

A photograph of a worker in a confined space, possibly a ship's hull, wearing a blue and red plaid headscarf, a headlamp, and a brown safety jacket with reflective stripes. The worker is looking down, focused on a task.

FLAGS OF CONVENIENCE

A FLAG OF CONVENIENCE (FOC) VESSEL
IS ONE THAT FLIES THE FLAG OF A
COUNTRY OTHER THAN THE COUNTRY
OF OWNERSHIP



SHIPS MUST BE REGISTERED WITH A SINGLE COUNTRY, EVEN THOUGH THEY OFTEN OPERATE IN INTERNATIONAL WATERS. THAT COUNTRY, THE FLAG STATE, IS LEGALLY RESPONSIBLE FOR ENSURING THAT SHIPOWNERS MEET CERTAIN BASIC STANDARDS ON SAFETY AND CREW WELFARE.

A FLAG OF CONVENIENCE (FOC) VESSEL IS ONE THAT FLIES THE FLAG OF A COUNTRY OTHER THAN THE COUNTRY OF OWNERSHIP. IT IS ATTRACTIVE TO SHIPOWNERS WHO CARE MORE ABOUT THEIR BOTTOM LINE THAN THE WELFARE OF THEIR SEAFARERS, BECAUSE IT CAN SAVE THEM MONEY.

The FOC system: the scourge of maritime

An FOC registry offers shipowners cheap registration fees, and low or no taxes. Once a ship is registered under an FOC, many shipowners then recruit the cheapest labour they can find, pay minimal wages and cut costs by lowering standards of living and working conditions for the crew.

And FOCs offer countries without their own shipping industry to make easy money. They set up ship registries and charge fees to shipowners, while having none of the crew safety and welfare responsibilities of a genuine flag state. Some registers have poor safety and training standards, and place no restriction on the nationality of the crew. In many cases these flags are not even run from the country concerned.

Since FOC ships have no real nationality, they are beyond the reach of any single national seafarers' trade union. As a result, most FOC seafarers are not members of a trade union. For those who are, the union is often powerless to influence what happens on board.

The ITF believes there should be a **genuine link** between the real owner of a vessel and the flag the vessel flies, in accordance with the United Nations Convention on the Law of the Sea (UNCLOS). There is no genuine link in the case of FOC registries. That is why it continues to campaign against FOCs.

In 2022, there were 42 countries declared as FOC registries by the ITF. You can view the list at <https://www.itfseafarers.org/en/focs/current-registries-listed-as-focs>.



What do FOCs mean for seafarers?

Seafarers working on FOC vessels typically experience:

- Low wages.
- Unsafe vessels. Many FOC vessels are older than the average age of the rest of the world fleet and are badly maintained. Tens of thousands of seafarers endure miserable, life-threatening conditions on sub-standard vessels that should never have sailed.
- Poor safety practices. Injuries to seafarers can ruin a life, end a seafaring career and rob a large extended family of a regular income. Seafarers on their own have little chance of winning compensation. The ITF pursues these cases through the courts but often they must unravel complex company structures under the FOC system before they can identify who has responsibility for the ship and its crew.
- Being unpaid. Some FOC crews are simply not paid. Others are owed large sums of money and can wait for months with no sign of the money promised to them. Some companies delay, or fail to make, payments to seafarers' families when they want to send money home. With no pay, many seafarers cannot even afford to escape and make their own way home.
- Poor on-board conditions. Seafarers may have inadequate food or clean drinking water, poor sanitary and sleeping facilities.
- Over-work. Many seafarers on FOC vessels work for long periods without proper rest, which can lead to stress and fatigue.
- Being abandoned by the shipowner.

Despite the hardships, many seafarers on FOC vessels are too frightened to complain.

How the ITF supports FOC seafarers

Negotiating ITF agreements

The ITF has a unique and powerful influence on the wages and conditions of seafarers



working on FOC ships, through negotiating ITF agreements with shipowners. There are two types of ITF agreement.

The most common form is the International Bargaining Forum (IBF) framework agreement, negotiated every two years by the ITF and specific shipowners' associations. These IBF agreements apply only to seafarers on vessels owned by companies belonging to those associations, and they can only be signed by ITF unions. Unions use them to negotiate national agreements with companies in their country, and sometimes company-level agreements.

The total crew cost agreement must be approved by the ITF and signed by the shipowner (the beneficial owner, operator or ship manager) and either a union in the country where the beneficial owner is based, or a union in the countries providing the labour. This ensures that the agreement considers any national laws and customs, and that the crew members are able to join their national union.

The benefits of an ITF agreement

ITF agreements legally bind the employer to the collective bargaining agreement (CBA),

which details all the terms and conditions of the crew employed on the ship. It also provides the seafarer's employment contract (SEA) for each crew member. The SEA states the details of the seafarer, the employer, the vessel, and the CBA terms and conditions that apply to that particular crew member.

In 2022, there were 11,862 live ITF agreements, of which 10,953 were on FOC flagged vessels. The five flags with the most vessels covered by ITF agreements were Panama, Marshall Islands, Liberia, Malta and the Bahamas.

Policing ITF agreements

The ITF's inspectors police and enforce these agreements. They can legally board a vessel with an ITF agreement to carry out an inspection to check that the agreement is being complied with, and that the seafarers have decent pay, working conditions and living standards.

In 2022, the ITF's 130 inspectors and contacts in more than 111 ports in 56 countries carried out 8,763 inspections of FOC vessels, and recovered more than USD36.5 million in owed wages. Of these inspections, 3,640 were of vessels not covered by an ITF agreement, and they yielded the bulk of the recovered wages, USD28.2 million.

Need assistance?

If you work on a FOC vessel and have a problem on board, contact a local union or the ITF inspector in the country you are in or heading to. If there is no union or inspector there, email the ITF seafarers' support team at seafsupport@itf.org.uk.



SEAFARERS – MAKE THE ITF YOUR DAILY PORT OF CALL FOR INFORMATION AND ADVICE.

USE THE FREE ITF SEAFARERS APP (AVAILABLE FOR BOTH ANDROID AND IOS DEVICES FROM YOUR APP STORE) OR VISIT THE WEBSITE DEDICATED TO YOU WWW.ITFSEAFARERS.ORG

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