

# The Necessity of Protecting Fisheries Observers at Sea

LDAC WG 5 - Horizontal Issues Briefing

David Hammond Esq.

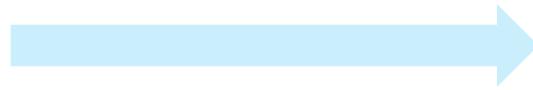
Executive Director [HRAS International](#)

Martin's Hotel Brussels March 6, 2024

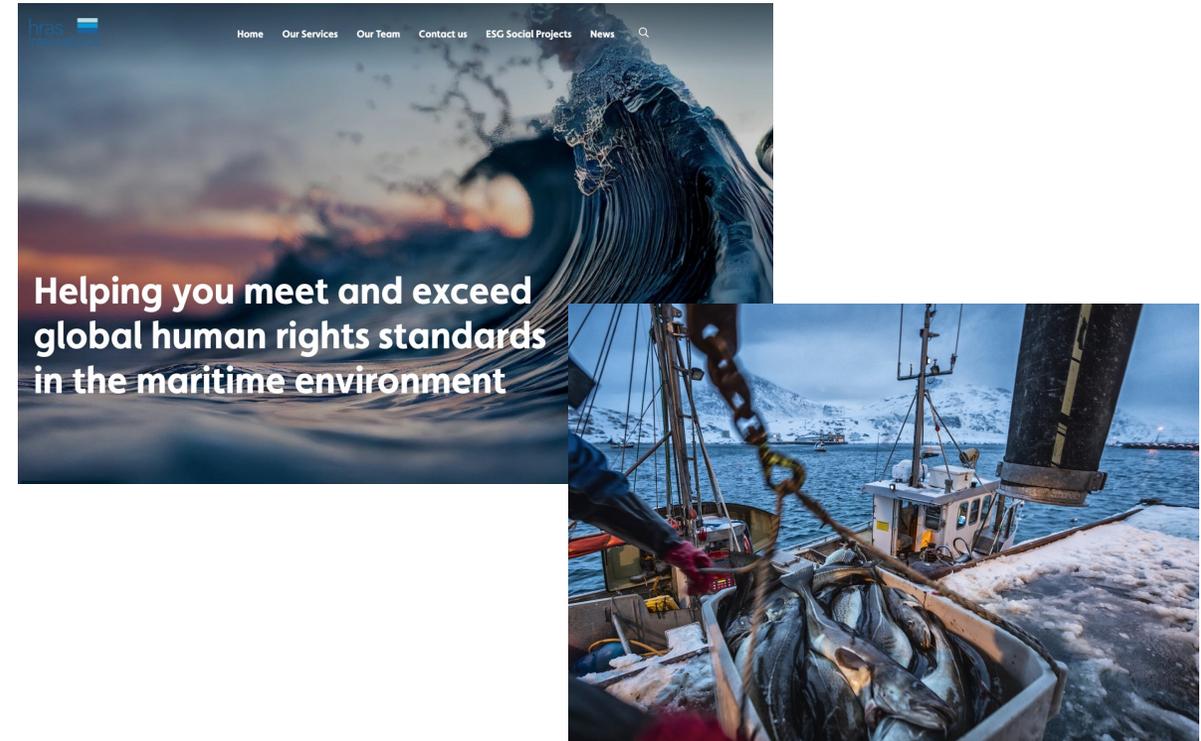
# NGO move to Social Consultancy



2013-2023



2024 -



# Starting point



**Fisheries  
observers  
are  
guardians  
of the  
ocean**

# Fisheries Issues: Pacific Region



## FISHERIES OBSERVER DEATHS AT SEA, HUMAN RIGHTS & THE ROLE & RESPONSIBILITIES OF FISHERIES ORGANISATIONS

1<sup>st</sup> JULY 2020



## DEVELOPING RECOMMENDATIONS & POLICY IN SUPPORT OF FISHERIES OBSERVERS' SAFETY, SECURITY & WELL-BEING

A follow-up to the Human Rights at Sea Report:  
**FISHERIES OBSERVER DEATHS AT SEA, HUMAN RIGHTS & THE ROLE & RESPONSIBILITIES OF FISHERIES ORGANISATIONS**  
Dated 1<sup>st</sup> July 2020

11<sup>th</sup> NOVEMBER 2020



## UNDERSTANDING THE WORKING CONDITIONS OF WESTERN & CENTRAL PACIFIC OCEAN FISHERIES OBSERVERS: A BASELINE SURVEY

A follow-up to the Human Rights at Sea Report:  
**FISHERIES OBSERVER DEATHS AT SEA, HUMAN RIGHTS & THE ROLE & RESPONSIBILITIES OF FISHERIES ORGANISATIONS**  
Dated 1<sup>st</sup> July 2020

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Western & Central Pacific Fisheries Commission

SEARCH

About WCPFC | Key Documents | MCS and Compliance | Vessels | Scientific Data | Meetings

Home | Meetings | Regular Sessions of the Commission | 17th Regular Session of the Commission

Meetings

- Regular Sessions of the Commission
- 17th Regular Session of the Commission
- Special Sessions and Special Online Heads of Delegation Meetings
- Scientific Committee
- Ad Hoc Task Group
- Informal Consultations
- IWG ROP
- Northern Committee
- Technical and Compliance Committee
- WCPFC-IATTC
- Workshops and Meetings of Inter-Sessional Working Groups

Virtual IWG

IWG to review transshipment CMM (2019) VMS-SWG 2020 ERandEM-IWG other virtual-iwg pages

**Draft Proposal for Model WCPFC Conservation and Management Measure on Human Rights and Labour Rights Protections for Fisheries Observers' Safety, Security and Well-Being**

Authors:  
Human Rights at Sea

Symbol:  
WCPFC17-2020-OP06

Date of Issue:  
Thursday, November 19, 2020

Download  
(3.32 MB)

1 of 15 | Automatic Zoom

Western and Central Pacific Fisheries Commission

COMMISSION SEVENTEENTH REGULAR SESSION  
Electronic Meeting  
8 - 15 December 2020

**DRAFT PROPOSAL FOR MODEL WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION (WCPFC) CONSERVATION AND MANAGEMENT MEASURE ON HUMAN RIGHTS AND LABOUR RIGHTS PROTECTIONS FOR FISHERIES OBSERVERS' SAFETY, SECURITY AND WELL-BEING**

WCPFC17-2020-OP06  
19 November 2020

Submitted by Human Rights at Sea

**Fishers and observers are both a critical vulnerability & a business enabler**

# TRIGGER WARNING

# Accountability: Some Realities



- Lack of transparency and disclosure
- **Impunity, lack of accountability and lack of enforcement**

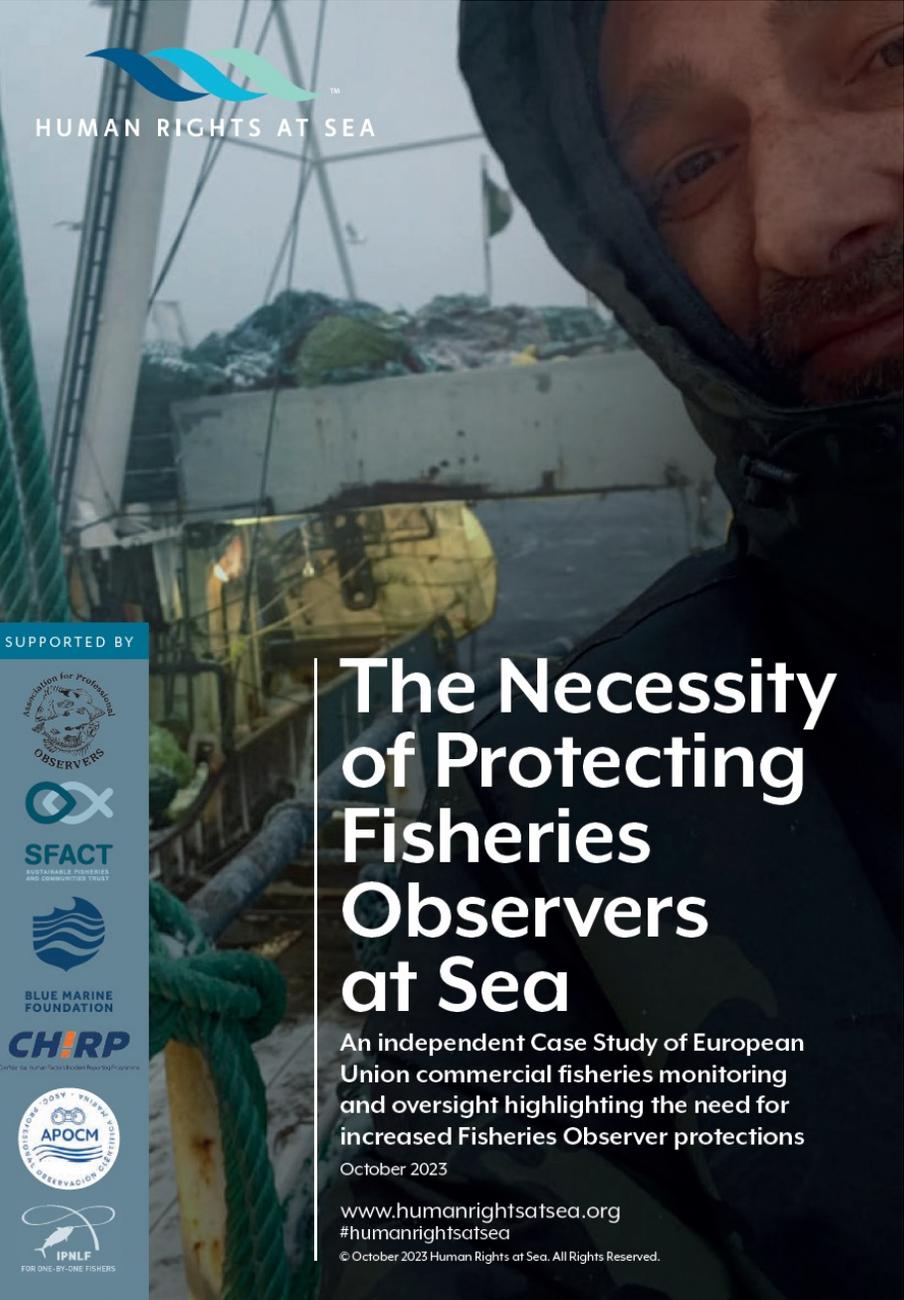


# EU Reporting

Reference:

## October 2023 Report

- Evidence-based approach
- **Combined** civil society investigations and reporting
- EU focused for NW Atlantic fishing grounds
- Ongoing observer safety, security and wellbeing concerns
- European Commission DG MARE engagement throughout
- Limited Flag state engagement
- Industry representative resistance – reputation concerns
  
- **10 years on – safety issues raised are still not being comprehensively addressed**



SUPPORTED BY



# The Necessity of Protecting Fisheries Observers at Sea

An independent Case Study of European Union commercial fisheries monitoring and oversight highlighting the need for increased Fisheries Observer protections

October 2023

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)  
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HUMAN RIGHTS AT SEA

# Headlines

- An estimated 24,000 people die on commercial fishing vessels and 24 million are injured each year

## EU DG MARE (p17-18)

- *“Protocols for the observer to safely and directly contact the flag State authorities to report safety concerns **will become mandatory.**”*
- *“We will continue to aim at **building a close cooperation and trust** between observers, observer providers and control authorities and to support observers, including through NAFO processes.”*

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# Issues of Concern

1. Physical and sexual assault of observers and other forms of harassment
2. Retaliatory lawsuits against observers
3. Threats to dependents and livelihoods
4. Lack of transparency around observer deaths and disappearances
5. Lack of consequences for threats to observers
6. Lack of independent means of communication
7. Lack of recognition as a maritime professional
8. Lack of public access to observer data, including observer harassment data
9. Lack of agency response to the needs of grieving dependents of deceased observers
10. Impact on fisheries observers' safety, health and welfare

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# Report Recommendations

1. Transparent Public Reporting
2. Two-way Communication Devices
3. Professionalisation
4. RFMO Contract
5. Litigation Indemnity
6. Guaranteed Confidentiality
7. Assured Agency Transparency with Dependents of Observers



The current state of affairs is dangerous to both observer safety and the sustainable management of fisheries.

## Something needs to change

- Industry *must* be a catalyst for change
- LDAC can be a change-maker

# Fisheries Observers Protections

**The protection of fisheries observers is a critical requirement for assuring sustainable fisheries around the world on a scientific basis**



Observers' impact  
with voluntary  
seafood  
certifications,  
standards and  
ratings ?



# Voluntary Seafood Standards. Building up, better?

Human Rights at Sea Fisheries and  
Aquaculture Certification, Standards  
and Ratings Project Report v2.0

AN ONGOING SCHEME OF FISHERIES AND  
AQUACULTURE WORKERS' FUNDAMENTAL  
RIGHTS ASSURANCES AND PROTECTIONS.

# Ongoing Support

## **LDAC to continue to support Fisheries Observers protections with:**

- Continuous engagement with EU Institutions
- Assurance of sustained industry and fisher's support
- Support to achieve consistent RFMO engagement
- Profiling independent investigations and evidence



# CALL TO ACTION

Systemic and comprehensive enforcement of fundamental human rights protections at sea without exception

# Death at Sea Film



<https://vimeo.com/864440501>



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