

Statement of Interpretation on Article 2§1 – The right to just conditions of work – maritime workers

The Committee notes that the Charter does not expressly define what constitutes reasonable working hours and situations are assessed on a case-by-case basis. The Committee recalls that working hours totalling more than 60 hours in one week are unreasonable (Conclusions 2018, Türkiye).

During the examination of its Conclusions 2022, the Committee issued a statement noting that, because of the very specific nature of the work in question which is carried out in a very specific environment, it would re-examine the working hours of seafarers and the working time limits applicable to them.

For the purposes of this Statement of Interpretation, the term maritime workers will be used to include both seafarers and professional fishers.

The Committee takes note of the following ILO Conventions: Maritime Labour Convention (2006), Work in Fishing Convention, 2007 (No. 188). It also takes note of the following EU Directives: Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Worker's Unions in the European Union (FST) – Annex: European Agreement on the organisation of working time of seafarers; Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time and Council Directive (EU) 2017/159 of 19 December 2016 implementing the Agreement concerning the implementation of the Work in Fishing Convention, 2007 of the International Labour Organisation, concluded on 21 May 2012 between the General Confederation of Agricultural Cooperatives in the European Union (Cogeca), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises in the European Union (Europêche).

The Committee considers it necessary to change its approach concerning the working hours of maritime workers. The Committee notes that, in order to be in conformity with the Charter, maritime workers may be permitted to work a maximum of 14 hours in any individual 24-hour period and 72 hours in any individual seven-day period. The maximum reference period allowed is one year. Adequate rest periods have to be provided. Records of maritime workers' working hours shall be maintained by employers to allow supervision by the competent authorities of the working time limits.