



International
Labour
Organization



► Forced labour in commercial fishing



The latest global estimates of 2021 identified at least 128,000 victims of forced labour in the fishing industry. Due to the isolated nature of the sector, the actual figure is likely to be higher.



► Introduction

In 2020, the global consumption of fish was equivalent to 157 million tonnes¹ and is expected to grow to 182 million tonnes by 2032.² Many stakeholders participate in the process that brings fish to the table, and workers across all continents are involved in this industry and the two main forms of fish production: commercial fishing and aquaculture. Forced labour is a challenge in the sector, particularly in commercial fishing, as documented by two ILO studies.³ Over time, in addition to existing labour standards on forced labour which protect all workers, specific labour standards have been adopted to improve working conditions for fishers, such as the [ILO Work in Fishing Convention, 2007 \(No. 188\)](#) and its accompanying [Recommendation \(No. 199\)](#).

On the ground, several technical cooperation projects have been and are currently being implemented to address the specific challenges that fishers are facing. These projects take place in different countries, notably in major countries of origin of fishers as well as in some other strategic places such as important port States or coastal States. The ILO's [8.7 Accelerator Lab](#) is an initiative that seeks to accelerate the fight against forced labour in the fishing industry, by replicating promising practices and identifying new solutions.

This factsheet provides background information on the fishing industry and some of the inherent challenges of work in fishing. It aims to help professionals interested in this issue raise their understanding on the specific decent work deficits in this industry, the peculiarities of forced labour in fishing with regard to other sectors, and some important related issues such as social protection. It is supplemented by other documents developed by the ILO, including the factsheet [Reporting Forced Labour in Commercial Fishing](#) for journalists and communicators, and the teaching resource [Decent Work in the Fishing Industry](#) for business school lecturers.

1 FAO, [The State of World Fisheries and Aquaculture 2022](#), 2022.

2 OECD and FAO, [OECD-FAO Agricultural Outlook 2023-2032](#), 2023.

3 ILO, [Caught at Sea: Forced Labour and Trafficking in Fisheries](#), 2013; ILO, [Fishers First: Good Practices to End Labour Exploitation at Sea](#), 2016.

► What is work in fishing?

Key concepts, figures and definitions

Commercial fishing, whether inland or in marine waters, currently represents the main source of fish in the world. In 2023, out of the 185.4 million tonnes of fish produced globally, 90.7 million tonnes (48.9 per cent) came from commercial fishing.⁴ Commercial fishing is defined by the ILO Convention No. 188 as follows: **“Commercial fishing means all fishing operations, including fishing operations on rivers, lakes or canals, with the exception of subsistence fishing and recreational fishing.”**

The remaining 82.6 million tonnes of fish are produced through aquaculture, which is defined by the Food and Agriculture Organization of the United Nations (FAO) as follows: **“The farming of aquatic organisms including fish, molluscs, crustaceans and aquatic plants. Farming implies some sort of intervention in the rearing process to enhance production, such as regular stocking, feeding, protection from predators, etc. Farming also implies individual or corporate ownership of the stock being cultivated, the planning, development and operation of aquaculture systems, sites, facilities and practices, and the production and transport.”**⁵

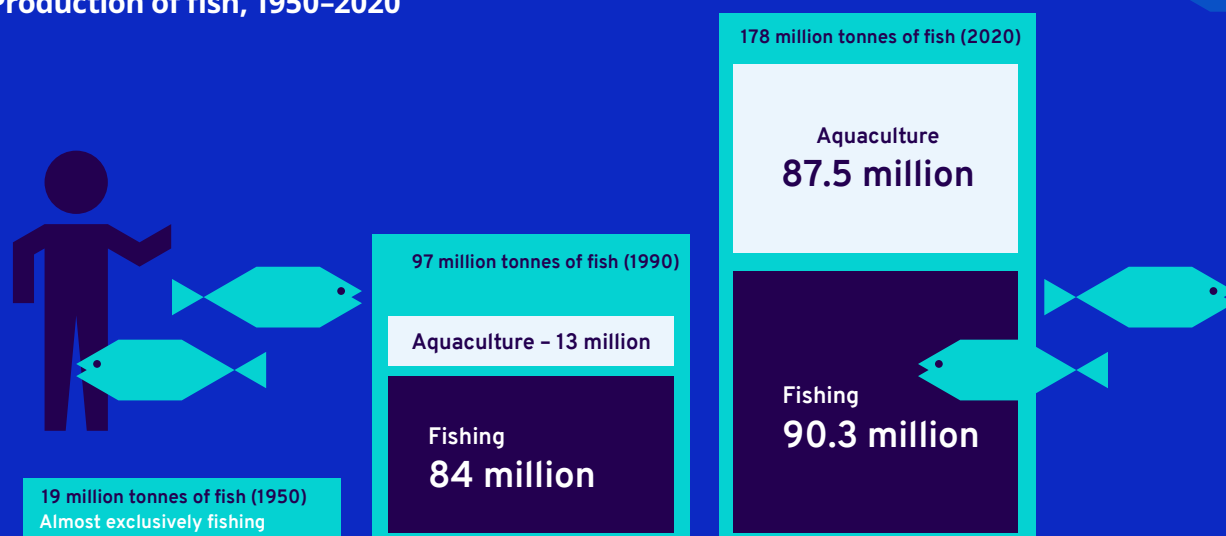
Production in the sector comprising commercial fishing and aquaculture has been increasing steadily since 1950 (see figure 1). Up until the 1990s, the growth was mainly driven by the increase of commercial fishing. Since then, the growth is largely related to the rise in inland and marine aquaculture.

Seven countries account for almost 50 per cent of commercial fishing in marine waters:⁶

1. China
2. Indonesia
3. Peru
4. India
5. Russian Federation
6. United States of America
7. Viet Nam

Figure 1.

Production of fish, 1950–2020

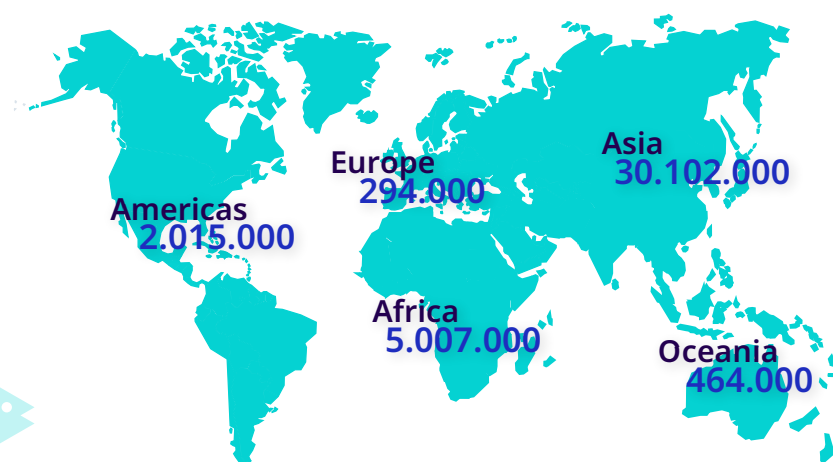


4 OECD and FAO, *OECD-FAO Agricultural Outlook 2023-2032*, 2023.

5 FAO, 2022.

6 FAO, 2022.

Figure 2.
Fishers by Region, 2020



► Legal frameworks

Since November 2017 and the entry into force of ILO Convention No. 188, fishers whose countries have ratified the Convention are protected by a dedicated instrument. The main objective of the Convention No. 188 is stated in its Preamble: **“to ensure that fishers have decent conditions of work on board fishing vessels with regard to minimum requirements for work on board; conditions of service; accommodation and food; occupational safety and health protection; medical care and social security”**.

As of 1 April 2024, 21 countries have ratified the Convention.⁷

The Convention No. 188 sets out some important requirements to ensure decent work for fishers. Article 8 establishes that fishing vessel owners have the overall responsibility to comply with the obligations of the Convention. It also highlights the responsibility of the skipper of the vessel as he/she is the person in command on board (labour abuses are often perpetrated by or on the order of the skipper). Article 8 also states that: **“The skipper shall not be constrained by the fishing vessel owner from taking any decision which, in the professional judgment of the skipper, is necessary for ... the safety of the fishers on board.”**

Several articles relate to working and living conditions at sea and ashore, upholding important occupational safety and health standards. Other key provisions related to fundamental principles and rights at work include:

- **Child labour:** “The minimum age for work on board a fishing vessel shall be 16 years.” (Article 9)
- **Forced labour:** “that no fees or other charges for recruitment or placement of fishers be borne directly or indirectly, in whole or in part, by the fisher”. (Article 22). This article aims to prevent debt bondage situations, notably for migrant workers.

As for any international labour standard, the Convention is backed by the ILO supervisory system that helps to ensure that countries implement the Conventions they ratify. The supervisory bodies regularly examine the application of standards in Member States and point out areas where they could be better applied. If there are any problems in the application of standards, the ILO seeks to assist countries through social dialogue and technical assistance. Observations and direct requests made by the supervisory bodies are a useful resource to identify shortcomings or areas of improvement in the implementation of Convention No. 188.⁸ Box 1 gives a historical overview of ILO standards adopted over the last century.

⁷ Angola, Antigua and Barbuda, Argentina, Bosnia and Herzegovina, Congo, Denmark, Estonia, France, Kenya, Lithuania, Morocco, Namibia, Netherlands, Norway, Poland, Portugal, Senegal, South Africa, Spain, Thailand, United Kingdom. Updated information on ratification by country can be found on the [NORMLEX](#) database.

⁸ Comments on the ILO Work in Fishing Convention can be found on the [NORMLEX](#) database.

Box 1. Seamen, seafarers and fishers

The ILO has been developing standards related to workers at sea for over a century and the terminology used to refer to these workers has changed over time.

Seamen: Shortly after the founding of the ILO, several Conventions were adopted: the Minimum Age (Sea) Convention, 1920 (No. 7), the Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8) and the Placing of Seamen Convention, 1920 (No. 9). In these instruments, workers were referred to as “seamen”, defined as “all persons employed on any vessel engaged in maritime navigation”. A few years later, additional instruments were ratified: the Seamen’s Articles of Agreement Convention, 1926 (No. 22) and the Repatriation of Seamen Convention, 1926 (No. 23). While those instruments still referred to seamen, Article 1 of both Conventions stated that they did not apply to fishing vessels, therefore excluding fishers from their requirements.

Seafarers: After World War II, numerous maritime instruments were drafted, and the word “seamen” was gradually replaced by the word “seafarers”. Most of these instruments included a specific article indicating whether the requirements applied to fishers or not. In 2006, the ILO adopted the Maritime Labour Convention, 2006 (MLC) which revised 36 prior maritime Conventions and one Protocol. The MLC applies to seafarers and not to fishers, the latter being covered by the Work in Fishing Convention, 2007 (No. 188).

The **Work in Fishing Convention, 2007 (No. 188)** is supplemented by three additional resources, developed with key stakeholders such as representatives of governments, fishing vessel owners and fishers’ representatives:

- ▶ The **Work in Fishing Recommendation, 2007 (No. 199)** provides guidance on matters covered by the Convention.
- ▶ The **Guidelines for Port State Control Officers**⁹ provide additional information and guidance to port State administrations.
- ▶ The **Guidelines on Flag State inspection**¹⁰ aim to assist States in effectively exercising their jurisdiction and control over vessels that are entitled to fly their flag.

Other ILO instruments, which apply to all sectors, protect fishers from exploitative working conditions. They include Conventions, Recommendations and Protocols on topics such as forced labour, child labour, migrant workers, or private employment agencies.¹¹ Within these instruments, the recently adopted **Protocol of 2014 to**

the Forced Labour Convention, 1930 is particularly relevant and helps countries fill gaps in their legislation and practices.¹²

The international legal framework on labour standards in fishing is complemented by other instruments from the FAO and International Maritime Organization (IMO):¹³

- ▶ **Agreement on Port States Measures to Prevent Deter and Eliminate Illegal, Unreported and Unregulated Fishing**, FAO, 2009 (PSMA), which entered into force in 2016.
- ▶ **International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel**, IMO, 1995 (STCW-F), which entered into force in 2012.
- ▶ **Cape Town Agreement**, IMO, 2012 (CTA) on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, which has yet to enter into force.

9 ILO, *Guidelines for Port State Control Officers Carrying Out Inspections under the Work in Fishing Convention, 2007 (No. 188)*, 2010.

10 ILO, *Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels*, 2017.

11 The ILO *historical timeline* presents relevant ILO instruments.

12 See ILO, “*How an ILO Protocol Has Helped Combat Forced Labour in Thai Fishing*”, January 2020.

13 FAO, “*Joining Forces to Shape the Fishery Sector of Tomorrow: Promoting Safety and Decent Work in Fisheries through the Application of International Standards*”, 2021 presents all four instruments.

Progress in recent years

While the pace of ratification of fishing-related international instruments has been quite slow, delaying their entry into force, some countries have been proactive in adopting national legislation to protect fishers.¹⁴ This has been done mainly through maritime law (merchant shipping law), as in many countries fishers are a subset of the broader concept of seafarers or through collective agreements that are negotiated at the national level through employers' organizations and unions. In 2016, the ILO reviewed initiatives to end labour exploitation at sea.¹⁵ This study listed good practices from flag, coastal, port and market States. It also highlights examples of regional and international cooperation and promising practices stemming from the work of **regional fisheries bodies (RFB)**.¹⁶ RFBs are organizations through which different parties work on the conservation, management or development of fisheries. Some RFBs operate at the regional level on all types of fisheries (such as the North East Atlantic Fisheries Commission – NEAFC) while others focus on specific species (such as the Indian Ocean Tuna Commission – IOTC). Recent initiatives include the following:

- ▶ In 2018, members of the Western and Central Pacific Fisheries Commission (WCPFC) adopted a Resolution on Labour Standards for Crew on Fishing Vessels.
- ▶ In 2021, members of the International Commission for the Conservation of Atlantic Tuna (ICCAT) adopted a resolution during their annual meeting leading to the creation of an *ad hoc* working group to examine labour standards in ICCAT fisheries.¹⁷

Following FAO technical consultations, regional calls for action have also been made recently.¹⁸

Box 2. Bilateral labour agreements to protect migrant fishers

Migrant fishers are defined as fishers working on board a fishing vessel flying the flag of a country other than that of their own nationality or country of permanent residence. Within the broader group of fishers, migrant fishers are particularly vulnerable to abuse and discrimination. To address this situation, in 2007 the ILO adopted the Resolution concerning promotion of welfare for the fishers, stating that the Organization should “promot[e] the provision of effective social protection and social security to all fishers [...]”.

A decade later, the ILO convened a tripartite meeting (involving governments, and employers' and workers' representatives) on migrant fishers.¹⁹ Among the conclusions, the stakeholders stressed the importance of **bilateral labour agreements** (BLAs) to address migrant fishers' issues. Through BLAs or multilateral labour agreements, States agree on a common framework regulating the mobility of migrant workers.²⁰ Provisions vary from agreement to agreement and can cover issues such as recruitment, equal treatment, or social security.

14 National legislation on fishers can be accessed on the [NATLEX](#) database.

15 ILO, *Fishers First: Good Practices to End Labour Exploitation at Sea*, 2016.

16 A comprehensive [list of RFBs](#) and a [Regional Fisheries Bodies Map Viewer](#) are available on the FAO website.

17 International Commission for the Preservation of Atlantic Tunas (ICCAT), “[ICCAT Agreed a New Conservation Measure](#)”, 23 November 2021.

18 FAO, “[Joining Forces in the Fisheries Sector, Manila Call for Action](#)”, 2018 regarding fishing in South Asia and FAO, “[Joining Forces in the Fisheries Sector, Mahé Call for Action](#)”, 2019 regarding fishing in the Indian Ocean.

19 ILO, “[Tripartite Meeting on Issues relating to Migrant Fishers](#)”, 2017.

20 Example: Mongabay, “[Indonesia and Spain Sign Agreement to Protect Migrant Fishing Workers](#)”, 5 February 2024.



► Forced labour in commercial fishing

Forced labour is defined in the [Forced Labour Convention, 1930 \(No. 29\)](#), Art. 2, as **“all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”**.

To help practitioners identify forced labour situations, the ILO has identified eleven indicators:²¹

- Abuse of vulnerability
- Deception
- Restriction of movement
- Isolation
- Physical and sexual violence
- Intimidation and threats
- Retention of identity documents
- Withholding of wages
- Debt bondage
- Abusive working and living conditions
- Excessive overtime

While forced labour takes place across all industries, some activities are by their very nature more at risk of forced labour and labour exploitation. This is the case of commercial fishing – and more broadly fisheries – where forced labour has been documented for several decades.²² Numerous research and technical cooperation projects have been carried out in different regions to investigate this crime and tackle the egregious violations of human rights suffered by fishers.

In 2013, the ILO published the report *Caught at Sea: Forced Labour and Trafficking in Fisheries*, providing a broad overview of recent research. Two years later, in 2015, a conference was convened in Oslo to look specifically at labour exploitation in the fishing industry, leading to another important ILO report: *Fishers First: Good Practices to End Labour Exploitation at Sea*. These reports identified the realities presented in boxes 3 and 4.

²¹ ILO, “ILO Indicators of Forced Labour”, 2012.

²² Responding to the need for consolidated guidance on forced labour in fishing, ILO published the handbook [Towards Freedom at Sea: Handbook for the Detection of Forced Labour in Commercial Fishing](#), 2023.

Box 3. Links between declines in fish stocks, fisheries crime, IUU and forced labour*

- ▶ The depletion of fish stocks located in coastal regions is pushing more fishing vessels towards long-distance fishing.
- ▶ As the costs of crews increase, employers look for lower-paid labour, such as migrant labourers from less developed countries.
- ▶ More competition has a negative impact on the safety of fishers.
- ▶ There is an increasing number of transnational fishing operations, which makes law enforcement more difficult.

Note: *Inter-agency coordination on these issues is done through the FAO-IMO-ILO ad hoc Joint Working Group on IUU fishing and related matters.

Box 4. Fishers, especially migrant workers, are particularly vulnerable to deceptive and coercive employment

- ▶ By the very nature of their work and notably in the case of long-distance fishing, fishers can experience isolation, have their movements restricted and opportunities to leave the fishing vessel at sea limited.
- ▶ Fishers who experience abuse may need to wait some time before any intervention is possible. Few fishers are members of trade unions, and possibilities to communicate with family and friends will depend on the equipment aboard the vessel and access to that equipment.
- ▶ The transnational nature of some commercial fishing activities implies that fishers must often rely on the protection of the country in which the vessel is registered. Some of these registries are established in countries that are unable or unwilling to adequately protect fishers, thus leaving them in a vulnerable position (flags of convenience). Some vessels change flags on a regular basis in an attempt to avoid any control (flag hopping). A vessel that lacks proper registration, has two or more flags or has no flag, can be considered a stateless vessel.
- ▶ Large numbers of migrant workers lack possession of and access to their identity documents, making it difficult to leave their workplace. Such circumstances are especially common for those who may still owe money to their employer for registration or recruitment costs.
- ▶ Withholding of wages – notably to cover food on board or travel costs – as well as poor living and working conditions have also been identified in different studies.



► Specific challenges related to commercial fishing

Transnational dimension

An important part of the complexity of modern commercial fishing is the diversity of actors and countries involved in the industry. In preparation for the international conference on labour exploitation in fishing held in Oslo in November 2015, the ILO drafted a series of useful definitions to understand the different types of states involved, drawing from a hypothetical scenario:²³

After signing a work agreement with home state agents (A), prospective fishers will proceed across a border to agents (B), who take the fishers to a vessel in country (C), which is owned in country (D), and flies the flag of country (E). The fisher might jump ship or be abandoned by his skipper in the port of country (F).

► **Source States** are the recruitment and transit States of migrant fishers in an increasingly globalized labour market. Migrant fishers are often at higher risk of exploitation and abuse in fisheries. Identified vulnerable regions for recruitment are Southeast Asia and West Africa, but transit could take place through any port in the world. Several countries may be involved in their migration paths.

► **Flag States** have the right to confer their nationality on fishing vessels registered in their State and have primary prescriptive and enforcement jurisdiction over activities taking place on board vessels on their register. Flag States also have the right and responsibility to regulate and enforce working conditions on board fishing vessels. While most small and middle-sized vessels are flagged in their home State, larger vessels may be flagged in international open registers.

► **Coastal States** have the right to regulate fisheries or issue fishing licenses to vessels within their Exclusive Economic Zone (EEZ). Regulations and licences may include stipulations, for example on the nationality of fishers on board a vessel. In many cases, however, enforcing these stipulations may prove challenging, especially outside territorial waters. Allowing fisheries observers or the use of an electronic monitoring system (EMS) such as CCTV/cameras and sensors may be part of the fisheries regulations and access agreements.

► During transshipment or offloading of catch, harbour authorities and fisheries and labour inspectors have direct access to vessels and hence **port States** play a key role in detecting labour rights abuses on board. Migrant fishers are also sometimes stranded in port without means of repatriation. Port states may not necessarily have a large national fleet operating in its EEZ, but may rather be “hosts” to international deep-sea fishing vessels (see box 5).

► **Trade and market States** include those involved in the processing, wholesale and retail of fish and fish products. The main fish markets are found in the European Union, Australia, Japan and the United States.

Box 5. Catching fish in international waters

Commercial fishing can take place within or outside territorial waters. With the adoption of the United Nations Convention on the Law of the Sea (1982), every coastal State has the right to establish a territorial sea of a breadth not exceeding 12 nautical miles and to claim an **Exclusive Economic Zone (EEZ)** not extending beyond 200 nautical miles (370 kilometres) from the baselines used to measure the breadth of the territorial sea. Countries exercise sovereign rights for the management of marine living resources within the bounds of their EEZ and can prohibit or authorize fishing vessels from fishing within these zones.

International waters – defined in international law as **high seas** – are water areas beyond coastal States’ EEZs which represent 64 per cent of the ocean surface. In international waters, States have a duty to cooperate in the conservation and management of marine living resources, notably through the establishment of regional fisheries organizations. In terms of production, more than 95 per cent of marine commercial fishing currently takes place within territorial waters.

Source: Sea Around Us, “[Catches by Taxon in the Global Ocean](#)”, 2016.

23 ILO, “[International Expert Meeting on Labour Exploitation in the Fishing Sector in the Atlantic Region](#)”, Background paper, 2015.

Labour inspection

A fishing vessel may be subject to inspections by three different types of inspectors:

- ▶ **Labour inspectors** oversee the labour conditions of fishers.
- ▶ **Fish or fisheries inspectors** oversee the food safety, quality and legality of the fish.
- ▶ **Maritime inspectors** oversee the safety and seaworthiness of fishing vessels.

These inspectors are responsible for carrying out distinct activities and belong to different institutions. There is traditionally little coordination between their inspections. Regarding labour inspection, the nature of commercial fishing poses evident challenges with regard to observing fishers' working conditions. While inspectors play a critical role in promoting decent work, labour inspectors in fishing face a set of specific challenges in monitoring and enforcing existing legislation.

Countries do not always have a dedicated – and therefore specialized – inspection service concerning fishing vessels.

Labour inspectors may find difficulty in coming on board fishing vessels to carry out their inspections, whether because vessels are at sea for long periods of time, because of the transnational nature of commercial fishing or because fishing communities are in remote locations.

Inspectors often lack the specific training necessary to detect forced labour situations and to articulate the forced labour indicators with the specificities of work in fishing.

To improve labour inspection on board fishing vessels, the ILO has designed a dedicated training package.²⁴ The document draws on the requirements of Convention No. 188 but also on the two guideline documents for port and flag State inspections. Convention No.188 encourages States to inspect the conditions of foreign fishing vessels visiting their ports, in cases where a party to the Convention receives a complaint or obtains evidence that a vessel does not conform to the requirements of the Convention. Box 6 provides indicators of possible forced labour on board ship.²⁵

²⁴ ILO, *ILO Training Package on Inspection of Labour Conditions on Board Fishing Vessels*, 2021.

²⁵ For a comprehensive guide on detecting forced labour at sea, see ILO, 2023.



Box 6. Identifying forced labour during a labour inspection

In addition to the existing ILO indicators on forced labour, some labour inspectorates use additional criteria to detect possible forced labour situations. They can include:

Manning/crew size. Ratio of vessel crew size to the manning requirements. A low ratio leads to higher risk.

Related forced labour indicators: abusive working and living conditions, excessive overtime.

Days at sea. More days lead to higher risk.

Related indicators: restriction of movement, isolation, abusive working and living conditions.

Crew list. A mismatch between crew list numbers and actual crew count leads to higher risk.

Related indicators: abuse of vulnerability, retention of identity documents.

Hours. If records show repetitive or uniform hours records for all workers, this can mean a higher risk.

Related indicators: abusive working and living conditions, excessive overtime.

Pay. Review of bank books for up-to-date entries for wage payments. Out-of-date entries lead to higher risk.

Related indicators: abuse of vulnerability, withholding of wages, debt bondage.

Crew turnover. Calculation of turnover. A higher percentage of fishers who left/joined leads to higher risk.

Related indicators: abusive working and living conditions, deception, intimidation and threats.

Licensing, documents, taxes. Complete documents and required payments to government are measures of overall management. Missing or incomplete documents lead to higher risk.

Related indicator: abusive working and living conditions.

Social protection

Like all workers, fishers are entitled to benefit from social protection systems. According to international law, the country which has legal responsibility for regulating working and living conditions on board a fishing vessel is the flag State. Convention No. 188 provides that the State in which the fishers and their dependants reside is responsible for providing social security to them.²⁶ The flag States have shared responsibilities with the country of residence when fishers are at sea or in a foreign port.

While work in fishing is considered **hazardous work**²⁷ and is therefore recognized as being more dangerous than other occupations, many fishers encounter legal and practical barriers to accessing effective social protection:

- ▶ In many cases, fishers are not employed in their country of residence and are therefore excluded from the formal contributory schemes of their country of origin.
- ▶ In many cases, fishers do not reside in their country of employment, and are often excluded from the social security regimes of these countries.
- ▶ When fishers are covered by a social security scheme, they may face difficulties in paying their contributions as they do not have a regular income.

26 ILO, *Decent Working Conditions, Safety and Social Protection – Work in Fishing Convention No. 188 and Recommendation No. 199*, 2007. A dedicated brochure detailing decent working conditions, safety and social protection in Convention No. 188 and Recommendation No. 199.

27 Commercial fishing has long been considered as one of the most dangerous occupations. Over the 2000–2015 period in the United States, it was found that the fatality rate of fishers (117 deaths per 100,000 workers) is almost 30 times the average among all workers (four deaths per 100,000 workers); see National Institute for Occupational Safety and Health (NIOSH), “[Commercial Fishing Safety Regional Summaries](#)”, 5 December 2023.

- Situations can be even worse when fishers are employed on a third-country ship (different from the country of residence and the country of employment), through a third-country recruitment agency or if they work for different employers during the same year.

Abandonment

In the maritime world, **abandonment** refers to the decision by shipowners or fishing vessel owners to abandon a ship with its crew on board. This may be due to financial difficulties or based on the economic assumption that the ship is worth less than the bills attached to it and/or the wages of the crew. Fishers can find themselves in extraordinarily difficult situations due to the abandonment of their vessel, including loss of wages, physical and mental health issues, or the lack of food supplies. To avoid these dramatic situations, the International Transport Workers' Federation (ITF) encourages workers to act quickly when they think they are [at risk of abandonment](#).

The [ILO database on reported incidents of abandonment of seafarers](#) provides information on ship abandonment with information on past and current cases, including cases of abandonment of fishing vessels. The Maritime Labour Convention, 2006 was amended in 2014 to require shipowners to have compulsory insurance to cover the abandonment of seafarers.





► ilo.org/87acceleratorlab

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