

(English version)

**Question for written answer E-002060/24
to the Commission
Isabelle Le Calennec (PPE)
(14 October 2024)**

Subject: Social clause in sustainable fisheries partnership agreements

The Commission recently amended the social clause in sustainable fisheries partnership agreements (SFPAs). This clause requires EU vessels to comply with decisions, such as that on the basic minimum wage for seafarers, made by the Joint Maritime Commission of the International Labour Organisation (ILO). It does not cite either ILO Convention No 188 on Work in Fishing or Directive 2017/159.

In December 2023, the Commission informed the social partners in the Sectoral Social Dialogue Committee on Sea-Fisheries (SSDC-F) that it did not have the authority to set a minimum wage in SFPAs. However, in April, July and then September 2024, it proceeded to send them three successive versions of the same social clause. The first imposed the basic minimum wage for seafarers, doing away with the share remuneration system. The second saw the Commission row back, stating that the minimum wage was no longer compulsory, only for that to be reversed two months later by a third clause, with the Commission blaming a translation error in the July version.

1. Does the Commission have the authority to set a minimum wage in SFPAs? In that context, could the Commission provide the legal opinion set out in Ares(2023)6074027 and Ares(2024)4969475?
2. Can the Commission impose the results of biennial wage negotiations on the fishing sector when its social partners are excluded from those negotiations?

Submitted: 14.10.2024

**Answer given by Executive Vice-President Šefčovič on behalf of the European Commission
(26 November 2024)**

In June 2022, following the request from social partners, the Commission decided to launch a process to strengthen the social chapter on the employment of non-EU fishers by EU shipowners in sustainable fisheries partnership agreements (SFPAs).

The process included discussions in the Sectoral Social Dialogue Committee on Sea-Fisheries and three consultative technical meetings held between October 2022 and December 2023. Those consultations were completed with exchanges with Member States in the Council.

The outcome of this work was presented to social partners on 12 September 2024 and corresponds to the text currently proposed in new implementing protocols to SFPAs.

The fact that this text replicates almost literally specific suggestions from social partners, shows the high level of responsiveness from the Commission to social partner's requests.

The new social provisions largely transpose provisions from Directive 2017/159 ⁽¹⁾ on the implementation of Work in Fishing Convention of the International Labour Organisation (ILO) applicable to all crew onboard EU fishing vessels.

SFPAs do not set a minimum wage. To support decent working conditions onboard EU fishing vessels, they promote relevant international standards and require to not contradict International Maritime Organisation and ILO Conventions.

As regards the legal opinions requested, the Honourable Member should consider using the channels available under Annex II to the framework Agreement on relations between the European Parliament and the Commission, which covers the forwarding of confidential information to Parliament'.

⁽¹⁾ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2017.025.01.0012.01.ENG