

CONFERENCE OF PARTIES TO THE
INTERNATIONAL CONVENTION ON
STANDARDS OF TRAINING,
CERTIFICATION AND WATCHKEEPING
FOR SEAFARERS, 1978
Agenda item 6

STCW/CONF.2/26
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**CONSIDERATION OF THE DRAFT AMENDMENTS TO THE INTERNATIONAL
CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND
WATCHKEEPING FOR SEAFARERS, 1978**

Proposal to amend regulations II/4 and III/4

Submitted by Norway

SUMMARY

Executive summary:	This document comments on the proposal to amend regulations II/4 and III/4 in STCW/CONF.2/16 and proposes alternative amendments to the regulations should the Conference agree to address the issue of age and work during night time
Strategic direction:	5.2
High-level action:	5.2.2
Planned output:	5.2.2.1
Action to be taken:	Paragraph 6
Related document:	STCW/CONF.2/3 and STCW/CONF.2/16

Background

1 In document STCW/CONF.2/16, Switzerland and the International Labour Organization (ILO) draw the Conference's attention to the fact that according to Article 6 of ILO 180 and Standard A.1 of the MLC, 2006, night work of seafarers under the age of 18 shall be prohibited.

2 The document further states that "A person under 18 years of age is considered a young seafarer. He/she has not been trained and is not competent to form part of a navigational watch or engine-room watch in today's hectic maritime traffic. This creates a hazard to safe shipping and to the protection of the environment. In nearly all international instruments the age of adulthood is 18 years. There is no reason to deviate from this principle in this Convention."

Discussion

3 Norway is a Party to ILO 180 and has ratified the MLC, 2006. Hence we have supported and agreed that work during night time of seafarers under the age of 18 shall be prohibited. However, we do not agree to the statement quoted in paragraph 2 above. In our view it is not possible to generalize the working situation and young seafarers in this manner and we should not prohibit young seafarers to be given responsibilities as part of their experience gaining. It should be noted that MLC, 2006 only sets an age limit of 18 years in special circumstances. Also MLC, 2006 has a minimum age of seafarers of 16 years. It should also be noted that MLC, 2006 allows for exemptions from the 18 year age limit to night work.

4 By changing 16 years to 18 years in regulation II/4 and III/4 young seafarers will no longer be allowed to form a part of a navigational or engine-room watch at all and are not allowed certification as rating forming a part of a navigational watch or an engine-room watch. This goes beyond the requirements of ILO 180 and MLC, 2006 and is not supported.

Proposal

5 Should the Conference agree to readdress the issue of minimum age in the revised STCW Convention, Norway proposes an alternative solution that captures the prohibition of night work given in ILO 180 and MLC, 2006 and at the same time allows young seafarers to continue to be allowed certification and form a part of a navigational or engine-room watch during day time:

Add a new subparagraph to regulations II/4 and III/4:

New 3bis: For rating of less than 18 years of age, the training and experience required by subparagraphs 2.2.1 and 2.2.2 shall not include night work.

Furthermore, if considered necessary add a new definition in regulation I/1:

“Night means a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m.”

Action requested of the Conference

6 The Conference is invited to consider the information provided and take action as deemed appropriate.