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Department of Migrant Workers

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DEPARTMENT OF MIGRANT WORKERS
Administrative Services

RECEIVED

By: **MARTIN A. REYES III**

Date: **November 22, 2023** Time: **4:30 P.M.**

ADVISORY NO. 29
Series of 2023

**Amended List of the International Bargaining Forum (IBF) Warlike
and High-Risk Areas Effective 01 November 2023**

Following the agreement reached between the Joint Negotiating Group (JNG) of employers and the International Transport Workers' Federation (ITF), the amended International Bargaining Forum (IBF) List of Warlike and High-Risk Areas took effect on 01 November 2023 with the following designations:

A. DESIGNATION 1. IBF Warlike Operations Area (WOA) – 12 nautical miles (nm) off the mainland Yemeni Coast, including all ports, excluding the Maritime Security Transit Corridor (MSTC) in the Red Sea

This WOA includes Yemeni territorial waters extending up to the 12 nm limit from the border of Yemen with Saudi Arabia in the Red Sea and the border of Yemen and Oman in the Gulf of Aden, with the exception of the Maritime Security Transit Corridor (MSTC) on the Red Sea where the lanes of this safe passage corridor overlap with this Warlike Area.

This Warlike Area applies to all vessels, whether underway or not, including all vessels at anchor and berthed "all fast" within the Area.

This designation is in force from 0001Z on 01 March 2018.

Applicable benefits for seafarers include:

- Bonus equivalent to basic wage, payable for 5 days minimum + per day if longer;
- Doubled compensation for death and disability;
- Right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage; and
- Recommended to operate at ISPS Level 3.

B. DESIGNATION 2. "IBF Extended Risk Zone" – Gulf of Guinea including all ports, terminals and road anchorages and inland waterways

The coordinates of this area run in a direct line from the Liberia/Ivory Coast border to 00°N 005°E, to the Angola/Namibia border.

This designation is in force from 0001Z on 01 January 2023.

Applicable benefits for seafarers include:

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- Bonus equal to basic wage, payable only on the day the vessel is attacked in an act of piracy;
- Doubled compensation for death and disability if they occur on the day the vessel is attacked;
- Increased Best Management Practice (BMP) level.

C. DESIGNATION 3. IBF Warlike Operations Area (WOA) – Sea of Azov and the Straits of Kerch, north of latitude 45° 03' 00"N

This Area includes all waters and ports of the Sea of Azov and the Straits of Kerch, north of latitude 45° 03' 00"N.

This designation shall be in effect from 01 November 2023 to 02 February 2024 with further extensions being subject to mutual consent between the IBF parties.

Applicable benefits for seafarers include:

- Bonus equal to basic wage, payable for 5 days minimum + per day if longer;
- Doubled compensation for death and disability;
- Right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage; and
- Recommended to operate at ISPS Level 3.

D. DESIGNATION 4. IBF Warlike Operations Area (WOA) – Northern Black Sea Region

This WOA runs from the Ukrainian/Romanian border to position 45° 10'N 031° 00'E and to position 45° 21'N 032° 30'E.

This designation has been in effect from 01 March 2022 and shall continue until 01 February 2024, with further extensions remaining subject to mutual consent between the IBF parties.

Applicable benefits for seafarers include:

- Bonus equal to basic wage, payable for 5 days minimum + per day if longer;
- Doubled compensation for death and disability;
- Right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage; and
- Recommended to operate at ISPS Level 3.

E. DESIGNATION 5. IBF Warlike Operations Area (WOA) – All ports in Ukraine

This WOA applies to all vessels, whether underway or not, including all vessels at anchor and berthed "all fast" within the Area.

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This designation has been in effect from 01 March 2022 and shall continue until 01 February 2024, with further extensions remaining subject to mutual consent between the IBF parties.

Applicable benefits for seafarers include:

- Bonus equal to basic wage, payable for 5 days minimum + per day if longer;
- Doubled compensation for death and disability;
- Right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage; and
- Recommended to operate at ISPS Level 3.

F. DESIGNATION 6. IBF High Risk Area – Black Sea

In the north, this High-Risk Area borders with:

- The WOA in the northern Black Sea region (Designation 4) on the line from the Ukrainian/Romanian border to position 45° 10'N 031° 00'E and to position 45° 21'N 032° 30'E;
- The Crimean Peninsula coastline; and
- The WOA in the Sea of Azov and the Straits of Kerch (Designation 3) limited by latitude 45° 03' 00'N.

In the south, this High-Risk Area is limited by the line running from:

- Point 1 – 43° 25' 01'N 39° 55' 00'E; to
- Point 2 – 44° 04' 00'N 31° 24' 00'E, to
- Point 3 – 44° 44' 00'N 31° 11' 00'E; and to
- Point 4 – 45° 12' 00'N 29° 41' 00'E.

This designation shall be in effect for the initial period from 01 November 2023 to 02 February 2024 with further extensions being subject to mutual consent between the IBF parties.

Applicable benefits for seafarers include:

- Bonus equal to basic wage, payable for the actual duration of stay/transit;
- Doubled compensation for death and disability;
- Right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage; and
- Increased security requirements, including ISPS Level 3.

In addition, the payment of Warlike Operations Area and of High-Risk Area Operations bonuses/additional compensation not covered by the above conditions shall remain unaffected by this Advisory.

Moreover, the adoption of "basic wage" based on International Labour Organization (ILO) Maritime Labour Convention, 2006 (MLC, 2006) guidelines in the computation of applicable benefits for seafarers whose vessels are transiting through areas with warlike and high-risk designations shall remain. Basic pay or wages means



the pay, however composed, for normal hours of work; it does not include payments for overtime worked, bonuses, allowances, paid leave or any other additional remuneration.

The provisions provided in this Advisory shall apply to all Filipino seafarers effective 01 November 2023.

The complete amended list, which includes additional information as well as charts and maps, are hereby attached as an integral part of this Advisory for reference.

This Advisory supersedes previous issuances contrary thereto.

For the information and guidance of all concerned.


HANS LEO J. CACDAC
Officer-in-Charge

Enc. : a/s

Sources : *Marlow Navigation Phils., Inc.*
07 November 2023

International Maritime Employers' Council (IMEC)
www.imec.org.uk

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IBF LIST
of designated risk areas, with applicable benefits
(as of 1st November 2023)

1. **IBF Warlike Operations Area** – 12 nm. off the mainland Yemeni Coast, including all ports, excluding Maritime Security Transit Corridor (MSTC) in the Red Sea – Charts 1, 2 and 3
 - bonus equal to basic wage, payable for 5 days minimum + per day if longer;
 - doubled compensation for death and disability;
 - right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage
 - recommended to operate at ISPS Level 3

2. **IBF Extended Risk Zone** – Gulf of Guinea, from the Liberia/Ivory Coast border to 00°N 005°E, to the Angola/Namibia border – Chart 4
 - bonus equal to basic wage, payable only on the day the vessel is attacked in an act of piracy;
 - doubled compensations for death and disability if they occur on the day the vessel is attacked
 - increased BMP level

3. **IBF Warlike Operations Area** – Sea of Azov and the Straights of Kerch, north of latitude 45° 03' 00"N – Chart 5
 - bonus equal to basic wage, payable for 5 days minimum + per day if longer;
 - doubled compensation for death and disability;
 - right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage
 - recommended to operate at ISPS Level 3

4. **IBF Warlike Operations Area** – Northern Black Sea Region – Chart 5 (see the Details section for the coordinates)
 - bonus equal to basic wage, payable for 5 days minimum + per day if longer;
 - doubled compensation for death and disability;
 - right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage
 - recommended to operate at ISPS Level 3

5. **IBF Warlike Operations Area** – all ports in Ukraine
 - bonus equal to basic wage, payable for 5 days minimum + per day if longer;
 - doubled compensation for death and disability;
 - right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage
 - recommended to operate at ISPS Level 3

6. **IBF High Risk Area** – Black Sea – Chart 5 (see the Details section for the coordinates)
 - bonus equal to basic wage, payable for the actual duration of stay / transit;
 - doubled compensation for death and disability;
 - right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage
 - increased security requirements, including ISPS Level 3



Chart 1: Warlike Area 12nm off the Yemeni Mainland coast (west)

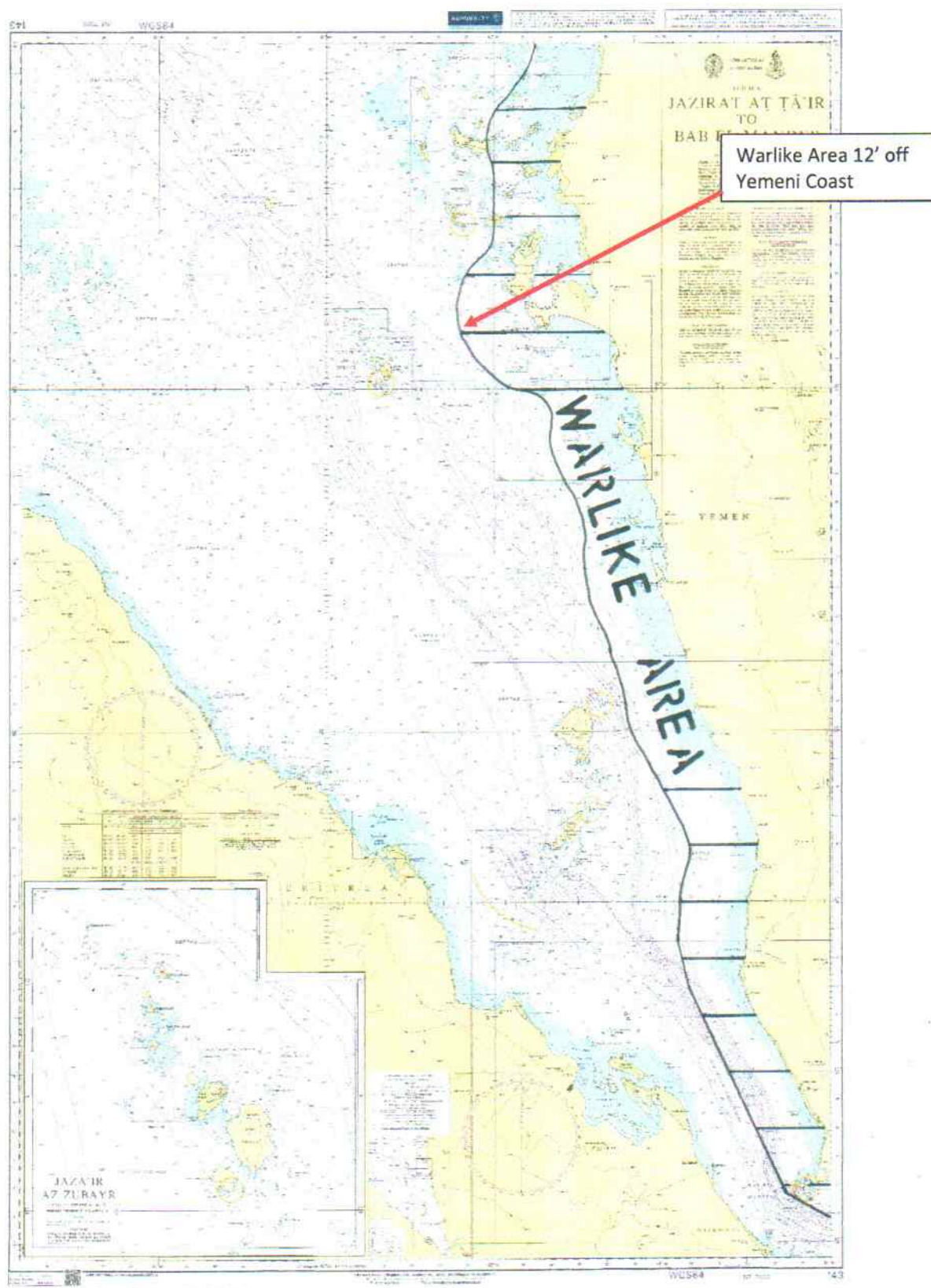


Chart 2: East Africa

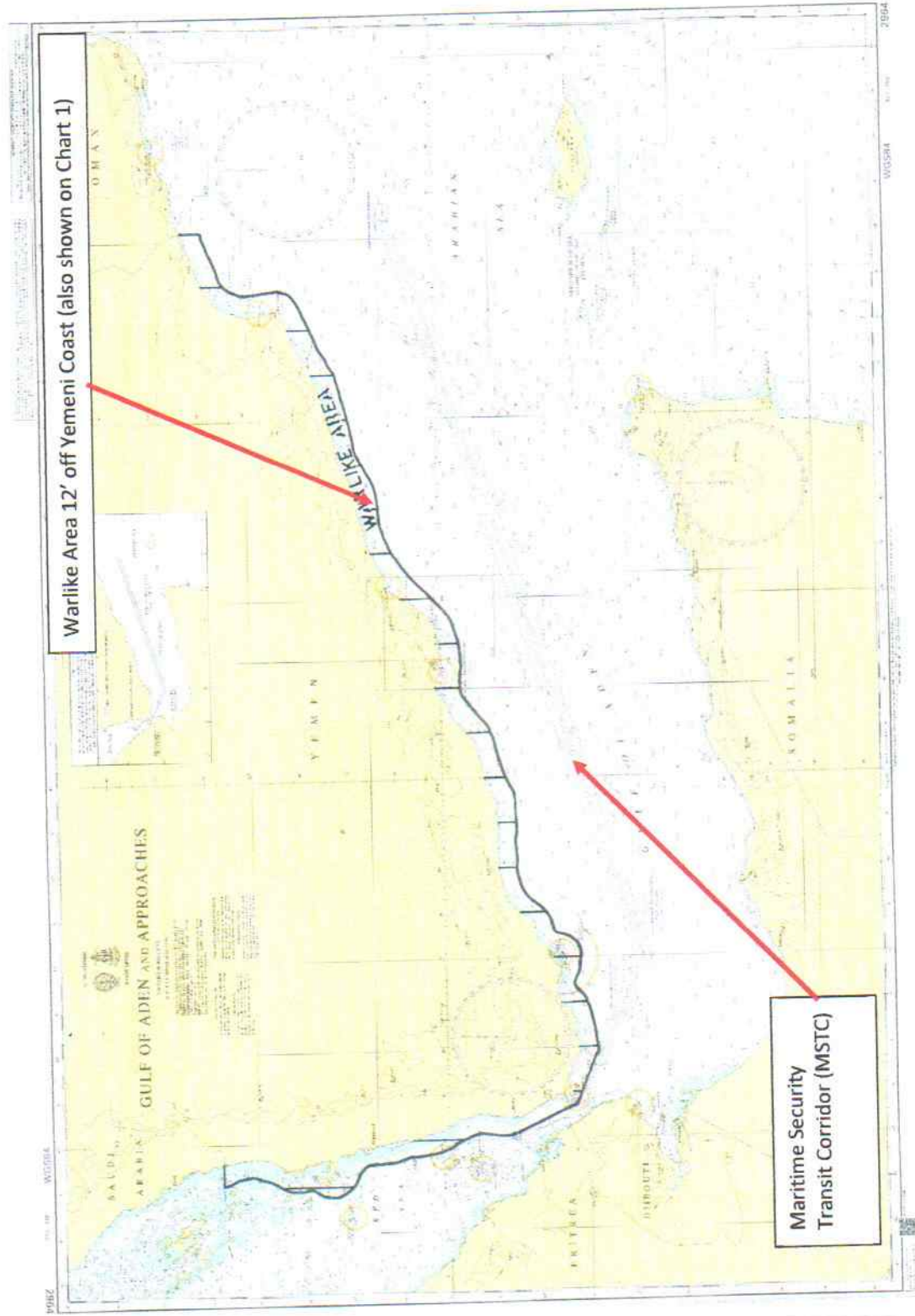
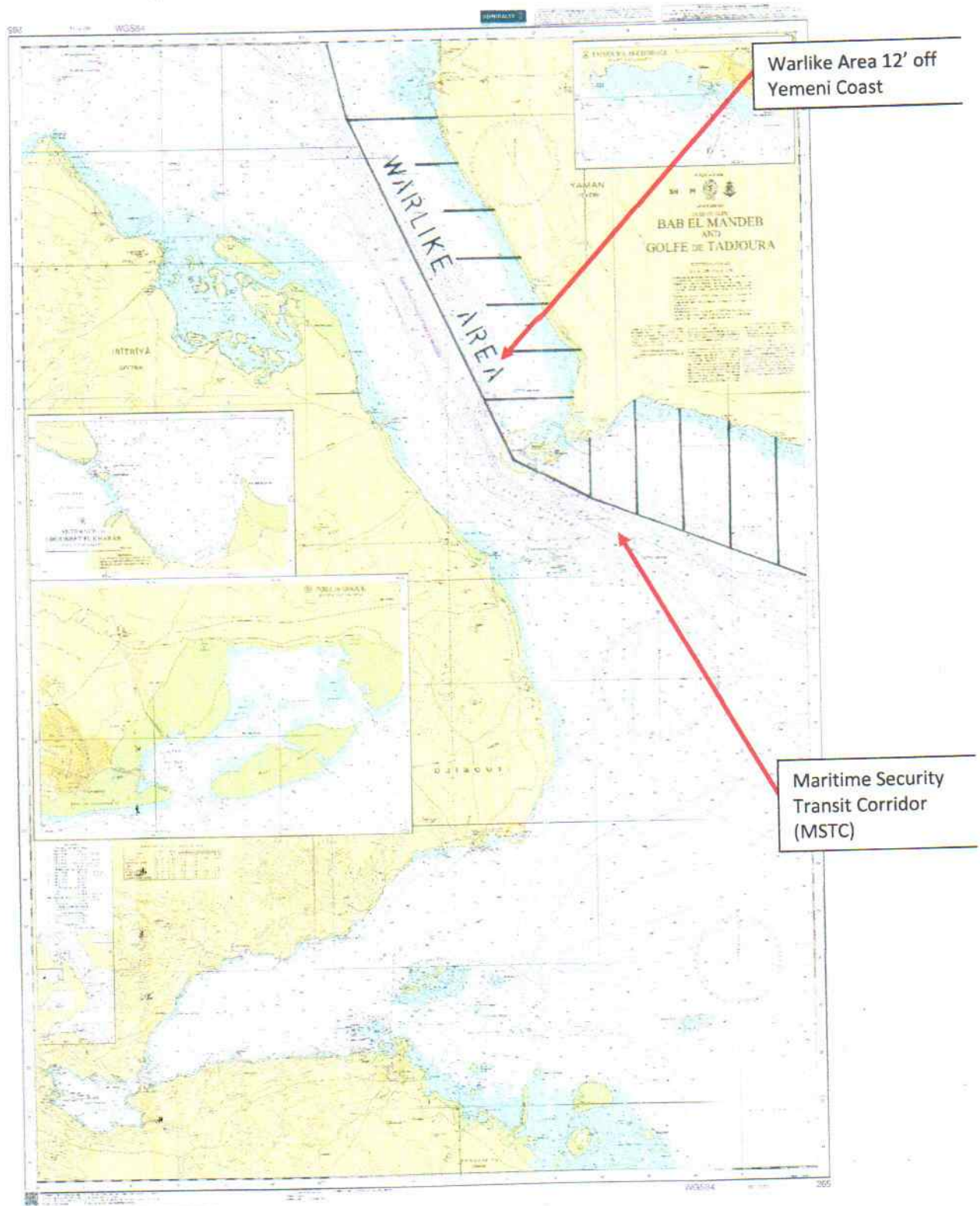


Chart 3: Maritime Security Transit Corridor (MSTC) in the Red Sea and the Bab al-Mandeb Strait



(Vessels transiting within the MSTC are NOT in the Warlike Area)



Chart 4: Gulf of Guinea ERZ

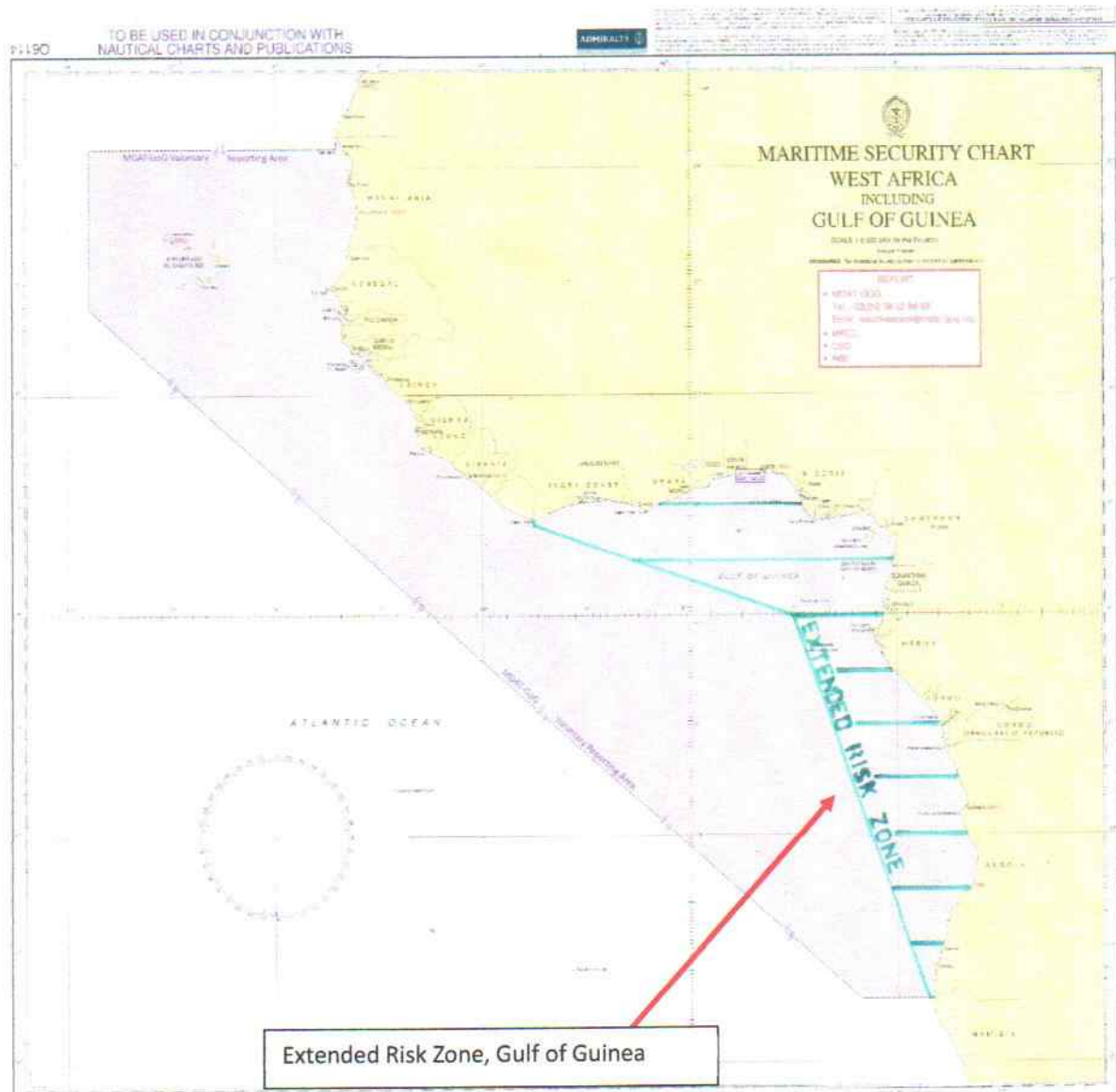
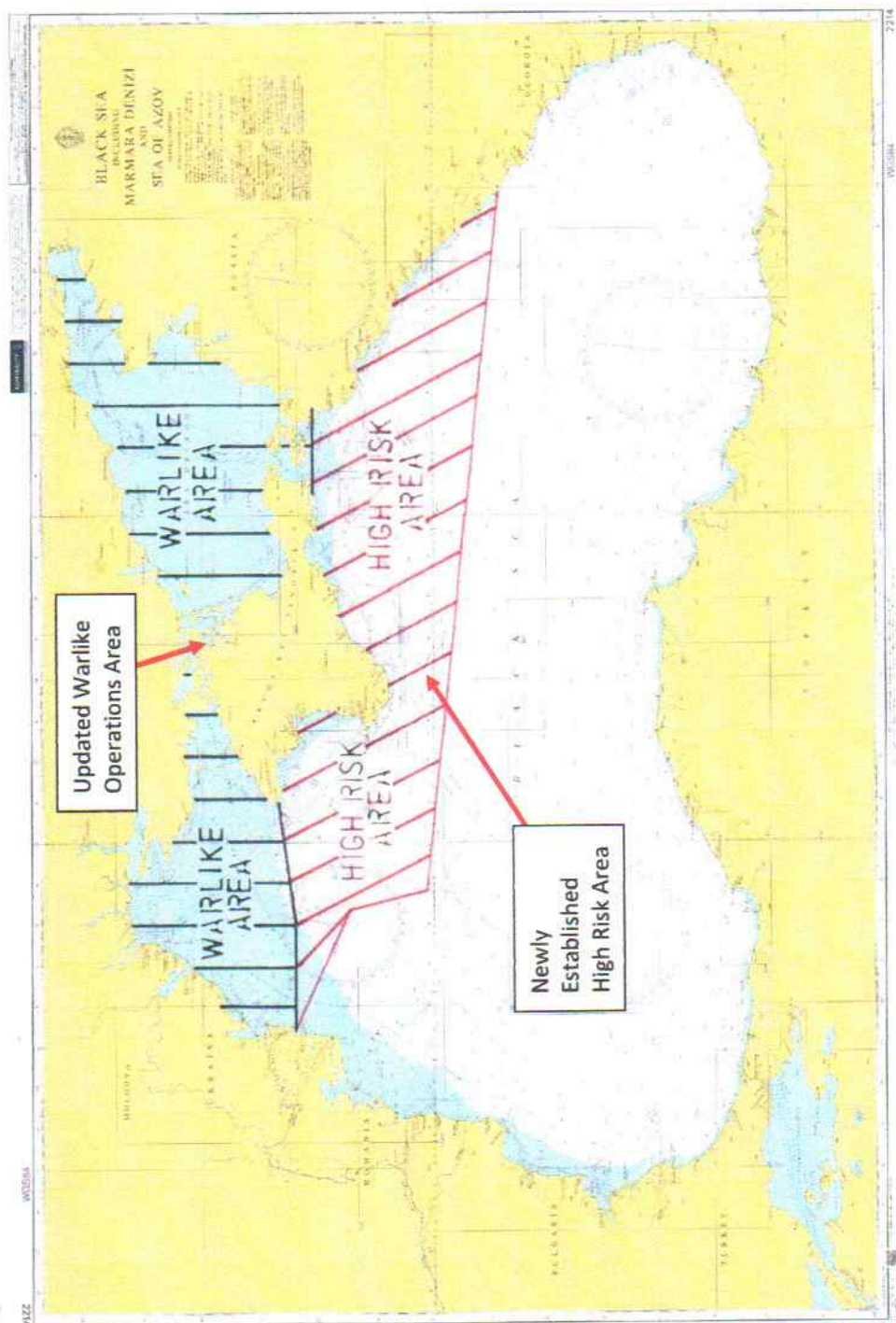


Chart 5:

- IBF Warlike Operations Area – Sea of Azov and the Straights of Kerch;
- IBF Warlike Operations Area – Northern Black Sea Region;
- IBF High Risk Area – Black Sea



IBF list of Risk designations (details)

DESIGNATION 1.

IBF Warlike Operations Area – 12 n.m. off Yemeni mainland Coast

- *This Warlike Operations Area includes Yemeni territorial waters extending up to the 12 nautical miles limit from the border of Yemen with Saudi Arabia in the Red Sea and the border of Yemen and Oman in the Gulf of Aden, with the exception of the Maritime Security Transit Corridor (MSTC) in the Red Sea where the lanes of this safe passage corridor overlap with this Warlike Area.*
- *This Warlike Area applies to all vessels, whether underway or not, including all vessels at anchor and berthed "all fast" within the Area*

During a vessel's transit of this Area, the protection of seafarers through the ISPS Level 3 measure should be adopted, which may include the provision of personnel or systems which appropriately reduce the vulnerability of a vessel. The sufficiency of such extra security measures should be determined depending on vessel type, size, freeboard during transit and speed, with consulting and seeking advice of respective ITF union(s) where necessary.

During the period of transit/stay within this Warlike Area, seafarers shall be entitled to compensation amounting to 100% of the basic wage and a doubled compensation payable in case of death and disability. This entitlement should be payable for a minimum of 5 days upon the entry into the Area and further for each day of the vessel's actual stay in the Area.

In the case of vessels transiting the IBF Warlike Area, seafarers have the right not to proceed with the passage. In such an event, the seafarer concerned shall be repatriated at the company's cost with benefits accrued until date of return to the port of engagement and with the payment of 2 months' basic wage as compensation.

This Area excludes the Maritime Security Transit Corridor (MSTC) in the Red Sea established by Combined Maritime Forces (CMF). This corridor is patrolled by international naval forces and therefore recommended for a safe passage.

This designation is in force from 0001Z on 1 March 2018.



DESIGNATION 2.

“IBF Extended Risk Zone” – Gulf of Guinea including all ports, terminals and road anchorages and inland waterways.

- *The coordinates of this area run in a direct line from the Liberia/Ivory Coast border to 00°N 005°E, to the Angola/Namibia border.*

During a vessel's transit of this area, protection of seafarers through the provision of increased security measures should be adopted. Such measures must be above the latest Best Management Practice (BMP West Africa) level and may include the provision of personnel or systems which appropriately reduce the vulnerability of a vessel. The sufficiency of such extra security measures should be determined depending on vessel type, size, freeboard during transit and speed, with consulting and seeking advice of respective ITF union(s) where necessary.

The adoption of Best Management Practice is required as a minimum standard of protection.

During the period of transit of the Extended Risk Zone, each seafarer shall be entitled to a bonus equal to 100% of the basic wage and a doubled compensation in case of injury or death on any day during which the vessel they are serving on is attacked. The proof of these entitlements shall be subject to a confirmed entry into the ship's logbook and a report of attack being lodged with recognised international reporting authorities, such as MDAT-GoG. The maximum period when these entitlements may apply shall not exceed the number of days of the vessel's transit of the IBF Extended Risk Zone. For the purpose of this article an attack means any unauthorised and obvious action taken by a third party in a willful attempt to board or damage the vessel or to harm the crew which leads to the activation of the relevant vessel contingency plans including the alerting of the whole crew. Individual random attempts (whether successful or not) of unarmed boarding for the purpose of unauthorized sale, begging, minor stealth and etc. leading to no harm/damage to the crew and posing no threat to seafarers' lives, health and safety shall not count as 'attacks' for the purpose of this article.

A vessel will not be considered to be in the Extended Risk Zone, once berthed “all fast” within the area.

This designation is in force from 0001Z on 1st January 2023



DESIGNATION 3:

Warlike Operations Area – Sea of Azov and the Straights of Kerch, north of latitude 45° 03' 00'N

This Area includes all waters and ports of the Sea of Azov and the Straights of Kerch north of latitude 45° 03' 00'N.

During a vessel's transit of this Area, the protection of seafarers through the ISPS Level 3 measure should be adopted, which may include the provision of personnel or systems which appropriately reduce the vulnerability of a vessel. The sufficiency of such extra security measures should be determined depending on vessel type, size, freeboard during transit and speed, with consulting and seeking advice of respective ITF union(s) where necessary.

During the period of transit/stay within this Warlike Area, seafarers shall be entitled to compensation amounting to 100% of the basic wage and a doubled compensation payable in case of death and disability. This entitlement should be payable for a minimum of 5 days upon the entry into the Area and further for each day of the vessel's actual stay in the Area.

In the case of vessels transiting the IBF Warlike Area, seafarers have the right not to proceed with the passage. In such an event, the seafarer concerned shall be repatriated at the company's cost with benefits accrued until date of return to the port of engagement and with the payment of 2 months' basic wage as compensation.

This designation shall be in effect from 1st November 2023 to 2nd February 2024 with further extensions being subject to mutual consent between the IBF parties.

DESIGNATION 4:

Warlike Operations Area - Northern Black Sea Region

- *This Warlike Operations Area runs from the Ukrainian/Romanian border to position 45° 10'N 031° 00'E and to position 45° 21'N 032° 30'E.*

The entitlements are the same as those listed in **Designation 3** above (Warlike Operations Area – Sea of Azov and the Straights of Kerch, north of latitude 45° 03' 00'N)

This designation has been in effect from 1st March 2022 and shall continue until **1st February 2024** with further extensions remaining subject to mutual consent between the IBF parties.

DESIGNATION 5:

Warlike Operations Area – all ports in Ukraine

- *This Warlike Area applies to all vessels, whether underway or not, including all vessels at anchor and berthed "all fast" within the Area.*

The entitlements are the same as those in **Designations 3 and 4** above.

This designation has been in effect from 1st March 2022 and shall continue until **1st February 2024** with further extensions remaining subject to mutual consent between the IBF parties.



DESIGNATION 6:

High Risk Area – Black Sea

In the north, this High Risk Area borders with:

- *the Warlike Operations Area in the northern Black Sea region (Designation 4) on the line from the Ukrainian/Romanian border to position 45° 10' N 031° 00' E and to position 45° 21' N 032° 30' E;*
- *the Crimean Peninsula coastline;*
- *the Warlike Operations Area in the Sea of Azov and the Straights of Kerch (Designation 3) limited by latitude 45° 03' 00' N*

In the south, this High Risk Area is limited by the line running from Point 1 – 43° 25' 01' N 39° 55' 00' E to Point 2 – 44° 04' 00' N 31° 24' 00' E, to Point 3 – 44° 44' 00' N 31° 11' 00' E and to Point 4 – 45° 12' 00' N 29° 41' 00' E.

During a vessel's transit of this Area, the protection of seafarers through the ISPS Level 3 measure should be adopted, which may include the provision of personnel or systems which appropriately reduce the vulnerability of a vessel. The sufficiency of such extra security measures should be determined depending on vessel type, size, freeboard during transit and speed, with consulting and seeking advice of respective ITF union(s) where necessary.

During the period of transit/stay within this High Risk Area, seafarers shall be entitled to compensation amounting to 100% of the basic wage and a doubled compensation payable in case of death and disability. This entitlement should apply on each day of the vessel's stay in the High-Risk Area.

In the case of vessels transiting the IBF High Risk Area, seafarers have the right not to proceed with the passage. In such an event, the seafarer concerned shall be repatriated at the company's cost with benefits accrued until date of return to the port of engagement and with the payment of 2 months' basic wage as compensation.

This designation shall be in effect for the initial period from 1st November 2023 to 2nd February 2024 with further extensions being subject to mutual consent between the IBF parties.

