

COMMENT from IFSMA on the 3rd draft of the Guidelines on the Fair Treatment of Seafarers

This 3rd draft of the guidelines contains 2 changes to the text of the second draft: paragraphs 1.3 and 3.12 are expanded in consideration of the shipowners' and their liability insurers' views on the provision of welfare and accommodation of seafarers stranded in foreign ports in circumstances covered by these guidelines.

The expanded paragraph 1.3 is based on the relevant parts of the draft ILO Consolidated Maritime Labour Convention that should appear in its final form in February 2006 at the ILO in Geneva. IFSMA believes that there are good reasons for the shipowners to accept a measure of financial responsibility for their seafarers' welfare and accommodation within the ambit of the shipowners' obligations under the employment agreement as stated in the consolidated convention.

The expanded paragraph 3.12 offers 6 separate solutions to pay for welfare and accommodation of seafarers unable to leave a foreign port following a maritime accident. The Correspondence and/or Working Group may consider any or all of these solutions singly or in combination.

The appendix (yet to be numbered or named) contains references to the article, titles, paragraphs and comments relating to the consolidated convention that should be reproduced (without the commentary) subject to ILO's permission.

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