

THE IMPLEMENTATION OF THE MARITIME LABOUR CONVENTION (MLC) DURING THE COVID-19 PANDEMIC*

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ABSTRACT

The coronavirus (covid-19) pandemic sparked a global crisis which negatively impacted all aspects of life, not least work. In the maritime sector, it not only severely disrupted the practical aspect of travelling on ships and entering into ports, due to various restrictions imposed on both vessels and crew, but it also raised serious concerns regarding both the employment rights and social protection of nearly 2 million seafarers worldwide. This article analyses the implementation and practical application of the Maritime Labour Convention (MLC) during the covid period, focusing on the main challenges faced by seafarers throughout the course of the pandemic, as well as evidencing the response of governments and of the United Nations organizations within the context of the current global socio-economic trends.

This study addresses the significant role played by the maritime industry in providing substantive guidance to reduce the negative impact of covid-19 on seafarers' work conditions, especially due to the imposed travel restrictions preventing return home or disembarking in another port. The purpose of this study lies in two core areas: firstly, to highlight the measures adopted at international level for the establishment of minimum labour standards which are internationally recognized for seafarers and, secondly, to facilitate the implementation of the States' obligations under the MLC, in order to fully respect seafarers' rights.

The pandemic indeed drew attention to the fact —hitherto relatively undervalued— that seafarers are the «life blood» of the shipping sector, essential to the smooth running of the entire maritime industry and the safety of navigation, with States urged to recognize them as «key workers».

Keywords: Maritime Labour Convention (MLC), seafarers, covid-19 pandemic, crew changes, repatriation, abandonment of seafarers, safety and health, key workers.

SUMMARY: I. INTRODUCTION.—II. MARITIME LABOUR ISSUES ARISING FROM THE COVID PANDEMIC: ITS IMPACT ON SEAFARERS' WORKING CONDITIONS: 1. Impediments to crew changes and seafarers' repatriation. 2. Extension of Seafarer Employment Agreements (SEA).—III. KEY POLICIES TO MITIGATE THE IM-

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PACTS OF COVID-19 ON SEAFARERS' RIGHTS.—IV. PORT STATES CONTROL COMPLIANCE WITH THE MLC.—V. «FORCE MAJEURE»: A SHIELD FOR NON-COMPLIANCE WITH THE MLC DURING THE COVID PANDEMIC.—VI. THE DESIGNATION OF SEAFARERS AS «KEY WORKERS».—VII. CONCLUDING REMARKS.—VIII. BIBLIOGRAPHY.