



Parliamentarians for Global Action  
Parlamentarios para la Acción Global  
Action Mondiale des Parlementaires  
برلمانيون من أجل التحرك العالمي

# CAMPAIGN FOR THE PROTECTION OF THE OCEANS & IMPLEMENTATION OF SDG 14

The Three Treaties to Address Illegal,  
Unreported, and Unregulated Fishing

Photo: Courtesy of Ian Urbina



# OVERVIEW

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## THE PROBLEM

On a global scale, illegal, unreported, and unregulated (IUU) fishing results in global losses of as much as

**\$23.5 USD billion  
per year.**

However, there is a shocking lack of transparency and accountability within the international fishing industry that leads not only to environmental crimes but also to human rights violations.

Modernized national legal frameworks in the form of amendments to historic fisheries laws are necessary to address both human rights abuses aboard fishing vessels and to create good maritime governance.

## HOW CAN WE ADDRESS IUU FISHING?

Several United Nations Agencies have together created a solid framework to end IUU fishing and its related human rights abuses.

- The U.N. Food and Agriculture Organization's (FAO) Port State Measures Agreement (PSMA) strengthens port controls to prevent illegally caught fish from entering the global market.
- The International Labour Organization's (ILO) Work in Fishing Convention No. 188 (C188), sets basic standards for decent work conditions in the commercial fishing industry.
- Finally, the International Maritime Organization's (IMO) Cape Town Agreement (CTA), outlines safety standards for commercial fishing vessels and details regulations that countries party to the agreement must adopt to protect fishing crews and their observers.

All three U.N. agencies have recognized the combined benefits of the aforementioned instruments in tackling illegal, unreported, and unregulated fishing and associated social issues.<sup>1</sup> When applied together effectively, these three treaties provide for a solid legal framework to protect countries and their citizens – from threats to food security and environmental sustainability to human trafficking and forced labor.

<sup>1</sup> Article "The Cape Town Agreement: 7 Reasons to Improve Safety on Fishing Vessels", The Pew Charitable Trusts: [pewtrusts.org/en/research-and-analysis/factsheets/2017/10/the-cape-town-agreement](https://pewtrusts.org/en/research-and-analysis/factsheets/2017/10/the-cape-town-agreement)

## WHY DO WE NEED THREE TREATIES?

The FAO, ILO, and IMO have collectively recognized the link between safety, labor and IUU issues, and the need to be addressed together in order to be effective.

Jointly, these treaties help guard against fish stocks overexploitation, protect the people catching them, and help ensure that all captains and crews on the ocean and in port are operating under the same set of rules.

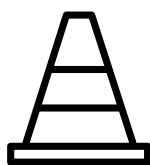
Accomplishing these simple goals has always been tricky because of the numerous nations that have regulatory authority over any given fishing voyage, and the varying degrees to which those authorities enforce the rules.



**FAO's Port State Measures Agreement addresses legality of catch.**



**ILO's Work in Fishing Convention addresses decent working conditions.**



**IMO's Cape Town Agreement addresses fundamental safety standards.**

## HOW DO THE THREE TREATIES ADDRESS IUU FISHING?

The CTA sets standards on construction, design, and equipment of vessels 24 meters and up. It is designed to improve safety globally and set a level playing field for industry. Through the CTA, States that already have fishing vessel safety regulations can demonstrate leadership on an important issue and encourage those that lag behind to create them. Those without such regulations can raise their standards and provide protection for vulnerable workers.

The PSMA requires parties to strengthen and harmonize port controls for foreign-flagged vessels, and as a result, aims to keep IUU fish out of the world's markets. Ports known for lax law enforcement or limited inspection capacity are a prime pathway for unethical fishermen to get their catch from ship to shelf. Port States enforcing the treaty will refuse port entry or access to port services, including landing and transshipment of fish, to foreign-flagged vessels known to have engaged in IUU fishing.<sup>2</sup>

The C188 sets out binding requirements to address the main issues concerning work on-board fishing vessels, including occupational safety and health and medical care at sea and ashore, rest periods, written work agreements, and social security protection at the same level as other workers. Until C188, there was no instrument setting international labor standards for workers employed in the sector. And nearly all global safety regulations pertaining to safety still fail to address worker standards, meaning that exploitative practices can easily go undetected.<sup>3</sup>

2. Article "The Port State Measures Agreement: From Intention to Implementation", The Pew Charitable Trusts: [pewtrusts.org/-/media/assets/2018/04/psma\\_from-intention-to-implementation.pdf](https://www.pewtrusts.org/-/media/assets/2018/04/psma_from-intention-to-implementation.pdf)

3. Background Paper "International expert meeting on labour exploitation in the fishing sector in the Atlantic region", International Labour Organization: [ilo.org/wcmsp5/groups/public/-/ed\\_norm/-/declaration/documents/publication/wcms\\_429048.pdf](https://www.ilo.org/wcmsp5/groups/public/-/ed_norm/-/declaration/documents/publication/wcms_429048.pdf)

## WHAT IS THE STATUS OF THE THREE TREATIES?<sup>4</sup>

Of these treaties, the CTA has yet to enter into force. The CTA will enter into force once 22 States with a total of 3,600 eligible vessels ratify it or accede to it. To date, 16 countries with a total of 1,907 eligible vessels have ratified the Agreement adopted in 2012.

At IMO's October 2019 conference on fishing vessel safety in Torremolinos, Spain, the Torremolinos Declaration was opened for signature. By signing the Declaration, 51 States have publicly indicated their determination to ratify the Cape Town Agreement by the 10th anniversary of its adoption, on 11 October 2022. Until the CTA enters into force, there are no mandatory global safety regulations for fishing vessels.<sup>5</sup>

The FAO adopted the PSMA in 2009, and the Agreement entered into force in 2016. Currently, 69 States have ratified the PSMA. Consistent international momentum has made it increasingly difficult for illegitimate catch to make its way to national and international markets and reduces the incentive for dishonest fishing operators to continue their IUU activities.<sup>6</sup>

The ILO's 2007 C188 Work in Fishing Convention entered into force in 2017. To date, 19 States have ratified the Convention. 2019 was the ILO's centenary year, which set the path for more ratifications and comprehensive implementation of this Convention, which will ultimately ensure adequate protection for numerous fishers who usually work in hazardous conditions.

## HOW CAN MPs HELP ADDRESS IUU FISHING?

There are many actions MPs can take to contribute to the fundamental safety standards, decent working conditions, and legality of catch that together address IUU fishing.

Concern	Action
How can MPs investigate whether their country's government has ratified or intends to ratify the three treaties?	MPs may pose questions to their governments or relevant decision-makers on the issue of IUU fishing.
If the government intends to ratify:	MPs may inquire about the timeline and progress towards ratification.
If the three treaties have been ratified:	MPs may inquire about any obstacles on the path to national implementation.
How can MPs create a dialogue about the three treaties?	MPs may raise the issue to those who have a portfolio on this topic such as Ministers in charge of fisheries and labor.
Raising awareness of IUU fishing is of utmost importance. How can MPs do this?	MPs may share resources on the effects of IUU fishing and the importance of the three treaties with other MPs, government officials; and the press.

4. Updated as of 20 October 2021

5. Article "Enhancing Fishing Vessel Safety to Save Lives", International Maritime Organization: [imo.org/en/MediaCentre/HotTopics/Pages/Fishing.aspx](https://imo.org/en/MediaCentre/HotTopics/Pages/Fishing.aspx)

6. Report "Implementing the Port State Measures Agreement: A Methodology for Conducting a Capacity Needs Assessment", The Pew Charitable Trusts: [pewtrusts.org/-/media/assets/2017/04/capacity\\_needs\\_assessment.pdf](https://pewtrusts.org/-/media/assets/2017/04/capacity_needs_assessment.pdf)

## ABOUT PGA

Parliamentarians for Global Action (PGA) is the largest non-governmental, multi-party international network of individual legislators with approximately 1,250 members in 132 parliaments around the world that informs and mobilizes parliamentarians to advocate for human rights and the rule of law, democracy, human security, non-discrimination, and gender equality. This global network of parliamentarians acting in their individual capacity is supported by a *PGA National Group structure* in parliaments, which creates sustainability and ownership of issues at the national level, and by a Secretariat with relevant expertise. PGA is in general consultative status with the Economic and Social Council of the United Nations with headquarters in New York; its office in The Hague, Netherlands fosters cooperation with The Hague-based International Organizations, including the ICC.

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