

Anhang 4:

International Labour Organization

Joint Maritime Commission (28th Session, Geneva, 22 October 1996)

Report

1. The Joint Maritime Commission held its 28th Session in Geneva on 22 October 1996, in accordance with a decision of the Governing Body of the International Labour Office taken at its 262nd Session (March-April 1995).

2. His Excellency Mr. Mounir Zaharan, Ambassador to the Permanent Mission of the Arab Republic of Egypt to the United Nations, presided over the session as a substitute for Mr. Arrate Mac Niven, Chairman of the Governing Body and ex officio Chairman of the Joint Maritime Commission, who was unable to attend. The representative of the Employers' group and Workers' group were Mr. E. Hoff and Mr. J. Calamatta, respectively.

3. The following Officers of the Commission were elected by their respective member groups: Mr. Dierk Lindemann (Shipowner member, Germany, as Shipowners' Vice-Chairman) and Mr. John Fay (Seafarer member, United States, as Seafarers' Vice-Chairman). In their capacities each also acted as spokesperson for his group.

4. The session was attended by 20 regular members from the Shipowners' side and 20 regular members and one deputy member from the Seafarers' side. A list of those attending the session is given in Annex I to this report.

5. The Secretary-General was Mr. Bjørn Klerck Nilssen (Chief, Maritime Industries Branch, International Labour Office).

6. The Commission held one sitting.

Agenda

7. The agenda of the session, as established by the Governing Body at its 262nd Session (March-April 1995), consisted of a single item: the updating of the minimum basic wage figure for able seamen, set out in Paragraph 2 of the Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109), or in any instrument adopted by the International Labour Conference, which superseded the Recommendation.

Opening of the session

8. The Secretary-General traced the background leading to consideration of the question on the agenda of the Commission. He noted that the 84th (Maritime) Session of the International Labour Conference had adopted, on the same day, the Seafarers' Wages and Hours of Work and the Manning of Ships Recommendation, 1996

(No. 187), which superseded Recommendation No. 109 and which, in Part IV, Paragraph 10, contained provisions on the minimum monthly basic pay, or wage figure for able seamen. He then introduced the report (JMC/28/1) prepared by the Office as the basis for the Commission's discussions. It described how the Commission had dealt with the updating of the minimum basic pay or wage figure for able seamen in the past as well as consideration relating to the list of representative countries and areas, changes in consumer prices and exchange rates including a proposed revised minimum wage.

Resolution concerning the ILO minimum wage for able seamen

9. The Secretary-General noted that, as a result of informal contacts between the groups, the Office had processed a draft resolution, submitted by the Shipowners and Seafarers, concerning the ILO minimum wage for able seamen. With a few editorial amendments ensuring consistency with the Seafarers' Wages and Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187), the resolution was unanimously adopted by the Commission. The full text of the resolution is contained in Annex II.

Adoption of the report

10. The Commission agreed that the Chairman, in consultation with the two Vice-Chairmen, should approve the report on its proceedings.

Geneva, 22 October 1996.

(Signed) M. Zaharan,
Chairman.

Annex I

Composition of the 28th Session of the Joint Maritime Commission

Chairman

Mr. M. Zaharan (Egypt)

Substituting for:

Mr. Arrate Mac Niven

Governing Body delegation

Mr. E. Hoff (Employers' group)

Mr. J. Calamatto (Workers' group)

Shipowner members**Regular members**

Mr. L. Payne (Australia)

Mr. H. Morales Villamor (Chile)

Mr. H-C. Springborg (Denmark)

Mr. G. Miller (New Zealand)

Mr. G. Sulpice (France)

Mr. D. Lindemann (Germany)

Captain C.J. Park (Republic of Korea)

Mr. A. Burabee'ah (Kuwait)

Mr. H. Van Meenen (Netherlands)

Mr. F. Sánchez (Spain)

Mr. T. Kazakos (Cyprus)

Mr. J. Keshavarz (Iran, Islamic Rep. of)

Mr. G. Koltsidopoulos (Greece)

Mr. B.M. Ghildiyal (India)

Mr. G.M. Cabral (Argentina)

Mr. N. Masuda (Japan)

Mr. Z. Nieweglowski (Poland)

Captain K. Matskiavitchus
(Russian Federation)

Mr. J. Lusted (United Kingdom)

Mr. B. Fransson (Sweden)

Substituting for:

Mr. S. Abdou (Egypt)

Mr. C.H. Park (Republic of Korea)

Mr. A. Mohammed (Nigeria)

Mr. J. Vatne (Norway)

Mr. C.C. Salinas (Philippines)

Mr. R. Aglieta (Italy)

Captain V. Zamarianov
(Russian Federation)

Mr. J.J. Cox (United States)

Seafarer members**Regular members**

Mr. M. Morato (Argentina)

Mr. L. Bames (India)

Mr. Y. Iijima (Japan)

Mr. B. Lamug (Philippines)

Mr. F. Ross (Australia)

Mr. Zhang Shihui (China)

Mr. D. Benze (Germany)

Mr. N. Eremenko (Russian Federation)

Mr. B. Degerud (Norway)

Substituting for:

Mr. H. Harvey (South Africa)

Mr. S. Nakanishi (Japan)

Mr. G. Oca (Philippines)

Mr. T. Gjestrum (Norway)

Mr. P. Funch (Denmark)
Mr. J. Halas (Greece)
Mr. T. Abrahamsson (Sweden)
Mr. A. Nadlar (Indonesia)
Mr. B. Orrell (United Kingdom)
Mr. C. Narelli (France)
Mr. B. Berlan (Croatia)
Mr. J. Vriesen (Netherlands)
Mr. J. Fay (United States)
Mr. N. Figueiredo (Brazil)
Mr. J. Cegielski (Poland)

Mr. J.A. Manterola (Spain)

Mr. R. di Fiore (Italy)

Deputy members

Mr. R. Duarte (Chile)

Mr. R. Dielis (Belgium)

Advisers

Mr. V. Kepp (Russian Federation)
Mr. H. Berlau (Denmark)
Mr. R. Verrieux (France)
Mr. Agis Tselentis (Greece)

Annex II

Resolution concerning the ILO minimum wage for able seamen

Having met in Geneva in its 28th Session on 22 October 1996,

Having considered the report prepared by the International Labour Office on Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109): Updating of the minimum basic wage of able seamen;

Having noted that the Joint Maritime Commission, at its 27th Session in 1994, considered the wage figure of US\$385 as of January 1995;

Having noted the changes since the 27th Session as to which countries and areas are now either major maritime nations or major suppliers of seafarers, as described in the Office report, and also noted the desire to clarify the method of calculating the minimum wage,

Having noted the adoption, at the 84th (Maritime) Session of the International Labour Conference, of the Recommendation concerning Seafarers' Wages and Hours of Work and the Manning of Ships (No. 187), referred to below as »the Recommendation«, which revised Recommendation No. 109,

The Joint Maritime Commission of the International Labour Organization:

1. Considers the list of 45 countries and areas contained in the Office report as currently representative of major maritime nations or major suppliers of seafarers.
2. Considers also that the formula used to revise the amount of the basic pay or wages for a calendar month of service for an able seaman should otherwise be maintained as it pertains to currency exchange rates, consumer prices and weighting, and that productivity should also be addressed when the Joint Maritime Commission finds this fact relevant.
3. Considers furthermore that in view of the above factors, the figure of US\$435 should be regarded as the equivalent, as of 1 January 1998, of the amount referred to in Paragraph 10 of the Recommendation.
4. Urges that, in giving effect to the Recommendation, Members should apply the amount of US\$435, with effect from 1 January 1998.
5. Agrees that the amount of US\$435 should be used as the base for recalculation purposes and that the formula should measure changes in consumer prices, currency exchange rates and weighting to cover the period of adjustment time which will start from 1 January 1997 up to the most current month for which data are available, when the amount of the basic pay or wages for able seamen is considered for revision by Joint Maritime Commission sessions in future.
6. Agrees that when updated data covering the period from 1 January 1997 through the next full period of adjustment are not available from the Office, a preliminary adjustment of the amount set by this resolution should initially be performed using the most current data available, and then the monthly average amount of change in the result should be extended to cover the full period of adjustment.
7. Suggests that the next Office report continues to provide preliminary data on all factors measured in the calculation, but the Office should not propose a revised amount until all updated data are made available to the Joint Maritime Commission.

8. Agrees that any revised amount recommended in future will be effective as of 1 January 2000.
9. Reminds the Governing Body of the earlier proposal of the Joint Maritime Commission that a small bipartite wage committee composed of six Shipowner representatives and six Seafarer representatives be convened every alternate year between sessions of the Joint Maritime Commission for the purpose of updating the amount of the basic pay or wages for able seamen in accordance with the prescribed formula, it being understood that such a committee should not be convened in the year before a Joint Maritime Commission session.