

Crew Change and Other Present Issues



The Covid-19 pandemic has thrown the world into disarray. And the international shipping industry is no exception. Manning levels have been reduced as crew become hard to change and be refreshed; hours of rest are being ignored and replaced with non-paid hours of work and compliance performance; systems crucial for the safe operation of the world's shipping fleet are being disregarded on a daily basis through superficial remote inspections. This is of course about crew change, but also much more than that. Our industry has adapted and had to make-do given the unprecedented nature of the present Covid-19 crisis. As the worker representatives who engage every day to improve these systems and standards for the benefit of all seafarers, we in ITF understood the reasons ship owners, manning companies, port states, flag states and others requested flexibility in the application of international rules. However, the extreme interpretations of the regulations and short cuts taken by some

in the industry, with the blessing of some flag states in particular, have gone too far, for too long. Of greatest concern is that these short cuts risk becoming permanent. International rules, regulations, standards, conventions and agreements are how the public, governments and seafarers can have faith in the healthy and safe operation of this critical industry. Every international rule that has been created and adopted was for a reason; be an accident; a drowning; a spill; a grounding; a death. These rules are not an added extra, or 'nice to have'. They are the basis on which seafarers agree to go to work, and countries agree to admit ships into their waters and marine environments. This report highlights the extremes that these rules are being pushed by some players in the international shipping industry; why such short cuts are dangerous to seafarers' health and safety, human life and the marine environment; and why we need to return to proper implementation and enforcement of these rules by flag states and port state control authorities for the benefit of everyone. We urge you to consider the findings of this report. If you are a flag or port state – reflect on your responsibilities. If you are a seafaring or maritime union – draw on this knowledge to push for real enforcement in your jurisdictions. If you are media – hear our warnings and report them to the world as we do not raise such a serious alarm lightly.

The ITF have decades of experience in the international shipping industry, particularly in the development and enforcement of conventions and standards which prevent harm to people and the planet. It is our obligation as seafarers' representatives to compile this report because what we are witnessing right now causes us extreme worry. We cannot in good conscience be complacent and allow seafarers' safety and security to be put at risk. We hope that by drawing focus to the impending disasters within our industry that international attention will force pause and reflection, so that we avert unnecessary harm to the world's two million seafarers, the public, and our marine environment.

The international rules that govern the international maritime industry are made up of regulations, standards, conventions and agreements. These rules, agreed by International Maritime Organisation (IMO) Member States, are how the public, governments and seafarers themselves can have faith in the healthy and safe operation of this critical, and potentially dangerous, industry. Governments created the rules – governments need to enforce the rules. We are very concerned that during the present Covid-19 pandemic, government regulators in flag and port states have chosen to suspend the application and enforcement of these critical rules. Each breach of each rule adds undue risk to the international shipping industry, and undermines the international rules system that delivers these regulations to us. Companies will ask themselves, ‘if we can ignore this rule, why not this other? Or all of them? The consequences could be calamitous for the people who work in this industry, the public and our marine environment.

It is particularly concerning to us that employer compliance with the IMO, which regulates safety and security of life at sea, is exempted. It is understandable that in the early days of the outbreak, all parts of the industry needed to agree practical, temporary measures to allow flexibility in the application of various international regulations. However, inconsistent interpretations across regulators, flag states, port states, classification societies, ship owners and companies has made a mockery of what should be universal rules for the safe operation of a global industry and the welfare of its global workforce. Safe ship operations seem to have been forgotten or deprioritised, thereby endangering the safety of maritime workers and the marine environment. We say that enough is enough: over six months has passed since the outbreak of this pandemic. Too many corners have been cut for too long. Contravention of critical maritime regulations is no longer acceptable to seafarers’ representatives and should not be acceptable to shipowners, port state regulators, or flag states.

Governments, particularly through their Port State Controls, and the maritime industry more broadly, need to ensure the effective and consistent enforcement of safety and security-related IMO regulations with immediate effect. The regulations were developed and amended for the safety of maritime workers and the marine environment, and therefore cannot simply disappear. The international regulations that have been adopted and implemented are now being undermined, out of expedience, not out of necessity. These practices are setting a dangerous precedent and, if allowed to continue, will put maritime workers’ safety in jeopardy. The main areas of concern that are being undermined under IMO regulations are:

- Threat to the safety of lives and ships at sea;
- Threat to the marine and coastal environment;

- Seafarers loss of employment opportunities and income; Reduction to manning levels;
- Additional responsibilities are being required of the seafarers beyond their normal duties;
- Increased physical and mental pressure and fatigue;
- Limited access to port facilities and the consequences on ship operations and social issues;
- The plight of seafarers’ families;
- Reduced attractiveness to pursue a career at sea when international and national legislation that has been adopted for the protection of seafarers can so easily and over a sustained period of time be set aside; The ITF Maritime Safety Committee believe that if governments want vital cargo to continue to flow in and out of their ports, they have a legal and moral obligation to fulfil their commitment to the international maritime regulations that they have created and endorsed for the safety and security of maritime workers and the marine environment. Anything less risks undermining the international rules system that safe and efficient global trade relies on.

- Minimum safe manning of a ship is made up of both the overall number of crew on board, as well as minimum numbers at required skill levels, for the particular size and type of vessel. In practice, however, Minimum Safe Manning levels have become determined by the ship owner, rather than the regulator. This is because flag states almost always approve the manning levels for ships put forward by shipowners – however low. The practice of flag states ‘rubber-stamping’ ship owners’ manning levels without due regard to safety has concerned the ITF for many years, but has become unacceptably dangerous in recent months as shipowners have pushed for lower and lower manning levels in the face of the crew change crisis. To ensure global trade continues uninterrupted (and the income they gain from registering ships), some flag states have advised companies to contact the relevant flag state administrations (registries) and advise of any difficulties in recruiting adequate crew numbers. In most cases, the administrations are providing exemptions to these companies for manning numbers well-below what would have been considered safe pre-pandemic. This has resulted in many companies now declaring reduced minimum manning on their ships with the approval of the flag state that their ship is registered to. These companies save money in wages and recruitment, but the risk for the crew, cargo and the environment increase substantially. This corner-cutting increases pressure on seafarers, harming their mental and physical wellbeing, their lives. Reduced minimum manning intensifies stress onboard and contributes to fatigue because it spreads the same workload across a smaller number of seafarers. In what we know from what seafarers report, inadequate manning extends seafarers’ hours of work when they are already stretched. Minimum safe manning

is, by design, meant to ensure minimum safety standards can be met onboard. Anything below minimum safe manning is unsafe and puts lives, ships and the environment at risk.

- Few ships employ seafarers above the minimum safe manning numbers. Those ships that do can ensure the ship is able to safely sail and operate in almost any situation. Ships that operate with the minimum will be at great danger should some of the crew become unwell or injured, or the seafaring conditions deteriorate. It has often been alleged that human error is the cause of a maritime incident or accident without mentioning the responsibility and complacency of shipowners and flag state administrations who agree to insufficient manning of the ship, as a contributing factor for the alleged human error. An overworked, tired and fatigued seafarer is more likely to make mistakes than a seafarer who is fresh, well-rested and supported by an adequate number of skilled crewmates. It is a contradiction that governments and companies publicly display indignation following major incidents that negatively affect their coastlines, the wider environment and costs lives, while condoning the practices which prejudice safety and produce inadvisable risk in the first place.

We say: **enough is enough** – seafarers are already under increased pressure and suffering from fatigue due to extended employment agreements, extended working hours, additional tasks normally performed by inspectors and dockworkers, and the uncertainty over when they will be able to return home to their loved ones. Unsafe manning presents an unacceptable threat to the safety and security of the crew, the ship and the environment and requires immediate action. The ITF is also concerned about the lack of familiarisation procedures taking place for new sign-on crew due to reduced manning, as well as the premature promotion of seafarers to cover certain positions. Both issues have emerged as consequences of the pandemic and governments' willingness to set aside international regulations to keep trade moving at all cost.

WHEN CRISIS MANAGEMENT BECOMES CRISIS
EXPLOITATION, WE MUST SPEAK UP

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Organisation