADC fisheries and ports.

Six SADC States are party to the PSMA – Madagascar, Mauritius, Mozambique, Namibia, Seychelles, and South Africa – potentially enabling the closure of eight of the 21 fishery ports that allow foreign vessels access to illegal operators. If all SADC States systematically implemented Port State measures in these 21 ports, the SADC region would be protected from importation of illegally caught fish, and illegal operators would no longer find a haven in SADC ports.

SADC members commitments to international framework for safety at sea

UN Agency	Instrument	Date in force	Main objective					SADC Member States
			Vessel structure	Vessel equipment	Crew training	Working and living	IUU fishing	
IMO	Cape Town Agreement (CTA), 2012	Not in force	X	X		X		South Africa
IMO	International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995	2012			X			Namibia, South Africa
ILO	Work in Fishing Convention (C188), 2007	2017		X	X	X		Angola, Namibia, South Africa
FAO	Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing (PSMA), 2009	2012					X	Madagascar, Mauritius, Mozambique, Namibia, Seychelles, South Africa

States' roles in ensuring fishery sector safety

Each country may have one or more role in respect to how they implement international and regional agreements, these include the roles set out below:

- **Flag States** set requirements for safety standards on their flagged vessels wherever they are operating, and they are responsible for oversight and inspections of their vessels to ensure that these standards are being implemented. SADC flag States are required to monitor their vessels and cooperate with port, coastal and crew States if their flagged vessels violate safety standards.
- **Coastal States** set requirements for safety standards on fishing vessels operating in their waters and set the conservation and management measures for their fisheries that the vessels must adhere to. These standards aim to reduce incidents of injury or death to vessel crew and fishery observers or inspectors working on the vessels, damage to vessels resulting in pollution and other hazards and harm to small-scale fishers.

- **Port States** set requirements for safety standards on fishing vessels that enter their ports and use their services. These result in protecting the ports from potential pollution and shipwrecks, ensuring that unloaded fish and seafood has been caught by crew provided with safe and decent standards of work, and protecting their fishery inspectors and other officials from being exposed to work on unsafe fishing vessels.
- **Market States** require safety standards have been applied in the catching of any imported fish. These demonstrate to consumers that the fish sold in the markets has been caught legally and under safe and decent working conditions.
- **Crew States** require safety standards have been applied to protect their citizens that work on fishing vessels and ensure that they have decent and safe working and living standards, even when they are working on foreign flagged vessels, operating in foreign or international waters.

Making fisheries safer

Safer for fishers

Risk is inherent in fishing, but it can be prepared for and managed to reduce the risk of accidents occurring. For example, external factors affecting safety which cannot be controlled, like weather, can be prepared for, by establishing systems to forewarn rough weather conditions and for responding to incidents, such as search and rescue services. In the SADC, Regional African Maritime Rescue Coordination Centres (MRCC) and associated sub-centres play an important role in coordination and responses to safety emergencies and search and rescue (SAR) in the maritime and fishery sectors and early warning systems for poor weather conditions exist on many of the larger lakes. Human factors, including mistakes, negatively impacting on safety can be reduced through requirements on minimum training and regular refresher courses for those working on fishing vessels. Poor vessel conditions can be improved through requirements on vessel structure and equipment and regular port inspections to ensure the requirements are being implemented.

Safer for fishery officials

Fisheries officials, especially those that work at sea are vulnerable to safety issues in a similar manner to fishers. In addition, they may be targeted and intentionally placed in danger by others onboard the vessel to prevent illegal activity from being reported. Disappearances and mysterious deaths of at-sea observers, although not common, do occur annually. Officials who do not work on at-sea vessels or who work when other officials are present, are less vulnerable:

Function for an MCS official	Low safety risk	Medium safety risk	High safety risk
At-sea observers on fishing vessels			X
At-sea inspection of fishing vessels		X	
In-port inspection of fishing vessels	X		
Air patrol surveillance	X		

Safety risk level of different functions for fishery monitoring, control and surveillance officials

To protect fishery officials while working at sea, requires similar solutions to those of fishers, including safety training and personal safety equipment and ensuring that vessels maintain international safety standards. Specific training on how to handle conflict and hostility may help to reduce the risk of intentional harm by others.

SADC coordination

The SADC Regional Fisheries Monitoring Control and Surveillance Coordination Centre (SADC MCSCC), which is being established through a SADC Charter, has a mandate to promote capacity building and harmonised standards for operations, including regional observer standards. The MCSCC is also mandated to establish a harmonised regional register of fishing vessels that operate within Members States' waters or are flagged by Member States, and to establish a central web-based portal where fisheries MCS information can be accessed.

These functions will support facilitation of regional communication and support national authorities to upgrade their laws and regulations to agreed standards and to integrate safety of small-scale fishers into the management of fisheries. The Centre will be well placed to support coordination efforts in response to incidents and to maintain registers of incidents in cooperation with national fisheries and maritime centres. The MCS systems of the Centre, such as vessel tracking systems, could also be useful to improve safety in fisheries. The MCSCC will be able to facilitate cooperation with neighbouring States, other MCS and maritime centres, and with flag States outside of the region, functions that they also perform to implement Port State measures.



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The SADC MCSCC will assist in driving better standards for safety in fisheries for the marine and inland sectors and for small-scale and industrial fisheries. To harmonise approaches, share skills and best practice, and to provide a coordinated and strategic approach to reducing injury and saving lives in the region.

Where to from here?

Continuing to improve safety in the fishery sector is vital to ensure that the loss of human life and injury is reduced and that the standard and quality of life for those working in the sector is improved. In addition, indirect benefits from improved safety will include reducing the risk of environmental damage through pollution or IUU fishing, reducing the risk of shipwrecks becoming navigational hazards, reducing search and rescue burden, and reducing the occurrence of abandoned vessels in ports. To reduce these risks all SADC States are encouraged to:

- Support regional integration through the SADC MCSCC by signing the Charter for its establishment and sharing information with the Centre in respect to safety in fishery sectors, including statistics on deaths, injury, and accidents in the sector.
- Develop and implement national legislation on vessel structure and equipment, crew training, and living and working conditions based on international and regional instruments. Create awareness to increase understanding, knowledge, and political support to becoming a party to the key international instruments: the FAO PSMA, the IMO CTA and STCW-F, and the ILO C188.
- Integrate the best practice set out in the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries with respect to improving safety of fishers into national fishery strategies and plans and disaster risk management plans.
- Require that every industrial fishing vessel operating in the SADC region or flagged to a SADC State has an IMO number to enable identification of the vessel, uses a vessel monitoring system (VMS) to enable tracking of the vessel's movements, and uses an automatic identification system (AIS) to regularly broadcast the vessel's position.
- Strengthen interagency cooperation between agencies including fisheries, maritime, labour, port, health, and sanitation authorities as well as the Police and Navy or Coast Guard to develop synergies and support for improved safety at sea.
- Make every effort to ensure that national legislation incorporates mandatory measures to protect the safety at sea of fishery observers and inspectors including the mandatory collection of information on incidents related to injury or death of fishery observers and inspectors.

By working in a harmonised and systematic manner countries of the SADC can greatly improve fishery safety and protect the lives of those working to provide fish and seafood into the factories and markets of the region.

Resources

- **The SADC protocol on fisheries:** https://www.sadc.int/files/8214/7306/3295/SADC_Protocol_on_Fisheries.pdf
- **The FAO website for PSMA including the agreement:** <http://www.fao.org/port-state-measures/en/>
- **The FAO website for the small-scale guidelines including the guidelines:** <http://www.fao.org/voluntary-guidelines-small-scale-fisheries/en>
- **The FAO, ILO and IMO report joining forces to shape the fishery sector of tomorrow - promoting safety and decent work in fisheries through the application of international standards:** <http://www.fao.org/3/cb0627en/CB0627EN.pdf>
- **FAO's safety for fishermen:** <http://www.fao.org/fishery/safety-for-fishermen/en/>
- **An explanation of the CTA by Pew:** <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/10/the-cape-town-agreement-explained>
- **ILO's C188:** https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C188
- **Investigation no.18 Buah naga no.1 Inspection leads to shark-finning convictions:** <https://stopillegalfishing.com/publications/investigation-no-18-buah-naga-no-1-inspection-leads-to-shark-finning-convictions/>
- **Investigation no.15 Murder at sea?:** <https://stopillegalfishing.com/publications/investigation-no-15-murder-at-sea/>

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About SADC

The SADC's main objectives are to achieve development, peace and security, and economic growth, to alleviate poverty, enhance the standard and quality of life of the peoples of Southern Africa, and support the socially disadvantaged through regional integration, built on democratic principles and equitable and sustainable development. [Find out more at: www.sadc.int](http://www.sadc.int)

About WWF

WWF works to look after our natural resources – oceans, land and wildlife – so we can continue to benefit from food, water and a healthy climate. It is the world's leading independent conservation organization, which promotes building of a sustainable and equitable future. [Find out more at: www.panda.org](http://www.panda.org) or www.wwf.org.mz

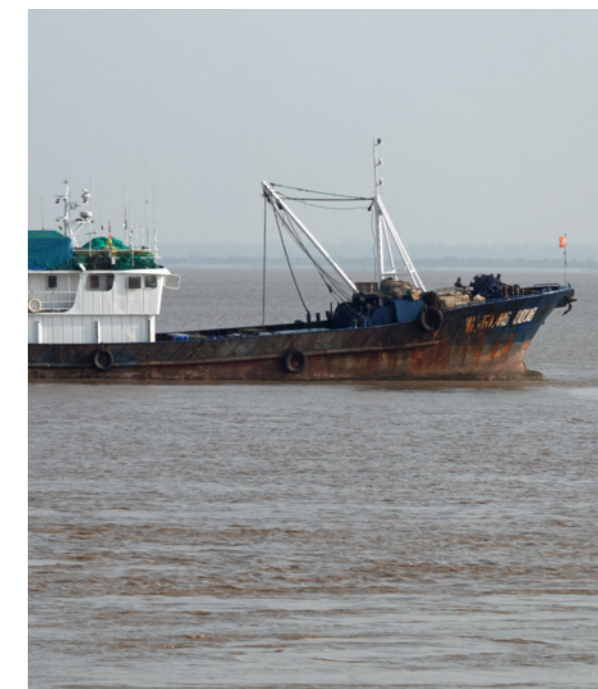
About Stop Illegal Fishing

SIF is an African based Not-for-Profit organisation committed to ending the devastating impacts of illegal fishing across all African fisheries. We work in partnership with governments, civil society, NGOs, IGOs and the fishing industry to harness the necessary international support and African commitment to achieve positive change. [Find out more at: www.stopillegalfishing.org](http://www.stopillegalfishing.org)

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