GLOBAL LABOUR GOVERNANCE IN THE MARITIME INDUSTRY: THE CASE OF THE 2006 ILO MARITIME CONVENTION”

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Context

- *Maritime industry as a ‘critical’ case* (Sampson and Bloor 2012) for ‘testing’ the effectiveness of global governance

- Maritime labour governance: fragmented, multi-level & overlapping…

- The 2006 ILO Maritime Convention: a promising tool for making compliance ‘straightforward’ & hence ‘relevant’ to all industry stakeholders?
Compliance - ‘Push and Pull’ factors

- Costs / Resources
- Jurisdictional duplication and overlap
- Geographical location i.e. Global North vs Global South
- Intra-sector variations
- Nature of standards
- Political factors

=↓ legitimacy and emergence of 'double standards'

➢ What is the potential of the Convention to deliver its foreseen objectives in light of the above challenges?
THE CONVENTION - Content

- It revises and consolidates 49 ILO and IMO Conventions, including the 1998 ILO Declaration on core labour rights

Rights conferred:
- Minimum age,
- Employment agreements
- Working hours,
- Wages,
- Repatriation,
- On-board medical care,
- Health & safety, a
- Accommodation & catering,
- Use of licensed private recruitment services
Novelty – Importance

1. The architecture of the Convention
2. The “no more favourable treatment” clause
3. Certification of seafarers living and working conditions
Implementation & Enforcement

**Implementation:**
- national laws/regulations, applicable collective agreements
- ‘*other measures or in practice*’
under each Member State’s jurisdiction

**Enforcement:**
- regular inspections
- reporting & monitoring
- sanctions & corrective measures under applicable laws
by each ratifying Member State on vessels *irrespectively of whether they fly its flag or not*
Review / Monitoring

• Special Tripartite Committee comprising representatives of ratifying Member States, Shipowners and Seafarers

• Establishment of an online ILO database aimed at awareness-raising

• Publicly available data from Port State Control
Discussion

- **Representation**: wide or even universal ratification will only partly address coverage issues

- **Legitimacy**: substantial progress addressing duplication & overlap issues

- **Transparency**: actors’ challenging task of producing authoritative and trusted databases

- **Accountability**: local enforcement via PSC and FSC does not effectively address issues of resources/costs
Conclusions

• Potential to reassert ‘long abandoned state regulatory authority over maritime labour standards’ (Lillie 2008:214)

• The passing of the EU Directive (2009/13/EC) is likely to contribute to wider ratification

• However, issues of power, transparency and accountability in local practice will determine its success ...
Cited References
