INFORMATION RESOURCES ON
FAIR TREATMENT OF SEAFARERS
Abandonment, Personal Injury to or Death of Seafarers; Criminalisation of Seafarers in the event of Maritime Accidents Including Pollution Incidents and Shore Leave for Seafarers

(Last Updated: 28 May 2013)

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IMO MATERIAL ON THE WEBSITE

SeaLibrary Online. Maritime Knowledge Centre Catalogues online.

Current Awareness Bulletin. This bulletin contains titles and abstracts of articles published in the legal and technical press and is published monthly

Human Element

Joint IMO/ILO Expert Working Group on Fair Treatment of Seafarers

IMO/ILO Ad Hoc Expert Working Group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers

“Criminalization in shipping : Human pawns in political and legal games” – Keynote speech by E.E> Mitropoulos delivered at the 7th Cadwallader Annual Memorial Lecture, London, 6 October 2004

Database on reported cases of abandonment of seafarers

Go to Sea! Campaign

Briefings

Click here for Briefings up to December 2007

IMO News Magazine

Click here for a list of articles in the IMO News Magazines up to 2007

IMO DOCUMENTS

NOTE: Except for current meetings’ documents and working papers, all IMO Documents issued since 1998 are available in the IMODOCs database in English, French and Spanish; some documents are also available in Arabic, Chinese and Russian. Documents prior to 1998 can be obtained on an ad hoc basis provided that they exist in electronic form.

Please note that only Resolutions, Circulars, Circular Letters and Final Reports are listed below.

RESOLUTIONS

A.930(22) Guidelines on provision of financial security in case of abandonment of seafarers Adopted on 29 November 2001

A.931(22) Guidelines on shipowners’ responsibilities in respect of contractual claims for personal injury to or death of seafarers. Adopted on 29 November 2001

A.987(24) Guidelines on fair treatment of seafarers in the event of a maritime accident
A. 1056(27) Promotions as widely as possible of the application of the 2006 guidelines on fair treatment of seafarers in the event of a maritime accident. Adopted p 30 November 2011

LEG.3(91) Adoption of guidelines on fair treatment of seafarers in the event of a maritime accident

CIRCULARS

Circular Letter No. 2261

Circular Letter No. 2299
15/03/2001 Third session of the Joint IMO/ILO Ad Hoc Expert Working Group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers

Circular Letter No. 2354
17/12/2001 Postponement of the fourth session of the Joint IMO/ILO Ad Hoc Expert Working Group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers

Circular Letter No. 2403
15/07/2002 Fourth session of the Joint IMO/ILO Ad Hoc Expert Working Group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers

Circular Letter No. 2575
13/07/2004 Outcome of the discussions of the IMO Legal Committee and the ILO governing body on the recommendations of the Joint IMO/ILO Ad Hoc Expert Working Group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers, at its fifth session

Circular Letter No. 2599

Circular Letter No. 2636
03/06/2005 Sixth session of the Joint IMO/ILO Ad Hoc Expert Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers

Circular Letter No. 2711
26/06/2005 Guidelines on fair treatment of seafarers in the event of a maritime accident

Circular Letter No. 2825
07/11/2007 Request for information on mistreatment of seafarers in the event of a maritime accident

Circular Letter No. 2828
03/12/2007 Seventh session of the Joint IMO/ILO Ad Hoc Expert Working Group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers
| Circular Letter No. 2976 | Voluntary implementation of IMO resolution A.930(22) concerning guidelines on provisional of financial security in case of abandonment of seafarers and of IMO resolution A.931(22) concerning guidelines on shipowners’ responsibilities in respect of contractual claims for personal injury to or death of seafarers (Annex 1 - Guidelines on provision of financial security in case of abandonment of seafarers; Annex 2 – Guidelines on provision of security in case of abandonment of seafarers; Annex 3 - Guidelines on shipowners’ responsibilities in respect of contractual claims for personal injury to or death of seafarers) |
| 02/07/2009 |
| Circular Letter No. 3183 | Day of the Seafarer |
| 16/05/2011 |
| MSC | Shore leave and access to ships under the ISPS Code. |
| MSC.1/Circ.1112 | 07/06/2004 |
| MSC.1/Circ.1342 | Reminder in connection with shore leave and access to ships |
| 27/05/2010 |

**IMO/ ILO Ad Hoc Expert Working Group on Fair Treatment of Seafarers**

[Click here](#) for documents prior to 2007

**ILO/IMO/WGLCCS (Joint IMO/ILO ad hoc Expert Work Group on Liability and Compensation Regarding Claims for Death, Personal Injury and Abandonment of Seafarers)**

1st session (11 – 15 October 1999); 2nd Session (2000); 3rd Session (2001); 4th Session (2002); 5th Session (2003); 6th Session (2005); 7th Session (2008); 9th Session (2009)

**Legal Committee**

[Click here](#) for documents prior to 2007

**92nd Session** (16 – 20 October 2006)

LEG 92/13 Report of the Legal Committee on the work of its 92nd Session (Section 6 – Fair Treatment of seafarers in the event of a maritime accident)
93rd Session (22 – 26 October 2007)


94th Session (20 – 24 October 2008)


95th Session (30 March – 3 April 2009)

LEG 95/10 Report (Section 5 – Fair treatment of seafarers in the event of a maritime accident)

96th Session (5 – 9 October 2009)

LEG 96/13 Report (Section 5 – Fair treatment of seafarers in the event of a maritime accident; Annex 2 – Fair treatment of seafarers in the event of a maritime accident. statement by the Islamic Republic of Iran)
97th Session (15-19 November 2010)

LEG 97/5 Report (Section 6 – Fair treatment of seafarers in the event of a maritime accident)

98th Session (4 – 8 April 2011)

LEG 98/14 Report (Section 5 – Provision of financial security in cases of abandonment, personal injury to, or death of seafarers in the light of the progress towards the entry into force of the ILO Maritime Labour Convention, 2006 and of the amendments relating thereto; Section 6 - Fair treatment of seafarers in the event of a maritime accident; Annex 2 – Draft resolution on guidelines on fair treatment of seafarers in the event of a maritime accident)

99th Session (16 – 20 April 2012)

LEG 99/5 Provisional of financial security in cases of abandonment, personal injury to, or death of seafarers in the light of the progress towards the entry into force of the ILO Maritime Labour Convention, 2006 and of the amendments relating thereto. Ratification status of the ILO Maritime Labour Convention and measures taken by ILO to promote widespread ratification and effective implementation of the Convention : an update. Submitted by ILO

LEG 99/6 Fair treatment of seafarers in the event of a maritime accident. Submitted by ILO

LEG 99/14 Report. (Section 6 – Fair treatment of seafarers in the event of a maritime accident)

100th Session (15-19 April 2013)

LEG 100/4 Provisional of financial security in cases of abandonment, personal injury to, or death of seafarers in the light of the progress towards the entry into force of the ILO Maritime Labour Convention, 2006 and of the amendments relating thereto. Ratification status of the ILO Maritime Labour Convention and measures taken by ILO to promote widespread ratification and effective implementation of the Convention: an update. Submitted by ILO

LEG 100/5 Fair treatment of seafarers in the event of a maritime accident. Providing effective security for seafarers’ rights on shore leave and use of shore-side facilities. Submitted by the Islamic Republic of Iran

LEG 100/5/1 Idem. Submitted by ITF and IFSMA

CONFERENCE PROCEEDINGS


CHOWDHURY, F.R. Capt. – Seafarers’ right and privileges. In: Lloyd’s List Events, Criminalisation of


SMART, J. – Coastal states viewpoint. In: Lloyd’s List Events, Criminalisation of masters and seafarers:
EUROPEAN UNION

Maritime Safety : Ship-source pollution and criminal penalties


COMMISSION OF THE EUROPEAN COMMUNITIES


COUNCIL OF THE EUROPEAN UNION
  - 12722/04 – Brussels, 23 September 2004
  - 12722/04 REV 1 – Brussels, 5 October 2004


    - 11964/04 - Brussels, 29 September 2004
    - 11964/04 ADD 1- - Brussels, 22 September 2004
    - 11964/04 ADD 2 – Brussels, 5 October 2004
    - 11964/3/04 REV 3 – Brussels 7 October 2004
    - 11964/3/04 REV 3 ADD 1 – Brussels, 7 October 2004
EUROPEAN ECONOMIC AND SOCIAL COMMITTEE (EESC)


EUROPEAN PARLIAMENT.


Court of Justice


Press Releases

The European Community is competent to oblige the member States to provide for common criminal penalties in order to combat ship-source pollution. Press Release No. 76/07, 23 October 2007.

OTHER PUBLICATIONS

BAILEY, N.J. (Dr.) – Seafarer compensation claims. Cardiff, University of Cardiff, Seafarers International Research Centre, 2003. (IMO Doc. IMO/IL0/WGLCCS 5/2/1)

BALTIC AND INTERNATIONAL MARITIME COUNCIL (BIMCO)

- BIMCO Study of the treatment of seafarers. Bagsværd, Denmark, BIMCO, 2010. (Also attached to IMO Doc. LEG 97/INF.3)


EUROPEAN COURT OF HUMAN RIGHTS – Case of Mangouras v. Spain : Judgement, 28 September 2010


INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS (INTERTANKO)

- Peter Pex picks industry points on EU penal sanctions proposal. September 2003.
- Big variations in the shore leave situation for seafarers: A shipowner’s overview. September 2004.


INTERNATIONAL LABOUR OFFICE (ILO)
Maritime Labour Convention, 2006

Ratifications of the LMC Convention, 2006

- Seafarers’ identity documents Convention (revised), 2003. Convention 185. Adopted on 19 June 2003. (Convention No. 185 was adopted to replace the Convention on Seafarers’ Identity Documents No. 108 (1958). The new Convention, No. 185, will be effective as soon as two countries have ratified it. The current 1958 instrument has been ratified by 61 ILO member States representing 60.7 per cent of the world fleet)


INTERNATIONAL SALVAGE UNION (ISU) – Warning on EU criminalisation move. Media Information, Issue 16 March 2005

INTERNATIONAL TRANSPORT WORKERS’ FEDERATION (ITF)
- Abandoned – whose responsibility?


- ITF backs flight for shore leave in Slovenia.


MARINE GLOBAL NET – Shore leave under threat as US scraps crew visa.

NIELSEN, D. - Safety and working conditions in international merchant shipping: A study of fatal occupational accidents and a survey of world-wide fatality statistics of merchant seafarers: Thesis. Cardiff: University of Wales, 2000-


UNITED NATIONS (UN) - Universal declaration of human rights. New York: UN, 1988-. Language(s): ENG, FRE, SPA, RUS, CHI, ARA.

- International Covenant on Civil and Political Rights, 1966
- Optional Protocol to the International Covenant on Civil and Political Rights, 1966
- Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of death penalty, 1989


INTERNET RESOURCES

Baltic and International Maritime Council (BIMCO) - Fair treatment of Seafarers Articles

Center for Seafarers’ Rights

Department of Immigration and Citizenship (Australia) - Maritime Crew Visa
New security rules mean more stress and isolation. 7 January 2005

Crew of two abandoned ships finally get most of their money. 14 February 2005

The criminalisation of seafarers: From master marine to “master criminal”. GARD NEWS, Issue 177, February/April 2005


Decent work for all seafarers: ILO-IMO prepare new guidelines on death, injury and abandonment. Globalization, complex vessel ownership and flagging, and multinational crewing have made it more pressing than ever to create guidelines for speedy and humane treatment of seafarers caught in unforeseen difficulties. A joint working group of the International Maritime Organization (IMO) and the ILO will discuss such guidelines on 19-21 September in London.

Court confirms EU right to criminalize pollution at sea. The Commission has the right to force member states to introduce criminal penalties for instances of maritime pollution such as the discharge of oil and other noxious substances from ships in EU waters. However, it does not have the power to fix the type and level of these penalties, stated a European Court of Justice (ECJ) ruling on 23 October. EURACTIV.COM, 24 October 2007.

For a list of articles in the press please refer to the IMO website and SeaLibrary the online catalogue of the Maritime Knowledge Center using the term(s) : “Fair treatment, criminalization, criminalisation of seafarers, abandonment of seafarers, death and personal injury, shore leave, article”

Click here for a list of articles up to December 2007

Current Awareness Bulletin, This bulletin contains titles and abstracts of articles published in the legal and technical press and is published monthly