



FOR INFORMATION

FIFTEENTH ITEM ON THE AGENDA

Report of the Director-General

Third Supplementary Report: Promotion of ratification of the Maritime Labour Convention, 2006

1. At its 295th Session (March 2006), following the adoption in February of the Maritime Labour Convention, 2006, the Governing Body requested ¹ the Director-General to:
 - (a) begin preparatory work with a view to the promotion of the Maritime Labour Convention, 2006, in accordance with the first resolution adopted by the Conference, referred to in paragraph 10 of document GB.295/4;
 - (b) discuss with the Secretary-General of the International Maritime Organization (IMO) the continuation of cooperation within the Joint IMO/ILO Ad Hoc Expert Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers and the creation of a joint IMO/ILO working group concerning the human element, referred to in the two resolutions mentioned in paragraph 11 of document GB.295/4;
 - (c) present to the Governing Body specific proposals, as appropriate, concerning the implementation of resolutions and other resolutions reproduced in the appendix to document GB.295/4.
2. The main action taken since adoption of the Convention has related to the first-mentioned matter – promotional efforts. The Office – acting on the advice of an informal tripartite advisory group of interested countries and organizations, mainly comprising the 94th International Labour Conference Steering Committee, that met immediately after the adoption of the Convention – has developed a comprehensive five-year action plan to achieve widespread rapid ratification followed by efforts to ensure effective implementation of the Convention. Although ratification and implementation are inseparable for many countries, the approach adopted by the Office has been to first encourage ratification with a view to securing technical cooperation to assist with ensuring effective implementation in those countries that need support.
3. The action plan is based on a multi-level, multi-partner approach which focuses initially on global and regional events to promote ratification of the Convention and to help build

¹ GB.295/PV, para. 63 ff.

international and regional cooperation in its implementation. This is complemented by parallel initiatives such as targeted high-level tripartite missions to countries that are identified as important in the sector, but which may not have participated in the Conference or may be experiencing special difficulties in moving towards ratification. In addition, there are concurrent efforts to develop a wide range of knowledge tools (materials, informational CDs and other resources) and a dedicated web site and email address to provide rapid responses to technical inquiries about the Convention.

4. In the 12 months since the Convention was adopted, the Office has given keynote addresses or made other presentations at 11 global events, ten regional events and 11 national seminars or events. The national events have also included three key high-level tripartite missions to the Philippines, Panama and the Russian Federation. This is in addition to numerous media interviews and other activities. A number of these international and regional events and seminars have been organized by Members including Bulgaria, Japan and Argentina, with more such events planned for 2007. Activities of this kind are particularly welcome as the action plan is based on the active support of Governments and the other constituents. Governments and shipowners' and seafarers' organizations have also been active in providing personnel to speak at promotional events and to take part in the high-level tripartite missions and in international and regional events at their own expense.
5. Another key aspect of the action plan is the development of guidance for port State inspections and also for flag State inspections. These were both the subject of resolutions by the International Labour Conference, with the guidance for port State inspections being viewed as a matter of priority. Work has begun in the Office, thanks to funding from the European Commission and the Republic of Korea, and the Office has also been kept informed of discussions on the subject at the governmental level organized in the framework of the regional Port State Control Memoranda of Understanding (MOU). If the necessary funds are found, tripartite meetings of experts to develop guidance for flag and port State inspections, as requested in the Conference resolutions, will be convened as from the summer of 2007. The Office also hopes to benefit from the expertise of the regional Port State Control MOUs, referred to above, and of the International Association of Classification Societies.
6. At its 92nd Session, held in Paris on 16–20 October 2006, the IMO Legal Committee encouraged the Joint Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers to continue its work, and invited the Joint Secretariat to fix a date for the seventh session of the Joint Working Group, in consultation with its Chairperson. A meeting has tentatively been scheduled for the second semester of 2007. No date has, for the moment, been set regarding the creation of a joint IMO/ILO working group concerning the human element.²
7. The creation of knowledge tools, high-level tripartite missions and convening of the tripartite expert meetings called for in the Conference resolutions requires direct financial support. Efforts are being made to obtain financial support for the action plan (estimated at US\$5 million over five years). To date there has been limited success although many countries have demonstrated their support and commitment, as mentioned above, by organizing international and regional tripartite seminars, and providing personnel to assist the Office with its efforts.
8. To date the Convention has been ratified by Liberia (in June 2006), the second largest of the world's flag States. Other countries, including members of the European Union, the

² GB.283/STM/3.

Bahamas, Brazil, Canada, Panama and the Republic of the Philippines, have taken significant steps to begin to develop national regulations or have otherwise committed themselves to moving to ratification. The action plan aims at achieving the requisite number of ratifications (30 Members representing at least 33 per cent of the world gross tonnage of ships) within five years, which would allow the Convention to enter into force 12 months later.

Geneva, 6 February 2007.

Submitted for information.