



▶ Record of Proceedings

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International Labour Conference – 110th Session, 2022

Date: 3 June 2022

Reports of the General Affairs Committee

First report

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Election of the Officers of the Committee and a Reporter

1. In accordance with article 37(2) of the Standing Orders, the Committee elected its Officers and a Reporter as follows:

Chairperson:	Ambassador Salomon Eheth (Government member, Cameroon)
Employer Vice-Chairperson:	Ms Renate Hornung-Draus (Employer member, Germany)
Worker Vice-Chairperson:	Ms Catelene Passchier (Worker member, Netherlands)
Reporter:	Mr Amos Hosea Kuje (Government member, Nigeria)
2. In accordance with article 37(6) of the Standing Orders, the Officers approved the first report of the Committee submitted to them by the Reporter.

Approval of the amendments to the Code of the Maritime Labour Convention, 2006, as amended (MLC, 2006)

3. At its fourth meeting, Part II, held in Geneva from 5 to 13 May 2022, the Special Tripartite Committee (STC) established under Article XIII of the MLC, 2006, adopted in accordance with Article XV, paragraph 4, of the MLC, 2006, eight amendments to the provisions of the Code implementing the following regulations:
 - Regulation 1.4 (Recruitment and placement);
 - Regulation 2.5 (Repatriation);
 - Regulations 3.1 and 4.4 (Accommodation and recreational facilities)/(Access to shore-based welfare facilities);
 - Regulation 3.2 (Food and catering);
 - Regulation 4.1 (Medical care on board ship and ashore);
 - Regulation 4.3 (Health and safety protection and accident prevention); and
 - Appendices A2-I and A4-I.
4. The amendments adopted by the STC were communicated by its Chairperson to the Officers of the Governing Body who, in turn, transmitted them to the Conference for approval. At its opening sitting, the Conference decided to refer the amendments to the General Affairs Committee for consideration and follow-up action.
5. The Committee was called upon to take note of these amendments (ILC.110/D.2), and to forward them to the plenary for approval through a record vote. In accordance with the tentative plan of work included in the operational arrangements for the current session of the Conference, the vote is scheduled for Monday 6 June 2022. The amendments submitted to the Conference for approval are reproduced in the appendix.
6. The Worker Vice-Chairperson noted that seafarers were frontline workers with a key role in global supply chains. As a result of restrictions due to the COVID-19 pandemic, they had been kept away from their homes beyond the term of their contracts without shore leave and poor or no internet access. This had also affected their mental health. She paid tribute to the International Transport Workers' Federation, which together with the International Chamber

of Shipping and the International Maritime Employers' Council, made efforts to reduce the severity of the crew change crisis. She recalled, in this connection, the [Resolution concerning maritime labour issues and the COVID-19 pandemic](#), which was adopted by the Governing Body in December 2020. The STC, drawing lessons from that period, had adopted significant amendments. In closing, she referred to the importance of expressly providing for a maximum duration of service periods on board of 11 months, a topic which was deferred to the next meeting of the STC.

7. The Employer Vice-Chairperson recalled that the amendments had been adopted by a vast majority in the STC. In particular, the shipowners had voted unanimously in favour of all eight amendments. Most of the adopted changes had come as a result of the drastic consequences of the pandemic on maritime affairs. As seafarers had particularly suffered from measures taken by a number of countries, the Employers' group was pleased to see that the MLC, 2006 would now incorporate provisions addressing the situation.
8. ***The General Affairs Committee, having taken note of the amendments adopted by the Special Tripartite Committee at its fourth meeting (Part II, 5–13 May 2022), decided to forward those amendments to the plenary recommending their approval by the Conference through the record vote to be held on 6 June 2022.***

Appendix

Amendments to the Code relating to Regulations 1.4, 2.5, 3.1, 3.2, 4.1, 4.3, 4.4 and to Appendices A2-I and A4-I of the MLC, 2006

Amendment to the Code relating to Regulation 1.4 – Recruitment and placement

Standard A1.4 – Recruitment and placement

Replace paragraph 5(c)(vi) by the following:

- (vi) establish a system of protection, by way of insurance or an equivalent appropriate measure, to compensate seafarers for monetary loss that they may incur as a result of the failure of a recruitment and placement service or the relevant shipowner under the seafarers' employment agreement to meet its obligations to them, and ensure that seafarers are informed, prior to or in the process of engagement, of their rights under that system.

Amendment to the Code relating to Regulation 2.5 – Repatriation

Standard A2.5.1 – Repatriation

Insert new paragraph 9 and renumber the subsequent paragraph:

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

Amendments to the Code relating to Regulations 3.1 and 4.4 – Accommodation and recreational facilities/ Access to shore-based welfare facilities

Standard A3.1 – Accommodation and recreational facilities

Replace paragraph 17 by the following:

- 17. Appropriate seafarers' recreational facilities, amenities and services, including social connectivity, as adapted to meet the special needs of seafarers who must live and work on ships, shall be provided on board for the benefit of all seafarers, taking into account Regulation 4.3 and the associated Code provisions on health and safety protection and accident prevention.

Guideline B3.1.11 – Recreational facilities, mail and ship visit arrangements

Replace paragraph 4(j) by the following:

- (j) reasonable access to ship-to-shore telephone communications, where available, with any charges for the use of these services being reasonable in amount.

Insert new paragraph 8:

- 8. Shipowners should, so far as is reasonably practicable, provide seafarers on board their ships with internet access, with charges, if any, being reasonable in amount.

Guideline B4.4.2 – Welfare facilities and services in ports

Insert new paragraph 5 and renumber the subsequent paragraphs:

5. Members should, so far as is reasonably practicable, provide seafarers on board ships in their ports and at their associated anchorages with internet access, with charges, if any, being reasonable in amount.

Amendments to the Code relating to Regulation 3.2 – Food and catering

Standard A3.2 – Food and catering

Replace paragraphs 2(a) and (b) by the following:

- (a) food and drinking water supplies, having regard to the number of seafarers on board, their religious requirements and cultural practices as they pertain to food, and the duration and nature of the voyage, shall be suitable in respect of quantity, nutritional value, quality and variety, and shall be provided free of charge during the period of engagement;
- (b) the organization and equipment of the catering department shall be such as to permit the provision to the seafarers of adequate, varied, balanced and nutritious meals prepared and served in hygienic conditions; and

Replace paragraph 7(a) by the following:

- (a) supplies of food and drinking water in relation to their quantity, nutritional value, quality and variety;

Amendments to the Code relating to Regulation 4.1 – Medical care on board ship and ashore

Standard A4.1 – Medical care on board ship and ashore

Insert new paragraphs 5 and 6:

5. Each Member shall ensure prompt disembarkation of seafarers in need of immediate medical care from ships in its territory and access to medical facilities ashore for the provision of appropriate treatment.

6. Where a seafarer has died during a ship's voyage, the Member in whose territory the death has occurred or, where the death has occurred on the high seas, into whose territorial waters the ship next enters, shall facilitate the repatriation of the body or ashes by the shipowner, in accordance with the wishes of the seafarer or their next of kin, as appropriate.

Guideline B4.1.3 – Medical care ashore

Insert new paragraphs 4 and 5:

4. Each Member should ensure that seafarers are not prevented from disembarking for public health reasons, and that they are able to replenish ships' stores, fuel, water, food and supplies.

5. Seafarers should be considered to be in need of immediate medical care in cases of, but not limited to:

- (a) any serious injury or disease;
- (b) any injury or disease which might lead to temporary or permanent disability;

- (c) any communicable disease which poses a risk of transmission to other members of the crew;
- (d) any injury involving broken bones, severe bleeding, broken or inflamed teeth or severe burns;
- (e) severe pain which cannot be managed on board ship, taking account of the operational pattern of the ship, the availability of suitable analgesics and the health impacts of taking these for an extended period;
- (f) suicide risk; and
- (g) a tele-medical advisory service recommending treatment ashore.

Guideline B4.1.4 – Medical assistance to other ships and international cooperation

Replace paragraph 1(k) by the following:

- (k) arranging for the repatriation of the bodies or ashes of deceased seafarers, in accordance with their wishes or those of their next of kin, as appropriate, and as soon as practicable.

Amendment to the Code relating to Regulation 4.3 – Health and safety protection and accident prevention

Standard A4.3 – Health and safety protection and accident prevention

Replace paragraph 1(b) by the following:

- (b) reasonable precautions to prevent occupational accidents, injuries and diseases on board ship, including through the provision of all necessary appropriately-sized personal protective equipment and measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals, as well as the risk of injury or disease that may arise from the use of equipment and machinery on board ships;

Amendments to the Code relating to Regulation 4.3 – Health and safety protection and accident prevention

Standard A4.3 – Health and safety protection and accident prevention

Replace the chapeau of paragraph 5, insert new paragraph 5(a) and renumber the subsequent subparagraphs:

- 5. Each Member shall ensure that:
 - (a) all deaths of seafarers employed, engaged or working on board ships that fly its flag are adequately investigated and recorded, and reported on an annual basis to the Director-General of the International Labour Office to be published in a global register;

Guideline B4.3.5 – Reporting and collection of statistics

Insert new paragraphs 4 and 5:

4. The fatality data to be reported under subparagraph (a) of paragraph 5 of Standard A4.3 should be in the format, and using the classification, as specified by the International Labour Office.

5. The fatality data should include, but not be limited to, information on the type (classification) of death, ship type and gross tonnage, location of fatality (at sea, in port, at anchorage), and seafarer's sex, age, occupational position and department.

Amendments to Appendices

Appendix A2-I – Evidence of financial security under Regulation 2.5, paragraph 2

Replace item (g) by the following:

(g) name of the shipowner, or of the registered owner if different from the shipowner;

Appendix A4-I – Evidence of financial security under Regulation 4.2

Replace item (g) by the following:

(g) name of the shipowner, or of the registered owner if different from the shipowner.