

EP(20)23

Ms Veronika VEITS
DG MARE Director
European Commission
Rue Joseph II 99
B-1000 Brussels

Brussels, 27 March 2020

Subject: Social Partners in the fisheries sector urgently calls for special regulatory measures and actions to secure the free circulation of fishermen

Dear Veronika Veits,

The European Social Partners in the fisheries sector represented by Europêche, Cogeca and ETF are writing to you regarding the current heavy restrictions on the free movement of fishermen that has become so problematic that many fishing vessels will be forced to stop fishing operations in a matter of days. European and national authorities need to facilitate crew changes and find solutions for closed borders. We therefore call upon the EU institutions to support the industry and its workforce with the challenges they are facing. Special measures and actions have to be taken with the greatest urgency to ensure that the fishing industry can continue supplying food in these difficult times to the fullest extent possible.

The Social Partners recommend the following measures:

- In this critical moment, fisheries should be defined as a vital sector of the economy being one of the first important links of the food chain. Therefore, **fishermen should be defined as vital professionals** and afford them special consideration from EU and national authorities.
- **Free movement of fishing vessels' crews:** As the COVID19 pandemic spreads in Europe and the world, countries have been heavily restricting movements of people, establishing rules of social distancing, drastic reduction of flights and closing borders. In addition, as seafood products prices are tumbling and markets severely disrupted, fishing ports are gradually closing. The combined effect of this is resulting in huge difficulties to perform crew changes, similarly to the ones encountered by the shipping industry¹. Travel to and from the fishing vessels and border crossings should be facilitated for those essential workers. Ideally this could be done by exempting fishermen from national travel bans (as recently decided by the Council of the EU for seamen on board ships that 'transport goods commercially' from countries outside Europe travelling into Europe), so that they can join their fishing vessels and maintain the fish supply. An alternative solution can be found in issuing a specific pass or 'laissez passer' for fishermen.

¹<https://www.itfglobal.org/sites/default/files/node/news/files/Joint%20open%20letter%20to%20UN%20agencies%20from%20global%20maritime%20transport%20industry%20and%20seafarers.pdf>

The fishing industry employs a considerable number of international crew members, both EU and non-EU citizens, that should not fear being stuck at borders with all papers in order, regardless of their nationality. For this reason, the sector urges flexibility and assistance so as to help fishermen to continue working on vessels and be allowed to leave and return to their homes so that crew reliefs can continue to be effected. They should also be treated pragmatically when returning home from their ships and maintain ports open to the largest extent possible for disembarking crew.

- **Protection of fishermen's health:** Fishing companies have been pro-active in guaranteeing the health protection of crews by following the best available recommendations from UN agencies. However, a tailor-made and standardised guidance to perform crew pre-boarding screening, at sea health-monitoring (management of suspect cases, hygiene measures, isolation, radio medical advice, reporting to the next port of call, ...), disembarkation of suspected and confirmed cases. Effective and quick tests should be put in place when a crew is replacing another, whenever possible and allowed according to the measures taken by the port/flag state country. Fishermen shall be provided with necessary Personal Protection Equipment (PPE) In accordance with national legislation adopted by the flag State based on Directives 92/29/EEC and (EU) 2017/159, fishermen shall have access to medical care on board and to emergency medical treatment, taking into consideration the limitations associated with work on board fishing vessels. Some measures, such as the social distancing, are hard to physically implement on board fishing vessels, therefore, health authorities of Member States in close cooperation with the European Commission should develop precise guidelines and provide assistance to implement the recommendations to prevent protect the health of fishermen and minimise any risk.
- **Maximum period of service:** At their own request, or due to the absence of crew replacing them and/or due to the absence of flights from their expected port of landing to their home country, fishermen may have to spend longer periods on board ships than specified in their employment agreements or under applicable national laws. We therefore call upon flag and port States to apply a pragmatic approach to such situations and, on a case-by-case basis, permit crew members to remain on board for a reasonable period beyond their scheduled tours of duty in view of the implications of the pandemic, bearing in mind that fishing vessels need to sail fully crewed for safety reasons based on international agreements. This shall require the informed and explicit consent of the concerned fishermen, unless otherwise provided by the port State authorities which may prevent fishermen to come ashore.
- **Fishermen's certificates:** In view of travel restrictions, fishermen may be forced to spend longer periods on board than usual as they are not being allowed to leave the vessel. Moreover, some training institutes have closed to contain the spread of the virus. This may therefore result in fishermen not being able to do the necessary training required for an extension of their certificate(s) and therefore, one or more of their certificates may expire. This in turn could lead to problems with the vessels' safe manning certificates and their ability to sail. We call on flag and port States to show pragmatism by extending the validity of the certificates by at least 3 months. In order to be effective this would require action in the regional Port State Control Regimes all around the globe.

While the COVID19 crisis will have an unprecedented impact at all levels, it is vital to ensure that the industry can continue operating by urgently adopting the above-mentioned actions. This will secure the safety of our fishermen and the food supply to our markets.

Yours sincerely,



Juan Manuel Trujillo Castillo
ETF Fisheries
Section Chair in the SSDC-F



Ment van der Zwan
Europêche
Spokesperson in the SSDC-F

Cc: Stefan OLSSON, Director DG EMPL B

Magda KOPCZYNSKA, Director DG MOVE DDG2.D

Pierre KARLESKIND, Chair of the European Parliament Fisheries Committee