



International
Labour
Organization



Special Tripartite Committee of the Maritime Labour Convention, 2006, as amended

11 February 2022

► **Statement of the Officers of the Special Tripartite Committee¹: the continuing negative impact of the pandemic on seafarers' rights**

The COVID-19 pandemic has created dire circumstances for the shipping industry and seafarers and continues to adversely affect everyone globally. Many countries that in 2021 made decisions to ease the restrictions affecting the daily life of their citizens are once again tightening their policies. Despite some countries recognising seafarers as key workers and shipping as an essential asset to the global economy, it is disturbing to note that many port States have again imposed disproportionate quarantine and travel restrictions on seafarers, despite the measures in place for infection control. The crew change situation remains critical and appears to be deteriorating, which jeopardises the safe and uninterrupted delivery of vital supplies. In certain areas of the world, seafarers are systematically denied access to medical facilities when in need of immediate care, causing an imminent renewed humanitarian crisis.

In this context, the Officers of the Special Tripartite Committee (STC) of the Maritime Labour Convention, 2006, as amended (MLC, 2006), representing Seafarers, Shipowners and Governments, urge the International Labour Office to continue to raise awareness among governments, including labour supplying States and port and flag State authorities, that the goods on which we all rely in our everyday lives are transported by seafarers who should be treated with dignity and respect to ensure that they can continue to provide their vital services to the world.

The Officers of the STC welcome the [report](#) recently adopted by the ILO Committee of Experts on the Application of Conventions and Recommendations which stresses that “the notion of *force majeure* should not be regarded as a valid reason to deprive seafarers of their rights, as there are options available worldwide to comply with the provisions of the MLC, 2006”. The Committee further “urges ratifying States, which have not yet done so, to adopt, without delay, all necessary measures to fully restore

¹ The Special Tripartite Committee (STC) is the tripartite body established under Article XIII of the Maritime Labour Convention, 2006, as amended to keep the working of the Convention under continuous review. The Officers of the STC have been appointed by the International Labour Organization (ILO) Governing Body for a period of three years. They are currently: Ms Julie Carlton from the United Kingdom of Great Britain and Northern Ireland (Chairperson), Mr Martin Marini from Singapore (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 protection of seafarers' rights and fully comply with their obligations under the MLC, 2006.”

The Officers of the STC reiterate their request² to all ILO Member States to bring together the appropriate departments and agencies without delay to address the following:

- Recognize seafarers as key workers³ and treat them as such;
- Ensure that, as key workers, seafarers are granted exemptions from travel restrictions to enable them to join and leave their ships and return home as already explicitly contained in the MLC, 2006 obligations on repatriation and entitlement to leave, while complying with good practice in infection control and are given access to vaccinations, and follow up doses required, as a matter of priority. Members States are encouraged to review the protocols which have been recognised by the International Maritime Organization (IMO) and made available [online](#);
- Adopt the necessary measures to continue to facilitate crew changes, regardless of the nationality of ships calling in their ports. This should include creating sufficient structures that guarantee a safe flow of seafarers from ships to designated embarkation points and closer cooperation between different government agencies;
- Develop greater cooperation to access and utilise reliable, efficient and consistent universal testing procedures for seafarers;
- Do everything in their power to facilitate visa and passport renewals to recognize the extended periods which many seafarers now experience and to exercise flexibility in facilitating repatriation;
- Begin shaping a strategy guaranteeing seafarers medium- and long-term access to ships and their ability to return home in light of growing concerns related to new variants of COVID-19 and the increase of cases in countries which previously were not so affected.
- Provide clear guidance, as flag States, for ships to ensure that plans to repatriate seafarers are developed, including recommendations of ship diversions to ports permitting crew changes;
- Continue to review their policies as flag States to prevent the extension of periods of service on board beyond their agreed tours of duty, which may result in increasing substantially the risk of stress and fatigue of seafarers, and fully exercise their responsibilities to mitigate the risks linked to fatigue and accidents by effectively policing ships and enforcing regulations, including provisions of the MLC, 2006;
- Ensure that robust action is taken to guarantee that seafarers are not blacklisted or stigmatized for refusing to extend their Seafarers' Employment Agreements or for raising concerns and complaints under the provisions of the MLC, 2006;

² See Statements of the Officers of the STC on the Coronavirus disease (COVID-19) of [31 March 2020](#) and of [1 October 2020](#).

³ To date [63 countries](#) have notified the International Maritime Organization (IMO) that they have recognized seafarers as key workers.

- As flag States, consider limiting remote inspections to issue ship certificates to avoid an additional burden for seafarers assisting during such inspections and an increase in mental and physical fatigue;
- Ensure that visitors to ships are strictly monitored and provided with all necessary personal protective equipment, are fully vaccinated and have been subject to robust testing protocols beforehand to limit the risk of contagion;
- Encourage port State control officers to exercise their professional judgement to evaluate safety risks associated with the prolonged extension of contracts, including the level of stress and fatigue amongst seafarers who have already completed their tours of duty and to help facilitate the repatriation and replacement of crews on a timely basis;
- Allow seafarers to access port State medical facilities and receive medical attention on an equal basis as nationals and in line with the requirements set out in the World Health Organization (WHO) International Health Regulations and the MLC, 2006;
- As port States, facilitate seafarers' shore leave in accordance with the existing national COVID-19 preventive measures in a safe and controlled manner and give full support to seafarer port-based welfare services, acknowledging that the COVID-19 pandemic clearly exacerbates the inherent stress, isolation and social pressures that seafarers experience and has adversely impacted the mental and physical well-being of seafarers and their families; and
- As labour supply countries, facilitate the prompt return home of those seafarers who have completed their contracts and allow seafarers to leave their home country to join their ships, after appropriate medical screening and preventative actions have been agreed.

The Officers of the STC further recall their [Statement of 15 December 2020 regarding increased collaboration between shipowners and charterers to facilitate crew changes](#), which remains applicable in its entirety.

It is essential that the points raised above are taken seriously and that clear, decisive and supportive action is taken by Member States to ensure the free movement of seafarers, to facilitate shipping operations and to minimize the continued social, economic and operational impact of the COVID-19 outbreak upon the shipping sector in order to protect the global supply of the products and produce on which we all depend.

Finally, the Officers of the STC once again express concern about the noticeable increase and duration of abandonment cases. Flag States, port States and labour supplying countries are all asked to ensure that the requirements under the MLC, 2006 are adhered to.