



3 August 2022

► **Statement of the Officers of the Special Tripartite Committee¹ on ensuring a safe working environment on board vessels where seafarers can live without fear of discrimination and physical or mental abuse.**

The Officers of the Special Tripartite Committee (STC) of the Maritime Labour Convention, 2006, as amended (MLC, 2006) call for action to be taken by flag, port and labour supplying States, shipping companies, and seafarers to be proactive in preventing discrimination and physical or mental abuse on onboard vessels. Given the global nature of shipping, it is crucial that seafarers receive such protection.

The Officers of the STC also acknowledge that there is an existing regulatory framework that should allow for a safe place of work for all seafarers i.e. the MLC, 2006 and the Violence and Harassment Convention, 2019 (No. 190), as well as the fundamental principles found in other international labour standards, including the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

The MLC, 2006 is designed to secure the widest possible acceptability among governments, shipowners and seafarers committed to the principles of decent work.

The application of the MLC, 2006 is overseen by the ILO, which has the core mandate to promote decent conditions of work, and its provisions need to be enforced.

Regulation 4.3, paragraph 1 of the MLC, 2006 states that “[e]ach Member shall ensure that seafarers on ships that fly its flag are provided with occupational health protection and live, work and train on board ship in a safe and hygienic environment.”

¹ The Special Tripartite Committee (STC) is the tripartite body established under Article XIII of the Maritime Labour Convention, 2006, to keep the working of the Convention under continuous review. The Officers of the STC have been appointed by the ILO Governing Body for a period of three years. They are currently: Mr Martin Marini from Singapore (Chairperson), Mr Yasuhiro Urano from Japan (Government Vice-Chairperson), Mr Mark Dickinson from the United Kingdom of Great Britain and Northern Ireland (Seafarer Vice-Chairperson) and Mr Max Johns from Germany (Shipowner Vice-Chairperson).

The Officers of the STC also emphasize that flag States have defined duties and obligations regarding labour conditions, crewing and social matters on ships that fly their flags under the United Nations Convention on the Law of the Sea (UNCLOS, Article 94).

Members which ratify the MLC, 2006 have undertaken to ensure that the seafarers' employment and social rights set out in Article IV² are fully implemented in accordance with the requirements of the Convention, and notably to ensure that every seafarer has the right to a safe and secure workplace that complies with safety standards.

This includes the obligation for Members to provide seafarers with an accessible confidential complaint and reporting procedure to allow them to report any breaches of their fundamental rights set out in Article III, in accordance with Article V (Implementation and Enforcement Responsibilities) and the relevant provisions of the MLC, 2006.

To assist ILO Members to ensure that seafarers receive the protection specifically afforded to them by the MLC, 2006, the Officers of the STC refer to the need to take into account the latest version of the *Guidance on eliminating shipboard harassment and bullying* jointly published by the International Chamber of Shipping and the International Transport Workers' Federation, as provided for in Guideline B.4.3.1 of the MLC, 2006.

² Article IV of the MLC, 2006 provides that:

- “1. Every seafarer has the right to a safe and secure workplace that complies with safety standards.
2. Every seafarer has a right to fair terms of employment.
3. Every seafarer has a right to decent working and living conditions on board ship.
4. Every seafarer has a right to health protection, medical care, welfare measures and other forms of social protection.
5. Each Member shall ensure, within the limits of its jurisdiction, that the seafarers' employment and social rights set out in the preceding paragraphs of this Article are fully implemented in accordance with the requirements of this Convention. Unless specified otherwise in the Convention, such implementation may be achieved through national laws or regulations, through applicable collective bargaining agreements or through other measures or in practice.”