
INTERNATIONAL LABOUR ORGANIZATION
Sectoral Activities Programme

**Sub-Group of the High-Level
Tripartite Working Group
on Maritime Labour Standards
(first meeting)**

An analysis of the essential aspects of decent
work in the maritime context

Geneva, 2002



INTERNATIONAL LABOUR OFFICE GENEVA

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Working paper for discussion at the

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The task of the Sub-Group of the High-Level Tripartite Working Group on Maritime Labour Standards is to consider and to guide the Office in the preparation of the working papers for consideration of the Working Group. The High-Level Tripartite Working Group, at its first meeting, recommended that the Sub-Group “give proper consideration in a maritime context to the essential aspects of decent work”.¹ The Office accordingly submits this paper for the Sub-Group’s consideration.

1. Introduction

1. At its 29th Session in January 2001, the Joint Maritime Commission (JMC) considered a report,² the subject of which falls within the ILO’s primary goal of ensuring decent work as expressed in the Report of the Director-General to the 87th Session of the International Labour Conference. This stated, inter alia, that “the need today is to devise social and economic systems which ensure basic security and employment while remaining capable of adaptation to rapidly changing circumstances in a highly competitive global market”.³ Thus, the Decent Work Agenda of the ILO guided the work of the authors of the report submitted to the JMC and substantiated the decision of the Commission to recommend the development of a new consolidated maritime labour instrument.
2. This paper attempts to identify the issues involved in the application of the concept of decent work to merchant shipping. It uses examples to highlight the extent to which principles of decent work are already part of ordinary practice in the maritime industry. However, the paper also stresses that there are still some outstanding issues to be addressed, issues which could appropriately be taken into account in the elaboration of the new instrument.

2. The goal of decent work and how it applies to the maritime industry

The ILO’s mission is to improve the situation of human beings in the world of work. Today, that mission finds resonance in the widespread preoccupation of people at times of great change: to find sustainable opportunities for decent work.

The primary goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity.⁴

3. These statements of the ILO Director-General confirm that this is a goal that encompasses all those who work. It is a very human aspiration that expresses the hopes of people for work that will respect their individuality and dignity, provide them and their families with

¹ ILO: *Report of the first session of the High-Level Tripartite Working Group on Maritime Labour Standards*, Governing Body doc. GB.283/LILS/7 (Geneva, 2002), pp. 26-27.

² ILO: *The impact on seafarers’ living and working conditions of changes in the structure of the shipping industry*, Report for discussion at the 29th Session of the Joint Maritime Commission (Geneva, 2001).

³ ILO: *Decent work*, Report of the Director-General, International Labour Conference, 87th Session, Geneva, 1999, p. 4.

⁴ *ibid.*, p. 3.

sustenance, ensure provision for the uncertainties of employment, health and old age, provide equal recognition and enable women and men to make choices and to take control of their lives, permit them to have a say and to participate in decisions about what they do, provide an opportunity to participate in representative organizations, and be a source of social meaning and identity.

4. To what extent does this goal apply to the maritime industry? This goal can be translated into the provision of decent and productive work for the seafarer. Many changes have occurred in world shipping in recent decades. These changes have strongly influenced the labour market and the conditions of work and life of seafarers. They include the shift of ship management to specialized companies, the emergence of alternative types of registers, environmental issues, technological developments and port state control. Even more important has been the general thrust of the industry to reduce costs in the face of economic considerations, with an inevitable impact on crew conditions as a consequence.
5. The ILO has, throughout its history, responded to the changing needs of the maritime industry by the adoption of instruments that provide a framework for decent work at sea. These maritime standards may be truncated and incomplete but they do provide a basis for solving many of the problems that have been identified in the maritime industry. The JMC and the International Labour Conference, in successive maritime sessions, have already laid down a sound basis for the achievement of decent work for seafarers.
6. However, a number of important issues still present major difficulties and challenges for the maritime industry, including the need for adequate representation for women employed in the industry, the role of unions and collective bargaining, especially in certain flag States employing large numbers of foreign seafarers, and the implementation of training and certification requirements and blacklisting in recruitment, which raise questions as to the exercise of basic rights. Other problems are more specific to conditions of work and life in the shipping industry, with particular emphasis on shipboard conditions: wages, hours of work, food, accommodation and welfare, the abandonment of seafarers and the non-payment of wages and claims with respect to injury and death.
7. Without doubt, the maritime industry is capable of fully applying the Decent Work Agenda. The unanimous recommendations made by the social partners in January 2001, and adopted by the Governing Body in March 2001, should give the maritime industry a ground-breaking role in this respect. The implication is that this can only be achieved through good cooperation between the social partners, so that both will benefit from the agreement. There again, the exemplary cooperation reached between shipowners and seafarers during the 1996 Maritime Session of the International Labour Conference and at the latest session of the JMC in 2001 (with the adoption of the Geneva Accord, which is designed to improve safety and working conditions in the maritime industry) bodes well for the future.
8. This first approach of decent work in the maritime industry shows that, with very few exceptions, the ILO has already developed appropriate maritime labour instruments, corresponding to the various requirements. These instruments constitute a basis from which to implement the principles of decent work in the maritime industry.
9. How is the goal of decent work for all to be achieved in the maritime industry? At the ILO, decent work is seen as the point of convergence of four strategic objectives: fundamental principles and rights at work, employment and income opportunities, social protection, and social dialogue. These objectives form the basis of the ILO Decent Work Agenda.

The goal of decent work therefore requires to be pursued through each of the four strategic objectives of the ILO, as well as through a balanced and integrated pursuit of these

objectives in their totality. It challenges all the constituents of the ILO alike. Governments, employers and workers have to accommodate their different interests in creative ways to respond to the demand for decent work placed upon them by individuals, families and communities everywhere.⁵

3. Decent work in the maritime industry

- 10.** At the first meeting of the High-Level Tripartite Working Group recommendations were made to the Sub-Group referring to the following components of decent work:
1. Human rights at work.
 2. Employment and incomes.
 3. Social protection and social security.
 4. Social dialogue.

Human rights at work

- 11.** Human rights at work constitute the bedrock of decent work. There is now a global consensus on the fundamental, inviolable rights, which constitute the essential, universal social framework for work and for workers. These are set down in the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up and concern freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment or occupation. Some of these issues still pose problems in the maritime sector.
- 12.** The internationalization of shipping has weakened the influence of national trade unions as seafarers work on ships registered in countries other than their own. Often they do not see the relevance of union membership. However, trade unions play a considerable role in the global labour market. Whereas in most parts of the shipping industry there is full recognition of freedom of association, there are still parts of the industry where seafarers are discouraged by their employers or by their country of origin from joining trade unions or from seeking trade union assistance.⁶ There are reported cases of blacklisting when seafarers have sought such assistance. Blacklisting of seafarers to prevent them from getting further employment is prohibited in most countries, as it is under ILO standards, but is a practice that survives in some places.
- 13.** Forced or compulsory labour does not seem to be a major issue in the maritime industry although there are instances where identity documents are withheld and overtime is made compulsory, activities which might be considered to contain elements of forced labour. Freedom of movement and the mobility of maritime labour are also key aspects in this regard. Seafarers, for instance, should enjoy the freedom to go ashore when in port. This implies that they are in possession of adequate identity documents, recognized by all member States. The Seafarers' Identity Documents Convention, 1958 (No. 108), provides

⁵ *ibid.*, p. 4.

⁶ ILO: *The impact on seafarers' living and working conditions ...*, *op. cit.*, p. 56.

for such a document but it is now considered insufficient in the light of present-day circumstances. Seafarers without the necessary documents risk being denied shore leave.

14. Child labour does not appear to be a problem in the shipping industry, where young people have traditionally undergone training at sea. Regulations on minimum age and the treatment of young persons at sea have been applied in the shipping industry for many years.
15. With regard to discrimination, the shipping industry has traditionally been dominated by men, and measures could be taken to promote women's access to the profession. Recent ILO studies⁷ show that support for the recruitment and retention of women seafarers would be highly advantageous to the shipping community, possibly contributing to address the deficit in the supply of officers. These studies, to be published as a report, will make recommendations to promote the integration of women seafarers in the industry, especially through practical measures affecting life on board ships. The issue of discrimination has become important for the industry, which now operates mixed crews.⁸ It implies that seafarers must be treated equitably irrespective of their origin.
16. The existing maritime labour standards do not cover these rights at work fully. There are specific maritime standards on minimum age and the treatment of young persons. The Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), which apply to all sectors of economic activity, are relevant to the maritime industry. The Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), refers to the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), as well as to Convention No. 138. However, there is no mention of forced labour and freedom from discrimination in Convention No. 147, even if the Forced Labour Convention, 1930 (No. 29), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), apply to all economic sectors, and therefore to the maritime industry.
17. The above principles and rights provide the social floor for the global economy. However, beyond this social floor many other rights are widely regarded as essential, while others are priority objectives in the process of raising economic and social capabilities. Indeed, social progress can be measured in terms of the acquisition of a variety of rights that complement rising incomes and increasingly secure livelihoods.

Employment and incomes

18. Spreading the benefits of globalization more widely will depend on the capacity of the global economy to create good quality jobs and to reduce unemployment. Employment is the key to creating wealth, and it is the primary instrument for distributing wealth equitably. It is the first and most important step in the struggle against poverty and social exclusion. Employment is qualitative as well as quantitative. Job quality and conditions of work are also important.

⁷ ILO: *Women seafarers: A survey of global employment policies and practices* (Geneva, in publication).

⁸ Seafarers International Research Centre (SIRC): *Transnational seafarer communities*, SIRC study (Cardiff, 2002).

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19. Creating and sustaining employment is of critical importance in national policy formulation. Governments give high priority to the creation of a macroeconomic climate that is conducive to enterprise and job creation, the implementation of policies for economic growth, and technological change that maximizes employment creation, as well as labour market and training policies that facilitate the insertion or reinsertion of workers into productive work. International policies are also required to reduce economic instability and to counter the growing inequality associated with globalization.
 20. In many countries, workers are encouraged to work abroad. Their remittances to families in the home country can be substantial and have considerable economic impact. Thousands of seafarers are encouraged to work on vessels owned and registered in foreign countries. Such movement of seafaring labour has become an accepted phenomenon in the industry. Convention No. 147 requires member States to advise seafarers of the “possible problems of signing on a ship registered in a State which has not ratified the Convention, until it is satisfied that standards equivalent to those fixed by this Convention are being applied” (Article 3). Today, with the acceptance of the free movement of maritime labour and port state control, seafarers should be able to expect that conditions of work are decent on all ships.
 21. The processes of recruitment and placement of seafarers also present opportunities for abuse and the Recruitment and Placement of Seafarers Convention, 1996 (No. 179), provides the framework to combat these. There are still, however, complaints of illegal fee-charging in some countries, as well as the weakness of the regulatory framework in others.
 22. The aim of decent work is to provide not only employment but jobs of an acceptable quality. Maritime employment is, de facto, divided into several sections: officers and ratings, passenger ships and cargo vessels, big ships and small ones, ocean-going vessels and coasters, among others. The quality of maritime employment may vary considerably, according to the kind of vessel on which the seafarer is employed, the trade routes, geographical area of operation or the flag the ship flies. Quality is also dependent on the degree of effectiveness of inspections by flag and port state authorities. Universal standards should ensure that conditions do not fall below a reasonable level on any ship.
 23. Adequate training is a prerequisite for any seafarer to have a job of decent quality, as untrained crew members have to carry out the less agreeable tasks. Recent studies have demonstrated that there is a persistent surplus of ratings, and a lack of highly qualified officers. The availability of quality training, preferably in their own country and under the supervision of maritime authorities, is important if seafarers are to enjoy rewarding careers in the industry.
 24. The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) of the International Maritime Organization (IMO) covers the competency requirements for most seafarers. However, there are still gaps with regard to ratings and certain specialized ranks. Existing ILO instruments such as the Vocational Training (Seafarers) Recommendation, 1970 (No. 137), still provide useful guidance on how training should be organized for the industry.
 25. On some ships, rank may constitute a determining criterion regarding the quality of work, including the hardship of the work performed, and even a criterion of quality of treatment of the individual on board. On many ships, the difference merely resides in the level of wages. These wages should always be of a sufficient level to enable the seafarer to live in good conditions wherever he happens to be, and to support his family at home, until retirement, when a pension system should take over.

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26. The level of wages is a determining factor in the choice of flag by the shipowner. The industry's preoccupation with crew costs has been a reflection of trading conditions. This question has been discussed in an ILO report.⁹ Several ILO maritime Conventions relating to wages have not attracted sufficient ratifications to enter into force. The Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187), stipulates a minimum basic wage figure for able seamen, which is used by seafarers' and shipowners' organizations to set wages for the rest of the crew, sometimes through collective bargaining. While the level of international wages in shipping possibly reflects supply and demand for officers and crews in the various sectors of the industry and standards of living in labour-supplying countries, it is doubtful whether wages set at the lower end of the international scale can ensure that seafarers are able to enjoy reasonable recreation while on shore leave in ports around the world or to pay for occasional communications with family in their home countries.
27. Continuity of employment has a very positive effect in this respect. It is unfortunately true that the current system, which favours the indirect employment of seafarers through agencies, is not conducive to permanent contracts. It is, however, true that the emerging notion of quality shipping should, as a consequence, reaffirm the links between the seafarer and his employer. The only way to ensure quality of employment across the board is to set a series of benchmark requirements, with a reasonable degree of flexibility and feasibility. The ILO maritime instruments can be considered to provide such benchmarks.
28. The need for clarity of employment relationships has been recognized for a long time in the shipping industry. The requirement to have clear written contracts is widely enshrined in national legislation. The Seamen's Articles of Agreement Convention, 1926 (No. 22), lays down minimum requirements for this. The provisions contained in this instrument may need to be updated in the light of modern practices, but safeguards need to be maintained in view of continuing difficulties with seafarers' employment contracts.

Social protection and social security

29. Globalization has become a breeding ground for many forms of socio-economic insecurity. Social protection aims to set a social floor for free markets, to prevent poverty, to maintain incomes and to ensure access to medical care and social services. This means providing social protection to the victims of financial crises, economic restructuring and other unforeseen events. Few developing countries have adequate social protection for workers, so there remains the broader, long-term goal of providing social protection to the entire population, as called for by the World Summit for Social Development held in Copenhagen in 1995.
30. Seafarers work in a hazardous environment, away from their homes, and have traditionally been covered by ILO instruments in areas that are the direct responsibility of the shipowner, such as safety, health, welfare and aspects of social security, generally called shipowners' liability. These reflect the essential needs of the seafarer on board ship, which include food, catering, bedding, accommodation, welfare and health care. In these areas, it is clear, as evidenced by records of port state inspections, that there is still progress to be made if all seafarers are to benefit from reasonable conditions on board ship. Of particular importance are requirements regarding food, which should always be of sufficient quantity and of good quality, and which should be consistent, as far as feasible, with the dietary and religious habits of crew members. Providing decent accommodation on board is of

⁹ ILO: *The impact on seafarers' living and working conditions ...*, op. cit., pp. 26-30.

paramount importance, particularly on board vessels with a large complement, where oversized dormitories should be avoided. For example, although an ILO instrument calls for a medical chest to be carried, this requirement is not always respected or, if it is, the drugs contained in it may not be renewed as necessary. Sending sick seafarers ashore for treatment is sometimes also considered too costly by some captains or agents.

- 31.** Social security is also about other dimensions, such as security of representation and occupation. This means dealing with present inequalities embedded in existing systems of social security and labour protection, notably gender inequality.
- 32.** In practice, most seafarers today are not well protected as regards social security, especially when they work under foreign flag vessels and on short-term contracts. Although they are covered by sickness insurance during their contract, most are not covered after they leave the ship. Minimum shipowners' liability in case of ship wreck, repatriation, outstanding wages and payment for holidays may not, if covered by the engagement contract, present difficulties in principle but in practice may prove to be unrecoverable in certain cases. The two resolutions adopted by the IMO and the ILO as a result of the work of the Joint IMO/ILO Ad Hoc Expert Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers should provide useful guidance in this regard.
- 33.** Retirement, unemployment and other similar social benefits are usually available to a seafarer when he/she works in a country that has the appropriate national social security system. In fact, many traditional maritime countries continue to have elaborate systems of social protection for their national seafarers. Whenever an employee depends on several national social protection regimes, difficulties in the continuity, or even the existence, of this protection arise in the absence of international agreements. As employment patterns in the maritime industry provide little continuity of employment, seafarers may not always benefit from an appropriate social coverage, particularly when it comes to unemployment and retirement benefits, which are important components of decent work. In these areas, while there is a clear need to improve the enforcement of existing standards, those standards might also themselves be improved to reflect the reasonable standards that are available to other workers in similar circumstances. With regard to social security, ILO instruments (in particular, the Social Security (Seafarers) Convention (Revised), 1987 (No. 165), which has received few ratifications) provide a sound base. With an increasing number of seafarers coming from countries with weak or non-existent social security systems, and the general exclusion of foreign seafarers from social security coverage in flag States, there is room for a bolder approach, with a view to providing universal social security cover for all seafarers. A system that might involve the creation of an international provident fund for seafarers may need to be explored.
- 34.** Safety at work is another area that is critical for security, welfare and productivity. Safe work is a requirement everywhere, and particularly at sea as shipping is still a relatively hazardous activity.
- 35.** Maritime safety includes the safety of navigation and of ships and their crews and is largely, but not solely, the domain of the IMO; maritime safety at work also falls within the mandate of the ILO. Furthermore, seafarers live at their place of work, making safety a permanent issue for them. These facts reinforce the necessity of close cooperation between the ILO and the IMO, as well as the well-defined complementarity between these two organizations. Safety on board ship is covered by the Prevention of Accidents (Seafarers) Convention, 1970 (No. 134), the corresponding Prevention of Accidents (Seafarers) Recommendation, 1970 (No. 142), and guidelines.

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36. ILO instruments provide for adequate conditions of entry, from a medical and technical point of view. Once a person has entered the industry, he/she will have to undergo appropriate training in order to get the necessary certificates of competency that are proposed by IMO and ILO instruments. Safe work is also about being healthy and benefiting from medical care, on board and ashore. A policy should be put in place for the promotion of safety and prevention of occupational and other diseases. If illness cannot be prevented, proper medical care should be available. A number of ILO Conventions (e.g. the Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)) deal with medical care and other health issues. The ILO code of practice on HIV/AIDS and the world of work could be usefully implemented in the maritime sector with the ship being the workplace par excellence.
 37. Seafarers and their families should benefit from social security, justified by the special nature of the maritime industry, at least to the extent that it is available to other workers. The only way to ensure that the various requirements listed in these paragraphs are implemented is to have a strong and motivated labour inspection system. Continuity of employment, or job security, has also been recognized as an important issue, especially in an industry where safety at work is crucial. Appropriate instruments have been developed by the ILO, regarding the issues raised in this paragraph.
 38. Finally, there are today renewed threats against seafarers, which have to be included in an assessment of the social protection component of decent work in the maritime industry. An example of such a threat is the lack of security in ports. Piracy is another threat that poses a major menace to the security of seafarers, many of whom have lost their lives or have been injured. The ILO has already expressed its support for international action against the resurgence of modern-day piracy and its threat to shipping. These various types of physical aggression at sea and in ports constitute clear deficits of decent work in the maritime industry.

Social dialogue

39. The ILO's tripartite structure is an expression of the importance of consultation and cooperation between governments, employers and workers, both at the national policy level and for plant-level collective bargaining. Social dialogue is a powerful tool to address industrial disputes at the enterprise level, and to foster social cohesion at the national level. Strong and independent workers' and employers' organizations, together with a supportive policy and legislative environment, are essential preconditions for social dialogue.
40. However, this is not always the case at national level. The disappearance of complete national fleets and the de-localization of large chunks of the maritime workforce have largely contributed to the weakening of national maritime unions of seafarers or even of shipowners in many countries. This is why assistance must be provided to some member States to create or recreate the appropriate discussion forums. This is one of the reasons why the ILO International Programme for the Promotion of Decent Work in the Maritime Industry was created, in 2000, under the aegis of the Social Dialogue Sector of the Office. Its main tasks are the promotion of the ILO maritime labour standards, present and future, and of their ratification, enforcement and implementation, along with encouraging social dialogue within the industry. One issue to be considered should be how to promote and strengthen social dialogue in States that employ large numbers of foreign, but few national, seafarers and where national shipowner organizations are non-existent.
41. A sine qua non condition for the existence of social dialogue is the presence of solid, reputable and efficient social partners, at both national and international levels. In the maritime industry, the Geneva Accord is a clear demonstration of the existence of such

social partners in the maritime industry at international level. In fact, weak national social dialogue structures have created a vacuum that has had to be filled by the social partners at the international level. The realization of international collective bargaining in the maritime sector can be seen in the agreement between the International Transport Workers' Federation and the International Maritime Employers' Committee in 2000. This is an important development that seeks to respond to the challenges the industry now faces, and it should be supported and encouraged.

4. Implementing decent work through the new consolidated Convention

- 42.** An examination of the world of work today reveals widespread unemployment and underemployment, inadequate social protection, the denial of rights at work and shortcomings in social dialogue. These deficits show that the present pattern of globalization does not automatically provide decent work for all. Shipping is a globalized industry, and the current process to adopt a single consolidated maritime labour Convention provides the opportunity to remedy identifiable decent work deficits, at least in the international sector of the industry.
- 43.** Changes in the shipping industry have resulted in a substantial reduction in the influence of national regulatory regimes, with a corresponding increase of the impact of the international regime, especially with regards to technical considerations. The lack of impact of social and labour standards, however, is evidenced by the relatively low level of ratification of ILO maritime labour standards in relation to IMO Conventions.
- 44.** In the case of the maritime industry, as seen in the first part of this document, the principles contained in the body of instruments developed by the ILO during its 80 years of existence address most aspects of decent work. It is a fact, however, that there are deficits in certain areas.
- 45.** The most obvious deficit is the absence of effective national regulatory regimes for maritime labour matters, and the substitution of the international regime for these; another deficit can be found in the area of social security; a third can be found in gender-related issues. These few examples show that the ILO maritime labour instruments have brought an appropriate response to many of the social problems encountered by seafarers at work, but sometimes lag behind when it comes to fighting against re-emerging or new problems. The provisions of these instruments need to be able to be updated more easily.
- 46.** Decent work is a concept that embodies the aspirations of every worker, of every seafarer, in the maritime industry. It is an all-encompassing concept, but it can be articulated into simple concepts, which can, in turn, be addressed wholly or in part by specific instruments. The existing body of ILO instruments creates the indispensable framework for decent work, although the rather low rate of ratification of the maritime labour instruments has stifled progress in this regard. This makes implementation and enforcement a visible area of deficit.
- 47.** The maritime industry has the opportunity in the current process of consolidation to raise the profile and the influence of ILO maritime instruments. In his Report to the 89th

Session of the International Labour Conference,¹⁰ the ILO Director-General had already remarked that:

Normative action is an indispensable tool to make decent work a reality.

Firstly, normative action helps to clarify the meaning of decent work: standards provide an authoritative answer to the question of what decent work implies in concrete terms as regards the preconditions (fundamental principles and rights), its content (work that meets certain criteria of quality and security) and the process whereby it can be achieved (social dialogue).

Secondly, it helps to put the Decent Work Agenda into practice: standards are a stern indicator of progress towards the achievement of ILO objectives, not through lip-service but in law and in practice, and the ILO supervisory system is the most advanced means available for monitoring the implementation of ratified Conventions and for encouraging compliance with Recommendations.

This visionary approach should fully be taken on board by the maritime industry.

- 48.** The new Convention therefore provides the opportunity to lay the basis for decent work for all at sea. As indicated in this paper, most of the basic elements for decent work at sea are to be found in the body of existing ILO Conventions and Recommendations. Some need to be updated or modified to meet the current needs of modern shipping and of today's seafarers. However, there are areas where new provisions are required to deal with issues that still present difficulties, including blacklisting, repatriation, claims for injury and death, contracts of employment, social security, gender. Other issues can be examined in a more holistic manner, especially those relating to conditions on board ship, accommodation, welfare, food and catering, and safety.
- 49.** However, any Convention is of limited value without proper implementation: ratification should be as universal as possible with effective enforcement measures at national and international levels. The inspection of ships for application of the Convention by both flag and port States is still important, along with supervisory machinery within the ILO, which should review the instrument regularly to keep it in line with technological and social changes in the industry.
- 50.** The findings of the 29th Session of the JMC and the positive results of the first High-Level Tripartite Working Group on Maritime Labour Standards indicate that a consolidation of the existing instruments into a single Convention could improve the implementation of the provisions of ILO instruments. Appropriate amendment procedures are recognized as necessary to enable maritime labour standards to evolve to match the needs for improved social and working conditions within the industry. This would certainly move the shipping industry closer to the realization of the goal of decent work for all seafarers.

¹⁰ ILO: *Reducing the decent work deficit: A global challenge*, Report of the Director-General, International Labour Conference, 89th Session, Geneva, 2001, p. 59.