



Briefings of ILO 4th STC MLC (05 -13 May 2022)

BRIEFING STATUS

Flash

No. IMO-0007-22

(For STC only 1 step as Flash)

Subject: Newsflash of 4th STC MLC

Fourth Meeting of the Special Tripartite Committee (STC) of the Maritime Labour Convention was held by hybrid format from 05 to 13 May 2022. In this regard, please be informed of the main issues and summary of 4th STC as below. In reviewing this flash, it should be assured that the outputs written herein are not legally effective until they are adopted as mandatory instruments by next International Labour Conference.

1. Repatriation of abandoned seafarers (Proposal No.3 by Seafarers' and Shipowners' group)

- For repatriation of abandoned seafarers, an amendment is proposed to hire seafarers from the country of abandonment of the ship in advance and, if there is no relevant qualified seafarer, hire seafarers of other than country of abandonment of the ship to change the abandoned seafarers (A2.5.1, para 8)
- The amendment to facilitate the prompt repatriation of seafarers by the Members was adopted and insert new paragraph 9 under Standard A2.5.1 as follows;

9. Members shall facilitate the prompt repatriation of seafarers, including when they are deemed abandoned within the meaning of Standard A2.5.2, paragraph 2. Port States, flag States and labour-supplying States shall cooperate to ensure that seafarers engaged on a ship to replace seafarers who



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have been abandoned in their territory, or on a ship flying their flag, shall be accorded their rights and entitlements under this Convention.

2. Provision of free internet access to seafarers at the ship and port (Proposal No.6 by Seafarers group)

- Proposal of amendments (mandatory requirements) that provide free Internet access rights for seafarers to ship-land communication, guidelines for individual internet access times by competent authority, and free internet access in ports and anchorage by Members (amendment of A3.1, para 17 and deletion of B3.1.11, para 4)
- In case where the charges are imposed at ship, port and anchorage, the amendment to enable Internet access by the reasonable price was adopted. (Mandatory requirements -> Recommendations)

3. Repatriation of seafarers to home location or other mutually agreed place (Proposal No.8 by Seafarers group)

- Proposed amendment to stipulate that the shipowners' responsibilities of wages, allowances, lodging, and repatriation expenses to the repatriation destination (including residence) of seafarers
- The Shipowners' group disagreed with the amendments to expand the repatriation responsibilities from seafarers' country to residence, including allowances, food and accommodation, and necessary medical treatment from the moment they leave the ship until they reach the destination of repatriation.



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There was no consensus on whether the shipowners should bear unlimited liability in unusual circumstances such as Covid-19. So this proposal will be dealt at the 5th STC.

4. Extension of duration for financial security concerning seafarers abandonment (Proposal No. 10 by Seafarers group)

- The proposed amendment would increase the maximum amount of wages and other entitlements due from the shipowner (four -> eight months) for which the financial security provider is responsible under the Standard A2.5.2, para. 9(a)
- Many governments disagreed with the proposed amendments, and the Seafarers group withdrew their proposals.
Then, agree to form the relevant working group to further discuss this issue

5. Mandatory reporting of seafarer fatalities at sea (Proposal No. 11 by Governments)

- Proposed amendment to require competent authorities (Members) to classify seafarer deaths at sea (disease, natural death, fall, suicide, etc.) and report annually to the International Labor Organization.
- The amendments to annually report all deaths of seafarers employed, engaged or working on board ship that fly its flag to the International Labour Office was adopted.



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6. Clarification of the maximum period of service on board (Proposal No. 12 by Governments)

- It was proposed to clarify the maximum period of service on board (including training) from 12 months to 11 month and verify in during the Flag and PSc inspection by the amendment of Standard A2.4, para 3 / Standard A2.5.1, para 1(d),2(b) etc.
- Although the current convention stipulates that the maximum working period on board ships is 12 months, the ILO interprets it as 11 months, and in order to solve the confusion in the PSC etc. the clarification and exceptions were suggested. But, there was no consensus for the exceptions and this proposal will be dealt at the 5th STC. <End>

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