



Seafarers' Rights At Sea: The Legal Framework Of International Protections For Maritime Workers

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ABSTRACT

Seafarers, as the backbone of global trade, deserve a decent protection. This study looks at how a primary instrument like the Maritime Labour Convention 2006 (MLC) provides such protection, especially in cases involving long periods of isolation, high occupational risk, limited access to shore-based support, and difficulties in repatriation. As MLC outlined seafarers' labour and welfare rights, this study seeks to explore the extent of protection in relation to working conditions, training, hours of rest, medical care, repatriation. One important finding in this study is that enforcement and compliance are the primary reasons for weak protection. Global issues involving Flags of Convenience (FoC) and lessons learned from the COVID-19 case are used to depict the vulnerability of seafarers on board. They also show how the MLC, despite its expansive provisions to protect seafarers, still stumbles in its application and monitoring. Consequently, mechanisms such as Port State Control (PSC) are highlighted as a safety net to ensure compliance by shipowners and flag states. On top of that, this study also argues that international standards must be applied consistently and in a coordinated way, with real willingness from member states to give effect to them.

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1. Introduction.

The maritime industry is responsible for carrying around 90 percent of global trade, and it depends on a workforce of nearly two million seafarers (International Chamber of Shipping, 2023, p. 7). Given the scale of this dependence, it is perhaps surprising that the protection of seafarers remains uneven in practice. This can be seen, for example, in fatality figures, which moved from 165 deaths in 2015, to 55 in 2016, and then to 112 in 2019 (S&P Global, 2023).² These figures do not, by themselves, explain the position of seafarers, but they do point to the continuing risks involved in working at sea. In this respect, it is useful to start with the particular characteristics of

seafaring work, including the transient nature of employment, extended periods away from land, and the physical and psychological effects of prolonged isolation (Bauer, 2008, p. 644). The problem is not only the work itself, but also the conditions in which seafarers live: small living spaces, limited access to proper food, long separation from family, constant noise and vibration, and exposure to rough seas (Mantoju, 2021, p. 108).

To protect seafarers, international law has developed a specific body of labour standards for work at sea. The starting point is the broader human rights position that every person has the right to life, liberty, and security of person under Article 3 of the Universal Declaration of Human Rights (Maritime Labour Convention, 2006). For seafarers, this right has practical importance because life and work at sea can make it difficult to leave unsafe conditions or obtain help quickly. In this context, the International Labour Organization (ILO) has adopted more than 72 maritime labour instruments dealing with different aspects of seafarers' work and welfare (International Labour Organization, 2024). The most important of these is the Maritime Labour Convention 2006 (MLC), often described as the "seafar-

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²This study notes that regions such as the South China & East Indies (157), Russia, Arctic & Bering Sea (68), and the East Mediterranean & Black Sea (63) account for 75% of these fatalities.

ers' bill of rights" (Maritime Labour Convention, 2006). The MLC brings together and updates 68 earlier maritime labour conventions and recommendations developed over the previous 80 years (International Labour Organization, 2024). It has now been ratified by 108 ILO member states, representing 96.6 percent of global shipping tonnage (Schubert, 2021, pp. 112–113).³ In simple terms, the MLC sets out minimum standards for seafarers' rights in five main areas, and supports these standards through mechanisms such as Port State Control and flag state compliance. Since 2013, the MLC has served as the main global instrument for setting minimum standards on how seafarers should live and work at sea (International Labour Organization, 2024).⁴

However, the existence of the MLC has not removed the risks faced by seafarers in practice. Studies continue to note that seafarers remain exposed to serious threats to life and welfare, even after the adoption of the Convention lives (Fotteler, Andrioti Bygvraa and Jensen, 2020, p. 2). More than 400 seafarers died between 2019 and 2023, and 11% of those deaths were linked to suicide. Unfortunately, data shows that during the pandemic of COVID-19, the figures heightened, which suggested that, the main issue perhaps do not lie in the content of law, but more of how it is being applied in practice (Gard, 2024). Drawing from this, the study wishes to explore the effectiveness of international law, particularly the MLC 2006 in safeguarding seafarers' rights, and accordingly identify the gaps in its implementation, and offer a way forward.

2. Methods.

This is a qualitative legal study that aim to analyse by exploring how international law protects seafarers' rights in practice. The study uses main legal instruments relevant to seafarers, including the Maritime Labour Convention 2006, SOLAS, LOSC, and other rules and standards relevant with their protection. This study uses secondary materials draw on reports, academic writing, and available data on working conditions, compliance problems, and enforcement.

3. Development (Discussion And Result).

A. Seafarers' Working Conditions and Their Protection Under International Frameworks.

- (a) *Seafarers' unique working conditions: The need for specialized regime.* One of the unique aspects of seafarers working condition is that they spend weeks, and often months, on the same vessel, far from doctors, legal assistance, family support, or the usual institutions available to workers on land. When there

is a problem, they cannot simply leave the workplace as what would be the case with normal workers (Bauer, 2008, p. 644). This is what makes them vulnerable. Their practical ability to leave unsafe conditions, challenge unfair treatment, obtain medical care, or enforce even basic labour rights are very limited. Even, research by Bauer suggest that the issue is highten when their protection depends mostly on contract-based work, and must be capable of following the seafarer across vessels, employers, and jurisdictions.

The nature of the vessel also creates another concern, especially when ships uses rotating crews drawn from different countries, languages, and working backgrounds. While this is common in international shipping, it can complicate communication on board, especially where safety instructions and operational training need to be understood quickly and in the same way by all crew members. Bauer notes that, in these circumstances, seafarers may be less prepared for the work expected of them, which can increase the risk of injury and reduce the practical value of onboard training (Bauer, 2008, p. 644). The concern is not only individual welfare. It also affects the safe and efficient operation of the vessel, since poorly trained or poorly integrated crews are less able to respond to risks in a consistent way (Bauer, 2008, p. 645).

Additionally, the legal position of seafarers themselves possess concern, since many are recruited through foreign agencies and work on vessels connected to more than one legal system. A seafarer's contract, employer, flag state, port state, and place of recruitment may all point in different legal directions. Because of this, it is not always clear which law applies, which authority is responsible, or where a claim should be brought (Zhang et al., 2019, p. 81). On top of it, drawing from COVID-19 times, the crew-change crisis made this problem more visible. Seafarers were left at sea for extended periods, with limited access to medical care, shore leave, repatriation, and shore-based assistance (International Maritime Organization, 2020). Against this background, the case for a specialized regime is not simply a matter of legal form. It follows from the working conditions of seafaring itself, and from the difficulty of protecting seafarers through ordinary labour rules alone.

- (b) *International framework protecting the rights of seafarers.*

Seafarer protection is closely tied to the right to life under Article 3 of the Universal Declaration of Human Rights (Universal Declaration of Human Rights, 1948, Art. 3). This is not only a general human rights point. Merchant seafaring remains a dangerous form of work, and this helps explain why

³Ibid.

⁴Further, The eight MLC amendments adopted in 2024 will come into force on 23 December 2024. These changes aim to strengthen key areas such as recruitment, repatriation, accommodation, food standards, medical care, and health and safety, ensuring better protections and working conditions for seafarers.

ordinary labour protection is not always enough - (Zhang et al., 2019, p. 81).⁵ One of the main instruments in this area is the International Convention for the Safety of Life at Sea 1974 (SOLAS). SOLAS requires states to make sure that ships flying their flag meet basic safety standards. Article I of SOLAS places the main responsibility on flag states to make sure that their ships comply with the Convention. Chapter III then deals more directly with life-saving arrangements, such as lifeboats and life-jackets, which become important when a ship faces an emergency at sea (International Convention for the Safety of Life at Sea, 1974). LOSC also deals with the safety of life at sea, but from a wider angle. Article 98(1) requires ships to help persons in distress, while Article 98(2) requires coastal states to support search and rescue services. In this sense, the protection of life at sea does not depend only on the ship itself. It also depends on flag states, coastal states, and shipmasters doing what the law expects from them (United Nations Convention on the Law of the Sea, 1982).

This is important because safety failures at sea often arise not only from defective equipment, but also from the way duties are organized, procedures are communicated, and risks are managed on board. International rules also protect seafarers through a number of more specific safeguards. These include: **(a) safe working conditions; (b) participation in safety management; (c) sufficient manning; (d) proper training; and (e) sufficient rest.** Each of these matters because the risks of working at sea are not only caused by the sea itself, but also by how ships are operated and managed.

- First, safe working conditions are addressed in Chapter I, Regulation 10 of SOLAS and Article 94 of LOSC (International Convention for the Safety of Life at Sea, 1974; United Nations Convention on the Law of the Sea, 1982). These provisions require ships to be kept in a condition that is safe for navigation and for the people working on board. In practice, this means that the ship must not only be seaworthy as a vessel, but also safe as a place of work.
- Second, seafarers' participation in safety management is reflected in Chapter IX of SOLAS, which introduced the International Safety Management Code (International Convention for the Safety of Life at Sea, 1974). The point of the ISM Code is that safety should not be treated as a one-off requirement checked only on paper. It requires shipping companies to build

safety into their daily operations, both on shore and on board. This is important because safety failures at sea often arise not only from defective equipment, but also from the way duties are organized, procedures are communicated, and risks are managed on board.

- Third, SOLAS Chapter V, Regulation 14 addresses the issue of sufficient manning. A ship cannot be operated safely if there are too few crew members to carry out essential tasks. The 2015 amendments to the ISM Code also make this issue broader than basic compliance with flag state manning rules. Companies are expected to consider whether the crew is actually enough to meet the ship's operational and safety needs.
- Fourth, proper training is addressed under the STCW Convention, particularly Regulation I/14 on the responsibilities of companies (International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978). This requires companies to ensure that seafarers are properly familiar with the equipment, procedures, and emergency duties of the ship on which they serve. This is particularly important at sea, where incidents such as fire, collision, or machinery failure may require an immediate response before outside assistance is available.
- Fifth, rest is also treated as part of safety at sea. The STCW framework sets minimum rest periods for seafarers, including at least ten hours of rest within a 24-hour period, so that fatigue does not become an added risk on board (International Transport Workers Federation, 2014; Amendments to the International Convention on Standards of Training, Certification and - Watchkeeping for Seafarers, 1995, Reg. VIII/1). This is not simply a welfare issue. A tired crew is more likely to make mistakes, and at sea, even small mistakes can have serious consequences.

Drawing from above, the protection of seafarers' rights developed through a large number of separate instruments, each dealing with particular aspects of maritime labour. Since 1919, the ILO has adopted around 72 conventions and recommendations relevant to work at sea, but these did not operate as one clear and unified framework. This made protection difficult to follow and, in many cases, difficult to apply in practice.⁶ The MLC 2006 was

⁵This research noted that British merchant fleet studies from the 19th century found that seafarers faced a mortality rate six times higher than underground coal miners, nine times higher than railway workers, and 146 times higher than industrial workers.

⁶ As the ILO report notes, the MLC is firm on rights but flexible in how its standards are met to accommodate different national systems. It is considered the 'fourth pillar' of the international regulatory regime for quality shipping, alongside the IMO's SOLAS (1974), MARPOL (1973/78/97), and STCW (1995/2010).

adopted against this background. It followed the 2001 Geneva Accord, where shipowners and seafarers supported a more comprehensive approach to maritime labour protection (International Labour Organization, 2006).⁷ The Convention brought many earlier maritime labour instruments into one updated framework, while combining binding rules with non-binding guidance (Maritime Labour Convention, 2006). In broad terms, the MLC covers five main areas of seafarers' working and living conditions: **(1) minimum requirements for seafarers to work on a ship; (2) conditions of employment; (3) accommodation, recreational facilities, food, and catering; (4) health protection, medical care, welfare, and social security protection; and (5) compliance and enforcement.**

In relation to the critical rights identified above ((a) to (e)), the MLC 2006 gives these protections a more direct labour framework. Regulation 4.3 deals with (a) safe working conditions, requiring ships to have health and safety policies and programs on board. (b) Participation in safety management is also reflected through the use of safety committees, which allow seafarers to be involved in the way safety is managed on the ship. For (c) sufficient manning, Regulation 2.7 is directed at a basic point: a ship should not sail without enough crew to run it safely, and flag states are expected to check this. For (d) proper training, Regulation 1.3 requires seafarers to have the training and certificates needed for the work they are asked to do, including safety-related work (Maritime Labour Convention, 2006). For (e) sufficient rest, Regulation 2.3 deals with working hours and rest time. It requires, among other things, at least 10 hours of rest in 24 hours, and 77 hours of rest in seven days. The MLC is not limited to these ((a) to (e)) points. It also deals with the broader reality of life on board: pay, treatment, basic support, and the conditions in which seafarers are expected to live and work at sea (Maritime Labour Convention, 2006).⁸

The MLC 2006 also has a wider function. It is meant to protect seafarers, but also to keep competition in shipping from being based on lower labour standards. In this respect, the Convention requires flag states to give effect to seafarers' rights and to apply those standards more consistently, rather than leaving protection to uneven national (Payoyo, 2019, p. 470). At the national level, states that ratify the MLC must put inspection and certification sys-

tems in place (Mantoju, 2021, p. 109). At the international level, the Convention strengthens supervision through PSC.⁹ PSC is important because it allows port states to check whether ships comply with MLC standards, including through certificate review and inspection. It is also supported by the "no more favourable treatment" rule, so that ships from non-ratifying states are not placed in a better position than ships from ratifying states (Maritime Labour Convention, 2006; Fotteler, Andrioti Bygvraa and Jensen, 2020, p. 2).¹⁰ Where stumbled upon problem, the MLC gives port authorities room to act, ranging from asking the ship to fix the deficiency, detaining the vessel, making poor compliance records public, and, in more serious cases, imposing banning measures (Payoyo, 2019, p. 471). As of now, PSC has become more organized, since inspections now rely not only on physical checks, but also on risk profiles, performance records, and shared digital systems, including the white - grey - black list system used to track flag state performance (Payoyo, 2019, p. 471). This gives port authorities a practical way to respond when working and living conditions on board fall below basic standards.

Seeing in today's practice, the inspection carried out by PSC is grounded by regional Memorandums of Understanding (MoUs). While they are not in fact at the same level as 'treaties', they matter because they help port states inspect ships in a more similar way, share information, and avoid working separately. This is particularly important because ships move from port to port, so weak checks in one place can leave the same problems to continue elsewhere. Globally now there are nine main PSC MoUs, with the Paris MoU and Tokyo MoU among the most active (Fotteler, Andrioti Bygvraa and Jensen, 2020, p. 1)

The early practice of the Paris MoU gives one example of how this works. In its first year of MLC enforcement, 113 ships were detained for MLC - related breaches. Of the 46,798 deficiencies recorded, 7.4 percent were linked to the MLC (Fotteler, Andrioti Bygvraa and Jensen, 2020, p. 1). The most common problems concerned health and safety -

⁷Art VI specifies that Part A Standards are mandatory (hard law), while Part B Guidelines are advisory (soft law).

⁸ For instance, it covers fair employment terms (Regulation 2.1), repatriation (Regulation 2.5), access to medical care (Regulation 4.1), social protection (Regulation 4.5), decent accommodation (Regulation 3.1), and quality food services (Regulation 3.2)

⁹This is further supported by the creation of the Special Tripartite Committee (STC), which is composed of representatives from governments, shipowners, and seafarers. The STC reviews MLC operations, proposes amendments, and ensures compliance. It facilitates dialogue among stakeholders to address enforcement challenges and uphold maritime labor rights. The committee also reviews the MLC's implementation and requires more detailed periodic reports from both flag and port states on their inspection systems, see Maritime Labor Convention (2006) Art XIII.

¹⁰Maritime Labor Convention (2006) Art V para 7 ensures that ships from non-ratifying countries do not receive more favorable treatment than those from ratifying countries. This means all ships, regardless of their flag, must meet MLC standards when entering ports of ratifying countries, preventing unfair advantages for ships from nations that have not adopted the convention.

(37%), accident prevention (43.1%), followed by manning (28.6%), food and catering (15.4%), and accommodation (10%). Other issues also appeared in relation to work and rest hours, and basic living conditions (Fotteler, Andrioti Bygvraa and Jensen, 2020, pp. 1–2). These figures suggest that PSC has become an important support for flag state enforcement. They also show, however, that the MLC has not removed the problem of poor conditions on board (Fotteler, Andrioti Bygvraa and Jensen, 2020, p. 3). While the Convention has strengthened the protection of seafarers in practice, the continuing record of deficiencies shows that implementation remains uneven and still requires attention.

B. Gaps in the Protection of Seafarers' Rights.

Arguably, calling the MLC 2006 a “bill of rights” for seafarers may still be a reach when its protection still depends heavily on how it is applied. This is because, issues do not lie in only what the Convention ruled, but whether flag states, port states, and shipowners actually give effect/implement it. Problem such as weak oversight, or where the rules are applied unevenly, making the protection promised by the MLC seem difficult to rely on in practice. Drawing from prevalent cases, this study summed that the problem shows up most clearly in: **repatriation, shore leave, and worker representation** (Mantoju, 2021, pp. 111–114).

- As for repatriation, Regulation 2.5 [of MLC] gives seafarers the right to be sent home without having to pay the cost themselves. This right may arise when a contract ends, when a shipowner becomes insolvent, or when a seafarer can no longer continue working because of illness or injury (Maritime Labour Convention, 2006, Standard A2.5; Guideline A2.5.1). But in practice, we could still find some seafarers being abandoned. Tragically, they were left on board for long periods, no pay, nor enough food, medical care, or a clear way home. As the ITF said, this is a “cancer” of the maritime industry, as they received many reports that many distress calls involve crews who lack basic necessities while waiting to be repatriated (Mantoju, 2021, p. 113; Marine Insight, 2020). Tragically, this problem became much sadder during COVID-19. More than 400,000 seafarers were left on board vessels, in many cases well beyond the MLC’s recommended 11-month limit on service at sea (ILO, 2020). The pandemic therefore showed a serious weakness in the way repatriation rights operate during crisis. Even where the right exists on paper, seafarers may still be unable to leave the ship unless states and shipowners take practical steps to make repatriation possible (Schubert, 2021, p. 111).
- A second enforcement problem concerns shore leave. Regulation 2.4 of the MLC recognizes shore leave

as part of seafarers’ wellbeing. In practice, however, this right is not always easy to use. Again, during COVID-19, many seafarers were unable to leave their ships because ports and borders were closed or heavily restricted. They whom stayed after long periods at sea, had to stay even longer without clear information on when they could leave (Schubert, 2021, pp. 114–115). But the problem is not limited to COVID-19. Even under normal conditions, seafarers may still find it difficult to go ashore because of visa rules, slow approvals, or refusal at the port. Them needing medical help still do not help their case to leave the ship (Mantoju, 2021, p. 115; Schubert, 2021, p. 119).

- A third issue is about worker representation, particularly on the health and safety. Standard 4.3 of the MLC regulated that ships with five or more crew members to have safety representatives and committees (Maritime Labour Convention, 2006). The idea is to give seafarers some place in safety matters on board. In practice, however, this role can be quite limited, such that some committees have only a little of [meaningful] influence. This concerns for example consultation since some seafarers may not know their rights or feel safe enough to be able to raise safety concerns on board (Graham and Walters, 2021, p. 267). Because of that, the existence of a safety committee does not necessarily mean that seafarers have a real say in how safety is managed (Graham and Walters, 2021, pp. 267–268).

From these, we can see that the issue is not simply whether the MLC has rules on enforcement— but also on whether seafarers are actually able to take part in safety decisions on board. Since, many shipowners rely on the ISM Code, which gives companies a large role in managing safety themselves (Graham and Walters, 2021, pp. 269–270)— there is a mistrust where seafarers feel that safety remains largely in management’s hands, with little outside checking. In that setting, of course, this led to crew members choosing not to speak up on the matter of safety, and may avoid taking part in any safety discussions (Graham and Walters, 2021, p. 274). Additionally, this state will be amplified in the case where union support is weak. If union support cannot back it up, seafarers may have to face unsafe conditions or unfair treatment individually, let alone having some practical abilities to question decisions made on board (Graham and Walters, 2021, p. 270). At the extreme state, in the case of ships registered under Flags of Convenience (FoC), the problem reached at peak, since the shipowner could be ‘free’ to discourage union activity or even set a punishment for those who joined, including through blacklisting (Frawley, 2005, p. 95).

Unfortunately, it does not stopped surrounding safety issues on board. The MLC 2006 itself carried further issues concerning compliance with seafarers’ protection. Al-

though, Convention sets clear standards on decent working and living conditions on board, there still problem in how far these standards are actually enforced. Some says that, the MLC has been “adamant” on seafarers’ rights but flexible on implementation (Mantoju, 2021, p. 109). Especially in the face of open registry states. With lax registration requirements and weaker labour standards, they cut some cost who otherwise be needed for reducing risk on seafarers’ safety (Frawley, 2005, pp. 90–91). Liberia and Panama, stands in front as an example. As major FoC states and parties to the MLC, their practice to implement provision in the MLC is not effective and rather weak (Schubert, 2021, p. 116). To counter this, however, state practice now uses port states control as a safety net, because it allows member states to enforce the MLC against FoC ships when they enter their ports (Maritime Labour Convention, 2006, Art. V, para. 7; Bauer, 2008, p. 652).

Separately, there is a call for compliance in life-saving situations at sea. As such, international law requires state parties to take “necessary measures” to preserve life, as outlined in the Article 1 of SOLAS and Article 98(1)–(2) of the LOSC. But, what amounts to “necessary” is often left to individual states to decide, especially where they face practical limits such as limited public resources, leading to ‘low-act’ to what should otherwise be a meaningful obligation (Zhang et al., 2019, p. 84). Consequently, the duty to save lives is often treated in a ‘softer’ way, more of as a ‘checklist’ than as a strict legal obligation. This trend is echoed by the UN Human Rights Committee, which has similarly noted that implementing right to life should not be interpreted narrowly, as states are encouraged to take “all possible measures” to prevent loss of life. (Zhang et al., 2019, p. 84; (United Nations Human Rights Committee, 1982).

C. A Way Forward: Enhancing the Protection of Seafarers Rights.

As stressed, the problem with the MLC lies on the enforcement and its member states compliance, which create a question on how, then, can a compliance be strengthened?

One way is to reinforce the regulatory framework so that all entity involved: shipowners, flag states, port states, coastal states, and seafarers, including unions, are all in silos in giving effect to the MLC.

For port states, it is suffice to say that PSC mechanism has already helped improve compliance, especially in relation to providing safety net to enforce MLC against shipowners and flag states. On top of that, regional co-operation through MoUs has also supported the operation of PSC under the MLC 2006. Even then, gaps still exist since PSC is not applied in the same way across regions (depends on how the MoU between the port states). Because of this, some ships are doing ‘port shopping’; avoiding ports with stricter checks and enter ports where inspections are weaker (Fotteler, Andrioti Bygvraa and

Jensen, 2020, pp. 5–9). On this, there is a growing call for PSC to be made more consistent across regions, so ships are held to a similar standard wherever they go.

But, the problem of FoC remains the front-runner issue that needs a complex mechanism to address. One possible way forward is to rely the [inspecting] duty to an independent body that can inspect ships and report its findings to MLC member states, but there is then a question about the nature of the operationalisation, particularly because some FoC member states would obviously opposes this idea. Another thing is to use the ITF to play its role working with port inspectors and helping raise awareness of seafarers’ rights (Bauer, 2008, p. 650). Even though the ITF is not a formal enforcement body, in practice, ITF can support port inspectors, point attention to weak enforcement, and create pressure for shipowners and flag states to comply (Bauer, 2008, p. 650). For instance, ITF could play the certification game, such that when FoC vessels meet acceptable labour and wage standards, they were to receive Blue Certificates. Albeit not legally required, certificates can still be useful for shipowners when they dock in the port, since such certification may help speed up the inspection process. On the other hand, FoC ships that violate seafarers’ rights may also be placed on the ITF blacklist, which makes them more visible to inspectors and the public (What Do FOCs Mean for Seafarers?, 2019).

In respect to enforcement gaps on repatriation, shore leave, and worker representation as a result of weak protection from the MLC 2006, one way around it is to provide provision on the right to strike. As of now, this balancing mechanism is important to give seafarers more option in the case of non-compliance of the shipowners. The right to strike here could work as a practical form of pressure, since it could disrupt operations, and also signal that something is wrong on board and give PSC a reasonable ground to inspect the vessel (Maritime Labour Convention, 2006). While some member states raises this issue, the–December 2024 amendments to the MLC still do not address this right (International Labour Organization, 2024). The amendments also failed to say anything to solve shore leave problems. While it is understandable that the MLC had to leave some space for coastal states to apply their own border rules, clearer rules on shore leave should be encouraged. A way forward that is being offered for future amendments are that the MLC could deal with port access more directly, including by making visa processes simpler or allowing short-stay exemptions for seafarers. On this however, this paper also recall the STC to be at least start discussing basic standards on the shore-leave-issues. Examples could include cooperation between port states, or a regional visa that lets seafarers enter several ports in the same region. And learning from COVID-19, these measures should also take account of emergency situations, where delays in port access can give heavy affect seafarers’ welfare.

Conclusions.

One point of conclusion that could be drawn is that seafarers's right could only be protected if keeping the interest of all entity are kept in balance. Neither shipowners, flag states, or even the seafarers side should be the dominating party to take advantage of one another. This study offers a way forward by using existing mechanisms such as PSC, and by drawing on inspecting bodies such as the ITF, to add another layer of protection for seafarers through stronger enforcement against shipowners and flag states. But of course, to enable this, cooperation between the member states is the whole point. As such, relying on regional cooperation could help not only with check and balance, but also with enforcement. This matters because, in less capable countries, limited resources can be the main issue, especially for the duty to save lives at sea. On top of this, transparency in decision-making should also include seafarers, especially when the decision directly concerns their protection.

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