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MARITIME HUMAN RIGHTS RISKS AND THE COVID-19 CREW CHANGE CRISIS

A TOOL TO SUPPORT HUMAN RIGHTS DUE DILIGENCE



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- The International Chamber of Shipping (ICS)
- The International Transport Workers' Federation (ITF)
- The Rafto Foundation
- Organization for Economic Co-operation and Development (OECD)

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INTRODUCTION

The maritime industry is responsible for transporting more than 80% of global trade of goods, such as automobiles, bulk commodities, chemicals, wood products, iron and steel, garments and shoes, and consumer goods, toys, electrical appliances, oil and gas, pharmaceutical products and food. COVID-19 related measures imposed by Governments, including travel bans, embarkation and disembarkation restrictions or suspension in the issuance of travel documents, have severely strained the working conditions in the global shipping sector, resulting in a humanitarian and safety crisis.¹

Hundreds of thousands of seafarers are trapped on ships as routine crew changes cannot be carried out, while hundreds of thousands are stranded on land, prevented from re-joining ships.² Those stranded on ships are being denied their human rights, including their rights to physical and mental health, to family life, and to freedom of movement, and are often forced to work beyond the default 11-month maximum period of service on board, as established by International Labour Organization (ILO) Maritime Labour Convention, 2006 (MLC, 2006). This is resulting in cases that could amount to forced labour.³

The UN General Assembly, the Secretary General and UN agencies have called on governments to designate seafarers as “key workers” and to honour their commitment to seafarers, especially as it relates to medical care, length of service and repatriation.⁴

Under the UN Guiding Principles on Business and Human Rights (UNGPs), while governments have the duty to protect the human rights of seafarers, businesses have a distinct responsibility to respect their rights.

Given the scale of the maritime industry and its facilitation of world trade, multinational and national enterprises of all sizes are likely to be linked to the situation of seafarers through their operations, logistics, and broader value chains.

The UN Human Rights Office, the UN Global Compact, and the UN Working Group on Business and Human Rights have issued a statement calling upon companies to act under the UNGPs. This call has been echoed by the International Labour Organization (ILO).⁵

In the context of the COVID-19 crisis, business enterprises that engage with the maritime industry should undertake human rights due diligence to identify, prevent, mitigate and address adverse human rights impacts on seafarers resulting from restrictions to crew changes. This involves utilizing leverage – individually and collectively – on governments and maritime transport providers to ensure respect for seafarers’ rights. The scale and complexity of due diligence should be reasonable and proportional to its their size and operational context, among other factors.

Moreover, companies should not exert undue pressure on the maritime industry to lessen the protection afforded by existing standards, including those set out in the MLC, 2006. For instance, some are demonstrating irresponsible practices that jeopardize seafarers’ rights, including the appearance of ‘no crew change clauses’ in contracts between charterers and the maritime industry.

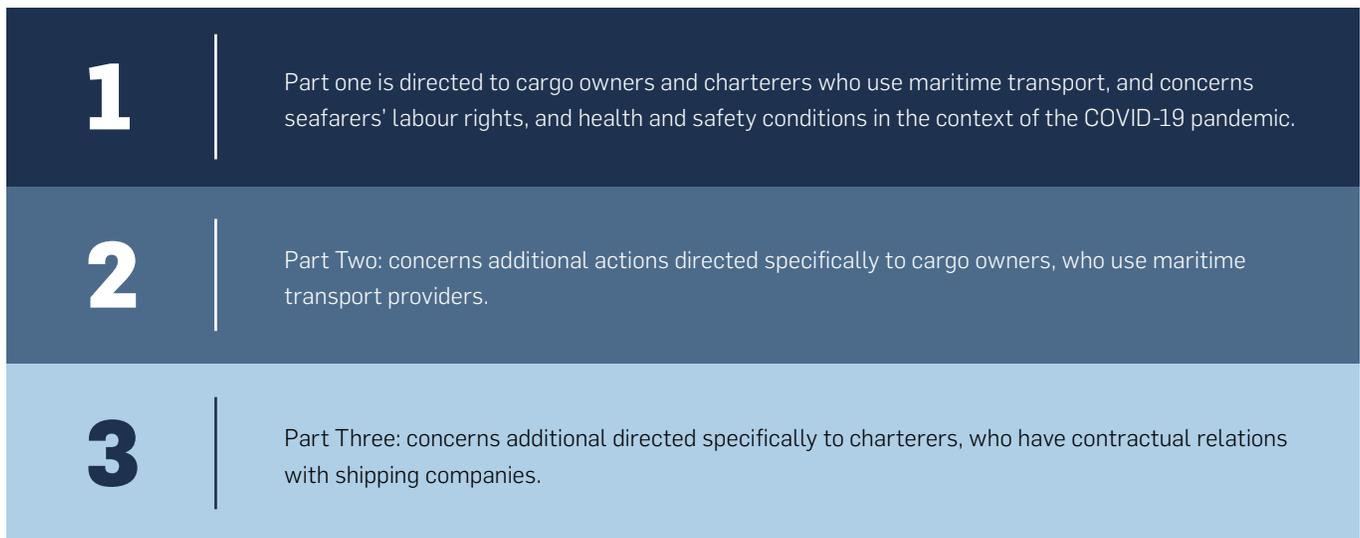
However, a number of global businesses are already demonstrating responsible practices and recognizing their human rights responsibilities to seafarers.⁶

This tool seeks to encapsulate these good practices.

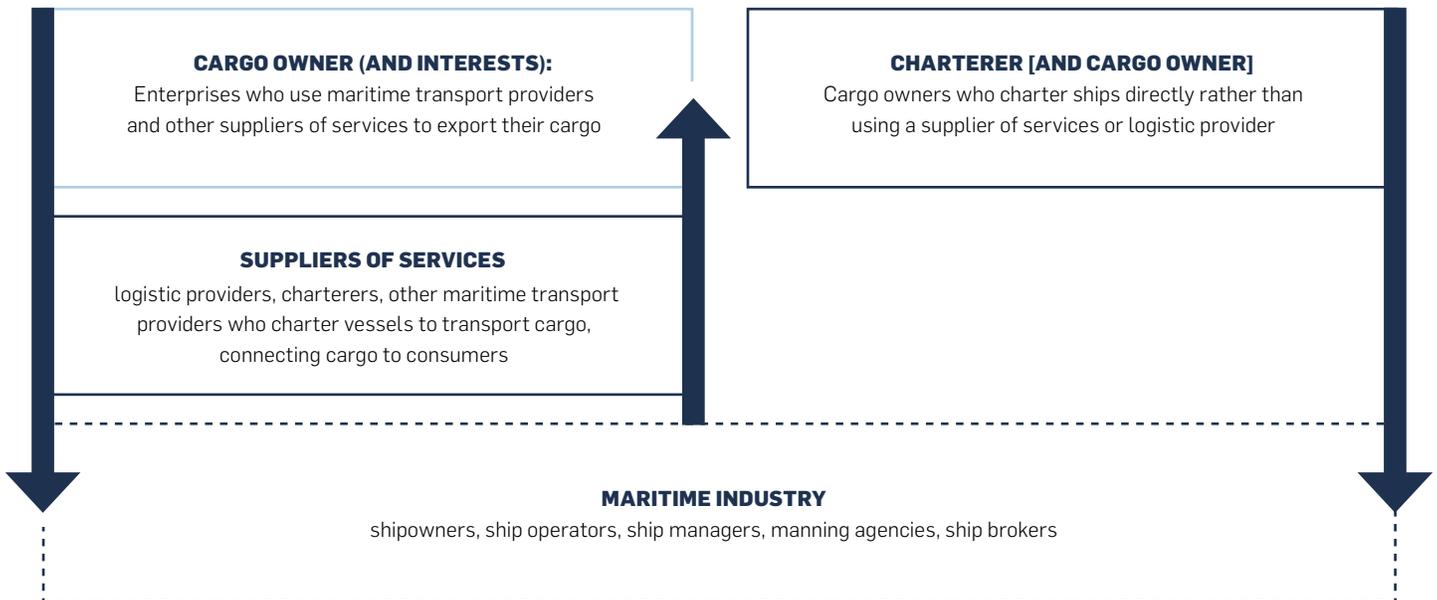
ABOUT THIS TOOL

This tool is intended to help businesses uphold their responsibility to respect human rights in the maritime sector during the COVID-19 related crew change crisis through urgent measures. The tool is a response to the ongoing crisis concerning crew changes and is not intended to provide comprehensive guidance on human rights due diligence for the maritime sector.

THE TOOL IS DIVIDED IN THREE PARTS:



ACTORS IN THE MARITIME SUPPLY CHAIN:



PART ONE

ACTIONS FOR CARGO OWNERS / CHARTERERS: ENSURE RESPECT FOR SEAFARERS' LABOUR RIGHTS, HEALTH & SAFETY

ENGAGE WITH BUSINESS PARTNERS

- **Business Partners of Cargo Owners:** Charterers, suppliers of services, logistic providers, maritime transport providers, other business partners who use maritime transport
- **Business Partners of Charterers:** Shipowners, ship operators

| ACTION | PRACTICAL STEPS |
|--|--|
| <p>Cascade the latest version of the IMO Recommended Framework of Protocols for Ensuring Safe Ship Crew Changes and Travel during the Coronavirus (Covid-19) Pandemic and use it as a basis for engaging in dialogue with your business partners.⁷</p> <p></p> <p>Outline expectations and verify that:</p> <ol style="list-style-type: none"> a. no seafarers should be or have been on board for a continuous period of more than the default 11 months maximum period of service (derived from the MLC, 2006).⁸ b. vessel operators are limiting any avoidable crew contract extensions.⁹ c. seafarers are not to work beyond the expiration of their contracts without their consent, highlighting that to do so may be grounds for considering such work as forced labour.¹⁰ d. vessel operators are upholding the right of seafarers to both fair and free repatriation (as required by MLC, 2006).¹¹ e. the cost of any quarantine obligations before or after joining the ship, are not borne directly or indirectly, in whole or in part, by the seafarer.¹² f. vessel operators are providing seafarers with adequate protective personal equipment (PPE).¹³ g. vessels transporting your goods should grant seafarers access to medical care ashore (e.g. by permitting diversions in the route) as required by MLC, 2006.¹⁴ h. vessel operators are upholding safe manning requirements, in accordance with Flag State laws and applicable international standards.¹⁵ | <ul style="list-style-type: none"> ■ Familiarize yourself with the IMO Protocols which outline general measures to be implemented by governments and shipping companies to facilitate safe ship crew changes during the COVID-19 pandemic and share them with your business partners ■ Seek a written assurance that your company's expectations are being met, and make this public when appropriate.¹⁶ See ANNEX F for an example letter to business partners. ■ Make your company's expectations public, e.g. through annual corporate responsibility reports, enterprise website, or other relevant forms of disclosure.¹⁷ ■ Engage with relevant stakeholders, in particular, the International Transport Workers' Federation (ITF) or the International Chamber of Shipping (ICS). See a list of relevant stakeholders / email addresses in ANNEX B. ■ Engage with third parties (e.g. NGOs, research consultancies) to help with the verification of commitments. See ANNEX B. ■ Review suppliers' company reports for statements on crew change. ■ ANNEX G contains resources with practical information on seafarer health and safety considerations during the COVID-19 pandemic. |

UTILIZE YOUR LEVERAGE

ACTION

Call on government authorities to implement coordinated and consistent policy and legal measures designed to alleviate the situation of seafarers during the COVID-19 pandemic, such as designating seafarers as “key workers”¹⁸ and implementing the IMO [recommended framework of protocols](#).

Call on government to prioritize seafarers in their national COVID-19 vaccination programmes, together with other essential workers.¹⁹

Join forces and support the efforts of other actors (e.g. other companies, industry associations, unions, NGOs, UN agencies) to increase collective leverage on governments.

Join forces and support the efforts of other actors to increase collective leverage on maritime transport providers.



PRACTICAL STEPS / FURTHER GUIDANCE

- See [ANNEX G](#) for a list of statements and resources on seafarers and COVID 19 from UN bodies and agencies.
- See the '[Vaccination for Seafarers and Shipping Companies: A Practical Guide](#)' from the International Chamber of Shipping.
- Such efforts could include, supporting Multi-Stakeholder Initiatives, drafting letters directed to political decision-makers or cross-sectoral calls to action from the global business community (see: [ANNEX D](#)).
- See the [ANNEX B](#) for an overview of stakeholders and actors.



PART TWO

ADDITIONAL ACTIONS FOR CARGO OWNERS: ADVOCATE FOR AND SUPPORT NECESSARY CREW CHANGES

ENGAGE WITH BUSINESS PARTNERS

- **Business Partners of Cargo Owners:** Suppliers of services, logistic providers, maritime transport providers, charterers, other business partners who use maritime transport

| ACTION | PRACTICAL STEPS / FURTHER GUIDANCE |
|---|--|
| Urge charterers and other business partners to be flexible and to accept route deviation requests from shipping companies for the purpose of facilitating crew changes. | <ul style="list-style-type: none"> ■ Consider offering to contribute to the costs of deviation to share costs during the COVID-19 crisis. |
| Request charterers and other business partners to swiftly remove or refrain from using 'no crew change' clauses in charter parties' agreements. | <ul style="list-style-type: none"> ■ Seek a written assurance against use of 'no crew change' clauses, to be made public where appropriate and available to external stakeholders. ■ As a follow-up, verify that all "no crew change" clauses have been removed. |

ENCOURAGE COOPERATION WITH THE MARITIME INDUSTRY

Encourage business partners to work constructively with the maritime industry through industry or multi-stakeholder initiatives (MSIs) to facilitate crew changes according to international standards.²⁰

- An example of an MSI is the Neptune Declaration on Seafarer Wellbeing and Crew Change signatories. A list of NGOs and MSIs is provided in [ANNEX B](#).

TOWARDS BROADER HUMAN RIGHTS DUE DILIGENCE IN THE MARITIME TRANSPORT INDUSTRY



This tool outlines urgent measures as a response to the COVID-19 related crew change crisis, and is not intended to provide comprehensive guidance on human rights due diligence for the maritime sector. However, the tool could serve as an initial marker to initiate long-term thinking into human rights due diligence processes in relation to the maritime industry.

This implies the inclusion of the maritime logistics supply chain and the rights of seafarers within the scope of cargo owners' due diligence – which as the COVID-19 pandemic has shown, is often not the case.

THE HUMAN RIGHTS DUE DILIGENCE PROCESS



According to the [UN Guiding Principles on Business and Human Rights](#), human rights due diligence (HRDD) involves a process to identify, prevent, mitigate and address negative human rights impacts on people. In practical terms, HRDD is a process to “know and show” about their human rights responsibilities. As designed by the UNGPs, HRDD mirror existing business risk management systems; however, the focus of HRDD is risk to people, rather than risk to the company itself. The scale and complexity of HRDD processes will vary according to factors such as size, sector or operation context, and should be commensurate to the severity of the risk.

According to the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), the due diligence process, as it concerns workers' human rights, should “involve meaningful consultation with potentially affected groups and other relevant stakeholders including workers' organizations”.²¹ According to the MNE Declaration, this process should “take account of the central role of freedom of association and collective bargaining as well as industrial relations and social dialogue as an ongoing process.”²²

Corporate due diligence cannot be separated from operational level-grievance mechanisms, so individuals and communities who may be adversely impacted can be heard, and have their grievances addressed early and remediated. In this connection, the ILO MNE Declaration states that “multinational enterprises should use their leverage to encourage their business partners to provide effective means of enabling remediation for abuses of internationally recognized human rights”.²³

These mechanisms should also be open for the rights of workers to submit grievances individually or collectively in relation to the business enterprises they work for, particularly when they operate in countries that do not abide by international principles and rights at work.²⁴

See ANNEX H for a list of resources on human rights due diligence, with a special focus on the maritime industry.



PART THREE

ADDITIONAL ACTIONS FOR CHARTERERS

ENGAGE WITH BUSINESS PARTNERS

- **Business Partners of Charterers:** Shipowners, ship operators

| ACTION | PRACTICAL STEPS / FURTHER GUIDANCE |
|---|---|
| Exhibit flexibility and accept route deviation requests from shipping companies for the purpose of facilitating crew changes. | <ul style="list-style-type: none"> ■ Consider contributing to the costs of crew changes and deviation during the COVID-19 crisis. |
| Swiftly remove or refrain from using 'no crew change' clauses in charter parties' agreements with the maritime industry. | <ul style="list-style-type: none"> ■ Communicate on how this has been or will be addressed. ■ Ensure this information is publicly available to external stakeholders, through annual corporate responsibility reports or other relevant forms of public disclosure. |
| Refrain from using any other methods which might exert additional pressure on the maritime industry. | <ul style="list-style-type: none"> ■ Avoid taking measures designed to circumvent safeguards on crew changes, such as using the fact that a ship is due a crew change as the reason for not hiring the vessel. |

COOPERATE WITH THE MARITIME INDUSTRY

| | |
|---|--|
| Work actively and constructively with the maritime industry to help facilitate crew changes in accordance with international standards regarding seafarers. ²⁵ | <ul style="list-style-type: none"> ■ Collaborate through a Multi-Stakeholder Initiative, such as the Neptune Declaration Signatories (See ANNEX D). |
|---|--|

CONTACT

This is a living document as COVID-19 is an ongoing crisis and the nature and extent of risks are still to be identified fully. If you have feedback or contributions for future reiterations, please let us know.

Please direct any question or request of further assistance to UN Global Compact: ocean@unglobalcompact.org

KEY STAKEHOLDERS

Human rights due diligence should include meaningful consultation with potentially affected groups and other relevant stakeholders. In relation to seafarers, this should include seafarers themselves and seafarer organizations (including, where possible, trade unions) as well as other relevant stakeholders, such as workers' organizations and NGOs.

At the global level, stakeholder engagement on issues related to seafarers should include the relevant social partners, such as the International Transport Workers' Federation (ITF) and the International Chamber of Shipping (ICS). Consultation should also involve, when necessary, government entities, including those from Flag States, and Port States MoU.

MAIN CONTACT INFORMATION

- International Transport Workers' Federation**
Email: SeafarersHRDD@itf.org.uk
- International Chamber of Shipping**
Email: info@ics-shipping.org
- Neptune Declaration on Seafarer Wellbeing and Crew Change**
Email: info@neptunedeclaration.org

INDUSTRY ASSOCIATIONS

- [IFSMA – International Federation of Shipmasters Associations](#)
- [InterManager](#)
- [International Association of Dry Cargo Shipowners \(INTERCARGO\)](#)
- [BIMCO](#)
- [International Association of Independent Tanker Owners \(INTERTANKO\)](#)

INTERNATIONAL INSTITUTES WORKING ON MARITIME HUMAN RIGHTS

- [Institute for Human Rights and Business](#)
- [The Danish Institute for Human Rights](#)
- [The Rafto Foundation for Human Rights](#)

INTERNATIONAL NGOS/WELFARE ORGANIZATIONS

- [Human Rights at Sea](#)
- [International Seafarers' Welfare and Assistance Network \(ISWAN\)](#)
- [ITF Seafarers' Trust](#)
- [International Christian Maritime Association \(ICMA\)](#)
- [International Maritime Health Association \(IMHA\)](#)

INTERNATIONAL NGOS/WELFARE ORGANIZATIONS

- [UN Global Compact Action Platform for Sustainable Ocean Business](#)
- [Consumer Goods Forum](#)
- [Global Maritime Forum](#)
- [World Economic Forum](#)
- [Ethical Trading Initiative](#)
- [Sustainable Shipping Initiative](#)

CASE STUDY

UK-BASED INTERNATIONAL RETAILER: TGF LONDON BRANDS

THE ISSUE

Due to ongoing COVID-19 restrictions, large numbers of seafarers are having to extend their service on board ships after many months at sea, unable to be replaced after long tours of duty or be repatriated via aircraft to their home countries. Each month about 150,000 seafarers need to be changed over to and from the ships which they operate to ensure compliance with international maritime regulations for ensuring safety, crew health and welfare, and the prevention of fatigue.

The crew who remain onboard are under increasing mental stress, worry and concern not just for themselves and their situation, but for their families in their absence of being at home. They remain concerned about who is going onboard if they are a COVID-19 carrier and if they could spread the virus to the crew. Further, concerns of not being heard, of not being properly represented onboard, and of their positions being ignored, continues to raise the worrying increase in the commercial over welfare focus for the very seafarers who keep the global industry running on a day-to-day basis.

Over 300,000 forgotten seafarers now stranded on board vessels worldwide, having completed their contractual tour of duty, have been prevented from returning home, stating restriction of movement. Some of them have been at sea for over 17 months, when the MLC caps the time at 11 months.

This is a growing humanitarian and economic crisis affecting the shipping sector and shipping companies are required to comply with international regulations and contractual obligations, and service periods on board ships cannot be extended indefinitely due to the dangerous impacts this has for the well-being of ship crew and, most importantly, safe ship operations.

TFG LONDON RESPONSE TO THE SEAFARERS CRISIS

In June 2020, Ethical Trade Initiative (ETI) responded to a call to support seafarers being affected by COVID-19 restrictions and all members, including TFG London, were invited to convene on a briefing session. The International Transport Workers Federation (ITF) briefed members on the maritime protocols, impact on supply chains and shared how, through our networks and logistic providers, organisations could support the call to remedy this situation.

Presented with the facts that had all the red flags of a humanitarian crisis, we felt compelled to address this very serious issue and take immediate action. The issue was presented at the Board of Directors and the Corporate Social Responsibility (CSR) and Sustainability team were given the green light to start an immediate investigation. One challenge we faced was that this was a segment of our global supply chain with which we were not so familiar with. Our main focus had always been merchandise suppliers and manufacturers through to raw material sourcing. Our logistics partners and the route of our vessels were not part of this map.

STEP ONE

The first step we took was to reach out to our transport partners to make them aware of the IMO protocols, in relation to:

- Protocols for joining a ship (from a seafarer's place of ordinary residence in one country via aircraft to join a ship in a seaport in another country); and
- Protocols for leaving a ship and repatriation (from a ship in a seaport in one country via aircraft to a seafarer's place of ordinary residence in another country)

STEP TWO

We requested that they provide a detailed map of our logistics network and ask them what actions they were taking to support the IMO protocols that aims to protect seafarers during the pandemic.

STEP THREE

Our shipping agent came back with a map outlining our global logistics routes and vessels from 1 January 2020 to 1 June 2020. We approached the International Transport Workers' Federation to help us decipher the data and **verify** whether within this timeframe there had been any human rights infringements perpetrated on board any of the vessels listed on the map. ITF compared our data with their own records and found that at least 5 vessels used by our company were roaming the ocean with no ITF agreements.

STEP FOUR

Presented with the data, we felt powerless to act, as we did not have any meaningful tools or leverage to respond to this crisis. We did not know, for instance, whether those vessels were transporting cargo owned by organisations with whom we had existing relationships or industry peers, to forge a collaborative approach to this issue. We were also lacking support in the form of NGOs or expert bodies who could meaningfully support advocacy. We subsequently requested via email that our shipping agent agree to:

- Accept the [MLC 2006](#) and cascade it down to its own partners along the supply chain
- Accept the [IMO Industry Recommended Framework Of Protocols For Ensuring Safe Ship Crew Changes And Travel During The Coronavirus \(Covid-19\) Pandemic](#)
- Liaise exclusively with partners who had agreements with ITF in order to retain verifiable data access

STEP FIVE

We approached a Multi-Stakeholder Initiative (MSI) we are involved with to ask whether they could establish a member's working group on this specific issue as well as set up an Expert Support Network (ESN) aimed at providing a space for the exchange of expert advice and knowledge on human and labour rights in the logistics sector of MSI members' value chains. Finally, we requested that the ESN start working on a tool or framework which could support members in applying due diligence to address the crew change crisis.

EXAMPLES OF COLLECTIVE ACTION

THE NEPTUNE DECLARATION ON SEAFARER WELLBEING AND CREW CHANGE

The declaration is a global call to action to address the ongoing crew change crisis, focusing on concrete actions that can facilitate crew changes and keep vital global supply chains functioning. It received over 300 company signatures. The declaration was developed by the Maritime Industry Crew Change Taskforce created as an outcome of the Global Maritime Forum's 2020 Virtual High-Level Meeting. The taskforce is chaired by Jeremy Nixon, CEO of Ocean Networks Express, and Graham Westgarth, Chairman of V.Group, and brings together representatives of companies from across the maritime value chain as well as organizations including ICS, ITF, International Maritime Employers' Council, the Global Maritime Forum and the World Economic Forum.

CONSUMER GOODS FORUM LETTER TO THE UN SECRETARY GENERAL

Members of The Consumer Goods Forum Board of Directors published a letter addressed to the UN Secretary General Mr António Guterres. The letter calls on Mr Guterres to encourage governments to take immediate action to ensure consumer goods companies can continue to serve their customers with the essential goods they need and to recognize seafarers as "key workers". The letter calls for a series of measures to be put into effect, including reviewing PPE requirements and implementing the IMO protocols to facilitate safe and secure crew changes. According to the letter, the signatories communicated these requests to shippers, logistic providers and suppliers.

OVERVIEW OF KEY RISKS TO THE RIGHTS OF SEAFARERS FROM COVID-19

EMPLOYMENT

- Seafarers are being deprived of their rights to annual leave, shore leave and repatriation ([MLC, 2006, Regulations 2.4 and 2.5](#))
- Seafarer loss of employment and reduced employment opportunities due to lack of crew changes.
- Expiration of competency and medical certificates which are of limited duration.
- Delays in joining crews and in repatriation may result in seafarers not getting their minimum sea time requirements and consequent expiration of professional certification.

HEALTH AND SAFETY

- Extended contracts resulting in fatigue and physical and mental health issues for seafarers – including depression and anxiety.
- Increased stress and worry due to isolation/extended period away from families
- Inability to go ashore to receive medical care, despite presenting medical issues not related to COVID-19 ([MLC, 2006, Regulation 4.1](#)).
- Serious problems in obtaining repeat prescriptions for regular medication.
- Reduced minimum manning of vessels intensifies stress onboard and contributes to fatigue because it spreads the same workload across a smaller number of seafarers.
- Inability to take portions of their non-working time ashore and away from their workplace.
- Physically and mentally fatigued seafarers are at higher risk of being involved in a maritime casualty, presenting an increased risk of loss of life/personal injury, risk to safe navigation, and risk to the marine environment.

INCREASED RISK OF FORCED LABOUR

- Seafarers are being forced to continue working beyond the terms agreed in their seafarers' employment agreements without formal, free and informed consent ([SEA](#))([MLC 2006, Article III](#)).

EXAMPLE LETTER FROM CARGO OWNER TO BUSINESS PARTNERS

Supplier Expectations Relating to upholding Seafarers' Human Rights During the COVID-19 pandemic

Due to ongoing COVID-19 restrictions, large numbers of seafarers are having to extend their service on board ships after many months at sea, unable to be replaced after long tours of duty or to be repatriated via aircraft to their home countries. Hundreds of thousands of seafarers are impacted through being trapped on ships, and are often forced to work beyond the default 11-month maximum period of service on board, derived from the [ILO's Maritime Labour Convention, 2006](#), (MLC, 2006). This is increasingly resulting in situations which could amount to forced labour.

Our [company name] has a high standard of business conduct. We also expect and require a high standard of business conduct from all of our suppliers. A strong commitment in this regard is a requirement for being a [Company name] supplier and is the foundation for our mutually beneficial business relationship.

To uphold the human rights of seafarers during the COVID-19 pandemic, we expect [Company name] suppliers to:

- Refrain from using 'no crew change' clauses in charter parties' agreements, or from any other methods which might exert additional pressure on the maritime industry
- Be flexible and accept route deviation requests from shipping companies for the purpose of facilitating crew changes.
- Work actively and constructively with the maritime industry to help facilitate crew changes in a manner that respects the human rights and labour rights of seafarers.
- Cascade the [ILO Information Note on Maritime Labour Issues and COVID-19](#) to any relevant partners.
- Accept and utilize the IMO [Recommended Framework of Protocols](#) to ensure safe crew changes during the COVID-19 pandemic, as well as cascading this to any relevant partners.
- Liaise with partner members of the International Transport Workers' Federation to retain verifiable data.
- Ensure no seafarers should be or have been on board for a continuous period of more than the 11 months maximum period of service derived from the [MLC, 2006](#).
- Limit any unavoidable crew contract extensions.
- Ensure that seafarers are not having to work beyond the expiration of their contracts without their willing consent, as to do so may be grounds for considering such work as forced labour.
- Uphold the right of seafarers to both fair and free repatriation in keeping with the requirements of the [MLC, 2006](#).
- Ensure that the cost of any quarantine obligations before or after joining the ship are not borne directly or indirectly, in whole or in part, by the seafarer.
- Provide seafarers with adequate protective personal equipment (PPE)
- Abide by the legal obligation to grant seafarers access to medical care ashore, for instance by permitting diversions for the purpose of medical care.
- Uphold safe manning requirements, in accordance with Flag State law and international standards, [during the COVID-19 pandemic](#).

RESOURCES ON SEAFARERS AND COVID-19

PRACTICAL GUIDANCE

- ICS (2021) [Coronavirus \(COVID-19\) Vaccination for Seafarers and Shipping Companies: A Practical Guide your Questions Answered.](#)
- ICS (2020) [Coronavirus \(COVID-19\) Guidance for Ship Operators for the Protection of the Health of Seafarers. Version 3.0.](#)
- ILO (2021) [Information note on maritime labour issues and coronavirus \(COVID-19\) - Revised version 3.0.](#)
- IMO (2021) [FAQ on Crew Changes.](#)
- IMO (2020) [Recommended Framework of Protocols for Ensuring Safe Ship Crew Changes and Travel during the Coronavirus \(COVID-19\) Pandemic.](#)
- IMO: [Coronavirus disease \(COVID-19\) pandemic website.](#)

GENERAL RECOMMENDATIONS

- International Civil Aviation Organization (ICAO), International Labour Organization (ILO), International Maritime Organization (IMO), International Organization for Migration (IOM) and World Health Organization (WHO) (2021) [Joint Statement on prioritization of COVID-19 vaccination for seafarers and aircrew.](#)
- ILO Governing Body (2020) [Resolution concerning maritime labour issues and the COVID-19 pandemic.](#)
- ILO Committee of Experts (2020) [General observation on matters arising from the MLC 2006 during the COVID-19 pandemic.](#)
- IMO Maritime Safety Committee (2020) [Resolution on recommended action to facilitate ship crew change, access to medical care and seafarer travel during the COVID-19 pandemic \[MSC.473\(ES.2\)\].](#)
- OHCHR, UN Global Compact and UN Working Group (2020) Joint statement: [The COVID-driven humanitarian crisis of seafarers: A call for action under the UN Guiding Principles on Business and Human Rights.](#)
- UN General Assembly Resolution (2020) [Resolution on international cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains \(UN Doc A/RES/75/17\).](#)

RESOURCES ON HUMAN RIGHTS DUE DILIGENCE IN THE MARITIME INDUSTRY

PRACTICAL GUIDANCE

- Business & Human Rights Resource and Human Rights at Sea: Web Platform – Centre's Maritime Human Rights Reporting Platform: <https://old.business-humanrights.org/en/maritime-industry-and-human-rights>
- Danish Shipping Association: Web Platform - Navigating Human Rights: <https://www.danishshipping.dk/en/policy/menneskerettigheder/>
- Ethical Trading Initiative (2021) Human Rights Due Diligence in Freight Supply Chains - Event Report and Videos.
- Human Rights at Sea (2016) [Introduction & Commentary to the 2011 UN Guiding Principles on Business and Human Rights and their Implementation in the Maritime Environment.](#)
- ILO (2019) [Frequently Asked Questions about the Maritime Labour Convention 2006, 5th ed.](#)
- Institute for Human Rights and Business, Danish Institute for Human Rights, Rafto Foundation (2019) [The Ship Lifecycle: Embedding Human Rights from Shipyard to Scrapyard.](#)
- Institute for Human Rights and Business, Danish Institute for Human Rights, Rafto Foundation (forthcoming: 2021) Ship Lifecycle Principles

STANDARDS / GENERAL RESOURCES ON HUMAN RIGHTS DUE DILIGENCE

- ILO (2017) [The Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy \(MNE Declaration\), 5th ed.](#)
- OECD (2011) [Guidelines for Multinational Enterprises.](#)
- OECD (2018) <https://www.oecd.org/investment/due-diligence-guidance-for-responsible-business-conduct.htm>
- OHCHR (2011) [Guiding Principles on Business and Human Rights.](#)
- OHCHR (2012) [The Corporate Responsibility to Respect Human Rights: An Interpretative Guide.](#)
- OHCHR (2014) [Frequently Asked Questions on the Guiding Principles on Business and Human Rights.](#)
- UN Global Compact: [Web Platform - Human Rights Self-Assessment Tool.](#)
- UNDP (2020) [Human Rights Due Diligence and COVID-19: Rapid Self-Assessment for Business.](#)

END NOTES

1. United Nations (2020) [Secretary General Statement on World Maritime Day](#).
2. As of March 2021, it is estimated that some 200,000 seafarers remain on board commercial vessels. IMO (2021) [IMO Secretary statement: Covid-19 crew change crisis still a challenge](#).
3. ILO General ILO Committee of Experts (2020) General observation on matters arising from the MLC 2006 during the COVID-19 pandemic (p.5)
4. This call for action is set out in resolutions adopted by the [UN General Assembly](#), [IMO Maritime Safety Committee](#), [the International Labour Organisation \(ILO\) Governing Body](#), and the [ILO's Committee of Experts on the Application of Conventions and Recommendations](#).
5. Resolution concerning maritime labour issues and the COVID-19 pandemic (adopted on 8 December 2020), GB.340/Resolution (Rev.2), paragraph 4.
6. Recent examples include: the [Letter of the members of the Consumer Good Forum to the UN Secretary-General](#) (23 September 2020), the Media statement of the Seafood Business for Ocean Stewardship (SeaBOS): "[SeaBOS calls on governments to support boat crews and ocean workers](#)" (23 September 2020); [Neptune Declaration on Seafarer Wellbeing and Crew Change](#) (26 January 2021)
7. [Recommended framework of protocols for ensuring safe ship crew changes and travel during the coronavirus \(COVID-19\) pandemic](#) (IMO circular MSC/Circ.1636)
8. ILO (2021) Information note on maritime labour issues and coronavirus (COVID-19) - Revised version 3.0.; ILO Committee of Experts (2020) General observation on matters arising from the MLC 2006 during the COVID-19 pandemic (p.4)
9. ILO General ILO Committee of Experts (2020) General observation on matters arising from the MLC 2006 during the COVID-19 pandemic. (p.5)
10. Ibid. p.5 (noting that States sure that ensure that in "no case, seafarers are forced to continue working on extended contractual arrangements without their formal, free and informed consent").
11. See ILO (2016) General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs. See also ILO (2021) [Information note on maritime labour issues and coronavirus \(COVID-19\) - Revised version 3.0](#).
12. Ibid (p.5)
13. ICS (2020) [Covid-19 Guidance for Ship Operators](#).
14. ILO (2021) [Information note on maritime labour issues and coronavirus \(COVID-19\) - Revised version 3.0](#). (p.5)
15. ILO Maritime Labour Convention, 2006, as amended (MLC, 2006), Standard A2.7, paras. 1 & 3; ILO (2021) [Information note on maritime labour issues and coronavirus \(COVID-19\) - Revised version 3.0](#).

16. For additional information on public reporting, please see the [OECD Due Diligence Guidance for Responsible Business Conduct \(2018\)](#)
17. OECD (2018) <https://www.oecd.org/investment/due-diligence-guidance-for-responsible-business-conduct.htm> (pg. 19)
18. As laid out in the UN General Assembly [resolution 75/17 on international cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains](#).
19. WHO, ICAO, ILO, IMO, IOM (2021) [Joint Statement on prioritization of COVID-19 vaccination for seafarers and aircrew](#).
20. ILO (2021) [Information note on maritime labour issues and coronavirus \(COVID-19\) - Revised version 3.0](#).
21. ILO (2017) [The Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy \(MNE Declaration\)](#), 5th ed, paragraph 10(e).
22. Ibid
23. Ibid, art. 65.
24. Ibid, art. 66.
25. ILO (2021) [Information note on maritime labour issues and coronavirus \(COVID-19\) - Revised version 3.0](#).

