

## POSITION PAPER

November 2017  
(updated March 2019)

### **The need for guidelines on the content of the Basic Safety Training for All Fishing Vessel Personnel in the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F) of the International Maritime Organisation (IMO).**

#### **Background**

- The instrument for the mutual recognition of certificate of competency for fishers is the International Maritime Organisation's Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995. (STCW-F Convention)
- The STCW-F Convention states in chapter III: Fishing vessel personnel shall, before being assigned to any shipboard duties, receive basic training approved by the Administration in the following areas:
  - .1 personal survival techniques, including donning of lifejackets and, as appropriate, immersion suits;
  - .2 fire prevention and fire fighting;
  - .3 emergency procedures;
  - .4 elementary first aid;
  - .5 prevention of marine pollution; and
  - .6 prevention of shipboard accidents.

#### **Policy Action**

- Submit the 'Syllabus on the general objectives for IMO STCW-F Basic Safety Training For All Fishing Vessel Personnel' of the FISH Platform as basis for discussion to the IMO.
- Compose guidelines on the IMO STCW-F Basic Safety Training for Fishing Vessel Personnel during the revision of the STCW-F at the IMO Subcommittee on Human Element, Training and Watchkeeping.

#### **What is the STCW-F?**

Members at the International Maritime Organisation (IMO) had the desire to further promote safety of life and property at sea and the protection of the marine environment by establishing in common agreement international standards of training, certification and watchkeeping for personnel employed on board fishing vessels. This desire has been accomplished with the establishment of the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F 1995).

The 1995 STCW-F Convention sets the certification and minimum training requirements for officers of seagoing fishing vessels of 24 metres in length and above and the basic safety training for all fishing vessel personnel.

The STCW-F Convention is the first to establish basic requirements on training, certification and watchkeeping for Fishing Vessel Personnel on an international level. The Convention prescribes minimum standards relating to training, certification and watchkeeping for Fishing Vessel Personnel, which countries are obliged to meet or exceed.

**What does the STCW-F contain?**

The STCW-F Convention is comparatively short and consists of 15 Articles and an annex containing technical regulations in four chapters:

- Chapter I contains General Provisions;
- Chapter II deals with Certification of Skippers, Officers, Engineer Officers and Radio Operators;
- Chapter III deals with basic safety training for all fishing vessel personnel; and
- Chapter IV deals with watchkeeping.

**When did the STCW-F entered into force?**

The STCW-F was adopted on 7 July 1995 and entered into force on 29 September 2012.

To the date of 12 September 2017 the following IMO Member States have ratified the STCW-F:

- Canada;
- Congo;
- Denmark;
- Iceland;
- Kiribati;
- Latvia;
- Lithuania;
- Mauritania;
- Morocco;
- Namibia;
- Norway;
- Palau;
- Poland;
- Portugal;
- Russian Federation;
- Saint Lucia;
- Sierra Leone;
- Spain;
- Syrian Arab Republic; and
- Ukraine.

The following Associate Members of the IMO have ratified the STCW-F:

- Faroe Islands.

**Who does the STCW-F apply to?**

The STCW-F applies to all fishers on board fishing vessel, flying the flag of a country that ratified the STCW-F Convention. However, in implementing the provisions of in Chapter III of the Convention on basic safety training for all fishing vessel personnel, the Administration shall determine whether and, if so to what extent, these provisions shall apply to personnel of small fishing vessels or personnel already employed on fishing vessels.

The STCW-F Convention has no definition of fisher or fisherman. Besides the use of terminologies like skipper, officer, officer in charge of a navigational watch, Engineer officer, etc., there is no definition for either deckhands or more general for fisher. Instead of fisher the Convention uses terminology like 'All fishing vessel personnel', as they do for the requirement to receive an approved basic safety training (Chapter III of the STCW-F).

The requirements in the STCW-F Convention do not apply to fishers on board vessel flying the flag of a country that has NOT ratified the STCW-F Convention. Countries may voluntary apply the standards in the STCW-F Convention to the fishers onboard vessels under their jurisdiction, however the issued certificates by this country concerned may not contain the STCW-F recognition.

**Does that mean all fishers are covered by the requirements in STCW-F?**

The IMO stated in the report 'Descent work for migrant fishers' (TMIMF/2017) that 38 million people in the world are involved in the capture of fish. These fishers do not only work on fishing vessel flying the flag of the origin of the fisher. Many fishers work on fishing vessel under the regime of a country other than the origin of the fisher.

As not all fishers work aboard a fishing vessel flying the flag of a country that has ratified the STCW-F convention, not all fishers are covered by the requirements of the STCW-F.

**Does the requirement in the STCW-F to have a basic safety training for all fishing vessel personnel safeguard an equivalent training for fishers from countries that ratified the STCW-F?**

Chapter III of the STCW-F only gives clarification on what topics need to be addressed in the Basic Safety Training and that the receive basic training needs to be approved by the Administration. The Basic Safety Training for All Fishing Vessel Personnel should contain the following areas:

- 1) personal survival techniques, including donning of lifejackets and, as appropriate, immersion suits;
- 2) fire prevention and fire fighting;
- 3) emergency procedures;
- 4) elementary first aid;
- 5) prevention of marine pollution; and
- 6) prevention of shipboard accidents.

There is no further guidance on the content of the STCW-F Basic Safety Training. Administrations can follow their own policy and insight.

The consequence of this is that, although the STCW-F is meant to be an instrument for mutual recognition of certificates based on a minimum level, there is no prescribe minimum level for the STCW-F Basic Safety Training. Therefore the content of the STCW-F Basic Safety Training a mutual recognised certificate is issued for, can vary from country to country both on the underlying topics in each area as well as in the depth at which a topic is addressed. Also, no direction has been given in which areas theoretical and which areas practical training is required.

**Why is a level playing field important?**

A minimum level on the content of the Basic Safety Training for All Fishing Vessel Personnel is needed to know what minimum safety training a fisher from a country other than the flag of the vessel has received before this fisher is employed or engaged onboard the fishing vessel.

Absence of minimum requirements on safety and health or level playing may lead to a competitive business model that might jeopardise the safety and health of fishers.

**What is the relevance to Sustainable Fisheries Partnership Agreements**

EU Sustainable Fisheries Partnership Agreements (SFPA's) are intended to allow EU fishing vessels to fish for surplus stocks in the exclusive economic zone (EEZ) of third countries in a legally regulated way. These SFPA's may require a number or percentage of the crew to be from the origin of the country that opens its EEZ for fishing activities. Additionally, the ship owner may be required to appoint these crew members in positions reflecting all positions aboard the vessel.

Due to flag state requirement, all fishing vessel personnel, regardless their nationality, need to meet the minimum requirements in education, training and medical fitness in respect of the safety of life and property at sea and the protection of the marine environment. The standards in the STCW-F can help to set a minimum level playing field with respect to training, certification and watchkeeping for those countries that have ratified the Convention. This also applies to the requirements regarding the basic safety training for all fishing vessel personnel.

**What can be used as source for the content of the Basic Safety Training in the STCW-F?**

In the maritime industry there is an equivalent convention to the STCW-F for the shipping industry. This convention is named International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW) and includes a Basic Training. The STCW has the same intention as the STCW-F and the STCW gives guidance on the content of the Basic Training. However, the STCW is not establish to be applied to fishers and therefor the specific characteristics of the fishing industry are not taken into account during the deliberations on the content of the Basic Training in the STCW.

In addition, it should be taken into account the fact that delegation members at the IMO, involved in the deliberations and negotiations on the content of the Basic Training in the STCW, might not have the expertise in fishing as they have in commercial shipping and therefore not be able to identify and address relevant issues related to fishing. In several countries, this expertise is the jurisdiction of another ministry.

**What could be a solution?**

Currently the International Maritime Organisation (IMO) is revising the STCW-F in the Subcommittee on Human Element, Training and Watchkeeping (HTW). This situation creates an opportunity to include guidance on the content of the Basic Training for All Fishing Vessel Personnel as required according Chapter III of the STCW-F.

The FISH Platform, with multi expertise in training, safety and the fishing process developed a syllabus on the content of IMO STCW-F Basic Safety Training for All Fishing Vessel Personnel. This document could be used as basis for deliberations in IMO HTW on the basic safety training.

**Why doesn't send the FISH Platform the syllabus to the IMO?**

Documents for deliberations during official meetings of the IMO, like meetings of Subcommittee HTW, need to be submitted by Member States or recognised NGO's at IMO.

The FISH Platform has tot status of NGO at IMO and is therefore not allowed to submit documents.

**Needs the content of the basic safety training for fishers to be completely different from the safety training for seafarers?**

To accommodate (employed, self-employed or engaged) workers in the maritime industry to work in either fishing as in commercial shipping, interchangeability of certificates is desired. However, the existence of different conventions for shipping and fishing that aim at the same purpose in terms of content underlines the specific characteristics that reflects the fishing industry and the need for specific regulation.

The specific characteristics of the fishing industry and conditions aboard fishing vessels require to have specific attention on the content of the basic safety training of fishing vessel personnel.

The legally required safety equipment on board ships may differ for shipping and fishing by the application of different conventions. This also requires further attention with regard to the content of basic safety training related to the required safety materials onboard.

Naturally, where content of both basic safety training can be similar, like on items as the fire triangle or the application of the recovery position, an equal approach and equal wording should be pursued.

**What action should be taken?**

Taking into consideration:

- there are no guidelines on the content of the IMO STCW-F Basic Safety Training for All Fishing Vessel Personnel;
- STCW has guidance on the Basic Training;
- STCW does not apply to fishers;
- for the content of the STCW Basic Training the application to fishers has not been taken into account;
- the specific legislation for fishing vessels and fishers and the specific characteristic of the fishing industry requires specific attention to the content of a basic safety training;
- content of the IMO STCW-F Basic Safety Training for All Fishing Vessel Personnel is determined by Member States to the IMO ; and
- the standing orders of the IMO require documents officially to be submitted by Member States or recognised NGO's at IMO before taking these documents into account and available for deliberations in the official meeting of the IMO.

The FISH Platform is of opinion that:

- Member States at IMO should take note of the syllabus on this topic composed by the FISH Platform.

Therefore the FISH Platform calls on Member States and NGO's at IMO to submit the FISH Platform Syllabus on the general objectives for IMO STCW-F Basic Safety Training For All Fishing Vessel Personnel as document for deliberations during IMO HTW 6, 29 April – 3 May 2019.

**Further information**

For more information about this Position Paper and the work of the FISH Platform, please contact:

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**Related reading**

- International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F)
- FISH Platform syllabus on IMO STCW-F Basic Safety Training for All Fishing Vessel Personnel.  
(See <http://www.fish-platform.eu/library.php>)