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HELLENIC REPUBLIC
MINISTRY OF MARITIME AFFAIRS AND
INSULAR POLICY
HELLENIC COAST GUARD HEADQUARTERS
BRANCH B' (MARITIME AFFAIRS)
DIRECTORATE FOR MARITIME LABOR -
DEPARTMENT 2 (EMPLOYMENT RELATIONSHIPS)

Piraeus, January 10, 2019

Ref. No. 2242.7-2.1/1896/2019

MLC, 2006/6

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Subject: Acceptance of Amendments of 2016 to the Maritime Labor Convention, 2006 of the International Labor Organization (ILO) – Amending – Supplementing the Regulation for the implementation of the requirements set out in the Maritime Labor Convention, 2006

1. On 10 February 2016 during the Second Meeting of the Special Tripartite Committee – STC which was established by the Governing Body of the International Labor Organization (ILO), and in accordance with Article XIII of the Maritime Labor Convention, 2006 (MLC, 2006) that was ratified by Greece by L.4078/2012 (A' 179) with the aim to keep the said Convention under constant review, the Amendments to the Code of the MLC, 2006 (Standards and Guidelines) were adopted by a unanimous vote, thus, demonstrating that the above-mentioned Committee can be adjusted to and meet the changing needs of seafarers and shipowners around the world.
2. Government, Employer and Worker delegates to the International Labor Conference (ILC), at the latter's 105th Session held in June 2016 in Geneva, overwhelmingly voted in favor of approving these amendments to the MLC, 2006 in order to better protect seafarers against shipboard harassment and bullying and allow for an extension of the validity of Maritime Labor Certificates¹. More specifically, MLC Guideline B.4.3.1. concerning provisions on occupational accidents, injuries and diseases and MLC Guideline B.4.3.6 concerning investigations to be undertaken in respect of such occupational accidents, injuries and diseases are amended to take into account the need to eliminate shipboard harassment and bullying. Furthermore, MLC 2006 Standard A5.1.3 together with Annex A5-II thereto are amended to allow for an extension of the validity of the Maritime Labor Certificate by the competent authority or the Recognized Organization duly

authorized for this purpose, in cases where a new certificate cannot be immediately issued to and made available on board a ship following successful completion of a renewal inspection.

3. The text of the Amendments of 2016 to the MLC, 2006 and any updated information on the countries having ratified and implementing them in the context of both Flag State and Port State Control are available on the official website of the ILO specially designed to contain the MLC, 2006. In particular, the aforementioned information can be found at:

https://www.ilo.org/wcmsp5/groups/public/---ed_norm/relconf/documents/meeting_document/wcms_488452.pdf
https://www.ilo.org/dyn/normlex/en/f?p=1000:51:::NO:RP:P51_CONTENT_REPOSITORY_ID:3303971
https://www.ilo.org/dyn/normlex/en/f?p=1000:11301:::NO:RP.11301:P11301_INSTRUMENT_AMENDMENT_ID.P11301_INSTRUMENT_ID:3303970.312331

4. The Amendments of 2016 to the MLC, 2006 of the International Labor Organization were adopted by Greece by virtue of Presidential Decree 113/2018 published in Government Gazette No.222, Series A' on 31 December 2018. Thereafter, by Joint Ministerial Decision No.2242.7-2.1/476/2019/04.01.2019 published in Government Gazette No.2, Series B' on 8 January 2019, the Regulation on the implementation of the requirements set out in the MLC, 2006 of the ILO was amended – supplemented –where said Regulation had been initially adopted by Joint Ministerial Decision No.3522.2/8/2013 (B' 1671) (hereinafter referred to as the "Regulation").
5. The Regulation is amended – supplemented, as appropriate, to include the mandatory requirements of the Convention described in Part A' of the Code of the MLC, 2006 and more specifically those set out in Standard A5.1.3 – *Maritime Labor Certificate and Declaration of Maritime Labor Compliance*, and in its related Annex.
6. With regard to the amendments of 2016 concerning Part B' of the Code of the MLC, 2006 (their implementation in this case is non-mandatory), and more specifically the amendments to Guideline B.4.3.1. - *Provisions on occupational accidents, injuries and diseases*, it is recommended, for the sake of meeting the obligations under Article 29, paragraph 1 of the Regulation in furtherance of health, safety and accident prevention, that due account is taken of the latest Guidance on eliminating shipboard harassment and bullying jointly published by the International Chamber of Shipping and the International Transport Workers' Federation. It should be noted that harassment and bullying on board ship have a direct and serious impact on

the physical and emotional health of seafarers, as they can lead to decreased motivation and can compromise teamwork. Providing information and taking appropriate measures to ensure that seafarers work and live in an environment free of harassment and bullying are key parameters in the process of safeguarding seafarers' right to decent work in a safe and healthy workplace, as well as in securing the smooth and effective operation of maritime transport. This issue forms part of an array of issues that are constantly discussed and reviewed by social partners in the shipping industry. In this respect, the provisions of Article 312 of the Penal Code (P.D. No.283/1985) as replaced by Article 8 of L.4322/2015 (A' 42) are also to be taken into account.

7. Shipowners' Associations and Seafarers' Unions are requested to take due note of the above and advise their members accordingly.
8. The D.I.D.EP. (Directorate for e-Governance and Communications) whereto this document is forwarded, shall ensure that this document is posted on the dedicated site of the official website of the Hellenic Coast Guard for the Maritime Labor Convention 2006.

THE DEPUTY MINISTER OF MARITIME AFFAIRS AND INSULAR POLICY
Nektarios SANTORINIOS

¹For ships of 500 gross tonnage or over, engaged in voyages from a country to a port outside such country or ships of 500 gross tonnage or over, operating between ports outside the territory of Greece or upon request of the shipowner.