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Legal Issues and International Labour Standards Section

LILS

FOR INFORMATION

Second meeting of the Preparatory Tripartite MLC, 2006 Committee (Geneva, 12–14 December 2011): Final report

Summary: The Preparatory Tripartite MLC, 2006 Committee (PTMLC) was established by the 306th Session of the Governing Body to prepare the work for the future Special Tripartite Committee, to be established under Article XIII of the Maritime Labour Convention, 2006 (MLC, 2006), on any question that might need to be dealt with as a matter of urgency after the entry into force of the Convention, including the rules of procedure of the Committee. The second meeting of the PTMLC was held from 12 to 14 December 2011 to discuss the proposal for draft Standing Orders of the Special Tripartite Committee. The final report of this meeting and the list of participants are attached.

Author unit: International Labour Standards Department (NORMES).

Related documents: PTMLC/2011.

I. Introduction

1. The Preparatory Tripartite MLC, 2006 Committee (PTMLC) was established by the 306th Session of the Governing Body to “review the preparations by Members for implementing the Maritime Labour Convention, 2006 (MLC, 2006), identify any common issues and prepare the work for the future Special Tripartite Committee on any question that might need to be dealt with as a matter of urgency after entry into force of the Convention, including the rules of procedures of the Committee”. At the first PTMLC meeting in September 2010, participants expressed a strong interest in the rules of procedure, the Standing Orders for this Committee and their development and considered that it would be useful if a second meeting could be arranged to discuss a draft text, once developed. The second meeting of the PTMLC was held from 12 to 14 December 2011 at the headquarters of the ILO in Geneva. This report has been prepared by the International Labour Office.

II. Composition of the PTMLC

2. The PTMLC was composed of representatives of interested governments and representatives nominated, respectively, by the relevant employers’ and workers’ organizations as well as their advisers. There were 66 Government delegations, 35 Shipowner and 30 Seafarer participants. Representatives of a number of non-governmental international organizations and intergovernmental organizations also attended the meeting. The list of participants is attached at the end of this report.
3. The Officers of the Meeting were as follows:

Chairperson: Mr Naim Nazha (Government member, Canada)

Vice-Chairpersons: Mr Saito Naoki (Government member, Japan)

Mr Arthur Bowring (Shipowner member, Hong Kong, China)

Mr Paddy Crumlin (Seafarer member, Australia)

III. Opening statements

4. The Secretary-General of the meeting, Mr Guy Ryder, Executive Director for Standards and Fundamental Principles and Rights at Work, welcomed the participants noting their high number which indicated that the collective will and commitment that went into the preparation of the MLC, 2006, still existed as preparations were undertaken for its coming into force. He noted that despite the very difficult economic situation currently facing many countries, the pace of ratifications in the last six months suggested that the formula for entering into force – the 30/33 mix – would be reached in the near future. Already two thirds of the required number of ratifications had been received which represented over 56 per cent of the world’s gross tonnage of ships. Importantly, the ratifications came from all regions and included major flag States, port States and labour-supplying countries. In the first meeting in September 2010, advice was provided on matters to be addressed to the Special Tripartite Committee, once it was established. That initial advice was very useful in developing the draft proposal of the Standing Orders to be examined in this meeting. He recognized the maritime sector and its tripartite community of constituents for its capacity to identify common goals and act together to realize them at a time when the ILO was, in some respects, challenged by the task of finding tripartite consensus on basic aspects of the ILO standards-related policy.

5. The Chairperson thanked the participants for the honour and challenge of conferring upon him the responsibility of guiding the work of the second meeting of the PTMLC. There were less than three days to achieve the mandate given to the Committee by the ILO Governing Body and it was his role to ensure that the meeting had an agreed draft text for the Standing Orders to be submitted to the Governing Body at its conclusion. He hoped that the same level of cooperation that existed in previous meetings would allow the task to be completed. He introduced the Office proposal for a programme of the meeting and indicated that he intended to be flexible and adjust timing, if needed.

6. The Shipowner spokesperson noted that to date, there were some 20 ratifications of the MLC, 2006, and that his group had hoped that the remaining ten would be received before the end of 2011, although it seemed likely that full ratification would be achieved in the first few months of 2012, with entry into force in early 2013. He reiterated that there were possibly more than 50,000 ships flying the flags of States that had ratified the MLC, 2006, and that, in a few months, would have to be certified in compliance with the local laws and regulations that brought the Convention into effect. He observed, in this regard, that there were a few obstacles making the process difficult. First, not all States that had ratified the MLC, 2006, had the necessary laws and regulations in effect. He acknowledged that this was a difficult task, as it might require the participation of government departments that knew little about the maritime business and the amendment of legislation in order to make different rules for seafarers when compared to other workers. However, without the appropriate laws and regulations, he stressed that the Declaration of Maritime Labour Compliance (DMLC) could not be produced and the necessary instructions and authorization could not be given to recognized organizations (ROs). Second, without the DMLC, Part I, and the instructions and authorizations to ROs, a gap would be created that needed to be filled. Shipowners realized the short time before full entry into force and wanted to begin work on compliance, so might receive advice that was not fully in the spirit of the Convention. Third, the lack of laws and regulations had produced a situation in which not all ships flying the flags of ratifying States would be able to be certified in the short time available, which created a situation outside of the shipowners' control. The Shipowners' group therefore urged all flag and port States to exercise a great degree of flexibility and understanding in the first period after entry into force, and requested Governments initially to consider implementing the recommendations contained in Resolution XVII concerning the practical implementation of the issue of certificates upon entry into force.

7. The Seafarer spokesperson stated that the adoption of the proposal for the draft Standing Orders was timely given that the pace of ratifications appeared to have sped up so that the end was now in sight. He noted that the Special Tripartite Committee was a special committee with functions more normally assigned to a committee of the International Labour Conference and, therefore, limiting the Seafarers' and Shipowners' delegates to a number set by the Governing Body did not seem consistent and appropriate. He stressed that consultations with the representative social partners at the national level were very important, as they provided checks and balances to the various administrations when they sought to grant derogations, exemptions or other flexible applications to seafarers' rights. This principle was especially relevant if those flexible arrangements were permanent. He stated that his group was looking forward to participating in the discussions and to securing standing orders to facilitate moving the MLC, 2006, forward in an equitable and transparent manner. At this critical point of having near total engagement, it was incumbent for the remaining countries to fill in the gaps and to commit to working in the same spirit of cooperation. It was further essential that the implementation of the MLC, 2006, was kept under constant review and that the pursuit of fundamental rights was not compromised.

8. Ms Cleopatra Doumbia-Henry, joint Deputy Secretary-General of the meeting, noted that the level of attendance testified not only to a continuing but also to an obviously growing interest in the MLC, 2006. She provided the participants with a brief update on progress to achieve rapid and widespread ratification and effective implementation of the MLC, 2006. There had been a period of great activity regarding the MLC, 2006, both for the Office and for member States moving forward to ratification. She noted that ten countries had ratified the MLC, 2006, by September 2010 and that an increased pace in ratification had produced a further ten ratifications in the last eight months. Available information indicated that a number of countries had completed their national legal processes to allow for ratification, some ships were already being inspected and certified, some private seafarer recruitment and placement services were being certified, and port State control MOUs were taking active steps and preparing guidance. The Office had been busy with many activities aimed at promotion and capacity building. This had involved primarily subregional or national workshops or events to help countries with specific issues. These activities supported training course activities on the MLC, 2006, offered through the ITC in Turin. There had been ten “Training of Trainers” courses since 2009 which led to 230 persons having been trained and accredited by the ILO. A survey from July 2011 indicated that over 3,143 new trainees were trained by the certified trainers at the national level. About 400 people have been trained with respect to the MLC, 2006, since 2009, many through courses for ITF inspectors. The Office was working on further courses, including one in association with the International Shipping Federation and another in cooperation with the World Maritime University. Thanks to the generous support received from the Government of Sweden, the Office had developed model national provisions. Also with the support from the Government of Sweden, the Office had finalized a handbook on the MLC, 2006, requirements on social security and a revised edition of the Frequently Asked Questions about the ILO’s Maritime Labour Convention, 2006. The Deputy Secretary-General provided an overview of the purpose of the meeting and orientation to the proposal for draft Standing Orders. Discussions on the draft Standing Orders should reflect three overarching principles and objectives. First, the Special Tripartite Committee should work as effectively as all other preparatory meetings held during the development of the MLC, 2006. Second, flexibility was important during discussions but it should be complemented by firm time management. And third, the right balance with respect to the possible delegation of functions was needed regarding Article VII consultations. She explained that the proposal for the draft Standing Orders was based on the Standing Orders for the Governing Body and stressed the innovative role of the meeting of the PTMLC. Finally, she recalled that the draft Standing Orders took into account the views of the first meeting of the PTMLC and drew attention to the suggestions and alternatives that were set out in square brackets in the proposed text.
9. Ms Alette Van Leur, joint Deputy Secretary-General of the meeting, announced that it was an important moment for the MLC, 2006. The second meeting of the Preparatory Tripartite MLC, 2006 Committee was tasked with discussing the draft Standing Orders for the Special Tripartite Committee to be set up under Article XIII of the MLC, 2006. The Convention was a major achievement brought about through the joint efforts of ILO constituents and ILO staff. In this regard, she expressed her special appreciation for the work of Ms Cleopatra Doumbia-Henry, Director of the International Labour Standards Department, and of Mr Dani Appave from the Sectoral Activities Department. Announcing the forthcoming departure of Mr Appave, she paid tribute to his contribution to the welfare of seafarers throughout his 27 years of service and the significant role he played in the consolidation of over 60 ILO maritime labour instruments and the development of the MLC, 2006.
10. A representative of the International Association of Classification Societies (IACS) stated that, as the conditions for the entry into force of the MLC, 2006, were likely to be satisfied in the near future, its effective implementation was the next stage, and it was anticipated

that a number of governments would appoint ROs to assist in their implementation efforts. IACS understood that it would be the national legislation of ratifying member States that would need to be implemented – not necessarily the text of the Convention – and that a fundamental principle underpinning the development of the MLC, 2006, was to establish a level playing field on issues related to the labour conditions on board ships. In this regard, he wished to draw attention to two issues. First, the IACS was currently reviewing a number of areas where the mandatory provisions in the Convention included “vague expressions”, such as “adequately insulated”, “proper lighting” and “sufficient drainage”. While it was fully accepted that the MLC, 2006, was different from IMO Conventions, the IACS believed that there was long-standing and positive experience in the system of the IACS developing unified interpretations of vague expressions that were subsequently submitted to the IMO for consideration and expressed the view that it would be helpful for the ILO to consider that system for the purpose of facilitating the effective implementation of the MLC. Second, he considered that it would be helpful if NGOs, especially those such as the IACS that represented ROs, could provide feedback on their experiences in implementing the new provisions in order to facilitate ILO tripartite discussions. He stressed that the IACS was not asking for a decision-making voice, but it could add value to the aims and objectives of the MLC, 2006, if it were allowed the opportunity to provide feedback.

IV. Information on country preparations

- 11.** The representative of the Government of Germany stated that there had been a lot of progress in national implementation efforts. He was hopeful that his country would finalize draft new legislation in spring 2012 which would then be put through the parliamentary process. Consequently, the MLC, 2006, was expected to be ratified in 2012.
- 12.** The representative of the Government of the Republic of Korea stated that the revised Seafarers’ Act was promulgated on 5 August 2011 and would come into force once the MLC, 2006, would come into effect. He estimated that the Convention would be submitted to the National Assembly in 2012, although it was difficult to give an exact date.
- 13.** The representative of the Government of France indicated that the process of ratification was still ongoing and should be completed by spring 2012.
- 14.** The representative of the Government of Bulgaria recalled that her country was among the first ten countries to ratify the MLC, 2006, and indicated that, following the enactment of new maritime legislation, the Government was now practically ready to start implementing the Convention.
- 15.** The representative of the Government of Algeria reported that an inter-ministerial working group would soon be established with a view to examining the possibility of ratifying the Convention.
- 16.** The representative of the Government of Angola stated that the text of the Convention had been examined by the National Tripartite Committee and then submitted to the Ministry of Transport and the Ministry of Foreign Affairs before being forwarded to the Cabinet of Ministers for consideration.
- 17.** The representative of the Government of Antigua and Barbuda indicated that since his country ratified the Convention in 2011, emphasis was being placed on encouraging shipowners to proceed with voluntary inspection and certification. As a result, he estimated that 20 ships would soon be voluntarily certified for compliance with the MLC, 2006, requirements.

18. The representative of the Government of Croatia indicated that following the ratification of the Convention, a working group was set up for the purpose of incorporating all 30,000 Croatian seafarers into the national social security system, which required significant capacity building and proved particularly challenging.
19. The representative of the Government of Greece stated that the ratification of the MLC, 2006, was one of the most important and pressing concerns of the Greek Government. The ratification process was now at its final stage and the text of the Convention would most probably be submitted to the Parliament for ratification by the end of February 2012.
20. The representative of the Government of the United States recalled that in May 2010, the President's Committee met for the first time since 2000 and adopted conclusions calling upon the Tripartite Advisory Panel on International Labor Standards (TAPILS) to review the legal feasibility of ratification of selected ILO Conventions. The coastguard had been working with seafarers' and shipowners' organizations to finalize a gap analysis between MLC, 2006, standards and regulations and industry practice. Because of the broad nature of the Convention, there were at least five government agencies participating in the tripartite process. His Government had been actively engaged with the ILO secretariat, to seek clarifications on a number of areas arising from the tripartite negotiations. It was expected that minimal changes to US regulations would be necessary, however, implementation would need to be in place before ratification.
21. The representative of the Government of Cyprus stated that the MLC, 2006, was now before the Parliament. Depending on the parliamentary programme, it was expected that his Government would ratify the MLC, 2006, in early 2012, as the practical implementation measures had been prepared.
22. The representative of the Government of Egypt reported that many training activities and awareness-raising events and workshops were currently being held to discuss the means of implementation of the MLC, 2006, in coordination with the shipowners and seafarers.
23. The representative of the Government of Japan stated that the necessary legislative amendments were being prepared with a view to submitting them to the National Diet.
24. The representative of the Government of Singapore noted that following the ratification of the MLC, 2006, in June 2011, draft legislation was currently being vetted by the Attorney Chambers' Office and the Government was tasked to review all existing legislation to ensure conformity with the MLC, 2006.
25. The representative of the Government of the Philippines indicated that, in January 2011, a Maritime Industry Tripartite Council was established and by October the Council had endorsed the MLC, 2006, for ratification. The Council was reviewing substantial equivalence measures and flexibility arrangements in the event that the MLC, 2006, should be ratified while the Government was closely working with the legislature for a possible timeline of ratification.
26. The representative of the Government of Switzerland stated that his Government had ratified the MLC, 2006, in February 2010 and was now working on the preparation of guidelines for shipowners. These guidelines were almost completed so the first ships flying the Swiss flag would be certified by early 2012.
27. The representative of the Government of Finland indicated that there were three different ministries responsible for the implementation of the MLC, 2006, and that they were in the process of completing their work at the national level which would permit the ratification of the MLC, 2006, by spring 2012.

28. The representative of the Government of Brazil noted that a series of tripartite consultations had already been held since 2010, including efforts to prepare a Portuguese translation of the MLC, 2006.
29. The representative of the Government of Lithuania stated that work on identification of necessary amendments to national laws and regulations had just been completed in November 2011 and that, according to Government planning, the ratification of the MLC, 2006, would take place by the end of 2012.
30. The representative of the Government of Malta stated that his Government had undertaken a gap analysis and had already finalized draft legislation to be followed by tripartite consultations. Ratification of the MLC, 2006, was expected in the second half of 2012.
31. The representative of the Government of the Republic of the Marshall Islands highlighted their continued efforts to remain proactive and referred to their participation in ILO regional seminars, held in Fiji and Australia, in support of implementation by other Pacific countries. He also drew attention to the process of voluntary certification of ships with more than 200 ships having initiated that process and 40 ships having already completed it.
32. The representative of the Government of Panama recalled that his country was among the first to ratify the MLC, 2006. Tripartite discussions have been held since 2010 while the issue of social security was currently being debated. He also reiterated his Government's proposal addressed to the Office for the establishment of an international training centre for maritime inspectors.
33. The representative of the Government of Côte d'Ivoire indicated that in view of the difficulties encountered in bringing the national legislation into line with the Convention, his Government had requested ILO technical assistance during the Subregional Tripartite Seminar for French-speaking countries of West Africa, held in Cotonou, Benin, in July 2010 and still expected the Office's response.
34. The representative of the Government of Liberia recalled that since the MLC, 2006, was ratified in June 2006 the Government had published implementation guidelines, had organized a number of workshops worldwide, and had trained several instructors to issue MLC, 2006, certifications with another 100 instructors expected to receive training in 2012.
35. The representative of the Government of Viet Nam indicated that his Government was revising national laws, including maritime and labour legislation, and that final draft proposals would be submitted by the Ministry of Transport and the Ministry of Labour for the Government to consider ratification in 2012.
36. The representative of the Government of China stated that his Government was moving forward towards ratification of the MLC, 2006, with preparations advancing smoothly, including consultations with shipping companies.
37. The representative of the Government of Spain recalled that Spain had already ratified the MLC, 2006. Three ministries were in charge of conducting maritime affairs and a group had been formed in order to review legislation with a view to ensuring timely implementation of the Convention.
38. The representative of the Government of Tunisia indicated that a committee had been established within the Ministry of Transport to review the provisions of the Convention and advise on necessary legislative amendments. As regards the training of trainers at the ILO Training Centre in Turin, he requested the Office to consider the possibility of

providing some sessions in French to enable the representatives of French-speaking countries to participate in ITC training programmes.

39. The representative of the Government of Australia announced that his Government had just ratified the Convention thanks to the hard work and dedication of the Commonwealth and state governments and the social partners and that the instrument of ratification was scheduled to be deposited in the course of the meeting. He recalled that, in May 2011, the Australian Maritime Safety Authority had hosted the Asia–Pacific Regional Dialogue on the Maritime Labour Convention Conference in Cairns to strengthen regional cooperation on the MLC, 2006. During that meeting, the Minister for Infrastructure and Transport signed an accord with ILO and IMO representatives identifying areas of cooperative action to achieve rapid and widespread ratification and effective implementation of the MLC, 2006, across the Asia–Pacific region. He highlighted that his Government would not have achieved this historic moment without the strong support, collaborative approach and practical advice from its key stakeholders in Australia, including the Maritime Union of Australia, the Australian Shipowners’ Association and Australia’s ILO social partners, namely the Australian Council of Trade Unions, the Australian Chamber of Commerce and Industry and the Australian Industry Group. He stressed that Australia’s economic future was linked to safe and productive shipping, and that it was in his country’s environmental and economic interests to ensure that ships were safe, secure and crewed by seafarers who were decently treated, fairly paid and well trained.
40. In replying to the statement of the representative of the Government of Côte d’Ivoire, a Deputy Secretary-General explained that following the stabilization of the internal situation in the country, Côte d’Ivoire was on the priority list for technical assistance to be provided in 2012. As regards the point raised by the representative of the Government of Tunisia, she acknowledged the fact that all ITC training courses were given in English which had been a limiting factor. She indicated, however, that all training materials would be soon translated into Spanish and French thanks to generous funding received from the Government of Sweden. Finally, responding to the statement made by the representative of the Government of Panama, she stated that the proposed establishment of an international institution went well beyond her powers but indicated that she would again raise the issue with the ILO’s Director-General.

V. Discussion of the proposal for the draft Standing Orders

41. The Chairperson opened the discussion on the substantive provisions of the proposal for the draft Standing Orders by inviting the spokespersons of the three groups to provide some general indication on their respective positions with respect to the proposed text. The Proposal for the Standing Orders of the Special Tripartite Committee may be found in the document prepared for the Second Meeting of the Preparatory Tripartite MLC, 2006, Committee (PTMLC/2011).
42. The Shipowner spokesperson introduced a series of proposed amendments prepared by his group for the consideration of the Committee. He also explained the rationale for these where appropriate. He advised that these amendments would be passed to the secretariat for consideration in the respective group meetings.
43. The Seafarer spokesperson stated that his group was generally in agreement with the Shipowners’ group with respect to most of the “bracketed” provisions concerning time limits. He indicated two issues of substantive concern, which were also raised by the Shipowners’ group. First, article 4, paragraph 3, of the draft Standing Orders concerning

the composition of the Special Tripartite Committee, and secondly, article 14, which raised serious difficulties, especially as regards the possibility for derogations.

44. The Chairperson of the Government group indicated that her group had extensively discussed article 14 of the draft Standing Orders and the concept of tripartite consultations under Article VII of the Convention.

Article 2(a)

45. The Shipowner spokesperson proposed to add at the end of the existing text the following words: “and provide advice on this subject to the Governing Body or, through the Governing Body, to the International Labour Conference”.
46. The Seafarer spokesperson agreed with the proposal and suggested to add immediately after the text proposed by the Shipowners’ group the following words: “or the Committee of Experts on the Application of Conventions and Recommendations”.
47. The Chairperson of the Government group agreed with the text proposed by the Shipowners’ group.
48. The representative of the Government of Denmark expressed some doubt as to the additional text proposed by the Seafarers’ group, as this might seem to fall outside the mandate of the Special Tripartite Committee. It was not clear whether the Special Tripartite Committee was empowered to give advice to the Committee of Experts and she would therefore hesitate to accept any text along the lines proposed by the Seafarers’ group.
49. A Deputy Secretary-General explained, in this respect, that the Committee of Experts could receive information directly from governments through reports submitted under articles 19 and 22 of the Constitution as well as from social partners. The Committee of Experts was also responsible for following up on all representations and on the complaint-based procedures such as cases examined by the Committee on Freedom of Association. It would therefore be appropriate for the Committee of Experts to receive through the Office information from the Special Tripartite Committee for its consideration, for instance, views expressed by the Special Tripartite Committee on the meaning of specific technical terms, or factual analysis of maritime issues.
50. The representatives of the Governments of Norway, Panama and the United States shared the view expressed by the representative of the Government of Denmark and they felt they needed more time before adopting a final position on this point.
51. The Chairperson of the Government group recalled that the Standing Orders of the Special Tripartite Committee could be amended at a later stage, if needed, based on the experience gained from the operation of the Committee, and therefore she felt that at present no reference should be made in the draft text to the ILO Committee of Experts.
52. The Shipowner spokesperson concurred with the view of the Government group.
53. The Seafarer spokesperson stated that following the explanations of a Deputy Secretary General, he was under the impression that the Special Tripartite Committee could provide information to the Governing Body or any other ILO organ, including the Committee of Experts, regardless of whether or not this possibility was expressly provided for in the Standing Orders.

54. By way of clarification, a Deputy Secretary-General reiterated that the Office was requested to provide the Committee of Experts with all relevant and available information that might facilitate its work.
55. The Chairperson concluded that article 2(a) should include a reference to the International Labour Conference but not to the ILO Committee of Experts on the Application of Conventions and Recommendations.

Article 2(d)

56. The Shipowner spokesperson was very supportive of the continuation of the Joint Maritime Commission (JMC) and was concerned that the current wording of article 2(d) might diminish the role of the JMC by assigning to the Special Tripartite Committee tasks which would go beyond the MLC, 2006. He therefore proposed that the Office should draft wording to ensure that the mandate of the Special Tripartite Committee would be restricted to matters related to the MLC, 2006.
57. The Seafarer spokesperson concurred with the Shipowner spokesperson as regards the importance of the work of the JMC. He observed, however, that any restrictive wording would prevent the Special Tripartite Committee from dealing with other important issues such as the implementation of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185).
58. The Chairperson of the Government group stated that governments had an open attitude on this matter but noted that if article 2(d) was amended, there should be a consequential amendment to article 9, paragraph 2.
59. The representative of the Government of Norway considered that it was self-evident that the Special Tripartite Committee was only mandated to examine matters arising out of the MLC, 2006. As the legal basis for establishing the Special Tripartite Committee was Article XIII of the MLC, 2006, it was difficult to understand how this body could expand its mandate to include other matters outside the Convention. Referring to the reference made by the Seafarer spokesperson to Convention No. 185, he understood the necessity of keeping that Convention under review but reiterated that the Special Tripartite Committee was in the process of being created to deal with the MLC, 2006, only.
60. The representatives of the Governments of Greece, the Republic of Marshall Islands and the United States concurred with the statement made by the representative of the Government of Norway.
61. The representative of the Government of the Republic of Korea asked for clarification from the Office and required an explanation of the Seafarers' group proposition in conjunction with article 9 of the Standing Orders.
62. The representative of the Government of Denmark agreed with the view expressed by the representative of the Government of Norway and added that even though she understood that one might wish to profit from the presence of maritime professionals and experts in order to discuss other related subjects such as Convention No. 185, this would still need to be organized outside the framework of a formal meeting of the Special Tripartite Committee.
63. The Seafarer spokesperson admitted that, from a strictly formal point of view, the remit of the Special Tripartite Committee would be limited to the MLC, 2006. He wished to put on record, however, that seizing the opportunity of a fairly regular forum, bringing together

ratifying and non-ratifying member States, was thought to be a highly economic and efficient way to make progress on ILO maritime Conventions. Having said that, he indicated that he was prepared to withdraw his earlier statement.

64. A Deputy Secretary-General referred to Article XIII, paragraph 2, of the MLC, 2006, which provided for the composition of the Special Tripartite Committee for matters dealt with in accordance with this Convention, which a contrario implied that the composition might be different for other matters. She also stated that the ILO Governing Body had some influence on the agenda of meetings and therefore had the authority to refer matters for consideration to any established committee, as it might deem appropriate. In other words, the Governing Body was empowered to assign to the Special Tripartite Committee an item not directly related to the MLC, 2006, even in the absence of an express provision to this effect in the Standing Orders.
65. With reference to an observation made by the Shipowner spokesperson, a Deputy Secretary-General explained that the work of the JMC was not impeded or affected by the provision of draft article 2(d). She highlighted that Article XIII of the MLC, 2006, expressly referred to the JMC and recognized its continuing function.
66. Based on these explanations and also on the understanding that the discussion would be fully reflected in the Committee's final report, the representatives of the Governments of the Republic of Marshall Islands and the United States, as well as the Shipowner and Seafarer spokespersons, indicated their preference to delete article 2(d).
67. The representative of the Government of the Republic of Korea requested clarification as to whether the removal of article 2(d) would entail the deletion of the second sentence of article 9, paragraph 2 which made reference to article 2(d).
68. A Deputy Secretary-General replied that by way of consequential amendment, only the words "in accordance with article 2(d) above" should be removed from the second sentence of article 9, paragraph 2 and not the entire sentence.
69. The representative of the Government of Norway was in favour of deleting the second sentence of article 9, paragraph 2 in its entirety as it was not clear to him what would be the point of having a vote on matters referred to the Special Tripartite Committee by the Governing Body.
70. Stressing that his group supported the efficient utilization of ILO resources, the Seafarer spokesperson indicated that the Special Tripartite Committee meetings could also be used as an occasion to consider issues other than those related to the Convention without excluding in this connection participation of non-ratifying members. However, if governments were not interested in examining this possibility, his group would not pursue this matter any further.
71. The Chairperson of the Government group suggested that the Office should look into possible options and examine how this might be reflected in the text of the Standing Orders.
72. In light of the foregoing discussion, the Chairperson concluded that article 2(d), would be deleted as would the reference to that article in article 9, paragraph 2.

Article 3, paragraph 1

73. The Shipowner spokesperson requested clarification on the reasons for referring in this article to Article XV, and not to Article XIV, of the MLC, 2006.
74. A Deputy Secretary-General explained that every time an amendment to the Convention would be proposed, it would have to be decided whether the proposed amendment would be considered under Article XIV or Article XV of the Convention, it being understood that such determination would be made by the Special Tripartite Committee, and not by its Officers.
75. The Chairperson of the Government group stated that her group felt a specific time frame for the meetings of the Special Tripartite Committee was needed but recognized the difficulty of fixing such an interval at a time when it was not yet known how the meetings of the Special Tripartite Committee would proceed. It was the understanding of the Government group, however, that a meeting could be convened at any time when it was necessary.

Article 3, paragraph 2

76. Following the Chairperson's proposal to examine the "bracketed" text in sequential order, starting with article 3, paragraph 2, the Shipowner spokesperson expressed support for the second option, i.e. the text that read "The agenda of these meetings shall be adopted by the Officers referred to in article 6 below, after consulting the Officers of the Governing Body". The Seafarer spokesperson also favoured the second option.
77. In reply to a request by the representative of the Government of the Republic of Marshall Islands for clarification on the difference between the two options, a Deputy Secretary General explained that the first option (i.e. the text that read "The Governing Body shall establish the agenda of these meetings based on the proposals of the Officers referred to in article 6 below") reflected the current system in which the Governing Body decided the agenda of the bodies established by it after consultation with the stakeholders, while the second option followed quite the opposite approach, namely it would be for the Officers of the Special Tripartite Committee to determine the agenda after consulting the Governing Body.
78. The representatives of the Governments of Denmark, the Republic of Korea, Croatia and Norway indicated their preference for the second option as it confirmed the special nature of the Committee and was in line with the objectives of the MLC, 2006.
79. In reply to the request for clarification made by the representative of the Government of Croatia on how member States could influence the Committee's agenda, a Deputy Secretary General explained that the MLC, 2006, contained several provisions allowing member States to make proposals on different issues, for instance Article XV provided for the possibility of presenting amendment proposals, and therefore the influence member States would have on the agenda of the Special Tripartite Committee was clearly outlined in the Convention itself.
80. In response to an observation made by the representative of the Government of Norway that, if the second option was retained, a consequential amendment would be needed in article 7 to reflect these extra duties of the Officers. The Seafarer spokesperson noted that article 7, paragraph 7 of the proposal for the draft Standing Orders made provision for such extra functions of the Officers since it stipulated that in between meetings of the Special Tripartite Committee the Officers would have such other functions as might be conferred

on them by the Standing Orders or the Committee, and therefore no consequential amendment was needed.

Article 3, paragraph 3

81. The Shipowner spokesperson proposed to replace in the second bracketed text the term “tripartite consultation panels” with “tripartite subcommittee or tripartite working group”.
82. The Seafarer spokesperson observed that there was no reason to choose one bracketed text at the exclusion of the other, and accordingly suggested that both should be retained.
83. A Deputy Secretary-General proposed that for reasons of simplicity the second bracketed text could read “or any reports under article 14”.
84. The Chairperson of the Government group considered that the two bracketed texts dealt with different issues; the first was about reports on various matters dealt with by the Officers while the second concerned reports by tripartite subcommittees or tripartite working groups.
85. The Shipowner spokesperson indicated that the word “or” should be replaced with “and”.

Article 3, paragraph 4

86. All three groups expressed approval of the proposed four months’ time limit, and it was accordingly decided to remove the square brackets.
87. Referring to footnote 5 accompanying the text of the proposed draft article 3, paragraph 5, the representative of the Government of France expressed the view that working documents and other papers or information submitted in English to the Special Tripartite Committee should also be made available in French and Spanish.
88. A Deputy Secretary-General clarified, in this connection, that whenever the Office was preparing a document for a meeting of the Special Tripartite Committee, as a standard practice, this was made available in all three languages, English, French and Spanish. However, documents that were not prepared by the Office could not be translated due to financial implications. As a result, some documents would only exist in the language in which they were originally produced.

Article 4, paragraph 3

89. The Shipowner spokesperson stated that although a six-year term was preferable, they were concerned about how new ratifications of the MLC, 2006, would be reflected in the Committee membership as representatives joining or leaving the Special Tripartite Committee might be difficult to handle. He therefore proposed a system of “rolling” appointments but remained open to other possible solutions. It was an issue that needed further discussion due to the potential pace of ratifications.
90. The Seafarer spokesperson expressed similar concerns and suggested that the paragraph should be redrafted to read as follows: “Without prejudice to the funding arrangements decided by the Governing Body and unless the Joint Maritime Commission recommends a lesser number, the number of representatives of Shipowners and Seafarers on the Committee shall each be equal to the number of Governments which have ratified the

Convention at the time of the Governing Body's appointment of the Shipowners' and Seafarers' representatives, after consultation with the Joint Maritime Commission in accordance with Article XIII, paragraph 2."

91. Referring to the amendment proposed by the Seafarers' group, the Chairperson of the Government group noted that the proposed new text contained three elements: first, the issue of funding arrangements decided by the Governing Body – a proposal that the Government group had accepted. Second, the number of representatives of Shipowners and Seafarers to be equal to the number of Governments – an element that governments had accepted as an essential requirement. And third, the consultation with the Joint Maritime Commission – a proposal that the Government group had accepted since a provision to the same effect was already contained in Article XIII, paragraph 2, of the Convention. She also requested clarification as to whether the proposal of the Seafarers' group had intentionally removed the reference to the term of representatives of Shipowners and Seafarers, which was contained in the Office text of draft article 4, paragraph 3.
92. The Seafarer spokesperson indicated that the process provided for in the current text of article 4, paragraph 3 was cumbersome and the specific reference to the term of the representatives of Shipowners and Seafarers redundant as the appointment of those representatives should be left to the groups. Each group would decide who would attend the meeting of the Special Tripartite Committee while trying to ensure that the number of representatives was equal to the number of Government representatives from ratifying Members, and while liaising with the Government group concerning funding arrangements for the costs of their participation.
93. The Shipowner spokesperson agreed with the proposed text but wished to caution about the implications a growing number of ratifications of the MLC, 2006, would inevitably have on the size of the Special Tripartite Committee over time.
94. With respect to a point raised by the representative of the Government of Croatia about any additional costs to be borne by governments, a Deputy Secretary-General clarified that it was the responsibility of the Governing Body to make decisions on the necessary costs in the framework of discussions on the ILO's programme and budget.
95. The representative of the Government of Norway asked for explanations on the purpose of including in the proposed amendment the words "unless the Joint Maritime Commission recommends a lesser number".
96. The Seafarer spokesperson replied that this provision sought to afford the opportunity to the Shipowners' and Seafarers' groups to appoint no more than the necessary or reasonable number of representatives in the event of a high number of Government representatives resulting from a large number of ratifications of the Convention.

Article 5, paragraph 4

97. The Chairperson of the Government group expressed the view that not only Government representatives but also governments themselves should have the authority to appoint substitutes.
98. A Deputy Secretary-General recalled that, although ILO Standing Orders left it to each Government representative to appoint his or her substitute where necessary, as a matter of practice, the names of the substitutes were already contained in the credentials submitted by governments prior to the ILO meetings concerned. She therefore suggested that the present wording could be retained.

99. The Chairperson of the Government group thanked the secretariat for the explanations but noted that due to the nature and mandate of the Special Tripartite Committee, the rules for appointing advisers and substitute representatives needed to be clear.

Article 6, paragraph 2

100. The Shipowner spokesperson agreed with the proposed text in both brackets.
101. The Seafarer spokesperson agreed to the proposed text but wished to replace the words “a term” by “second consecutive term”.
102. The Chairperson of the Government group concurred with the proposal made by the Seafarers’ group. With regard to the third sentence of article 6, paragraph 2 authorizing the Chairperson of the Special Tripartite Committee to take part in the discussions without the right to vote, she felt that the text should be redrafted to emphasize the need for impartiality on the part of the Chairperson in discharging his/her duties.
103. The Shipowner spokesperson supported the suggestion of the Government group and recalled that the Chairperson had the possibility of appointing a substitute in order to take active part in the discussions.
104. Recalling that the wording in question was borrowed from the Governing Body Standing Orders which had not given rise so far to any controversy on this point, the Seafarer spokesperson preferred to keep the Office text without any changes.
105. A Deputy Secretary-General recalled that certain developing countries could not afford to send large delegations, including advisers and substitutes and, therefore, particular attention was needed not to exclude, in practice, the possibility of Government representatives from those countries chairing ILO Committees.
106. The representative of the Government of the Republic of Marshall Islands wished to put on record his Government’s position that the Chairperson should not be allowed to take part in the discussions.
107. Likewise, the representative of the Government of the United States considered that the Chairperson should be impartial and that he or she should therefore not be allowed to take part in the discussions.
108. The representative of the Government of Bahamas expressed a similar view that, although the impartiality of Chairpersons had never been a problem at the ILO, in his experience, problems had occurred in other organizations and, therefore, some guarantee was needed that the Chairperson would not be allowed to take part in the discussions.
109. Sharing the concerns expressed by the Government representatives of Bahamas and the United States, the representative of the Government of Denmark suggested that some text should be inserted on the neutrality of the Chairperson.
110. The Seafarer spokesperson proposed that the secretariat should redraft the second sentence of draft article 6, paragraph 2 to reflect the views expressed. The Shipowner spokesperson and the spokesperson of the Government group concurred.

Article 6, paragraph 3

111. The representative of the Government of Croatia noted that as draft article 6, paragraph 3 currently read, it was not clear whether all three Vice-Chairpersons could be reappointed.
112. The Chairperson concluded that the secretariat would propose some new wording to make this provision clearer.

Article 7, paragraph 2

113. The Chairperson of the Government group stated that her group would prefer if the Government Vice-Chairperson was the one to preside the sitting, or parts of a sitting, at which the Chairperson could not be present.
114. The Shipowner spokesperson observed that section 2.2.4 of the Governing Body Standing Orders stipulated that the two Vice-Chairpersons would preside at alternate sittings in the absence of the Chairperson.
115. The Seafarer spokesperson pointed out that entrusting the Vice-Chairpersons to preside at alternate sittings in the absence of the Chairperson was fully consonant with the spirit of tripartism.
116. A Deputy Secretary-General recalled that the Standing Orders of the International Labour Conference similarly stipulated that, in the absence of the President during a sitting, one of the Vice-Presidents taken in rotation should preside.
117. The Chairperson concluded that article 7, paragraph 2 would not require any modifications.

Article 7, paragraphs 7 and 8

118. The Shipowner spokesperson agreed with the bracketed text in article 7, paragraph 7 and preferred the word “may” in article 7, paragraph 8.
119. The Seafarer spokesperson supported the proposed text in article 7, paragraph 7 with the following addition at the end of the paragraph: “at the discretion of each Officer”. He also preferred the word “may” in article 7, paragraph 8.
120. The Chairperson of the Government group expressed support for the Office text in article 7, paragraph 7 and the use of the word “may” in article 7, paragraph 8.
121. The Shipowner spokesperson, as well as the representatives of the Governments of Denmark and the United States, were in favour of the addition proposed by the Seafarers’ group.

Article 8

122. The Chairperson of the Government group stated that her group had carefully considered the question of the sittings of the Special Tripartite Committee being public and felt that clarification was needed on the circumstances under which the Committee might decide to the contrary.

- 123.** A Deputy Secretary-General explained that, as a rule, almost all sittings of ILO meetings were public. In public sittings, IGOs and NGOs were allowed to be present as well as Office staff. The only private sittings were those in which representations under article 24 of the Constitution were examined regarding the alleged non-compliance of a member State with ratified Conventions. In these sittings, only titular Governing Body members or their substitutes could be present, whereas all IGOs, NGOs and inessential members of the secretariat were not authorized to attend. She further explained that the Office had prepared the draft Standing Orders with the understanding that all sittings of the Special Tripartite Committee would be public unless the Committee decided otherwise, for instance, when conducting consultations under Article VII of the MLC, 2006.
- 124.** The Chairperson of the Government group welcomed the explanations as some governments were not familiar with Office practices and procedures.

Article 10, paragraph 2

- 125.** The Shipowner spokesperson proposed to change the word “spokesperson” to “Vice Chairperson” for reasons of clarity and consistency.
- 126.** The Seafarer spokesperson observed that the “spokesperson” was not necessarily the “Vice-Chairperson”. The text should remain as was since it allowed other persons in the group to move motions or submit amendments. There was no need to be the Vice Chairperson who should move a motion or present an amendment on behalf of the group.
- 127.** The Chairperson of the Government group took the view that it was necessary to specify in this provision that the term “spokesperson” referred to the spokesperson of any of the three groups.
- 128.** A Deputy Secretary-General explained that the use of the word “spokesperson” – rather than “Vice-Chairperson” – in this instance was correct. She further explained that, as a matter of standard ILO practice, all groups appointed a spokesperson.
- 129.** Following the explanations of the secretariat, the Shipowner spokesperson withdrew his proposal.
- 130.** The Seafarer spokesperson observed that for reasons of consistency, the word “delegate” in article 10, paragraph 5 should be replaced with “representative”.

Article 11

- 131.** The Shipowner spokesperson was in favour of the first bracketed text, i.e. ten days, but felt that the Office should indicate whether this was practicable.
- 132.** The Seafarer spokesperson stated that ten days or two weeks should be sufficient for the Office to process proposals for amendments but he would nonetheless leave it to the Office to confirm whether this was the case.
- 133.** The Chairperson of the Government group took the view that future amendments to the Code would vary considerably, making it therefore difficult to set a specific time limit in the Standing Orders. She considered that a certain degree of discretion should be left to the Office and proposed to replace all bracketed text by the words “as soon as possible but not later than one month”.

134. A Deputy Secretary-General noted that the above proposal would be agreeable to the Office, especially as at present one could not guess the frequency, timing and extent of the proposals for amendments that the Office would receive. Moreover, recognizing that many participants were not familiar with ILO procedures and practices regarding motions and amendments, she indicated that guidelines to the Standing Orders could be written out in time for the first MLC meeting.
135. The Shipowner and Seafarer spokespersons concurred with the proposal of the Government group.

Article 13

136. The Shipowner spokesperson sought clarification as to whether any representative might raise a point of order at any time.
137. The Seafarer spokesperson observed that points of order were dealt with under article 10, paragraph 5 of the Standing Orders.
138. The Chairperson of the Government group noted that article 13, paragraph 4 did not refer to points of order.
139. A Deputy Secretary-General explained that points of order were discussed previously under article 10, paragraph 5. Article 13, paragraph 4, on the other hand, addressed voting methods and decision-making procedures of the Special Tripartite Committee. She went on to describe the practical modalities of a vote by show of hands and a record vote.

Article 14

140. With respect to article 14 of the proposal for the draft Standing Orders, the Chairperson of the Government group indicated that, first, many governments expressed the view that Article VII of the Convention, which provided for consultative arrangements where shipowners' and seafarers' organizations did not exist, reflected a unique situation and was therefore not applicable to most of the countries where a system of tripartite consultations was already in operation. Secondly, it was felt that tripartite consultations under Article VII of the Convention needed to be a speedy process, though there was no general agreement regarding the time frame within which the advice of the tripartite consultation panel had to be submitted to the Chairperson of the Special Tripartite Committee. Thirdly, different views were expressed on the process itself, with some governments preferring consideration only by the tripartite consultation panels and others remaining cautious about any advice given without the endorsement of the Committee as a whole. Fourthly, some concerns were expressed with respect to the transparency and consistency of the proposal for the draft article in its current reading. Making the advice of tripartite consultation panels available on the Internet would increase the transparency of procedures while it might be difficult to ensure consistency by providing for the possibility of establishing multiple panels. Moreover, many drafting suggestions were made in relation to article 14, for instance the use of the word "advice" instead of the word "decision" since the procedure under article 14 was meant to mirror the ordinary system of tripartite consultations whereby the final decision was the responsibility of the government.
141. The Shipowner spokesperson indicated that his understanding was that consultations under Article VII of the MLC, 2006, should mirror national practice which implied that the panels should give advice rather than take any decisions.

- 142.** The Seafarer spokesperson expressed the view that the proposed draft article 14 was too prescriptive and had to be redrafted. It should be left to the Special Tripartite Committee to decide on its working method based on the urgency and importance of the matter while subgroups, and not panels, should engage in the consultations.
- 143.** A Deputy Secretary-General noted that since it had not been decided how often the Special Tripartite Committee would meet, it was necessary to provide for a body – regardless of the name one might use – to which the Committee could delegate certain tasks between sessions. Waiting until such time as the Special Tripartite Committee might be convened was probably not in accordance with the spirit of the Convention.
- 144.** Taking into account the concerns of the Seafarers’ group about the prescriptive nature of article 14, the Shipowner spokesperson suggested to replace in article 14(1) the word “shall” with “may”.
- 145.** The Seafarer spokesperson observed that there was no provision for checks and balances in article 14 and the fear was that in countries which did not have any social partners derogations would lead to inconsistency and possible destruction of the level playing field.
- 146.** The Shipowner spokesperson considered that the ILO supervisory mechanism offered adequate guarantees in this respect and should be trusted regardless of whether consultations took place at the national level or through the panel.
- 147.** A Deputy Secretary-General stressed the importance of the ILO Committee of Experts in ensuring that full and effective consultations were carried out in accordance with the spirit of the Convention in relation to any consultations undertaken through the Special Tripartite Committee.
- 148.** The representative of the Government of the Republic of Korea was in favour of delegating powers to the panel in between sessions of the Special Tripartite Committee to ensure a rapid response to member States which sought assistance. In addition, he concurred with previous speakers that consistency and transparency were important.
- 149.** The Shipowner spokesperson noted that an additional requirement for the consultation panels should be included to the effect that they should be set up with the expertise needed for the particular question to be examined.
- 150.** The Chairperson suggested that the secretariat would present a new wording of article 14 that would reflect the views expressed with regard to consistency, transparency and timeliness of the process of consultation under Article VII of the MLC, 2006.
- 151.** As requested, the secretariat prepared a revised draft text for article 14:
- (1) Requests by a ratifying Member for consultation under Article VII of the Convention shall be addressed to the Chairperson of the MLC Committee through the International Labour Office.
 - (2) The MLC Committee shall make arrangements fulfilling the criteria set out below to provide the advice that it may be required to give in the performance of the consultation function entrusted to it under Article VII of the Convention.
 - (3) The arrangements referred to in paragraph 2 shall be made, and updated when appropriate, by the MLC Committee or by its Officers acting in accordance with the authority delegated to them by the Committee. The arrangements shall ensure that the advice provided by the Committee fulfils the following criteria:

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- (a) the advice must be provided by or on behalf of the Committee in a timely manner following the conclusion of a constructive dialogue between the ratifying Member and the Committee, or persons acting on its behalf;
 - (b) account must be taken of the language skills needed to communicate with the ratifying Member concerned and of the expertise needed for the request for consultation;
 - (c) measures must be taken to ensure that all advice provided by the Committee is consistent with the Convention as well as with advice previously given by the Committee in the framework of Article VII of the Convention;
 - (d) information about the arrangements and any advice provided under them must be available to all [Members] [all members of the MLC Committee];
 - (e) to the extent that the arrangements include a delegation of authority to the Officers or to a tripartite subcommittee or working group composed of MLC Committee members to provide the requested advice on the MLC Committee's behalf in appropriate cases, the advice so provided will be reported to the MLC Committee.
- (4) Within the framework of the arrangements for the Article VII consultation procedure, the International Labour Office shall provide the MLC Committee members with information on any views expressed by the ILO's supervisory bodies relevant to the issue to be considered by them.
- 152.** Referring to the revised draft text of article 14, the Shipowner spokesperson considered that paragraphs 2 and 3 were repetitious and should be somehow merged. As regards the bracketed text in article 14, paragraph 3(d), he expressed support for the second option.
- 153.** The Seafarer spokesperson raised a number of points with respect to the proposed text. First, he agreed that paragraphs 2 and 3 could possibly be merged into one. As regards paragraph 3(a), he proposed adding before all references of "the Committee" the acronym "MLC". With respect to paragraph 3(e), he suggested inserting the word "tripartite" before "working group" and also adding at the end of the paragraph the following new text: "Members may be accompanied by advisers". Finally, he considered that paragraph 3(e) should be placed before paragraph 3(d).
- 154.** With reference to a question raised by the Shipowners' group concerning the definition of "ratifying Member", a Deputy Secretary-General indicated that a ratifying Member was an ILO member State that had ratified the MLC, 2006. For the purposes of the Convention, a member State was considered to have ratified it on the date on which its instrument of ratification was deposited and registered by the ILO's Director-General. This date was different from the date of entry into force of the MLC, 2006, for that member State.
- 155.** The Shipowner spokesperson asked the secretariat for clarification as to whether a member State could make a request for consultations under Article VII of the Convention once it had ratified it.
- 156.** A Deputy Secretary-General confirmed that a ratifying Member could ask for consultations under Article VII of the MLC, 2006, as soon as its ratification had been registered.
- 157.** Referring to article 14, paragraph 3, the Seafarer spokesperson proposed to delete the words "or by its Officers acting in accordance with the authority delegated to them by the Committee" as he felt that the question of derogation was controversial.
- 158.** The Shipowner spokesperson was in favour of retaining the wording of paragraph 3 as proposed in the revised Office text.

159. A Deputy Secretary-General explained that paragraph 2 was drafted to set out the criteria which, once agreed, would remain unchanged, while paragraph 3 referred to arrangements which could be modified and updated when appropriate.
160. The Shipowner and Seafarer spokespersons requested clarification regarding the terminology of “on behalf of the Committee” as it was vague as to who was to be working on the Committee.
161. The Chairperson of the Government group suggested that at the end of paragraph 3(a), a cross reference should be made to subparagraph (e). In addition, she proposed that in paragraph 3(a) the word “timely” should be replaced by “expeditious” and the expression “constructive dialogue” should be substituted with the wording “following a proper tripartite dialogue”.
162. The Shipowner and the Seafarer spokespersons were in agreement with the use of the word “expeditious” instead of “timely”.
163. The Seafarer spokesperson felt that no reference could be made to “proper tripartite dialogue” as this was precisely a situation where no employers’ or workers’ organizations existed and therefore no dialogue with social partners was possible – as contrasted to a dialogue with the Special Tripartite Committee.
164. With a view to avoid any misunderstanding, a Deputy Secretary-General suggested to use the words “proper dialogue”. All three groups agreed with this suggestion.
165. The Chairperson of the Government group drew attention to the “language skills” referred to in paragraph 3(b) and requested the secretariat for some alternative wording, if possible.
166. In response, a Deputy Secretary-General suggested that the words “language skills” be replaced by “languages”. The Shipowners’ and the Government groups agreed with this suggestion.
167. With respect to paragraph 3(c), the Shipowner spokesperson proposed to add after the phrase “all advice provided by the MLC Committee” the words “or by the Officers on its behalf”.
168. The Seafarer spokesperson concurred with the proposal.
169. The Chairperson of the Government group suggested deleting the words “measures must be taken to ensure that” at the beginning of paragraph 3(c).
170. The Shipowner and Seafarer spokespersons agreed with the proposal of the Government group.
171. The Shipowner spokesperson supported the proposal made earlier by the Seafarers’ group to combine the text of the two square brackets in paragraph 3(d) so that the information about the arrangements and any advice of the Special Tripartite Committee be made available to all members of the MLC Committee, as well as to all ILO member States.
172. A Deputy Secretary-General clarified that a reference to “all Members” would by itself exclude the Shipowner and Seafarer members of the Committee as they were appointed by the Governing Body rather than by the ratifying Members.
173. The Chairperson of the Government group stated that such exclusion had not been the intention of her group.
174. The Chairperson requested the Office to redraft the text on this point, as appropriate.

175. The Shipowner Chairperson agreed with the proposal made earlier by the Seafarers' group to insert the word "tripartite" before the term "working group" for more clarity. He then requested clarification as to who had authority to establish a tripartite subcommittee or a tripartite working group, since the initial understanding of his group was that the Officers of the Committee were empowered to do so.
176. A Deputy Secretary-General explained that it was not the Officers that could delegate authority but the Special Tripartite Committee that might delegate to the Officers or to subgroups.
177. With respect to another proposal made earlier by the Seafarers' group to add in paragraph 3(e) new text providing that the members of the Special Tripartite Committee could be accompanied by advisors, the Shipowner spokesperson felt that such text did not really fit into this paragraph, which referred to arrangements to be made by the Special Tripartite Committee, and not to its composition.
178. The representative of the Government of Denmark expressed the view that members of any bodies established under the Convention should be entitled to be accompanied by advisors.
179. The Seafarer spokesperson indicated that he had no objection if the proposal about the right of the members of the Committee to be accompanied by advisors were to be taken up elsewhere in the draft Standing Orders.
180. With respect to the proposal made earlier by the Seafarers' group to reverse the order of paragraph 3(d) and (e), the Shipowners' and the Government groups expressed their agreement.

Article 15

181. The Shipowner spokesperson suggested that the language used in article 14 with respect to the expertise of the Committee members might be incorporated in article 15, paragraph 1. He also indicated that the possibility of members of the Special Tripartite Committee to be accompanied by advisors might be provided for in this article, if this was agreeable to the Seafarers' group.
182. The Seafarer spokesperson indicated that the requirements for expertise and language skills could be inserted for consistency with other provisions of the Standing Orders.
183. The Chairperson of the Government group felt there was no need to insert additional reference to the qualifications of representatives.
184. A Deputy Secretary-General clarified that this was a standard provision referring to subsidiary bodies. Moreover, in response to a request for clarification of the Chairperson of the Government group as to whether the subsidiary bodies would be acting under the mandate of the Special Tripartite Committee, she explained that any subsidiary body, irrespective of its name, could not operate outside of the mandate of the Special Tripartite Committee.
185. The Chairperson concluded that the text of article 15 should remain as currently drafted.

Articles 16–21

186. No points were raised with respect to articles 16–21 of the draft Standing Orders.

VI. Other matters

- 187.** The representative of the Government of the Republic of Korea asked the Office for an informal opinion on the definition of the term “shipowner”. Recalling that in many cases the owner of a ship assumes the duties and responsibilities provided for in the seafarer’s employment agreement but delegates the responsibility of the operation of the ship to a ship management company, which may entail some confusion and difficulties in implementing the MLC, 2006, in a proper manner, he raised the following three questions: first, can the owner of the ship holding only the contractual duties and responsibility under the MLC, 2006, be recognized as the shipowner in the context of the Convention? Second, in the event the entity to which the Maritime Labour Certificate is issued and the entity to which the ISM Certificate is issued are different, would this situation be in conformity with the requirements of the MLC, 2006? Third, should this issue be left to the flag State’s own discretion and practice?
- 188.** A Deputy Secretary-General explained that the Office had a specific procedure for dealing with interpretation requests and therefore it would be inappropriate at this stage to give a spontaneous reply to what seemed to be a complicated set of legal questions. The Office took note of the request and would prepare a reply in a timely manner.

VII. Ratification of the MLC, 2006

- 189.** A Deputy-Secretary General announced the deposit, during the three-day PTMLC meeting, of the instruments of ratification of the MLC, 2006, by the Netherlands and Australia. With these ratifications, 22 ILO member States, representing over 56 per cent of the world gross tonnage of ships, had now ratified the Convention.
- 190.** Referring the instrument of ratification by the Netherlands at the head of a tripartite delegation, Mr Wim Bel, Deputy Director for International Affairs of the Netherlands Ministry for Social Affairs and Employment, stated that this was an important milestone for a country with such a long maritime and hydraulic engineering tradition which was also home to the largest port in Europe. He explained that, from the very beginning of the five year process, the Government and the social partners from the maritime sector had worked together. The road to ratification was a unique process of social dialogue that made decisions based on consensus possible. It was expected that the ratification of the MLC, 2006, would further strengthen the image of the Dutch flag as a quality flag and reflected the country’s long-standing commitment to a level playing field in the maritime sector and decent work for seafarers. The Netherlands was proud to be one of the first 30 countries to ratify the MLC, 2006. He encouraged other member States to ratify the MLC, 2006, in order to bring it into force and to provide stability in the maritime sector.
- 191.** Referring to the instrument of ratification by Australia in the presence of a tripartite delegation, Mr Greg Vines, Minister (Labour), Permanent Mission of Australia to the United Nations, indicated that as the largest island continent, Australia’s economic future was inextricably linked to safe and productive shipping. It was in Australia’s environmental and economic interest to ensure that ships that travelled through the Asia-Pacific region were safe, secure and crewed by seafarers that were decently treated, fairly paid and well trained. He stressed that this remarkable achievement was made possible through the strong support, collaborative approach and practical advice from key maritime stakeholders and he strongly encouraged other nations, particularly those in the Asia-Pacific region, to work with their social partners and the ILO to ratify the MLC, 2006, as soon as possible.

Geneva, 20 February 2012

Appendix

STANDING ORDERS OF THE SPECIAL TRIPARTITE COMMITTEE ESTABLISHED FOR THE MARITIME LABOUR CONVENTION, 2006

Article 1

Scope

These Standing Orders apply to the Special Tripartite Committee for the Maritime Labour Convention, 2006 (hereinafter referred to as “the MLC Committee”) established by the Governing Body of the International Labour Office to give effect to Article XIII of the Maritime Labour Convention, 2006 (herein after referred to as “the Convention”).

Article 2

Mandate

The MLC Committee shall:

- (a) keep the working of the Convention under continuous review and provide advice on this subject to the Governing Body, or through the Governing Body, to the International Labour Conference;
- (b) consider proposals for amendments to the Code of the Convention in accordance with Article XV of the Convention;
- (c) carry out the consultation referred to in Article VII of the Convention.

Article 3

Meetings and agenda

1. Meetings of the MLC Committee shall be convened at regular intervals by the Governing Body, to keep the working of the Convention under continuous review in accordance with Article XIII, paragraph 1, of the Convention and to consider proposals to amend the Code of the Convention in accordance with Article XV of the Convention.

2. The agenda of these meetings shall be adopted by the Officers referred to in Article 6 below, after consulting the Officers of the Governing Body.

3. The MLC Committee shall at its meetings also consider any reports of its Officers under article 7, paragraph 7, below and any report under article 14 below, and deal with any other matter coming within the MLC Committee’s mandate under article 2 above.

4. The agenda of meetings shall be circulated along with the invitation letter to the Government members of the MLC Committee, with a copy to the Governments of all other member States of the International Labour Organization (hereinafter referred to as “Members”), and to the Shipowner and the Seafarer representatives on the MLC Committee through the secretariats of their respective groups, no less than four months before the opening day of the meeting concerned.

5. The working documents or other papers or information submitted for the consideration by the MLC Committee shall be made available in electronic form by the International Labour Office no later than two months prior to the meeting concerned.

6. The Officers of the MLC Committee shall adjust the times referred to in paragraphs 4 and 5 above, where a meeting is convened at short notice.

Article 4

Composition

1. The composition of the MLC Committee shall be as set out in Article XIII, paragraph 2, of the Convention.

2. The nomination of the two Government representatives of Members that have ratified the Convention, including any changes in the nomination, shall be notified to the Director-General of the International Labour Office by the Government concerned. The notification shall indicate the names and functions of the two representatives. Any changes shall be notified under the same procedure.

3. Without prejudice to the funding arrangements decided by the Governing Body and unless the Joint Maritime Commission recommends a lesser number, the number of representatives of Shipowners and Seafarers on the MLC Committee shall each be equal to the number of Members that have ratified the Convention at the time of the Governing Body's appointment of the Shipowners' and Seafarers' representatives, after consultation with the Joint Maritime Commission in accordance with Article XIII, paragraph 2, of the Convention. The nominations of the representatives shall be notified to the Director-General by the secretariats of the groups to which the representatives belong. The notification shall indicate the names of the representatives. Any changes shall be notified under the same procedure.

Article 5

Advisers and substitute representatives

1. Representatives may be accompanied by advisers.

2. Advisers to Government representatives shall be appointed by the government concerned, which shall notify the International Labour Office of their names and functions. Shipowner and Seafarer advisers may be nominated, respectively, by the Shipowners' group and the Seafarers' group, which shall notify the International Labour Office of their names through the secretariats.

3. Any adviser who has been authorized to do so by the representative whom they are accompanying shall have the right to participate in the meeting concerned but not the right to vote or to appoint a substitute.

4. A Government representative may, by notice in writing addressed to the Chairperson of the MLC Committee, appoint one of her or his advisers to act as her or his substitute. The notice shall specify the sitting or sittings at which the substitute will act for the representative.

5. If a Shipowner or Seafarer representative is unable to attend a meeting or a sitting or sittings at a meeting, the group to which he or she belongs may, by notice in writing addressed to the Chairperson, appoint a substitute in the manner decided by that group.

6. Substitutes appointed in accordance with this article may take part in the debates and may vote under the same conditions as representatives.

Article 6

Officers of the MLC Committee

1. The Officers of the MLC Committee shall consist of a Chairperson, a Government Vice-Chairperson, a Shipowner Vice-Chairperson and a Seafarer Vice Chairperson.

2. The Chairperson shall be proposed by the Government members of the MLC Committee (i.e. from ratifying Members) and appointed by the Governing Body, for a term of up to three years. A Chairperson may be reappointed for a second consecutive term. The Chairperson must remain neutral in discussions and shall not vote. Where the Chairperson is a Government representative on the MLC Committee, her or his government may nominate another person as representative or substitute representative on the MLC Committee.

3. The Vice-Chairpersons shall be appointed by the MLC Committee for a term of up to three years. The Government Vice-Chairperson shall be proposed by the Government representatives on the MLC Committee from among those representatives and may be reappointed for a second consecutive term. The Shipowner Vice-Chairperson and the Seafarer Vice-Chairperson shall be proposed respectively by the Shipowner and Seafarer representatives on the MLC Committee and may be reappointed.

Article 7

Duties of the Officers

1. The Chairperson shall preside over the sittings.

2. The Vice-Chairpersons shall preside in turn over the sittings or parts of the sittings at which the chairperson cannot be present and shall, while presiding, have the same powers as the Chairperson.

3. A person who chairs a sitting must remain neutral in discussions and shall not vote. While she or he chairs a sitting her or his rights as a representative may be exercised by a substitute as foreseen in article 5 above.

4. The Chairperson shall direct the debates, maintain order and ensure the observance of the present Standing Orders, put questions to the vote and announce the results thereof.

5. The Officers of the MLC Committee shall arrange the programme of work of the meetings, and fix the date and time of the sittings of the MLC Committee and of its subsidiary bodies. They shall also report to the MLC Committee on any other questions requiring a decision for the proper conduct of its business.

6. Subject to any relevant decisions of the Governing Body, the Officers shall distribute among themselves the duties of presiding over the discussions of the MLC Committee and its subsidiary bodies.

7. In between meetings of the MLC Committee, its Officers shall have such other functions as may be conferred on them by these Standing Orders or the MLC Committee.

They shall report to the next meeting of the MLC Committee in any case where they have carried out such functions.

8. Advisers to the Officers may accompany the Officers to all meetings at the discretion of the relevant Officer.

Article 8

Admission to the sittings

The sittings of a meeting shall be public, unless the MLC Committee otherwise decides.

Article 9

Right to take part in the work of a meeting

1. No representative or adviser shall address the meeting without having asked and obtained the permission of the Chairperson, who shall normally call upon speakers in the order in which they have signified their desire to speak.

2. Government representatives of Members which have not yet ratified the Convention may participate in the MLC Committee but shall have no right to vote on any matter dealt with in accordance with the Convention. They shall have the right to vote on any other matter that may be assigned to the MLC Committee by the Governing Body.

3. Representatives of official international organizations which have been invited by the Governing Body to be represented at the meeting may participate in the MLC Committee as observers.

4. Representatives of non-governmental international organizations or other entities with which the International Labour Organization has established consultative relationships, and with which standing agreements for such representation have been made, and representatives of other non-governmental international organizations which have been invited by the Governing Body to be represented at the meeting may attend as observers. The Chairperson may, in agreement with the Vice-Chairpersons, permit such observers to make or circulate statements for the information of the meeting on matters included in its agenda.

5. The Chairperson may withdraw the right to speak from any speaker whose remarks are not relevant to the subject under discussion.

6. The Chairperson may, after consultation with the Vice-Chairpersons, fix a time limit for speeches.

Article 10

Motions and amendments

1. Motions as to procedure may be moved verbally, without previous notice and without having been seconded.

2. Other motions or amendments shall not be discussed unless they have been seconded. If moved by a representative who is the spokesperson of a group, it is deemed to have been seconded.

3. The Chairperson, after consultation with the Vice-Chairpersons and the secretariat of the meeting, may set time limits for the submission of amendments.

4. Any amendment may be withdrawn by the person who moved it unless an amendment to it is under discussion or has been adopted. Any amendment so withdrawn may be moved without previous notice by any other person entitled to participate in the proceedings of the meeting with the right to vote.

5. Any representative may at any time draw attention to the fact that the Standing Orders are not being observed, and the Chairperson shall give an immediate ruling on any question so raised.

Article 11

Proposals for amendments to the Code under Article XV of the Convention

1. Proposals for the adoption of amendments to the Code shall follow the procedure set out in Article XV, paragraph 2, of the Convention.

2. Upon receipt of a supported proposal, in accordance with Article XV, paragraphs 2 and 3, the Director-General shall communicate the proposal as soon as possible but not later than one month after its receipt, accompanied by any comments or suggestions deemed appropriate, to all Members of the Organization, with an invitation to them to transmit their observations or suggestions concerning the proposal within a period of six months or such other period prescribed by the Governing Body in accordance with Article XV, paragraph 3.

Article 12

Loss of the right to vote

The right to vote is subject to the provisions of article 13, paragraph 4, of the Constitution of the International Labour Organisation.

Article 13

Voting and quorum

1. Subject to paragraph 5 below, decisions shall normally be taken by consensus. In the absence of such consensus duly ascertained and announced by the Chairperson, decisions shall – applying the weighting required by Article XIII, paragraph 4, of the Convention – be taken by a simple majority of the votes cast by the representatives who are present at the sitting and entitled to vote.

2. Nevertheless, a decision shall not be considered adopted unless:

- (a) at least half the governments of Members that have ratified the Convention are represented at the meeting concerned; and
- (b) the majority comprises the votes in favour of at least half the Government voting power, half the Shipowner power and half the Seafarer voting power of the representatives entitled to vote and registered at the meeting concerned.

3. Voting shall normally be by a show of hands.

4. Where there is doubt as to the result of a vote by a show of hands, the Chairperson may immediately take a record vote. She or he shall proceed to a record vote when the quorum has not been obtained in a vote by a show of hands.

5. A record vote shall be taken for the adoption of amendments to the Code in accordance with Article XV of the Convention.

6. A record vote shall be taken if a request to that effect is made before or immediately after a vote by a show of hands by a number of representatives representing at least one fifth of the total voting power of the representatives entitled to vote and registered at the meeting concerned.

7. The vote shall be recorded by the secretariat for the meeting and announced by the Chairperson.

8. No motion shall be adopted if the weight of votes cast for and the weight of votes cast against are equal.

9. Any representative who definitively leaves the meeting before its termination and whose departure has been notified to the Chairperson without authorizing a substitute to act in her or his place shall no longer be taken into account in the calculation of the voting powers pursuant to Article XIII, paragraph 4, of the Convention.

Article 14

Consultation under Article VII of the Convention

1. Requests by a ratifying Member for consultation under Article VII of the Convention shall be addressed to the Chairperson of the MLC Committee through the International Labour Office.

2. The MLC Committee shall make arrangements fulfilling the criteria set out below to provide the advice that it may be required to give in the performance of the consultation function entrusted to it under Article VII of the Convention.

3. The arrangements referred to in paragraph 2 shall be made, and updated when appropriate, by the MLC Committee or by its Officers acting in accordance with the authority delegated to them by the MLC Committee. The arrangements shall ensure that the advice provided by the MLC Committee fulfils the following criteria:

- (a) the advice must be provided by or on behalf of the MLC Committee in an expeditious manner following the conclusion of a proper dialogue between the ratifying Member and the MLC Committee or persons acting on its behalf in accordance with subparagraph (d) below;
- (b) account must be taken of the languages needed to communicate with the ratifying Members concerned and of the expertise needed for the request for consultation;
- (c) all advice provided by the MLC Committee or on its behalf should be consistent with the Convention as well as with advice previously given by the MLC Committee in the framework of Article VII of the Convention;
- (d) to the extent that the arrangements include a delegation of authority to the Officers or to a tripartite subcommittee or a tripartite working group composed of MLC Committee members to provide the requested advice on the MLC Committee's behalf in appropriate cases, the advice so provided will be reported to the MLC Committee;

- (e) information about the arrangements and any advice provided under them must be made available to the MLC Committee and to all Members.

4. Within the framework of the arrangements for the Article VII consultation procedure, the International Labour Office shall provide the MLC Committee members with information on any views expressed by the International Labour Organization's supervisory bodies relevant to the issue to be considered by them.

Article 15

Subsidiary bodies

1. As it considers necessary, the MLC Committee may set up working groups or other subsidiary bodies, which shall consist of equal numbers of representatives appointed by each of the groups.

2. These Standing Orders shall apply insofar as relevant and with the necessary adaptations to the MLC Committee's subsidiary bodies.

Article 16

Reports to the Governing Body

Following its meetings referred to in article 3 above, the MLC Committee, through its Chairperson, shall report to the Governing Body on the working of the Convention. The report may contain recommendations to the Governing Body on action to be taken to ensure the effective, efficient and, to the extent deemed expedient, uniform implementation of the Convention.

Article 17

Transmittal of amendments to the Code

Amendments to the Code of the Convention that are adopted by the MLC Committee – together with a commentary on the amendments concerned – shall promptly be communicated by the Chairperson of the MLC Committee to the Governing Body for transmittal to the International Labour Conference in accordance with Article XV, paragraph 5, of the Convention.

Article 18

Languages

1. The working languages of the meetings of the MLC Committee shall be English, French and Spanish.

2. The International Labour Office shall make arrangements for interpretation and for translation of documents into and from other languages, taking into account the composition of the meeting.

Article 19

Interpretation of the Standing Orders

These Standing Orders shall not be interpreted or applied in any way that would be inconsistent with the Constitution of the International Labour Organisation or the provisions of the Convention.

Article 20

Groups

1. Subject to these Standing Orders, each group (Governments, Shipowners, Seafarers) shall control its own procedure.

2. At its first meeting each group shall elect a Chairperson, at least one Vice Chairperson and a Secretary. The Chairperson and the Vice-Chairperson(s) of the group shall be selected from among the representatives and advisers constituting the group; the Secretary may be selected from among persons outside the group.

3. Each group shall hold meetings for:

- (a) nominations required in pursuance of these Standing Orders such as the nomination of a Vice-Chairperson of the meeting and the nomination of members of subsidiary bodies under articles 14 and 15 above;
- (b) any other matter referred to groups by the Officers of the MLC Committee.

4. At such meetings, only representatives or, in their absence, duly appointed substitutes may vote and be nominated to serve on subsidiary bodies.

Article 21

Amendments to the Standing Orders

Amendments to these Standing Orders may be made by the Governing Body after consultation with the MLC Committee.

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Liste des participants
Lista de participantes

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Président de la deuxième réunion de la Commission préparatoire
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Mr Lars Andersson, Swedish Shipowners Employers' Association, Gothenburg

Mr David Baker, Senior Policy Adviser, International Group of P&I Club, London

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Mr Armando Boccardo, Head of Trade Unions Relations and Employee Welfare, Costa Crociere S.p.A., Rome

Mr Fabrizio Ciriigliaro, Confederazione Italiana Armatori (CONFITARMA), Rome

Mr Timothy Clark, UK Manager, Japanese Shipowner Association, London

Ms Emily Comyn, International Marine Contractor Association, London

Mr Michael Crye, President, Cruise Lines International Association, Arlington

Mr Pierre Delataillie, Member Singapore Shipowners Association, Singapore

Mr Kenneth R. Fortier, Director Training, Maritime Policy & Compliance, Carnival Corporation & plc, Doral

Mr Giles Heimann, Secretary-General, International Maritime Employers' Committee Ltd., London

Mr Peter Hinchliffe, Secretary-General International Chamber of Shipping, London

Mr Bongiee Joh, Director, Korea Shipowners' Association, Seoul

Ms Runa Joergens, Director Training and Manning, German Shipowners Association, Hamburg

Mr Kimo Kostianen, Marine Adviser, Finnish Shipowners' Association, Aland

Mr Rinaldo Marossa, Director D & E Recruiting, Bahamas Shipowners Association, London

Mr Robert Peetz, German Shipowners' Association, Hamburg

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Mr Tan, Executive Director, Singapore Shipowners' Association, Singapore

Mr Toru Takagi, Labour Affairs Adviser, Japanese Shipowners' Association, Tokyo

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Ms Natalie Wiseman Shaw, Director Employment Affairs, International Shipping Federation, London

Captain Kok Kean Yeow, Singapore Shipowners' Association, Singapore

Seafarer representatives

Représentants des gens de mer

Representantes de la gente de mar

Mr Thomas Abrahamsson, SEKO, Facket för Service Och Kommunikation, Stockholm

Mr Severino Almeida Filho, President, Confederação Nacional dos Trabalhadores em Transportes Aquaviários e Aéreos, Na Pesca e nos Portos (CONTTMAF), Rio de Janeiro

Mr Paddy Crumlin, National Secretary, Maritime Union of Australia, Sydney

M. Joachim Mel Djedje-Li, Secrétaire général, Syndicat des marins ivoiriens au commerce (SYMICOM), Abidjan

Mr Yoji Fujisawa, President, All Japan Seamen's Union, Tokyo

Mr Kam Soon Huat, General Secretary, Singapore Organization of Seamen, Singapore

Mr Igor Kovalchuk, First Vice-President, Seafarers' Union of Russia, Moscow

Mr Jesus Sale, Vice-president, International Affairs, Associated Marine Officers' and Seamen's Union of the Philippines, Manila

Ms Jacqueline Smith, Norwegian Seafarer' Union, Oslo

Mr Agapios G. Tselentis, Director, International Department, Pan-Hellenic Seamen's Federation, Piraeus
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Mr Henrik Berlau, Secretary, Fagligt Faelles Forbund, Copenhagen

Mr Branko Berlan, Sindikat Pomoraca Hrvatske (Seafarers Union of Croatia), Split

Mr Mchafu Ahmed Chakoma, General Secretary, Tanzanian Seafarers' Union, Dar Es Salaam

M. Jean-Philippe Chateil, Secrétaire général adjoint, Confédération générale du travail (CGT), Le Havre

Mr Hanz-Dieter Grahl, Sjöbefälsföreningen – O, Maritime Officers' Association, Stockholm

Mr Remo Di Fiore, Federazione Italiana Trasporti (CISL), Rome

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Représentants d'organisations intergouvernementales

Representantes de organizaciones intergubernamentales

European Union Union européenne Unión Europea

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Mr Jaime González Gil, Project Officer on Port State Control, European Maritime Safety Agency, Lisbon

World Maritime University (WMU)

Pr Raphael Baumler, World Maritime University, Malmo

Representatives of international non-governmental organizations
Représentants d'organisations internationales non gouvernementales
Representantes de organizaciones internacionales
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International Association of Classification Societies (IACS)

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Mr Petrov Konstantin, Lloyd's Register, London

Mr Paul Sadler, Permanent Representative to IMO, London

International Christian Maritime Association (ICMA)

Rev Canon Ken Peters, Director of Justice and Welfare, London

Mr Douglas B. Stevenson, Chairman, The Seamen's Church Institute, Newark

International Committee on Seafarers' Welfare (ICSW)

Ms Ife Bardi, Watford

Mr Ray Barker, International Committee on Seafarers' Welfare, Croydon

Mr Roger Harris, Executive Director, International Committee on Seafarers' Welfare, Croydon

Mr Jose Raul Lamug, Regional Chairman, South East Asia Regional Welfare Committee, Manila

Mr I. Dewa Nyoman Budiasa, South East Asia Regional Coordinator, International Committee on Seafarers' Welfare, Bali

**International Confederation of Water Transport
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Mr Valentin Sirotyuk, President, Russian Maritime Transport Workers Union, Moscow

Mr Georgy Stolyarenko, President, Moscow

International Federation of Shipmaster' Association (IFSMA)

Mr Willi Wittig, Vice-President, London

International Maritime Health Association (IMHA)

Dr Suresh Idnani, President, International Maritime Health Association, Goa

Dr Alf Magne Horneland, Vice-President, Antwerp

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Mr Charles Norchi, Professor of Law and Director, Center for Oceans and Coastal Law, University of Maine