

DO SEAFARERS LIVES MATTER?

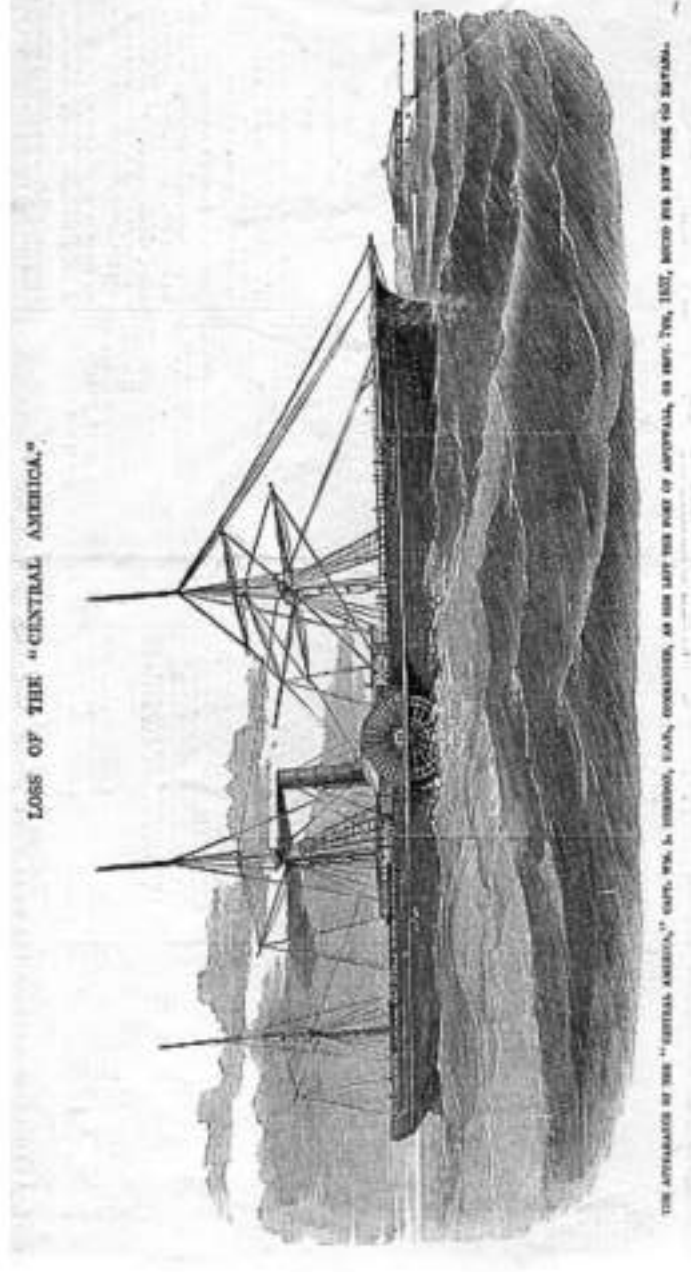
On Owners liabilities towards those who serve on their vessels
and the maritime lien for payments claimed by crew members, for damages, under Israeli maritime law

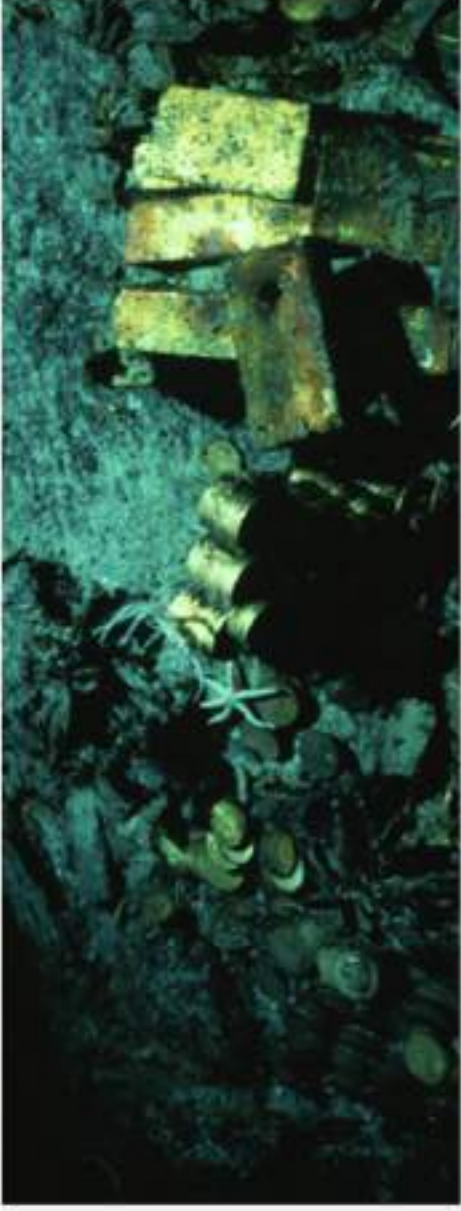
By Yoav Harris, Adv.

Harris & Co
Maritime Law Office



Get Started





united states district court for the eastern district of virginia



United States Court of Appeals for the Fourth Circuit



“

Any time a ship goes to sea there is danger to
the ship and persons abroad

”



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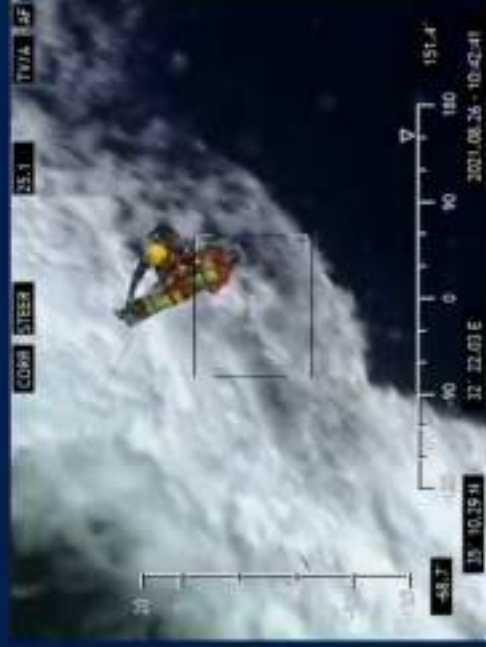
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“

Payments claimed by the Captain, Crew members and others who served the vessel, due to their employment in the vessel, which are claimed by their successors or their heirs, either by contract, either by compensation for civil damages, and either by any other way

”



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ALLOCATION OF RISKS FOR INTEGRITY OF THE SEAFARERS BODY



INTERNATIONAL LABOUR CONFERENCE

MARITIME
LABOUR CONVENTION, 2006,
as amended

► Including 2018 amendments



Antigua - Barbuda adopted the MLC

THE MERCHANT SHIPPING (MARITIME LABOUR CONVENTION, 2006)

REGULATIONS, 2012

Standard A 4.2.1- Shipowners Liability.

“

(a) Shipowners shall be liable to bear the costs of seafarers working on their ships in respect of sickness and injury of the seafarers occurring between the date of commencing duty and the date upon which they are deemed duly repatriated, or, arising from their employment between those dates;

(b) Shipowners shall provide financial security to assure compensation in the event of death or long term disability of seafarers due to an occupational injury, illness or hazard, as set out in national law, the seafarers employment agreement or collective agreement.

”

“

Clause 15: Shipowners Liability

(a) Shipowners shall meet the standard set out in the standard A4. 2, Paragraph 1, sub paragraph (a)-(d).

”



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GOOD PLANNING IS ESSENTIAL IN ENSURING OCCUPATIONAL HEALTH AND SAFETY AT WORK





THE MERCHANT SHIPPING (MARITIME LABOUR CONVENTION, 2006)

REGULATIONS, 2012

“

Clause 16 (a) : every shipowner shall put in place measures intended to ensure the health and safety of seafarers and the provision of working environment on board any ship for which they are responsible in which the occupational health of seafarers is protected and which is safe, clean and hygienic,

Clause 16 (b) (iv): Without prejudice to the generality of the ship owners' duty under sub-paragraph (a), the matters to which the that duty extends, shall include in particular and so far as if practicable –

(iv) the maintenance of all places of work in the ship in a condition that is safe and without risk to health.

”

Standard 4.3 of the MLC

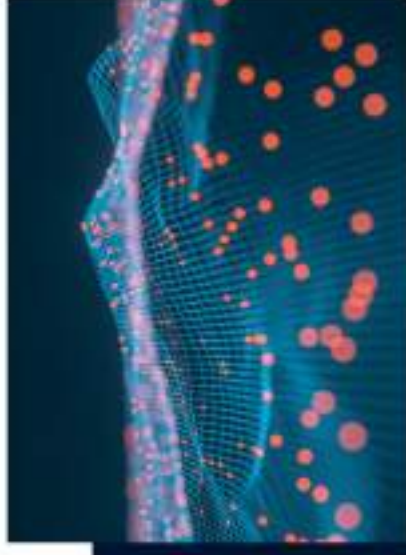
“

1. The laws and regulations and other measures to be adopted [...] shall include the following subject: [...]

(a) Reasonable precaution to prevent occupational accidents, injuries and diseases on board the ship [...] as well of the risk of injury or diseases that may arise from use of machinery on board ships.

”

2014-2019
496 deaths,
310 occurred at sea
244 on ships on commission



The State of Maritime Safety 2020

Data-led insights and analysis into vessel incidents

Download to view the full report and data insights



2020 Q4



ADV. JOHN HARRIS (1940-2023)





THANK YOU

OSLO

SHANA TOVA



YOAV HARRIS, ADV.

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