



International Labour Conference

113th Session, Geneva, 2025

Date: 21 May 2025

► Matters to be considered by the General Affairs Committee

1. Amendments to the Code of the Maritime Labour Convention, 2006, as amended (MLC, 2006)

1. The Special Tripartite Committee (STC) established under Article XIII of the MLC, 2006, ¹ met in Geneva, in a hybrid format, from 7 to 11 April 2025. It was attended by more than 400 representatives of 65 States parties to the MLC, 2006, and 8 Members not having yet ratified the Convention. The STC had before it a total of 16 proposed amendments to consider. This is the fifth time that the STC, consistent with its mandate to keep the functioning of the MLC, 2006, under continuous review, adopts amendments for approval by the Conference. Previous meetings of the STC adopted amendments to the MLC, 2006, in 2014, 2016, 2018 and 2022. ²

¹ The MLC, 2006, entered into force on 20 August 2013 and, as of 25 April 2025, had been ratified by 110 Member States. More information can be found at: www.ilo.org/mlc.

² At its 103rd Session (June 2014), the International Labour Conference approved amendments related to the issues of abandonment of seafarers and claims for compensation in the event of a seafarer's death or long-term disability due to an occupational injury, illness or hazard. At its 105th Session (June 2016), the International Labour Conference approved two further amendments, one aimed at eliminating shipboard harassment and bullying and another providing for the possible extension of the validity of maritime labour certificates. At its 107th Session (June 2018), the International Labour Conference approved amendments related to the protection of seafarers' wages and entitlements while they are held captives on or off the ship as a result of acts of piracy or armed robbery against ships. At its 110th Session (June 2022), the International Labour Conference approved eight amendments, aimed at ensuring that: (i) seafarers are informed of their rights under the system of protection to be established by private recruitment and placement agencies to compensate seafarers for monetary losses; (ii) the prompt repatriation of abandoned seafarers is further facilitated and cooperation among Member States ensures that seafarers engaged to replace seafarers who have been abandoned are accorded their rights and entitlements under the MLC, 2006; (iii) seafarers are provided with appropriate social connectivity by shipowners, and that Member States provide internet access in ports and at their associated anchorages; (iv) good quality drinking water is available free of charge for seafarers, meals provided are balanced and supplies of food and drinking water are inspected in relation to their quantity, quality, nutritional value and variety; (v) seafarers are promptly disembarked when they are in need of immediate medical care and are given access to medical facilities ashore; Member States facilitate the repatriation by the shipowner of the body or ashes of seafarers who have died on board; (vi) seafarers have appropriately-sized personal protective equipment; (vii) all deaths of seafarers are recorded and reported annually to the ILO and the relevant data is published; and (viii) the documentary evidence of financial security includes the name of the registered owner if different from the shipowner.

2. In accordance with Article XV, paragraph 4, of the MLC, 2006, the STC adopted seven amendments to the Code of the MLC, 2006.³ Each amendment was adopted by an overwhelming majority.⁴ The text of the amendments is reproduced in Appendix I to this report.⁵
3. Pursuant to Article XV, paragraph 5, of the MLC, 2006, and article 17 of the Standing Orders of the STC, amendments to the Code together with a commentary on the amendments, are to be communicated by the Chairperson of the STC to the Governing Body for transmittal to the next session of the International Labour Conference. As the fifth meeting of the STC took place after the 353rd Session (March 2025) of the Governing Body, the amendments were brought to the attention of the Officers of the Governing Body who approved the transmission of these amendments, together with the commentary, to the 113th Session (2025) of the Conference for possible approval. At its 353rd Session the Governing Body had recommended that, as was the case for the previous set of amendments, the Conference refers them to the General Affairs Committee.⁶
4. The background and purpose of the amendments, as submitted jointly by the seafarers' and shipowners' groups, the seafarers' group individually, the shipowners' group individually and a number of governments, is explained in detail in the [Background paper for discussion](#) of the fifth meeting of the STC. The text of these amendments is reproduced in Appendix I of this document.
5. The first amendment relates to Regulation 2.5 (Repatriation) and is intended to ensure that Member States facilitate the repatriation of seafarers in a manner that excludes discrimination on any grounds.
6. The second set of amendments relates to Regulation 2.4 (Entitlement to leave) and is intended to ensure that seafarers can effectively benefit from the right to shore leave while they are in port to benefit their health and well-being. Shore leave shall be allowed without discrimination and without requiring seafarers to hold a visa or special permit.
7. The third amendment relates to Regulation 2.5 (Repatriation) and provides that Member States should designate and recognize seafarers as key workers and take appropriate measures to facilitate their safe movement when travelling in connection with their employment or work, including, but not limited to, access to shore leave, repatriation, crew changes and medical care ashore.
8. The fourth set of amendments relates to Regulations 4.4 (Access to shore-based welfare facilities) and 5.1 (Flag State responsibilities) and requests Members States to take due account of relevant IMO/ILO guidelines to ensure the fair treatment of seafarers detained in foreign

³ At its 346th Session (October–November 2022), the Governing Body decided to convene the fifth meeting of the Special Tripartite Committee established under Article XIII of the Maritime Labour Convention, 2006, as amended, from 7 to 11 April 2025.

⁴ The [results](#) of the votes can be consulted online.

⁵ In addition to the amendments, the Special Tripartite Committee adopted four [resolutions](#) related to: the early implementation of the adopted amendment to Guideline B2.5.2 of the MLC, 2006, to ensure the recognition of seafarers as key workers; maintaining consistency, to the extent possible, between the MLC, 2006, and the International Maritime Organization (IMO) Convention on the Facilitation of International Marine Traffic, 1965, as amended, with respect to shore leave requirements; the extension of the mandate of the Joint ILO/IMO Tripartite Working Group to Identify and Address Seafarers' Issues and the Human Element (JTWG); and calling for a meeting of the JTWG to discuss the topic of hours of work and rest. A detailed report of the meeting will be submitted to the 355th Session (November 2025) of the Governing Body.

⁶ [GB.353/INS/2/2\(Rev.1\)](#), paras 39 and 40 and [GB.353/INS/PV/Draft](#), para 60.

ports in connection with alleged crimes or in the context of inquiries into marine casualties. It further requires Members to cooperate with concerned States to that effect.

9. The fifth set of amendments relates to Regulation 2.5 (Repatriation) and is intended to ensure that the costs to be borne by the shipowner for repatriation include at least certain specific items which were previously contained in a non-mandatory provision. These refer to passage to the destination of repatriation, accommodation and food, transportation of up to 30 kilograms of luggage and medical treatment when necessary.
10. The sixth set of amendments relates to Regulation 4.1 (Medical care on board ship and ashore) and is intended to ensure that the training for seafarers in charge of medical care on board when ships are not required to carry a medical doctor takes into account, among others, the *International Medical Guide for Seafarers and Fishers*.
11. The seventh set of amendments relates to Regulations 1.4 (Recruitment and placement), 3.1 (Accommodation and recreational facilities), 4.3 (Health and safety protection and accident prevention) and 5.1 (Flag state responsibilities) and is intended to ensure effective protection of seafarers against violence and harassment on board, including sexual harassment, bullying and sexual assault. In particular, the amendments require Member States to adopt laws and regulations and other measures for the prevention and elimination of violence and harassment with due regard to the Violence and Harassment Convention, 2019 (No. 190). Member States shall further require relevant measures for shipowners and seafarers to ensure the establishment of safe, fair and effective reporting mechanisms and procedures for cases of shipboard violence and harassment.
12. In accordance with Article XV, paragraph 5, of the MLC, 2006, approval by the Conference requires a majority of two thirds of the votes cast by the delegates present. If these amendments are approved by the Conference, they will be notified to Members whose ratification of the MLC, 2006, was registered prior to the date of the Conference's approval. These Members will have a period of two years from that notification (unless the Conference decides upon a different period) to express a formal disagreement to the amendments. The amendments will enter into force six months after the end of that period unless more than 40 per cent of ratifying Members, representing not less than 40 per cent of world gross tonnage, have formally expressed their disagreement with the amendments. If the required majority is not obtained at the Conference, the amendments will be referred back to the STC for reconsideration.
13. **The General Affairs Committee may wish to recommend to the Conference that it approve the amendments to the Code of the MLC, 2006, adopted by the STC at its fifth meeting, and as set out in Appendix I of this document.**

2. Measures recommended by the Governing Body under article 33 of the Constitution to secure compliance by Myanmar with the recommendations of the Commission of Inquiry in respect of Conventions Nos 87 and 29

14. At its 352nd Session (October–November 2024), the Governing Body decided to place on the agenda of the 113th Session (2025) of the International Labour Conference an item concerning measures under article 33 of the Constitution to secure compliance by Myanmar with the

recommendations of the Commission of Inquiry.⁷ This will be the third time that the International Labour Conference will consider measures recommended by the Governing Body in the application of article 33 of the Constitution.⁸

15. At its 353rd Session (March 2025), the Governing Body recommended to the Conference to consider measures under article 33 of the Constitution to secure compliance by Myanmar with the recommendations of the Commission of Inquiry. These measures are outlined in the draft resolution included in the Governing Body's decision and which is now reproduced as Appendix II to the present report.⁹ These measures draw upon previous experience of action recommended by the Governing Body to the Conference, including in the case of Myanmar in March 2000, while recalling the distinct context on this occasion following on from the resolution for a return to democracy and respect for fundamental rights in Myanmar adopted by the Conference at its 109th Session (2021). Some measures proposed by the Governing Body in the draft resolution have a particular focus taking into account the specific circumstances faced by the people of Myanmar in the current context. In particular, they include, more specifically, calling on constituents to enable continuing support for activities that benefit directly the Myanmar people and their communities, including through independent and confidential monitoring and reporting systems, and to review any relations they may have with the Myanmar military authorities that may in particular contribute or enable the perpetuation of ongoing harm or violence or acts of repression and intimidation of workers and employers peacefully exercising their fundamental rights through the support or supply of military equipment or means, including jet fuel, or the free flow of funds to the military authorities. The Director-General is also requested to accelerate and intensify all necessary support to the trade unions and workers of Myanmar as well as employers so that they may be able to exercise fully the fundamental rights addressed in the Commission of Inquiry report and to develop relevant and appropriate monitoring mechanisms for the confidential and credible documentation of ongoing fundamental rights' violations in the country. Moreover, the Governing Body adopted measures within its remit of competence also aimed at securing compliance with the recommendations of the Commission of Inquiry.
16. Following the receipt on 20 January of an invitation from the military authorities for a mission, a first communication was sent on 25 February at the behest of the Officers of the Governing Body¹⁰ requesting the military authorities to confirm that the mission would have unhindered access to all stakeholders and that full guarantees and assurances at the highest level would be given that no retaliation, sanction or prejudice of any sort to any person, or their families and organizations would occur as a consequence of their being in contact with the ILO, including with the possible country visit. In the absence of reply from the military authorities, the Governing Body requested the Director-General to consider sending an Office mission to Myanmar to review steps taken by the military authorities to implement the

⁷ GB.352/PV, para. 549(b)(iv).

⁸ The first time was during its 88th Session (2000) in relation to the implementation by Myanmar of the recommendations contained in the report of the Commission of Inquiry in respect of the Forced Labour Convention, 1930 (No. 29); see ILO, [Provisional Record No. 4](#); [Provisional Record No. 6-4](#); [Record of Proceedings](#), pp. 26/20–26/32, International Labour Conference, 88th Session, 2000. The second time was during its 111th Session (2023) in relation to the compliance by the Government of Belarus with the recommendations of the Commission of Inquiry in respect of the Conventions Nos 87 and 98; see ILO, [Matters to be Considered by the General Affairs Committee](#), ILC.111/D.1(Rev.1); [Report of the General Affairs Committee](#), ILC.111/Record No. 1A(Rev.), pp. 6–13; [Plenary Sitting: Report of the General Affairs Committee](#), ILC.111/Record No. 1B, pp. 18–19, International Labour Conference, 111th Session, 2023.

⁹ GB.353/INS/12(Rev.2)/Decision.

¹⁰ GB.353/INS/12(Rev.2), para 39.

11 recommendations of the Commission of Inquiry, explore their willingness to engage with the ILO to ensure the further implementation of these recommendations, and report thereon to the International Labour Conference for its consideration. In this connection, the Governing Body recommended to the Conference to consider the measures under article 33 of the Constitution taking into account the findings of a possible Office mission to Myanmar. The Governing Body decision and request for confirmation of the specific parameters for a possible mission were sent to the military authorities on 20 March.

17. The devastating earthquake of 28 March 2025 struck central Myanmar, wreaking destruction in the administrative capital. While the ILO has stepped up its assistance to the people of Myanmar following this tragedy by mobilizing urgently needed support for workers and small businesses and providing financial assistance to workers' and employer's organizations, the military authorities have been reminded of the need to reply to the communications concerning an Office mission and the requests for guarantees concerning its conduct.¹¹ A written reminder was again sent on 30 April. The reply from the military authorities on 6 May 2025 can be found in Appendix II(a) while the Office response is set out in Appendix II(b).
18. The Conference is invited to examine, with a view to their adoption in the form of a resolution, one or more of the measures indicated in **paragraphs (1)–(4) of the draft resolution** recommended to it by the Governing Body.
19. **The General Affairs Committee may wish to recommend to the Conference that it adopt all or any of the measures indicated in paragraphs (1)–(4) of the draft resolution, as set out in Appendix II to the present report.**

3. Draft resolution on the status of Palestine in the ILO and participation rights of Palestine in ILO meetings

20. At its 352nd Session (October–November 2024), the Governing Body recommended that the International Labour Conference consider at its 113th Session (2025) the adoption of the draft resolution on the status of Palestine in the ILO and participation rights of Palestine in ILO meetings contained in [Appendix III](#) to document GB.352/INS/9,¹² and now reproduced as Appendix III of this report. This decision follows the adoption, on 10 May 2024, by the United Nations (UN) General Assembly of resolution ES-10/23 entitled "Admission of new Members to the United Nations".¹³
21. The draft resolution submitted to the Conference addresses two separate yet closely interlinked matters.
22. First, the draft resolution addresses the status of Palestine in the ILO. Currently, Palestine enjoys in the ILO the status of a liberation movement recognized by the League of Arab States. This status was granted to the Palestinian Liberation Organization in 1975 and has not changed

¹¹ Recovery strategies will only reach their full potential if they are supported by concrete progress in implementing the recommendations of the ILO Commission of Inquiry in its 2023 report (ILO, Press Release, 24 April 2024). Reports from the UN Human Rights Office (OHCHR) indicate that, despite a ceasefire nominally declared in the wake of the devastating earthquake on 28 March and which expired on 30 April, the Myanmar military authorities continued operations and over 200 attacks, including strikes by aircraft and drones, artillery and paramotors in areas affected by the earthquake. The OHCHR also refers to reports that the military has continued its conscription drive, forcibly recruiting able-bodied young people who were assisting the rescue efforts (UN Press Releases, 4 and 11 April and 2 May 2025).

¹² GB.352/PV, para. 489(a). See also [GB.352/INS/9](#); [GB.352/INS/9\(Add.1\)](#).

¹³ [A/RES/ES-10/23](#).

since then.¹⁴ At the United Nations, Palestine has, since 2012, the status of a non-member observer State.¹⁵ In this context, the Governing Body recommended that the Conference decide to discontinue the existing status of Palestine as a liberation movement and henceforth invite Palestine to participate in ILO meetings as a non-member observer State. It further recommended that the Conference authorize the Director-General to invite Palestine to participate as a non-member observer State at the International Labour Conference.

23. It may be additionally noted that, subject to the adoption of the draft resolution by the Conference, the Governing Body decided to authorize the Director-General to invite Palestine to participate under its new status in sessions of the Governing Body, the Asia and the Pacific regional meetings and, as appropriate, ILO technical meetings.¹⁶
24. Second, the draft resolution addresses the participation rights of Palestine in ILO meetings. At present, in accordance with the Standing Orders of the Conference, representatives of Palestine have the right to take the floor in the plenary with the authorization of the President during the discussion of the Reports of the Chairperson of the Governing Body and of the Director-General (article 14(8)) and to attend sittings and participate in the work of technical committees with the authorization of the Chairperson, without the right to vote or to move motions (article 36(5)(b)). At regional meetings, in accordance with article 10(3) of the Rules for regional meetings, representatives of Palestine may, with the permission of the Chairperson, address the meeting during any discussion in plenary. In the Governing Body, since 2004, Palestine has been invited, as a liberation movement, to send observers, and since 2018, representatives of Palestine have been authorized by the Officers of the Governing Body to take the floor in the context of the discussions of the enhanced programme of development cooperation for the occupied Arab territories.
25. In resolution ES-10/23, the UN General Assembly decided to adopt the modalities set out in the annex to the resolution to give effect to additional rights and privileges of participation in the sessions and work of the General Assembly and the international conferences convened under its auspices or of other UN organs, as well as in UN conferences. These include the right: to be seated among Member States in alphabetical order; of inscription on the list of speakers under agenda items other than Palestinian and Middle East issues; to make statements on behalf of a group; to submit and co-sponsor proposals and amendments; to make explanations of vote on behalf of the States Members of a group; to reply; to raise procedural motions, points of order and requests to put proposals to the vote and to challenge the decision of the presiding officer; to propose items to be included in the agenda of the regular or special sessions; to have members of its delegation be elected as officers; and to participate fully and effectively in UN conferences and meetings convened under the auspices of the General Assembly. These do not include the right to vote in the General Assembly or to put forward its candidature to UN organs.

¹⁴ At the 76th Session of the Conference (1989), without prejudice to the specific status of liberation movement under which the Palestinian Liberation Organization had participated at the Conference since 1975, the designation was changed to "Palestine". This change was decided following the adoption, on 15 December 1988, by the UN General Assembly of resolution [43/177](#), which acknowledged the "proclamation of the State of Palestine by the Palestine National Council ...", and decided that "effective as of 15 December 1988, the designation 'Palestine' should be used in place of the designation 'Palestine Liberation Organization' in the United Nations system, without prejudice to the observer status ...".

¹⁵ [A/RES/67/19](#).

¹⁶ GB.352/PV, para. 489(b).

26. The UN General Assembly requested the specialized agencies to apply the modalities set out in the annex to the resolution to grant additional rights and privileges to Palestine.
27. Having duly considered resolution ES-10/23 and the request contained therein, the Governing Body recommended that the Conference align, with some necessary adaptations to the ILO's legal framework and its tripartite structure, on an exceptional basis and without setting a precedent, the participation rights of Palestine with the modalities set out in the annex to the UN General Assembly resolution ES-10/23 for future sessions of the Conference and regional meetings. The proposed adaptations as regards the ILO mainly include granting Palestine the right to participate in the Conference and regional meetings with a tripartite delegation, setting aside formulations and categories not used in the ILO, and excluding rights not applicable to ILO Members.¹⁷ In accordance with the paragraph 3 of the draft resolution, the Conference would decide to confer upon Palestine the additional rights and privileges "for future sessions of the International Labour Conference and regional meetings ...". In accordance with paragraph 5 of the draft resolution, the Conference would decide to suspend the relevant provisions of the Standing Orders of the Conference to the extent that they are incompatible with the draft resolution.¹⁸
28. It may be additionally noted that, subject to the adoption of the draft resolution by the Conference, the Governing Body decided, to confer upon Palestine, on an exceptional basis and without setting a precedent, the rights contained in paragraph 1.8.3 of the Standing Orders of the Governing Body that are granted to ILO Member States that are non-members of the Governing Body. For technical meetings, it decided to grant, *mutatis mutandis*, the rights and privileges set out in the draft resolution. To allow Palestine's representatives to exercise these rights, the Governing Body decided to suspend the provisions of the Standing Orders of the Governing Body and for technical meetings that are incompatible with these rights.
29. The Governing Body also decided to evaluate in due time the need to amend the relevant Standing Orders.¹⁹
30. **The General Affairs Committee may wish to recommend to the Conference that it adopt the draft resolution on the status of Palestine in the ILO and the participation rights of Palestine in ILO meetings, as set out in Appendix III to the present report.**

¹⁷ For details on the proposed adaptations see GB.352/INS/9, para. 64.

¹⁸ As explained by the Legal Adviser in the 352nd Session (October–November 2024) of the Governing Body, "if the draft resolution was adopted as it currently read by the Conference at its 113th Session (June 2025), Palestine would be able to exercise those rights at the 114th Session (June 2026) of the Conference", GB.352/PV, para. 467.

¹⁹ GB.352/PV, para. 489(e).

Appendix I

Amendments to the Code of the MLC, 2006

1. Repatriation without discrimination: Amendment to the Code relating to Regulation 2.5

Amendment to the Code relating to Regulation 2.5 – Repatriation

Standard A2.5.1 – Repatriation

Add new paragraph 10 and renumber paragraph 10.

10. Each Member shall facilitate the repatriation of seafarers in a manner which excludes discrimination on any grounds and irrespective of the flag State of the ship on which they are employed, engaged or work.

2. Shore leave: Amendments to the Code relating to Regulation 2.4

Amendments to the Code relating to Regulation 2.4 – Entitlement to leave

Standard A2.4 – Entitlement to leave

Replace the heading by “Standard A2.4.1 – Annual leave”.

Add a new Standard:

Standard A2.4.2 – Shore leave

1. Each Member shall ensure that seafarers are allowed ashore by the public authorities while the ship on which they arrive is in a port in its jurisdiction, provided that the relevant formalities have been fulfilled and the public authorities have no reason to refuse permission to come ashore for reasons of public health, public safety and security or public order.

2. Shore leave shall be allowed in a manner which excludes discrimination on any grounds and irrespective of the flag State of the ship on which seafarers are employed, engaged or work.

3. No seafarer shall be required to hold a visa or special permit for the purpose of shore leave.

4. In any case where permission for shore leave has been refused, the relevant public authorities shall communicate their reasons for such denial to the seafarer concerned and the master. If requested by the seafarer concerned or the master, such reasons shall be provided in writing.

5. Each Member shall require shipowners to allow seafarers serving on ships that fly its flag to take shore leave to benefit their health and well-being, consistent with the operational requirements of their positions.

6. Shipowners shall allow shore leave to seafarers when off duty, upon the ship's arrival in port, except when leaving the ship is prohibited or restricted by relevant authorities of the port State, or due to safety or operational reasons.

7. Shore leave granted in accordance with the provisions of the Convention on Facilitation of International Maritime Traffic shall be considered as meeting the requirements of paragraphs 1 to 4 of this Standard.

Add a new Guideline:

Guideline B2.4.5 – Facilitation of shore leave

1. Each Member should cooperate, as appropriate, with shipowners' and seafarers' organizations and other relevant stakeholders in port to establish procedures on board ships and in ports to facilitate shore leave for seafarers.
2. Each Member should ensure that personnel in its ports and terminals are provided with appropriate information and training on seafarers' rights, including the right to shore leave.

3. Seafarers as key workers: Amendment to the Code relating to Regulation 2.5

Amendment to the Code relating to Regulation 2.5 – Repatriation

Guideline B2.5 – Repatriation

Add a new Guideline and renumber the subsequent Guidelines:

Guideline B2.5.2 – Key workers

1. Each Member should designate and recognize seafarers as key workers and take appropriate measures to facilitate their safe movement when travelling in connection with their employment or work, including, but not limited to, access to shore leave, repatriation, crew changes and medical care ashore.

4. Fair treatment of seafarers and marine casualties: Amendments to the Code relating to Regulations 4.4 and 5.1

Amendment to the Code relating to Regulation 4.4 – Access to shore-based welfare facilities

Guideline B4.4.6 – Seafarers in a foreign port

Amend paragraph 2 as follows:

2. Seafarers who are detained in a foreign port should be dealt with promptly under due process of law and with appropriate consular protection, taking due account of the ILO/IMO Guidelines on Fair Treatment of Seafarers detained in connection with alleged crimes.

Amendment to the Code relating to Regulation 5.1 – Flag State responsibilities

Standard A5.1.6 – Marine casualties

Add new paragraphs 1 and 2 as follows:

1. In carrying out an inquiry into a marine casualty, Members shall take due account of the principles established by the IMO *Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident*, and the recommendations of the ILO/IMO *Guidelines on the Fair Treatment of Seafarers in the event of a maritime accident* and the ILO/IMO *Guidelines on Fair Treatment of Seafarers detained in connection with alleged crimes*.
2. Without prejudice to national legislation, Members shall cooperate, as far as practicable, with concerned States to assist in the application of the above-mentioned Guidelines.

5. Costs of repatriation: Amendment to the Code relating to Regulation 2.5

Amendment to the Code relating to Regulation 2.5 – Repatriation

Standard A2.5.1 – Repatriation

Add new paragraph 3 and renumber subsequent paragraphs.

3. The costs to be borne by the shipowner for repatriation under subparagraph 2(c) shall include at least the following:

- (a) passage to the destination selected for repatriation;
- (b) accommodation and food from the moment the seafarers leave the ship until they reach the repatriation destination;
- (c) transportation of up to 30 kg of the seafarer's personal luggage to the repatriation destination; and
- (d) medical treatment when necessary until the seafarers are medically fit to travel to the repatriation destination.

Guideline B2.5.1 – Entitlement

Replace paragraph 3 as follows:

3. The costs to be borne by the shipowner for repatriation under Standard A2.5.1, paragraph 3, should also include pay and allowances from the moment the seafarers leave the ship until they reach the repatriation destination, if provided for by national laws or regulations or collective agreements.

6. Medical training: Amendment to the Code relating to Regulation 4.1

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

Guideline B4.1.1 – Provision of medical care

Amend paragraph 2 as follows:

2. The training referred to in paragraph 1 of this Guideline should be based on the contents of the most recent editions of the International Medical Guide for Seafarers and Fishers, the International Medical Guide for Ships, the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods, the Document for Guidance – An International Maritime Training Guide, and the medical section of the International Code of Signals as well as similar national guides.

Amend paragraph 4 as follows:

4. [...] In adopting or reviewing the ship's medical guide used nationally, and in determining the contents of the medicine chest and medical equipment, the competent authority should take into account international recommendations in this field, including the latest edition of the International Medical Guide for Seafarers and Fishers, the International Medical Guide for Ships, and other guides mentioned in paragraph 2 of this Guideline.

7. Violence and harassment: Amendments to the Code relating to Regulations 1.4, 3.1, 4.3, 5.1

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

Guideline B1.4.1– Organizational and operational guidelines

Add new paragraph 2(l) (and delete “and” from paragraph 2(j) and add it at the end of paragraph 2(k)).

- (l) measures to prevent and address violence and harassment, including sexual harassment, bullying and sexual assault, in recruitment and placement processes.

Amendment to the Code relating to Regulation 3.1 – Accommodation and recreational facilities

Guideline B3.1.10 – Bedding, mess utensils and miscellaneous provisions

Add new paragraph 1(d) (and delete “and” from paragraph 1(b) and add it at the end of paragraph 1(c)).

- (d) appropriate and sufficient menstrual hygiene products and means of disposal should be available for seafarers.

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

Add new paragraph 1(e) (and delete “and” from paragraph 1(c) and add it at the end of paragraph 1(d)).

- (e) prevention and elimination, including through prohibition in law, of shipboard violence and harassment, including sexual harassment, bullying, and sexual assault, with due regard to the Violence and Harassment Convention, 2019 (No. 190).

Add new paragraphs 2(e) to 2(h) (and delete “and” from paragraph 2(c)).

- (e) define shipboard violence and harassment, including sexual harassment, bullying and sexual assault, in accordance with Article 1 of the Violence and Harassment Convention, 2019 (No. 190);¹
- (f) require shipowners to adopt and implement relevant policies and measures to prevent and address shipboard violence and harassment, including sexual harassment, bullying and sexual assault;
- (g) require seafarers and others concerned to comply with the applicable policies and measures implemented to prevent and address shipboard violence and harassment, including sexual harassment, bullying and sexual assault; and
- (h) establish, after consultation with shipowners’ and seafarers’ organizations, safe, fair and effective reporting mechanisms and procedures for cases of shipboard violence and harassment, including sexual harassment, bullying and sexual assault.

Guideline B4.3.1 – Provisions on occupational accidents, injuries and diseases

Amend paragraph 1 as follows:

1. [...] Account should also be taken of the Violence and Harassment Recommendation, 2019 (No. 206), and the latest version of the *Guidance on eliminating shipboard harassment and bullying* jointly published by the International Chamber of Shipping and the International Transport Workers’ Federation.

Amend paragraph 2(m) as follows:

- (m) provision of all necessary appropriately-sized personal protective equipment for seafarers;

¹ Under Article 1.1(a) of the Violence and Harassment Convention, 2019 (No. 190), the term “violence and harassment” in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.

Amend paragraph 4(d) as follows:

- (d) harassment and bullying shipboard violence and harassment, including sexual harassment, bullying and sexual assault.

Guideline B4.3.6 – Investigations

Amend paragraph 2(g) as follows:

- (g) problems arising from harassment and bullying shipboard violence and harassment, including sexual harassment, bullying and sexual assault.

Add new paragraph 3.

3. Flag States, port States and labour-supplying States should cooperate during investigations into incidents of shipboard violence and harassment, including sexual harassment, bullying and sexual assault.

Guideline B4.3.11 – International cooperation

Add new paragraph 4.

4. Each Member should give due consideration to initiating and participating in international cooperation in the area of assistance, programmes and research on issues pertaining to preventing and addressing shipboard violence and harassment, including sexual harassment, bullying and sexual assault.

Amendment to the Code relating to Regulation 5.1 – Flag State responsibilities

Standard A5.1.5 – On-board complaint procedures

Amend paragraph 2 as follows:

2. Each Member shall ensure that, in its laws or regulations, appropriate on-board complaint procedures are in place to meet the requirements of Regulation 5.1.5. Such procedures shall seek to resolve complaints at the lowest level possible. However, in all cases, seafarers shall have a right to complain directly to the master and, where they consider it necessary, to appropriate shoreside personnel or to appropriate external authorities.

Amend paragraph 3 as follows:

3. The on-board complaint procedures shall include the right of the seafarer to be accompanied or represented during the complaints procedure, as well as safeguards against the possibility of victimization of seafarers for filing complaints. The term “victimization” covers any adverse action taken by any person with respect to a seafarer for lodging a complaint which is not manifestly vexatious or maliciously made. complainants, victims, witnesses and whistle-blowers. Due regard shall be given to situations where a complaint is manifestly vexatious or maliciously made.

Add new paragraph 5.

5. Appropriate steps shall be taken, at all stages, to safeguard the confidentiality of complaints made by seafarers.

Appendix II

Draft Resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Myanmar

The General Conference of the International Labour Organization meeting in Geneva at its 113th Session, 2025,

Considering the proposals by the Governing Body of the International Labour Office, under the twelfth item of its agenda, with a view to the adoption, under article 33 of the ILO Constitution, of actions to secure compliance with the recommendations of the Commission of Inquiry established in accordance with article 26 of the ILO Constitution to examine the non-observance by Myanmar of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Forced Labour Convention, 1930 (No. 29),

Having taken note of the additional information provided by the military authorities which does not indicate any sign of meaningful acknowledgement of the recommendations formulated by the Commission of Inquiry in its 2023 report *Towards Freedom and Dignity in Myanmar*, or demonstrate any action taken for their implementation,

Expressing concern over the repeated extension of the state of emergency under military rule, preventing the restoration of a democratically elected government called for in the resolution for a return to democracy and respect for fundamental rights in Myanmar adopted by the International Labour Conference at its 109th Session (2021),¹

Recalling the overall operative framework for engagement in Myanmar set out in the United Nations Country Team programmatic engagement guidelines and its focus on delivery of principled, rights and needs-based humanitarian assistance and activities that result in benefits that accrue directly to people or local communities,

Observing with deep concern the continuing egregious violations of the fundamental rights to freedom of association and freedom from forced labour and the basic civil liberties of the people of Myanmar, as well as the manifest efforts to fully transplant the free and independent trade union movement in the country,

1. Decides to hold at its future sessions a special sitting of the Committee on the Application of Standards for the purpose of discussing the application of Conventions Nos 87 and 29 by Myanmar and the implementation of the recommendations of the Commission of Inquiry, so long as this Member has not been shown to have fulfilled its obligations.
2. Invites the Organization's constituents – governments, employers and workers – to:
 - (a) engage, at the national, regional and international level, with a view to coordinating comprehensive and strategic action to contribute to the implementation of the Commission of Inquiry's recommendations, including all steps that can support the creation of a climate that promotes freedom of association and the elimination of all forms of forced labour in the country;
 - (b) enable continuing support for activities that benefit directly the Myanmar people and their communities and, in particular, through independent and confidential monitoring and reporting systems that provide avenues for complaints of violations

¹ ILC.109/Resolution II.

to be rapidly and effectively addressed to ensure accountability where freedom of association and forced labour violations occur;

- (c) review, in the light of the conclusions of the Commission of Inquiry, the relations they may have with Myanmar military authorities and take appropriate measures to ensure that such relations in no way enable, facilitate or prolong the violations of workers' rights in respect of freedom of association and forced labour. In particular, any relations that may contribute or enable the perpetuation of ongoing harm or violence or acts of repression and intimidation of workers and employers peacefully exercising their fundamental rights through the support or supply of military equipment or means, including jet fuel, or the free flow of funds to the military authorities, should be comprehensively reviewed with the aim to disable all means that have abetted or empowered the perpetuation of the above-mentioned egregious violations;
 - (d) ensure that the principle of non-refoulement is respected in line with international law, given that trade union and human rights defenders fleeing Myanmar are at serious risk of irreparable harm, including persecution, ill-treatment and other grave human rights violations;
 - (e) report to the Director-General on any initiatives or steps taken, or other relevant developments, for transmission to the Governing Body.
3. Invites the Director-General to:
- (a) accelerate and intensify with all relevant actors all necessary support to the trade unions and workers of Myanmar as well as employers so that they may be able to exercise fully their fundamental rights addressed in the report of the Commission of Inquiry;
 - (b) develop relevant and appropriate monitoring mechanisms for the confidential and credible documentation of ongoing fundamental rights' violations in the country with a view to transparent reporting, ensuring accountability and delivering expeditious and effective redress to the victims;
 - (c) call on the relevant bodies of international organizations referred to in article 12(1) of the ILO Constitution to continue to keep under review, within their terms of reference and in the light of the conclusions of the Commission of Inquiry, any engagement with the Myanmar military authorities and report any activities that may be found in the course of their work to have the effect of directly or indirectly enabling or abetting the practice of forced labour or compulsory labour or violations of freedom of association in the country;
 - (d) reinforce engagement and collaboration with the United Nations (UN), including the UN Secretary-General's Special Envoy on Myanmar, the Special Rapporteur on the situation of human rights in Myanmar and other specific thematic special rapporteurs relevant to the Commission of Inquiry's recommendations, such as the Special Rapporteur on freedom of opinion and expression and the Special Rapporteur on freedom of peaceful assembly and of association, with a view to ensuring coordinated action on the recommendations of the Commission of Inquiry and the implementation of this resolution;

- (e) explore further within the UN system the support and assistance that may be provided to Myanmar trade union activists and their families who have been displaced or have fled their country;
 - (f) explore additional avenues of collaboration between the ILO and the Independent Investigative Mechanism for Myanmar established by the UN Human Rights Council within their respective mandates;
 - (g) engage with other relevant regional bodies, in particular the Association of Southeast Asian Nations, special envoys and others with a view to exploring possible frameworks for coordinated action towards the full implementation of the recommendations of the Commission of Inquiry in Myanmar;
 - (h) submit to the Governing Body a periodic report on the outcome of the measures set out in subparagraphs (a)–(g) above.
4. Urges the Myanmar military authorities to engage without further delay in good faith implementation of the recommendations of the Commission of Inquiry and subsequent recommendations of the supervisory bodies of the ILO, with a view to securing a climate promoting freedom of association and the elimination of all forms of forced labour.

Appendix II(a)



The Government of the Republic of the Union of Myanmar

Ministry of Labour

Nay Pyi Taw

Ref:116/MOL/Div(5)2025(၁၀၀၃)

Date: ၄ May 2025

To

H.E. Mr. Gilbert F. Houngbo

Director General

International Labour Organization, Geneva

Dear Excellency,

I would like to extend my warm greetings to you and also like to acknowledge receipt of the Note Verbales dated 25 February 2025, 20 March 2025 and 30 April 2025 from the ILO.

As you are well aware, Myanmar has experienced a severe earthquake, which claimed 3,785 fatalities, 5,105 injured and 92 reported missing and caused damage to office buildings and staff housing. Subsequently, it became necessary to implement resettlement measures, including the establishment of temporary offices and the provision of temporary accommodations for staff members and their families. In this connection, we would like to seek your kind understanding for the delay in our response caused by these circumstances.

In relation to the allegations and recommendations included in the Commission of Inquiry (CoI) report concerning Conventions No. 29 and No. 87, Myanmar, as a member country of the ILO, had extended an invitation for a high-level delegation of ILO to visit Myanmar in order to learn and understand about the actual situation on the ground.

To ensure the success of your high-level delegation's visit, we would like to request you to kindly provide in advance, the proposed agenda, issues to be discussed and the list of individuals/ organizations that your team wishes to meet

during the visit. Permission will be granted, where applicable, in accordance with existing Myanmar's laws, rules and regulations.

Please also be informed that, during the visit, individuals who engage with the delegation shall not be subject to any action as long as they exercise their rights and freedoms in accordance with the local laws.

At present, the Government of Myanmar is giving priority to visits from the United Nations and International organizations involved in humanitarian assistance and relief efforts in response to the recent severe earthquake. Regarding the upcoming high-level mission of the ILO, we stand ready to continue our cooperation with the organization.

We look forward to receiving a high-level delegation from ILO in the near future and are confident that the visit will further strengthen the cooperation between Myanmar and the ILO, while advancing the interests of Myanmar's workers.

Please accept, Excellency, the assurances of my highest consideration.

Yours Sincerely,



For Union Minister

(Win Shein, Deputy Minister)

Copy to

Ministry of Foreign Affairs

Permanent Mission of the Republic of the Union of Myanmar, Geneva

Department of Labour

Office Copy

Appendix II(b)



► International Labour Office

Ministry of Labour
Building No. 51
NAY PYI TAW
REPUBLIC OF THE UNION OF MYANMAR

NOTE VERBALE

With reference to its Note Verbales of 25 February, 20 March and 30 April 2025, the International Labour Office wishes to acknowledge receipt of the reply dated 5 May 2025 referring to the priorities of addressing the consequences of the severe earthquake of 28 March while reiterating the invitation for an ILO high-level delegation to visit Myanmar.

Due note has been taken that priority is given at present to visits by international organizations geared towards humanitarian assistance and relief efforts and that the above-mentioned ILO high-level visit could be received in the near future.

In this context, further clarification about the possible timing of the mission is requested to enable its preparation by the Office. It is also fundamental to recall the terms of an Office mission to Myanmar, as set out in [the ILO Governing Body decision of March 2025](#), to review the steps taken by the military authorities to implement the 11 recommendations of the Commission of Inquiry in its [2023 report](#) (paras 641 to 644) and explore the willingness to engage with the ILO to ensure the further implementation of these recommendations.

More specifically, the mandate given to an Office mission would imply it will have complete discretion to establish its programme of work and to meet with individuals or organizations with information about the subject matters of the 11 recommendations of the Commission of Inquiry: arrests, detention, criminal charges or violence against trade union leaders and members, including in relation to persons still being detained; the revocation of military orders or other measures restricting freedom of association and basic civil liberties, including in relation to the withdrawal of citizenship; interference in the establishment, administration and functioning of trade unions; the exaction of any form of forced labour, including prison labour; and any interference with the freedom of businesses to open and close their establishments.

Due note has been taken of your indication that permission to meet individuals or organizations will be granted, where applicable, in accordance with existing Myanmar law, rules and regulations and that such persons will not be subject to any action as long as they exercise their rights and freedoms in accordance with local laws.

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In light of the Commission of Inquiry conclusions that a number of legislative, regulatory and other orders issued by the military orders are contrary to the Freedom of Association and the Forced Labour Conventions, it is critical that the Office receive full guarantees and assurances at the highest level, without caveat, that there will be no retaliation, sanction or prejudice as a consequence of any person, or their families and organizations providing information to or being in contact with the ILO.

The ILO Office in Yangon will continue to engage with a view to ensuring full understanding of the mandate of a possible mission and receiving the necessary guarantees to enable it to take place.



Geneva, 16 May 2025

Appendix III

Draft Conference resolution on the status of Palestine in the ILO and participation rights of Palestine in ILO meetings

The General Conference of the International Labour Organization, meeting at its 113th Session, 2025,

Noting United Nations General Assembly resolution ES-10/23 of 10 May 2024 entitled “Admission of new Members to the United Nations”, in particular the determination that “the State of Palestine is qualified for membership in the United Nations in accordance with Article 4 of the Charter of the United Nations and should therefore be admitted to membership in the United Nations”, and the request made to specialized agencies to apply the same modalities adopted by the General Assembly for the participation of Palestine,

Considering that, in view of the institutional developments within the United Nations system, the status of Palestine as a liberation movement has become obsolete,

Noting the decision adopted by the Governing Body at its 352nd Session (October–November 2024) on the status of Palestine in the ILO and participation rights of Palestine in ILO meetings,

1. Decides that the status of Palestine as a liberation movement shall be discontinued and that Palestine shall henceforth be invited to participate in ILO meetings as a non-member observer State;
2. Decides that the Director-General shall be authorized to extend invitations to Palestine to participate as a non-member observer State at the International Labour Conference;
3. Decides, on an exceptional basis and without setting a precedent, to confer upon Palestine the following rights and privileges for future sessions of the International Labour Conference and regional meetings, without prejudice to its existing rights and privileges:
 - (a) the right to be seated among Member States in alphabetical order;
 - (b) the right of inscription on the list of speakers under agenda items in the order in which it signifies its desire to speak;
 - (c) the right to make statements on behalf of other governments;
 - (d) the right to submit proposals and amendments and introduce them, including orally and including on behalf of other governments;
 - (e) the right to co-sponsor proposals and amendments, including on behalf of other governments;
 - (f) the right to make explanations of votes on behalf of other governments;
 - (g) the right to reply;
 - (h) the right to raise procedural motions, including points of order and requests to put proposals to the vote, including on behalf of other governments;
 - (i) the right to make suggestions as to the agenda of the Conference for the consideration of the Governing Body;

- (j) the right of members of the delegation of Palestine to be elected as officers in the plenary and the committees of the Conference;
 - (k) the right to full and effective participation in the Conference, with a tripartite delegation
4. Decides that Palestine does not have the right to vote in the Conference or to put forward its candidature to ILO organs;
 5. Decides that the relevant provisions of the Standing Orders of the Conference and of the Rules for Regional Meetings shall be suspended to the extent that they are incompatible with the present resolution.