

Governing Body 343rd Session (Nov. 2021)

Report of the fourth meeting (Part I) of the Special Tripartite Committee established under the Maritime Labor Convention, 2006, as amended (19–23 April 2021)

LILS/4

U.S. Government Statement

1. The United States notes the report of the fourth meeting of the Special Tripartite Committee (STC) of the Maritime Labor Committee (MLC), 2006, which convened virtually in April 2021. The report includes several recommendations, including the possible abrogation or withdrawal of several maritime labor instruments.
2. We agree with the STC's substantive findings with respect to the instruments that they no longer reflect current practices and conceptions and for that reason are appropriate as candidates for consideration for abrogation or withdrawal. At the same time, it is our view that only states parties to a convention can abrogate it.
3. We note that the ILO has explained its view that the "abrogation" of a Convention within the meaning of Article 19, paragraph 9 of the ILO Constitution entails only the end of the role of the ILO in supporting the implementation of the Convention and not the termination of the Convention itself or of the rights and obligations the Convention establishes among the states that are parties to it.
4. Accordingly, we affirm that any action taken by the ILO to abrogate particular conventions will not affect the legal status of those conventions as among the states that are parties to them.
5. With that in mind, we can support the point for decision.