

MARITIME SAFETY COMMITTEE  
105th session  
Agenda item 19

MSC 105/19/10  
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## ANY OTHER BUSINESS

### Comment on document MSC 105/19/9

#### Submitted by ICS and ITF

#### SUMMARY

*Executive summary:* This document concerns the ongoing practice of denying seafarers medical assistance in ports including dental and optical care and as a result placing their lives at risk

*Strategic direction, if applicable:* Not applicable

*Output:* Not applicable

*Action to be taken:* Paragraph 15

*Related document:* MSC 105/19/9

#### Introduction

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.2) and comments on document MSC 105/19/9.

#### Background

2 The ICS and ITF are increasingly concerned about the ongoing practice of denying seafarers medical assistance in ports, including dental and optical care, and as a result placing their lives at risk. A lack of control on visitors coming on board who are not wearing Personal Protection Equipment, claiming this to no longer be a national requirement, places seafarers' health in danger.

3 This also has a detrimental effect on COVID-19 containment and protection protocols set out responsibly by the shipowners.

4 The co-sponsors are concerned that governmental restrictions on free movement continue to make crew change a problematic process for shipping companies; so it is key to avoid any risks being taken when anybody goes on board a vessel.

5 Companies are left with little or no alternatives to overcome the challenges that follow an inconsistent relaxation by national authorities of the restrictions which do not take into account the key role that seafarers and their ships play within the global logistics chain, which is heavily reliant on the delivery of good and materials.

6 Yet again, there appears to be a discriminatory approach towards seafarers and shipping. This may not be seen as urgent as it is in reality, due to companies fearing the consequences of reporting cases and being penalized if their ships need to call in the same ports in future.

7 Reference is made to WHO's joint statement on vaccinations on 19 April 2021. This includes taking special note of seafarers who are stranded at sea and who are stopped from crossing international borders for crew change due to travel restrictions, including requirements for proof of COVID-19 vaccination, and to ensure that seafarers human rights are respected.<sup>1</sup>

8 WHO helped establish a Joint Action Group on 13 December 2021 to protect transport workers and secure supply chains during the COVID-19 pandemic, which will focus on promoting COVID-19 vaccination of transport workers and ensuring the application of internationally agreed protocols and standards.<sup>2</sup>

9 MSC.1/Circ.1636/Rev.1 on *Industry recommended framework of protocols for ensuring safe ship crew change and travel during the Coronavirus (COVID-19) pandemic* invites Member States to take into account the *Recommended action to facilitate ship crew change, access to medical care and seafarer travel during the COVID-19 pandemic* (resolution MSC.473(ES.2)).

10 The co-sponsors also refer to MSC.7/Circ.1/Rev.25 on *resolution MSC.473(ES.2) – Recommended action to facilitate ship crew change, access to medical care and seafarers travel during the COVID-19 pandemic*. The resolution invited Member States and relevant national authorities to designate National Focal Points on Crew Change and Repatriation of Seafarers and to coordinate action at a national level.

11 Circular Letter No.4204/Add.23 addresses the challenges of arranging access for seafarers to medical care ashore. This requires that relevant authorities in port and coastal States meet their obligations under relevant international regulations and work with ships to protect the health of seafarers and the general public, thus ensuring global supply chains continue to function as required during the pandemic. Building on this guidance, IMO's Secretary-General endorsed *Recommendations for port and coastal States on the prompt disembarkation of seafarers for medical care ashore during the COVID-19 pandemic*.<sup>3</sup>

12 The MLC, 2006, states that port States must ensure that seafarers on board ships in their territory who are in need of immediate medical care are given access to medical facilities on shore. This obligation is also included in the IMO Safety of Life at Sea (SOLAS), Maritime Search and Rescue (SAR), Salvage and Facilitation Conventions, as well as in the United Nations Convention on the Law of the Sea (UNCLOS). Prompt and efficient disembarkation of seafarers to receive medical care ashore is essential not only for the seafarers' health, but also for the maintenance of the global supply chain.<sup>3</sup>

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<sup>1</sup> [Joint statement on prioritization of COVID-19 vaccination for seafarers and aircrew](#)

<sup>2</sup> [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_831672/lang--en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_831672/lang--en/index.htm)

<sup>3</sup> <https://www.imo.org/en/MediaCentre/PressBriefings/Pages/21-medical-care-seafarers.aspx>

13 Despite the easing of COVID-19 restrictions in some countries, seafarers are still not treated properly and on equal terms with other key worker groups.

14 Member States are urged to note that formal recognition of seafarers as "key workers" is not of much value if, in practice, they are treated differently than any other citizens. Seafarers may be foreigners, but have a right to conduct their work in a safe and secure manner in line with necessary protocols.

**Action requested of the Committee**

15 The Committee is invited to:

- .1 ensure that seafarers, as key workers, have the right to be treated with dignity and respect, taking into account that they spend most of their time travelling and at sea with a greater degree of testing and regular medical checks than any other person, and are only able to visit the shore for a short time, so a human approach to their medical needs and treatments must be respected; and
  - .2 acknowledge the seafarers' key role and facilitate their repatriation, access to medical care and protection in respect of ship owners' protocols to avoid contagion especially during the gradual relaxation of COVID-19 restrictions.
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