

LEGAL COMMITTEE  
109th session  
Agenda item 4(a)

LEG 109/4(a)/1  
14 January 2022  
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## FAIR TREATMENT OF SEAFARERS

- (a) **Provision of financial security in case of abandonment of seafarers, and shipowners' responsibilities in respect of contractual claims for personal injury to, or death of, seafarers, in light of the progress of amendments to the ILO Maritime Labour Convention, 2006**

**Analysis of incidents of abandonment for the period 1 January to 31 December 2021**

**Submitted by the International Transport Workers' Federation (ITF)**

### SUMMARY

*Executive summary:* This document focuses on reporting of incidents of abandonment for the period 1 January to 31 December 2021

*Strategic direction, if applicable:* 6

*Output:* 6.7

*Action to be taken:* 12

*Related documents:* LEG 109/4(a) and LEG 109/4(a)/2

### Introduction

1 At its 104th session, the Legal Committee committed to consider reports on the issue of financial security in the case of abandonment of seafarers, and shipowners' responsibilities in respect of contractual claims for personal injury to, or death of, seafarers, in light of the progress of the amendments to ILO Maritime Labour Convention (MLC), 2006, as amended (MLC).

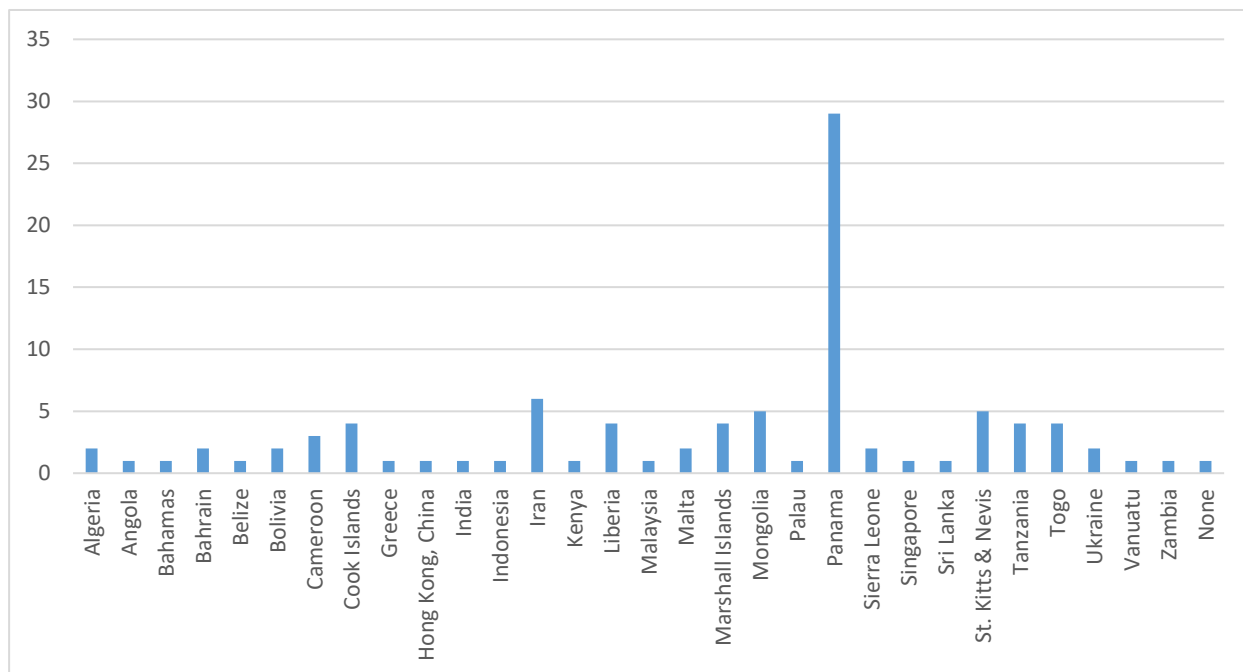
2 During the period referred to, a total of 95 cases of abandonment were reported involving 1,399 seafarers on 94 different vessels.

3 The number of cases reported has increased by more than 10%.

### Vessels by flag

4 Panama stands out as the flag State with the highest number of abandonments. A total of 29 cases on vessels flagged in Panama occurred in 2022. No other flag State reached

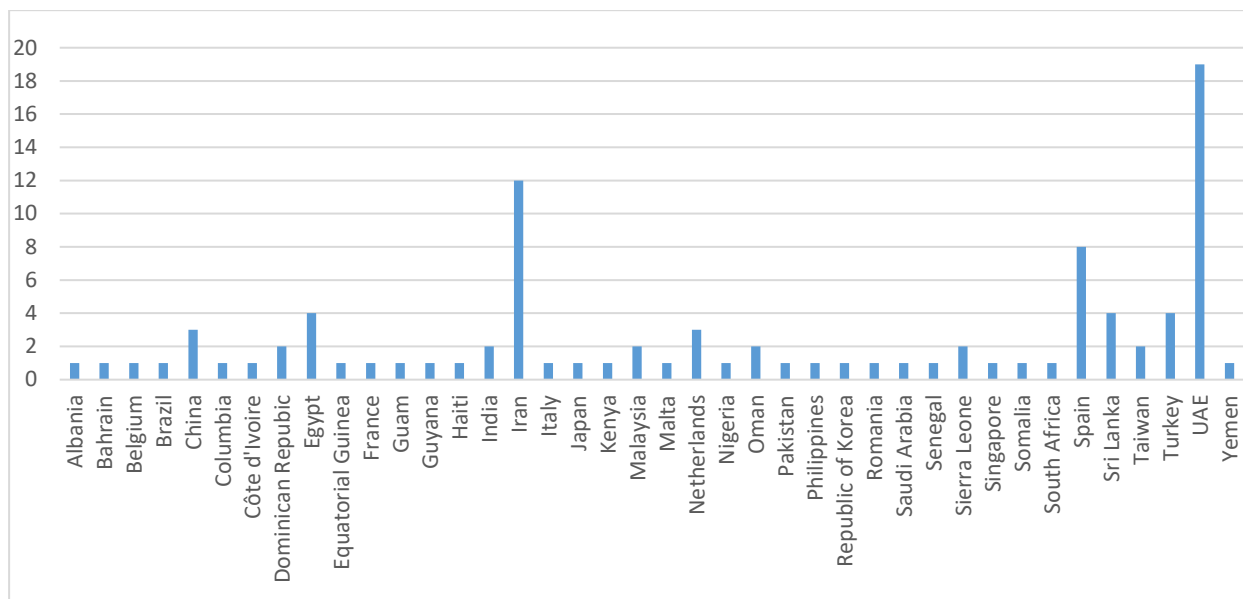
double figures. The Islamic Republic of Iran (6), Mongolia (5) and Saint Kitts and Nevis (5) follow as the flag States to experience a high number of abandonments. Moreover, cases were reported with respect to 30 different flag States, showing that the issue was widespread.



5 One fishing vessel, the **Cobija**, had no flag at the time of abandonment and stopped in Yemen on route to Somalia. The crew were abandoned in Yemen and the case remains unresolved.

**Location of abandonments**

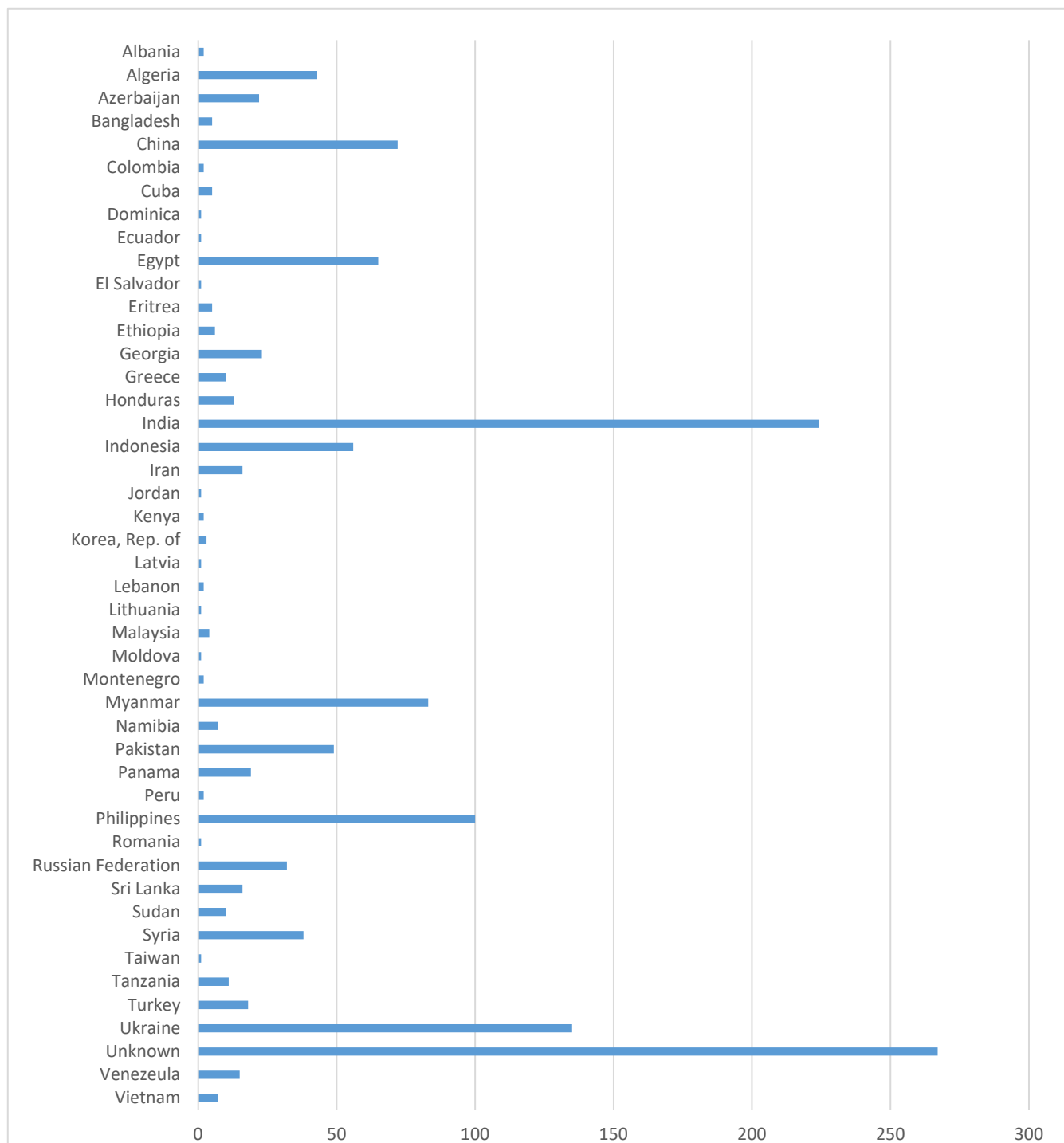
6 Locations of cases also demonstrate the pervasive nature of the problem. Forty States had seafarers abandoned in their waters during 2021. The United Arab Emirates (19 cases) recorded the highest number of cases for the fourth consecutive year, while the Islamic Republic of Iran (12) and Spain (8) saw an increase in abandonments.



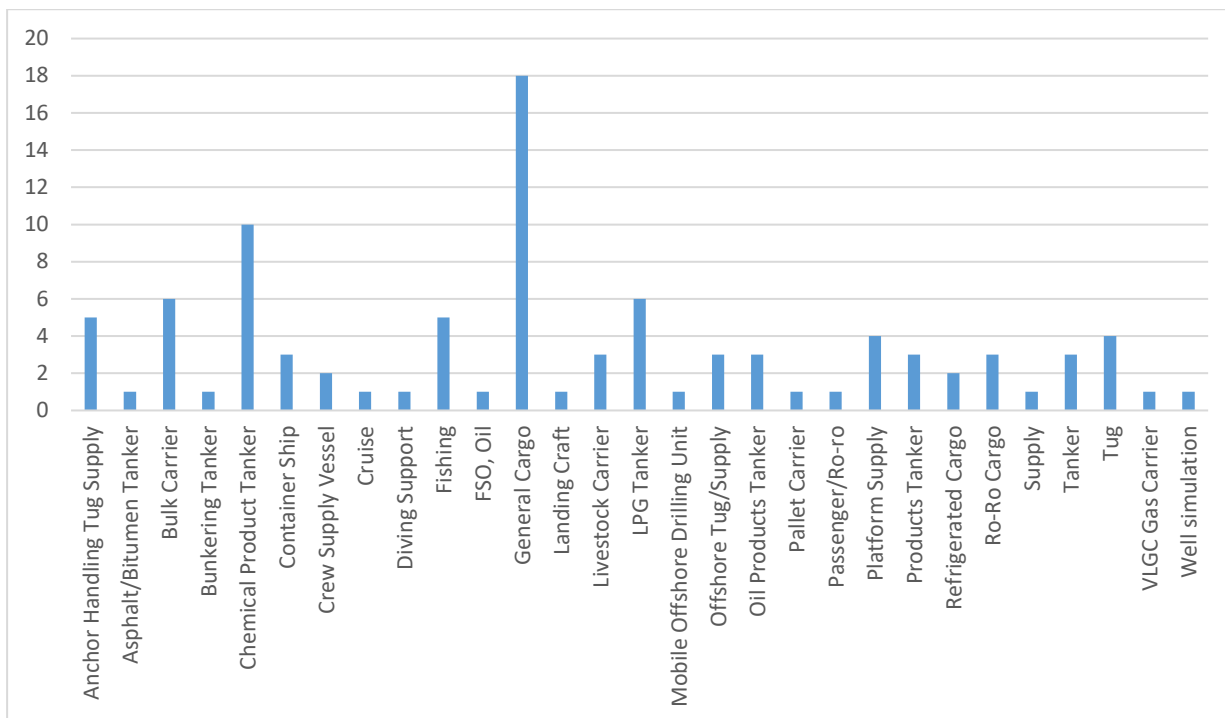
### Nationality of abandoned seafarers

7 The largest nationality group of abandoned seafarers is from India with 224 seafarers out of the 1399 (16%), followed by Ukraine (135, 10%), Philippines (100, 7%), Myanmar (83, 6%) and the People's Republic of China (72, 5%).

8 ITF was unable to obtain specific data on nationalities of seafarers on 12 vessels, therefore those numbers are included under "unknown nationality".



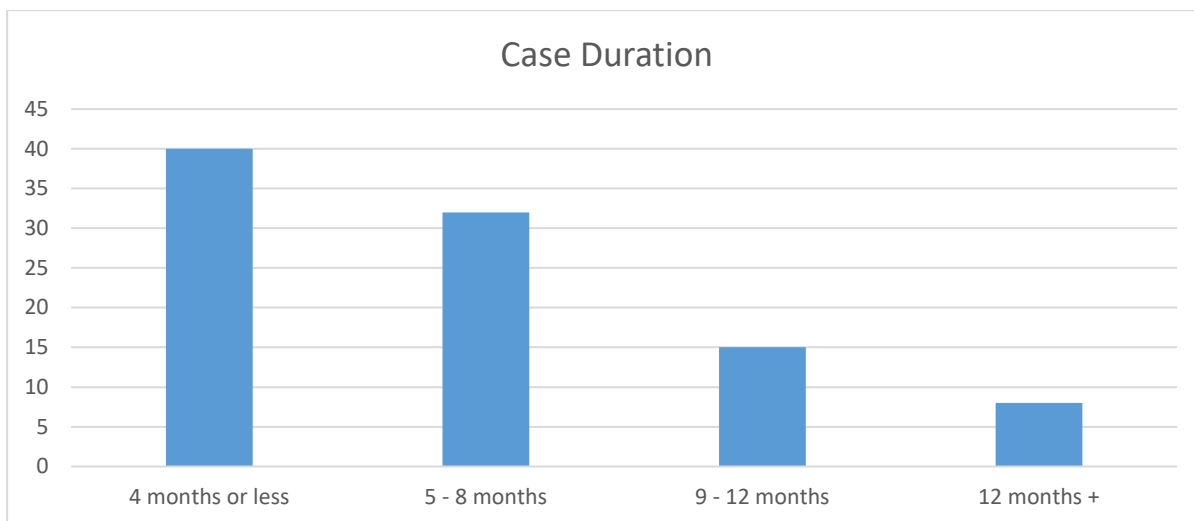
**Abandonment by vessel type**



9 Eighteen cases of abandonment (19%) involved general cargo vessels, with a further 6 cases (6%) on bulk carriers. Chemical tankers (10 cases, 11%) also featured heavily. Some of the most difficult cases occurred on fishing vessels.

**Duration of abandonment cases**

10 It is difficult to give a definitive figure for the duration of abandonment cases. Seafarers do not always seek assistance immediately. A case may start as a wage claim and deteriorate into a situation of abandonment. Some seafarers are on board and/or unpaid longer than others. In order to give an impression of the lengths of time involved, the following table takes the period of unpaid wages as a starting point for calculating a period of abandonment. The data is correct at the time of writing this report and includes ongoing cases.



11 While it is encouraging to see the weighting in favour of shorter resolutions, there remain a number of cases which prove very difficult to solve.

**Action requested of the Committee**

12 The Legal Committee is invited to take note of the information provided and maintain its interest in, and oversight of, the issue of seafarer abandonment.

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