



EMSA workshop with IPA Countries on MLC, 2006

Training on MLC 2006

Latest MLC 2006 amendments

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Introduction: What is MLC-2006?

- Comprehensive international labour Convention.
- Sets out seafarers' rights to decent conditions of work
- Helps fair competition for ship-owners.
- 16 Articles (general provisions) + 5 Titles (specific provisions).



MLC-2006: Title provisions

- Title 1: Minimum requirements for seafarers to work on a ship
- Title 2: Conditions of employment
- Title 3: Accommodation, recreational facilities, food and catering
- Title 4: Health protection, medical care, welfare and social security protection
- Title 5: Compliance and enforcement

What to be checked by the flag State?

14 areas of Working and living conditions of seafarers as described in MLC-2006:

1. **Minimum age**
2. **Medical certification**
3. **Qualifications of seafarers**
4. **Seafarers' employment agreements**
5. **Use of any licensed or certified or regulated private recruitment and placement service**
6. **Hours of work or rest**
7. **Manning levels for the ship**
8. **Accommodation**
9. **On-board recreational facilities**
10. **Food and catering**
11. **Health and safety and accident prevention**
12. **On-board medical care**
13. **On-board complaint procedures**
14. **Payment of wages**



MLC-2006: Title structure (I)

Each Title consists of:

- **Regulations:** Mandatory (principles and rights worded in very general terms)
- **Standards:** Mandatory (part A of the Code - details the manner each Regulation shall be implemented)
- **Guidelines:** Not mandatory (part B of the Code – to be given due consideration while implementing Regulations and Standards).

MLC-2006: Title structure (II)

- Countries that ratify the MLC-2006, must adopt national laws or take other measures to ensure that the principles and rights set out in the **Regulations** are implemented in the manner set out by the **Standards**.
- When deciding on the details of their laws or other implementing measures, the ratifying countries must give due consideration to following the **Guidelines**.

The Special Tripartite Committee (STC)

- Established under Article XIII of the MLC, 2006.
- Tasked to keep the working of MLC,2006 under continuous review.
- Consists of two representatives nominated by the Government of each Member which has ratified this Convention, and the representatives of Shipowners and Seafarers.
- The latter are appointed by the Governing Body after consultation with the Joint Maritime Commission.
- First meeting of the Special Tripartite Committee STC: 7 -11 April 2014. Amendments to Maritime Labour Convention, approved at ILC in June 2014.
- Second meeting of the Special Tripartite Committee STC: 8-10 February 2016. Amendments to MLC approved at ILC in June 2016. WG established and work is ongoing.

First set of amendments to the MLC, 2006

- Standard A2.5.2 – financial security system to assist seafarers in the event of their abandonment
 - Standard A4.2.1 – Shipowners' liability-contractual claims
- Amendments to Maritime Labour Convention, approved at ILO level in 11 June 2014

Second set of amendments to the MLC, 2006

- Regulation 4.3 – Health and safety protection and accident prevention – eliminate shipboard harassment and bullying
- Regulation 5.1 – Flag State responsibilities – allows maritime labour certificate extension to bring it in line with IMO Conventions
- Approved with 388 votes in favour, 2 against and 15 abstentions.

Working Group established on 2nd STC

- to examine issues related to the protection of seafarers' wages when the seafarer is held captive;
- to recommend improvements to the process for preparing proposals for amendments; and
- to deliver a report, with recommendations, to be submitted to the third meeting of the Special Tripartite Committee, not later than nine months before the meeting.

Seafarers ID developments (Convention 185)

- Amendments to the Annexes of the Seafarers' Identity Documents Convention, 2003 (n°185) aligned seafarers' identity documents with the specifications of the International Civil Aviation Organization (ICAO) used in E-Passports.
- In future, SID can use facial images stored in a contactless chip.
- Facilitation of the rights of access to shore leave, transit, transfer and repatriation for seafarers.

Publicity

- News on the ILC approval:
- DG MOVE website:
http://ec.europa.eu/transport/modes/maritime/index_en.htm
- ILO website: http://www.ilo.org/global/standards/maritime-labour-convention/WCMS_490178/lang--en/index.htm





Thank you for your attention

What's new in EU Maritime policy? Find out on:
http://ec.europa.eu/transport/modes/maritime/index_en.htm



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