



SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



Relief in Sight for Seafarers

A 12-step plan to assist governments around the world establish co-ordinated procedures to facilitate the safe movement of seafarers was published by the International Maritime Organization (IMO) on May 5.

Driven by a broad coalition of seafarer unions and international shipping industry associations, the framework has also received input from the airline and insurance sectors as well as other international bodies such as the International Labour Organization (ILO).

A joint media release issued by the International Chamber of Shipping (ICS) and International Transport Workers' Federation (ITF), noted the blueprint was timely with about 150,000 merchant seafarers soon requiring changeover to ensure compliance with maritime regulations.

With tens of thousands of seafarers reportedly "trapped" onboard ships around the world due to current travel restrictions, ITF general secretary Stephen Cotton called on governments to put an end to these hardships and "pave a way for them to return home".

"This is about governments recognising the critical role that seafarers play in global supply chains, recognising them as key workers, and providing immediate and consistent exceptions from COVID-19 restrictions to allow crew changeovers," he says.

"International seafarers are bearing the burden first-hand as governments turn a blind eye to the 'forgotten sector'. The ITF, ICS and IMO have a clear message – governments cannot continue with a mentality of 'out of sight, out of mind', and we strongly urge governments to use this roadmap to act now before we suffer more serious consequences."

ICS secretary general Guy Platten hailed seafarers as "heroes at sea" that were keeping global trade flowing.

"We stand ready to support our seafarers and we are working with political leaders so that they can steer a steady course and allow safe crew changes to take place," he says.

"The problem is simplistic, but the solution is complex. So, we have stepped up and done the homework and developed the protocols. We are now working with governments to implement this roadmap.

"Seafarers continue to work really hard, day-in, day-out and far away from loved ones, but if we are not able to free our seafarers from their COVID-19 lockdown we could start to see disruption to trade and more importantly we increase the risk of accident and occurrences of mental health issues. Putting this off is no longer an option."

In a comment made prior to the release of the 12-step plan, Shipping Australia chief executive Rod Nairn also emphasised: "Seafarers are vital to ensuring the flow of sea trade during the current COVID-19 crisis and their welfare needs to be prioritised. Governments globally must move quickly and grant the necessary exemptions to ensure crew changeovers are facilitated in a timely manner."

The full framework document can be found [here](#).

Denied Medical Care

Reports have emerged during the pandemic of some port authorities denying permission for seafarers to come onshore to receive urgently-needed medical care – with one situation having been described as life-threatening.

A joint media release issued by the Joint Negotiating Group (JNG) and ITF implored governments to “step up and respect” seafarers’ basic human rights to medical care and treatment.

“Many seafarers are being denied necessary emergency medical care unrelated to COVID-19 due to national or local restrictions,” it states.

“Some of the medical issues have been minor, while other cases have been serious and potentially life-threatening requiring, immediate medical attention.”

The JNG and ITF describe one such case whereby a seafarer suddenly felt an overwhelming, sharp pain in his left eye which progressively got worse to the point that he became sensitive to light, with fears he could potentially go blind.

“The vessel consulted an ophthalmologist who had concerns for the seafarer’s sight and recommended immediate medical evacuation for appropriate treatment. Unfortunately, the local Indonesian port authorities refused the seafarer to be disembarked despite the efforts made by the port agent, the P&I Club and the embassy. After strong intervention by the ITF affiliate in Indonesia, Kesatuan Pelaut Indonesia (KPI), the port authorities in Morowali, Indonesia, finally agreed for the seafarer to disembark and receive medical care.”

Furthermore, Indonesian authorities also reportedly rejected multiple requests for an emergency medical evacuation needed to save the life of a seafarer onboard a vessel off the island of Sumatra.

“The seafarer exhibited signs of a stroke including confusion, confused speech, pain under left shoulder, left arm and leg paralysis. A doctor from Global Voyager Assistance confirmed that the seafarer should immediately be sent to a hospital for treatment as this was potentially a life and death situation.

“Alarmingly, the local port authorities refused two requests from the master for medical evacuation due to COVID-19 restrictions.

“ITF affiliates, the Seafarers Union of Russia and the KPI in Indonesia actively intervened with the responsible authorities in Russia and Indonesia, and supported by the ITF and the respective United Nations agencies – including the ILO and IMO – were able to get the seafarer disembarked and taken to a hospital after almost four days since the initial request was made.”

According to the JNG and ITF, numerous other cases have been reported.

“Governments cannot use the current [pandemic] to refuse seafarers’ human rights as enshrined in international and national legislation.”

However, ITF New Zealand inspector Grahame McLaren has expressed confidence such incidents have not occurred in Australasia.

“To the best of my knowledge this hasn’t happened here and I wouldn’t imagine it would,” he says.

“The right to medical attention is a basic, and in our view undeniable, right for all seafarers. This would also be a blatant breach of the Seafarers’ Bill of Rights (Maritime Labour Convention 2006).”

Nonetheless, there have also been reports of seafarers feeling discriminated against in this part of the world during the pandemic.

In early April the *SunStar* (Philippines) quoted Filipino seafarer Dick Andro Ferrolino as stating he and other crew had been treated “badly” by shore workers when his cargo vessel recently docked at a New Zealand port.

“They are afraid to come near us or they ask us to go away if they wish to pass,” he reportedly said.

“They think we carry the virus. Somehow, it felt like we were being discriminated against.”

That reportage followed New Zealand media coverage in the latter part of March that members of the public had expressed anger at seeing cruise ships still in and around Ports of Auckland, including crew being verbally abused and glass bottles being thrown at one ship.

Facilitating Seafarers in Australasia

As the country moved down to Alert Level 3, Maritime New Zealand (MNZ) confirmed that shore leave was permitted for seafarers provided they had completed 14 days’ isolation from their last port of call and there were no other concerns.

The agency also advised that seafarers arriving by air in the country were permitted to travel immediately and directly to their ship by private transport to commence their self-isolation -- thereby avoiding having to serve that two weeks in a managed facility.

MNZ subsequently relayed updated Ministry of Health advice regarding shore leave for seafarers on foreign-flagged vessels in New Zealand ports.

“What it means is that once the crew have completed 14 days from their last port (or crew change at sea, if this occurred) then the restrictions will be whatever are currently in place for New Zealand,” states the agency.

“So yes, if the marine crew(s) are not under any specific restriction due to recent overseas travel, or COVID-19 cases, or close contact of a case, then they are able to go ashore within the restrictions of [Level 3].”

In Australia, it is understood that there have been some variants of restrictions for seafarers around the different states and territories. However, the states/territories are currently coming into alignment with the National Cabinet protocol for maritime crew.

Happiness Index

The latest Seafarers Happiness Index – Quarter 1/2020: Special COVID-19 Edition has highlighted areas where the pandemic is being most keenly felt by seafarers (although, the document notes much of its data preceded the full virus outbreak, so expects impacts to be further reflected in its next edition).

The following is the document’s conclusion relayed in full:

Once more we must thank all those seafarers who took the time to share their thoughts with us. We are extremely grateful. They told us the things which really frustrate and concern them, the things that make a positive difference, and offered some opportunities for improvement.

We focused on the comments related to COVID-19 and the key areas where its effect is being felt, namely workload, interaction onboard and shore leave. Respondents spoke of feeling physically exhausted, mentally disturbed, anxious and homesick. The issue of crew changes has been an important one as seafarers feel forced to serve beyond their contract period and are being asked to renew their contracts to avoid censure.

The lowest points this time around featured seafarers feeling stressed and there appeared to be a growing trend for crews experiencing mental abuse from their superiors, with “name calling and harassment” a constant thread. Other concerns were the length of contracts, which are being further extended due to COVID-19, no access to shore leave, no idea of when they might get home, and the shortage of manpower and support.

Although they reported feeling relatively safe on ship, there were claims that not enough is being done to ensure the safety of those on board and crews expressed worry about shore workers who

may spread infection. Protective Personal Equipment (PPE) is a problem, both the lack of it and the instances where officials come onboard but are not properly or adequately protected. In addition, policies which demand “zero contact” were considered unrealistic and difficult to manage.

There was a sense of pride, however, that seafarers are doing their best to serve the world in these stressful times, and optimism that their services will be more widely recognised.

Within the more general happiness reporting, there were some key concerns which were repeatedly aired by seafarers across the questions. Some of these echoed the responses which have gone before, but there were new areas of concern too. Despite the slight rise in the average happiness score, the general feedback from those who wrote tended to be more negative.

The comments captured a subdued, concerned and downbeat mood, which seemed to descend further as the early months of the year progressed. Fatigue, stress, and pressure were being felt and reported.

Workload was a key theme, with a growing sense of too much work and not enough time or manpower. There were numerous criticisms about the way in which expectations are managed ashore, with the quality of management support deteriorating whilst workload and performance pressures mount.

Perhaps prompted by this, there were indications of increased social tensions onboard. The COVID-19 situation is leaving seafarers feeling trapped and this appears to be exacerbating existing social frictions associated with mixed nationality crews. The current situation has shown that there are serious challenges when it comes to keeping people happy, entertained, and stimulated. The camaraderie of a crew can be sorely tested when seafarers feel under stress.



Where the seafarers who responded to the latest index hailed from

Seafarers and COVID-19

The following entry was published in the latest newsletter produced by the Melbourne Maritime Heritage Network, of which the MLAANZ Victorian Branch is a member.

“Seafaring life in times past was harsh and dangerous,” reports the newsletter.

“Nothing has changed – especially during the pandemic. Both seafarer support services, Mission to Seafarers (North Bank) and Stella Maris (CBD) report on the hard times today’s seafarers are facing. Along with stevedores, seafarers have been frontline key workers during this pandemic.

“While it is normal for seafarers to work in risky and dangerous places, this has been complicated by the need for vigilance around sick passengers and shipmates. Crew members can find themselves trapped in dangerous circumstances and the stress of this must be great.

“Even if crew are clear of COVID-19, when in port crew are viewed as being both potential carriers of infection and also vulnerable to infection if permitted onshore. They are confined to their ships by port authorities and shore leave is prohibited by shipping companies [as a result they can suffer] health, safety and economic risks.

“Massive costs are incurred when ships are quarantined. Consequently, crew rotations are curtailed and the option of flying home to care for families in danger in far away places has become virtually non-existent. Seafarers and dockworkers enable the transport of medical supplies and other essential cargo and their labour is critical to the global economy. During the pandemic maritime enthusiasts readily acknowledge these overlooked categories of ‘essential worker’.”

*We be three poor mariners
We spend our lives in jeopardy
While others live at ease
Newly come from the seas*

The Mariner’s Glee, Note the date 1609

Events sometimes conspire to make debate irrelevant, and the effect of a global pandemic has rendered concerns about shore leave as seemingly academic. Seafarers are currently not getting ashore as it would put either themselves or others at risk. Most accept this situation, and there was an air of pragmatism from most of those who left comments.

The sense of maritime lockdown has also highlighted just how fundamental connectivity is to the happiness of seafarers. In the words of one respondent, but echoing many: “Nothing is better than being able to contact home.” There was once more a growing number who feel that, “Internet access is a basic necessity and should be provided free to all seafarers”. Crews want unlimited high-speed Internet, and there were once again calls to change the Maritime Labour Convention to reflect this.

In challenging times there is perhaps even more focus on food. With seafarers being stuck onboard, and with crew changes uncertain, meals become even more important. For those who are served good food, well-prepared and in a style they enjoy, this has a major impact on their happiness levels. Unfortunately, the reverse is also true. Where crews are served poor quality ingredients, badly prepared and in a way which does not reflect their culture and diet, this can have a huge impact on their enjoyment of being at sea.

In terms of keeping fit and healthy onboard, comments tended to fall into three main categories: those who can access good quality gym provisions and who feel they have the time to use them; those without equipment; and those who have the equipment but no time to use it. Intense working schedules and the associated fatigue are definite barriers to exercise and adopting a healthy lifestyle

onboard. As one respondent put it: "Workload and overtime sometimes are overwhelming, therefore it impacts the mood to go to gym or any type of exercises."

Wage concerns were also on the rise this quarter. Inflation in seafarer nations compared against perceived stagnation in wages was a key cause of anxiety. Respondents spoke of being on the same salary whilst expenses at home shot up.

Elsewhere, the issue of welfare provisions ashore has become something of a moot point as seafarers are unable to leave ship. Respondents expressed their frustrations at not being able to access centres and services. It is hoped that as the global pandemic slows, seafarer movement will once again be allowed and crews will be back visiting centres again.

We always need more data, and to hear the stories of more seafarers ... and for those who have already done so, to share again. So please visit www.happyatsea.org to find out more, and to complete the survey. We also want these reports to be spread as far and wide across shipping as possible, so please do share these findings. We must also thank the companies which have approached us about setting up bespoke happiness surveys for their own fleets as they see the value in benchmarking their own performance against the wider population of seafarers.

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