



Seventh sitting

Monday, 6 June 2016, 2.40 p.m.

President: Ms Oliphant

**APPROVAL OF AMENDMENTS TO THE CODE OF
THE MARITIME LABOUR CONVENTION, 2006, AND
ADOPTION OF AMENDMENTS TO THE ANNEXES
OF THE SEAFARERS' IDENTITY DOCUMENTS
CONVENTION (REVISED), 2003 (NO. 185)**

The PRESIDENT

It is my great pleasure to declare open the seventh sitting of the 105th Session of the International Labour Conference.

This afternoon the Conference is called on to consider two sets of amendments to maritime instruments. The first set of amendments is those to the Code of the Maritime Labour Convention, 2006 (Code of the MLC, 2006), which were adopted at the second meeting of the Special Tripartite Committee (STC), which met from 8 to 10 February 2016. These amendments refer to Regulation 4.3 – Health and safety protection and accident prevention, and Regulation 5.1 – Flag State responsibilities. Both amendments were adopted unanimously by the STC and have been transmitted to the Conference by the Governing Body for approval, in accordance with Article XV(5) of the Convention. They are published in *Provisional Record* No. 3-1.

The second set of amendments is those proposed to the three annexes of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185). These amendments have been transmitted to the Conference by the Governing Body for adoption, together with the resolutions, one on the implementation of the Convention and entry into force of the proposed amendments, including transitional measures, and another on the facilitation of access to shore leave and transit of seafarers. They are published in *Provisional Record* No. 3-2.

In the case of the amendments to the Code of the MLC, 2006, the decision of the Conference is limited either to approving or not approving the amendments. Should the Conference not approve them, they will be referred back to the STC.

Both sets of amendments were very fully discussed at the two meetings organized for this purpose in the week of 8–12 February this year. Our purpose today is not to re-open those discussions.

I now look to Ms Mary Liew, General Secretary of the Singapore Maritime Officers' Union, speaking for the Workers' group.

Ms LIEW (*Worker, Singapore*)

The Conference has before it the amendments to the Code of the MLC, 2006 for approval, and the

amendments to the annexes of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), for adoption.

Firstly, let me just touch on the amendments to the Code of the MLC, 2006. The ratification by Myanmar of the Maritime Labour Convention (MLC, 2006), ahead of this session of the Conference was the 75th ratification. This marks a significant milestone and shows the relevance of the MLC, 2006, for the shipping industry as it now covers over 90 per cent of the world fleet in terms of gross tonnage. This is a significant achievement; it means that 100 per cent coverage of world gross tonnage of ships is now in sight. The MLC, 2006, is an indication of what the ILO can achieve in other areas.

We attach great importance to the amendments to the Code implementing Regulation 4.3 – Health and safety protection and accident prevention, designed to address shipboard bullying and harassment. Seafarers live and work on board ship with no escape, and these issues can have serious consequences and impact on seafarers' physical and mental health. At the STC in February of this year, it was suggested that these issues could contribute to the comparatively high risk of suicides among seafarers as an occupational group. The amendment therefore includes an additional provision on eliminating shipboard harassment and bullying in Guideline B4.3 of the MLC, 2006, concerning health and safety protection. The detailed guidance to give effect to this provision is based on the guidance on eliminating shipboard harassment and bullying developed jointly by the International Chamber of Shipping and the International Transport Workers' Federation. Notably, the guidance addresses the issue of gender-based violence. This is a timely development in view of the upcoming standard-setting item on the violence against women and men in the world of work.

In addition, the Workers' group supports the amendments submitted by the Employers' group at the STC relating to the Code implementing Regulation 5.1.3 to allow flag States to extend the validity of maritime labour certificates by up to five months.

We would also like to commend the diligent work of the Committee of Experts on the Application of Conventions and Recommendations on reviewing the initial reports of countries that have ratified the MLC, 2006. As the MLC, 2006, is a comprehensive Convention, it is likely that it will take the experts many years to complete their work on the first article 22 reports. On this note, the Workers' group wishes to recommend that the amendments to the

Code of the MLC, 2006, submitted to the Conference be approved.

It is our sincere hope that the current pace of ratification of the MLC, 2006, will be maintained.

The Conference also has before it the amendments to Convention No. 185 for adoption. Article 8(1) of the Convention provides that amendments to the annexes may be made by the International Labour Conference, acting on the advice of a duly constituted tripartite maritime body of the International Labour Organization.

As you are aware, an Ad Hoc Tripartite Maritime Committee met in February this year and adopted amendments to Annexes I, II and III of the Convention. The Governing Body submitted the amendments to the Conference for voting, along with two resolutions also adopted by the Committee. The amendments before the Conference are intended to align the technical requirements of the Convention with the more modern standards of the International Civil Aviation Organization (ICAO). This would involve replacing the use of a fingerprint template in a two-dimensional barcode with a facial image stored in a contactless chip, and ensuring that the national electronic database was required to contain only the public keys necessary to verify digital signatures identified by contactless chips as set out in ICAO Document 9303.

These amendments will facilitate the readability of seafarers' identity documents at airports and ports around the world and, in particular, shore leave for seafarers, as more and more countries have moved and are moving to machine-readable chip technology, in accordance with ICAO standards. This will help improve the welfare of seafarers, while ensuring high standards of security. At the same time, it will also give an important boost to the ratification of Convention No. 185. A transitional provision will enable countries currently using barcode technology with enough time to transition to chip technology for seafarer identity documents. In this respect, the resolution relating to the implementation of Convention No. 185 and the entry into force of the proposed requirements, including transitional measures, is extremely important.

Finally, the Workers' group wishes to recommend to the Conference the resolution on the implementation of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), and entry into force of the proposed amendments to its annexes, including transitional measures, as well as the resolution on the facilitation of access to shore leave and transit of seafarers, which is vital for seafarers to maintain their physical well-being and mental health.

The PRESIDENT

With regard to the amendments to the Code of the Maritime Labour Convention, 2006, may I take it that the Conference takes note of those amendments, which will be the subject of a record vote on Wednesday?

(The amendments are noted.)

Let me now turn to the amendments to the annexes of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185).

May I take it that the Conference approves those amendments for submission to a record vote on Wednesday?

(The amendments are approved.)

We still have the two resolutions relating to the amendments to the annexes of Convention No. 185 to adopt.

The first one is the resolution on the implementation of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), and entry into force of the proposed amendments to its annexes, including transitional measures.

Does the Conference adopt this resolution? I see no objections.

(The resolution is adopted.)

The second resolution is the resolution on the facilitation of access to shore leave and transit of seafarers.

May I take it that the Conference also adopts this resolution? I see no objections.

(The resolution is adopted.)

ARRANGEMENTS FOR THE VOTES

The PRESIDENT

Before moving on, I should like to inform the Conference of the arrangements put in place for voting procedures. These were endorsed by the Selection Committee in its report issued last week in *Provisional Record* No. 4.

No. 1: record votes on the approval and adoption of these two sets of proposals will be held on the morning of Wednesday, 8 June.

No. 2: votes will be cast at voting stations installed in Hall 14, outside the far end of the Assembly Hall here at the *Palais des Nations*, and outside the Governing Body Room at ILO headquarters. Delegates with the right to vote will require their PIN codes to be able to log into the electronic system.

No. 3: the vote will open at 9 a.m. on Wednesday, 8 June and will remain open until 1 p.m. in the afternoon.

No. 4: I shall formally announce the results of the vote after the closing of the special sitting on Thursday, 9 June, immediately after the presentation by Mr Jean-Claude Juncker, President of the European Commission.

The Selection Committee considered that the arrangement of an open vote, with voting stations installed outside the meeting rooms, would facilitate the work of the Conference by allowing delegates to vote at a moment convenient to them, without interrupting the work of the committees or of plenary.

Approval of the amendments to the Code of the MLC, 2006, in accordance with its Article XV, requires a majority of two-thirds of the votes cast by the delegates present at the Conference. The stipulations regarding entry into force of the amendments are set out in paragraph 5 of *Provisional Record* No. 3-1.

Adoption of the amendments to the annexes of Convention No. 185, in accordance with its Article 8(1), requires a majority of two-thirds of the votes cast by the delegates present at the Conference, including at least half the Members that have ratified that Convention.

During the course of the discussion on Wednesday morning, the Officer presiding in plenary and the Committee Chairpersons will periodically remind delegates of the need to cast their votes on these amendments to two very important ILO Conventions.

(The Conference continued its discussion of the Reports of the Chairperson of the Governing Body and of the Director-General.)

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