

MARITIME SAFETY COMMITTEE  
89th session  
Agenda item 9

MSC 89/9/8  
22 March 2011  
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## STABILITY AND LOAD LINES AND FISHING VESSELS SAFETY

### Guidelines to improve the effect of the 1969 TM Convention on ship design and safety

#### Reduced gross tonnage

#### Submitted by the International Labour Office

#### SUMMARY

*Executive summary:* The document comments on document MSC 89/9/5 submitted by Germany. The Committee is invited to take note of the following information with respect to agenda item 9 and the issue of improvements to the 1969 TM Convention.

*Strategic direction:* 2

*High-level action:* 2.1.1

*Planned output:* 2.1.1.2

*Action to be taken:* Paragraph 7

*Related documents:* 1969 TM Convention; SLF 53/WP.1, section 5, paragraph 5.5; MSC 89/9, paragraph 2.5; and MSC 89/9/5

1 This document is submitted in accordance with the provisions of paragraph 4.10.5 of MSC-MEPC.1/Circ.2 "Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies" and comments on document MSC 89/9/5.

#### Background

2 The Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety, at its fifty-third session, discussed under agenda item 5 (Guidelines to improve the effect of the 1969 TM Convention on ship design and safety), among other issues, the impact of methods of gross tonnage measurement on living and working conditions on board ships and fishing vessels.

3 At earlier sessions of the SLF Sub-Committee, and within the related correspondence groups established on improving the effect of the 1969 TM Convention on the design of ships and in particular with reference to the effect on safety, the ILO observer drew attention to the Resolution concerning tonnage measurement and the accommodation of crews adopted by the ILO's Joint Maritime Commission in 2001 and the Resolution

concerning tonnage measurement and accommodation adopted by the 96<sup>th</sup> Session of the International Labour Conference in 2007 (see annex).

4 At SLF 53, the ILO observer noted, among other things, that the Maritime Labour Convention, 2006, and the Work in Fishing Convention, 2007, used gross tonnage figures as parameters for the applicability of standards concerning living and working conditions on ships and fishing vessels. These instruments referred specifically to the 1969 Tonnage Measure Convention. Thus, he said, clarity was important to ILO. However, he noted that there remained concern that the 1969 TM Convention had led to an economic disincentive for shipowners to improve such crew conditions, in particular by discouraging, by increasing associated costs, the provision of more than the minimum required accommodation space and the provision of accommodation space for carrying cadets. While recognizing the long and hard work of the correspondence group, he suggested that, when going forward on this issue, it would be important not to close the door on other means of addressing the issue of the negative impacts of tonnage measurement requirements on crew accommodation and the carriage of cadets.

5 Further to this issue, the ILO notes document MSC 89/9/5, submitted by Germany, concerning the concept of a reduced gross tonnage. The document sets out a proposal for another option to improve the effect on ship design and safety within the 1969 TM Convention that would contribute towards removing the commercial disincentive towards improvement in accommodation on board ships and fishing vessels.

6 The ILO notes that the submission from Germany reflects the principle that shipowners and fishing vessel owners should not be faced with an economic disincentive when they wish to build and operate ships and fishing vessels that provide larger accommodation spaces for seafarers or fishermen or provide additional space for the carriage of cadets. Improvements in crew accommodation are important to attracting and retaining seafarers and fishers, especially bearing in mind decreased opportunities for shore leave and the fast turnaround times of vessels in port. Providing sufficient space for the carriage of cadets is important to ensuring the future of the shipping and fishing sectors. Efforts to improve accommodation and to ensure sufficient accommodation space for cadets respects IMO's aim to address the human element in all of its work and contributes to improving safety at sea and the protecting the marine environment.

#### **Action requested of the Committee**

7 The Committee is requested to note the above information and take action as appropriate.

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**ANNEX**

**29TH SESSION OF THE JOINT MARITIME COMMISSION GENEVA,  
22-26 JANUARY 2001**

**Resolution concerning tonnage measurement and the accommodation of crews**

The 29th Session of the Joint Maritime Commission,

Having met in Geneva from 22 to 26 January 2001,

NOTING that the International Convention on Tonnage Measurement of Ships (1969) has entered into force,

RECOGNIZING the impact that this Convention may have had on the design of ships, including their crew accommodation,

RECOGNIZING ALSO that there have been significant technological and other changes in the shipping industry since the existing ILO instruments concerning the accommodation of crews were adopted,

BEING AWARE that some design changes in ships may have implications for the occupational health and safety of seafarers and dockworkers,

REQUESTS the Governing Body to:

AGREE that these issues should be fully considered during the revision of the Organization's maritime instruments; and

INVITE the Director-General to communicate these matters to the Secretary-General of the International Maritime Organization, with a view to mitigating any adverse effects of the International Convention on Tonnage Measurement of Ships (1969).

**96<sup>TH</sup> SESSION OF THE INTERNATIONAL LABOUR CONFERENCE GENEVA, 30 MAY -  
15 JUNE 2007**

**Resolution concerning tonnage measurement and accommodation**

The General Conference of the International Labour Organization,  
Having adopted the Work in Fishing Convention, 2007,

NOTING the difficulties caused by making an equivalence between the measurement of the size of vessels in terms of length and gross tonnage and the impact it has in the fishing industries,

RECOGNIZING the impact the International Convention on Tonnage Measurement of Ships, 1969, has on the safe design of vessels, including their accommodation,

RECOGNIZING ALSO the importance of accommodation for the provision of decent work for fishers,

RECALLING the resolution concerning tonnage measurement and the accommodation of crews adopted by the 29th Session of the Joint Maritime Commission, which was noted by the Governing Body of the International Labour Office at its 280th Session,

AWARE that the International Maritime Organization (IMO) is considering the effects of the International Convention on Tonnage Measurement of Ships, 1969, on ship safety, accommodation, safety, health and welfare, and port charges,

INVITES the Governing Body to request the Director-General to monitor these developments and to evaluate any amendment to or interpretation agreements of the International Convention on Tonnage Measurement of Ships, 1969, which may have an impact on the Work in Fishing Convention, 2007, especially on Annex III,

INVITES the Governing Body to request the Director-General to report to it any developments which may have an impact on the Work in Fishing Convention, 2007, especially on Annex III,

FURTHER INVITES the Governing Body to act on such a report by giving due priority, if required, to convening a tripartite meeting of experts, as provided for in Article 45 of the Work in Fishing Convention, 2007, to address the matter with a view to maintaining the relevance of Annex III of that Convention.

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