



SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



Suicide Concerns Prompted by Crew Stranding Crisis

Fears are emerging of seafarers taking their own lives, so acute has become the global crisis in repatriating mariners stranded onboard their ships.

With an estimated 400,000 seafarers still on ships despite their contracts having come to an end, anecdotal reports have spread in the industry of people committing or contemplating suicides. These seafarers are trapped either at sea away from their families or on land without income, unable to be off-hired and repatriated due to COVID-19 restrictions in ports and airports.

However, no international central database exists to confirm whether deaths at sea have been self-inflicted. Port and flag states may also be slow in investigating the cause of a death.

Industry newspaper *Lloyds List* quoted International Seafarers' Welfare and Assistance Network (ISWAN) executive director Roger Harris (pictured) as saying the number of reported suicides, and instances of seafarers calling ISWAN about suicidal thoughts, had "roughly doubled" from about 12 in a normal year to 25 since March 2020.



But since there is no hard data, the causes of deaths at sea can be hard to establish.

"When someone goes overboard, there is always a question mark: Was it suicide or was it an accident?" says Mr Harris.

"I've been told by at least two shipping companies that sometimes it is suspected as suicide, but it is reported as 'missing at sea' because the family wouldn't get a payout from the protection and indemnity club."

The Sailors' Society also says companies might not speak out because of fear for their reputations and crew themselves may fear reprisals. However, it could be a telling factor that this charity gave out 12-times as many welfare grants between March and October 2020 than it did the year earlier as demand increased.

The Mission to Seafarers also reports seafarers are talking to chaplains more openly about their mental health.

Stress Issues

The issues of seafarers' stress and mental health have become the subject of investigation recently.

A 2019 study by the International Transport Workers' Federation (ITF) Seafarers Trust and Yale University found "significantly higher" prevalence of depression in seafarers. It found 17% of seafarers had anxiety and 20% had suicidal thoughts.

Cardiff University Seafarers International Research Centre also conducted a 2019 study on seafarer mental health, which found patchy recording of deaths made confident data interpretation "pretty much impossible".

The degree to which shipping and manning companies have responded to COVID-19 is varied. Some companies have devoted effort and resources to their crews' welfare, such as access to the Internet, recreation facilities and better food, while others have lagged behind.



There have been calls for better monitoring of seafarer incidents. The Australian Maritime Safety Authority (AMSA) wants to amend the Maritime Labour Convention (MLC) to mandate the reporting of man-overboard and suicide incidents to the International Labour Organization (ILO).

Flag states currently must report “operational-related fatalities” to the International Maritime Organization (IMO), but not those attributed to medical events, natural causes, man-overboard incidents or suicides. Neither does the ILO have such a requirement and the MLC does not specify how deaths should be reported, or to which authority.

AMSA believes that without mandatory, comprehensive and consistent reporting of deaths at sea – especially for man-overboard and suicide incidents – the global maritime community cannot effectively address areas of emerging concern such as mental health.

It says a way forward would be a simple format for deaths to be recorded, with ship details, date, time and location, to be submitted yearly to the ILO.

Adding to the pressures on seafarers has been a rise in the number of vessels being abandoned, with crew left stranded onboard.

The ILO has recorded about 25 cases this year – including some which occurred last year but have only been added to the joint IMO/ILO database recently. The COVID-19 pandemic is believed to be a principal cause of 85 cases of abandonment recorded in 2020, compared with 40 in 2019.

In January, a chemical tanker was abandoned in Fujairah (the United Arab Emirates), with 21 seafarers onboard, who were owed wages totalling over US\$260,000. Some of the crew had been working for more than 15 months.

The UAE Government and Port of Fujairah intervened and an agreement was reached between the seafarers and the owner. In another case involving a tanker that ran aground in the UAE, the crew had to settle for 70% of what they were owed. Some of the seafarers had been onboard for 43 months and had not been paid for 17 months.

New Zealand Position

New Zealand's overall position in relation to visiting vessels is found in its COVID-19 Maritime Border Entry Restrictions. These restrict which ships may enter the country and put in place isolation or quarantine requirements for people arriving by sea.

Vessels are not permitted entry to New Zealand unless exempted by the order. A ship that is arriving in New Zealand for the purpose of loading or unloading cargo is an example of one such exemption.

Current restrictions are detailed in the “[COVID-19 Public Health Response \(Maritime Border\) Order 2020](#)”, but these may be amended or updated at short notice.

Crew changes and repatriation has been allowed by the Government but this seemingly-generous policy has been undermined – according to the ITF – by local port companies and district health boards (DHBs) nullifying it by passing their own rules.

ITF navigation section co-ordinator Fabrizio Barcellona says this “bureaucratic maze” of local rules make the country’s efforts look unco-ordinated and “opaque”.

Stranded Kiwis

Another related issue on the local horizon is that of New Zealand seafarers stranded overseas.

The Ministry of Transport says the Government has been receiving a number of requests to assist with repatriation of Kiwi seafarers – including New Zealand fishermen working on foreign fishing boats – working overseas.

“These seafarers do not meet the criteria (foreign crew change) for a maritime-allocated bed at a MIF [managed isolation facility], and are required to try to get an isolation voucher like all other citizens returning home to New Zealand,” states the agency.

“Ministry of Transport, Maritime New Zealand and the Ministry of Foreign Affairs and Trade officials are working with the Ministry of Business, Innovation and Employment/Managed Isolation and Quarantine through a process that may enable New Zealand seafarers repatriating to have a better opportunity to get a bed at short notice.”

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