

# A Socially Sustainable EU Common Fisheries Policy: Workers' organisations' participation in the fisheries, aquaculture and processing sectors

## Outcomes from Seminar 1: Markets, Trade and International Dimension

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WORKERS' FEDERATION**



**European Federation of Food, Agriculture  
and Tourism Trade Unions**

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## Introduction

This document presents a summary of the outcomes of the first in a series of three seminars aimed at exploring and identifying ways in which to improve the attention paid to social sustainability of the Common Fisheries Policy (CFP) and ultimately the situation for workers in the seafood sector which encompasses fishing, aquaculture and seafood processing, both within the EU and those supply chains feeding the EU market where EU policy impacts on them.

The seminar took place in Malaga, Spain on the 25<sup>th</sup> and 26<sup>th</sup> June 2018 and was attended by trade unions representing workers in this sector. The meeting was facilitated by consultants who also presented on the current situation regarding seafood markets trade and international dimension of the European Union's CFP so as to frame and inform debate. A discussion paper provided the basis presented the landscape of CFP regulations and available data around social sustainability for the theme.

This outcome report is based on dialogue during the seminar. Given that the trade unions represent, among other members, seafood sector workers in the EU and internationally they are arguably essential to protecting, and in some cases creating, seafood workers' rights. They are able to provide insight into the situation of workers, providing practical experience and importantly influence regulation (particularly the CFP) and businesses as expert advisors.

*Note: A question was asked about the data presented by the consultants: Are exports of marine-based fertilisers to USA included in the export statistics? On review it was found that fertilisers are not one of the non-food use products (Fishmeal, Oil and Fish waste) included in the data. This will be clarified in subsequent versions of reporting.*

## The current situation: Social Sustainability in regulations

The existing CFP objectives have been established exclusively around environmental and economic criteria, commonly noting Maximum Sustainable Yield (MSY) and profit as objectives. According to the latest 'State of Play of the Common Fisheries Policy'<sup>1</sup> (June, 2018) communicated by the European Commission, these objectives are progressively being met. There is almost no regard for social criteria, either directly or through social impacts of CFP policy. The wellbeing of 350,000 seafood sector workers within the EU and those outside of the EU supplying seafood to the EU is not a priority of the CFP.

The main focus centered on the role of trade unions and how they can influence in the right places to affect the CFP, how social sustainability should be mainstreamed into specific parts of the regulations (CFP) and how the trade union voice can be better heard and acted upon in the sector.

Conversations identified that there is a need to harness the ideas and the practical experience that the trade unions have;

- How can the Trade Unions best represent themselves in this sector?
- How can the unions create language that can be easily adopted, like the term MSY, to communicate the social dimension message?

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<sup>1</sup> <https://www.eumonitor.eu/9353000/1/j9vvik7m1c3gyxp/vkp4fat8blyl?d=15-06-2018>

- How can all stakeholders be influenced a) to put the social dimension of policy at the heart of decision making, and recognise b) that it is possible to fish within MSY targets, whilst providing decent jobs for all workers and make a profit?

## Key outcomes

### 1. The Need for More Collective Representation of Seafood Workers

*Is success only achievable by achieving enough worker power?*

A common theme of the dialogue was that seafood workers are under-represented by trade unions leaving workers unprotected, differing level of rights and generally an unlevel playing field. It was felt that if there were sufficient representation and collective bargaining in the seafood sector then workers would be empowered and able to fight for their rights.

Trade unions have a responsibility to create, support and supervise the change in EU member states, as well as third countries. This presents a challenge for the unions when they do not have union members to represent in some countries or within the key companies. NGOs in some areas campaign for improvements in social issues and human rights however they do not represent workers and thus have a different role/voice in creating change.

In the seafood sector there are varying degrees of worker rights and their enforcement across different countries. This may depend, in part, on how well the workers are collectively represented. Where workers have lower levels of rights it is felt that this saves companies money, thus contributing to lower costs of production in those companies and countries. As a consequence importers and buyers may be incentivised to move production to those countries taking advantage of the lower costs and higher tariffs that are imposed on non-EU processed seafood. The unlevel playing field that ensues may result in a loss of jobs in the countries with stronger rights (i.e. those with stronger regulations or better worker representation) and possible 'social dumping'. Delegates to the seminar gave an example of this from Norway where seafood processing is moved overseas (for example to Poland) where factory workers are not unionised. There are good examples of the private sector responding to the issue (with the direction of the unions) such as large companies like Marine Harvest implementing a workers' council.

**Unionisation can be seen as increasing costs, but creating strong case studies that demonstrate how action supports good social rights as well as good business is important to success**

Since the trade in seafood is truly international (the data shows that five times as much seafood is traded with the EU than all meat) unions need to act internationally; there is a need to apply the principle of 'international' trade unions to level the playing field. Many of the influential large companies involved are multinational with operations in place across the globe. If seafood at point of sale to consumers is to represent workers through all supply chains then a level playing field needs to be created which does not permit workers to be bearing reductions in costs, safety, inclusion or equality where regulations are insufficient to protect them.

Commonly large multinational seafood companies such as Tri Marine or Bolton, based in Italy, have large parts of their operations outside of the country where they are head quartered. When evaluating the industrial-level of Tri marine and Bolton in Italy, they only have a few workers in the

head office, with the majority of their workers and operations based around the rest of the world. What has occurred in this case is that they have decentralised their companies and moved operations into countries where costs are lower and labour more readily available.

**Unions need to work with major, influential, seafood companies to achieve standard and appropriate unionisation their operations which reach workers throughout their supply chain.**

This particularly relates to seafood processing but it is also applicable to fishing and aquaculture (i.e. production). There is a need for research to identify key companies and head offices, noticing opportunity and priority, together with the creation of strategy to include priority targeting, communication, partnering, creation of objectives, and timeline. As part of that activity the importance of trade unions expertise and experience should be promoted by regulators, such as within the CFP, to raise awareness of the opportunity to work with them for common good.

Another large seafood company, Marine Harvest, has significant investments in countries such as France. There is a factory in Northern France, that is about to become relocated with the loss of significant jobs. There is a need to protect the workers at the factory who are losing their jobs, but also to ensure rights for the workers in the countries where production is likely to be relocated to, e.g. North Africa, Philippines, East Europe. Delegates felt that without the guarantee of those rights, it should not be possible for the production to be moved and still be permitted access to the EU market.

Companies can help lead and should create opportunities for workers to exercise their rights; being pro-active in this regard, with regulation enforcing it where necessary. An example is Thailand, where the country decided not to ratify the ILO convention and migrant workers are excluded from it, unionisation is not permitted. Large multinational seafood companies have a role to play and can encourage the country to ratify the conventions.

**Access to EU seafood market should require workers' rights for those in the country of origin (production and processing)**

A compounding challenging factor in the seafood sector is that migrant workers are common and most from lack of trade union representation. There is an example in Norway where foreign workers are brought to the country with poor salaries and long working hours. For example, there are many agency workers from Lithuania which are often badly treated; low unionisation makes it difficult for trade unions to prevent this.

**Recruitment of workers is an important area of scrutiny**

Data shows the seafood sector is characterised by small-scale producers. This is true for fishing, processing and aquaculture. There is a particular challenge for trade unions to gain membership since employers too are small-scale.

There is a need for coordination, but it is difficult to coordinate through the supply chains when unions are representing different collectives and there is a lack of cohesion between the different parts of the chain ie processing, farming and catching. What can the unions all do together when we're representing different collectives? Delegates felt there was a need to figure out how to work together more effectively to influence the EU market and CFP.

The fragmentation of the sector, lack of cohesion, and in some cases the law not allowing fishermen to be members of a trade union, make working across the sector challenging.

**Trade unions have to listen and attract workers that are not yet members as these issues affect all workers, not just current union members.**

**Representation must be inclusive, and all should have access to join**

Case studies are a good way to demonstrate action and an example was given about how unionisation of the fisheries sector has been managed in Spain, which perhaps could be applied elsewhere via the CFP or other means. In Spain there is a collective bargaining agreement that applies to all who work in the fisheries sector including small scale. These must be applied throughout the country together with the ethical code, if it is not then the government can apply sanctions to companies.

Even with unionisation there is a challenge around securing rights if there are not proper contracts in place. For example, workers on zero or limited hours contracts (common in the fisheries sector) find it impossible to have grievances resolved even if there is a procedure in place by the company. This is because when the worker is not on a secure contract then the company could reduce their hours in a way that would jeopardise the worker's livelihood, thus people are too afraid to speak out. If the worker comes to the union with a complaint, the union first asks the worker to register it with the employer; if a worker is afraid of the repercussions of raising an issue in this way, then the grievance ends there, unresolved.

**Contracts for all workers is critical**

## **2. The Need for Trade Unions to Partner and Engage with Others**

### *Stronger together; leveraging agency*

Cooperation between trade unions from EU member and non-member states is critical for success in the seafood sector. There are common issues for workers in all ETF and EFFAT affiliates, whether or not the country is a member of the EU or not. This project is focussing on influencing the CFP, which is an EU mechanism, but non-EU based affiliates have an important role to play in the conversation. Many of the multinational companies are active in both EU and non-EU member states, and non-EU member states are trading partners with the EU and as such are affected by the CFP. Further the CFP and other EU seafood related regulations address both EU countries and imports, or production activity (ie distance water fishing fleets). Through this project the EFFAT and ETF are coming together to work on the sector.

Trade unions could work with and lobby buyers (such as consumers, retailers) to demand companies purchase ethically sustainable product that includes consideration for social issues and worker rights. Some private, voluntary standards address these issues and can be adopted by buyers where regulations are considered insufficient or inconsistent. For example, Fairtrade (however, Fairtrade do not have seafood products outside of the independent Fair Trade USA standard). Consumers are often willing to pay extra to know that people were well represented within the supply chain and labels such as these can provide that value add and raise awareness of the broader challenge.

The Fairtrade movement is aligned with the unions, and the unions can build on this type of alignment. There are other relevant types of certifications available (for example, seafood processing and emerging vessels standards). Outwardly supporting them could contribute to a bigger impact and engage both companies and governments. Trade unions could say that achieving good standards for workers is possible and the standards demonstrate this.

A suggestion was made to look at examples of other commodity areas that have experience of going through this change, for example forestry or agriculture.

There is a need to be selective about which partnerships to set up; for instance, some NGOs are more effective than others and there should be a strategy to determine with whom to work. There are NGOs interested in social sustainability and also active in the EU's CFP Advisory Councils (particularly the Long Distance Advisory Council), having their support may benefit the project objectives. However, some delegates to the seminar were keen to express caution that NGO and trade union ambitions work in different ways. NGOs are rarely connected to the workers and/or defending rights, but more a broader intent of policy. Thus stakeholders may think that rights are being addressed when they are not, or not as trade unions would deem appropriate.

**Identifying suitable NGO partners, creating common objectives, supporting appropriate private standards that demonstrate strong social issues or human rights requirements is a useful way to accelerate progress. Which are those, can the trade unions agree on them?**

Messages around social issues can be better communicated to consumers to raise public awareness that their fish may have labour abuses associated to it. The NGOs have used this, via mainstream press, to strong effect. It could be an opportunity for the unions to make consumers aware about this and really focus on these issues by noticing new stories to share.

The environmental NGOs have been successful in creating change in business, consumer awareness and national policy. They have been well funded to do this and both the different proposition made by unions and the lack of funding make it difficult for trade unions to replicate that success. However, funders and regulators have been attracted by NGOs advocacy where it has been based on science – thus it is proposed evidence is needed to drive change; research, case studies, science.

Delegates felt it is important to have resources (human and financial) in order to develop partnerships. Reference was made to financial cutbacks across the EU; the Spanish budget for example will receive 6% less funding. Central EU funds needs to be accessed and the European Maritime Fisheries Fund (EMFF) may be an appropriate source, but in order to get money the unions need to present a strong case and clearly lay out how it will be spent.

**Social issues are not featured on the agenda of Advisory Councils. Using evidence it may be able to create a dedicated, centrally funded, platform for social issues, that cuts across all ACs.**

Efforts should not just focus on EU countries, rules need to be imposed in all regions related to the EU seafood market. Parent companies need to be held responsible for their delocalised affiliates, subsidiaries and suppliers. Delegates felt there needs to be enforcement of codes of ethics and products sold, particularly in accordance with the living wage, ILO c188 while challenges associated with migration and trade union association. This applies not only to EU countries and their

connections, for example, Norway is not in the EU, but subject to many of the EU regulations. The importance of Norway should not be overlooked as many relevant large companies have their head offices in Norway and it can influence EU policy.

The subject of Producer Organisations (POs) was raised; could they be a way to connect, collectively, to fishermen and, if so, how can the unions partner with Producer Organisations (POs)?

**A full stakeholder mapping exercise needs to take place identifying all potential partners and noting the connections, benefits and risks**

### 3. Adding the Social Dimension to EU Regulatory Instruments (CFP and other)

*Mainstreaming social sustainability in EU policy, alongside environmental and economic*



The unions must convince the European Commission to add the social dimension as an objective of the CFP if sustainability is the overall goal. Once it is included and there are targets similar to those for the environment and economy, then the social dimension will be a regular part of the dialogue at all levels. Delegates felt that the current situation is that the European Commission (EC) promises to include the social, but does not deliver. It seems that, in the decision-makers' eyes, social is the lowest priority and it should be equally considered, at least.

Examples of where social issues and workers' rights need to be included and considered (in terms of impact of non-social regulations):

- Social elements must be added to third country agreements (including both trade and fishing access) and their enforcement must be ensured. For example, a law protecting 300,000 workers in the Philippines was coming into practice (as per the GSP+<sup>2</sup> agreement), but as a result of a change in government, the law was scrapped. The EU had to threaten to take back the GSP+ in order for the legislation to be put back on the table – providing example of how strong EU action can help enforce or embed better human rights practice.

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<sup>2</sup> The GSP+ is a component of the EU Generalised Scheme of Preferences ('GSP') for developing countries. It offers additional trade incentives to developing countries already benefitting from GSP to implement core international conventions on human and labour rights, sustainable development and good governance.

- The human factor must always be present in EU fisheries related regulation. For the catch sector it is a priority to ensure safety on vessels, that everyone is safe and has a good living condition.
- Whenever there is a committee relating to DG MARE that has an impact on working conditions, the social partners should provide their opinions before actions are taken. If a decision is found to be socially unfavourable then the decision can be challenged and stopped.

Presently, even when impact assessments are undertaken, the Commission does not properly take account of the social dimension (continuing to focus on environmental and economic interests and impacts).

**Trade unions need to be a 'go to' consultant on the social impacts of regulations and carry influence and social impact studies need to be mandatory part of regulatory development.**

Delegates cited an example of trade union reports not being accepted by CFP decision-makers in relation to the discard ban, The Mediterranean Advisory council and the impact of discards on economic resources and employment. Unions proposed management plans, but these decision-makers denied even having received them thus they were not considered.

**As part of developing the case for trade unions voice to be given greater strength in ACs it would be useful to establish how many recommendations have been presented by the trade unions to ACs and of those which/how many had impact on the outcome.**

With regard to the import of seafood it was felt that there should be a process or rule that would restrict market access for companies associated with human rights issues.

Currently there is no way to punish a company rather than a whole country, for example in the IUU regulations. There is no way to punish only the player (company) rather than the whole team (country). An advisory body that is considering social and labour issues could include a tri-partite organisation between companies, unions and the governing body who meet regularly to consider social issues and how they can be resolved. The social dialogue already exists relating to this, previously there was a function but it was lost when the ACs were set up.

**There is a need to establish what was lost from the setting up of the ACs. There could be a more effective body set up for protecting social sustainability in the next reform of the CFP.**

#### **4. Applying Conditionality**

##### *Linking decent working conditions to market access*

Delegates felt that creating conditionality around issues related to social issues and workers' rights needs to be built and embedded, in the same way that environment and economics are accepted as conditions of access to a range of activities.

Those that do not meet the central social conditions should not receive EU funds or be allowed to operate within the sector.



There could be a sanction process that excludes non-compliant companies. Access to funding could be conditional upon having assurances in place such as collective bargaining agreements, contracts in place and training i.e. for safety. Applicants to funds or access to import markets would need to demonstrate what they have in place.

Examples of how this might work could include lack of access to quotas unless agreed social/worker criteria are demonstrated and upheld, while third countries would need to demonstrate adherence to the same level of social and worker criteria. A yellow/red card to block quota allocation or market access for non-compliance (in the same way that the IUU Regulation does for environmental ones, but at a company level, not country level).

It is critical that all EU member states are required to apply ILO c188 to law and for the EU to require all trading partners to also apply it or face sanctions / conditions. It may be possible to use the same method yellow/red card process. Delegates felt that the three international references need to be the references that are pointed to are ILO c188, IUU fishing and decent work as discussed at the COFI meeting using these definitions. Additionally the 2009 coastal states agreement allows control of vessels of a third country so that a port state can investigate third country vessels. The relationship between IUU and ILO c188 needs to be further defined; the COFI meeting in July 2018 discusses these further.

**Trade unions need to support and ensure international agreements are implemented i.e.: ILO c188**

**Trade unions need to identify where ILO c188 should be included, in addition to national legislation, to shore up all round compliance. For example, within the existing IUU regulations and in ports' authorities**

**Trade unions need to better understand the international business of flagging of vessels and if there is opportunity to influence the way in which sanctions are applied**

There is a need for regulation to control labour conditions on vessels which carry the flag of other countries. There are other forms of IUU fishing that are less visible but they also have impacts on small-scale fisheries.

Delegates highlighted another weakness in the CFP is around the ability to sanction foreign vessels when in port. An example is an instance of a foreign vessel in France with tuna that had been fished illegally. There was finally a financial penalty imposed, but it took a lot of work to do so. This was because the CFP sanctions can only be applied in the country whose flag the vessel is flying.

Often there is a lack of enforcement by flag states and weakness of the control agency. Delegates proposed that a solution that could be explored would be for ILO c188, once ratified by a country, to be applied to all fishing vessels that enter a port in that country.

## **5. What can the Trade Unions do to promote Social Sustainability?** *How to force action?*

Strikes, often used by trade unions and their members to force action, are difficult in the fisheries sector, so how can trade unions take the initiative to influence society around social sustainability?

Organisations have been working for many years around environmental and sustainability issues with success leading to changes in policy. Trade unions can study and learn from these successes of the NGOs, their lobbying and campaigns to identify which elements the unions could use, which are more suited to their own expertise within the confines of the resources available. Engaging with initiatives such as the Consumer Goods Forum, which has chosen social issues in seafood to be their focus, can help to push the unions' agenda.

One of the first thing such NGOs and campaigners do is to ensure they understand their audience – who has authority to act, is it policy makers, businesses or seafood consumers?

To campaign effectively it is important to be organised. An example was given from Norway, where the unions made an agreement with the retailers that all seafood they buy must meet a social standard. So seafood must meet this agreement or the buyer drops the product, such as with tuna from Asia which was dropped immediately by the retailer after it was found not to meet the ethical standard. It was noted following this example that buyers must also ensure they are paying a fair price to meet increased social requirements or workers may suffer at source.

Agreements could be made with large seafood companies that require unions to be involved in all their discussions around social policy, for example in the UK where the union collaborated with a large seafood processor - Nomad. Unions know that Nomad have their own auditing process for their own supply chains and as such will only work with companies that follow the 'Nomad' best practice policies.

The ILO instruments and collective agreements may be the most powerful tools the unions currently have. Instruments of ILO 188 are part of the solution in the shorter term.

**Trade Unions could form a committee around ILO c188 to agree where it should be implemented and appropriate sanctions in place of non-compliance, presenting this – with evidence – to regulators, businesses, carefully identified partners, standard holders**

It was suggested that the unions could apply a minimum set of standards for foreign labour, such as a collective bargaining agreements and minimum wages. There are examples of when workers do not have the opportunity to exercise their rights. As a solution global framework agreements can be exercised between unions and global companies to include the rights in contracts for all workers. There are none of these agreements in place at the moment for seafood.

**Trade unions can create proposals, and evidence, associated with best practice in recruitment of workers and example contracts**

Trade unions have a challenge in influencing the consumer market; even if it were possible, changing the market will only have limited effect in changing the situation because consumers are often happy with cheap products. However, consumers can play an important role and trade unions could recognise private sector standards, e.g. the Spanish social standards such as AENOR. Are the unions happy to endorse the AENOR standard for companies to only purchase from fishing vessels meeting this standard? Or the Global Seafood Assurance Seafood Processing Plant standard – is this sufficient as an interim (pre sufficient regulation) processing plant worker standard.

**Providing tools and solutions to the private sector, particularly around Best Practice, ahead of sufficient regulations, can demonstrate and create trust and change**

It is important for trade unions to use and notice where they can already actively participate in places of influence. For example, trade unions are allowed to participate in delegations of the ILO so unions can play a role. Trade unions bring a unique role in this arena, representing the worker, something that no-one else can do and this needs to be better communicated to stakeholders so greater value is demonstrated by engaging with trade unions.

Trade unions can also become more active, seeking and creating opportunity to visit vessels, factories, fish farms, speak with workers looking to learn where action is needed. They can take an x-ray of the situation and act accordingly and strategically in the best interests of workers. Through collaboration with the processing sector influence can be increased, however self-control must be promoted in addition to those performed by the authority in order to maintain trust and access.

Unions can be involved in labour inspections and since they are part of the workplace can have more positive impacts than a third party. There are examples in Thailand, where they inspect factories, farms etc. It is recognised that NGOs visit such places, but they do not have the same aims or expertise of trade unions. For example, the rights (in ILO) were won by trade unions, not NGOs. Unions can address labour conditions so the workers can speak for themselves. The voice of the workers is what is valuable. NGOs are only necessary when there is no voice, such as in slave labour situations (or on behalf of the environment). Unions can take the lead, but working with NGOs on the ground such that their work can leverage each other and 'be greater than the sum of the parts' – each acting where they have most influence and expertise, with agreed common objectives.

Trade unions can bring cases of poor labour practices to the attention of stakeholders, but historically this has not resulted in action. There have been efforts to bring these cases to DG MARE but without success as there is no effective mechanism to enable this. Direct action in bringing cases to the attention of stakeholders is also possible, with cases such as:

- In the Ivory Coast, 2016 where workers lost their jobs, were not paid their bonuses and continued to fight. This was an EU-based company.
- A similar situation in a processing facility in Agadir where 700 people were laid off and their families suffering. Union leader prosecuted. The company is an exporter to the EU.

Unions bring relevance to the table and connect to various components in the industry. Unions can provide up to date information on worker welfare or other factors. Unions have the unique ability to engage quickly with the workers and bring relevant statistical information to the table.

Unions have the ability to face (and meet) delegations sent by the authority or company buyers and tell them directly about labour abuses. For example, when the EU went to General Santos in the Philippines to discuss seafood trade, IUU etc., they were met at the airport by seafood workers campaigning for their rights. Striking at factories when auditors or buyers from companies are visiting can also send a strong message.

**Unions need to agree their unique expertise and for whom this would be compelling and enable access, achievement of objectives**

**Unions could work on an agreed mechanism for raising social issues and workers' rights infractions at an EU level, that would result in sanctions.**

## **6. The need for data to push specific issues and strategic concerns**

*More, better and meaningful social data needed to demonstrate social impacts*

There should be analysis of the amount of jobs that have been lost over time, to show the impact of CFP on the social dimension. There is a document called 'In search of the social dimension of CFP', Giorgio Gallizioli, appointed to a union and so representing the workers. The project should make use of his experience and knowledge. Regarding the social dimension there are some anti-social parts to the regulations, for example that vessels are required to land the catch (discard ban / landing obligation). Thus far, communications with the Commission on this have been difficult.

In 2015, the French maritime committee were given certain conditions about how they will fish. They found wages dropped, presented in a report that is under review. In 2017, the commission denied this despite being presented with the analysis previously. Since the discard ban was not based on science there is not a reason for it and it has a high social cost. In this situation, real data was provided to DG MARE who in this instance to no action on it.

**Data is needed around the impacts of policies, such as the discards ban, to show the social cost.**

Some regulations appear to hide behind complex or inaccurate language. The terms used need to be clarified as they contribute to misunderstandings (and excuses) around the social dimension. For example the CFP does not talk about 'fishers', and uses terms that excludes people. Another example is reference to small-scale fisheries, which does not hold the same definition in all EU countries. There is a problem of definitions in the CFP that leads to confusion. This might be resolved by looking at FAO definitions or characteristics of a fishery rather than specific criteria.

**Definitions that favour social sustainability of small-scale fisheries, fishers and so on are important to prevent misinterpretation being an excuse for exclusion or inaction.**

## **7. Enforcing Regulations on External EU Fleets**

*Enforcing regulations on EU vessels operating outside of EU waters*

A need exists for member states to enforce regulations on external fleets. CFFA made a presentation focussing on how trade unions interest in ensuring fish products coming onto the EU markets, either caught by EU distant water fishing fleets or third countries fleets, meet with decent working conditions standards. In that context, it is interesting to look at how the EU IUU regulation was developed between 2006 and 2010, and see the lessons that can be drawn from it for developing a new EU regulation to ensure fish consumed onto the EU markets would meet decent working conditions standards.

CFFA highlighted three elements that helped develop the IUU regulation: documentation of concrete cases of abuses (mainly by NGOs like Greenpeace, EJF, CFFA); a consensus amongst stakeholders (industry, NGOs, trade unions, consumers organisations) that such regulation on IUU was necessary; an important awareness of the EU institutions (with in particular, an 2008 initiative report from the

European Parliament on the proposal for a Council regulation establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.<sup>3</sup>

Nowadays, these same conditions (documentation of abuses re: working conditions, consensus amongst stakeholders, awareness of EU institutions) exist, which underlines the possibility for trade unions and allies to push for a new regulation to ensure products coming onto the EU markets meet decent working conditions production standards. In particular, the new EU Directive to implement ILO Convention 188 on working conditions in the fishing sector, adopted thanks to the joint work of ETF and Europeche, and the European Parliament 2018 initiative report on Conformity of fisheries products with access criteria to the EU market.<sup>4</sup>

Allies to push for such development can be found amongst stakeholders active on EU distant water/international trade issues, in particular in the EU Advisory Committee on Distant water fishing.

The working conditions standards for products caught by EU Distant water fleets can be addressed mainly in the context of the Sustainable Fisheries Partnership Agreements (SFPAs). Current SFPAs contain a social clause, which needs to be strengthened to ensure it is fully implemented. Social impacts of SFPAs, for both EU and third countries fishers, should be given more emphasis in EU Ex ante and Ex post evaluations of SFPAs. Similarly, social aspects, in particular related to decent job creation in third countries coastal communities, should be given more attention in the SFPAs financial contribution under sectoral support. Finally, social issues related to SFPAs could be raised from the start of the negotiation process, when the EU Council of Ministers gives a written mandate to the European Commission, highlighting the elements to be taken into account during the SFPAs negotiations.

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<sup>3</sup> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A6-2008-0193+0+DOC+XML+V0//EN&language=en>

<sup>4</sup> <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2018-0223>