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Circular Letter No.4231/Add.11
2 September 2020

To: All IMO Members
Intergovernmental organizations
Non-governmental organizations in consultative status

Subject: **Communication from the Government of the Republic of Italy**

The Government of the Republic of Italy has sent the attached communication, dated 2 September 2020, with the request that it be circulated by the Organization.

Rome, (protocol date)

(p.o.c. Rear Admiral UH (ITCG) Luigi GIARDINO

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Ministry of Infrastructure and Transport

*Italian Coast Guard Headquarters
Safety of Navigation and
Maritime Security Department*

HE Mr. Kitack Lim
Secretary General of the
International Maritime Organization

Subject: Measures to Address Covid-19.

Dear Secretary-General Lim,

Unprecedented and unexpected developments brought about by the rapid spread of coronavirus (COVID-19) have had a major impact on the health of the world's population.

The restrictions imposed to contain the pandemic, including travel bans and quarantine, may, under certain circumstances, constitute a situation of force majeure in which it becomes materially impossible, in many cases, to allow crew members to disembark and to repatriate.

In this context, having consulted the competent national authority, taking a pragmatic and practical approach - as allowed by the International Labour Organization's information note on maritime labour issues and coronavirus (COVID-19) - the Italian Coast Guard Headquarters has been exempting, on a case by case basis, any single ship for any specific voyage from the prohibition of forgoing annual leave under Standard A2.4, paragraph 3, of the MLC,2006 providing that the shipowner produces the following documentation:

- Seafarers' consent to remain on board 3 months beyond the default 11-month maximum period of service established by MLC,2006 demonstrated by the SEA signed by the parties;
- Master's statement assuring that the danger caused by the fatigue of seafarers, especially those whose duties involve navigational safety and the safe and secure operation of the ship, will be taken into account;
- Voyage plan proving that the ship is bound for a COVID-19 area;
- Amendments to the relevant parts of the Declaration of Maritime Labour Compliance – Part II;
- Company declaration stating how the rights of the crew are protected and assured in light of the extended stay on board;
- Evidence of planned repatriation of the crew in an expeditious manner.

Furthermore, in exceptional cases, where 14 months are exceeded, an additional assurance from the shipowner and the master regarding the application of the following precautionary measures is required as follows:

- the assigned working period is limited according to the rank and the period of rest granted is longer than the provisions of Standard A2.3 para 5 letter (b) of the MLC, 2006;

- the reduction in working hours doesn't affect the seafarers' wages;
- the work/rest record book is filled out in accordance with the work/rest hours actually performed even if the company decides to provide additional emoluments to crew members, regardless of the work performed;
- telephone cards or internet access to connections with family are distributed free of charge;
- video conference or telephone contact with the competent occupational doctor, assisted by a psychologist, are arranged.

We would like to ask the Secretariat to kindly disseminate the above information to all member states of the IMO.

Your valuable attention to this matter would be very much appreciated.

The Italian Coast Guard takes this opportunity to renew the assurances of its highest consideration.

The General Commander
Vice Admiral (ITCG) Giovanni PETTORINO
e-signed
