

**SEAMEN'S CHURCH INSTITUTE
OF NEW YORK & NEW JERSEY**

**Statement
to the
Meeting of States Parties to the United Nations Convention on the Law of the Sea
United Nations, New York
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by

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Mr. President,

I am grateful to you and to the Meeting of States Parties to the United Nations Convention on the Law of the Sea for your warm welcome and for giving me the opportunity to speak at this year's meeting. I am speaking on behalf of the Seamen's Church Institute of New York and New Jersey, which since 1834, has served the world's merchant mariners irrespective of their race, religion, nationality, gender or beliefs.

I ask the meeting to turn its attention away from all of the issues that have deliberated this week and to consider for a few moments the most critical maritime issue facing the world today. It is an issue that affects the economy and security of each and every state assembled in this room - and it is an issue on which each and every state can cooperate to find a solution.

We need to put our full attention on the world wide crisis of recruiting and retaining skilled and reliable persons for seagoing careers on merchant vessels.

The world's economies and security depend on merchant shipping. Almost everything that is produced or consumed anywhere in the world relies on merchant shipping. Whether transporting raw materials or energy for production, transporting finished products to markets, or delivering vital food or relief materials, all of us depend on merchant shipping.

But, ships do not sail by themselves. They require highly skilled and reliable persons to operate them, and the maritime industry worldwide is finding it increasingly difficult to recruit and retain the people they need to work on vessels.

Already ships are being kept in port because they do not have sufficient qualified crew to sail them. Strategically important shipping sectors, such as LNG carriers, are particularly affected by the seafarers' recruiting and retention crisis. There are now approximately 1.2 million seafarers operating about 30,000 merchant vessels over 1,000 gross tons worldwide. With more than 9,500 merchant ships under construction in shipyards around the world, the crisis is expected to worsen.

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Seafaring has always been lonely and dangerous work, but as an occupation, seafaring has grown less and less attractive. Even the benefits of a career at sea, such as visiting interesting ports, are disappearing because of ships' operational commitments and port restrictions. While time does not permit me to discuss in detail all the reasons why seafaring has grown less appealing, I will briefly list some of the factors affecting the merchant mariners' recruiting and retention crisis and I will suggest a few tangible steps that can be taken to ease the crisis.

Criminal exposure: In several countries, seafarers are unfairly singled out for criminal prosecutions for acts or omissions that would not be crimes in other occupations. Seafarers, particularly foreign seafarers, serve as convenient scapegoats when things go wrong in ports. Unfairly prosecuting seafarers usually does little prevent to the wrong being punished, but it does deter people from becoming or remaining seafarers. What can be done about it? Every port state could thoroughly review its criminal law to ensure that different criminal standards do not apply to seafarers than to workers in other occupations, and, in cases where prosecuting seafarers is contemplated, prosecutors could consider the potential effect of prosecution on recruiting and retaining seafarers.

Maritime Security: Seafarers are essential components of effective maritime security programs. Seafarers are not security risks - they are part of the security solution. Unfortunately, this view is not always widely held. In many situations, the maritime industry and port authorities rebuff seafarers' potential contributions to security by treating them as if they were security risks, for example by restricting their shore leave. Ratifying the Seafarers' Identity Document Convention, (ILO-185), offers one way for maritime nations to alleviate the perception of mariners as security risks. This Convention, if widely ratified, would recognize merchant mariners as respected professionals, would facilitate their shore leave, would increase security on ships and in ports, and would improve merchant mariners' recruitment and retention.

Piracy: Piracy remains a serious problem in many parts of the world, threatening merchant mariners' lives and limbs. Some actions have already been taken to combat the scourge of piracy, such as Security Council Resolution 1816 adopted earlier this month. But maritime nations need to do more. With the appropriate political will and cooperation with the maritime industry, piracy can be stopped. The Malacca Straits offers a good example of effective ways to stop piracy. The Malacca Straits ranked as one of the most dangerous pirate attack areas in the world. Thanks to the effectiveness of concerted efforts by coastal states and others, pirate attacks have effectively been eliminated from the Malacca Straits.

Seafarers' Rights: The earliest medieval maritime codes provided extraordinary protections for merchant mariners, protections that were created in the shipping industry's self-interest. Taking good care of ships' crews was as important to recruiting and retention in ancient times as it is today. Even though merchant mariners are the most regulated of all workers, they remain very vulnerable to exploitation, and they find it difficult to enforce the laws designed to protect them. In 2006, the International Labour Organization adopted the Maritime Labour Convention. This Convention, commonly referred to as the MLC 2006, is the most significant development in the long history of seafarers' rights law. It provides in one convention a comprehensive statement of seafarers' rights that reflect both seafarers' rights that have withstood the test of time, as well as modern shipping realities. The Convention is easy to understand, is capable of ratification, and it is enforceable. The most important aspect of the Convention is its underlying principle of respecting and honoring merchant mariners. So far, only three countries have ratified the MLC 2006. No single act of a nation would do more to enhance seafarers' life and work - and also to help make seafaring a more attractive career choice - than ratifying the MLC 2006.

Mr. President, thank you for giving me the opportunity to turn our attention to the men and women who toil for our benefit in the workplace of the sea. I know that I have provided only a brief outline of some of the issues that they face and of some concrete steps to take to make seafaring a more attractive career. I would be pleased to provide additional details or information to interested persons after the meeting.