



Ministers of Transport of EU Member States  
Permanent Representatives to the EU

Brussels, 16 April 2020

## **Facilitation of crew changes – Social partners welcome the Commission guidance of 8 April and call for coordinated EU action**

The outbreak of the corona virus (COVID-19) has developed into a catastrophic event affecting many countries and its citizens around the globe.

ECSA and ETF consider it essential that the EU shipping industry remains able to perform its crucial function for the European economy and its citizens. 76% of EU's external trade is moved by sea, and 32% of intra EU transport of goods. It has to be ensured that essential goods, energy, food, medicines and many other products from outside the EU can be delivered to EU's internal market to serve citizens and vital industries in all Member States and be transported as smoothly as possible between EU Member States. Without this many supply chains would be severely impacted or come to a complete stagnation, making the economic impact of the crisis even bigger than already is the case.

## **Current restrictive measures at national level threatens the global maritime transportation system, supply chains and the wellbeing of maritime workers**

Current restrictive measures are severely impeding the movement of maritime transport workers, including seafarers, to join their ships, exercise their right to shore leave and be repatriated at the end of their tours of duty, whilst their colleagues are forced to wait at home, unable to take their places on board. This has serious negative implications for the health and wellbeing of those working on ships beyond their tours of duty as set out in their employment agreements – as well as potentially the safety of the ship – and on the economic wellbeing of those prevented from joining their ships. Obstructing movement of these essential maritime transport workers will also cause breakdowns in critical supply chains which could quickly lead to shortages of food, fuel, medicines and medical supplies and other essential items.. It can be expected that a significant proportion of the seafarer population in Europe will be incapacitated by Coronavirus – either because they have become infected or are otherwise required to self-isolate.

It is also of great concern that there have been numerous instances of seafarers being denied access to shoreside medical facilities when they have been in serious pain and in need of treatment that cannot be provided on board. We have been notified of such instances occurring in several Member States. This is in breach of Regulation 4.1 of the ILO Maritime Labour Convention, 2006 (MLC), implemented

into EU law by a Social Partners' Agreement.<sup>1</sup> Meanwhile the International Maritime Organisation (IMO) has issued a statement that Covid-19 means that additional precautions should be in place for allowing crew members access to port health centres and local hospitals, but should not be an excuse to refuse proper treatment.<sup>2</sup>

In addition, blanket quarantine rules under which persons entering countries are required to self-isolate for up to 14 days should be applied to seafarers and other maritime personnel only if they are showing symptoms of Covid-19. Account should additionally be taken of days spent in self-isolation on board the ship before its arrival in port.

### **Commission communication of 8 April that addresses restrictive practices needs political follow up**

We very much welcomed the Commission's Guidance of 8 April 2020, '*on protection of health, repatriation and travel arrangements for seafarers, passengers and other persons on board ships*', which:

- i. **Provided clarification about the scope of the facilitations to essential transport workers in the maritime transport context:** by making clear that '*maritime transport personnel*' are to be designated as '*workers with essential functions*' who '*regardless of their nationality, should be able to transit and travel to ensure continued professional activity*'. This means that such workers should be exempted from travel restrictions including in relation to the EU temporary travel ban for non-essential travellers, national travel bans for cross-border movement within the EU and travel restrictions and quarantine rules for asymptomatic persons within a Member State.

The exemptions should therefore include personnel working onboard vessels active in towage, dredging/marine contracting, oil/gas, offshore supply, support and standby vessels active in the energy supply sectors; operational, safety and technical personnel working ashore supporting ship/marine operations, who must be permitted to visit their company's ships in whichever port they may be; transport workers on passenger vessels who perform essential functions for the continuation of the industry and ensure that ships will be ready for immediate re-activation at the time when they can resume service.

- ii. **Provided guidance on sanitary measures and ship supplies so as to ensure that measures are taken on board and in EU ports to protect the health and safety of all concerned, both onboard and ashore, from exposure to COVID-19,** including:
  - o Seafarers should have access to adequate medical care as comparable as possible to that available to workers ashore and should receive

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<sup>1</sup> 2009/13/EC

<sup>2</sup> CL 4204/add1.

- prompt access to medicines, information and treatment for any health condition that requires it as per the ILO Maritime Labour Convention;
- Crew on ships where all members are healthy and whose previous port call took place more than a fortnight ago should not be quarantined when they disembark to repatriate.
  - Contact between crew and those ashore should be reduced to an absolute minimum to protect all persons from risk of transmission of COVID-19 and for any necessary contact, personal protective equipment (PPE) should where possible be worn and social distancing measures put in place. In this regard, the amount of personal protective equipment on board should be increased to ensure sufficient supplies.
- iii. **Called on Member States, in coordination with the European Commission, to designate ports throughout the Union where fast-track crew changes and repatriation can be facilitated** - with adequate facilities for seafarers to undertake medical checks, accommodation facilities in case of overnight stays and quarantine if required by the country in question, and transport connections onward to their home country.

**We now strongly urge Member States to ensure the continuing functioning of the global maritime transportation system by following the Commission guidance through:**

- i. Facilitating the essential movement of maritime transport personnel (including seafarers) - ensuring that national guidance and procedures are adapted to ensure that all seafarers and the broader category of critical maritime transport personnel, irrespective of nationality, are designated 'essential worker' status and exempted from travel restrictions and quarantine rules so as to be enabled to disembark, have access to medical care, travel to join their ships, be repatriated and take shore leave.
- ii. Coordinating arrangements at EU level so as to designate ports where crew changes can take place safely and unhindered so as to allow crew changes and repatriations are able to continue and resume, taking into account geographical spread, capacity, proximity to health facilities and international airports.

We sincerely hope that this leadership shown by the Commission in calling for action by EU Member States to facilitate the essential movement of maritime personnel and to recommence crew changes will be followed through by political direction of EU Member States. This will hopefully act as a catalyst for other nations to follow. Europe can lead the way for a global solution to the re-establishment of crew changes for the entire shipping industry and its workforce.



Yours sincerely

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