



Fifth meeting of the Special Tripartite Committee established under Article XIII of the Maritime Labour Convention, 2006, as amended

Geneva, 7–11 April 2025

► Draft Resolution concerning the convening of a meeting of the Joint ILO-IMO Tripartite Working Group to identify and address Seafarers' Issues and the Human Element on hours of work and hours of rest

Submitted by the Seafarers' and the Shipowners' Groups

The Special Tripartite Committee (STC) established by the Governing Body of the International Labour Office under Article XIII of the Maritime Labour Convention, 2006, as amended (MLC, 2006), on the occasion of its fifth meeting, which took place in a hybrid format from 7 to 11 April 2025,

Recalling the submissions made by the Seafarers' Group to the 5th session of the Special Tripartite Committee;

Recalling article III of the Agreement between the International Labour Organization (ILO) and the International Maritime Organization (IMO) allowing for the establishment of joint groups to address any question of common interest which it may appear desirable to refer to such a group;

Recalling that the Sectoral Meeting which met in Geneva from 25 February to 1 March 2019 recommended that an ILO/IMO Tripartite Working Group be established to identify and address seafarers' issues and the human element, in particular as regards matters covered both under the Maritime Labour Convention, 2006, as amended (MLC, 2006) and the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers (1978 STCW Convention);

Recognizing that Regulation 2.3 of the MLC, 2006 requires Members to regulate either the hours of work or hours of rest of seafarers, and that MLC Standard A2.3, paragraph 5 requires that each Member set limits either for a maximum number of hours of work which shall not be exceeded in a given period of time, or a minimum number of hours of rest which shall be provided in a given period of time;

Noting that paragraph 13 of this Standard permits Members to have national laws or regulations or a procedure for the competent authority to authorize or register collective agreements permitting exceptions to the limits set out, and that such exceptions must, as far as possible, follow the provisions of this Standard but may take account of more frequent or longer leave periods or the granting of compensatory leave for watchkeeping seafarers or seafarers working on board ships on short voyages;

Noting that paragraph 14 of this Standard acknowledges the right of the master of a ship to suspend the schedule of hours of work or hours of rest and require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea, until the normal situation has been restored;

Recalling that Standard A2.7, paragraph 2 of the MLC, 2006, requires that when determining, approving or revising manning levels, the competent authority shall take into account the need to avoid or minimize excessive hours of work to ensure sufficient rest and to limit fatigue, as well as the principles in application of international instruments, especially those of the International Maritime Organization, on manning levels;

Recalling that provision A-VIII/1.2 of the STCW Code, which applies to seafarers whose duties involve designated safety, prevention of pollution and security duties, provide for minimum hours of rest in a given period of time;

Noting that provision A-VIII/1.8 of the STCW Code similarly acknowledges the right of the master of a ship to suspend the schedule of hours of work or hours of rest and require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea, until the normal situation has been restored;

Noting that provision A-VIII/1.4 of the STCW Code provides that the requirements for rest periods laid down need not be maintained in the case of an emergency or in other overriding operational conditions; and musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations and by international instruments, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue;

Noting that provision A-VIII/1.9 of the STCW Code provides for Parties to allow for exceptions from the required hours of rest in any seven-day period for not more than two consecutive weeks taking into account guidance regarding prevention of fatigue;

Noting also that Section B-VIII/1 of the STCW Code provides guidance towards compliance with Section A-VIII/1 of the STCW Code;

Recognising further that regulation VIII/1 of the 1978 STCW Convention requires Administrations to, for the purpose of preventing fatigue, establish and enforce rest periods for watchkeeping personnel and those whose duties involve designated safety, security and prevention of pollution duties;

Recommends that the ILO Governing Body approves at its 355th Session (November 2025) the convening of a meeting of the Joint ILO-IMO Tripartite Working Group to identify and address Seafarers' Issues and the Human Element (JTWG), in order to;

a) *Review* the relevant hours of work and rest provisions of the MLC, 2006; and the relevant hours of rest provisions of the 1978 STCW Convention;

b) *Consider* the development of practical guidance for Members on the implementation of the hours of rest regulations; and development of practical guidance for port State and flag State authorities on enhanced monitoring of compliance with the hours of work or hours of rest regulations, as appropriate; and

c) *Provide* recommendations to the ILO Governing Body and the IMO Maritime Safety Committee for consideration and action, as appropriate.

Recommends that the ILO Governing Body requests the relevant IMO bodies to consider the convening of this meeting of the JTWG.