



Key Issues

# ILO and the Maritime Labour Convention



The purpose of the International Labour Organization (ILO) Maritime Labour Convention (MLC) is to establish a global level playing field of employment standards for seafarers, embracing the ILO concept of 'Decent Work'. Over 80 nations have so far ratified the Convention which entered into force in 2013. This now covers all of the major seafarer supply nations, including China, India and the Philippines, and the MLC's provisions are now being fully enforced worldwide through Port State Control.

Important matters covered by the MLC include the obligations of employers for contractual arrangements with seafarers, oversight of manning agencies, health and safety, work hour limits, crew accommodation, catering standards and seafarers' welfare.

Unlike IMO Conventions, the MLC is the product of ILO's unique tripartite process. ICS was the official ILO social partner that negotiated the text on behalf of maritime employers with governments and ICS's counterpart, the International Transport Workers' Federation (ITF) which represents seafarers. ICS therefore has a special interest in ensuring that the MLC continues to be properly implemented.

In April 2018, in Geneva, ICS co-ordinated employers' representatives from over 20 national shipowners' associations at the third meeting of the Special Tripartite Committee (STC). The STC was established to keep the working of the MLC under continuous review and to consider proposals for further amendments. The STC was preceded by a bilateral preparatory meeting between national shipowners' association representatives and ITF union affiliates, hosted at the ICS office in February 2018.

The STC agenda in April included the future process for the submission of amendments to the MLC, and the issue of how best to approach the payment of wages during situations of piracy. The latter is rightly an emotive issue, but ICS members argued that there is no compelling need for

additional ILO legislation given that crew claims in situations of abandonment are already covered by recent amendments to the MLC. Other issues discussed by the STC in 2018 included flag state implementation problems; whether the MLC amendments addressing crew abandonment (which entered into force in January 2017) have had a positive effect, and issues arising from the reports submitted by governments to the ILO Committee of Experts.



In discussion with governments, work continues on harmonising provisions related to the renewal of Maritime Labour Certificates with similar certificate renewal provisions contained in other international maritime instruments, following the earlier acceptance by the ILO STC of a proposal by the employers' group in 2016.

During the course of 2018, additional MLC amendments will enter into force that highlight the importance of health and safety on board ships. These also take account of voluntary Guidance on Eliminating Shipboard Harassment and Bullying, which has been jointly developed by ICS and ITF and which can be downloaded from the ICS website. ICS is also working with ITF to produce a new handbook on the provision of welfare services to support the provisions of the MLC.

The ILO STC meeting in April 2018 was the final occasion when the Employers' Group was led by its elected spokesperson, Arthur Bowring, who has recently stepped down as the Managing Director of the Hong Kong Shipowners Association. His very significant contribution in helping the industry to see through the entry into force and implementation of the MLC is gratefully acknowledged and appreciated by ICS members.

