

The Maritime Labour Convention, 2006

The Essential Role of "Decent work" standards for the Maritime Professions: the Maritime Labour Convention, 2006 and other related activities of the International Labour Organization.

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The ILO - 90 years of working with the maritime sector

Seafarers have always been of special concern to the International Labour Organization.

- One of the first legal instruments that the ILO adopted was the National Seamen's Codes Recommendation, 1920 (No.9)
- At its 94th Session (the 10th Maritime Session), 7- 23 February 2006, the International Labour Conference adopted an important new legal ILO instrument, the *Maritime Labour Convention, 2006 (MLC,2006)*
- The MLC,2006, is comprehensive. It consolidates 37 existing Conventions and is aimed at establishing *decent work* and *fair competition* and to help to achieve "*fair globalization*"
- The MLC,2006 is often called the "fourth pillar" of international maritime regulatory regime, because it will, when it enters into force, stand beside the key IMO Conventions (SOLAS, MARPOL & STCW) that support quality shipping and help to eliminate substandard shipping

The “heart” of the MLC,2006 – the SEA

- Regulation 2.1 –Seafarers’ employment agreements (SEA) (Standard A2,1 para 1).

Seafarers working on ship that fly its flag shall have a seafarers’ employment agreement signed by both the seafarer and shipowner...providing them with decent working and living conditions on board the ship as required by this Convention.

MLC,2006 – *Title 2, Regulation 2.1; Standard A2.1;*
Guideline B2.1 –Seafarers' employment agreements (SEA)

- ***Standard A2.1, para 4*** Member must adopt *national laws or regulations* specifying matters to be included in SEAs. In all cases the items listed in *para 4 (a) – (j) [k]* must be included.
 - (a) the seafarer's full name, date of birth or age, and birthplace;
 - (b) the shipowner's name and address;
 - (c) the place where and date when the seafarers' employment agreement is entered into;
 - (d) the capacity in which the seafarer is to be employed;
 - (e) the amount of the seafarer's wages or, where applicable, the formula used for calculating them;
 - (f) the amount of the paid annual leave or, where applicable, the formula used for calculating it;
 - (g) the termination of the agreement and the conditions thereof, including (i)- (iii) ...
 - (h) the health and social security protection benefits to be provided to the seafarer by the shipowner;
 - (i) the seafarer's entitlement to repatriation;
 - (j) reference to the collective bargaining agreement, if applicable; and
 - (k) any other particulars which national law may require.

Career and skill development and opportunities for seafarers' employment

- The ILO Global Jobs Pact, adopted by the International Labour Conference in June 2009 identified increasing equal access and opportunities for skills development, quality training and education as one of the principles for promoting recovery from the current global economic crisis

MLC, 2006 - Regulation 2.8; Standard A2.8; Guideline B2.8 – Career and skill development and opportunities for seafarers' employment

- Ratifying countries are to adopt national policies on employment and career and skill development; *promotion of employment opportunities for seafarers domiciled in its territory*

Security and Seafarer access to shore and other issues

- ILO Convention No. 185, 2003 providing for Seafarers Identity Documents facilitating shore leave and transit & transfer within a unique security structure
- Other activities in cooperation with the IMO – e.g., principles for future binding provisions to address the problem of abandonment of seafarers.



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