



Enforcement of the MLC, 2006 in the Caribbean Region




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MLC, 2006 – Relevant Instrument

- Approved as a Relevant Instrument in 2015 at the 20th Annual Meeting
- Ratified by 12 of 21 Member States
- Enacted in local legislation by 11 Member States, 1 has draft legislation
- Guidelines are based off the PMOU Guidelines
- No CIC has been carried out due to low ratification/ enactment



MLC, 2006 Deficiencies 2017 - 2019 per Sub-Category

MLC, 2006 Sub-Category Item	2017-2019
Minimum Requirements for Seafarers to work on a ship	4
Conditions of Employment	29
Accommodation, Recreational Facilities, Food and Catering	26
Health Protection, Medical Care, Welfare and Social Security Protection	23
Total	82



MLC, 2006 Deficiencies per year

MLC, 2006 Sub-Category item	2017	2018	2019
Minimum Requirements to Work on a Ship (Minimum Requirements for Seafarers)	1	1	2
Conditions of Employment	6	13	10
Accommodation, Recreational Facilities, Food and Catering	8	11	7
Health Protection, Medical Care, Social Security	3	9	11
Total	18	34	30



Details of MLC, 2006 Deficiencies – 2017 - 2019

Code	Deficiency	Number
181xx	Minimum Requirements to Work on a Ship (Minimum Requirements for Seafarers)	
18103	Medical fitness	3
18199	Other (Minimum requirements)	1
182xx	Conditions of Employment	
18201	Fitness for duty - work and rest hours	2
18202	Legal documentation on work and rest hours	1
18203	Wages	7
18204	Calculation and payment of wages	2
18299	Other (Conditions of employment)	17



Details of MLC, 2006 Deficiencies – 2017 - 2019

Code	Deficiency	Number
183xx	Accommodation, Recreational Facilities, Food and Catering	
18305	Hospital accommodation (Sickbay)	2
18306	Sleeping room, additional spaces	1
18312	Galley, handlingroom (maintenance)	1
18313	Cleanliness	3
18315	Provisions quality and nutritional value	1
18316	Water, pipes, tanks	2
18317	Food personal hygiene	4
18321	Heating, air conditioning and ventilation	4
18322	Insulation	3
18324	Cold room, cold room cleanliness, cold room temperature	3
18327	Ventilation (Working spaces)	1
18399	Other (Accommodation, recreational facilities...)	1



Details of MLC, 2006 Deficiencies – 2017 - 2019

Code	Deficiency	Number
184xx	Health Protection, Medical Care, Social Security	
18401	Medical Equipment, medical chest, medical guide	5
18408	Electrical	1
18409	Dangerous areas	1
18412	Personal equipment	1
18416	Ropes and wires	2
18417	Anchoring devices	2
18418	Winches & capstans	2
18420	Cleanliness of engine room	7
18421	Guards - fencing around dangerous machinery parts	1
18499	Other (Health protection, medical care...)	1



ILO, 147 – Relevant Instrument

- Being used by some States who have not yet ratified the MLC, 2006 yet;
- Five Member States and one Associate Member State;
- All have it enshrined in domestic Legislation.



ILO 147 Deficiencies 2017 - 2019 per Sub-Category

ILO 147 Sub-Category Item	2017-2019
091 - Living and Working Conditions - Living Conditions	105
092 - Living and Working Conditions - Working Conditions	199
Total	304



ILO, 147 Deficiencies per year

ILO 147 Sub-Category Item	2017	2018	2019
091 - Living and Working Conditions - Living Conditions	50	38	17
092 - Living and Working Conditions - Working Conditions	77	84	38
Total	127	122	55

Details of ILO 147 Deficiencies – 2017 - 2019



Code	Deficiency	Number
091xx	Living and Working Conditions - Living Conditions	
09102	Dirty, parasites	3
09103	Ventilation	3
09106	Sanitary facilities	6
09108	Lighting	10
09109	Pipes, wires (insulation)	1
09110	Electrical devices	3
09112	Medical equipment	31
09114	Sleeping room	1
09120	clothes locker	1
09121	Laundry	1
09123	Other (crew and accommodation)	6
09124	Galley handlingrooms (maintenance)	4
09126	Lighting	2
09127	Cleanliness	12
09128	Provisions (quantity)	4
09129	Provisions (quality)	1
09130	Water, pipes and tanks	1
09131	Cold rooms	6
09132	Cold room temperature	4
09133	Cold room cleanliness	1
09135	Food temperature	1
09138	Other (food)	3

Details of ILO 147 Deficiencies – 2017 - 2019



092xx	Living and Working Conditions - Working Conditions	
09201	Ventilation	6
09203	Lighting	8
09204	Safe means of access	5
09205	Safe means of access shore - ship	4
09207	Obstruction/slipping, etc.	5
09208	Protection machinery	6
09209	Electrical	9
09210	Machinery	5
09211	Steam pipes and pressure pipes	2
09213	Gas instruments	5
09215	Other (working space ILO)	6
09216	Personal equipment	10
09217	Warning notices	3
09218	Protection machines / parts	2
09219	Pipes, wires (insulation)	1
09220	Structural features (ship)	8
09221	Entry dangerous spaces	1
09222	Other (accident prevention)	29
09223	Gangway, accommodation ladder	9
09225	Loading and unloading equipment	3
09227	Ropes and wires	1
09228	Anchoring devices	18
09229	Winches and capstans	7
09231	Other (mooring)	2
09232	Cleanliness of engine room	18
09235	Fitness for duty - work and rest hours	21
09236	Legal documentation on work and rest hours	5

Similarities – ILO/MLC



- High percentage of Deficiencies linked to:
 - Cleanliness
 - Medical equipment
 - Gangway, accommodation ladder
 - Anchoring Devices
 - Accident Prevention
 - Fitness for duty



Data Exchange

- Exchange of information among PSC regimes and reporting requirements. Data systems (EQUASIS/GISIS/ILO):
 - CMOU exchanges data with EQUASIS and GISIS
 - Use the coding system of the PMOU/TMOU

Issues

- Ratification for the region is low thus not fully enforced.
- Issues with vessels under 500GT
 - Inspected under CCSS and SCV Codes
 - MLC is applicable but many vessels cannot meet some of the requirements
 - Reluctance to have SEA's on smaller vessels as seafarers often frequently change which vessels they work on or indeed have significant other employment making compliant contracts difficult to implement practically.
 - Also effective collective bargaining is difficult especially in these circumstances
 - Repatriation is a problem. Many vessels are abandoned after being detained leaving the crew to fend for themselves or at a cost to the detaining State.



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