

Setting sail for a decent future

More than 300 senior representatives of seafarers, shipowners and governments are meeting in Geneva (15 to 26 September) to discuss the new Maritime Labour Convention 2006 (MLC). The MLC is described as a “bill of rights” for the world’s more than 1.2 million seafarers. This month’s meetings support a five-year ILO action plan designed to get the Convention into force by 2011. The discussions will adopt guidelines for flag State inspections and port State control officers, But the MLC is already having a positive effect on seafarers’ lives, as ILO Online found out on board the ship, “City of London”.

GREENWICH, UK (ILO Online) – An overpowering smell of sea salt and machine oil permeates the engine room of the dredging ship, “City of London”. The large, artificially-lit room looks unremarkable, and - to the inexperienced eye – even slightly hazardous.

But this unassuming British aggregate dredging ship is also a flagship - for a new era in global maritime labour standards.

Every time Motorman John Grout crosses a watertight doorway he points to his helmet, meaning “mind your head”. There is no talking in the engine room – everyone there must wear earplugs.

For six months of the year, this damp, dark and noisy environment is his workplace. The cabins and deck he shares with 11 other crew members are his home. In a job like his, having decent living and working conditions are a lifeline.

“The guidelines for labour and living conditions are very clear and strict”, he says. “Unless it is necessary to work extra time in machinery breakdown, we always follow the guidelines.”

Not all seafarers are so lucky. Unlike this 100-meter long, seagoing dredger, many of the crew on the world’s ships – which today employ more than a million seafarers and haul 90 per cent of the world’s trade – work in far more difficult, dangerous and dirty conditions that threaten their safety and sometimes their lives.

Since 1920 the ILO has adopted about 70 instruments (Conventions and Recommendations), in an attempt to ensure decent working and living conditions for seafarers, at sea and in ports. The volume and detail of these instruments has sometimes made it difficult for governments to ratify and enforce all of them. In addition many do not reflect technological and operating changes in the industry.

So, in 2006, after five years of preparation by international seafarers’ and ship owners’ organizations and governments, the ILO’s International Labour Conference adopted a major new Convention that consolidated and updated almost all of the existing maritime labour instruments.

To take an analogy from the industry itself, it was like winding many small strands into a single, strong hawser.

The Maritime Labour Convention, 2006, often described as a “Bill of Rights” for seafarers, also helps to achieve a level-playing field for quality ship owners. Its basic aim is to achieve worldwide protection for all seafarers and to give them a way to have their concerns addressed when conditions fail to meet the Convention’s requirements.

As well as consolidating and modernizing existing requirements the Convention also contains important new elements relating to compliance and enforcement. These are designed to ensure that labour standards are enforced as effectively as the International Maritime Organization’s conventions on ship safety, security and environmental protection (SOLAS/MARPOL), by both flag and port States.

“Under the MLC, States must inspect all ships flying their flag and also issue those ships with a maritime labour certificate and a declaration of maritime labour compliance to ships if they are 500 GT [Gross Tonnage] or over and go on international voyages. If a flag state inspection is unsatisfactory, the inspector will not issue the certificate, refuse to endorse it or, in especially bad cases, withdraw it. These are greater powers than inspectors have under the present regime”, said Neil Atkinson, an inspector for the UK’s Maritime and Coastguard Agency.

The reasons why a ship might be prevented from sailing will also change when the MLC comes into force. “Nowadays detention is limited to safety-related matters,” said Mr. Atkinson. “The new Convention goes beyond this and also covers the social welfare of seafarers. That means an inspector will be able to detain a

vessel or prevent it from going to sea if social or labour rights are being violated, for example if wages are not being paid or employment records are not in order”,

This month (September) representatives from governments and seafarers' and ship owners' organizations are meeting this in Geneva to discuss the MLC and the adoption of guidelines for flag State inspections and for port State control inspections. This is an important part of the five-year Action Plan that was drawn up to bring the Convention into force by 2011.

For Captain Stewart Ferrier, General Manager of United Marine Dredging, the owner of the “City of London”, working and living conditions on board are not only right but good for business as well. He points out that a ship that meets the MLC requirements will be more efficient because it will breeze through inspections.

“The compliance with labour standards is important so that you can prove to the flag State authorities that you're operating within the guidelines required, and so that the seafarers and the master know they are operating their vessel in an appropriate manner”, he said.

The MLC will come into force 12 months after 30 ILO member States with a total share of at least 33 per cent of the world's gross tonnage of ships have ratified it. The high level of ratification required reflects the importance that the representatives of governments, ship owners and seafarers placed on the need to achieve “on the ground” or “real” changes for the industry – a very realistic goal for this Convention, considering that it was adopted by 314 votes and no objections.

So far, Bahamas, Liberia and the Marshall Islands have ratified, together representing nearly 20 per cent of the world's gross tonnage. A large number of other countries worldwide are also moving towards ratification. For example in June the European Union Council adopted a decision authorizing all EU member States to ratify the Convention before 2011. EU governments, workers' and employers' organizations have also signed an agreement to transpose the provisions of the MLC into EU law through an EU Directive.

“The MLC was expressly designed to be a globally applicable, easily understandable, readily updatable and uniformly enforced legal instrument that, once it enters into force, will be one of the main pillars of the international regulatory regime for quality shipping”, said Cleopatra Doumbia-Henry, Director of the ILO's International Labour Standard Department.