

Republic of the Philippines
Congress of the Philippines

Senate

Manila City

Fiftieth Congress

Third Regular Session



RESOLUTION NO. 118

RESOLUTION CONCURRING IN THE RATIFICATION
OF MARITIME LABOUR CONVENTION, 2006

WHEREAS, the Constitution, Article VII, Section 21, states that, “No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate”;

WHEREAS, the Maritime Labour Convention, 2006 was adopted by the General Conference of the International Labour Organization (ILO) on 23 February 2006 in Geneva, Switzerland;

WHEREAS, the Philippines is a primary source of seafarers in the world, accounting for an estimated thirty percent (30%) of seafarers in the global shipping fleet. In 2011 alone, the Philippines deployed three hundred forty-

three thousand five hundred eighty seven (343,587) seafarers;

WHEREAS, apart from seafarers being deployed on foreign ships, there are forty thousand (40,000) Filipino seafarers working on board domestic fleet;

WHEREAS, the seafaring industry contributes to national development. Filipino migrant seafarers account for twenty-two percent (22%) of the total foreign remittances from overseas Filipinos, contributing US\$4.3 billion in 2011;

WHEREAS, Filipino seafarers are exposed to a wide range of issues spanning not only the issue of salaries and benefits, but also the problem of health, safety and tenure at work;

WHEREAS, the changing global market and working conditions of the seafaring industry necessitates a re-sharing of regulations at the national and international level and calls for a more vigorous enforcement of policies and programs that will safeguard the seafaring industry and the Filipino seafarers;

WHEREAS, the Maritime Labour Convention, 2006, hailed as the seafarers' bill of rights, puts in a single Convention existing maritime labor instruments and brings these up to date to address current realities and conditions facing the seafaring industry;

WHEREAS, the Maritime Labour Convention, 2006 consolidates thirty-seven (37) maritime conventions and thirty-one (31) recommendations of the International Labour Organization (ILO) with the view to providing unified regulations and standards for the protection of the welfare and promotion of the rights of seafarers;

WHEREAS, the Convention ensures a comprehensive worldwide protection of the rights of seafarers and establishes a level playing field for shipowners and manning States;

WHEREAS, the Convention is organized into three main parts: the Articles and the Regulations, which set out the core rights and principles and the basic obligations of Member States, and the Code, which contains the details for the implementation of the Regulations, including mandatory standards and non-mandatory guidelines;

WHEREAS, Article III requires each Member to respect the fundamental rights of seafarers to:

1. Freedom of association and the effective recognition of the right to collective bargaining;
2. The elimination of all forms of forced or compulsory labor;
3. The effective abolition of child labor; and
4. The elimination of discrimination in respect of employment and occupation.

WHEREAS, Article IV sets out the following employment and social rights of seafarers:

1. Right to a safe and secure workplace that complies with safety standards;
2. Right to fair terms of employment;
3. Right to decent working and living conditions on board ship; and
4. Right to health protection, medical care, welfare measures and other forms of social protection.

WHEREAS, Article V provides that each Member shall implement and enforce laws or regulations or other measures that it has adopted to fulfill its commitments under the Convention with respect to ships and seafarers under its jurisdiction. Further, each Member shall effectively exercise its jurisdiction and control over ships that fly its flag by establishing a system for ensuring

compliance with the requirements of the Convention, including regular inspections, reporting, monitoring and legal proceedings under the applicable laws;

WHEREAS, the President of the Philippines ratified the Maritime Labour Convention, 2006 on 28 May 2012 and has accordingly submitted it to the Senate for concurrence in accordance with the Constitution;

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 26 July 2012, the following government agencies and nongovernment organizations endorsed the concurrence in the ratification of the 2006 Convention:

1. Department of Foreign Affairs (DFA);
2. Department of Justice (DOJ);
3. Department of Transportation and Communications (DOTC);
4. Department of Labor and Employment (DOLE);
5. Maritime Industry Authority (MARINA);
6. Philippine Overseas Employment Agency (POEA);
7. Overseas Workers Welfare Administration (OWWA);
8. Philippine Coast Guard (PCG);
9. Technical Education & Skills Development Authority (TESDA);
10. Philippine Ports Authority (PPA);
11. Joint Manning Group (JMG);
12. Philippine Association of Manning Agents and Ship Managers, Inc. (PAMAS);

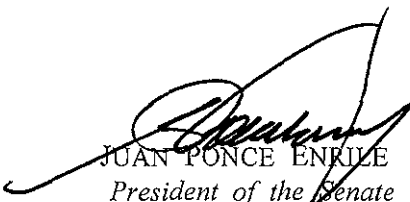
13. Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP);
14. Filipino Shipowners' Associations (FSA);
15. Filipino Association for Mariners' Employment (FAME);
16. Philippine-Japan Manning Consultative Council, Inc. (PJMCC);
17. International Maritime Association of the Philippines (INTERMAP);
18. International Seafarers' Action Center-Philippines;
19. Safety Training Certification & Watch-Keeping for Seafarers (STCW); and
20. Philippine Seafarers' Union.

WHEREAS, Article VIII provides that the Convention shall enter into force twelve (12) months after the date on which there have been registered ratifications by at least thirty (30) Members of the ILO with a total share in the world gross tonnage of ships of thirty-three percent (33%);

WHEREAS, the Philippines' timely ratification of the Convention may well signal the 30th ratification that would enable the Convention to come into force twelve (12) months later, in 2013. As of 26 July 2012, twenty-nine (29) Members have already ratified the Convention: Now, therefore, be it


Resolved, That the Senate of the Philippines concur, as it hereby concurs, in the ratification of Maritime Labour Convention, 2006.

Adopted,



JUAN PONCE ENRILE
President of the Senate

This Resolution was adopted by the Senate on August 13, 2012.


EMMA LIRIO-REYES
Secretary of the Senate

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