

The Challenge

The living and working conditions of seafarers are distinct from those of other workers. Particularly for international seafarers, they live and work in ships, in a multi cultural environment.

Spending their lives isolated at sea, living in cramped quarters and at the mercy of the weather, seafarers face extremely challenging conditions. Studies show that ships remain one of the most dangerous places to work, with casualty figures significantly higher for seafarers than for other occupational groups.



There have been many cases filed on injuries, disabilities, or death due to exposure to health and safety hazards. global nature of seafarer's employment made it difficult to enforce appropriate laws that protect their rights. The nature of their work and lack of enforcement make them vulnerable to abuse, exploitation, and unfair labour practices.

The Response

In 2006, the maritime constituents of the International Labour Organization (ILO) adopted the Maritime Labour Convention, 2006 (MLC, 2006). The MLC, 2006 is an important instrument to protect seafarers against cases of exploitation and safety hazards.

The MLC, 2006 is a response to the global nature of workers' employment in the maritime industry, to address the working and living conditions of seafarers. This sets minimum standards for decent work for seafarers. The MLC will facilitate formulation of enabling laws and policies that specifically focus on the special context, needs, and issues of Filipino seafarers in the country or abroad.

The MLC, 2006 is primarily directed to flag States, and contains a wide range of requirements including inspection. If needed, this also include certification of ships and inspection of foreign flag ships when they enter a port (port State control), and other complementary responsibilities.

Meanwhile, the ILO adopted the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) that provides issuance of identity documents to seafarers with enhanced features to contribute to global maritime security. The seafarers' identity documents will ensure that seafarers are able to go ashore to access welfare and other facilities and travel to and from their place of work.

After ratification of MLC, 2006 and ILO Convention No. 185 in 2012 and their subsequent entry into force, ILO support will focus on the Philippine's application of the requirements of these Conventions through technical assistance, capacity building programmes using ILO guidelines and continued awareness raising programmes to support adoption of enabling policies and law, enforcement including specialized maritime labour inspection/compliance system, promotion of social dialogue in the maritime sector, and other capacities for government and relevant social partners apply the other four titles under MLC, 2006: (a) minimum requirements for seafarers to work on a ship (minimum age, medical certificate, training requirements and recruitment and placement; (b) conditions of employment; (c) accommodation, recreational facilities, food and catering; and (d) health protection, medical care, welfare and social security protection.

Key Statistics

- The Philippines ranks as the top supplier of seafarers in the world, particularly ratings. Around 20 per cent of the 1.2 million on seafarers around the world are Filipinos.
- The remittances amount of Filipino seafarers reach up to US\$1 billion and contribute significantly to the national economy.
- Maritime schools and training centres in the country produce 20,000 graduates each year, but only a small percentage of these students actually find employment.

Objective

- To achieve decent work for seafarers while securing economic interests in fair competition for shipowners.

Achievements

- In November 2006, a high level tripartite mission met with Philippine maritime stakeholders to promote ratifications, by clarifying major concerns, including obstacles, and providing detailed guidance on the application of MLC, 2006 in Philippine context.
- The ILO supported the gap analysis of Philippine laws and policies in line with the provisions of MLC, 2006.
- ILO supported the survey of the working and living conditions of seafarers in domestic shipping that served as basis for fact-based policy formulation. (2010-2011).
- ILO provided technical advice and supported series of national and sub-national consultations (in key port areas in Luzon, Visayas and Mindanao) that discussed the gap analysis and survey of working conditions which:
 - ◊ Promoted awareness and ratification of MLC, 2006, addressing concerns raised in domestic shipping.
 - ◊ Supported issuance of DOLE Department Order (DO) Nos. 129 and 130, series 2013 covering terms and working conditions of seafarers in Philippine registered vessels plying international and domestic routes and DO 127, covering conciliation-mediation to address on-board complaints.
 - ◊ Supported establishment of national and regional maritime tripartite industry councils which would serve as mechanisms to discuss concerns and formulate maritime-related labour policies. The MITCs would allow for the continuity of engagement and accountability in the enforcement of the Convention. MLC Summit attended by members of the Maritime Tripartite Council endorsed the ratification of the Convention (17 October 2011).
- The Philippines ratified the MLC, 2006 on August 20, 2012. As the 30th country, it triggered the Convention's entry into force.
- ILO Convention No. 185 was ratified earlier on 19 January 2012.
- Key government officials participated in training programmes of the Maritime Labour Academy: On National Legal Implementation of the MLC, 2006 (2011) and Inspection under MLC, 2006 (in 2009, 2013 and 2014).
- Approximately 40 representatives of government agencies, workers and employers equipped with skills and knowledge on inspection established by the MLC, 2006 (July 2011) based on ILO inspection guidelines for flag state and port inspections.
- In 2012, ILO provided technical comments on enabling bills, including a Magna Carta for Seafarers, that seek to apply decent work for seafarers.
- In 2013, ILO provided initial technical support for setting up and implementation of a cost-effective Seafarers' ID system that is compliance with ILO Convention No. 185 requirements.
- In November 2014, the training programme increased the knowledge among for DOLE conciliators and mediators on the MLC, 2006 and corresponding national policies and laws and on the maritime industry in general, to improve disposition of cases involving seafarers.



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Local Context

The Philippines is the top supplier of seafarers in the world, particularly ratings. Approximately 20 per cent of the 1.2 million on seafarers around the world are Filipinos. More than one million Filipino seafarers are registered through the Philippine Overseas Employment Agency (POEA). Their remittances amount to US\$1 billion and contribute significantly to the national economy.

The MLC will facilitate formulation of enabling laws and policies that specifically focus on the special context, needs and issues of Filipino seafarers. Consistent with its aim to protect the maritime sector, the Philippines took a leadership role at the Preparatory Technical Maritime Conference in 2004 and an active participant at the International Labour Conference in 2006 that adopted the Convention.

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Publications/Reference Materials

Available ILO MLC database, Training Packages of the Maritime Labour Academy, handbooks, tools and guidelines for monitoring and implementation are available in the ILO website. These include:

- Text of the Maritime Labour Convention, 2006 and the 2014 amendment.
- Latest edition of the Frequently Asked Questions (FAQ) -
- Guidelines for Inspection under Flag State and Port State Control
- Training Programmes under the Maritime Labour Academy in Turin.
- Guidelines: On the training of Ships' cooks and maritime occupational safety and health.
- Handbooks: On social security and model legislation
- Handbook covering model national provisions under MLC, 2006
- Guidelines on the medical examination of seafarers.

For more information and updates please visit:

<http://www.ilo.org/global/standards/maritime-labour-convention/lang--en/index.htm>

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