

SEAFARER SUBJECT GUIDE

ABANDONMENT IN LIBERIA

This Guide deals with the situation where seafarers are abandoned in a port in Liberia or on a Liberian flagged vessel in a port outside Liberia. This document is not intended to be legal advice, nor does it constitute legal advice. If a seafarer is abandoned, he is strongly advised to consult a lawyer qualified to practise in Liberia.

*A full text version of this Subject Guide including footnotes will become available for subscription in due course. In the meantime if there is a specific inquiry on any Subject Guide, please contact SRI.

1. When is a seafarer considered abandoned according to national case law or legislation? Is there any special legislation concerning abandoned crew?

1.1 Liberian maritime law provides that seamen who are not at fault and who are abandoned by the master of the vessel in a foreign place maintain the right to repatriation. Additionally, if the employment contract ends due to abandonment of the vessel the seamen also retains the right to fifteen days base wages, or base wages until the end of the contract, whichever is less. However, the seaman will not be paid if similar work at sea is refused nor if the seaman works on another vessel during that period. However, there is no legislation guaranteeing creating a pool of funds to pay for repatriation.

1.2 The Maritime Labour Convention 2006 ('the MLC') was ratified by Liberia on 7 June 2006.

2. What is the immigration status of abandoned seafarers?

2.1 The seafarer does not lose his immigration status simply because the vessel has been abandoned by its owner. The seafarer retains his seaman's book.

3. Can an abandoned seafarer get shore leave?

3.1 A seafarer can get shore leave as long as he otherwise qualifies for shore leave.

4. Is abandonment of seafarers considered a crime?

4.1 Section 351 penalizes the master of a vessel who,

'maliciously and without justifiable cause forces any member of the crew of such vessel on shore in order to leave him behind in any foreign port or place, or refuses to bring to such place as is required under the Articles any member of the crew of such vessel, in condition and willing to proceed when the Master is ready to proceed.'

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5. What entities and/or persons may be involved with or assist an abandoned crew?

5.1 Various entities and/or persons may be involved with or assist an abandoned crew.

5.2 Lawyers

See FIND ASSISTANCE on the SRI app which can be downloaded from the home page of the SRI website at www.seafarersrights.org

5.2.1 In addition, reference may be made to the Guide on Using Lawyers and Fact File available on the SRI app and at

https://www.seafarersrights.org/seafarers_subjects/using_lawyers/

5.3 ITF Inspectors and union officials

See FIND ASSISTANCE on the SRI app which can be downloaded from the home page of the SRI website at www.seafarersrights.org

5.4 Welfare agencies

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5.5 Governments and Embassies

Additionally the seafarer may need to access government official websites, including lists of embassies, to find an appropriate contact.