

# MLC 2006 Implementation

## MLC 2006 Objectives

The Maritime Labour Convention (MLC2006) is now ratified by many countries and should enter into effect.

The objective of this convention is to supervise work on board the vessels and to provide a minimum protection to the personnel in that area.

The MLC 2006 provides a relatively strict framework for 'seafarers' who are not sailors but work on board vessels, the status of which the ship owner has to justify and to certify to the port authorities that they are in possession of a number of documents (certificate of employment, repatriation certificate, safety training certificate, medical certificate,...).

The absence of any of those may cause the blockage of the vessel.

## **MLC 2006 possible exclusions**

The MLC provides for possible exclusions from the seafarer status. These exclusions will be defined nationally and the requests for exclusion should be sent and motivated by the flag authority to the International Labour Office (ILO).

In France, all the research organizations, whether research vessel operators or employers of scientists who are potentially subject to the MLC have referred to the Direction des Affaires maritimes (DAM) to solicit this body to propose to the International Labour Office (ILO) the exclusion of scientists from the seafarer status.

## MLC 2006 implementation on French research vessels

The granting of the 'seafarer' status to scientists would pose the following problems: cumbersome administrative formalities for the concerned vessels, but above all, introduction of obstacles to the boarding of scientific teams: they would have to submit contracts of employment adapted to work at sea, and costly safety training courses would have to be attended on land...

Although the seafarer status is a favorable status for crossing borders, this positive aspect does not seem sufficient as imparted to other aspects.

We have therefore advocated the exclusion of scientists from the seafarer status while envisaging to associate a charter of the minimum rights allocated to scientists on board vessels (habitability, care, food, repatriation, personal calls,...). These provisions already more or less exist on board the French Oceanographic Fleet vessels.

## **The interest of having relationships with other operators...**

We also managed to supply the information on the fact that, apart from Great Britain, the other European countries which answered our question (Norway, Netherlands, Germany) have decided to exclude scientists from the seafarer status.

The DAM submitted a file on the matter to the ILO, which accepted it and a draft order excluding ocean vessels from the MLC field of application is being finalized. The list of the concerned ocean vessel shall be drawn up by order at the DAM level.

The voluntary charter of minimum rights available to the scientific teams is being drafted by the French ocean vessel operators and shall enter into effect as soon as the order is signed.