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MARITIME ADMINISTRATION

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MARCIR: 19/2020

DATE: 22nd December 2020

To : Representatives of Gabon flagged vessels, Deputy Registrars, Ship-owners & Ship-operators, Masters, and Flag State Surveyors.

Subject: “CORONAVIRUS (COVID-19) – DESIGNATION OF SEAFARERS AS KEY WORKERS (CIRCULAR LETTER NO.4204/ADD.35) – GABON MENTIONED WITHIN THE LIST OF I.M.O. MEMBER STATES AND ASSOCIATE MEMBERS THAT HAVE DESIGNATED SEAFARERS AS KEY WORKERS”

Scope: This Merchant Marine Circular aims to inform all interested parties upon the recent call of the United Nations General Assembly on the UN Member States to **designate seafarers and other marine personnel as key workers and to implement relevant measures to allow stranded seafarers to be repatriated and others to join ships**, to ensure access to medical care and to raise awareness to the subsequent issuance of IMO Circular Letter No. 4204/Add.35, which informs all parties that as of 14 December 2020, **forty-five IMO Member States and one Associate Member, including Gabon have designated seafarers as key workers.**

References:

- a. I.M.O. Circular Letter No. No.4204/Add.35, 14 December 2020, “Coronavirus (COVID-19) – Designation of seafarers as key workers”.
- b. U.N. General Assembly Resolution A/75/L.37, 24 November 2020 “International cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains”.
- c. ISR of Gabon MARCIR 10/2020 dated 12th May 2020, “I.M.O. Circular Letter No.4204/Add.14, 5 May 2020 Coronavirus (COVID-19)–Recommended Framework of Protocols for Ensuring Safe Ship Crew Changes and Travel during the Coronavirus (COVID-19) Pandemic.
- d. I.M.O. Circular Letter No.4204/Add.14/Rev.1, 5 October 2020, “Coronavirus (COVID-19) – Recommended Framework of Protocols for ensuring safe ship crew changes and travel during the Coronavirus (COVID-19) pandemic”



- 1. Seafarer’s Repatriation & Crew Changes:** Further to ISR of Gabon MARCIR. 10/2020 which among others emphasized that the difficulties surrounding repatriation and crew changes also have a major impact on the shipping industry and have been identified as a priority issue, with IMO and other organizations urging governments to intervene, the matter has been recently taken up by the UN Secretary-General, who expressed his concern about the growing humanitarian and safety crisis facing seafarers around the world, and called on all countries to formally designate seafarers and other marine personnel as “key workers” and ensure crew changeovers can safely take place. Crew changes are vital to prevent fatigue and protect seafarers’ health, safety, and wellbeing – thereby ensuring the safe operation of maritime trade.
- 2. U.N. G.A. Resolution:** The United Nations General Assembly has called on the UN Member States to designate seafarers and other marine personnel as key workers and to implement relevant measures to allow stranded seafarers to be repatriated and others to join ships, and to ensure access to medical care. In a resolution on international cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains, adopted on 1 December¹, the United Nations recognizes the need for an urgent and concrete response from all stakeholders, including the private sector, to resolve the situation of seafarers stranded at sea and/or unable to join ships because of national travel restrictions introduced across the globe as a result of the pandemic. The resolution also encourages Governments and relevant stakeholders to implement IMO-recognized protocols to ensure safe ship crew changes and travel during the COVID-19 pandemic, thereby allowing stranded seafarers to be repatriated and others to join ships, taking into account essential preventive measures taken by port states against COVID-19.²
- 3. Recommended Framework of Protocols:** IMO and other organizations have repeatedly urged governments to designate as “key workers” seafarers, marine personnel, fishing vessel personnel, offshore energy sector personnel, and service provider personnel at ports, regardless of nationality. Governments are urged to provide this personnel with the necessary support, such as exemptions from national travel or movement restrictions, to allow them to join or leave ships and to transit through national territories (for example to an airport) for repatriation. They must also ensure this personnel has access to emergency medical treatment and, if necessary, facilitate emergency repatriation. Governments are strongly encouraged to implement a series of protocols³, which set out general measures and procedures designed to ensure that ship crew changes can take place safely during the COVID-19 pandemic – and share them widely with the relevant national authorities. The protocols cover all key issues including provision of personal protective equipment (PPE), COVID-10 testing, temperature checking, and proposals for designated lanes at airports.⁴



¹ U.N. General Assembly Resolution A/75/L.37, 24 November 2020 “International cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains”.

² The UN resolution calls on international organizations and other relevant stakeholders, including workers and employers organizations, to support Governments, upon their request, in the design and implementation of their responses and policies aimed at ensuring the integrity and increasing the resilience of global supply chains, decent working and living conditions and human rights of seafarers.

³ I.M.O. Circular Letter No.4204/Add.14/Rev.1, 5 October 2020, “Coronavirus (COVID-19) – Recommended Framework of Protocols for ensuring safe ship crew changes and travel during the Coronavirus (COVID-19) pandemic”

⁴ IMO has endorsed a set of step-by-step protocols which set out general measures and procedures designed to ensure that crew changes can take place safely during the COVID-19 pandemic. These protocols have been drawn up by a broad cross-section of global industry associations representing various sectors of the maritime transport industry. The protocols advice on safe procedures for joining ships as well as leaving ships and repatriation. They include requirements for shipping companies and recommendations to governments, maritime administrations and other relevant national authorities.

4. **IMO Circular Letter on Designation of Seafarers as “Key Workers”**: Keyworker designation for seafarers is essential to exempt these professionals from specific COVID-related travel restrictions, allowing them to travel between their country of residence and ships, and to be repatriated at the end of their contracts, notably to allow crew changes to take place. **As of 14 December 2020, forty-five IMO Member States including Gabon and one Associate Member have designated seafarers as key workers.** The ISR of Gabon commits towards all its associates and stakeholders to further support IMO relevant policy and technical initiatives, bearing in mind (a) that crew changes are not only essential for the health and wellbeing of seafarers themselves, but they are also vital to ensure commercial ships can continue to carry essential goods safely and without unnecessary interruptions and (b) that given that shipping carries more than 80% of the global trade by volume, sea transport moves the world’s food, energy, and raw materials, as well as manufactured goods – including medicines and medical supplies that are vital in the fight against the COVID-19 pandemic.
5. All associated parties to the ISR of Gabon are invited to take note of the above information and be guided as appropriate.

Encl.:

- (a) I.M.O. Circular Letter No.4204/Add.35, 14 December 2020.
- (b) U.N. General Assembly Resolution A/75/L.37, 24 November 2020.

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Circular Letter No.4204/Add.35
14 December 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) – Designation of seafarers as key workers**

1 In view of the ongoing crew change crisis, which is impacting seafarers as well as other marine personnel, the Secretary-General wishes to draw the attention of Member States to the matter of designation of these professionals as key workers, referring in particular to the provisions of:

- .1 resolution MSC.473(ES.2) – *Recommended action to facilitate ship crew change, access to medical care and seafarer travel during the COVID-19 pandemic*, adopted by the MSC on 21 September 2020;
- .2 resolution A/75/L.37 – *International cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains*, adopted by the UN General Assembly on 1 December 2020; and
- .3 resolution GB.340/Resolution(Rev.2) – *Resolution concerning maritime labour issues and the COVID-19 pandemic*, adopted by the Governing Body of the International Labour Office on 8 December 2020.

2 Resolution MSC.473(ES.2) states, in operative paragraph 1.2:

- "1 URGES Member States and relevant national authorities to: ...
- .2 designate seafarers as "key workers" providing an essential service, in order to facilitate safe and unhindered movement for embarking or disembarking a vessel and consider legal possibilities for accepting internationally recognized documentation carried by seafarers as evidence of their status as "key workers", and for the purpose of their travel and movement for crew change;"

3 Resolution A/75/L.37 states, in operative paragraph 3:

"3. Urges Member States to designate seafarers and other marine personnel as key workers;"

4 Resolution GB.340/Resolution(Rev.2) states in operative paragraph 1, inter alia:

"1. Urges all Members, in accordance with applicable national laws and regulations, to: ... designate seafarers as "key workers", for the purpose of facilitation of safe and unhindered movement for embarking or disembarking a vessel, and the facilitation of shore leave, and when necessary, to shore-based medical treatment;"

5 By the date of this Circular Letter, the Secretary-General had received 46 notifications from Member States and Associate Members that have designated seafarers as key workers, as listed in the annex.

6 Member States that have not yet done so are strongly encouraged to take action to address this issue and designate seafarers as key workers as a matter of urgency.

ANNEX

**LIST OF MEMBER STATES AND ASSOCIATE MEMBERS
THAT HAVE DESIGNATED SEAFARERS AS KEY WORKERS**

AZERBAIJAN	MOLDOVA
BAHAMAS	MONTENEGRO
BANGLADESH	MYANMAR
BARBADOS	NETHERLANDS
BELGIUM	NEW ZEALAND
BRAZIL	NIGERIA
CANADA	NORWAY
CHILE	PANAMA
CYPRUS	PHILIPPINES
DENMARK	REPUBLIC OF KOREA
FRANCE	ROMANIA
GABON	SAUDI ARABIA
GEORGIA	SINGAPORE
GERMANY	SOUTH AFRICA
GHANA	SPAIN
GREECE	SWEDEN
INDONESIA	THAILAND
IRAN (ISLAMIC REPUBLIC OF)	UNITED ARAB EMIRATES
JAMAICA	UNITED KINGDOM
JAPAN	UNITED STATES
KENYA	YEMEN
KIRIBATI	
LIBERIA	Associate Member:
MARSHALL ISLANDS	HONG KONG (CHINA)



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Belgium, Cambodia, Croatia, Fiji, Georgia, Indonesia, Luxembourg, Micronesia (Federated States of), Morocco, Portugal, Republic of Korea, Singapore, Thailand, Tuvalu and Vanuatu: draft resolution

International cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains

The General Assembly,

Recalling its resolutions [74/270](#) of 2 April 2020, [74/274](#) of 20 April 2020 and [74/306](#) and [74/307](#) of 11 September 2020,

Noting with concern the threat to human health, safety and well-being caused by the coronavirus disease (COVID-19) pandemic, which has spread all around the globe, as well as the unprecedented and multifaceted effects of the pandemic, including the severe disruption to societies, economies, global trade and travel and the devastating impact on the livelihoods of people,

Recognizing the importance of international cooperation and effective multilateralism in helping to ensure that all States have in place effective national measures and access to and flow of vital medical supplies, medicines and vaccines, as well as the importance of exchange of information, scientific knowledge and best practices, in order to minimize negative effects in all affected States and to avoid relapses of the pandemic,

Acknowledging that shipping has continued to transport more than 80 per cent of world trade essential to the normal functioning of society, including vital medical supplies, food and other basic goods that are critical for the COVID-19 response and recovery,

Acknowledging also that there are approximately 2 million seafarers working on a fleet of more than 98,000 commercial ships, transporting more than 11 billion tons of seaborne trade in 2019,

Emphasizing that the COVID-19 pandemic has disrupted the normal functioning of open markets, global supply chain connectivity and the flow of essential goods and services and that these disruptions hinder the fight against poverty, hunger and



inequality, ultimately undermining efforts to achieve the 2030 Agenda for Sustainable Development,¹ and reaffirming that emergency measures must be targeted, proportionate, transparent and temporary and that they must not create unnecessary barriers to trade or disruption to global supply chains,

Recognizing the efforts made by Governments, as well as health-care workers and other essential workers around the world, to deal with the pandemic through measures to protect the health, safety and well-being of their people,

Noting with concern that seafarers and fishers continue to face very difficult working conditions at sea,

Noting that the challenging labour conditions of seafarers and fishers have been further exacerbated by the impact of the COVID-19 pandemic and related response measures, including personal safety and health, conditions of work and the ability of seafarers and fishers to join and leave vessels, the inability of vessel operators and owners to change crews, in addition to other social and economic hardships arising from COVID-19,

Recalling that the International Labour Organization Maritime Labour Convention, 2006,² as amended, requires Members to cooperate with each other for the purpose of ensuring decent living and working conditions for seafarers,

Deeply concerned about the significant challenges being faced by the global shipping community to effect crew change and repatriation of seafarers as a result of the COVID-19 pandemic,

Recalling that the Council of the International Maritime Organization, at its thirty-first extraordinary session, urged flag and port States to ensure the welfare of seafarers, in particular that their rights to wages, shore leave, sick leave, access to medical care, food supplies and repatriation were preserved,

Recognizing that the situation of seafarers stranded at sea because of the pandemic requires an urgent and concrete response from all actors involved, including the private sector,

Noting with appreciation various initiatives of the International Maritime Organization on the protection of the rights and well-being of seafarers, including the establishment in April 2020 of the Seafarer Crisis Action Team by the Secretary-General of the International Maritime Organization in order to, inter alia, monitor developments, coordinate efforts, communicate with all relevant stakeholders and provide targeted support in seafarers' individual cases and particularly urgent situations regarding crew changes, repatriation, access to medical care and/or abandonment,

Conscious that the COVID-19 pandemic requires a global response based on unity, solidarity and renewed multilateral cooperation,

1. *Expresses its gratitude and support* to all front-line health-care workers, medical professionals, scientists and researchers, as well as essential workers around the world, who are working under difficult and challenging circumstances to deal with the pandemic;

2. *Calls upon* the United Nations system, under the leadership of the Secretary-General, to work with all relevant actors in order to mobilize a coordinated global response to the pandemic and its adverse social, economic and financial impact on all societies;

¹ Resolution 70/1.

² United Nations, *Treaty Series*, vol. 2952, No. 51299.

3. *Urges* Member States to designate seafarers and other marine personnel as key workers;

4. *Encourages* Governments and relevant stakeholders to implement the protocols to ensure safe ship crew changes and travel during the COVID-19 pandemic as approved by the International Maritime Organization Maritime Safety Committee at its 102nd session, allowing stranded seafarers to be repatriated and others to join ships, taking into account the essential preventive measures taken by port States against COVID-19;

5. *Calls upon* Governments to promptly implement relevant measures designed to facilitate maritime crew changes, including by enabling embarkment and disembarkment and expediting travel and repatriation efforts as well as ensuring access to medical care;

6. *Calls upon* international organizations and other relevant stakeholders, including relevant workers and employers organizations, to support Governments, upon their request, in the design and implementation of their responses and policies aimed at ensuring the integrity and increasing the resilience of global supply chains, decent working and living conditions and human rights of seafarers;

7. *Requests* the Secretary-General, in collaboration with the International Maritime Organization, the International Labour Organization and the United Nations Conference on Trade and Development, as well as other relevant entities of the United Nations system, to inform the General Assembly at its seventy-sixth session through the International Maritime Organization report on the crew changes situation during the COVID-19 pandemic based on the work of the Seafarer Crisis Action Team and through a dedicated section of the United Nations Conference on Trade and Development *Review of Maritime Transport*.
