



## European network of legal experts in gender equality and non-discrimination

### FLASH REPORT

<b>Country:</b>	Belgium
<b>Title:</b>	Working conditions for women in fishing
<b>Date:</b>	13 July 2020
<b>Expert:</b>	Jean Jacqmain – Nathalie Wuïame
<b>Context</b>	
<b>Issue at stake:</b>	Separate sleeping rooms and sanitary facilities for women
<b>Grounds of discrimination:</b>	Gender
<b>Field of application:</b>	Employment, Gender mainstreaming
<b>Source:</b>	European legislation, National legislation
<b>Applicable law:</b>	Directive 2017/159/EU implementing the Agreement concerning the implementation of the Work in Fishing Convention, 2007 of the International Labour Organisation, concluded on 21 May 2012

### Content

**Law development:** (*short summary of facts*). On June 16<sup>th</sup> 2020, the *Moniteur belge/Belgisch Staatsblad* published the federal Work in Fishing Act of 12 June 2020, which is aimed at implementing Directive 2017/159/EU implementing the Agreement of 21 May 2012 which in its turn is aimed at implementing the ILO Convention n° 188 (2007) concerning Work in Fishing.

**Key points of analysis:** According to official data, there are currently 413 men and 9 women working in Belgian fishing vessels. However, all successive instruments (the Convention, the Agreement, the Directive and the Act) are applicable to “any person” who works in fishing. Further, the main purpose of the Convention is to guarantee suitable working conditions to that “any person”; in particular, Article 26 (copied out in Article 23 (e) and (f) of the Agreement) provides for adequate “sleeping rooms” and “sanitary facilities”.

Media reporting on the experience of various countries,<sup>1</sup> where women belatedly were given access to jobs in merchant or military navies reveal that issues related with sleeping quarters, washrooms and toilets had to be tackled as they were quoted as ‘intractable obstacles’ by opponents to the admission of women.

Of course, after transposing the Directive, every member state has to make sure that its own general provisions on gender equality in employment and on health and safety at work are upheld in the “fisherman’s” profession, but some EU guidance would not have come amiss in that respect.

### **Internet link source:**

Directive 2017/159/EU accessible at <http://data.europa.eu/eli/dir/2017/159/oj>.

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<sup>1</sup> In Europe but also the United States, for instance

Act of 12 June accessible at

<http://www.ejustice.just.fgov.be/eli/loi/2020/06/12/2020202545/moniteur>.