

Recent Developments on seafarers' contracts - MLC 2006 amendments

P&I policies basically provide quite strong protection against various claims that may be directed to a ship owner by third parties as a result of any their loss arising from covered risks that may occur. Among such claims, the ones made by the seafarers/ or their families regarding the death, injury or need for repatriation of seafarers are majorly frequent.



Given the fact that sea life is extremely open to crew-related risks, MLC 2006, the fourth of the set of global regulatory standards are created by the International Labor Organization (ILO) to cover and help putting the labor contracts of seafarers and the obligations of maritime companies in order, by making regulations regarding working hours, health and safety, living spaces, subsistence standards and the welfare of seafarers.

As it may be appreciated, the marine industry is another area where the members have challenging times globally, as the working conditions have been unexpectedly affected due to the pandemic and war. In order to improve the surrounding conditions, the Special Tripartite Committee of the International Labor Organization (ILO), which consists of stakeholders in the global marine industry such as government representatives, seafarers and maritime companies, held an assembly between 5-13 May 2022 and proposed 12 amendments in total. The main purpose of these proposals was to regulate the employment contracts of seafarers and the conditions undertaken by employers in line with this contract in a way that ensures the welfare of their working conditions.



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In the meetings held in Geneva in May, the Committee brought up important issues regarding the financial security system and compensation to be established in case of disembarkation, as well as the decisions taken regarding sexual assault, harassment, bullying and harassment against seafarers. As a result, eight of these suggestions were accepted. These amendments are expected to be approved by the ILO and are envisaged to enter into force by December, 2024.

As a result of these meetings of the Committee, seafarers will have the appropriate size of personal protective equipment to suit especially the increasing number of female seafarers, quality drinking water will be provided free of charge for seafarers, states will facilitate the rapid repatriation of abandoned seafarers, will provide care, facilitate the repatriation of the bodies of seafarers who pass away onboard the ship, and internet access will be provided to seafarers in their ports by shipowners and governments; will be informed of their entitlements to the employment and placement services obligation to compensate their monetary losses. In addition, under the accepted amendments, all deaths of seafarers will be recorded and reported annually to the ILO and relevant data will be published accordingly.