



Governing Body

341st Session, Geneva, March 2021

Institutional Section

INS

Date: 29 March 2021

Original: English

Progress on coordinated action taken by United Nations organizations and the social partners to follow-up on the Resolution concerning maritime labour issues and the COVID-19 pandemic

Summary: This document provides information on the coordinated action to ensure the integrity of global supply chains, as well as decent working and living conditions for seafarers, taken by the ILO in cooperation with relevant stakeholders in follow-up to the Resolution concerning maritime labour issues and the COVID-19 pandemic adopted by the Governing Body on 8 December 2020.

Follow-up action required: None.

Author units: International Labour Standards Department (NORMES) and Sectoral Policies Department (SECTOR).

Related documents: [GB.340/Resolution \(Rev.2\)](#).

► I. Introduction

1. At its 340th Session (October–November 2020), having received a draft resolution submitted jointly by the Workers' and the Employers' groups concerning maritime labour issues and the coronavirus disease (COVID-19), the Governing Body decided to refer it to the Screening Group for consideration as a matter of urgency in consultation with the Officers of the Special Tripartite Committee (STC) of the Maritime Labour Convention, 2006, as amended (MLC, 2006),¹ with a view to adopting a resolution on these issues by correspondence, if so agreed by the Screening Group.
2. In its [Resolution concerning maritime labour issues and the COVID-19 pandemic](#), the Governing Body requested the Director-General to continue collaborating with the International Maritime Organization (IMO) and report to the Governing Body at its 341st Session (March 2021) on the coordinated action taken by United Nations organizations and the social partners to follow-up on this resolution.

► II. Recent developments

3. Since the adoption of the resolution, there has been considerable activity at all levels by ILO constituents and other partners, including by the Officers of the STC of the Maritime Labour Convention, 2006, as amended (MLC, 2006) as well as continued social dialogue among shipowner and seafarer representative organizations, to address maritime labour issues related to COVID-19. This has led to a certain improvement in the situation. Nevertheless, crew changes continue to be a major challenge for maritime transport, notably as new variants of the virus emerge and further waves of infection affect countries around the world. By 5 February 2021, only 55 countries had designated seafarers as key workers² to facilitate their unhindered movement across borders in appropriate conditions thus reducing the risk of disruption to global supply chains while contributing to maritime safety and ensuring the well-being of seafarers. According to the information provided by the International Chamber of Shipping (ICS) and the International Transport Workers' Federation (ITF), it is estimated that around 200,000 seafarers are currently on board ships beyond their period of contract. Tens of thousands are still stranded in foreign ports awaiting repatriation. Together with the issue of crew change, ensuring access to vaccination for seafarers has become one of the most pressing challenges for continuing the proper functioning of the maritime sector.
4. At its 2020 session, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) adopted a general observation on matters arising from the

¹ The STC is the tripartite body established under Article XIII of the MLC, 2006, to keep the working of the Convention under continuous review. The Officers of the STC have been appointed by the ILO Governing Body for a period of three years. They currently are Ms Julie Carlton from the United Kingdom of Great Britain and Northern Ireland (Chairperson), Mr Martin Marini from Singapore (Government Vice-Chairperson), Mr Mark Dickinson from the United Kingdom of Great Britain and Northern Ireland (acting Seafarer Vice-Chairperson) and Mr Max Johns from Germany (Shipowner Vice-Chairperson).

² See IMO, "Coronavirus (COVID-19) – Designation of Seafarers as Key Workers", [Circular Letter No.4204/Add.35/Rev.4](#), 5 February 2021.

application of the MLC, 2006, during the COVID-19 pandemic.³ The general observation took into account the observations submitted by the ICS and the ITF under article 23 of the ILO Constitution in October 2020, the replies and other information provided by governments, as well as hundreds of individual seafarers' complaints received by the IMO Seafarer Crisis Action Team (SCAT).⁴ Recalling that the MLC, 2006, does not contain any provisions allowing for the temporary suspension of the implementation of its provisions in case of crisis, health-related or otherwise, the CEACR expressed its view that it is precisely at times of crisis that the protective coverage of the MLC, 2006, assumes its full significance and needs to be most scrupulously applied.⁵ Furthermore, in a number of direct requests addressed to Members States that have ratified the Work in Fishing Convention, 2007 (No. 188), the CEACR noted with deep concern the impact of the COVID-19 pandemic on the protection of fishers' rights as laid out in the Convention.

► III. Coordinated action taken in follow-up to the resolution

5. The Office has continued to update the information available on the ILO website dedicated to [COVID-19 and maritime shipping and fishing](#) and to provide updated guidance to Members in the context of the pandemic. In December 2020, a three-day global digital forum on the MLC, 2006,⁶ organized in collaboration with the International Training Centre of the ILO, provided the opportunity for stakeholders to analyse and discuss the recent developments, future perspectives and the impact of COVID-19 on the maritime sector. In February 2021, the Office revised its Information note on maritime labour issues and COVID-19⁷ to relay the urgent call made by the CEACR to restore the protection of seafarers' rights as well as the more recent statement of the Officers of the STC.
6. The Office has continued to collaborate with the IMO, the United Nations Conference on Trade and Development (UNCTAD), the United Nations Global Compact, the International Civil Aviation Organization (ICAO), the ICS, the ITF and other relevant stakeholders to support Members in ensuring the integrity of global supply chains, as well as decent working and living conditions for seafarers. In particular:
 - (a) In December 2020, the Office participated in the third IMO video meeting for port State control (PSC) regimes on harmonized actions at the time of the COVID-19

³ See [General observation on matters arising from the application of the Maritime Labour Convention, 2006, as amended \(MLC, 2006\) during the COVID-19 pandemic, 2020](#).

⁴ The SCAT was set up by the IMO in April 2020 in order to, inter alia, monitor developments, coordinate efforts, communicate with all relevant stakeholders and provide targeted support in seafarers' individual cases and particularly urgent situations regarding crew changes, repatriation, access to medical care and/or abandonment.

⁵ See ILO, [Background Paper for Discussion: Fourth Meeting of the Special Tripartite Committee Established under Article XIII of the Maritime Labour Convention, 2006, as amended – Part I](#), Geneva, 19–23 April 2021, paras 41–42.

⁶ Over 100 participants attended the [Global Forum on the MLC, 2006: Current and Future Developments](#) on 15–17 December 2020.

⁷ See ILO, [Information Note on Maritime Labour Issues and Coronavirus \(COVID-19\): Revised Version 3.0](#), 3 February 2021. On 1 March 2021, the Tokyo Memorandum of Understanding (MoU) adopted interim guidance for facilitating port State authorities' action, taking into account, among others, the revised version of this note. The Indian Ocean MoU and the Paris MoU have also asked the Office to present the revised Information note in webinars (to be held in March/April 2021) for port State control inspectors on issues relating to the MLC, 2006, to be taken into account when conducting ship inspections during the pandemic.

pandemic.⁸ This meeting acknowledged the importance and significance of the adoption by the ILO Governing Body of the Resolution concerning maritime labour issues and the COVID-19 pandemic as well as the adoption by the CEACR of a general observation on this topic.

- (b) On 15 December 2020, the Officers of the STC of the MLC, 2006, issued a statement⁹ on collaboration between shipowners and charterers to facilitate crew changes. On 23 December 2020,¹⁰ the IMO Secretary-General and the ILO Director-General published a joint statement affirming that “No crew change” clauses undermine the efforts undertaken to solve the existing crew change crisis. On 26 January 2021, more than 300 signatories, including shipping companies, charterers, marine insurers, financial institutions, investors, aviation stakeholders, seafarers’ and shipowners’ organizations, charities and associations committed to take action to resolve the crew change crisis and signed the Neptune Declaration on Seafarer Wellbeing and Crew Change.¹¹
- (c) The ILO and the IMO are coordinating their bilateral contacts with specific States with respect to maritime labour issues and COVID-19, in particular as concerns the facilitation of crew changes, seafarers’ access to medical care and their repatriation.
- (d) Since January 2021, the ILO has been participating in a process led by the UN Global Compact, in consultation with social partners, to develop a tool to support businesses to carry out due diligence concerning maritime labour issues and COVID-19.¹² This practical tool promotes active and constructive engagement of national and multinational companies with the relevant social partners to help facilitate crew changes in a manner that respects the human rights and labour rights of seafarers with particular reference to the MLC, 2006.
- (e) The Office is actively participating in the ongoing coordinated actions involving the IMO, ICS, ITF, the UN Resident Coordinators and national tripartite constituents to facilitate crew changes in Pacific Island States. As a result of this joint effort, around 250 seafarers from Kiribati and Samoa who had long been awaiting repatriation are on their way home.
- (f) The Office continues to support ongoing national processes towards the ratification of the MLC, 2006, as well as to conduct urgent interventions, following requests by social partners, to remind Member States of their obligations under the Convention.
- (g) The Office also continues to track, through the [ILO/IMO Database on reported incidents of abandonment of seafarers](#), cases of abandonment deemed to be related to the COVID-19 pandemic. It is to be noted in this regard that a dramatic increase in the number of cases has been recorded since the beginning of the year.
- (h) The Office has drawn attention to the plight of seafarers and fishers in the broader international oceans community, for example through participation in the virtual

⁸ See IMO, “Coronavirus (COVID-19) – Third Video Meeting for Port State Control (PSC) Regimes on Harmonized Actions at the Time of Pandemic of COVID-19”, [Circular Letter No.4204/Add.37](#), 22 December 2020.

⁹ See ILO, “[Statement of the Officers of the Special Tripartite Committee on the Coronavirus Disease \(COVID-19\) regarding Increased Collaboration between Shipowners and Charterers to Facilitate Crew Changes](#)”, 15 December 2020.

¹⁰ See IMO, “Coronavirus (COVID 19) – “No Crew Change” Clauses in Charterparties”, [Circular Letter No.4204/Add.36/Rev.1](#), 23 December 2020.

¹¹ Available on the Global Maritime Forum [website](#).

¹² See para. 4 of the Resolution concerning maritime labour issues and the COVID-19 pandemic.

UN-Oceans event “Taking stock of ongoing ocean-related initiatives in light of the COVID-19 pandemic: Toward enhanced inter-agency coordination and cooperation on ocean and coastal issues beyond 2020”, held on 10 December 2020.

- (i) The Office is participating, with other UN agencies, in the travel and trade work stream of the United Nations Crisis Management Team on COVID-19, and is working with the WHO and other UN agencies and social partners to develop updated guidelines on public health measures in the maritime sector in the context of COVID-19.
 - (j) On 26 March 2021, the ILO, IMO, WHO, ICAO and the International Organization for Migration (IOM) issued a joint statement¹³ calling on governments to prioritize seafarers and aircrew in their national COVID-19 vaccination programmes, together with other essential workers, in accordance with the advice from the [WHO SAGE Roadmap for prioritizing uses of COVID-19 vaccines in the context of limited supply](#).
 - (k) A joint seafarers and shipowners Vaccination Taskforce has been set up to identify crew vaccination issues and promote practical measures to facilitate crew vaccination.¹⁴ The Recommended framework of protocols for ensuring safe ship crew changes and travel during the COVID-19 pandemic is also being revised to reflect the issue of vaccination of seafarers.
 - (l) The Office is also participating in other WHO-led work relevant to COVID-19, including in the International Travel and Health Guideline Development Group for public health measures in the maritime sector in the context of COVID-19.
- 7.** It is to be noted that the United Nations has selected “Seafarers: At the core of shipping’s future” as the World Maritime theme for 2021, to highlight seafarers’ exceptional contribution as key workers on the front line of delivering vital goods through a pandemic and in ordinary times.¹⁵
- 8.** The Office has received limited information on the challenges faced by the fishing sector. It has not engaged on coordinated action with other UN agencies or social partners regarding fishers in the context of the COVID-19 pandemic, except to the extent that fishing is reflected in the above-mentioned documents. The Office continues to support ongoing national processes towards the ratification of Convention No. 188.

¹³ To be published soon.

¹⁴ See for example the practical information and guide on vaccination for seafarers and shipping companies available at the [ICS web page](#).

¹⁵ See <https://www.un.org/en/observances/maritime-day>.