



# Governing Body

343rd Session, Geneva, November 2021

Legal Issues and International Labour Standards  
Section

LILS

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Fourth item on the agenda

## Report of the fourth meeting (Part I) of the Special Tripartite Committee established under the Maritime Labour Convention, 2006, as amended (19–23 April 2021)

Report of the Chairperson to the Governing  
Body, in accordance with article 16  
of the Standing Orders of the Special  
Tripartite Committee

### Purpose of the document

As required by the Standing Orders of the Special Tripartite Committee (STC), the Chairperson of the fourth meeting of the STC (Part I, 19–23 April 2021), presents her report on the working of the Convention. The Governing Body is invited to: take note of this report; appoint the Chairperson of the STC for a three-year period; approve the establishment of a Joint ILO–IMO Tripartite Working Group to identify and address seafarers' issues and the human element; take decisions on recommendations concerning 39 maritime labour instruments, including their classification, possible withdrawal or abrogation, and practical follow-up (see the draft decision in paragraph 15).

**Relevant strategic objective:** Set and promote standards and fundamental principles and rights at work, as well as strengthen tripartism and social dialogue.

**Policy implications:** Implications arising from the decisions taken by the Governing Body on the recommendations submitted by the STC.

**Legal implications:** Possible withdrawal of 17 international labour Recommendations, 4 international labour Conventions and 1 Protocol and possible abrogation of 14 international labour Conventions.

**Financial implications:** Financial arrangements relating to the tripartite meetings of experts and the Joint ILO–IMO Tripartite Working Group recommended by the STC.

**Follow-up action required:** Follow-up on the withdrawal and abrogation procedures in accordance with any decision taken by the Governing Body.

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

**Related documents:** [GB.326/LILS/3/2](#); [GB.334/LILS/2\(Rev.\)](#); [GB.334/INS/2/1](#); [GB.342/INS/8/1](#); [GB.343/INS/2](#).

## ► Introduction

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1. At its 340th Session (October–November 2020), the Governing Body decided that the fourth meeting of the Special Tripartite Committee (STC) established by the Governing Body under Article XIII of the Maritime Labour Convention, 2006, as amended (MLC, 2006)<sup>1</sup>, would be held in two parts. Part I was held in a virtual format (online) from 19 to 23 April 2021. The meeting was attended remotely by 495 participants. Part II will be held from 25 to 29 April 2022, in principle at the ILO headquarters in Geneva (subject to the evolution of the COVID-19 pandemic) to consider any proposals for amendments to the Code of the MLC, 2006.
2. In accordance with article 16 of the [Standing Orders](#) of the STC, the Chairperson of the Committee is to report to the Governing Body “... on the working of the Convention. The report may contain recommendations to the Governing Body on action to be taken to ensure the effective, efficient and, to the extent deemed expedient, uniform implementation of the Convention.”<sup>2</sup>
3. The STC dealt with all the matters on its [agenda](#) in an efficient manner despite the challenges created by the virtual nature of the meeting. It reached agreement on important issues through constructive and high-level tripartite discussions, as reflected in the [final report](#) of the meeting. The report of the Chairperson highlights the outcome of the meeting with respect to each agenda item as well as follow up action covering developments till 27 September 2021.

## ► 1. Exchange of information related to the implementation of the MLC, 2006

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4. There was a rich exchange of information on several matters related to the practical application of the MLC, 2006, with particular emphasis on the subjects listed on the meeting agenda. An important part of the discussion was dedicated to COVID-19 and maritime labour issues. When closing the discussion, the Chairperson noted that emphasis was placed on the need to designate seafarers as key workers and to further clarify and enforce the rules regarding the maximum period of service on board ship. The discussion referred to ways of improving international cooperation, particularly in response to crises, and the possibility of establishing an international task force. The need for specifying what was covered by medical care ashore, including vaccination, was also addressed. The Shipowner and Seafarer representatives raised the possibility of establishing sanctions for governments which failed to give effect to their obligations under the Convention, and referred to the need to improve compliance, for example through better use of the reports and comments of the Committee of Experts on the

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<sup>1</sup> The MLC, 2006, entered into force on 20 August 2013 and, as of 4 August 2021, had been ratified by [98 Member States](#) representing more than 91 per cent of the world gross tonnage of ships.

<sup>2</sup> It is recalled that while the report of the Chairperson of the STC is being submitted to the present session, the two resolutions adopted by the STC that required urgent action were submitted to its 342nd Session (June 2021). See paras 13 and 14 below.

Application of Conventions and Recommendations. Calls were also made for further clarification of the circumstances in which exemptions were permitted from the provisions of the Convention, and the limitations applicable to such exemptions.<sup>3</sup>

5. Concerning the request of the International Maritime Organization (IMO) to set up a joint IMO–ILO tripartite working group to identify and address seafarers’ issues and the human element, the STC considered a [document](#) submitted by the IMO Secretariat. While noting that there was general support for the proposal, the Chairperson concluded that more clarity was required on the terms of reference of such a body, including the question of reporting and whether that would be done through the STC or directly to the Governing Body. It was agreed that, with a view to drawing up a resolution recommending the establishment of the joint IMO–ILO tripartite working group and also setting out the precise terms of reference of the new body, the Office would liaise with the IMO Secretariat and prepare a draft resolution in close consultation with, and under the overall guidance of, the Officers of the STC. Once a draft resolution had been finalized between the ILO and IMO secretariats, and approved unanimously by the Officers of the STC, it would be communicated to the STC members for possible adoption by correspondence. If adopted by correspondence, the draft resolution would be included in the Chairperson’s report, which would be submitted to the 343rd Session (November 2021) of the ILO Governing Body for consideration and decision, or alternatively, to the 344th Session (March 2022), in the event that the proposals could not be agreed in time for its November session.<sup>4</sup> Following exchanges with the IMO Secretariat, a draft resolution was prepared in close consultation with and under the overall guidance of the Officers of the STC, to set out the terms of reference of the Joint ILO–IMO Tripartite Working Group. The draft resolution was sent to the STC members who attended the meeting in April, for adoption by correspondence. By the requested deadline, 34 Governments responded. Of these, 33 were in agreement. One Government did not agree but did not block consensus. The STC Shipowner and Seafarer groups were consulted through their secretariats and were both in agreement with the proposal. The resolution as adopted by consensus is found in Appendix I.
6. With regard to the issue of seafarers’ hours of work and rest, the President of the World Maritime University (WMU) presented a [study](#) related to the recording of hours of work and rest in the maritime industry. When closing the discussion, the Chairperson noted the recognition that fatigue was a difficult issue to address. Government representatives had pointed out the difficulties of enforcing the rules, particularly in light of the complex possibilities for derogation. Very different views were expressed on certain findings of the report, with support from some Government representatives and the Seafarer group and disagreement from the Shipowners. A suggestion had been made that more electronic recording of hours of work and rest could help to resolve the issues. The discussion could provide a basis for further reflection on possible solutions to improve the implementation of the current rules.<sup>5</sup>
7. Regarding the issue of MLC, 2006 and use of electronic documents, the Chairperson noted that during the discussion emphasis was placed on the need for international standards and harmonization, particularly in accordance with the provisions of the IMO Convention on Facilitation of International Maritime Traffic (FAL) and related guidelines.

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<sup>3</sup> See para. 51 of the [Final report](#) of the meeting.

<sup>4</sup> See the Final report of the meeting.

<sup>5</sup> See the Final report of the meeting.

Concerns were expressed regarding the security of personal data, although there was recognition that effective solutions existed. It was also acknowledged that despite digitalization, there was still a need for physical inspections by port and flag States to control the implementation of requirements relating to the living and working conditions of seafarers. It was highlighted that nothing in the MLC, 2006 appeared to prevent the use of electronic documents or digitalization.<sup>6</sup>

## ► 2. Review of maritime-related international labour standards

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8. It is recalled that in February 2016, the Standards Review Mechanism Tripartite Working Group (SRM TWG) referred the review of 68 international maritime labour instruments to the STC. This decision was [endorsed by the Governing Body](#) at its 326th Session (March 2016). In view of the large number of Conventions and Recommendations to be considered, the Officers of the STC decided to organize them into [thematic groups](#) and carry out the review in two stages. A first group of 34 instruments was examined by the third meeting of the STC in 2018.<sup>7</sup> A second group of 34 instruments was presented to the fourth meeting of the STC.
9. Accordingly, during Part I of its fourth meeting, the STC examined 34 international maritime labour instruments on the basis of a series of technical notes prepared by the Office. In addition, five Conventions examined in 2018 were reviewed once again by the STC. It made corresponding [recommendations](#) concerning their classification and possible follow-up action, which are summarized in the table contained in the Appendix II. The Governing Body is invited to consider a number of draft decisions in this regard, as presented in paragraph 16.

## ► 3. Officers of the Special Tripartite Committee

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10. In accordance with article 6(2) of its Standing Orders, the Government members of the Committee decided to nominate to the Governing Body Mr Martin Marini (Singapore) for appointment as Chairperson of the Committee for the three-year period, 2021–24.
11. In accordance with article 6(3) of its Standing Orders, the Committee appointed the following representatives as Vice-Chairpersons for the same three-year period:
  - Mr Yasuhiro Urano (Government member, Japan);
  - Mr Dirk Max Johns (Shipowner member, Germany);
  - Mr Mark Dickinson (Seafarer member, United Kingdom).
12. The STC agreed to recommend to the Governing Body that the term of the newly appointed Officers should start, exceptionally, after the end of Part II of the fourth

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<sup>6</sup> See the Final report of the meeting.

<sup>7</sup> GB.334/LILS/2(Rev.), paras 16–17. At its [109th Session](#) in June 2021, the ILC abrogated eight Conventions and withdrew eight Conventions and ten Recommendations on the recommendation of the STC MLC.

meeting of the STC. The term of the current Officers would, as a result, be extended accordingly.

## ▶ 4. Resolutions

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13. The STC adopted two resolutions concerning action to be taken in relation to the [implementation and practical application of the MLC, 2006 during the COVID-19 pandemic](#) and [COVID-19 vaccination for seafarers](#). These resolutions were submitted to the Governing Body at its 342nd Session (June 2021), for decision in relation to the matters that required immediate action by the Office.<sup>8</sup>
14. Following up on the decisions of the Governing Body, on 7 July 2021 the Director-General addressed a letter to all Member States, drawing attention to those decisions and encouraging Governments to pursue and intensify their efforts in relation to repatriation of seafarers, their earliest possible vaccination against COVID-19, and their access to medical care ashore, so as to solve the crisis faced by the maritime sector as a result of the pandemic and ensure that seafarers can benefit from decent working and living conditions. On 4 August 2021, the Director-General transmitted the Governing Body's request to the Secretary-General of the United Nations. As a result, it was decided to include the issue of "The impact of COVID-19 on seafarers" in the agenda of a meeting of the UN Executive Committee scheduled for early October 2021. In both cases, the Office transmitted the concerns expressed by the International Chamber of Shipping (ICS) and the International Transport Workers' Federation (ITF) regarding the deterioration of the situation in the maritime sector as a result of the measures adopted by Governments to contain the new variants of COVID-19. This relates, in particular, to an increase in the number of seafarers in need of immediate attention who are denied access to medical facilities on shore and the number of seafarers facing difficulties in being repatriated or joining their vessels to take up employment.

## ▶ Draft decision

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15. **The Governing Body took note of the report of the Chair of the STC concerning its fourth meeting (Part I, 19–23 April 2021), welcomed the work conducted by the STC in relation to the review of 39 international maritime labour instruments, and decided to:**
  - (a) **appoint Mr Martin Marini (Singapore) as Chairperson of the STC for a three-year period (2021–24);**
  - (b) **classify Conventions Nos 55, 56, 68, 69, 70, 75, 92, 108, 133, 134, 147, 163, 164, 165, 178, and the Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976, as well as Recommendations Nos 9, 10, 28, 48, 75, 76, 78, 105, 106, 108, 138, 140, 141, 142, 155, 173, and 185 as "outdated", and request the Office to take the necessary follow-up action;**
  - (c) **request the Office to launch an initiative to promote the ratification on a priority basis of the MLC, 2006 among those Member States still bound by**

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<sup>8</sup> See [GB.342/INS/8/1](#) and [GB.342/Decisions](#).

outdated Conventions, namely Angola, Azerbaijan, Cameroon, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Czechia, Dominica, Egypt, Equatorial Guinea, Georgia, Guatemala, Guinea, Guinea-Bissau, Guyana, Iraq, Israel, Kyrgyzstan, Mauritania, Mexico, North Macedonia, Pakistan, Papua New Guinea, Peru, Republic of Moldova, Sierra Leone, Somalia, Tajikistan, Trinidad and Tobago, Turkey, Ukraine, United States of America, Uruguay and the Bolivarian Republic of Venezuela;

- (d) request the Office to launch an initiative to promote on a priority basis the ratification of the Work in Fishing Convention, 2007 (No. 188) among those Member States still bound by Conventions Nos 55, 56, 134, 164, 178, namely Azerbaijan, Costa Rica, Czechia, Dominica, Egypt, Guinea, Iraq, Israel, Kyrgyzstan, Mexico, North Macedonia, Peru, Tajikistan, Trinidad and Tobago, Turkey, United States of America and Uruguay;
- (e) encourage Member States which have already ratified the MLC, 2006 or Convention No. 188 or both but remain bound by outdated Conventions with respect to non-metropolitan territories, namely China, France, Netherlands and the United Kingdom of Great Britain and Northern Ireland, to extend the application of the MLC, 2006 or Convention No. 188 or both, as the case may be, to such territories;
- (f) convene a tripartite meeting of experts of four days' duration, aimed at sharing knowledge concerning the implementation of the Seafarers' Pension Convention, 1946 (No. 71), in 2024, that would be prioritized for funding based on a composition of 8-8-8 in the Programme and Budget proposals for 2024-25;
- (g) encourage **Member States** which are still bound by the Seafarers' Identity Documents Convention, 1958 (No. 108) to ratify the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185), and to this end, convene a tripartite meeting of experts of four days' duration in 2023 to examine the challenges that remain for the implementation and ratification of this Convention, and decide that the cost of the meeting based on a composition of 8-8-8, be financed in the first instance from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the 2022-23 biennium;
- (h) encourage one Member State (France) which has already ratified Convention No. 185, but remains bound by Convention No. 108 for non-metropolitan territories, to extend the application of Convention No. 185 to those territories;
- (i) note the STC's recommendations concerning the withdrawal of Conventions Nos 70, 75, 165, 178, and the Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976, as well as of Recommendations Nos 9, 10, 28, 48, 75, 76, 78, 105, 106, 108, 138, 140, 141, 142, 155, 173 and 185, in relation to which it will consider placing an item on the agenda of the 111th Session (2023) of the International Labour Conference (see GB.343/INS/2);
- (j) note the STC's recommendations concerning the abrogation of Convention No. 163, in relation to which it will consider placing an item on the agenda of the 111th Session (2023) of the International Labour Conference (see GB.343/INS/2);

- (k) **note the STC's recommendations concerning the abrogation of Conventions Nos 22, 23, 55, 56, 58, 68, 69, 92, 133, 134, 146, 164 and 166, in relation to which it will consider placing an item on the agenda of the 118th Session (2030) of the International Labour Conference (see GB.343/INS/2);**
- (l) **approve the establishment of a Joint ILO-IMO Tripartite Working Group to identify and address seafarers' issues and the human element, in accordance with the resolution set out in Appendix I, with a composition of 8 Governments to be nominated by IMO, 8 Shipowners' representatives and 8 Seafarers' representatives, and decide that the relevant cost of the three day annual meetings for 2022 and 2023 be financed in the first instance from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the 2022-23 biennium; the 2024 meeting would be prioritized for funding in the Programme and Budget proposals for 2024-25;**
- (m) **request that the outcome of the Joint ILO-IMO Tripartite Working Group's work is reported to the Governing Body and appropriate IMO body.**



## ▶ Appendix I

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### **Resolution concerning the establishment of a Joint ILO–IMO Tripartite Working Group to identify and address seafarers’ issues and the human element**

The Special Tripartite Committee (STC) established by the Governing Body under Article XIII of the Maritime Labour Convention, 2006, as amended (MLC, 2006),

Having met remotely for the first part of its fourth meeting, from 19 to 23 April 2021,

Recalling article III of the Agreement between the International Labour Organization (ILO) and the International Maritime Organization (IMO) allowing for the establishment of joint groups to address any question of common interest which it may appear desirable to refer to such a group,

Recalling that the Sectoral Meeting on the Recruitment and Retention of Seafarers and the Promotion of Opportunities for Women Seafarers which met in Geneva from 25 February to 1 March 2019 recommended that (i) the ILO strengthen its partnership with the IMO on issues such as flag and port State control inspections and barriers to recruitment and retention of seafarers, and (ii) an ILO–IMO tripartite working group be established to identify and address seafarers’ issues and the human element, in particular as regards matters covered both under the MLC, 2006 and the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW),

Having considered the submission by the Secretariat of the International Maritime Organization, concerning the outcome of the IMO Legal Committee at its 107th Session and the IMO Maritime Safety Committee at its 103rd Session, as the parent body of the Subcommittee on the Human Element, Training and Watchkeeping at its seventh session calling for the establishment of an ILO–IMO tripartite working group to identify and address seafarers’ issues and the human element, which should:

- (i) consider concrete proposals on fair treatment of seafarers detained on suspicion of committing maritime crimes, and advise ILO and IMO accordingly;
- (ii) develop practical guidelines for port State and flag State authorities on how to deal with seafarer abandonment cases, for approval/adoption by ILO and IMO; and
- (iii) consider any other relevant matters under the purview of ILO and IMO, including, but not limited to, decent employment and greater employment opportunities in the maritime sector; issues concerning flag and port State control inspections and barriers to recruitment and retention of seafarers; safe manning; drills; fatigue; operational and procedural safety, security and environmental protection; occupational safety and health; and welfare and well-being of seafarers, as may be instructed, and advise ILO and IMO accordingly.

Recommends that the Governing Body approve at its 343rd Session (November 2021) the establishment of a Joint ILO–IMO Tripartite Working Group to identify and address seafarers’ issues and the human element in accordance with the Terms of Reference set out in the appendix.

## Terms of Reference

### Background

1. The establishment of a Joint ILO–IMO Tripartite Working Group to identify and address seafarers' issues and the human element (JTWG) was prompted by a request from the IMO Legal and Maritime Safety Committees made in December 2020 and May 2021 respectively.

### Objective

2. The ILO and the IMO, hereinafter referred to as the Parties, shall collaborate in order to examine and develop recommendations or guidance as appropriate on matters relating to seafarers' issues and the human element, as specified in the present Terms of Reference or as may be jointly mandated by the ILO Governing Body and the relevant IMO bodies (i.e. the Council, the Maritime Safety Committee and the Legal Committee, as appropriate).
3. The JTWG shall operate within the fixed timelines, only for the purposes mandated, and its functions and responsibilities shall be kept at all times distinguished from those of the Special Tripartite Committee (STC) established under Article XIII of the Maritime Labour Convention, 2006, as amended (MLC, 2006).

### Mandate – Duration

4. In order to meet its objective, the JTWG shall hold in-depth technical discussions and develop recommendations and/or draft provisions concerning the following:
  - (a) guidelines for port State and flag State authorities on how to deal with seafarer abandonment cases as soon as possible but not later than the end of 2023.
  - (b) proposals on the fair treatment of seafarers detained on suspicion of committing maritime crimes, by the end of 2024.
  - (c) topics, as may be jointly mandated by the ILO Governing Body and the IMO Council and within the timeframe jointly agreed upon.
5. Unless the duration of the JTWG is extended by express decision of the ILO Governing Body and the IMO Council, the JTWG shall complete its work by the end of 2024.

### Composition

6. The JTWG shall be composed of 24 members. The IMO shall appoint eight (8) government representatives giving due consideration to geographical representation. The ILO shall appoint eight (8) Shipowners' representatives and eight (8) Seafarers' representatives among the Shipowners' and Seafarers' members of the STC following their nomination by their respective groups.
7. The members of the JTWG may vary for each of the matters specified in paragraph 4 above.
8. The members of the JTWG may be accompanied by a maximum of two experts or advisers each.

## Officers

9. The JTWG shall elect a Chairperson among the government representatives and three Vice-Chairpersons, one from each of the three groups.
10. The Chairperson shall be responsible for declaring the opening and closing of each meeting, directing the discussions, according the right to speak, determining consensus, putting questions to vote, and ruling on points of order.
11. The Vice-Chairpersons shall preside alternately over the meetings or parts of the meetings at which the Chairperson cannot be present.

## Observers

12. The meetings of the JTWG shall be open to observers. All Members States of the Parties other than those appointed as members of the JTWG may attend as observers and participate in the debates without decision-making power.
13. Representatives of official international organizations, non-governmental international organizations or other entities with which the ILO or the IMO has established consultative relationships, with which standing agreements for such representation have been made, or which have been specially invited by the Parties' competent bodies, may also attend as observers. Representatives of official international organizations may participate in the debates without decision-making power.
14. Observers shall register at least 30 days in advance of a meeting.
15. The Chairperson may, in agreement with the Vice-Chairpersons, permit the representatives of NGOs to make or circulate statements for the information of the meeting on matters included in its agenda.
16. The Chairperson with the approval of the Vice-Chairpersons may invite a limited number of technical experts on the topic(s) under consideration to participate in meetings of the JTWG.

## Secretariat

17. The ILO and the IMO shall establish a joint Secretariat.
18. The Secretariat shall be responsible for preparing draft agendas, circulating working documents, drafting reports of meetings, and providing any other services to facilitate the JTWG in the discharge of its functions.

## Meetings

19. The JTWG shall, in principle, hold at least one three-day meeting per year. Additional meetings may be convened if authorized by, and in coordination with, the relevant bodies of the Parties, and subject to availability of funding. Both the ILO and the IMO shall communicate the invitation to a meeting at least two months in advance.
20. In general, JTWG meetings shall take place alternately at the IMO and ILO headquarters. The agenda, time and place shall be published sufficiently in advance. The Parties may decide to hold meetings virtually.
21. The preparatory work for the meetings shall be carried out by correspondence and/or virtually.

22. The programme of work of the JTWG and the scheduling of meetings shall be arranged by the Parties in consultation with the STC Officers having especially regard to scheduled STC meetings.

### Documents

23. Working documents shall be prepared by the Secretariat and shall be made available at least 15 days before a scheduled meeting.

### Rules of procedure

24. The JTWG may adopt its own rules of procedure which shall be consistent with the Terms of Reference.

### Language

25. The meetings of the JTWG shall be conducted in English and all documents related to its work, other than the final outcome document(s), shall be prepared in that language. Translation/interpretation services to and from other languages may be provided subject to available funding.

### Expenses

26. Expenses related to meetings shall be covered by the host.

### Decision-making

27. Decisions shall normally be made by consensus. In the absence of consensus duly ascertained and announced by the Chairperson, decisions shall be taken by a simple majority of the votes cast by the JTWG members who are present at the sitting.

### Reports

28. At the end of each meeting, the Secretariat shall prepare a brief report. The report shall be finalized within 30 days after a meeting.

### Follow-up

29. The Parties shall submit any outcomes of the JTWG to their respective relevant bodies for consideration and possible follow up action, as appropriate.

### Amendment

30. The Terms of Reference may be amended by common consent of the Parties.

## ► Appendix II

### Summary of the Special Tripartite Committee's recommendations concerning the review of international maritime labour instruments

<b>Crew accommodation and recreation facilities (technical note 11)</b>		
<b>Instrument</b>	<b>Proposed classification</b>	<b>Proposed recommendations</b>
Accommodation of Crews Convention, 1946 (No. 75)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Accommodation of Crews Convention (Revised), 1949 (No. 92)	Outdated	<ul style="list-style-type: none"> <li>• Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>• Encourage Member States that are still bound by Conventions Nos 92 and 133 to ratify the MLC, 2006;</li> </ul>
Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)	Outdated	<ul style="list-style-type: none"> <li>• Encourage Member States which have already ratified the MLC, 2006, but which remain bound by Conventions Nos 92 and 133 in respect of non-metropolitan territories, to extend the application of the MLC, 2006, to those territories.</li> </ul>
Bedding, Mess Utensils and Miscellaneous Provisions (Ships' Crews) Recommendation, 1946 (No. 78)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Crew Accommodation (Air Conditioning) Recommendation, 1970 (No. 140)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Crew Accommodation (Noise Control) Recommendation, 1970 (No. 141)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
<b>Food and catering (technical note 12)</b>		
<b>Instrument</b>	<b>Proposed classification</b>	<b>Proposed recommendations</b>
Food and Catering (Ships' Crews) Convention, 1946 (No. 68)	Outdated	<ul style="list-style-type: none"> <li>• Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>• Encourage Member States that are still bound by Conventions Nos 92 and 133 to ratify the MLC, 2006;</li> </ul>
Certification of Ships' Cooks Convention, 1946 (No. 69)	Outdated	<ul style="list-style-type: none"> <li>• Encourage Member States which have already ratified the MLC, 2006, but which remain bound by Conventions Nos 68 and 69 in respect of non-metropolitan territories, to extend the application of the MLC, 2006, to those territories.</li> </ul>

<b>Medical care (technical note 13)</b>		
<b>Instrument</b>	<b>Proposed classification</b>	<b>Proposed recommendations</b>
Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)	Outdated	<ul style="list-style-type: none"> <li>Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>Request the Office to launch an initiative to promote ratification on a priority basis of the MLC, 2006 and Convention No. 188 among those countries still bound by Convention No. 164.</li> </ul>
Ships' Medicine Chests Recommendation, 1958 (No. 105)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Medical Advice at Sea Recommendation, 1958 (No. 106)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>

<b>Shipowners' liability (technical note 14)</b>		
<b>Instrument</b>	<b>Proposed classification</b>	<b>Proposed recommendations</b>
Shipowners' Liability (Sick and Injured Seamen) Convention, 1936 (No. 55)	Outdated	<ul style="list-style-type: none"> <li>Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>Request the Office to launch an initiative to promote ratification on a priority basis of the MLC, 2006 and, as the case may be, Convention No. 188 among those countries still bound by Convention No. 55;</li> <li>Encourage the Member State which has already ratified the MLC, 2006, but remains bound by Convention No. 55 in respect of a non-metropolitan territory, to extend the application of the MLC, 2006, to that territory.</li> </ul>

<b>Health and safety protection and accident prevention (technical note 15)</b>		
<b>Instrument</b>	<b>Proposed classification</b>	<b>Proposed recommendations</b>
Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)	Outdated	<ul style="list-style-type: none"> <li>Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>Request the Office to launch an initiative to promote ratification on a priority basis of the MLC, 2006 and Convention No. 188 among those countries still bound by Convention No. 134;</li> <li>Encourage the Member State which has already ratified the MLC, 2006 but remains bound by Convention No. 134 in respect of a non-metropolitan territory, to extend the application of the MLC, 2006 to that territory.</li> </ul>
Prevention of Accidents (Seafarers) Recommendation, 1970 (No. 142)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>

### Access to shore-based welfare facilities (technical note 16)

Instrument	Proposed classification	Proposed recommendations
Seafarers' Welfare Convention, 1987 (No. 163)	Outdated	<ul style="list-style-type: none"> <li>Abrogation to be considered by the ILC as soon as possible;</li> <li>Request the Office to launch an initiative to promote ratification on a priority basis of the MLC, 2006, among those countries still bound by Convention No. 163.</li> </ul>
Seamen's Welfare in Ports Recommendation, 1936 (No. 48)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Seafarers' Welfare Recommendation, 1970 (No. 138)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Seafarers' Welfare Recommendation, 1987 (No. 173)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>

### Social security (technical note 17)

Instrument	Proposed classification	Proposed recommendations
Sickness Insurance (Sea) Convention, 1936 (No. 56)	Outdated	<ul style="list-style-type: none"> <li>Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>Request the Office to launch an initiative to promote the ratification on a priority basis of the MLC, 2006 and Convention No. 188 among those countries still bound by Convention No. 56;</li> <li>Encourage the two States which have already ratified the MLC, 2006 and Convention No. 188 but remain bound by Convention No. 56 in respect of non-metropolitan territories, to extend the application of the MLC, 2006 and of Convention No. 188 to those territories.</li> </ul>
Social Security (Seafarers) Convention, 1946 (No. 70)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Social Security (Seafarers) Convention (Revised), 1987 (No. 165)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Unemployment Insurance (Seamen) Recommendation, 1920 (No. 10)	Outdated	<ul style="list-style-type: none"> <li>Withdrawal to be considered by the ILC as soon as possible.</li> </ul>

Seafarers' Social Security (Agreements) Recommendation, 1946 (No. 75)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Seafarers (Medical Care for Dependants) Recommendation, 1946 (No. 76)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
<b>Compliance and enforcement (technical note 18)</b>		
<b>Instrument</b>	<b>Proposed classification</b>	<b>Proposed recommendations</b>
Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)	Outdated	<ul style="list-style-type: none"> <li>• Review the situation of this Convention at the sixth meeting of the STC in order to decide on its possible abrogation or withdrawal;</li> <li>• Encourage Member States that are still bound by Convention No. 147 to ratify the MLC, 2006;</li> <li>• Encourage Member States that have already ratified the MLC, 2006, but which remain bound by Convention No. 147 only in respect of non-metropolitan territories, to extend the application of the MLC, 2006, to those territories.</li> </ul>
Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> <li>• To encourage the ratification of the MLC, 2006 and of Convention No. 188 by the Member State still bound by Convention No. 178.</li> </ul>
Labour Inspection (Seafarers) Convention, 1996 (No. 178)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
National Seamen's Codes Recommendation, 1920 (No. 9)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Labour Inspection (Seamen) Recommendation, 1926 (No. 28)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Social Conditions and Safety (Seafarers) Recommendation, 1958 (No. 108)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
Merchant Shipping (Improvement of Standards) Recommendation, 1976 (No. 155)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>



Labour Inspection (Seafarers) Recommendation, 1996 (No. 185)	Outdated	<ul style="list-style-type: none"> <li>• Withdrawal to be considered by the ILC as soon as possible.</li> </ul>
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**Conventions not revised by the MLC, 2006 (technical note 19)**

Instrument	Proposed classification	Proposed recommendations
Seafarers' Pensions Convention, 1946 (No. 71)	<i>To be reviewed at the sixth meeting of the STC</i>	<ul style="list-style-type: none"> <li>• Convene a tripartite meeting of experts aimed at sharing knowledge concerning the implementation of the Convention and the reasons for the non-ratification of the instrument, so as to determine the action to be taken and to review the situation of this Convention at the sixth meeting of the STC.</li> </ul>
Seafarers' Identity Documents Convention, 1958 (No. 108)	Outdated	<ul style="list-style-type: none"> <li>• Review the situation of this Convention at the sixth meeting of the STC in order to decide on its possible abrogation or withdrawal;</li> <li>• Encourage Member States that are still bound by Convention No. 108 to ratify Convention No. 185;</li> <li>• Encourage the Member State that has already ratified Convention No. 185, but which remains bound by Convention No. 108 in respect of non-metropolitan territories, to extend the application of Convention No. 185 to those territories;</li> <li>• Convene a tripartite meeting of experts on Convention No. 185 to examine the challenges that remain for its implementation and ratification, and to determine the action to be taken as soon as possible.</li> </ul>

**Instruments classified as "outdated" in 2018 and submitted for further review (technical note 20)**

Instrument	Proposed recommendations
Seamen's Articles of Agreement Convention, 1926 (No. 22)	<ul style="list-style-type: none"> <li>• Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>• Encourage once again the States still bound by this Convention to ratify the MLC, 2006;</li> <li>• Encourage once again the States which have already ratified the MLC, 2006 but remain bound by Convention No. 22 in respect of non-metropolitan territories, to extend the application of the MLC, 2006 to those territories.</li> </ul>
Repatriation of Seamen Convention, 1926 (No. 23)	<ul style="list-style-type: none"> <li>• Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>• Encourage once again States still bound by these Conventions to ratify the MLC, 2006;</li> </ul>
Repatriation of Seafarers Convention (Revised), 1987 (No. 166)	<ul style="list-style-type: none"> <li>• Encourage once again States that have already ratified the MLC, 2006 but remain bound by Convention No. 23 in respect of non-metropolitan territories to extend the application of the MLC, 2006 to those territories.</li> </ul>
Minimum Age (Sea) Convention (Revised), 1936 (No. 58)	<ul style="list-style-type: none"> <li>• Abrogation to be considered at the 118th Session (2030) of the ILC;</li> <li>• Encourage States still bound by this Convention to ratify the MLC, 2006;</li> </ul>

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- Encourage States that have already ratified the MLC, 2006 but remain bound by Convention No. 58 in respect of non-metropolitan territories to extend the application of the MLC, 2006 to those territories;
  - Encourage States still bound by Convention No. 58 that have ratified the Minimum Age Convention, 1973 (No. 138) specifying a minimum age of 14 years to:
    - (i) set a minimum age of at least 16 years, in accordance with Standard A1.1, paragraph 1 of the MLC, 2006; or
    - (ii) for those that have set the minimum age for maritime labour at 18 years, to send a declaration to the Office stating that Article 3 of Convention No. 138 is applicable to maritime labour. Following the recommendations under (i) and (ii) would result in the automatic denunciation of Convention No. 58.

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Seafarers' Annual Leave with Pay Convention, 1976 (No. 146)

- Abrogation to be considered at the 118th Session (2030) of the ILC;
  - Encourage States still bound by this Convention to ratify the MLC, 2006;
  - Encourage States that have already ratified the MLC, 2006 but remain bound by Convention No. 146 only in respect of non-metropolitan territories to extend the application of the MLC, 2006 to those territories.
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