



IMO



**JOINT IMO/ILO AD HOC EXPERT WORKING GROUP
ON LIABILITY AND COMPENSATION REGARDING CLAIMS FOR DEATH,
PERSONAL INJURY AND ABANDONMENT OF SEAFARERS**

**Seventh session
Agenda Item 2**

**IMO/ILO/WGLCCS 7/2/3
Geneva, 11 January 2008
ENGLISH ONLY**

**EXAMINATION OF THE ISSUE OF FINANCIAL SECURITY FOR CREW
MEMBERS/SEAFARERS AND THEIR DEPENDENTS WITH REGARD TO
COMPENSATION IN CASES OF PERSONAL INJURY,
DEATH AND ABANDONMENT**

Database on reported incidents of abandonment of seafarers

Submitted by the International Transport Workers' Federation (ITF)

SUMMARY

Executive summary: This document comments on the Database on reported incidents of abandonment of seafarers

Action to be taken: Paragraph 5

Related documents: IMO/ILOWGLCCS 6/WP.2; IMO/ILO/WGLCCS 6/6

1 During its fifth meeting, the Joint IMO/ILO *Ad Hoc* Expert Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers (Joint Working Group), held in London at the Headquarters of the International Maritime Organization (IMO), from 12 to 14 January 2004, expressed the need for a database on abandonment cases, to be set up as soon as feasible.

2 During its sixth meeting, the Working Group established a process and certain criteria for reporting cases of abandoned seafarers. In addition, criteria were agreed to determine when a case should be considered resolved.

3 At today's date, there are 50 abandonment cases listed on the database, all of which have been reported by the ITF. Twenty-five are marked 'resolved', whilst the remaining cases are still open. In these cases there is insufficient evidence to confirm that the totality of crew has been successfully repatriated; and the totality of all outstanding remuneration and contractual entitlements have been paid and duly received by all crew members. It is likely that in some cases there is no further action being taken, and that the seafarers in question may no longer be on the vessel.

4 In order to avoid misinterpretation of the information in the database, it may be appropriate to consider whether a third category of cases should be defined, in which, though not resolved, a case is no longer 'active'. Such a case could be considered 'inactive' or 'dormant' if the seafarers were understood to be no longer on board the vessel and where a certain period of time has elapsed with no communication or contact from persons involved with the case. Such a period of time could be set at 3 years.

Action requested of the Group

5 The Group is invited to consider the comments and proposal contained in this document and to determine whether the establishment and definition of a third category of case would be appropriate at this stage.
