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# **Maritime Labour Convention (MLC), 2006**

## **Annual Report**

**Inspection Activities**  
**1 January 2017 to 31 December 2017**

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## **Purpose**

This report is prepared in accordance with Standard A5.1.4.13, taking into consideration the guidance provided in B5.1.4.10 of the Maritime Labour Convention, 2006 (MLC) Code. This report covers the period from 1 January 2017 to 31 December 2017. The statistics contained in this report take into account only ships to which MLC applies and to all seafarers on board.

## **1. Liberian Administration's Legislation, Amendments and Guidance**

The Liberian Administration's declaration of maritime labour compliance (DMLC) Part I was amended to implement the ILC.103 amendments of 2014 to Regulation 2.5 – Repatriation and Regulation 4.2 of MLC, 2006 requiring Shipowners to have financial security to cover abandonment of seafarers, as well as death and long-term disability of seafarers due to occupational injury and hazard from 17 January 2017.

Marine Notice MLC-003 and MLC-004 were revised:

1. to provide for the seafarers' employment agreement signed for a definite period to include in lieu of the date fixed for its expiry, a provision to extend or reduce the period of engagement by thirty days for operational reasons, by mutual consent between the shipowner and the seafarer and always consistent with the entitlement to repatriation after a period of less than 12 months.
2. to clarify that in addition to shipowners providing adequate compensatory rest period if the normal period of rest is disturbed for call-outs to work, such as when a machinery space is unattended, shipowners shall also provide adequate compensatory rest for other unscheduled work that was not anticipated at the commencement of the voyage.
3. to grant in special circumstances dispensations to new ships from certain requirements in the IMO Noise Code, if it is documented that compliance will not be possible despite relevant and reasonable technical noise reduction measures, while ensuring that the goal of the Code is achieved taking into consideration the noise exposure limits in the Code including certain noise reduction measures.
4. to provide for monitoring of drinking water on board by use of test kits.

## **2. Liberian Administration's System of Inspection**

For Liberian-registered ships to which MLC applies, the Liberian Administration is the 'Competent Authority' as defined in Article II/1(a) of MLC and is responsible for implementing its obligations under Regulation 5.1.4 of MLC.

The Liberian Administration has trained over 400 Liberian auditors to serve as Liberian Maritime Labour Inspectors (LMLI) in order to provide effective and efficient inspection and verification of the working and living conditions on board Liberian flag ships and issue Maritime Labour Certificates. These inspectors have also been provided with specialized training by the Mission to

Seafarers in addressing seafarer’s welfare concerns and complaint resolution.

The Administration after taking into account the requirements for authorization of recognized organizations in Standard A5.1.2.1, has also authorized RO’s to conduct maritime labour verification inspections and certification of Liberian flag ships. A shipowner can choose whether to have the on board verification inspections and certification conducted by the Administration or an authorized RO. The names of LMLI’s can be found on Liberian Registry website, [www.liscr.com](http://www.liscr.com) under the “Maritime” tab then click on MLC, 2006 and “Inspector & Auditor Search”. The list of authorized RO’s can be found on , [www.liscr.com](http://www.liscr.com) under the “Maritime” tab then click on Technical Department and “Recognized Organizations”.

The performance of the LMLI’s is monitored by a thorough review of the inspection reports that are submitted after the inspection and if necessary, additional training and oversight through the Administration’s ‘Audit the Auditor’ program.

The performance of the authorized RO’s is monitored through regular audits of the RO’s in accordance with the Code for recognized organizations (RO Code).

The Liberia Administration implements a computerized system for scheduling inspections of its ships, filing the inspection reports, monitoring the deficiencies and evidence of implementation of the corrective action plan within the agreed timeline.

### **3. Ships and Premises Inspected**

**3.1** The following is a record of inspections for certification and to ensure continuing compliance on Liberian-registered ships, during the period of this report.

Number of ships inspected by Liberian Maritime Labour Inspectors	366
Number of ships inspected by authorized RO’s	504
Total number of ships inspected	870
Number of ships with no deficiencies	628
Number of ships with deficiencies	89
Total number of deficiencies	180

The total number of deficiencies noted during these inspections is broken down by category as follows:

Regulation 1.2 – Medical Certificates	3
Regulation 1.3 – Training and Qualifications	5
Regulation 1.4 – Seafarers recruitment and placement services	5
Regulation 2.1 – Seafarers employment agreements	15
Regulation 2.2 – Payment of wages	17
Regulation 2.3 – Hours of work and hours of rest	23
Regulation 2.5 – Repatriation	8
Regulation 2.7 – Manning Levels	5
Regulation 3.1 – Accommodation and recreational facilities	22
Regulation 3.2 – Food and catering	19

Regulation 4.1 – Medical care on board ship and ashore	10
Regulation 4.2 – Shipowners’ liability	2
Regulation 4.3 – Health and safety protection and accident prevention	34
Regulation 5.1.5 – On-board complaint handling procedures	11
Regulation 5.1.1 – General principles	1

The following is a description of the deficiencies with high numbers:

- a. **Standard A2.1 – Seafarers employment agreements (SEA’s)**
  - Seafarers not provided signed original of SEA upon engagement
  - SEA does not contain the name and address of the shipowner under MLC
  - CBA not available on board for seafarers to review or not consistent with SEA
- b. **Standard A2.2 – Payment of wages**
  - No monthly account of wages provided
  - Wages not paid regularly at monthly intervals
- c. **Standard A2.3 – Hours of work and hours of rest**
  - Record of rest hours not kept or not consistent with ships log or overtime records
  - Minimum hours of rest not provided in any 24 hours or 7 days’ period and no compensatory rest provided for seafarers on call
  - Table of working arrangements not posted
  - Seafarers not provided with copy of their individual work/rest hours
- d. **Standard A3.1– Accommodation and recreational facilities**
  - Poor housekeeping
  - Sanitary facilities not operational
  - Flooring and cabin equipment damaged
  - Weekly inspections not carried out or records not kept
- e. **Standard A3.2 – Food, water and catering**
  - Storage of food not as required
  - Insufficient food for the intended voyage
- f. **Standard A4.1 – Medical care on board ship and ashore**
  - Medicines on board not as per required scale (Medical Guide for Ships)
- g. **Standard A4.3– Health and safety protection and accident prevention**
  - No risk assessment for critical operations
  - No functioning safety committee on board
  - No evidence of reporting and investigation
  - Unsafe working conditions
- h. **Standard A5.1.5– On-board complaint procedures**
  - Seafarers not provided with a copy of on-board complaint procedures
  - Seafarers not familiar with the procedure
  - Required contact information of Administration and Shipowner not entered

**3.2** The following is a record of Certificates issued for compliance with requirements of Standard A1.4 of MLC during the period of this report and upon request of Seafarer Recruitment and Placement Services (SRPS) located in States that have not signed MLC, 2006.

Total number of SRPS audited by Liberia	1
Number of SRPS with no non-conformances	1

Note: A total of 21 SRPS were audited and issued Authorization Letters by the Liberian Administration during the period of this report.

Certificates were issued after the correction of the non-conformances was verified by the Liberian Administration.

## **4. Seafarers subject to Liberian Administration's Legislation**

### **4.1 Seafarer**

A seafarer is defined as any person who is employed or engaged or works in any capacity on board a ship to which this convention applies. Those categories of persons which are not considered seafarers for the purpose of MLC, 2006 are included in Marine Notice MLC-001/SEAFARERS.

During the period of this report, there were a total of 273,301 seafarers holding valid Liberian Endorsement Certificates and/or Special Qualification Certificates.

## **5. Violations of Legislation, Penalties Imposed and Cases of detention of Ships**

### **5.1 Violation of legislation and penalties imposed**

There were six (6) cases of violation of Liberian legislation implementing the MLC, 2006. Five (5) ship was penalized and one (1) ship was reported abandoned to the ILO database.

### **5.2 Detention of Liberian registered ships**

During the period of this report, nine (9) Liberian-registered ships were detained with serious deficiencies related to:

- a. **Standard A4.1 – Health and Safety**
  - Personal safety equipment, gas measuring instruments, enclosed space entry
- b. **Standard A2.2 – Payment of wages**
  - Wages not paid regularly at monthly intervals
- c. **Standard A3.2 – Food and catering**
  - Quality of drinking water

### 5.3 Complaints / Disputes received from seafarers on Liberian-registered ships

The Liberian Administration is committed to ensuring that Seafarers who serve on Liberian registered ships have decent working and living conditions, a safe and secure workplace and fair employment.

Seafarers are encouraged to utilize the ship's Onboard Complaint Procedures in order to resolve complaints at the lowest level possible in accordance with MLC 2006. However, in the event a complaint is unable to be resolved onboard, the Liberian Administration provides an online complaint form through the link below and will assist Seafarers with all true and valid complaints.

<http://www.liscr.com/maritime/mlc-complaint>

Cause/Type of Complaints	Number of Complaints	Source of Complaint							Resolved	Ongoing/ Pending
		Seafarer	Operator	Port State	Seafarers' organization	Liberian Inspector	Vessel Class	ITF		
Minimum age										
Recruitment and placement										
Seafarers' employment agreement	3	3							3	
Payment of wages	39	30				1	7	1	34	5
Hours of work and hours of rest										
Repatriation	10	6					1	3	7	3
Entitlement to leave										
Accommodation and recreational facilities										
Food and catering										
Medical Care o/b and ashore	2	2							2	
Shipowners' liability										
Health, safety & accident Prevention	1	1							1	
Harassment	1							1	1	
<b>Total</b>	<b>56</b>	<b>42</b>				<b>1</b>	<b>8</b>	<b>5</b>	<b>48</b>	<b>8</b>

### 6. Reported Occupational Injuries and Diseases affecting Seafarers

The owner or operator of a Liberian-registered ship is required by law to report in detail any loss of life or injury causing any person(s) to remain incapacitated for a period in excess of 72 hours. The form RLM 109-1 is to be used for this purpose.

The tables below indicate the seafarer deaths and injuries on board Liberian-registered ships.

## 6.1 Task or activity being conducted leading to an injury or death

Description	Number	
	Death	Injury
Working on pipelines or equipment containing hot gases / liquids	3	4
Working on chemicals	1	1
Working on electrical equipment	1	2
Working on auxiliary equipment (non-electrical)	3	12
Working on/lighting Boiler or Main Engine	4	11
Climbing up / down	2	5
Walking on same level	1	6
Carrying / lifting / lowering		5
De-rusting		2
Painting		
Overhauling machinery		
Mooring/anchoring/line handling operations		3
Inspection / Working inside Hold / Tank	3	4
Securing cargo		
Working Aloft (Relating to Rigging of a vessel)		2
Working Aloft (Other)	1	2
Working over side		
Hot work / welding	1	4
Working in galley		2
Bunkering		2
Operating Hatch Covers	1	3
Cargo operations / preparation	2	2
Embarking/Disembarking vessel		
Transfer of person by boat / transfer basket		
Securing Gangway		2
Ashore (Recreational)		2
Ashore (Other)		
Watchkeeping		2
Responding to vessel emergency/casualty (Not fire)	1	1
Fire fighting	1	1
Launching/Lowering/Working with Survival Craft		3
No Activity Being Conducted	30	36
Cleaning/Taking Inventory		
Drill/Inspection	1	3
<b>Total</b>	<b>56</b>	<b>122</b>



## 6.2 Type of incident leading to death or injury

Description	Number	
	Death	Injury
Cardiac arrest	2	
Natural – Not specified	25	
Illness - Contagious		2
Illness – Not Contagious		6
Struck / hit by falling / moving / flying objects		20
Criminal Acts/Physical/Crew Conflict		4
Alleged Suicide	2	
Drowned	2	
Contact with electricity / electric shocks	2	
Chemical exposure / vapor inhalation: Contact with or swallowing of toxic or corrosive substances	6	
Suffocation/Asphyxiation	2	
Missing from ship	10	
Heavy Weather		
Over exertion: strain / sprain		3
Over exposure to cold		
Over exposure to heat		3
Lack of oxygen		
Cut from knife or sharp object		10
Caught in or between objects		14
Contact with steam or hot gases		5
Fire/Explosion/Blasts/Burns		4
Contact with hot liquid or other heat source		14
Transfer of person by boat/transfer basket		
Jump/fall overboard	3	
Slip/fall same level		16
Slip fall to lower level		13
Unknown		8
<b>Total</b>	<b>56</b>	<b>122</b>

Shipowners conducting risk evaluation in relation to management of occupational safety and health shall refer to appropriate statistical information from their ships and to the statistics of injuries and deaths provided in this report.

It should be noted that thirty-nine (39) deaths on board were related to cardiac arrest and unspecified causes, including missing from ship and alleged suicide. Shipowners should be aware of the role of the medical examination in the enhancement of safety and health at sea and in assessing the ability of seafarers to perform their routine and emergency duties and to live on board.

IMO's theme for the 25 June 2018 Day of the Seafarer was "seafarers' wellbeing", which includes

mental health. This year the IMO is also promoting good initiatives and material developed by various maritime stakeholders to advocate for higher standards of welfare as well as highlight what they are doing to improve conditions for seafarers regarding issues related to seafarers' wellbeing, and particularly mental health, informing all stakeholders including shipowners of specific strategies to tackle stress and other issues affecting seafarers' mental conditions - and make the tools available more widely known. Shipowners are urged to take note of this initiative regarding seafarers' mental health and bring this to the attention of seafarers on board their ships.

## **7. Conclusion**

1. The report has been prepared to provide an accurate account of the implementation of MLC on board Liberian-registered ships from 1 January 2017 through 31 December 2017.
2. The average number of deficiencies is about 0.2 per ship. The detention rate is less than 0.25%, 0.05% lower than 2016. This can be attributed to the guidance provided by the Liberian Administration to shipowners in developing their procedures for compliance and ensuring that complaints received alleging breaches of the Convention are resolved effectively and expeditiously.
4. It is the aim of the Liberian Administration to reduce detentions in port under MLC to zero (0) in the year 2019. In that regard the Administration is continuously working with shipowners to ensure that their ships are always in compliance through regular monitoring during shipboard attendance and complaints resolution.

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