

LEGAL COMMITTEE
112th session
Agenda item 4

LEG 112/4(a)/3
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FAIR TREATMENT OF SEAFARERS

(a) Provision of financial security in case of abandonment of seafarers, and shipowners' responsibilities in respect of contractual claims for personal injury to, or death of seafarers, in light of the progress of amendments to the ILO Maritime Labour Convention, 2006

Status report regarding the Task Force to review and update the Joint ILO-IMO Abandonment Database

Submitted by the International Chamber of Shipping (ICS)

SUMMARY

Executive summary: This document provides a status report regarding the joint ILO-IMO Task Force, established during IMO LEG 111, to review and update (or redevelop), as necessary, the joint ILO/IMO abandonment database (including all procedural, policy and technical aspects), with a view to submitting recommendations for further review and consideration at a future meeting of the Joint ILO/IMO Tripartite Working Group to identify and address seafarers' issues and the human element (JTWG-SHE).

Strategic direction, if applicable: 6

Output: 6.7

Action to be taken: Paragraph 9

Related document: LEG 111/4(a)/2

Background

1 The Legal Committee, at its 111th session (LEG 111), agreed to establish a new task force ("the Task Force") – coordinated by the International Chamber of Shipping (ICS) – comprising interested ILO/IMO Member States, as well as shipowners' and seafarers' representatives, among other stakeholders, to review and update (or redevelop), as necessary, the joint ILO/IMO abandonment database (including all procedural, policy, financial and technical aspects), for further consideration at a future meeting of the Joint ILO/IMO Tripartite Working Group to identify and address seafarers' issues and the human element (JTWG-SHE).

2 Subsequently, the IMO Council at its 132nd session in July 2024, approved the extension of the duration of the JTWG and endorsed the request of the Committee to the ILO/IMO Joint Secretariat, to convene a meeting to conduct a final review and consideration of the Task Force report. Likewise, the ILO Special Tripartite Committee (STC) established under the Maritime Labour Convention, 2006, as amended, and the ILO Governing Body will also have to endorse the request to extend the duration and to convene the meeting in question.

Task Force members

3 To date, representatives from the following ILO/IMO Member States are part of the Task Force:

CHINA	PHILIPPINES
LIBERIA	SINGAPORE
MARSHALL ISLANDS	UNITED KINGDOM

and observers from the following non-governmental organizations in consultative status:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
BALTIC AND INTERNATIONAL MARITIME COUNCIL (BIMCO)
INTERNATIONAL GROUP OF PROTECTION AND INDEMNITY ASSOCIATIONS
(P & I CLUBS)
INTERNATIONAL CHRISTIAN MARITIME ASSOCIATION (ICMA)
INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF)

4 Any other delegations wishing to join the Task Force are invited to contact the Coordinator.*

Task Force terms of reference (TOR)

5 In the context of a possible review and update of the ILO/IMO abandonment database (including all procedural, policy, financial and technical aspects), the work of the Task Force will be guided by the terms of reference approved during LEG 111, as contained in paragraph 7 of document LEG 111/4(a)2 (ICS and ITF) and replicated below for ease of reference:

- .1 Review and update the "General procedure to be followed for the operation of the database on reported incidents of abandonment of seafarers and fishers" – document IMO/ILO/WGLLCCS 6/6, paragraphs 3.91 to 3.113.
- .2 Review and update should include, but is not limited to:
 - .1 ensuring that the status of each case is accurately recorded and/or updated, indicating who makes the recordation, as well as in what circumstances and/or times any updates can be made; and
 - .2 providing a procedure to deal with disputed abandonment cases.

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- .3 During the database review process, also review and propose updates (as necessary) to the existing reporting form to be used when reporting information on cases of abandonment to ILO/IMO, including how these might be adjusted and if more suitable digital approaches exist (current reporting form may be accessed [here](#) and the initial reporting form framework can be found in annex 1 to document [IMO/ILO/WGLCCS5/3](#)).
- .4 Recognizing that digital technology has advanced significantly since the database was initially set up, and an upgrade to a more efficient electronic system is now required; develop a framework proposal on the basis of which the database can be updated or redeveloped, to enhance, promote and facilitate the recording, analysis and reporting of abandonment cases to the database and their prompt resolution.
- .5 Develop a framework proposal on the basis of which ILO/IMO can issue joint standardized annual reports of abandonment cases, which can be compared year-on-year more efficiently. This may cover, but is not limited to, a template format for analysis of the frequency of cases (i.e. increasing or decreasing), as well as any other patterns of significance.
- .6 Submit a report with clear recommendations for review and consideration at a future meeting of the Joint ILO/IMO Tripartite Working Group to identify and address seafarers' issues and the human element (JTWG). The Task Force report should also be shared with the IMO Facilitation Committee (FAL) and the Officers of the ILO Special Tripartite Committee (STC) for information.

6 Likewise, the work of the Task Force was guided by the outcome of discussions during LEG 111. More specifically, the Task Force was further instructed to "...[consider] abandonment cases, as reported in the database, and [define] the terms resolved, disputed, unresolved, inactive, and any other additional status [...] considered important as a result of the review" (see LEG 111/17, paragraph 4(a)10.1).

Method of work

7 To facilitate the review process, the ILO and IMO Secretariats (alongside the Task Force coordinator) have jointly prepared a "Background Document for the Task Force", which is intended to serve as the base document for the group's work going forward. The document contains some specific actions, in the form of comments and inputs, which are being sought from Task Force members to progress towards fulfilment of the TOR. The base document is divided into three sections:

Part I: "Context, policies and procedures relating to the ILO/IMO joint database on abandonment of seafarers"

Part II: "Technical upgrades"

Part III: "Considerations for the Task Force"

Time frame for ILO/IMO abandonment database review process

8 Outlined below is the time frame for the database review process, taking into account the programme of IMO and ILO meetings for 2025:

Phase description	Phase start date	Phase completion date
Introductory round: Online meeting, including presentation on database updates and preliminary exchanges on regarding the information in the base document.	[5] [6] February 2025	[5] [6] February 2025
1st round: Initial written inputs on base document.	[12] [14] February 2025	Inputs on base document by end of April 2025
2nd round: Additional written inputs on base document.	End of May 2025	Inputs on base document by end of June 2025
3rd round: Initial review and written inputs on initial draft of Task Force report.	Mid-September 2025	Inputs on initial draft report by mid-October 2025
4th round: Final review and written inputs on final draft of Task Force report.	Early November 2025	Inputs on final draft report by end of November 2025

Action requested of the Committee

9 The Legal Committee is invited to note the information provided in this document.
