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Circular Letter No.4204/Add.30
11 September 2020

To: All IMO Member States
United Nations and specialized agencies
Intergovernmental organizations
Non-governmental organizations in consultative status with IMO

Subject: **Coronavirus (COVID-19) – Joint Statement calling on all Governments to immediately recognize seafarers as key workers, and to take swift and effective action to eliminate obstacles to crew changes, so as to address the humanitarian crisis faced by the shipping sector, ensure maritime safety and facilitate economic recovery from the COVID-19 pandemic**

The Director-General of the International Labour Organization (ILO), the Secretary-General of the United Nations Conference on Trade and Development (UNCTAD), the Director-General of the International Organization for Migration (IOM), the Director-General of the Food and Agriculture Organization of the United Nations (FAO), the United Nations High Commissioner for Human Rights (OHCHR), the Secretary General of the International Civil Aviation Organization (ICAO), the CEO and Executive Director of the United Nations Global Compact and the Secretary-General of the International Maritime Organization (IMO) have jointly issued the attached statement to urge all United Nations Member States to take action to urgently resolve the crew change crisis to avert a humanitarian disaster that will also affect the safety of shipping, the protection of the marine environment, the continuation of efficient trade and the recovery of the world economy.

Member States are strongly encouraged to take urgent action to address this issue and bring the contents of this Circular Letter to the attention of the competent health, immigration, border control and maritime authorities, at both national and local levels, as well as all other parties concerned, in particular ports and airports.

ANNEX



International
Labour
Organization



INTERNATIONAL
MARITIME
ORGANIZATION



UNITED NATIONS
UNCTAD



Food and Agriculture
Organization of the
United Nations



International Organization for Migration (IOM)
The UN Migration Agency



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER



ICAO - OACI - HKAO
國際民航組織 - 香港



United Nations
Global Compact

Joint Statement calling on all Governments to immediately recognize seafarers as key workers, and to take swift and effective action to eliminate obstacles to crew changes, so as to address the humanitarian crisis faced by the shipping sector, ensure maritime safety and facilitate economic recovery from the COVID-19 pandemic

10 September 2020

The maritime shipping sector faces a humanitarian crisis

The maritime shipping sector moves more than 80 per cent of global trade and is a crucial component of the global economy. As a direct result of the COVID-19 pandemic this sector, and in particular the seafarers who drive it, are facing severe challenges in making the necessary crew changes of seafarers. This is due, among other reasons, to restrictions on travel, embarkation and disembarkation in ports; quarantine measures; reductions in available flights; and limits on the issuing of visas and passports.

It is because of the sacrifices of seafarers, who have continued working after their contracts have expired, that ports have remained open for trade, so allowing cargo operations to be carried out in a timely manner and goods to continue to circulate smoothly. The world owes a great debt to seafarers for maintaining supply chains throughout the pandemic.

Actions taken by many governments that limit or prevent ship operators from conducting crew changes is the single most pressing maritime operational challenge to the safe and efficient movement of global trade. This has created a humanitarian crisis, with approximately 300,000 seafarers trapped working aboard ships who cannot be repatriated, and an equal number of unemployed seafarers ashore because they are unable to board ships. Those on board have had their contracts extended, sometimes beyond 17 months, and are facing fatigue and physical and mental health issues, leading to fears of self-harm and suicide. The International Maritime Organization (IMO), International Labour Organization (ILO) and International Transport Workers' Federation (ITF) have received thousands of urgent calls for help from seafarers and their families.

The rights of seafarers, as enshrined in the Maritime Labour Convention, 2006 (MLC 2006), as amended, and other international instruments, have not been fully respected by all governments, notably their rights to shore leave, annual leave, a maximum period of service on board (11 months), repatriation, and access to medical care onboard and ashore.

The current rise in seafarer fatigue threatens the safety of maritime navigation. The efficient continuation of trade and the undisrupted functioning of supply chains will also be affected, because ships with fatigued seafarers cannot operate indefinitely. Commercial fishing, an important contributor to food security and livelihoods, is facing a similar crew change problem.

It is therefore essential that all governments urgently recognize seafarers as key workers and take immediate, concrete action to eliminate obstacles to crew changes, so addressing this humanitarian crisis, ensuring maritime safety and sustainable shipping, and facilitating economic recovery from the COVID-19 pandemic.

Social dialogue and coordinated action

Since the beginning of the crisis, ITF, the International Chamber of Shipping (ICS), and other key national and international actors have made unprecedented efforts to use collaboration and social dialogue, working continuously, creatively and tirelessly to address these issues. This has included the development of a framework of protocols for safe crew changes, as well as other guidance.

The United Nations specialized agencies have cooperated actively to address this situation. This has included endorsing the framework of protocols for safe crew changes and issuing a number of publications to ensure the protection of seafarers' rights during the pandemic. They have made individual and joint statements to draw attention to the urgency of the problem, and they have strategically approached key governments – including major flag States, port States and labour-supplying States – to eliminate obstacles to crew changes whilst ensuring public health and safety.

The urgent need to resolve the crew change crisis was highlighted in the Joint Statement of the International Maritime Virtual Summit on Crew Changes (9 July 2020)¹ and in the G7's statement on High-Level Transportation Principles in Response to COVID-19 (29 July 2020)².

In its Resolution 44/15, adopted on 17 July 2020, the Human Rights Council recognized the relevance of the Guiding Principles on Business and Human Rights in the context of global crises such as the coronavirus disease (COVID-19) pandemic, and the need for States to ensure responsible business conduct during the crisis and as part of a resilient recovery.

Urgent measures still to be taken

While many States have responded to these statements and calls for action, the rate of crew changes continues to be far below what is needed to avert a humanitarian disaster that will also affect the safety of shipping, the protection of the marine environment, the continuation of efficient trade and the recovery of the world economy. The issue requires increased and immediate government attention.

All United Nations member States are therefore urgently requested to undertake the following actions:

- designate seafarers as "key workers" providing an essential service, to facilitate safe and unhindered embarkation and disembarkation from their ships;

¹ <https://www.gov.uk/government/news/joint-statement-of-the-international-maritime-virtual-summit-on-crew-changes>

² <https://www.state.gov/g7-high-level-transportation-principles-in-response-to-covid-19/>

- undertake national consultations involving all relevant ministries, agencies and departments, to identify obstacles to crew changes, and establish and implement measurable, time-bound plans to increase the rate of such crew changes;
- consult with representative shipowners' and seafarers' organizations when developing and implementing measures related to, or that have an impact upon, crew changes of seafarers; in particular - for those States who have ratified the MLC (2006) - in relation to achieving full compliance with the obligations enshrined in the Convention;
- implement protocols for crew changes, drawing upon the latest version of the Recommended framework of protocols for ensuring safe ship crew changes and travel during the coronavirus (COVID-19) pandemic³;
- refrain from authorising any new extension of seafarers' employment agreements beyond the default maximum period of 11 months, in accordance with the MLC, 2006;
- facilitate the diversion of ships from their normal trading routes to ports where crew changes are permitted;
- accept internationally-recognized documentation as evidence of their status as key workers and that the purpose of their travel and movement is to undertake crew changes. Examples of such documentation include certificates issued in accordance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers; seafarers' identity documents issued in accordance with the Seafarers' Identity Documents Convention, 1958 (No. 108) and the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185). Letters issued by the seafarer's company or as part of the seafarer's employment agreement, (as carried by seafarers) should also be considered evidence that they are seafarers joining or leaving ships;
- provide seafarers with immediate access to medical facilities in the port State. When the required medical care cannot be provided in the port of call, facilitate the medical evacuation of seafarers in need of urgent medical attention. Address the situation of seafarers who, due to the unforeseen extension of their periods on board, are facing the expiration of essential medical prescriptions;
- review (working in conjunction with health, immigration and other relevant ministries, agencies and authorities) the necessity of any national and/or local restrictions that may continue to apply to the movement and travel of seafarers in relation to crew changes, including allowing exemptions from quarantine or similar restrictions in accordance with relevant international rules or health regulatory guidelines;

³ Recommended framework of protocols for ensuring safe ship crew changes and travel during the coronavirus (COVID-19) pandemic
([http://www.imo.org/en/MediaCentre/HotTopics/Documents/COVID%20CL%204204%20adds/Circular%20Letter%20No.4204-Add.14%20-%20Coronavirus%20\(Covid-19\)%20-%20Recommended%20Framework%20of%20Protocols.pdf](http://www.imo.org/en/MediaCentre/HotTopics/Documents/COVID%20CL%204204%20adds/Circular%20Letter%20No.4204-Add.14%20-%20Coronavirus%20(Covid-19)%20-%20Recommended%20Framework%20of%20Protocols.pdf))

- increase access to commercial flights to and from the principal countries of origin of seafarers, and airports in reasonable proximity to seaports where crew changes are effected. Where scheduled commercial flights are not available, authorize landing slots for chartered flights, or include seafarers on other repatriation flights for citizens and permanent residents;
- permit seafarers to disembark from ships in port and transit through their territory (i.e. to an airport) for the purpose of crew changes and repatriation;
- allow seafarers who are their citizens or permanent residents to return home, and take all actions to expedite their return;
- facilitate the clearance of seafarers who are citizens or permanent residents of their State, so that they can travel to join ships;
- undertake bilateral and multilateral discussions between governments to eliminate obstacles to the movement of seafarers leaving or joining ships;
- implement guidance issued by the United Nations agencies and disseminate guidance developed by the maritime sector, aimed at ensuring safety and health of seafarers and the public;
- take any other actions deemed useful to address this issue.

We ask governments to bring the contents of this joint statement to the attention of the competent authorities and all others concerned.



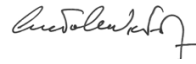
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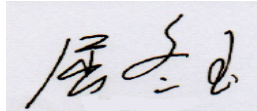
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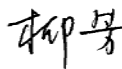
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