

**Ninth sitting**

Thursday, 23 February 2006, 10.15 a.m.

*President: Mr. Schindler*

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*Original French: The PRESIDENT*

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We are meeting here for the ninth and final plenary sitting of the 94th (Maritime) Session of the International Labour Conference.

I would also like to tell you that the reply of the Director-General to the general discussion on his Report is set out in *Provisional Record* No. 15.

**FINAL RECORD VOTE ON THE ADOPTION OF THE  
MARITIME LABOUR CONVENTION, 2006**

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*Original French: The PRESIDENT*

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We shall now hold the final record vote on the adoption of the maritime labour Convention.

*(A record vote is taken.)*

*(The detailed results of the vote will be found at the end of the record of this sitting.)*

The results of the vote are as follows: 314 votes in favour, 0 against, with 4 abstentions. The quorum is 166, and the two-thirds majority of 212 has been reached. The maritime labour Convention is adopted.

*(The Convention is adopted.)*

*(Applause.)*

I shall now give the floor to delegates who have asked for opportunity to explain their vote.

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*Original French: Mr. ROUSSEL (Government, Canada)*

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Canada has voted in favour of the maritime labour Convention, 2006. Canada has already started to examine its laws, regulations and other mechanisms in order to evaluate the impact of this Convention. Canada welcomes this new Convention with interest. We will continue to review it and will give careful consideration to its ratification.

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*Mr. EVANS (Government, Australia)*

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The Australian Government delegation would like to make the following statement in relation to its vote in support of the adoption of this Convention.

The Australian Government welcomes the consolidation of international maritime labour standards, as part of an integrated approach to modernizing ILO standards and related supervisory activities.

The Australian Government considers that the ILO's labour standards must be principles-based, non-prescriptive, contemporary and have universal relevance. They must also be widely ratified and

ratifiable if they are to command respect from the global community and continue to meet the ILO's core objectives.

However, despite the innovative approach taken in the development of this Convention, the Australian Government considers that the Convention and its associated Code are still somewhat prescriptive and inflexible, and seek to place obligations on member States without due consideration to their national circumstances.

Nonetheless, the vote of the Australian Government reflects its support for the consolidation of the international labour code. It should not be interpreted, however, as the Australian Government resiling from its strongly held view that comprehensive modernization and reform of the international labour code, as part of organization-wide reform, is not only desirable, but essential if the work of the ILO is to remain relevant in an increasingly globalized world.

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*Mr. BLANCK (Government, United States)*

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The United States believes that this is a historic moment, and a great achievement for the International Labour Organization and the international maritime community: the development of an international set of standards that guarantees seafarers decent working and living conditions. We appreciate the efforts of the participants in this Conference to address US concerns related to the scope of application of the Convention. As stated in the Government group meetings and in the Committee of the Whole, the United States continues to have concerns with the scope of the Convention related to the application to our domestic vessels but, as noted above, we believe this is a historic moment, as the global maritime community has created the fourth pillar to ensure a level playing field and to further marginalize substandard shipping. We look forward to continued careful consideration of this Convention.

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*Original Spanish: Ms. POITEVIEN (Government, Bolivarian Republic of Venezuela)*

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The Bolivarian Republic of Venezuela has taken part in this process with considerable interest and determination, to encourage the adoption of a Convention that would benefit seafarers, both men and women. Nonetheless, the Bolivarian Republic of Venezuela decided to abstain from the vote on the consolidated maritime labour Convention, because of the reference in its Preamble to the United Nations Convention on the Law of the Sea, 1982,

which is not applicable to our country as the Bolivarian Republic of Venezuela is not party to it and voted against it at the time of its adoption. This position has been systematically upheld by the Bolivarian Republic of Venezuela in various forums, where reference has been made to the Convention on the Law of the Sea. We feel that it cannot be used as a model for all maritime activities that fall within the law of the sea. The Convention on the Law of the Sea is an integral part of this but it is not the sole source of rights and obligations.

These reservations notwithstanding, the Bolivarian Republic of Venezuela would like to confirm its belief, before the entire international community, that the consolidated maritime labour Convention aims to strengthen the labour rights of maritime workers and so my country, its people and my Government, will promote its application.

Lastly, I would like to say that in my country, the domestic legislation on this matter is in fact more protective than the provisions of the Convention, which we regard as minimum standards and which we will apply and continue to strengthen within our country.

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*Original Arabic: Mr. TAY (Government, Lebanon)*

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Our delegation abstained, not because we are opposed to the Convention, which we support and consider to be an important historical stage in international legislation and Conventions on maritime labour, but because of the financial situation in my country. When the situation improves, we hope that we will be able to adhere to this Convention and meet the obligations resulting therefrom.

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*Ms. MARTINOVA (Government, Bulgaria)*

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Allow me to express, as head of the Bulgarian delegation, the appreciation of all Bulgarian participants at the Conference for being able to take part in this event and to share with you how satisfied we are, after these 20 days of hard work, facing major challenges to have a consolidated maritime labour Convention. I would like to underline that the process of adopting the Convention would not have been so successful without the efforts, ambitions and professional knowledge of the Office team for almost five years, since the beginning of the productive work.

Transport, and in particular maritime transport, is an important sector that stimulates economic globalization which, in turn, changes the way people work. That is why, in our common job during these 20 days, we needed an integrated approach in the sphere of fundamental principles and rights, quality criteria and security and, last but not least, effective social dialogue. And we managed to achieve it.

Now the traditional relations between governments and the social partners, formed over a long period, need to be adapted to the new reality.

All of us can confirm the fact that the consolidated maritime labour Convention will become the fourth pillar, together with the three IMO Conventions: SOLAS, MARPOL and STCW. That is why this is an historic maritime Convention, being a fundamental instrument, contributing to the improvement of seafarers' working and living conditions. To be honest, I am proud to be part of this process.

But the most precise Convention could be a useless instrument without real implementation in practice. I would like to remind the Government repre-

sentatives, of which I am one, that while during these 20 days we all needed to take an international, regional and national approach, now it is our turn to take the next step – to ratify the Convention as a most important national step.

Bulgaria will continue to seek a constructive and positive approach to ensure effective enforcement and, finally, better protection of seafarers.

I remember that, during his opening speech, the Director-General of the ILO, Mr. Juan Somavia, mentioned that “we prove ourselves through work”. The last 20 days of common work fully confirmed the truth of this sentence. Now, having reached a common understanding as to the text of the Convention, we have to continue our activities, by means of ratification, in order to have, as soon as possible, a fully implemented maritime labour Convention that has effectively entered into force.

By ratifying it, we shall implement the Convention globally, promoting the fundamental principles and rights of all seafarers and creating decent working and living standards on board ships.

Finally, I would like to reiterate that it was an honour for me and for all my Bulgarian colleagues to be part of this integrated team that had the courage and the ambition to move forward.

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*Ms. EL ERIAN (Government, Egypt)*

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My delegation would like to congratulate the ILO on the adoption of this new maritime labour Convention, which is supported by my country. On behalf of the Government of the Arab Republic of Egypt and on behalf of this delegation, I would like to thank the International Labour Organization and all the delegations participating in the 94th (Maritime) Session of the International Labour Conference for offering their condolences on the tragic death of the people who died on the *Al-Salam*, and especially the Secretary-General of the IMO, Mr. Mitropoulos, for the technical cooperation offered by that Organization to my Government.

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*Ms. MALHOTRA (Government, India)*

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India is very proud to be part of this historical moment and has voted in favour of the Convention.

This delegation would have liked the Convention to exclude domestic voyages from its the scope.

However, India supports the ILO in this significant step forward in laying down firm sets of principles and rights, enhanced legal standards and decent work in the field of the world's first genuinely global industry.

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*Mr. ALIYU (Government, Nigeria)*

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On behalf of the Federal Republic of Nigeria and this delegation, I would like to say that we in Nigeria consider the role of seafarers as the foundation of the maritime industry. Indeed, we think that anything you do to make a seafarer's life more amenable to his work is bound to ensure quality and safe shipping. We are also very proud to be associated with all the activities of the ILO, particularly the passage and adoption of this Convention. We believe that we are the privileged few who are in this hall participating directly in history, because five years down the road we will be very proud to be able to look back and say that we were there and participated actively and voted, whether for the adoption, or for abstention. We look forward to receiving technical assistance and cooperation so that we will be able to ratify and implement this Convention conveniently. We thank very much the

President and, through him, the Secretary-General. We support this Convention and we adopted it.

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Ms. BALDOZ (*Government, Philippines*)

The Philippines voted “yes” to the adoption of this historic instrument, the Maritime Labour Convention, 2006. Our Labour Minister has come all the way from the Philippines to declare support for the early ratification of this Convention.

We hope that, with the help and support of our social partners, and with the ILO, we shall be able to overcome all of the difficulties and obstacles that may be put in the way of its early ratification.

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Mr. SIRUMAL RAJWANI (*Government, Singapore*)

On behalf of my delegation, I would like to say that it has been a long and winding road as well as a roller coaster ride. But we have finally arrived safe and sound at our destination in the green zone – and we want it green, yes.

Mr. President, I believe everyone here will agree that the real work starts now, at least for the governments. First, we believe we will have to convey the message to the masses and we have in this hall all the messengers needed to carry out this task. We are the people who are going to make it happen. We would like to spread this good news to all the people in our country. It would be advisable to form tripartite working groups in our countries from the beginning. At the same time, we would like to review our legislation and ILO practices in order to see any gaps and fill them in as short a time as possible. Singapore, being a large flag and port State, has a difficult road ahead with regard to building capacity, but we will rise to the challenge.

It has been a wonderful ride over these last three weeks, and I personally would like to thank everyone in this hall for their hard work. Special credit should be given to our Chairperson of the Committee of the Whole, Mr. Bruce Carlton, whose statesmanship and good manoeuvrability brought us this far – and he can only bring us this far, we have to do the rest. Also I would like to thank the three Vice-Chairpersons: the Seafarers represented by Mr. Brian Orrell; the Shipowners by Mr. Lindemann and Mr. Teranishi of Japan.

The ILO Office, under the leadership of Ms. Cleopatra Doumbia-Henry, has done an excellent job, and this is self-evident from the text we have produced.

Last but not least, this delegation would like to thank the President for his able stewardship of this Conference, and all his friends, who had probably the most difficult negotiations last week.

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Mr. BADPA (*Government, Islamic Republic of Iran*)

On behalf of the Islamic Republic of Iran, I would like to address my congratulations and thanks to the President and the Officers, and also ILO officials, particularly Ms. Doumbia-Henry, and all Members, for their hard work and effort from 2001 until now dedicated to this new instrument. I will try to ensure that the Convention is ratified and its provisions implemented as soon as possible in the Islamic Republic of Iran.

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*Original Spanish:* Mr. SOLORZANO ACOSTA (*Government, Panama*)

I would like to begin by commending the work of the President and the Officers, as well as that of each of the chairpersons of the committees, ILO officials and volunteers who, over the last five

years, have made every effort to achieve the approval of this Convention.

In Panama, we consider the most important aspect of the Convention to be protection for seafarers and the balanced promotion of safe navigation and sustainable development.

We have completed the set of regulations on maritime safety, pollution prevention, maritime protection and seafarers’ protection which are contained in the SOLAS, MARPOL and STCW Conventions with the consolidated ILO Convention.

We voted in favour of the Convention and, as a constructive and fundamental step, will soon initiate procedures for its ratification.

Good maritime practices have undoubtedly been reflected in this new instrument.

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Ms. ERZUAH (*Government, Ghana*)

The result says it all. This delegation believes that it has been a long, winding road of hard work, and at last we are there.

We look forward to States setting up the necessary machinery to ratify the Convention and to put the necessary programmes into place to implement it. We fully support the adoption of this Convention.

#### CLOSING SPEECHES

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*Original French:* The PRESIDENT

It is my pleasure now to invite you to listen to the closing speeches of the 94th (Maritime) Session of the International Labour Conference.

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*Original Spanish:* Mr. TOMADA (*Chairperson of the Governing Body of the International Labour Office*)

Just over two weeks ago I had the honour to open the Tenth Maritime Session of the International Labour Conference and to make some comments on the report of the activities of the Governing Body in the maritime sector. Now it is time to pay special tribute to the ILO, the Workers, Employers and Governments, and the staff of the Office, who over the past years have moved this process forward, which is one of the greatest challenges ever faced by the Organization and which, through the adoption of this consolidated Convention bears witness to its lasting relevance and vigour.

On behalf of the Governing Body, I would like to congratulate the Officers of the Conference and each and every one of you for the work that you have done in these last two weeks. The work took place in a constructive climate of cooperation in resolving problems, culminating in success. I cannot overemphasize the importance of the fact that 1,135 participants from 106 member States met and in less than ten days managed to reach agreement on the text of an important new Convention that will set a new precedent in standard setting. It is in an entirely new format and contains many innovations. It is without precedent in the history of the International Labour Conference.

How did this happen? What was the formula that kept the members of the Committee of the Whole at their task, day after day until late at night, working hard, solving problems and participating? Perhaps there is something special about the maritime sector, the people and the issues they deal with that inspires this level of interest and commitment? Is it possible that we might draw some lessons from this Conference so that future sessions of the International Labour Conference will run more smoothly?

I believe that the answer to the last two questions is yes, there is truly something special about the maritime sector, and I have seen this myself. And yes, there are some useful lessons that can be drawn for future sessions of the Conference. The functioning of the International Labour Conference is a matter of concern to the Governing Body, and very shortly a Governing Body committee will be meeting to consider some of the lessons that we can draw from this Conference. I am sure that that committee will be interested in examining some of the innovative methods that were used for the Maritime Conference, for example, the procedure used in the Committee of the Whole. Of course, the success of this Conference was built on all of the work done at the many tripartite meetings that preceded this final meeting. This helped ensure a very high level of technical competence, consultation and responsibility on the part of most Governments. It is also worth mentioning the new technology and multimedia tools that enabled the information available to be provided to the delegations in advance.

As you can see from my comments, the work that was done in this Conference made not only one, but two important and innovative contributions. The first is this very important new Convention. The second is the innovative way in which you worked on it. This joint effort has certainly culminated in a successful conclusion with the adoption of the Convention – and poses four new challenges for the future. First, all of the Members will be going home with a high-level instrument whose future ratification would be a responsible, strategic and desirable decision for the purpose of promoting decent work. Secondly, the Convention opens the possibility of incorporating in national legislation the conditions of work laid down in this new international instrument. And third, for its effective application, it will be necessary to develop or to strengthen responsibly an enforcement system in which inspection of seafarers' conditions of work plays a key role. Fourth, the continuing training and active participation of the social partners are instruments that will ensure the effective application of the Maritime Labour Convention, 2006.

The use of the ships' bell which you brought was both innovative and traditional. I think ultimately that is the hallmark of this Convention and this Conference: innovation while upholding essential values. Once again, I congratulate you all on the success that you have achieved.

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*Original Japanese: Mr. TERANISHI (Government Vice-President)*

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At the close of this Conference, I would like to say a few words as Government Vice-President of the Conference.

This morning, we witnessed the adoption of this historic Convention. Our epoch-making exercises during the last four years were aimed at consolidating as many as 60 ILO instruments which have been adopted since 1920. It had never been attempted before. The year 1920 takes us back 86 years, so it is not an exaggeration to say that we have just accomplished a once-in-a-century undertaking.

The ILO maritime Conventions are the results of intense tripartite discussions of our predecessors and forefathers to overcome many difficulties. I think that it is safe to say each Convention, to a different degree, is a reflection of the age in which it was developed. Therefore, the consolidation of

these instruments required an extraordinary effort. As Government Vice-President of the Conference, I would like to express my respect and gratitude to the representatives of the Governments, Employers, and Workers for their devotion starting from the time of the High-level Working Group up until now.

I need not remind you that this new Convention establishes a set of practicable global standards for the working and living conditions of seafarers. On the one hand, each country has its own specific circumstances evolving from its social, economic and cultural background. Seafarers around the world have been placed in these situations in which, at this very moment, they are working to transport cargo and passengers. The living and working situations of these seafarers vary significantly. We know that there still exist many seafarers who are forced to work under extremely poor conditions and who find themselves in miserable situations. This is the very reason we believe that it is necessary to establish global standards for decent work and living conditions for seafarers while overcoming the particular circumstances of each country as much as possible. We hope that seafarers all over the world are equally provided proper working and living conditions, as well as being engaged in decent work. We also believe that this will lead to the creation of a level playing field in the shipping industry.

In 1920, our predecessors adopted the first three ILO maritime Conventions in Genoa. Eighty-six years have elapsed since then and we have just adopted a new Convention here in Geneva by consolidating our wisdom and having taken on the work of our predecessors. The torch has been handed over from them into our hands.

The Convention, which secures decent work for seafarers around the world, heralds a brilliant new era in which the shipping industry will prosper under sound competition. In order to make this a reality, it is necessary for all countries to ratify this Convention. Each country obviously has its particular domestic circumstances. Nevertheless, let us engage in serious tripartite consultations in our own countries to ratify this Convention, so that we can create a bright future for both seafarers and the shipping industry.

In conclusion, as Government Vice-President, I would like to express my congratulations to all of you in this Conference on your remarkable success in adopting this new Convention under the outstanding insight and leadership of our President of the Conference, Mr. Schindler. I would also like to applaud Mr. Carlton on his excellent skill and guidance as Chairperson of the Committee of the Whole and express my deep appreciation for his work.

Furthermore, my deepest gratitude goes to those who supported our work that sometimes extended long into the night sessions, namely Mr. Juan Somavia, the Director-General of the ILO, Ms. Cleopatra Doumbia-Henry and her team and the staff who helped the meeting to run smoothly, including the note-takers and the reporters, those who prepared the documents, the ushers and the interpreters, who defied fatigue and worked selflessly to follow our interventions and accurately rendered them into other languages.

May I also commend the work of the Government delegates, the Employer delegates, led by Mr. Lindemann, and the Worker delegates, led by Mr. Orrell. We can be proud of our hard work and its out-

come. Again, congratulations to the whole Conference on the adoption of the new Convention.

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Mr. LINDEMANN (*Employer Vice-President*)

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We have just been witness to and, at the same time, party to a truly historic event, the adoption of the consolidated maritime labour Convention. What started in the summer of 1998 with a meeting of a small bipartite working group to review the stock of maritime labour instruments, with a view to making proposals to the Governing Body for a general overhaul, has now concluded with the birth of ILO Convention No. 186.

The atmosphere of the Maritime Session has been outstanding, everyone being aware of his or her role in creating a masterpiece of international labour standards for the shipping industry.

Those of you who regularly, or from time to time, attend the June International Labour Conferences will agree with me that this spirit of commitment and willingness to create a mature set of labour rights applicable to a whole industry sector is unparalleled. Everyone who spoke during the Maritime Session expressed support for the future instrument, regardless of the country, region or group he or she was representing. At this stage, I would also like to thank the two Governments who just spoke and who abstained from voting for the Convention owing, not to the contents of the Convention but rather to side issues. Thus, it is clear that there is full support for the regulations contained in this Convention.

Having now reached the successful outcome of this Conference and its numerous pre-meetings over the past four-and-a-half years, it is worth pointing out some of the new concepts which have been used and which, we think, will leave the marks of this Conference in the annals of this venerable Organization, the ILO. It is worth noting these concepts because they might spur on other industry sectors of the Organization and help to rejuvenate the ILO. These are notably the following.

The “consensus” concept, by which I mean that the adopted instrument is the result of long and sometimes extremely difficult discussions and that it carries as a hallmark the inestimable advantage that its results have been created jointly by the three groups of Governments, Shipowners and Seafarers. This is probably the most convincing result of the more than four years of preparatory work for this Maritime Session, and it culminated in yesterday’s adoption of the Report of the Committee of the Whole and the text of the new Convention, without any wishes for changes being expressed. Throughout this procedure, confidence regarding the provisions of the new Convention existed on all sides from the outset, and this will continue to assist matters when it comes to ratification.

It is to the great merit of the President of the Conference, Mr. Jean-Marc Schindler, and the Chairperson of the Committee of the Whole, Mr. Bruce Carlton, that they always did what they could during the numerous preparatory sittings and also during this Maritime Session to find consensus among the groups. We were unpleasant spared “voting ordeals”, such as record votes and block abstentions, when discussing amendments to the proposed Convention.

Secondly, the “codification” concept, by which I mean the common determination of all three groups – Governments, Shipowners and Seafarers – to put

into a jointly-developed and well-balanced instrument the complete set of minimum maritime labour standards on a standardized and unified solid international legal basis with a web of interlocking ties.

Thirdly, the “binding-on-everyone” concept, by which I mean the certainty, for ratifying States and shipowners domiciled in their territories alike, that in future it will not pay to disregard the new Convention. Because well-trying systems, recognized under international law, of port state control and “no more favourable treatment”, will provide that owners of ships of non-ratifying States can no longer be confident that they will gain cost advantages from non-compliance with the Conventions. On the contrary, since their ships do not hold certificates of their flag States and administrations in accordance with the Convention, the procedures for port state control, with more detailed inspections, will not only be more troublesome but also tangibly more disadvantageous in economic terms.

Fourthly, the “observance” concept, by which I mean that there are no precedents in ILO instruments for the range of the new Convention in terms of compliance and enforcement. The forerunner of the more than 20-page-long title in the instrument on the supervision of the provisions is the famous Article 4 of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), which, for the first time in the ILO arena, established rights for contracting States vis-à-vis ships under foreign flags in their ports – including those from non-contracting States. What started back then as an embryo for part of the working conditions of seafarers has now become a reality for the entirety of the provisions of the new Convention.

Fifth, the “multiple prong” concept, by which I mean that, in the interests of enforcement, not only flag States carry responsibilities but also port States under the regime of territorial sovereignty. There will even be a third category of States responsible for the execution of the Convention, namely States that supply seafarers from their territory to ships under foreign flags with foreign employment contracts. These States will, in future, play an important role in the enforcement of the provisions of the Convention vis-à-vis this group of people.

Finally, the “acceleration” concept, by which I mean that the time to wait for Maritime Sessions of the International Labour Conference (roughly ten years) in order to react to changes in the shipping industry – even if only partially – will be a thing of the past once the Convention enters into force. Through the amendment mechanism of the new Convention, (modelled on the widely-ratified International Convention for the Safety of Life at Sea (SOLAS), International Convention for the Prevention of Pollution from Ships (MARPOL) and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) of the IMO), as well as the creation of a tripartite committee to oversee the workings of the Convention, we can be sure that, in future, the Convention will be more able to meet the changes and new developments affecting the shipping industry.

Ms. Doumbia-Henry and her team again deserve our special thanks for reacting positively to the proposals from the social partners of the maritime industry from the outset of the preparatory work for the new Convention in 1998. Rather than raising possible obstacles under the Constitution of the ILO, they undertook to develop a simplified

amendment procedure for the Convention, copying existing IMO procedures. I would also like to thank the Government delegates, who quite often are staff members from the IMO departments of ministries of transportation and who, from the outset of our work, have supported these alterations, on the basis of positive IMO experiences.

Following the adoption of this new procedure, there is only a remote chance in the future of another Maritime Session of the International Labour Conference. And that I think is the sad thing about closing this Maritime Session today.

With the Maritime Session approaching its end, we have to commence regrouping our forces. The Conference yesterday wisely adopted as the most important resolution, the resolution concerning the promotion of the Maritime Labour Convention, 2006. A number of more detailed parts of the new Convention are addressed in further resolutions on the development of guidelines for port state control and on information on occupational groups who may perform work on board vessels. It is now up to us to return home and initiate the second phase in the implementation of the newly adopted Convention No. 186.

Mr. President, I would again like to thank you and everyone who has been mentioned, for contributing to the successful outcome of this Maritime Session.

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Mr. ORRELL (*Worker Vice-President*)

As we are all homeward bound, it is appropriate to reflect on the real progress we have made and the significant achievement we have made in reaching this agreement on this new Convention. It is also time to look towards the future, to the next stage, which is securing widespread ratification.

As the Director-General of the day said at the last Maritime Session of the International Labour Conference, the success of the Convention will be measured in terms of the number of ratifications it secures.

As ILO Conventions go, this Maritime Labour Convention has a relatively high entry into force requirement, both in terms of the number of States and the percentage of the tonnage of the world fleet. However, we should not be deterred, and if we, the social partners and the Governments, continue with the commitment shown here when we all return home, a speedy entry into force with widespread ratification is assured.

If the Convention, our Convention, does not receive widespread ratification and effective implementation, we will have achieved nothing in return for our five long years of hard work. We can only, and we must, measure success in terms of the impact the Convention will have in the real world.

As we heard in the discussions on the Director-General's Report, there are still too many instances of seafarers being exploited and abused. This is clearly unacceptable. It is true that the shipping industry has a bad reputation in the minds of civil society. It is to be hoped that this Convention will go some considerable way towards changing the reality for many seafarers and, in turn, ensuring that unacceptable practices are eliminated.

It is also to be hoped that the new Convention will, by providing a "seafarers' bill of rights", go some way towards improving the ability of the industry to retain existing seafarers and recruit suitably qualified new entrants.

We were very pleased that the Director-General committed the ILO and himself to a systematic effort to meet the challenges in terms of ratification and then implementation. We look forward to working with the Director-General in the months and years ahead to meet that challenge.

We as seafarers believe that you, Director-General, are correct in separating ratification from implementation. We will need advocates for ratification. We will need an imperative for ratification shared at the highest political levels, and we will need the provision of technical assistance for implementation. We have passed the first test, which was the adoption of the Convention, and we now hope that the enthusiasm and commitment will continue so that we meet the ratification challenge.

We were particularly pleased that the Secretary-General of the International Maritime Organization addressed this Conference and stated that he saw the new Convention as a major step forward in ensuring better protection for workers, a level playing field for shipowners, and an effective instrument for governments in providing decent conditions for seafarers.

We would hope that the good offices of the IMO could also assist us in meeting the ratification and implementation challenges. It is encouraging that that organization shares our aims of making the Maritime Labour Convention the fourth pillar in the regulatory regime for the shipping industry.

The international community has stressed the importance of the concept of sustainable development, which rests on three integral pillars, namely, the social, economic and environmental dimensions. We as seafarers believe that this Convention can mark a significant step forward in promoting a sustainable shipping industry. However, much remains to be done.

While the adoption of this Convention marks a significant step forward in securing decent work for seafarers, there are in fact a number of additional issues which will also need to be addressed. The global nature of the shipping industry and the way it operates means that the widespread ratification and implementation of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), is essential. That Convention is also a carefully crafted balance between the rights and needs of seafarers and the security concerns of States. But if you read the Convention carefully and actually go beyond the biometric technology, it is clear that it also has the capacity to increase homeland security for port and transit States.

It is also essential for the ILO to remain active in the maritime sector, and we look to the current and future Directors-General of the ILO to make sure that this is the case. The globalized and international nature of the shipping industry means that this sector looks to the international agencies and their regulatory regimes to be able to respond to new challenges and to adapt to new realities. It is clear to all those attending this Conference that social dialogue is very much alive in our sector and should be cherished and nurtured.

We believe that the shipping industry needs the ILO. We also believe that the ILO needs the shipping industry. It is therefore essential that the maritime sector of the Office be retained and expanded. We need the strengths and logic of the ILO to be active and to the fore in other negotiations, and we

hope that the success of this Conference will ensure that this expectation is met.

The contribution that the ILO can make to the shipping sector is indicated by the number of resolutions adopted by the Selection Committee. They reflect the views of the participants of this Conference on the future work programme for the maritime sector. We would hope that the expectations which have been generated will be met over time.

We have suffered many a hard day's night in reaching this point, and the successful conclusions resulted from the hard work of all those involved, including those behind the scenes. This must be borne in mind when we single a few out for a special attention.

At this moment we single out just one. We have been assisted over five years by a President, Mr. Jean-Marc Schindler, whose calm diplomacy, tolerance and fundamental fairness, combined with his sound judgement and overall political awareness, have enabled him to find solutions to what often seemed insurmountable problems.

Jean-Marc, we thank you for all that you have done throughout our long and sometimes difficult journey. It has been a pleasure, personally, to work with you, and the seafarers owe you much.

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*Original French: Mr. BARROT (Vice-President of the European Commission in charge of transport)*

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I am happy, as the representative of the European Commission to be able to participate in this closing sitting of the Tenth Maritime Session of the International Labour Conference. The adoption of this consolidated maritime labour Convention is a resounding success for the shipping world. It is the fruit of a very considerable amount of work put in over a very considerable period of time, given that it began in 2001.

This tripartite Convention was prepared with the participation of all governments and social partners. This makes it a universal instrument broadly accepted in the spirit of consensus which prevails at the International Labour Organization. I should like to take this opportunity to pay tribute to the commitment of governments, seafarers and shipowners, and indeed to that of the International Labour Office. You have been working on behalf of seafarers whose job, as we know, is a difficult one. You have also been working for the benefit of safety at sea. Recent events remind us that we must be constantly vigilant when it comes to ensuring safety at sea.

I would like to take this opportunity to convey the feelings of great sympathy of the European Commission to the authorities of the Arab Republic of Egypt in connection with the recent tragedy in the Red Sea.

There are many positive aspects in the text which you have crafted and which we have just adopted. First of all, it is a ground-breaking and innovative text, and to a certain extent I think we can say that it is the first labour code which is actually of worldwide scope. Now that is not something that has happened by chance, because the International Labour Organization has always been very much involved in the maritime sector, which is a globalized sector of the economy if ever there was one. The maritime labour Convention has brought together in a coherent framework all the standards and guidelines which define the employment relationship on board merchant vessels, including employment conditions, working conditions and rules governing

social protection. These affect 1.2 million seafarers who are employed in the maritime industry worldwide.

This maritime labour Convention will be a valuable addition to the three fundamental maritime Conventions: SOLAS, the safety of life at sea; MARPOL, to prevent ships from polluting; STCW, relating to seafarers' qualifications. This Convention will constitute the fourth pillar of international regulation in the maritime sector and as other people have already mentioned, it will replace 65 existing Conventions, which is a remarkable feat of simplification.

Most important, I think, is that this Convention deals with the human element, the importance of which can never be underestimated. It is a matter of dignity, putting an end to scandalous situations which we still see happening far too often. It is also a matter of safety, because we know perfectly well that the human element lies behind 80 per cent of all maritime accidents.

This has been a process in which everyone is a winner. For shipowners, the creation of minimum universal standards will reduce the unfair competitive advantages enjoyed by some. The Convention will protect seafarers from unbridled competition and, at the same time, the maritime profession will get the prestige it deserves. The Convention will help to address the shortage of qualified seafarers, which, in the long term, could threaten the world's shipping industry. Governments will see their respective roles clarified with specific definitions of the responsibilities of the flag State, the port State and the labour-supplying State.

The European Union has made every effort to facilitate progress in the discussions, coordinating the positions of its individual members and tabling proposals. In doing this, I believe the European Union has made a positive contribution to the negotiations. Of course, Europe has a major interest in this Convention. Vessels flying the flag of a European country account for 25 per cent of the total world fleet and European shipping companies account for more than 40 per cent.

The adoption of the maritime labour Convention coincides with the recent launch of an initiative which I took to make proposals to strengthen the safety and security of vessels and of navigation in Europe. The proposals I made concern the strengthening of the responsibilities of the flag State, the intensification of the fight against unseaworthy vessels by enhanced control in ports and more effective monitoring of the companies which classify them, and the increased monitoring of navigation in European waters. These proposals also relate to the consequences of accidents: sharing knowledge gained from investigations into maritime accidents; better compensation conditions for victims; tighter rules on third party liability.

These proposals will come into operation once they have been duly adopted by the European legislature, that is the European Parliament and the Council of Ministers. They will supplement the action being taken by the European Union in this respect, which has another important aspect – seafarer certification. The European Union has included in its legislation all the international rules existing on this issue in the STCW Convention. It wants to encourage people to become seafarers by recognizing high-quality training and by making the job of sea-



farer more attractive; at the same time it is enhancing maritime safety and security.

With the assistance of the European Maritime Safety Agency, the European Union checks the quality of maritime training and certification systems in both European and other countries. For this purpose, at international level we shall have not only a catalogue of labour standards, but also tools to ensure they are properly applied. The maritime labour certificate and the declaration of conformity with the requirements of the Convention which is to be issued by the flag State, will soon be new indicators of quality within the shipping industry.

Previous speakers have already underlined the fact that it is all very well to have a solid mechanism encompassing all the standards within the maritime industry, but it must be applied effectively. The entry into force conditions established for this Convention are certainly stricter than those which apply to existing Conventions, but they will confer on this maritime labour code a necessary universality.

Europe, for its part, will do everything it can to encourage its member States to ratify the Convention as soon as possible. The Commission will carry out regular reviews with the Council of Ministers on the state of play with respect to the ratification of the Convention by its member States.

Of course, the responsibility for the effective application of the Convention, and that includes the ratification process of course, lies with the member States of the ILO, including the European States. But the European Union as such can bring value added to the effective application of the Convention with its own legal instruments. I am not, and I wish to make this clear, talking about the Union trying in any way to replace responsibilities which are held at national level, the responsibilities of governments, shipowners, seafarers, or, of course, of the ILO. Europe has a long-standing habit of transposing many international Conventions directly to its own legislation. This is the case of the STCW Convention, for example, which I mentioned earlier, the Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180), and the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147). This method does not dispense European Union member States from ratifying international Conventions, but it does have one advantage: the content of these Conventions can become rapidly applicable, simultaneously and in a harmonized fashion in 25 States.

The European Union, as a regional entity made up of sovereign States but having its own jurisdiction, has powerful tools at its disposal, which can be used to improve governance worldwide. Of the some 41,000 merchant vessels of over 500 gross tonnage sailing worldwide, more than 16,000, that is 39 per cent, come to Europe and will be subject to strict European controls.

In conclusion, I would like to inform you that the European Commission is considering the idea of integrating this Convention into European law. It is doing so in the framework of European social dialogue. European treaties make provision for a framework for dialogue between the social partners at the European level, which can lead to the adoption of legislation.

Using this possibility of integrating an international Convention into community law, on the basis of agreement between the social partners in the

framework of social dialogue, which – to my mind at least – constitute a very strong signal. So, may I take this opportunity to make an appeal to the European seafarers' and shipowners' representatives of to look at the possibility of such an agreement.

Europe is developing an ambitious policy in respect of maritime safety on the basis of international standards. By contributing to their effective application, the European Union is a faithful and effective ally of the International Maritime Organization. The European Union also intends to become, in the sphere of maritime labour issues, a powerful source of support to the International Labour Organization. To do so is in our common interest, and in the interest of the world.

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*Original French:* The PRESIDENT

Thank you very much, Mr. Barrot. Your responsibilities, as the Commissioner responsible for transport, and also your very considerable experience as Labour and Social Affairs Minister, make you a particularly experienced person in respect of these matters and, therefore, a very appropriate speaker to comment on the Convention we have just adopted. I think I can safely speak on behalf of all the delegates here present when I thank you, not only for making what was a very interesting and useful statement but also for the support which the European Union has, throughout the work of the Conference, provided to all of us and that is important because, as you say, this Conference is the "crowning glory" of quite a few years of hard and intensive work. Thank you.

I now give the floor to the Director-General of the International Labour Office and the Secretary-General of our Conference, Mr. Juan Somavia.

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The SECRETARY-GENERAL OF THE CONFERENCE

Well, dear friends, the first thing that I have to do is to congratulate all of you. You have done a magnificent job. First, Jean-Marc Schindler.

*(The speaker continues in French.)*

Mr. President, I have no intention of repeating what is the general feeling here because it has already been expressed by the other Vice-Presidents. You have done an extraordinary job.

*(The speaker continues in English.)*

Mr. Lindemann, Mr. Teranishi. Thank you, Vice-Presidents, for your role in all of this. Thank you, Mr. Bruce Carlton, for the role that you have played. I am very happy that we are doing all of this in the presence of the President of the Governing Body.

So thank you – this is a word that is in my mind – thank you also for the very kind words you have said about the ILO staff, the people that have been together with you through this five-year process, the words that you have all expressed in relation to Cleo. Thank you, thank you so much.

What do you want me to say? I think that the spontaneous applause, when we all heard that there were no votes against this Convention, expresses the mood of this room. I think that we are happy – that you are happy – that we have to be happy for an extraordinary accomplishment. And we expressed it in the most simple of ways. We just clapped and we said "How fantastic!" and, as Dierk said, regarding the two Members that explained their abstention, it was a very welcome abstention. They have no prob-



lem with the content of the Convention. We have unanimity on the objectives of this Convention. We can be happy about that. It is a unanimous agreement behind the objectives of this Convention and I think, from where I am sitting, there are some aspects of what we have done which for me are very important.

One is that, in this debate about globalization, this is all about balance. This is not about “one view is right and the other view is wrong”. This is about balances of different perspectives and what this Convention has done is a balance between two components that I think are absolutely essential; and we are going to move well towards the future. It is the necessary balance between norms, standards and regulations and productivity competitiveness, an enabling environment for investment. That balance is essential. It is not a “either/or” proposition. Both things have to be present if we want stability and fairness for the future and this is a set of fair rules that produces that balance. It is a very important message that we are sending here. It produces that balance with the agreements of seafarers, of shipowners, of the governments.

The second thing that I think is so important is the whole process through which the Convention can in fact be enforced. It is a procedure that you have decided upon. This is not the imposition of powerful forces. This is not the imposition of one over the others. This is a common, collective decision that you have taken. You want to ensure that this Convention has teeth. We have heard so much that the ILO does not have teeth that it is good to make *le constat* that this is your decision. This is your will. This is the way you, as shipowners and seafarers and governments, want this Convention to be perceived. Not as a text that may eventually be applied or not be applied, etc. but as a text in which – from the beginning, from the outset, from the moment you decided to make it happen – you said this only has a meaning if people that look at it can say, “Hey, this is serious”. Look at the manner in which you have looked and you have put into this Convention the enforcement process – extremely important, from my point of view.

The third point is something that I think is key in the context of the social dimension of globalization. I think that this Convention shows that a fair globalization is possible. This has been the permanent proposal of the ILO. We have said that this is not about saying that globalization is the most perfect instrument in the world and we just have to leave it alone, or saying we have to radically change globalization because we have to get out of it, it should not continue. It is the contrary; it is a contemporary phenomenon that needs fairness and we know that, in many of its aspects, it is not fair. But does it mean that, because we describe a phenomenon and say, more fairness is necessary, it does not mean that we are against the phenomenon? We are saying that we have the human capacity, the human intelligence, the human political will to make it fair – and this is what you have done with this Convention. You have made the maritime industry fair for shipowners, for the workers, for the different governments and everybody agrees to it. So what is the conclusion? It can be done! And we should leave aside the ideological debates around this issue. Let us concentrate on how we respond to what people are asking us to do. Asking us – I mean the international community, but particularly the ILO. Think

about how we can make it function, make it fair, make the balance that we are talking about between regulations and the market that operates in this creative way that means it can do it. And you have done it with this Convention.

Why? Why is this? How have we done it? The truth is, there is something in this room, in the five years of your own work, that once again touches me very deeply. It is a type of integration, an amalgam of the maritime family and the ILO instruments – and this is something new. This is not something that we have done with any particular sector. When I use the word “the maritime family” it is because of what I think is the enormous respect that those of us, who do not belong to the maritime family, have for the manner in which you are able to deal with your own affairs. I have often said often that I am, of course, very happy that this happens in the ILO context and this naturally reinforces the ILO and is a great success for the ILO.

But I have very often said that we have always to recognize that it has been the historical capacity of social dialogue, of understanding and finding common solutions and agreeing on reasonable things, that has in fact already produced three of the four pillars in the context of the International Maritime Organization that was brought into the ILO framework. With that, and with the instruments that we have, with the practice and the legal framework within we can function, we have produced this extraordinary Convention. And as I say, I think it shows that dialogue and tripartism works and that we are capable of utilizing the experience of the IMO and developing other instruments to achieve the experience of dialogue that you have, and consequently transforming something that, as we have also said, will be truly historical, not because we say it, but because the instrument is historic. Because history is being written, Article by Article, within what you have approved and what you have decided today.

This makes us look towards the future. How do we keep the momentum? It has been clearly said, the ratification process is essential. I am very happy to have heard Commissioner Barrot say how important this issue is for the Commission and how the Commission will be behind the ratification process. That is absolutely essential. The whole process of technical cooperation, technical assistance, is going to be essential. We need to put in place the framework of support for those countries which we know today will require support in order to make many of these things happen.

We have to have the responsibility, not only of applauding a document, but of ensuring that we put in place the instruments of support that countries will need in order to put in place the ratification process which will require legal changes and the whole implementation process. We have to begin that right away.

In the Office we are ready to think about the other basic requirements of technical cooperation that this Convention implies. But of course and I want to be very frank with the developed countries: you have to put your money where your mouth is in this Convention. We do have budgetary problems. Let me be very frank, I want to say that when this Convention is applied, we need to put into place a very significant technical cooperation process which can be directed towards the countries. Do not think this is just about the ILO. If you do it bilaterally, so much

the better – less weight on us. But make sure that it happens. Please make sure that it happens. The countries that are donor countries, the development community, have to know, that they also have quite a responsibility to follow up technical cooperation on all of these issues.

So, finally, let me say, we have an enormous amount of work ahead of us. You can rest assured that the Director-General of the ILO and the whole Office is absolutely prepared to do what we can do in order to be able to push forward with the next steps. In conclusion, I would like to say that I am profoundly touched by the sense of achievement, that you yourself have in yourself and I come back to this spontaneous applause. We took a look at that, the President said, “No vote against” and we all applaud it. Because you have this sense of achievement and it is legitimate that you have this sense of achievement. It is right that you have this sense of achievement. We have achieved, you have achieved, something which is quite extraordinary.

It does not mean that we do not have any problems ahead of us. Of course, we do. But life is step by step and doing the right thing at the right moment. And you have done the right thing at this moment. It took you five years – not too long a time in historical terms. It will take us some years to have it ratified. But history will remind us of this great moment of the International Labour Conference at its Maritime Session, when we demonstrated that the challenges of globalization could be addressed through dialogue and tripartism.

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*Original French: The PRESIDENT*

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The Dutchman, Jacques Perk, wrote that “true freedom listens to the law”. So, a modest amount of freedom was created when we formally adopted the first integrated ILO standard. It is a global, comprehensive and complete standard, which now brings together in one single instrument social conditions on board ship, and which constitutes both a bill of rights for seafarers and a true international maritime labour code. This standard, which has been renovated in terms of its principles as well as its machinery for application, contains the conditions for its own implementation, the modalities for enforcement and procedures governing its updating.

The final result is, as far as its structure goes, in conformity with the principles set out by its creators. It is also in conformity with their principles in terms of its form, because the new instrument, as was summarized at the beginning of this Conference, needed to be clear, simple and easy to understand, and we can see that this has been achieved as far as was humanly possible.

I think therefore that you can legitimately be very proud of what has been accomplished. It is an historic act. Napoleon once said that we must aspire to greatness despite ourselves. This is what you have done. As far as this “Odyssey” is concerned, as a colleague from Greece describe it, I would say, to paraphrase Corneille in *Le Cid*, that when we set off on our voyage, we were 120 in number, and we were more than 1,100 on arriving in port. I will not give a detailed historical account of this Odyssey, although it certainly deserves it. I think we have had our full share of speeches this week and I do not really want to be the proverbial “last straw”. However, I think it is important to make a few general comments.

I would like to begin by reminding you of some of the key stages of this process which has been completed today. The first, obviously, was the Geneva Accord, the session of the Joint Maritime Commission where the idea of this grand enterprise was born, where the social partners decided to do what had been advocated by King Chosroes I of Persia in the sixth century when he said that, “If destiny does not help us, we will have to give destiny a helping hand”. The second stage was the first session of the High-level Tripartite Working Group, where we did start off as 120, and which was, it must be said, a very difficult session. But it was there, after a brainstorming session involving those 120 individuals, that the President laid down the fundamental principles which have guided us to our success today. It was there where we observed the establishment of trust and group spirit which we have again observed regularly over the past three weeks and without which nothing would have been possible.

The third stage was the last session of the High-level Tripartite Working Group which met in Nantes.

At that stage we are already 240 delegates representing more than 60 countries. I think it was at that point that we realized that we have every chance of succeeding in this enterprise.

I would like to take this opportunity, in mentioning that stage, to very warmly thank the Office of the ILO in France and also the local communities and representatives who made every effort to make sure that the Nantes session would be successful.

The fourth stage was the Preparatory Technical Maritime Conference. This was an important stage because we were leaving the restricted circle of the Working Group to address ourselves to all the Members of the Organization. I think the least that we can say is that we had to deal with quite rough weather at that stage but the Chairpersons of the Committees, Mr. Bruce Carlton of the United States, Mr. Georg Smefjell of Norway and Ms. Rosalinda Baldoz of the Philippines, as well as the Chairperson of the Government group, Mr. Zhang of China, were all very skilled in helping us to avoid the reefs which threatened all the Titles of the Convention. I would like to thank them most warmly for what they did.

The fifth stage was the Intersessional Meeting of April 2005, during which all the amendments tabled during the Preparatory Technical Maritime Conference were dealt with, as well as all the more difficult points which had been deliberately left aside in order to help us to make gradual progress on the body of the Convention.

I think you have also understood that the last stage, where we arrived as more than 1,100 delegates, was this session of Conference, now drawing to a close, which has required all of us to be extremely hardworking, constantly available, ready to listen, and ready to act in accordance with the general interest and the general good.

I have referred to a certain number of important players in this process. Some of them have been with us right from the outset, some of them have joined us along the way, some have been on the podium in the limelight, some have remained more or less in the shadows but they have all played an extremely important part. I cannot, unfortunately, name them all individually. I know that they will recognize themselves in these comments and they will know how much I respect them. I want to ex-

press our gratitude to these individuals on behalf of the entire Conference.

As I said in my opening statement on 7 February, the challenge at the outset was to convince governments that it was necessary to act. As Alexander Pushkin said in *Boris Godunov*, "Custom is the soul of States", and the task before us then seemed to be a very difficult one. But it now seems very clear that the attitude of governments was positive right from the outset, and their own approach has become more and more constructive as we have moved along this path. I think you have also been able to see, as I have, how crucial the attitude of the governments has been over the last three weeks. This is to the credit of the governments represented here, and we should in fact formally pay tribute to this attitude which I think will go down in the annals of international Conventions.

During the first two weeks of the Conference, Mr. Bruce Carlton chaired the Committee of the Whole and showed all the flexibility, tact, firmness and determination that he had shown during the Inter-session Meeting of April 2005. I would like to say here that I have a great deal of admiration for his personal and human qualities and for his professional attitude. I would like to thank him most sincerely today for all that he has done.

As he indicated during the closing meeting of the Committee of the Whole, I had set out a very clear task for him at the outset and he was fully able to fulfil this task. What he did not know was that in laying down this task for him, I was also entrusting him with the use of a magic bell with the power to inspire the meeting with team spirit and to give the user all the powers of a ship's master.

As you have understood, this Conference was essential not just to adopt the text but also to improve the drafting of the text. In this respect, I would like to take advantage of the presence here of Mr. Jacques Barrot, European Commissioner responsible for transport, on behalf of all of us here to thank on the European Commission without whose help it would not have been possible to hold this Conference, as well as the European Union, its Member States and associated States for their active participation in drafting this Convention.

Everything started off, as I have already said, from an initiative taken by the social partners. But in addition to this, it was necessary for the social partners to be capable of carrying out negotiations in a manner worthy of the subject under discussion. I think you will agree with me when I say that this has happened to a degree that far surpassed our hopes.

As far as the Shipowners are concerned, to follow the usual rules of this house, we had a group whose representatives showed a great sense of responsibility. The Spokesman of this group, Mr. Dierk Lindemann, is a man of great finesse and skill. He is also extremely rational, is endowed with a profound sense of humanity, and has a great sense of fairness. We all benefited from the clarity of his statements, his sense of humour and his ability to react appropriately. His personal investment in this enterprise has been considerable. He went well beyond the call of duty. His individual contribution, I am sure, has saved us at least a year in this whole process – which has already lasted for years, as we started in 2001 and were ready in December 2005. Through Mr. Lindemann, obviously, my gratitude is also addressed to the whole of the Shipowners' group.

Turning to the Seafarers, here we have a group for which the outcome of our discussions was of considerable importance, as I am sure you can all imagine. Despite all this they all showed a level of exceptional realism. Their spokesperson, Mr. Brian Orrell, at one time or another aroused our emotions in a vocal register which is absolutely incomparable. I am sure he could accept any major role in opera or theatre with that voice of his. He very energetically, but also realistically and effectively, defended the cause of the Seafarers. What is more, I think I can all say that we all appreciated his sense of humour, a very British sense of humour, but also a very individual one. Of course I also address my thanks to all the Seafarers' group.

I have the highest regard for both Mr. Lindemann and Mr. Orrell. I am particularly honoured and happy to have been able to accompany them some way on our voyage.

I would also like to thank Mr. Teranishi, who very faithfully and effectively helped me as my Vice-President.

After having cited all those who usually sit beside me or in front of me, I would now like to turn to those who are either up on the podium or in the corridors.

I would give credit where it is due and start off by addressing myself to you, Mr. Somavia, who introduced the idea of decent work into this House and which we have been endeavouring to put into practice. I want to say that your support for this process, right from the outset, has been unfailing. The Directors who assist you – Mr. Tapiola, Ms. Paxton, Mr. Javillier – and all those people on the podium whom we have seen throughout the Conference – Terry Powell, Steve Marshall, Ian Newton, Monique Zarka-Martrés, Antoinette Juvet-Mir, Javier Escobar, Ann Herbert and all the others – have given vital assistance.

Then there has been what I can only describe as an army of helpers who have all been helping us throughout the Conference. I cannot cite them individually but I can mention their jobs. First, there were the interpreters and translators, who enable us to understand one another. They did a very good job for us with great skill and they have also managed to adjust to our rather inventive timetable and our requirements; this was not necessarily predictable at the outset, and I want to thank them most warmly for their help. Then there were those who staffed the various secretariats capably and helpfully the plenary, the Committee of the Whole, the Drafting Committee, the Selection Committee, the Steering Committee, the Credentials Committee, working parties and all the rest.

There were those who worked day and night so that we would have documents as soon as possible – typing, correcting, printing, distributing. Those who made sure that we would have rooms available to us. Those who provided for logistics, transport, or catering, particularly on Saturday, as well as registration, provision of computer equipment, and so on. There were those who helped us with communications, or provided the legal and technical assistance which you all needed. I would like to thank all these people.

There are also those who helped us and helped me as secretaries of the President for the Preparatory Technical Maritime Conference and this Conference. Madam Régine de Loof and Nahalie Plô. I would also like to pay special tribute to my inner

circle who helped us so much in our success. Loïc Picard as Legal Adviser, and also, as “reserves”, recalled for the Conference, Dominic Devlin, Dani Appave, Joachim Grimsman, Jean-Yves Legouas, Brandt Wagner and Moira McConnell. It is their work, their drafting and preparatory skills, which were unanimously praised by all the partners and participants at each of our meetings, whether we are talking about the meetings of the High-level Tripartite Working Group, or those of the Conference. The consistent tribute paid to all these people by our constituents needed to be repeated here, today, in your presence. But that is not all. As you know this team also very skilfully and competently provided secretarial services for each of the different working parties and sittings we had to set up.

I am sure you will not be surprised if I pay my particular tribute to my assistant, the principal administrator for maritime affairs, Xavier Marill, who was able to position himself very well and competently between France and the ILO and right from day one always facilitated my work and gave me a great deal of discreet and careful support.

I would like to ask you now to applaud all the people I have addressed my thanks to.

*(Applause.)*

As I am sure you expected, I have saved the best for last.

I am an enthusiastic music lover and occasional musician, so I can't help but take up the musical references that have been used before and compare our work with that of an orchestra. The talent and technique of the conductor are of course important, but everyone knows that an orchestra is only as good as each of its musicians.

We had an excellent string section including Mr. Lindemann on first violin; we had an excellent choir, sitting on my right, and I have already mentioned the vocal skills of its leader, Mr. Orrell; and the Government brass section was also powerful. But, as you know, a piece of music is only as good as the score being played by the orchestra. In this case, the queen bee, the *deus ex machina*, the high priestess, the source of inspiration, the muse of this score, as I am sure you all agree, is Cleopatra Doumbia-Henry.

There will be an opportunity to applaud her in a moment. What can I say about her apart from that she has an extraordinary personality and total devotion to this Convention. The Convention which, alongside the abbreviation CONMARCON which we used at the outset and its official name, the maritime labour Convention, amongst ourselves we have actually been calling “Cleo's Convention”. This devotion, we are aware, has had an impact on her family life, but never prevented her from managing both areas. This capacity to manage is particularly incredible since, as you will have realized, she always had an answer to all the delegates' questions.

I particularly admire her skill, for example, to be able to correct a text down to the last comma, before giving the green light for publication and in the next second to discuss with the President which major strategic options to uphold in the conduct of debates. All this with equanimity and good humour, which I never found to falter.

It was already said yesterday, but I would like to repeat this today, she is an exceptional woman. I am sure you know this, Mr. Director-General, since you

have appointed her as Director of the International Labour Standards Department in this Organization. Thankfully you let us borrow her to conclude work on this Convention.

I am particularly honoured, proud and very happy to have been able to work with her for the last four years, I hope that we have developed a certain degree of friendship.

So I thought that today, at the closing of an exceptional session of the Conference, we should pay an exceptional tribute to her, a fitting tribute, and a tribute appropriate to this occasion. I have chosen a French custom, which is for a man to give flowers to a woman, but I have adapted it to ILO style, so we are going to give her a tripartite bouquet, presented by a representative of the Shipowners, a representative of the Seafarers and a representative of the Governments. Would you please stand.

*(Applause.)*

These thanks are absolutely essential and entirely sincere.

Before concluding, I feel it is important to mention that, while the preparatory phase is coming to a close with the adoption of this new Convention today, with a remarkable result of the vote, this is not the end of the road, and this momentum should not be lost.

We have to work hard to make sure that we achieve the widest possible ratification in the shortest possible time so that it can enter into force. Now I would like to ask all of you here, who participated and voted at this historic moment, to act as ambassadors for this Convention when you go back to your own countries.

With this new Convention the human element, as Mr. Barrot has said, has been placed once again at the centre of maritime activities. This is a significant leap forward, and brings working conditions up to what they should be in the twenty-first century. But life has to be breathed into this Convention, so that it can keep pace with the real situation by means of the Special Tripartite Committee.

We must also give effect to the resolutions adopted by the Conference. I am thinking in particular of the resolution concerning the abandonment of seafarers and compensation in cases of death or personal injury. Personally, I find it appalling that there are still cases of abandoned seafarers throughout the world. This is a medieval practice which should be eradicated and replaced as quickly as possible by standards adapted to this modern world. My one regret is that we were not able to do this now. But I am pleased that the Conference has adopted a resolution on this subject, and I very much hope that a suitable solution will be found quickly in the same spirit of cooperation as that which has prevailed during this Conference. This is also part of the homework which I am setting you before you go home.

Lastly, the many innovations introduced with this Convention open up new prospects which I am sure can be useful, in whole or in part, to other sectors of the International Labour Organization's activities. I am confident of this because I know that the Director-General already has a number of plans in mind along these lines.

In conclusion, allow me to quote a French writer, the Count of Saint-Simon, who wrote in the eighteenth century that one of the most important ex-

periments to be made on man is to place him in new social conditions. This is what we have just done. This is to your credit, and when a seafarer, or one of your children or even one of your grandchildren (for this Convention is going to last) talks to you about this Convention you can say to them that you have the honour and pride of being one of its founders. Personally speaking, it is the most enriching human experience that I have had the privilege of having until now, and I am extremely grateful to you. I have made many friends and I hope that the vicissitudes of life will allow me to keep them. I wish you all a very good trip back home, with the satisfaction of a job well done. I will now return to the Presidential Chair to close the session.

My last task is an important one. I hereby appoint you, Mr. Director-General, keeper of this magic bell, to be used by the Special Tripartite Committee and subsequent Maritime Sessions of the International Labour Conference.

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*Original French:* The SECRETARY-GENERAL

---

Thank you very much Mr. President. I accept this responsibility. I will be the proud custodian of this

bell which you have handed over to me. As you know, there is a tradition in the ILO; that is that the President of the session takes the gavel away with him – the gavel which he used to conduct the work of the session. We will keep this tradition but here, once again, this session is making history. I will give him a truly unique gavel, because it is a gavel without blemish, a gavel that has never been used, a gavel which has sat in dignified silence beside this magnificent bell that you have left to us at the ILO. So once again, a historic innovation. Tradition has been maintained but you have a pristine gavel.

---

*Original French:* The PRESIDENT

---

Thank you very much, Mr. Director-General. Well, before handing this bell over to you I would like your permission to use it again, for the last time, to declare closed the 94th (Maritime) Session of the International Labour Conference.

*(The Conference adjourned sine die at 1.20 p.m.)*



**Vote final par appel nominal sur l'adoption de la convention du travail maritime, 2006**

**Final record vote on the adoption of the Maritime Labour Convention, 2006**

**Votación nominal final sobre la adopción del Convenio sobre el trabajo marítimo, 2006**

***Pour/For/En Pro: 314***

***Abstentions/Abstentions/Abstenciones: 4***

***Quorum: 166***

***Maj./May.: 212***

**Pour/For/En Pro: 314**

*Afrique du Sud/South Africa/Sudáfrica*

SEAFIELD, Mr. (G)  
MPOFU, Mrs. (G)  
BAILEY, Mr. (E)  
MESATYWA, Mrs.(T/W)

*Albanie/Albania*

BARJABA, Mr. (G)  
KOKA, Mr. (E)  
NIKOLLI, Mr.(T/W)

*Algérie/Algeria/Argelia*

BOURBIA, M. (G)  
REZAL, M. (G)  
MOHELLEBI, M. (E)

*Allemagne/Germany/Alemania*

DIRKS, Mr. (G)  
SCHLEEGER, Mrs. (G)  
LINDEMANN, Mr. (E)  
BENZE, Mr.(T/W)

*Angola*

MBUNGA, M. (G)

*Arabie saoudite/Saudi Arabia/Arabia Saudita*

ALHARIRI, Mr. (G)  
ALTURKI, Mr. (G)  
MATTAR, Mr. (E)  
ALDHAMEN, Mr.(T/W)

*Argentine/Argentina*

DUMONT, Sr. (G)  
ALONSO, Sra. (G)  
CABRAL, Sr. (E)  
SUÁREZ, Sr.(T/W)

*Australie/Australia*

EVANS, Mr. (G)  
KINLEY, Mr. (G)  
HATCH, Ms. (E)  
CRUMLIN, Mr.(T/W)

*Autriche/Austria*

DEMBSHER, Ms. (G)  
PRINZ, Mr. (G)  
TOMEK, Mr. (E)  
BÖGNER, Ms.(T/W)

*Bahamas*

BROWN, Mr. (G)  
FRANCIS, Ms. (G)  
HALANEN, Mr. (E)  
WILSON, Ms.(T/W)

*Bangladesh*

ALI, Mr. (G)  
ZAMAN, Mr. (G)

*Belgique/Belgium/Bélgica*

PIRSON, M. (G)  
LEEMANS, M. (G)  
VAN ECHELPOEL, Mme (E)  
KERKHOF, M.(T/W)

*Bénin/Benin*

GLELE, M. (G)  
ANKI DOSSO, Mme (G)  
KOKOSSOU, M. (E)  
SABOU, M.(T/W)

*Bésil/Brazil/Brasil*

RIBEIRO ALBUQUERQUE, Sra. (G)  
PAULON SILVA, Sr. (G)  
AMORIM FERREIRA VIDIGAL, Sr. (E)  
ALMEIDA FILHO, Sr.(T/W)

*Bulgarie/Bulgaria*

MARTINOVA, Mrs. (G)  
NAYDENOV, Mr. (G)  
PETROV, Mr. (E)  
VALCHEV, Mr.(T/W)

*Canada/Canadá*

ROUSSEL, Mr. (G)  
BÉDARD, Ms. (G)  
MEREDITH, Mr.(T/W)

*Chili/Chile*

DONAIRE, Sra. (G)  
DEL PICÓ, Sr. (G)  
MORALES, Sr. (E)  
MATELUNA, Sr.(T/W)

*Chine/China*

LU, Ms. (G)  
XU, Mr. (G)  
LI, Mr. (E)  
WU, Mr.(T/W)

*Chypre/Cyprus/Chipre*

CONSTANTINIDES, Mr. (G)  
DROUSIOTIS, Mr. (G)  
KAZAKOS, Mr. (E)  
STAVROU, Mr.(T/W)

*République de Corée/Republic of Korea/República de Corea*

LEE, Mr. (G)  
JEON, Mr. (G)  
KIM, Mr. (E)  
KIM, Mr.(T/W)

*Costa Rica*

VARELA QUIRÓS, Sr. (G)  
GARBANZO BLANCO, Sr. (G)

*Côte d'Ivoire*

TIBE BI BALOU, M. (G)  
BEKE DASSYS, M. (G)

*Croatie/Croatia/Croacia*

MARKOVIC-KOSTELAC, Mrs. (G)  
BACIC, Mr. (G)  
JEROLIMOV, Mrs. (E)  
BERLAN, Mr.(T/W)

*Cuba*

FERNÁNDEZ PALACIOS, Sr. (G)  
ORAMAS RIVERO, Sra. (G)  
LEDO RODRÍGUEZ, Sr. (E)  
MARCHANTE FUENTES, Sr.(T/W)

*Danemark/Denmark/Dinamarca*

SØLLING OLSEN, Ms. (G)  
GABRIELSEN, Mr. (G)  
WENGEL-NIELSEN, Mr. (E)  
BERLAU, Mr.(T/W)

*Egypte/Egypt/Egipto*

EL ERIAN, Mrs. (G)  
ABDEL HAMID ELSAYED, Mrs. (G)  
MEDHAT MOSTAFA, Mr. (E)

*Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos*

LOOTAH, Mr. (G)  
AL SARI, Mr. (G)  
ALGAIZI, Mr. (E)  
AL MARZOOQI, Mr.(T/W)

*Equateur/Ecuador*

THULLEN, Sr. (G)  
SANTOS, Sr. (G)  
POVEDA, Sr. (E)  
AYALA, Sr.(T/W)

*Espagne/Spain/España*

MARCH PUJOL, Sr. (G)  
GONZÁLEZ LÓPEZ, Sr. (G)  
AZKUE, Sr.(T/W)

*Estonie/Estonia*

KOPPEL, Mrs. (G)  
SIBUL, Mrs. (G)  
KULLERKUPP-JÕEKAAR , Mrs. (E)  
VASK, Mrs.(T/W)

*Etats-Unis/United States/Estados Unidos*

CARLTON, Mr. (G)  
BLANCK, JR., Mr. (G)  
COX, Mr. (E)  
LACKEY, Mr.(T/W)

*Finlande/Finland/Finlandia*

LONKA, Mr. (G)  
HALME, Mr. (G)  
KOSTIAINEN, Mr. (E)  
ZITTING, Mr.(T/W)

*France/Francia*

RIPERT, M. (G)  
AMELINE, Mme (G)  
SULPICE, M. (E)  
NARELLI, M.(T/W)

*Gabon/Gabón*

MOULOMBA NZIENGUI, M. (G)  
NZDENGUE, Mme (G)

*Ghana*

ERZUAH, Ms. (G)  
BAWUAH-EDUSEI, Mr. (G)  
BUCKMAN, Mr.(T/W)

*Grèce/Greece/Grecia*

EXARCHOPOULOS, M. (G)  
CAMBITSIS, M. (G)  
KOLTSIDOPOULOS, M. (E)  
CHALAS, M.(T/W)

*Guatemala*

MARTÍNEZ ALVARADO, Sr. (G)  
CHÁVEZ BIETTI, Sra. (G)

*Guinée/Guinea*

DIALLO, M. (G)

*Haïti/Haiti/Haití*

CHARLES, M. (G)  
VICTOR, Mme (E)  
PIERRE, M.(T/W)

*Hongrie/Hungary/Hungría*

BLAZSEK, Ms. (G)

*Inde/India*

MALHOTRA, Ms. (G)  
CORREA, Mr. (E)  
SERANG, Mr.(T/W)

*Indonésie/Indonesia*

SULISTYANINGSIH, Ms. (G)  
NAE SOI, Mr. (E)  
RUSTANDI, Mr.(T/W)

*République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán*

BADPA, Mr. (G)  
SOUDI, Mr. (G)

*Irlande/Ireland/Irlanda*

O'CALLAGHAN, Mr. (G)  
PURCELL, Mr. (G)  
FYNES, Mr.(T/W)

*Islande/Iceland/Islandia*

KRISTINSSON, Mr. (G)  
MAGNUSSON, Mr. (E)  
SVEINTHÓRSON, Mr.(T/W)

*Italie/Italy/Italia*

PROVINCIALI, M. (G)  
BARBERINI, Mme (G)  
AGLIETA, M. (E)  
DI FIORE, M.(T/W)

*Japon/Japan/Japón*

SUZUKI, Mr. (G)  
TERANISHI, Mr. (G)  
IZUKA, Mr. (E)  
IDEMOTO, Mr.(T/W)

*Jordanie/Jordan/Jordania*

QUDAH, Mr. (G)  
BURAYZAT, Mr. (G)

*Kenya*

NZAVU, Mr. (G)  
MOHAMED, Mrs. (G)  
OKECHE, Mr. (E)  
OMAR, Mr.(T/W)

*Koweït/Kuwait*

RAZZOOQI, Mr. (G)  
ALDOUSARY, Mr. (G)  
ALOBaid, Mr.(T/W)

*Lettonie/Latvia/Letonia*

BIEZBARDE, Ms. (G)  
KRASTINS, Mr. (G)  
KLAVINS, Mr. (E)  
UMBRASKO, Mr.(T/W)

*Liban/Lebanon/Líbano*

BALBOUL, M. (E)

*Libéria/Liberia*

SMITH, Mr. (G)  
DAVIES, Mr. (G)  
LUDWICZAK, Mr. (E)  
GBELLEMA, Mr.(T/W)

*Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia*

SHELLI, Mr. (G)  
AZWAM, Mr. (G)

*Lituanie/Lithuania/Lituanía*

KAZRAGIENE, Mrs. (G)  
BURINSKAITE, Ms. (G)  
KUTKA, Mr. (E)  
BEKEZA, Mr.(T/W)

*Luxembourg/Luxemburgo*

SIUDA, M. (G)  
BRACKE, M. (E)  
BLESER, M.(T/W)

*Madagascar*

RAZAKAFONIAINA, Mme (G)  
RAMBELOSON, M. (G)  
RAJAONSON, M. (E)  
RAZAFINDRAIBE, M.(T/W)

*Malaisie/Malaysia/Malasia*

WAN ZULKFLI, Mr. (G)  
MOHAMED HALIM, Mr. (G)  
HASNAN ANUAR, Mr. (E)  
BALASUBRAMANIAM, Mr.(T/W)

*Malte/Malta*

VASSALLO, Mr. (G)  
MANGION, Mr. (G)  
CURMI, Mr. (E)  
SATARIANO, Mr.(T/W)

*Maroc/Morocco/Marruecos*

HALHOUL, M. (G)  
RAOUI, M.(T/W)



*Maurice/Mauritius/Mauricio*

LATONA, Mr. (G)

*Mauritanie/Mauritania*

OULD MOHAMED LEMINE, M. (G)

OULD MAGHA, M. (G)

*Mexique/Mexico/México*

ROVIROSA, Sra. (G)

LÓPEZ RODRÍGUEZ, Sr. (G)

CASTRO GARZA, Sr. (E)

SALAZAR LÓPEZ, Sr.(T/W)

*Mozambique*

MARRENGULA, M. (G)

*Namibie/Namibia*

SHINGUADJA, Mr. (G)

SMIT, Mr. (G)

MUSUKUBILL, Mr. (E)

SACKARIAS, Mr.(T/W)

*Nigéria/Nigeria*

FARUK, Mr. (G)

ALIYU, Mr. (G)

JOLAPAMO, Mr. (E)

KEMEWERIGHA, Mr.(T/W)

*Norvège/Norway/Noruega*

NYGAARD, Mr. (G)

SMEFJELL, Mr. (G)

JØRGENSEN, Mr. (E)

SMITH, Ms.(T/W)

*Nouvelle-Zélande/New Zealand/Nueva Zelandia*

MARTIN, Mr. (G)

BROWN, Mr. (G)

MACKAY, Mr. (E)

FLEETWOOD, Mr.(T/W)

*Oman/Omán*

AL MOOSA, Mr. (G)

*Pakistan/Pakistán*

SHAH, Mr. (G)

ZIA-UR-REHMAN, Mr. (G)

MUHAMMAD, Mr. (E)

PANJRI, Mr.(T/W)

*Panama/Panamá*

CASTILLERO CORREA, Sr. (G)

VARGAS ATENCIO, Sr. (G)

LEVY DOWNIE, Sr. (E)

DEL CID RAMOS, Sr.(T/W)

*Paraguay*

GAUTO VIELMAN, Sr. (G)

LATERZA DE LOS RIOS, Sra. (G)

*Pays-Bas/Netherlands/Países Bajos*

DE BRUIJN, Mr. (G)

VAN LEUR, Ms. (G)

HOLLAAR, Mr. (E)

SARTON, Mr.(T/W)

*Philippines/Filipinas*

EASTWOOD, Mrs. (G)

BALDOZ, Ms. (G)

SALINAS, Mr. (E)

OCA, Mr.(T/W)

*Pologne/Poland/Polonia*

MISZTAL, Mr. (G)

LEMIESZEWSKA, Ms. (G)

POMORSKI, Mr. (E)

CEGIELSKI, Mr.(T/W)

*Portugal*

SOUSA FIALHO, Mr. (G)

PACETTI LOBO CORREIA, Ms. (G)

BEBIANO, Mr. (E)

GOMES PIRES, Mr.(T/W)

*Qatar*

AL-ATTIYA, Mr. (G)

QADDAR, Mr. (G)

AL MAADEED, Mr.(T/W)

*Roumanie/Romania/Rumania*

CUCU, M. (G)

TOMA, Mlle (G)

STAMAT, M. (E)

MIHALCIOIU, M.(T/W)

*Royaume-Uni/United Kingdom/Reino Unido*

SADLER, Mr. (G)

MARTYN, Ms. (G)

SPRINGETT, Mr. (E)

ORRELL, Mr.(T/W)

*Fédération de Russie/Russian Federation/Federación de Rusia*

YASHNIKOV, Mr. (G)

KAREV, Mr. (G)

VOLCHENKOV, Mr. (E)

STARCHENKO, Mr.(T/W)

*Rwanda*

KAYITAYIRE, M. (G)

*Sénégal/Senegal*

CAMARA, M. (G)

*Singapour/Singapore/Singapur*

SIRUMAL RAJWANI, Mr. (G)

JING KOON, Mr. (G)

TEIK POH, Mr. (E)

CHAN, Mr.(T/W)

*Slovénie/Slovenia/Eslovenia*

PRELAZ, Ms. (G)

ANDRIJASIC, Ms. (G)

IVANEZ, Mr. (E)

FILIPCIC, Mr.(T/W)

*Soudan/Sudan/Sudán*

DAFALLA, Mr. (G)

MOHAMED ELHASSAN, Mr. (G)

MOHAMED, Mr.(T/W)

*Sri Lanka*

PATHIRANA, Mr. (G)

ABEYRATHNE BANDA, Mr. (G)

LAKSEN PRASANNA PEIRIS, Mr. (E)

TAMPOE, Mr.(T/W)

*Suède/Sweden/Suecia*

WIKLUND, Ms. (G)

GOTARE, Mr. (G)

SPRANGERS, Mr. (E)

REINHOLD, Mr.(T/W)

*Suisse/Switzerland/Suiza*

ELMIGER, M. (G)

DÜRLER, M. (G)

BÜRGIN, M. (E)

BRAMLEY, M.(T/W)

*République arabe syrienne/Syrian Arab Republic/República Árabe Siria*

IBRAHIM, Mr. (G)

AL CHALABI, Mr. (G)

BRIMO, Mr. (E)

ALKANG, Mr.(T/W)

*République-Unie de Tanzanie/United Republic of Tanzania/República Unida de Tanzania*

KITUMBO, Mr. (G)

TEEMBA, Ms. (G)

RHOMBO, Mr. (E)

CHAKOMA, Mr.(T/W)

*Thaïlande/Thailand/Tailandia*

CHAVALITNITIKUL, Mr. (G)

SIRISAIYAS, Mr. (G)

YUKTANONDA, Mr. (E)

THANSUVAN, Mr.(T/W)

*Tunisie/Tunisia/Túnez*

YAHMADI, M. (G)

SELLINI, Mme (E)

FADHLI, M.(T/W)

*Turquie/Turkey/Turquía*

OZMEN, Mr. (G)

BAYAR, Mr. (G)

UNSALEK, Mr. (E)

ATAERGIN, Mr.(T/W)

*Uruguay*

COCCARO, Sra. (G)

DEMARCO, Sra. (G)

RAZQUIN, Sr. (E)

CANZIANI, Sr.(T/W)

*Venezuela*

DEL VALLE SALAZAR, Srta. (E)

GUEVARA, Sr.(T/W)

*Viet Nam*

PHAM QUOC TRU, Mr. (G)

**Abstentions/Abstentions/  
Abstenciones: 4**

*Liban/Lebanon/Líbano*

SOUFAN, M. (G)

TAY, M. (G)

*Venezuela*

POITEVIEN, Sra. (G)

FLORES, Sr. (G)

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## CONTENTS

	<i>Page</i>
<i>Ninth sitting</i>	
Final record vote on the adoption of the Maritime Labour Convention, 2006.....	1
<i>Speakers:</i> Mr. Roussel, Mr. Evans, Mr. Blanck, Ms. Poitevien, Mr. Tay, Ms. Martinova, Mr. El Erian, Ms. Malhotra, Mr. Aliyu, Ms. Baldoz, Mr. Sirumal Rajwani, Mr. Badpa, Mr. Solorzano Acosta, Ms. Erzuah	
Closing speeches .....	3
<i>Speakers:</i> Mr. Tomada, Mr. Teranishi, Mr. Lindemann, Mr. Orrell, Mr. Barrot, the Secretary-General, the President	
<b>Final record vote on the adoption of the Maritime Labour Convention: Results.....</b>	<b>14</b>