



International
Chamber of Shipping

Shaping the Future of Shipping



ECSA
European Community
Shipowners' Associations

Maritime Labour Convention, 2006: Implementation of the 2014 amendments

Tim Springett, ECSA

Workshop on the MLC, 2006

18-20 February 2020

Seafarer abandonments

- The shipowners that ICS and ECSA represent consider seafarer abandonments to be entirely unacceptable
- Every abandonment is a stain on the industry's character
- But we would also object to any system under which we subsidised bad owners who pay little regard to their crews' living and working conditions



The 2014 amendments

- The amendments were very difficult to achieve
- The joint ILO/IMO working group that originally considered this topic took ten years to reach agreement
- But the amendments were adopted unanimously by the Special Tripartite Committee in 2014



Duties of states

- Under MLC Standard A2.5.1, flag states, port states and labour-supply states all have a part to play in ensuring that seafarers are repatriated in a timely manner
- It was never the intention that an abandoned crew should be swapped for a replacement crew where there is no shipowner, they have no SEA's, no guarantee of wages or fuel for the ship's systems to ensure decent living and working conditions, no access to medical facilities and no idea when they will return home



Duties of states - continued

- Paragraph 8 states that “a Member shall not refuse the right of repatriation to any seafarer because of the financial circumstances of a shipowner or because of the shipowner’s inability or unwillingness to replace a seafarer”
- We do not believe that further amendments to this Standard can improve the situation of the victims
- The system must neither encourage nor perpetuate bad practices



Better application of stipulations needed

- Importance of correct data on cases – action can only follow correct identification of cases
- Further ratifications in some areas of the world would drastically improve fate of seafarers
- Flag states need to exercise due diligence before registering ships or providing Maritime Labour Certificates, to filter out owners with uncertain financial histories
- P&I Clubs and the International Group provide essential support of difficult cases – this is important to acknowledge



A seafarer's bill of rights

- The interests of seafarers must be uppermost in the minds of the interested states whenever an abandonment occurs.





International
Chamber of Shipping

Shaping the Future of Shipping



ECSA
European Community
Shipowners' Associations