



COMITE MARITIME INTERNATIONAL

PRESIDENT

11 November 2013

All Presidents of NMLAS

Dear Presidents

Questionnaire on Fair Treatment of Seafarers

I **attach** a Questionnaire which has been sent out to IMO Member States which the CMI International Working Group on Fair Treatment of Seafarers has jointly prepared with Seafarers' Rights International.

I would be grateful if you would respond to the Questionnaire as soon as possible.

As you will see from the foot of the Questionnaire, Seafarers' Rights International and the CMI are hoping to receive responses by 31 January 2014. I would be grateful if you would send your responses to me and the Chair of the CMI IWG, Olivia Murray at olivia.murray@incelaw.com.

With kind regards

A handwritten signature in black ink, appearing to read "Stuart Hetherington".

Stuart Hetherington

Copy to:

Olivia Murray
By email

STUART HETHERINGTON C/O COLIN BIGGERS & PAISLEY,
Level 42, 2 Park Street, Sydney, NSW, 2000, Australia -
GPO Box 214, Sydney, NSW 2001 Australia
Tel: +61 2 8281 4477 E-Mail: swh@cbp.com.au Fax: +61 2 8281 4567
Registered Office CMI, Aisbl: Everdijstraat 43, 2000 Antwerpen, Belgique
www.comitemaritime.org

**2006 GUIDELINES ON FAIR TREATMENT OF SEAFARERS
IN THE EVENT OF A MARITIME ACCIDENT (the Guidelines)**

QUESTIONNAIRE TO MEMBER GOVERNMENTS OF IMO

PLEASE NOTE THAT ALL RESPONSES WILL BE KEPT CONFIDENTIAL AND NO INDIVIDUAL COUNTRIES WILL BE IDENTIFIED IN ANY REPORT ON THE QUESTIONNAIRE WITHOUT EXPRESS AGREEMENT

1. Have the Guidelines been passed into the law/s of your country? Please tick:
 YES
 NO

2. If the Guidelines have been passed into the law/s of your country, have all or some of the paragraphs of the Guidelines been passed into the law/s of your country? Please tick:
 ALL PARAGRAPHS
 SOME PARAGRAPHS

3. If some of the paragraphs of the Guidelines have been passed into the law/s of your country, please tick the paragraphs of the Guidelines that have been passed into the law/s of your country. Please tick:
 PARAGRAPH 1
 PARAGRAPH 2
 PARAGRAPH 3
 PARAGRAPH 4
 PARAGRAPH 5
 PARAGRAPH 6
 PARAGRAPH 7
 PARAGRAPH 8
 PARAGRAPH 9 (9.1 – 9.22)
 PARAGRAPH 10 (10.1 – 10.12)
 PARAGRAPH 11 (11.1 – 11.8)
 PARAGRAPH 12 (12.1 – 12.7)
 PARAGRAPH 13 (13.1 – 13.4)

4. If some or all of the paragraphs of the Guidelines have been passed into the law/s of your country, does the law/s give rights to seafarers which are enforceable in your courts? Please tick:
 YES
 NO

**2006 GUIDELINES ON FAIR TREATMENT OF SEAFARERS
IN THE EVENT OF A MARITIME ACCIDENT (the Guidelines)**

5. If some or all of the paragraphs of the Guidelines have been passed into the law/s of your country, please identify the specific law/s: ie title of the law/s, and date of the law/s, and relevant provisions in the law/s
6. If some or all of the paragraphs of the Guidelines have not been passed into the law/s of your country, please explain the reason/s for not passing those paragraphs of the Guidelines into the law/s of your country. Please tick one of more of the following answers:
- The existing law/s adequately protects the rights of seafarers. Please identify the law/s.
 - The Guidelines inadequately protect the rights of seafarers
 - The Guidelines unduly protect the rights of seafarers and are unfair to other parties
 - The Guidelines are unclear and/or ambiguous
 - The Guidelines are still under consideration
 - Please state any other reason
7. If some or all of the paragraphs of the Guidelines have not been passed into the law/s of your country, please explain what action, if any, your country may require in order for those paragraphs of the Guidelines to be passed into the law/s of your country. Please tick one or more of the following answers:
- The provision of model legislation by the IMO regarding the passing of the Guidelines into national law
 - The provision of information by the IMO regarding the meaning of the Guidelines
 - The amendment of the Guidelines by the IMO
 - Please explain any other action

RESPONSES TO BE RETURNED PLEASE NO LATER THAN 31 JANUARY 2014 TO:

**SEAFARERS' RIGHTS INTERNATIONAL
ATT: DEIRDRE FITZPATRICK
EXECUTIVE DIRECTOR
49-60 BOROUGH ROAD
LONDON SE1 1DR
EMAIL: d.fitzpatrick@seafarersrights.org**