

focusing on regional issues and requirements. The Member Countries are aware that contributing to unsustainable fishing practices should be avoided. However, more research is necessary to look into the scope and impacts of subsidies. In the continuing international negotiations on fisheries subsidies, capacity building on the stock assessment that suits the regional specificities and harmonized ASEAN position would be beneficial.

## 9. Socioeconomic Well-being in the Fisheries Sector

### 9.1 Labor in Fisheries and Fish Workers

Jobs in fisheries are associated with the entire value chain of fish and fishery products, starting from the production of the fish that includes fabrication of fishing gears; boat construction and maintenance; preparation of baits; catching the fish; and acquiring aquaculture seeds and feeds for fish culture as the case may be. At the end of the value chain is the consumption of the fish and fishery products that had undergone the processes of the utilization of raw materials by the fish processing industry, marketing, distribution, until the actual consumption by the public (FAO/ILO, 2013).

Fishing is recognized as among the most dangerous of all professions in the world. Recognizing the need to ensure that fishers have decent conditions of work onboard fishing vessels, the International Labour Organization (ILO) adopted in 2007 its Convention No. 188 or “Work in Fishing Convention” (C188) which is applied to all fishers and all fishing vessels engaged in commercial fishing operations, with the aim of creating decent working conditions for workers in the fisheries sector. C188 stipulates various provisions that include: minimum requirements for work onboard fishing vessels; conditions of service; accommodation and food; medical care, health protection, social security, among others.

As for small-scale fisheries, the “FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication” or SSF Guidelines, which calls for social and economic development to empower the small-scale fishers to assert their human rights, provides the opportunity for the small-scale fishers and fish workers to enhance their socioeconomic well-being. Thus, in the SSF Guidelines, the governments are called upon to ensure that international standards are included in their national legislation, including the right of fishers and fish workers to an adequate standard of living, decent work, and that health, education, and other essential needs are accorded them (FAO, 2014).

In the Southeast Asian region, fishing is considered a difficult job that requires a long period of works with high risk at sea. In several countries, people, therefore, tend to look for easier jobs in other sectors resulting in a shortage

of fish workers that necessitated the recruitment of migrant workers to support the fishing industry. The availability of fish workers onboard fishing vessels has therefore become one of the critical issues for several countries in Southeast Asia. Although the direct responsibility in tackling labor-related issues may not be under the agencies responsible for fisheries in most of the Southeast Asian countries, the involvement of the fisheries-related agencies in ensuring good working conditions, safety, and welfare of people engaged in fisheries activities is unavoidable.

Such concern could also be seen in the ASEAN-SEAFDEC Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region Towards 2030, of which Resolution No. 13 specifies the need to “*Improve the working conditions of people engaged in fisheries activities, and strengthen measures for safety of fishing vessels taking into consideration the specificity of fisheries of the region*”; while the Plan of Action No. 19 also specifies the need to take up priority actions to “*Improve the capability of fishing crew and workers in fishing industry, and conduct educational and skills development program for new crew members and workers entering the industry; while also adopt appropriate technologies to optimize number of crew onboard fishing vessels.*”

### *Number of fishers and fish farmers and their Conditions in some AMSs*

In the Fishery Statistical Bulletin of Southeast Asia published annually by SEAFDEC, some of the AMSs had provided information on their respective numbers of fishers and fish workers, e.g. Indonesia, Malaysia, Myanmar, Singapore, Thailand. Although some AMSs that have not submitted their numbers since SEAFDEC had started to include this information in the fishery statistics questionnaire.

#### *Indonesia*

The total number of fishers in marine and inland fisheries of Indonesia in 2019 based on the country’s Fisher ID Program (KUSUKA) was 2,387,591 fishers; while the number of aquaculture household units (RTP) was estimated to be 1,583,369 households (broken down into seawater aquaculture of 124,700 households; brackishwater of 232,074 households; and freshwater aquaculture of 1,226,595 households).

The Indonesian government has established policies that are directed to the protection of workers onboard fishing vessels in order to address issues such as safety at sea, under-compensation, lengthy work duration, fish handling, and processing onboard. However, the major concerns in the implementation of such policies are towards the monitoring and reporting system on violations of the regulations.

The national laws and regulations regarding safety at sea of Indonesia are intended not only for small-scale fishers but also for all types of fishers to ensure their safety when going to fish. These are, among others, reflected in the following regulations:

- Regulation of the Minister of Marine Affairs and Fisheries Number 42/PERMEN-KP/2016 on Work Agreement for Fishing Vessels Crew
- Regulation of the Minister of Marine Affairs and Fisheries Number 35/PERMEN-KP/2015 on System and Certification on Human Rights for Fishery Business
- Regulation of the Minister of Marine Affairs and Fisheries Number 3/PERMEN-KP/2013 on Harbormaster in Fishing Ports
- Regulation of the Minister of Marine Affairs and Fisheries Number PER.07/MEN/2010 on Seaworthiness of Fishing Vessels

In principle, the applicable laws and regulations are meant to ensure the safety of fishers which include small-scale fishers in terms of seaworthiness before, during, and after their fishing operations. The safety aspect includes administration, facilities, work decency, equipment, capacity, and competence needed for fishing operations.

As for the aquaculture sub-sector, the government of Indonesia also has policies that are aimed at protecting the sustainability of fish farmers in Indonesia through various instruments, *e.g.* Law of the Republic of Indonesia Number 7 of 2016 concerning the protection and empowerment of fishers, fish farmers, and salt farmers. As provided for in its Chapter 1 Article 1, the Law aims to assist fishers, fish farmers facing problems and difficulties in conducting fish farming by empowering them to improve their ability to carry out fisheries or salt business ventures.

#### *Malaysia*

The DOF Malaysia collects data on fishers and fish farmers from its licensing and administration records, and constant surveillance. In 2019, the number of fishers recorded was 126,595, while the number of fish farmers in the freshwater system was 15,675 and the number of fish farmers in the brackishwater system was 20,149. However, the data on fish processing is not being collected by the DOF Malaysia.

In the capture fisheries sub-sector, Malaysia recorded approximately 90,000 local fishers and 30,000 foreign fishers. The Malaysian Government has the national policy to gradually reduce the number of foreign fishers in capture fisheries, by encouraging the young locals to venture into the capture fisheries industry. However, the 3D factors (dangerous, dirty, and difficult) in fisheries and the harsh environment in the industry have been the major aspects for the low rate of locals' participation in the fisheries sector in recent years.

As for aquaculture, the sub-sector has been confronted with similar issues related to the hiring of foreign workers in fish farms as with the capture fisheries. Several plans have also been initiated to reduce the number of foreign fish farmers in the aquaculture sub-sector. Although for the past years, the country recorded an increasing number of illegal foreign workers, many of whom have been involved in cases that include not abiding by the numerous numbers of national regulations.

#### *Myanmar*

In Myanmar, data on part-time and full-time fishers and workers are being collected monthly to support the country's fisheries statistics but the numbers corresponding to the types of fishing gear have not yet been collected. Information on the current situation on labor in fisheries and fish workers in different fisheries sub-sectors in Myanmar are compiled from the records of the ID Cards issued to fishers and other fish workers. Moreover, all offshore fishing vessels have to comply with the ILO conventions for availability, welfare, and working conditions of labor in fisheries. It should be noted that Myanmar is one of the main countries of origin that provides fish workers to other AMSs, *e.g.* Thailand.

#### *Singapore*

In Singapore, there are 746 registered fish farm workers: 38 fishers have been registered for employment/engagement onboard inshore fishing vessels (*i.e.* in 26 "SF" vessels using gill nets or cast nets); and 5 fishers registered for employment/engagement onboard commercial offshore fishing vessels (*i.e.* in 8 "SMF" vessels, 7 vessels using trawl nets and 1 vessel using gill net). There are no reported issues or concerns on labor in fisheries and fish workers in Singapore.

#### *Thailand*

In Thailand, the data on workers in the fisheries sector are collected from the aquaculture subsector and the fisheries industries, while the data on fish farmers are collected through the Farmers' Registration based on the Number of Farms. There were 476,042 freshwater aquaculture farms in 2018; 24,608 shrimp aquaculture farms in 2019; 9,608 brackish water aquaculture farms in 2019; and 4,658 marine mollusk aquaculture farms in 2019. As for workers in the fisheries industries, the data are compiled mainly from the Seabook records. In 2019, the records showed 62,425 workers of Thai nationalities and 68,662 foreign workers (mainly from Myanmar, Cambodia, and Lao PDR) holding their respective Seabooks.

Thailand has been faced with problems on labor shortage especially for labor onboard fishing vessels forcing the industry to rely heavily on workers from neighboring

countries. The Government of Thailand has been trying to mitigate such concern by acquiring legalized workers from Myanmar, Lao PDR, and Cambodia, and by applying advanced fishing technologies to reduce the manpower required onboard fishing vessels, *e.g.* in purse seiners.

There are a number of national laws and regulations issued by the Government of Thailand with respect to labor in fisheries. These include:

- The Royal Ordinance on Fisheries B.E. 2558 (2015) and its amendments
- The Royal Ordinance Concerning the Management of Foreign Workers' Employment B.E. 2560 (2017) and its amendments
- The Labor Protection in Fisheries Act B.E. 2562 (2019)
- The Immigration Act B.E. 2522 (1979) and its amendments
- The Thai Vessel Act B.E. 2481 (1938) and its amendments

Thailand has ratified the ILO Protocol to the Forced Labour Convention, 1930 (P 29) in June 2018 and the Convention No. 188 on Work in Fishing, 2007 in January 2019, making Thailand the first country in Southeast Asia to adopt these two international standards. Thailand also issued the country's amendments to the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008) and the Labor Protection in Fishing Act B.E. 2562 (2019) which have enhanced the capacity of the country in the implementation of the aforementioned international requirements. While some measures are already parts of labor laws of Thailand, such as minimum working age, medical insurance, maximum working hours and rest periods, written work agreement, regular pay (via bank account transfer for fishers), safety equipment for work, and compensation for work-related deaths or injuries, new measures in the Act include annual health check-ups, repatriation from a foreign port to Thailand, and social security-type benefits (ILO, 2019)

Addressing the issues on labor in the fishing industry in Thailand has close linkage with the actions for combating IUU fishing. Under the Port in-Port out control center (PIPO), crew onboard fishing vessels are inspected through the capacity of the multidisciplinary team in charge, before and after fishing operations. The Department of Fisheries has established the Marine Fisheries Protection and Suppression Center to be responsible for coordinating the inspection of vessels at sea together with provincial officers from related agencies. At present, Thailand has already achieved the standard ratio of one labor inspector per 15,000 workers following the ILO Guidelines. So that in 2019, there were 1,889 labor inspectors engaged in the inspection of vessels.

### ***Challenges and way forward***

Work in the fishing industry is generally acknowledged as dangerous, dirty, and difficult so that in several countries, the industry currently relies very much on migrant workers. Appropriate legal frameworks to provide authority to relevant agencies should therefore be established and enforced, to ensure that workers enjoy comfortable working conditions and receive protection for safety at sea. At any rate, several countries in the Southeast Asian region, especially those that have large fishing industry, have already made progress in establishing laws and legislations to ensure good working conditions of labor engaged in the fishing industry, especially in capture fisheries at sea.

Issues on labor, however, could not be addressed only by the agencies on fisheries considering that finding solutions to labor issues has a very close association with combating IUU fishing, but also through the engagement of the other relevant ministries, *e.g.* those involved in labor, migrants, social and welfare protection. Moreover, there is also a need to establish systems for the registration of labor, not only for nationals but also the migrant workers. Meanwhile, it is also necessary to integrate labor aspects into the national MCS processes, such as records of labor onboard fishing vessels through the port in–port out control, monitoring programs at sea, and so on.

Considering that a large number of fishing workers in the region are migrants, countries of origin and destination of those migrant workers should work collaboratively to ensure that the workers are legalized and properly recorded in the system so that the engagement of illegal workers and its associated problems including human trafficking could be prevented. Relevant authorities in both countries should help ensure that the workers could access the relevant information, *e.g.* workers' rights, recruitment, contracts, legal standards, and fishers' safety and health. Important information could also be translated and provided in the national languages of the migrant workers and discussed with them in various fora including at the pre-departure orientation.

Due to the high demand for workers in fishing activities at seas, educational and skills development programs should be developed for new crew members and workers entering the industry. Technologies and innovations should also be adopted to reduce the use of fishing crews onboard the vessels. Such improved technologies should also lead to better working conditions, safety at sea, and improved occupational health of the fishing crew that meets the relevant international requirements and standards.

For the small-scale fisheries, adoption of the “FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication” could be mobilized to support the promotion of

good working conditions, safety at sea, security of migrant workers. To this end, SEAFDEC produced the Policy Brief “Applying Human Rights-Based and Gender Equality Approaches to Small-Scale Fisheries in Southeast Asia” to serve as a guide for the AMSs to address labor concerns in the fisheries sector, specifically on:

- The right of labor to an adequate standard of living including affordable housing, water, sources of energy, sanitation, education, access to information, and basic health services;
- The right to decent work, including labor rights and social security that are addressed in accordance with the national laws and regulations, and promotion of gender equality and equitable opportunities;
- The right to equal access of men and women to services such as savings, credit, and insurance, including support to market access; and
- The rights of rural/coastal communities, specifically women, indigenous people, migrants, and other vulnerable and marginalized groups, to develop and establish their organizations.

## 9.2 Microfinance, Credit, and Insurance in Support of Small-scale Fisheries

Small-scale fisheries play an important role in food security, nutrition, poverty eradication, providing nutritious food for local, national, and international markets, and generating income to support local and national economies. Small-scale fishing communities are commonly located in remote areas, earning low incomes, and tend to have limited access to markets as well as to health, education, and other social services (FAO, 2015). Small-scale fishers therefore should be given the opportunity to avail of the financial services in establishments that offer loans, savings, and insurance (general, life, and health), as well as access to credit facilities for their socioeconomic well-being enabling them to establish certain investments, *e.g.* housing, education, other emergencies, and also for fish production. Small-scale fishers also need funds as working capital for their daily fishing operation expenses and related investments for the purchase/replacement of fixed assets, *e.g.* boat, engine, gear, nets, or for upgrading their fishing equipment. In addition, considering that women are involved in the activities related to fisheries production, processing, and marketing, as well as in non-fisheries income-generating activities, as such, they would also need access to financial services and credit facilities. In reality, however, small-scale fishers have limited access to financial institutions because they lack the physical and livelihood assets that could be used for the required collateral.

Small-scale fisheries activities are highly dependent on the ecosystem’s health, season, and condition of the water environments as these are mostly operated in open access coastal waters. Fishers could face risks from weather conditions and work-related accidents, while their fishing

communities which are mostly located in coastal areas could be confronted with natural disasters, human-related activities, and pollutions. The FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) is an international instrument that provides the consensus principles and guidance for addressing the concerns in small-scale fisheries. The SSF Guidelines recognize the limitations in financial access and the dearth of investments in the small-scale fisheries sector, as reflected in Article 6.4 which indicates that: “*States should support the development of and access to other services that are appropriate for small-scale fishing communities with regard to, for example, savings, credit, and insurance schemes, with special emphasis on ensuring the access of women to such services*” (FAO, 2015). Moreover, the ASEAN-SEAFDEC Plan of Action (POA) on Sustainable Fisheries for Food Security for the ASEAN Region Towards 2030 also considers the importance of establishing financial incentives for small-scale fisheries. As indicated in POA No. 17, the need to: “*Raise awareness of the need to develop financial incentives, especially for small-scale stakeholders and cooperatives, e.g. micro-credit, with national and regional institutional assistance for the responsible development of fisheries enterprises and developmental activities that optimize economic returns,*” should be addressed.

The Experts Workshop on Guidelines for Micro-finance, Credit, and Insurance for Small-scale Fisheries in Asia co-organized by the FAO and the Asia-Pacific Rural and Agricultural Credit Association (APRACA) in May 2019, discussed the ways to improve the access to financial services for small-scale fishers in Asia and developed the guidelines for microfinance, credit services and insurance in support of small-scale fisheries. As a result, two guidelines have been endorsed by the APRACA members in June 2019. These are: 1) Guidelines for microfinance and credit services in support of small-scale fisheries in Asia (Grace & van Anrooy, 2019); and 2) Guidelines for increasing access of small-scale fisheries to insurance services in Asia (Tietze & van Anrooy, 2019).

These guidelines, which have been developed to complement those of the SSF Guidelines, aim to provide the implementation guides for enhancing the access of small-scale fisheries to financial services, microfinance, credit, and insurance, and support the implementation of the FAO Code of Conduct for Responsible Fisheries in terms of promoting and developing measures to facilitate access to insurance coverage in fisheries. Furthermore, the guidelines are also envisioned to contribute towards achieving the Sustainable Development Goals (SDGs) 14: “*Conserve and sustainably use the oceans, seas and marine resources for sustainable development,*” specifically target 14. b: “*Provide access for small-scale artisanal fishers to marine resources and markets.*” Once access to financial