

RESOLUTION A.1189(33) Adopted on 5 December 2023 (Agenda item 11)
RECOMMENDATIONS EMANATING FROM THE JOINT ACTION GROUP TO REVIEW THE IMPACT OF THE COVID-19
PANDEMIC ON THE WORLD'S TRANSPORT WORKERS AND THE GLOBAL SUPPLY CHAIN (JAG-TSC)

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THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to recommending to Members provisions for adoption,

NOTING that the transport sector plays a vital, and often insufficiently recognized, role in ensuring the movement of people and goods during public health emergencies of international concern (PHEICs), including through the efficient operation of both domestic and global supply chains,

COGNIZANT that the COVID-19 pandemic has presented the transport sector, in particular mobile workers, including seafarers, truckers, railway workers and air crew, with considerable and, at times, intolerable challenges, threatening the sector's sustainability, as well as the lives and livelihoods of its workers,

RECALLING that Governments, during the pandemic, were compelled to implement public health and social measures, including international travel-related measures, often in a precautionary manner and in the context of scientific uncertainty, to control and reduce the spread of COVID-19 and ensure the sustained performance of health systems' functions, and that some of the most stringent measures implemented by national authorities led to the override of international obligations by States to protect the rights of transport workers, including those concerning their fundamental principles and rights at work and, in particular for seafarers, the Maritime Labour Convention, 2006, as amended (MLC, 2006),

APPRECIATING that United Nations (UN) bodies and agencies issued a large range of recommendations, including key legal, policy and technical guidance, as well as joint statements and declarations to address the challenges posed by the pandemic to the transport industry, and have highlighted that additional, country-level concrete means of action are needed to tackle them,

NOTING that the Joint Action Group to review the impact of the COVID-19 pandemic on the world's transport workers and the global supply chain (JAG-TSC), consisting of representatives of ICAO, ILO, IMO, WHO, the International Air Transport Association (IATA), the International Chamber of Shipping (ICS), the International Organization of Employers (IOE), the International Road Transport Union (IRU), the International Transport Workers' Federation (ITF) and the International Union of Railways (UIC), discussed serious and urgent challenges faced by transport workers resulting from the COVID-19 pandemic, with a view to minimizing adverse impacts on transport workers, their families, global trade and supply chains, while at the same time ensuring that public health needs are fully safeguarded, and local communities are protected,

NOTING ALSO that the UN Secretary-General's Executive Committee established a UN inter-agency task force on the impact of COVID-19 on seafarers, which has been requested to take into account, as appropriate, the outcomes of the JAG-TSC, and, inter alia, has requested ILO and IMO to advise the UN Development Cooperation Office (DCO) and UN Resident Coordinators (UNRCs) on potential targeted and coordinated outreach efforts to better inform national decision makers and the general public on the challenges posed by health emergencies to seafarers, including gender-specific threats, shipping and supply chains,

RECOGNIZING the pivotal role of the UNRCs, among others, to ensure inter-agency coordination and foster whole-of-government and whole-of-society engagement and decision-making at the country level supports the Sustainable Development Goals, including Goals 3 (Ensure healthy lives and promote well-being for all at all ages), 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all) and 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels),

BEING AWARE of the need to improve the means by which UN bodies and agencies and transport sector organizations can quickly and efficiently share information and coordinate actions to address the impact, or potential impact, of recommendations during PHEICs and related measures on transport sectors and their workers, and to encourage improved coordination at the national level with affected countries,

HAVING CONSIDERED the recommendations of the JAG-TSC to provide more effective means of action to the ongoing issues affecting the transport sector during the COVID-19 pandemic and in similar future PHEICs and having noted, in particular, the recommendation for involved UN agencies to submit to their appropriate governance structures the group's recommendations to obtain a mandate to ensure action,

- 1 ENDORSES the recommendations by the JAG-TSC that all its members should:
 - (a) set up a rapid-response group for immediate activation in the event of a WHO-declared PHEIC, its terms of reference including standing arrangements to support crisis resilience, an annual (virtual) meeting and its membership consisting of senior representatives of all JAG-TSC members, with regional government representatives also being invited, as appropriate;
 - (b) establish focal points with a view to facilitating inter-agency communication, collaboration and coordination during PHEICs, with respect to the needs and concerns of international transport organizations;

- 2 RESOLVES that the Organization recognize, take into consideration and ensure policy coherence within the UN system collaborations already in place that were established to deal with PHEICs or that will ensure in the future improved pandemic preparedness;

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- 3 NOTES the recommendations by the JAG-TSC that WHO in particular should:
- (a) engage relevant stakeholders from the transport sectors in the development of policy documents, technical guidance and tools related to international travel-related measures during PHEICs, including pandemics, in line with WHO rules of engagement in order to take into account relevant operational considerations;
 - (b) communicate and share relevant information on PHEICs, including pandemics, that affect cross-border transport workers, with transport authorities, the transport industry and relevant UN agencies as appropriate (i.e. through sector-specific technical briefings and webinars, and other existing communication platforms);
 - (c) continue to update, through appropriate channels, other UN agencies, the transport industry, including employers' and workers' organizations, and civil society, on the process of developing a future WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response, and inform them of the modalities of engagement for relevant stakeholders in the work of the Intergovernmental Negotiating Body, as well as on the process of making potential amendments to the International Health Regulations (IHR (2005));
- 4 ENDORSES the recommendations by the JAG-TSC that the Organization, ICAO and ILO should, in particular:
- (a) use opportunities provided to them to contribute to WHO guidance to mainstream the rights, needs and challenges of workers and employers in the transport sectors during PHEICs;
 - (b) disseminate to their constituents WHO information and guidance through appropriate channels and help ensure that it reaches transport organizations, including employers and workers organizations, at the international and national level;
 - (c) voice and mainstream workers' and industry's needs and challenges by engaging in the development of a future WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response, as well as of potential amendments to the IHR (2005) in line with the modalities of engagement for relevant stakeholders;
 - (d) voice and address transport workers' needs and challenges during PHEICs in UN Country Teams (UNCTs) and with UNRCs to ensure the highest level of coordinated UN involvement within the country and seek multisectoral solutions in consultation with the national level emergency response commanding body and other relevant national authorities;
- 5 NOTES the recommendations by the JAG-TSC that its member international transport organizations, including both international employers and workers organizations, should:
- (a) use the modalities provided to engage in the ongoing intergovernmental processes at WHO in relation to a future WHO Convention, agreement or other international instrument on pandemic prevention, preparedness and response, as well as for potential amendments to the IHR (2005);

- (b) identify contact points for coordination and rapid action with respect to COVID-19 and future PHEICs and the related work of the UN agencies;
- (c) protect and promote the health of workers, including by encouraging their members at the national level to voice their concerns and needs, through the appropriate national mechanisms, on matters related to PHEICs and actions to address them;
- (d) engage in effective social dialogue with global, regional and national transport employers and workers and their organizations in the recognition that social dialogue is an effective means to improve the living and working conditions of mobile and cross-border transport workers and transport facilitation across international borders;

6 ALSO NOTES the recommendations by the JAG-TSC that the UN system should:

- (a) convene a tripartite, international and interministerial meeting to discuss transport, health and the common concerns and interests of the transport sector in order to identify the different approaches required to safeguard and respect the rights of workers and employers during PHEICs;
- (b) through the UNDCO (and with the support of the UN system specialized agencies):
 - (i) involve more systematically and proactively UNRCs and UNCTs to address the challenges of the transport sectors and their workers with respect to issues specific to the COVID-19 pandemic, as well as future PHEICs;
 - (ii) encourage enhanced coordination among national ministries to respond expeditiously and efficiently to the challenges faced by these sectors, including through consultations with employers' and workers' organizations;
 - (iii) share good practices of countries with respect to actions taken during the COVID-19 pandemic, as well as future PHEICs;

7 ENDORSES the recommendations by the JAG-TSC that Member Governments, with the support of the UNRCs and UNCTs, and in their pursuit of reaching the goals of the relevant SDGs, should take immediate, effective and sustainable action to ensure that all relevant ministries, agencies and other government institutions:

- (a) recognize the key role played by transport workers during PHEICs, in particular mobile and cross-border transport workers that serve the sustainment of essential supply chains, and, if not having already done so, designate them as "key workers";
- (b) fully understand and continue to comply with the obligations of their Governments with respect to international instruments to which they are parties, including those concerning public health and social measures, and following recommendations issued by WHO during PHEICs, including any with respect to sunseting and relaxation of restrictions;

- (c) follow legal, policy and technical guidance developed by UN agencies which is risk-based and aligned with the public health evidence at the time, keeping in mind the systematic review commissioned by WHO, which suggests that there has not been enough evidence to support the effectiveness of syndromic screening at land borders and international rivers in preventing the transmission of SARS-CoV-2;
- (d) establish or enhance mechanisms to ensure coordination and collaboration among labour, health, transport, migration, police, and other relevant authorities, including with those of other countries, as necessary, and within the highest level of government with a view to promoting harmonization and transparency of measures;
- (e) engage in effective social dialogue with transport employers and workers and their organizations in recognition that social dialogue is an effective means to improve the living and working conditions of mobile and cross-border transport workers and transport facilitation across international borders;
- (f) draw upon good practices of other countries in the above matters;

8 REQUESTS the Secretary-General of the Organization to circulate copies of the present resolution to all Members of the Organization.

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