Bridging the Safety Gap: International Laboure Standards and the Protection of Small-Scale Fishers

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Abstract
Small-scale fisheries employ millions globally yet remain among the most hazardous occupations, with fatality rates far exceeding other sectors. Despite their critical role in food security and local economies, small-scale fishers often operate without effective safety regulations or access to emergency services. This paper examines the scope of international labour standards developed by the ILO, FAO, and IMO-aimed at safeguarding small-scale fishers. It highlights the persistent gap in policy and implementation, particularly for vessels under 12 meters, and underscores the urgent need for enforceable, context-sensitive safety frameworks. Drawing on recent fatality data and regional initiatives, the study advocates for strengthened international cooperation and national adoption of tailored safety protocols. Ultimately, bridging the regulatory gap is vital to protecting the lives and livelihoods of small-scale fishers and ensuring the sustainability of global fisheries.

Keywords: *Labour Standards, Small Scale Fishers, Safety, Legal and Policy Protection*

Introduction

The International Labour Organisation (ILO) employs a strategic approach toward labour standards by concentrating on specific sectors, usually collaborating with pertinent organizations within those sectors (ILO, 2014). Among these sectors, the fishing industry, particularly the small-scale fishing sub-sector, has attracted notable focus. This emphasis is warranted due to the sector's substantial role: the primary industry encompassing capture fisheries and aquaculture directly provides

employment to over 63 million people globally (Food and Agriculture Organization-FAO, 2024). This number comprises individuals engaged full-time, part-time, occasionally fishing, or those whose employment status remains ambiguous. The FAO (2024) reports that 82 percent of these fishers are full-time workers on fishing vessels, predominantly small-scale fishers. In numerous countries, small-scale fishers face injury and fatality rates significantly exceeding the national averages across all professions. When injuries or illnesses occur at sea, fishers often find themselves distant from professional medical facilities, relying on aid from fellow crew members; furthermore, the availability of medical evacuation services varies considerably among countries and regions (ILO, 2021). This fragile condition is particularly acute in developing areas, especially in Africa (Alana et al., 2025).

Safety at sea is a matter of concern not only for the fishers themselves but also for the communities reliant on them (FAO, 2021). Globally, fishing is widely recognised as one of the most perilous occupations, with at least 24,000 fishers dying annually (Seafarers' Rights International, 2021). The vast majority of these deaths occur on small-scale fishing vessels (Seafarers' Rights International, 2021). There are eighty deaths out of 100000 fishermen in those countries that were able to establish an accident reporting and assessment system (ILO, 1999; Seafarers' Rights International, 2021). The Food and Agriculture Organization (FAO) highlights that fatality rates in countries lacking reliable data may be substantially higher, implying that the actual global death toll is likely underestimated (FAO, 2021).

Almost all fishers act as primary providers for their families, and their deaths have profound impacts on their dependents, particularly in many developing countries. In these settings, the loss of a fisher can be catastrophic, especially for widows and children who might face starvation due to the absence of social safety nets or social status (Drudi, 1998). Against this background, this paper explores the specific international labour standards aimed at protecting small-scale fishers. The study evaluates the effectiveness of existing international labour standards in safeguarding small-scale fishers and identifies mechanisms to close the ongoing safety and regulatory gaps that continue to endanger this vulnerable sector.

Methodology

This study utilizes a qualitative research methodology, centring on an extensive review and analysis of existing international labour safety standards, guidelines, and pertinent literature related to the small-scale fishing industry. The research focuses on key documents from major international organizations such as the International Labour Organisation (ILO), Food and Agriculture Organization (FAO), and International Maritime Organization (IMO) to examine the development, scope, and implementation of safety standards specific to small-scale fishing vessels. Additionally, data concerning fatality rates and occupational hazards were gathered from published reports and databases to provide a contextual understanding of the risks encountered by small-scale fishers worldwide.

Discussion

International Labour Safety Standards and Small-Scale Fishing

Numerous guidelines have been developed by the International Maritime Organization, the FAO, and the ILO due to the inherent risk attached to the fishing industry, specifically the small-scale

fishing industry and its sub-sectors. The main aim of these guidelines is to enhance safety measures and the safety of small-scale fishers (FAO, 2020). Currently, FAO, IMO, and ILO have designed voluntary guidelines for small-scale fishing vessels that align with international safety standards. The foundation of the guideline dates to a 1974 joint meeting between the IMO, ILO, and FAO. The primary focus of the guidelines was on part B of the code of fishing vessels larger than 24 meters and fishers (IMO, 2014).

The meeting concluded that collaboration should continue to develop safety guidelines specifically for vessels under 24 meters, prompting IMO's Maritime Safety Committee to act on this recommendation. A subcommittee on Safety of Fishing Vessels, comprising representatives from IMO, ILO, and FAO, was established to develop these guidelines (Attard, Balkin, and Greig, 2018). Since the majority of fishing vessels worldwide are less than 24 meters in length and the Torremolinos Convention only covers vessels 24 meters and above, a resolution was passed to create safety standards focusing on the design, construction, and equipment of smaller vessels to ensure the safety of both the vessels and their crews (Fernando and Rubén, 2021). The voluntary guidelines were adopted during the stability, load lines. and fishing vessels 'IMO subcommittee 22nd and 21st meeting, where a joint resolution was passed by IMO, ILO, and FAO (FAO, 2021).

In October 1979, the Maritime Safety Committee approved the guidelines, distributing them to governments shortly thereafter. While the ILO welcomed the publication, it noted that certain aspects, particularly stability criteria, required further refinement due to the complexity involved in developing stability standards for fishing vessels, including large ones (ILO, 2010). IMO was consequently encouraged by the 1977 international conference to carry out research for the development of an adequate safety standard customized to fishing vessels (Chatham House, 2007). When the Torremolinos Protocol was adopted in 1993, the Maritime Safety Committee started to revise the safety guidelines for fishing vessels and fishermen, recommending that all concerns and recent developments in vessel design and fishing activities be incorporated by the SLF Subcommittee during the revision process (Adaare, 2020). The final draft of the revised guidelines was adopted in 2004 at the seventy-ninth session of the Maritime Safety Committee after modifications by IMO, FAO, and ILO.

The Safety Recommendations for Decked Fishing Vessels of Less than 12 meters in length and Undecked Fishing Vessels, developed later through continued FAO/ILO/IMO cooperation, further address the safety of the majority of small fishing vessels, which are under 12 meters and represent over 80 percent of all fishing vessels globally (ILO, 2012; FAO, 2012). These recommendations provide comprehensive guidance on design, construction, equipment, crew training, and operational safety, emphasizing the importance of adapting national safety requirements to local weather, sea conditions, and operational realities (ILO, 2012).

The development process involved a correspondence group established in 2005, which included over 30 entities, reflecting the global importance of small-scale fishing vessel safety. The draft recommendations were approved by the IMO Maritime Safety Committee in 2010 and subsequently endorsed by the ILO and FAO (ILO, 2012; FAO, 2011). The guidelines align with the ILO Work in Fishing Convention, 2007 (No. 188), ensuring consistency with international labour standards.

FAO has applied these Safety Recommendations in various countries through field projects, confirming their relevance across diverse vessel types and fishing operations, with positive feedback contributing to the final content (ILO, 2012). Recognizing the distinct mandates and procedures of the three organizations, IMO serves as the focal point for coordinating amendments to the Safety Recommendations, ensuring collaborative review and approval by FAO, ILO, and IMO (ILO, 2012).

These coordinated international efforts reflect a comprehensive approach to improving safety in the small-scale fishing sector, addressing critical gaps in vessel design, crew protection, and operational safety, thereby contributing to reducing fatality rates and occupational hazards faced by small-scale fishers globally

Scope and Purpose

The purpose of the voluntary guidelines was the provision of safe design structures alongside comprehensive information regarding the design, construction, and equipment of small-scale fishing vessels, ensuring the safety of both the vessels and the fishermen operating them (Voluntary Guidelines, 2005). These guidelines are not intended to override or replace existing national laws or regulations; rather, they serve as a valuable reference to assist in the formulation and enhancement of such national legal frameworks (Voluntary Guidelines, 2005).

The guidelines place a clear responsibility on the relevant authorities and bodies responsible for fishing vessel safety in various countries to apply the guidelines in a way that addresses the specific needs of individual fishing vessels or fishers. This application should consider factors such as the size and type of the vessel, the nature of the service it is intended to perform, and the particular region in which it operates (Voluntary Guidelines, 2005).

Regarding their application, the guidelines primarily target the design of novel vessels for fishing, which have a length of 12 meters or more, but generally not exceeding 24 meters unless explicitly stated otherwise. Even when exceptions exist, authorities are encouraged to consider applying the guidelines to decked fishing vessels within their jurisdiction to enhance safety standards (Voluntary Guidelines, 2005).

It is important to note that fishing vessels used for sports, recreational purposes, or processing activities are exempt from these guidelines (Voluntary Guidelines, 2005). The voluntary guidelines closely mirror the provisions found in the Code of Safety for Fishermen and Fishing Vessels, with the key distinction being their specific focus on small-scale fishing vessels (FAO, 2020).

The guidelines comprehensively address critical safety aspects, including: construction, watertight integrity, and equipment; stability and related seaworthiness; machinery and electrical installations; fire protection, detection, extinguishing, and firefighting equipment; crew protection; life-saving appliances; radio communications; navigational equipment; and crew accommodation (Voluntary Guidelines, 2005).

Recent Fatality Rates of Small Fishing Vessels Under 12 Meters in Length

Commercial fishing ranks among the most hazardous occupations globally, with the Food and Agriculture Organization (FAO) reporting approximately 24,000 fatalities annually, the majority occurring on small-scale fishing vessels (FAO, 2012). When compared to general occupational fatality rates, fishing exhibits significantly higher mortality figures, underscoring its extreme risk (FAO, 2021). For instance, Nordic countries, despite having advanced disaster prevention, survival training, and search and rescue systems, report fishing-related death rates between 90 and 150 per 100,000 fishers (FAO, 2021).

In contrast, underdeveloped countries experience even higher fatality rates. Sri Lanka's marine fishing fatality rate is ten times that of Norway, while cone fishing in Guinea between 1991 and 1994 showed an alarming rate of 500 deaths per 100,000 fishers (ILO, 1999). The Atlantic Ocean coastal African states under ATLAFCO report fatality rates around 1,000 per 100,000, roughly ten times higher than developed countries (Laamrich, 2018). China reports over 400 fisher deaths annually, Tunisia's 1994 rate was double the national average, and artisanal canoe fisheries along the West African coast exhibit death rates ranging from 300 to 1,000 per 100,000 fishers. South Africa's recent statistics indicate 585 deaths per 100,000 fishers (ILO, 1999).

These findings are validated by the ILO's research related to Safety and Health in the Fishing, estimating annual fishing fatality rates at 80 per 100,000 workers, equating to about 24,000 deaths worldwide, alongside approximately 24 million non-fatal incidents annually (ILO, 1999).

Despite these high risks, many countries lack specific regulatory frameworks or effective safety standards for small-scale fishing vessels, especially decked vessels under 12 meters and all un-decked vessels (FAO, ILO, and IMO, 2012). It has been indicated by FAO's 1998 estimates that the fishing fleet worldwide comprises decked (1.3 million), and undecked (2.8 million) vessels with 65% of the latter lacking mechanical propulsion (FAO, 2004). Asia accounts for about 83% of undecked, non-motorized vessels. Employment data on fisheries remain limited and of variable quality, but FAO figures from 1998 suggest around 36 million people work in primary capture fisheries and aquaculture, with about 60% in marine fisheries. Approximately two-thirds of these fishers operate vessels under 12 meters in length, both decked and un-decked (FAO, 2018).

Given that small-scale fishing vessels constitute the majority of the global fishing fleet, predominantly in Asia, and that the majority of fisher fatalities occur on vessels less than 12 meters long, the need for robust international safety instruments tailored to these vessels is critical. The high fatality rates, combined with the lack of mandatory safety regulations for small vessels, highlight the urgency of establishing and enforcing appropriate safety standards to reduce accidents and save lives in this vulnerable sector (FAO, 2012; ILO, 1999).

Recommendations Agreed at Regional Meetings Relating to Safety Standards for Small Fishing Vessels

The momentum to establish internationally recognized safety standards for the small-scale fishing industry has significantly increased, with multiple regional conferences prioritizing this issue and adopting important resolutions (FAO, 2018). One such conference is a regional workshop organized by FAO/BOBP in the Indian city of Chennai in October 2001. The focus of this workshop

was the enhancement of safety measures at sea, specifically for small-scale and artisanal fishermen. The conference was attended by participants seven Bay of Bengal countries. These participants consisted of maritime administrations, fisheries experts, navy officials, coast guards, and fisheries associations. The workshop concluded with a memorandum of understanding and a pledge in the form of the Chennai Declaration that stresses the need for maritime administration and fisheries for deepening the understanding of the challenges and issues faced by small-scale fishermen and artisanal industries. The enhancement of knowledge in this area is deemed necessary for developing practically viable fishing guidelines, regulations, and safety standards. The main aim was to improve the training and certification process (BOBP).

There was another important event held in Suva, Fiji, organized by SPC and FAO as a regional consultation meeting on Sea Safety in small fishing vessels. This meeting brought together 30 experts, predominantly from Pacific Island states. The experts concluded that the most effective way to improve safety for small-scale fishing vessels was through the implementation of coordinated national strategies. These strategies should include enacting and enforcing relevant legislation addressing safety equipment carriage, training and certification requirements, construction standards, and the establishment of minimum safety standards tailored to each vessel class (SPC).

Furthermore, another workshop was held in Saint Lucia, the Caribbean, in 2004 by the IMO to discuss issues related to the safety of indigenous fishing vessels. The workshop highlighted important points to be considered for vessels less than or equal to a length of 10 meters. It was agreed that the safety guidelines would be framed according to the Model Shipping regulations of 2002 for the safety of small fishing and pleasure vessels. These guidelines should be used as a reference to develop minimum safety standards for vessels up to 12 meters in length. It was recommended in the workshop that IMO should adapt to the minimum safety standards and assist its the dissemination in the whole region of the Caribbean for enhancing vessel safety (IMO, 2004). Together, these regional meetings underscore the critical need for tailored safety standards, coordinated legislative frameworks, and capacity-building initiatives to protect small-scale fishers and improve safety outcomes in this high-risk sector.

The Case for a New Instrument Addressing Smaller Fishing Vessels

Current international safety regulations for fishing vessels notably exclude vessels under 12 meters in length. Key existing instruments include:

-The Torremolinos Protocol of 1993: This protocol supplements the 1977 International Convention for the Safety of Fishing Vessels but applies only to decked vessels 24 meters and longer, with some chapters limited to vessels 45 meters and above (Torremolinos Protocol, 1993). To cover vessels between 24 and 45 meters not included in the Protocol, minimum standards have been communicated to IMO, such as the 1997 Tokyo guidelines for East and South-East Asia and the 1999 European regional agreement based largely on the Torremolinos Protocol.

-The Code of Safety for Fishermen and Fishing Vessels (2005): Adopted by the Maritime Safety Committee, this Code is divided into Part A, covering safety and health practices for all fishing

vessels, and Part B, which addresses design, construction, and equipment standards for decked vessels over 24 meters (Code of Safety for Fishermen and Fishing Vessels, 2005).

-Voluntary Guidelines for Design, Construction, and Equipment of Small Fishing Vessels (2005): These guidelines apply specifically to decked fishing vessels between 12 and 24 meters in length (Voluntary Guidelines, 2005). They emphasize that small fishing vessels under 12 meters and un-decked vessels of any size require their own tailored safety requirements. The guidelines serve as a resource for national authorities in developing safety laws and regulations for the small-scale fishing sector.

The need for a dedicated instrument addressing vessels under 12 meters is underscored by the absence of binding international standards for these vessels, despite their representing the majority of the global fishing fleet and accounting for most fishing fatalities. The proposed documentation for such an instrument would:

-Provide a clear, comprehensive set of safety guidelines specifically for small fishing vessels and their crews.

-Avoid overly technical detail except in critical areas such as vessel construction and stability, which are vital for safety.

-Follow the format of the existing Voluntary Guidelines, including chapters and annexes as necessary to cover topics not previously addressed.

This approach aligns with the collaborative work of FAO, ILO, and IMO, which since 2005 have developed Safety Recommendations for decked fishing vessels under 12 meters and undecked vessels. These recommendations provide guidance to competent authorities on design, construction, equipment, crew training, and operational safety, recognizing that most fishing fatalities occur on such vessels (FAO/ILO/IMO, 2012). The development of these recommendations reflects the critical importance of addressing the safety of small-scale fishing vessels, which constitute over 80% of the global fishing fleet and are currently underserved by existing international regulations.

Conclusion

This study concludes that there is a great deal of cooperation between the ILO and relevant agencies to safeguard the safety of small businesses in the fishing industry, which is one of the riskiest occupations throughout the world. The need to cater to the safety of small-scale fishers has been somehow achieved with the development of international labour standards, achieved after the collaboration of the ILO and other organizations.

There are some shortcomings with these standards as well. The lives of small-scale fishers are threatened by these shortcomings, although they constitute the majority of the world's fishermen. Some examples of these shortcomings are that the existing standard focuses on certain aspects of vessel size, which highlights the necessity for developing a comprehensive framework for standards related to labour safety. Furthermore, effective enforcement is lacking in the current framework.

There is no clear endpoint with a slow and gradual implementation. Resultantly, years are taken to enforce small-scale fishing standards. Again, the endpoint of when we can say that the implementation is completed? The standards are not followed completely but partially.

The implementation is likely to be a continuous effort as small-scale fishing is a dynamic activity. The process also needs to be iterative and adaptive. The government's principles that are discussed about small-scale fishing standards may remain unchanged, but practices and policies that follow these principles need to be changed with the changes in these fishing businesses and with the learning during the implementation of these standards.

The definition of small-scale fishing remains a challenge after the expansion of studies in this field. Simplification strategies are adapted due to less access for outsiders to small-scale fishing. An example of this is the adoption of reductionist definitions that focus on easily identifiable features, for example, fishing gear and a boat. Global organizations are concerned that the health and safety of the labourers in the fishing sector is ensured and are continuously working for it. One of these efforts relates to the establishment of principles and guidelines for drafting and implementing international treaties and legal instruments. However, these tools must ultimately be put into practice and enforced, which is primarily the responsibility of governments, requiring political will and commitment. We propose a tiered international framework that sets minimum safety standards for all small-scale fishing vessels, regardless of size. This framework should include mandatory safety equipment, standardized crew training, and regular vessel inspections. It should also allow regional customization to account for local conditions and practices, ensuring both global consistency and local relevance. To promote wide adoption, international organizations should offer targeted funding for safety equipment and training. Regional cooperation platforms would facilitate knowledge sharing and technical support. Capacity-building initiatives-such as training local inspectors and developing community-based safety programs-will help empower national authorities and fishing communities to effectively implement and enforce these standards.

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