

ARTICLES OF THE CONVENTION

LEVEL 1: FUNDAMENTAL PRINCIPLES AND RIGHTS

All seafarers shall have the rights flowing from the following core conventions: -

Freedom of Association (C87)
 Right to Organise and Collective Bargaining (C98)
 Discrimination (C100 & C111)
 Child Labour (C138 & C182)
 Forced Labour (C29 & C105)

NB. The above list of general instruments applying to seafarers is not exhaustive.

LEVEL 2: SPECIFIC PRINCIPLES AND SEAFARERS' RIGHTS

Member States have the responsibility to ensure that seafarers shall have safe and decent working and living conditions which fully take into account the following specific principles and rights, which shall be applied by reference to the detailed regulations and rules:

Part 1: Pre-Requisites for going to sea and related provisions

Minimum Age	No under age person shall be engaged in a ship.
Medical Examination	All seafarers shall be certified medically fit for service at sea.
Certificates of Competency	No person shall be engaged onboard a vessel to perform any duty unless he/she is certified to be competent or qualified to perform such duties.
Training	All seafarers shall have the opportunity to benefit from appropriate national provisions and facilities for vocational training.
Recruitment & Placement	All seafarers shall have access to an efficient, adequate and regulated system for finding employment without charge.
Identity Documents ¹	All seafarers shall have a seafarers identity document

Part II: Conditions of Employment

Articles of Agreement	All seafarers shall sign Articles of Agreement, which shall incorporate an agreed written and enforceable contract setting out the terms and conditions of employment incorporating any applicable collective bargaining agreement.
[Equality	All seafarers shall have the right to equal remuneration for work of equal value without discrimination.]
Wages	All seafarers shall on a regular basis be paid their agreed wage and any other agreed remuneration such as overtime.
Hours of Work	As for other workers, the normal hours of work for all seafarers, shall be regulated.
Annual Leave	All seafarers shall have paid annual leave in addition to Public Holidays.
Continuity of Employment ²	All seafarers shall benefit from the national policy that encourages continuous or regular employment at sea.
Repatriation	All seafarers shall be repatriated at no cost to themselves.
Crewing	All ships shall be sufficiently, safely and efficiently crewed.

¹ To be covered by a stand alone Convention.

² Shipowners wish to shift this to Part IV (Social Security).

Part III: Working and Living Conditions

Accommodation	All seafarers shall be entitled to decent accommodation and such other facilities as may be necessary.
Food and Catering	All seafarers shall have, free of charge, a supply of sufficient food of good quality, and catering arrangements designed to secure their health and well-being.
Health and Safety and Accident Prevention	All seafarers shall live, work and train in a safe and hygienic environment and be represented on any onboard safety committee.
Medical Care	All seafarers shall be provided with occupational health protection and prompt medical and emergency dental care at no cost to the seafarer whilst engaged on a ship.
Welfare Onboard and Ashore	All seafarers shall be provided with adequate welfare facilities and services both onboard and in port and shall have the right to shore leave.

Part IV: Social Security

Social Security	All seafarers and where applicable their dependants shall be provided with social security including social insurance no less favourable than that provided for [seafarers and] shore workers [in the flag state].
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[Part V: Rules on Enforcement

Complaints Procedure	All seafarers or their representative shall have easy access to an independent complaints procedure in the flag state.
Port State Control	All seafarers or their representative shall have easy access to an independent complaints procedure in the port state.
Access to justice	All seafarers or their representative shall have the right to easy access to the legal system in the flag state, labour supplying state and the port state.