

*GENEVA* – From the start the ILO and its government, employer and worker constituents realized that in the world of work the situation of seafarers and shipowners - representing one of the first globalized sectors - was special. Already in 1920, the International Labour Conference agenda featured items such as hours of work and employment conditions for seafarers, prohibitions on the employment of children under 14 on board ship, and the possible drawing up of an international seamen's code.

Since that time the ILO has adopted more than 70 Conventions and Recommendations to ensure decent working and living conditions for seafarers while at sea and in port.

The MLC, 2006, is a "one stop shop" Convention, that brings together and modernizes the majority of these legal instruments. It was specifically designed to help achieve a "level playing-field" for quality shipowners and at the same time help ensure worldwide protection for the world's more than 1.2 million seafarers.

It covers the minimum requirements for seafarers to work on a ship, conditions of employment, hours of work and rest, wages, leave, repatriation, accommodation, recreational facilities, food and catering, occupational safety and health protection, medical care, welfare and social security protection.

The Convention also establishes a strong compliance and enforcement mechanism based on flag State inspection and certification of seafarers' working and living conditions. This is supported by port State inspection of ships to ensure ongoing compliance between inspections.

According to Cleopatra Doumbia-Henry, Director of the ILO's International Labour Standards Department, shipping has benefited more than almost any other sector in recent years from globalization. "But this has also made it more vulnerable to the global economic crisis. Freight and charter rates have plunged, jobs at shipping companies are being cut and many ships are being parked for months at a time. In this situation, it is important to have an international regulatory regime for quality shipping," she said.

The five-year ILO action plan to achieve the MLC's entry into force by 2011 took a major step forward last September with the adoption of guidelines for flag State inspections and for port State control officers carrying out inspections under the MLC, 2006.

These guidelines provide "how to" practical assistance for ratifying countries and will help them implement their obligations under the Convention. The MLC, 2006, encourages inspections for compliance with its requirements on all foreign ships visiting a ratifying country's ports, even ships from countries that have not ratified the Convention.

However, in line with other major shipping Conventions, if a ship flies the flag of a country that has ratified the MLC, 2006, and produces the required certification issued by the flag State, the port State official must accept these documents as evidence of compliance. There are exceptions, for example when an inspector has clear grounds for believing that a ship is non-compliant or receives a complaint by a seafarer.

The growing numbers of ship detentions in many ports worldwide shows the continuous need for such a global system of regular port inspections. In the European Union for example, the number of detentions of ships (for a wide range of issues including environmental, ship safety and security and labour standards) has risen for the second year running; from 944 in 2005 to 1,174 in 2006 and 1,250 in 2007.

While the adoption of the Guidelines for port State control officers and flag State inspections was considered a major step towards quality shipping and decent work on the seas, new ratifications of the MLC, 2006, by ILO member States have brought the Convention's entry into force within reach.

To enter into force the Convention requires ratification by at least 30 ILO member States with a total share in the world gross tonnage of ships of at least 33 per cent. To date, the Convention has been ratified by Liberia, the Republic of Marshall Islands, the Bahamas, Norway and Panama.

Panama, the largest flag State in the world, with nearly 25 per cent of the world's merchant fleet flying its flag, was the fourth major shipping country in the world to ratify. With Panama's ratification on 6 February 2009, one of the two conditions for the MLC, 2006, to enter into force was fulfilled, that of tonnage.

The prospects for meeting the second condition – 30 ratifications – are also good as a number of countries are working on this. "Achieving the entry into force tonnage requirement so rapidly on such a comprehensive Convention is very good news and a good example for other sectors," said Ms Doumbia-Henry. "We fully expect that the MLC, 2006 will enter into force by 2011. Even in these difficult economic times it is important

and heartening to see that countries are moving forward on their international obligation to achieve secure decent work in a major internal industry that is essential to the world trading system".