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Maritime Labour Convention (MLC), 2006

Annual Report

**Inspection Activities
1 January 2019 to 31 December 2019**

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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 2019 to 31 December 2019. The statistics contained in this report consider only ships to which MLC applies and to all seafarers on board.

1. Liberian Administration's Legislation, Amendments and Guidance

No new laws or regulations have come into effect in 2019.

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 260 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 considering the requirements for authorization of recognized organizations (RO) in Standard A5.1.2.1, has also authorized RO's to conduct maritime labour verification inspections and certification of Liberian flag ships, with exception that 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 under the "Maritime" tab then click on "Inspector & Auditor Search". The list of authorized RO's can be found on, www.liscr.com under the "Maritime" tab then click on Maritime Operations Services/Regulations and Standard 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 'Auditor and Inspector Oversight' 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 carefully reviews the deficiencies raised during MLC inspections and actively monitors the 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	581
Number of ships inspected by authorized RO's	691
Total number of ships inspected	1272
Number of ships with no deficiencies	1031
Number of ships with deficiencies	241
Total number of deficiencies	320

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

Regulation 1.2 – Medical Certificates	11
Regulation 1.3 – Training and Qualifications	3
Regulation 1.4 – Seafarers recruitment and placement services	4
Regulation 2.1 – Seafarers employment agreements	33
Regulation 2.2 – Payment of wages	24
Regulation 2.3 – Hours of work and hours of rest	39
Regulation 2.5 – Repatriation	4
Regulation 2.7 – Manning Levels	2
Regulation 3.1 – Accommodation and recreational facilities	49
Regulation 3.2 – Food and catering	62
Regulation 4.1 – Medical care on board ship and ashore	30
Regulation 4.2 – Shipowners' liability	1
Regulation 4.3 – Health and safety protection and accident prevention	35
Regulation 5.1.5 – On-board complaint handling procedures	15
Regulation 5.1.1 – General principles	8

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

- a. **Standard A2.1 – Seafarers employment agreements (SEA's)- 33 deficiencies**
 - 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 – 24 deficiencies**
 - No monthly account of wages provided
 - Wages not paid regularly at monthly intervals
- c. **Standard A2.3 – Hours of work and hours of rest- 39 deficiencies**
 - 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 – 49 deficiencies**
- 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 – 62 deficiencies**
- Storage of food not as required
 - Insufficient food for the intended voyage
- f. **Standard A4.1 – Medical care on board ship and ashore –30 deficiencies**
- Medicines on board not as per required scale (Medical Guide for Ships)
- g. **Standard A4.3– Health and safety protection and accident prevention – 35 deficiencies**
- 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 – 15 deficiencies**
- 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 A total of 13 SRPS were audited and issued Authorization Letters by the Liberian Administration during the period of this report.

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 293,065 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 was three (3) case of violation of Liberian legislation implementing the MLC, 2006 and three (3) ships was reported abandoned to the ILO database.

5.2 Detention of Liberian registered ships

During the period of this report, nineteen (19) Liberian-registered ships were detained with serious deficiencies related to:

a. Standard A2.2 – Payment of wages – 6 ships

- Wages not paid regularly at monthly intervals

b. Standard A2.1/A2.5 – Seafarers employment agreements/Repatriation – 5 ships

- Seafarers employment agreements expired and seafarers not repatriated

c. Standard A3.2 – Food and catering – 4 ships

- Quantity of food, cleanliness of galley and food storage rooms

d. Standard A4.3 – Health and safety protection and accident prevention – 2 ships

- Unsafe working conditions

e. Standard A3.1 – Accommodation and recreational facilities – 2 ships

- Condition of sanitary facilities

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.lisscr.com/maritime/mlc-complaint>

Cause/Type of Complaints	Number of Complaints	Source of Complaint							Resolved	Ongoing/ Pending	
		Seafarer	Operator	Port State	Seafarers' organization	Inspector	Liberian	Vessel Class			ITF
Minimum age											
Recruitment and placement											
Seafarers' employment agreement	3	1	1					1		3	
Payment of wages	27	9	2	1		3	1	11		19	8
Hours of work and hours of rest											
Repatriation	5		1					4		5	
Entitlement to leave											
Accommodation/recreational facilities	2	1	1							2	
Food and catering	4	1		1				1	1	4	
Medical Care o/b and ashore	1	1								1	
Ship-owners' liability											
Health, safety & accident Prevention	2	1	1							2	
Harassment											
Total	44	14	6	2		3	1	17	1	36	8

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	1	7
Working on chemicals	2	
Working on electrical equipment		4
Working on auxiliary equipment (non-electrical)		4
Working on/lighting Boiler or Main Engine	1	17
Climbing up / down	1	10
Walking on same level		4
Carrying / lifting / lowering	1	
De-rusting		2
Painting		4
Overhauling machinery		
Mooring/anchoring/line handling operations	1	10
Inspection / Working inside Hold / Tank	2	5
Securing cargo		4
Working Aloft (Relating to Rigging of a vessel)		
Working Aloft (Other)		
Working over side	1	
Hot work / welding		
Working in galley		
Bunkering		
Operating Hatch Covers	4	6
Cargo operations / preparation	3	6
Embarking/Disembarking vessel		2
Transfer of person by boat / transfer basket		
Securing Gangway		2
Ashore (Recreational)		3
Ashore (Other)		
Watch-keeping		
Responding to vessel emergency/casualty (Not fire)		
Fire fighting		
Launching/Lowering/Working with Survival Craft		3
No Activity Being Conducted	35	
Cleaning/Taking Inventory		34
Drill/Inspection		
Total	52	127

6.2 Type of incident leading to death or injury

Description	Number	
	Death	Injury
Cardiac Arrest	8	
Natural Causes	20	
Illness - Contagious		4
Illness – Not Contagious		2
Struck / hit by falling / moving / flying objects	3	27
Criminal Acts/Physical/Crew Conflict		
Suicide	2	
Drowned	1	
Contact with electricity / electric shocks		
Chemical exposure/vapor inhalation: Contact with/swallowing of toxic substances	2	
Suffocation/Asphyxiation		
Missing from ship	1	
Heavy Weather		
Over exertion: strain / sprain		
Over exposure to cold		
Over exposure to heat		1
Lack of oxygen	1	
Cut from knife or sharp object		18
Caught in or between objects	1	10
Contact with steam or hot gases		
Fire/Explosion/Blasts/Burns	2	3
Contact with hot liquid or other heat source	8	
Transfer of person by boat/transfer basket		
Jump/fall overboard		3
Slip/fall same level		17
Slip fall to lower level		16
Unknown		19
Total	52	127

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-three (33) 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.

Shipowners are urged to take note of various initiatives to improve conditions for seafarers regarding issues related to seafarers' wellbeing, mental health; and particularly seafarers' health related to the

COVID-19 pandemic and bring this to the attention of seafarers on board their ships. Some of these initiatives are listed below:

1. Liberia Maritime Authority Marine Advisory on [Guidance](#) to Assist Seafarers with Possible Crew Health Concerns due to COVID-19
2. The International Seafarers' Welfare and Assistance Network (ISWAN) have published [ISWAN guidance](#), which include a series of three self-help guides for seafarers, a range of mental health and wellbeing infographics, and an audio relaxation exercise.
3. INTERTANKO guidance "[Crew welfare management and mental illness](#)" June 2020.
4. Shell has now launched their wellbeing website and this can be accessed here, along with an introductory video: <http://www.maritimewellbeing.com>
5. ILO – [Information note](#) on Maritime Labour issues and COVID-19 – 7 April 2020
6. [World Health Organisation page](#) including sections on Situation Reports, Technical Guidance, Travel Advice and How to Protect Yourself
7. WHO [Operational considerations for managing COVID-19 cases and outbreaks on board ships](#)
8. [IMO Coronavirus page](#) (which includes links to information in Arabic, Chinese, English, French, Russian Spanish)
9. IMO Crew change and travel safety [protocols](#) 5 May 2020
10. International Chamber of Shipping – [Guidance for Ship Operators](#) for the Protection of the Health of Seafarers (28 May 2020)
11. ISWAN with International Maritime Health Association (IMHA) [advice for shipping companies](#) on Coronavirus

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 2019 through 31 December 2019.
2. The average number of deficiencies is about 0.25 per ship. The detention rate was about 0.52%, mainly as a result of an increase in non-payment of wages at monthly intervals, expired seafarers' employment agreements and adequate quantity of food on board for the voyage.
3. It is the aim of the Liberian Administration to reduce detentions in port under MLC to zero (0) in the year 2020. 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, including increased inspections on higher risk ships/owners.

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