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GEORGIA BAZOTI-MITSONI
HEAD OF UNIT OF THE AGRICULTURAL SECTOR
PERMANENT REPRESENTATION OF THE
REPUBLIC OF GREECE TO THE EU

30th April 2014

Dear Mrs Bazoti-Mitsoni,

You may be aware that the EU-level social partners in the Sea Fishing Sector, the ETFⁱ and Europêcheⁱⁱ/COGECAⁱⁱⁱ, have negotiated an agreement for implementing the ILO Work in Fishing Convention, 2007 (C188).

This is an agreement falling within the scope of article 155 of the Treaty on the Functioning of the European Union (TFEU). This implies that, at the request of social partners, the European Commission (EC) should take the necessary steps to present the text before the Council, which will be called to adopt or reject the proposal.

After lengthy negotiations, social partners have submitted their agreement to the European Commission in May 2013. The legal assessment from the EC legal services confirmed that the agreement was suitable, from a legal point of view, for being presented before the Council. The EC should have therefore, according to the usual procedure, launched a cost/benefit analysis in order to evaluate the advantages and costs associated to the implementation of the agreement.

Almost a year after the submission of the agreement, however, the EC has not yet launched the above-mentioned analysis, and this is of course slowing down the process that should lead to the submission of the text to the Council.

The agreement on ILO 188 is not the only one being put on a hold. There is, at present, a strong pressure from some member states for denying social partners the possibility, offered by the TFEU, to propose legislation on some specific subjects. We consider this to be an illegitimate transgression of the rules of the TFEU and to the principle that it contains on the autonomy of social partners.

Social partners have on several occasions showed their disappointment vis-à-vis the attitude of the European Commission and have strongly condemned the fact that, by not pursuing the process of presenting our agreement before the Council, the EC would neglect the role that it is given by the TFEU. More recently, social partners have lodged a complaint with the EU Ombudsman to signal this malfunctioning.

We would like to take the opportunity to remind you the importance that the implementation of the ILO Convention 188 would have to improve the social performance of the fisheries sector and the living and working conditions for fishermen. In our view the Convention is also of key importance for the EU's fight against forced labour, child labour, human trafficking, and IUU fishing. Fishery is more and more an international sector, and is considered one of the most dangerous human activities. For these reasons, we believe that the implementation of the Convention is necessary and that the EU should lead the way in this respect.

We are aware of the importance that maritime affairs have within the work programme of the Greek Presidency of the EU and we trust that you will seize any possible opportunity to raise the need to implement our agreement within the shortest delay.

Yours sincerely,



Michel Claes
Chair-SSDC for Sea Fisheries



Ment van der Zwan
Vice-Chair-SSDC for Sea Fisheries

ⁱ The **ETF** represents more than 2.5 million transport workers from 243 transport unions and 41 European countries, in the following sectors: railways, road transport and logistics, maritime transport, inland waterways, civil aviation, ports & docks, tourism and fisheries.

ⁱⁱ **Europêche** represents the catching sector in Europe. Currently, the Association comprises 16 national organisations of fishing enterprises from the following 10 EU Member States: BE, DE, DK, ES, FR, IT, MT, NL, PL and UK.

ⁱⁱⁱ **Cogeca** is the united voice of agricultural cooperatives in the EU. It also represents the interests of fisheries cooperatives in Europe through its FISH Working Party which it shares with Copa. Currently, the fisheries representatives come from the following 5 countries: DE, IE, IT, MT, SI.