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國際運輸勞連

International Transport Workers' Federation
Federación Internacional de los Trabajadores del Transporte
Fédération Internationale des ouvriers du transport
Internationella transportarbetarefederationen
Internationale Transportarbeiter-Föderation
Международная федерация транспортников
الاتحاد الدولي لعمال النقل

Mr Peter McAllister
Executive Director
Ethical Trading Initiative (ETI)

Via email: peter.mcallister@eti.org.uk

Ref: OGS/RS/jm

27 May 2020

Dear Mr McAllister,

I write to you on behalf of the International Transport Workers' Federation (ITF), a trade union member of the Ethical Trading Initiative (ETI), and as a board member.

The global coronavirus (Covid-19) pandemic is creating unprecedented and unexpected circumstances. It is a dire test for the global economy, the health of millions of people and a threat to the way we conduct our everyday lives.

Partnership between multinational businesses and social partners is vital to resolving the imminent threat to the global logistics supply chain, ensuring the uninterrupted delivery of essential goods and securing the global economy overall. The ETI offers a crucial opportunity to inspire the urgent international response required to avoid collapse of international supply chains in the coming weeks.

About 90 per cent of global trade is moved by maritime transport, which is the lifeblood of the global economy. In turn, it is dependent on the world's 2 million seafarers who operate the world's merchant ships.

Every month (under normal circumstances) around 100,000 seafarers and crew need to be changed over from the ships they operate in order to comply with relevant international maritime regulations designed to protect health, safety and welfare. Today there are in excess of 200,000 seafarers onboard vessels worldwide who have completed their contractual tour of duty, but have been prevented from returning home. This has an adverse effect on general fitness, mental health and performance as fatigue sets in.

Given the expected continuation of travel and flight restrictions, there is a critical need for governments to address the serious problem of facilitating ships' crew changes. Without coordinated global action, the efficient flow of imports and exports carried by sea will be jeopardised, with negative impacts on the resilience of national economies throughout the Covid-19 crisis.

While the relevant regulatory organisations and unions have responsibly responded to the request from the industry to extend seafarers' contracts twice, this can only be a short-term solution and cannot be considered a sustainable strategy.

Increased levels of stress and anxiety have a dramatic impact on the levels of attention necessary for seafarers to perform their duties, as the profession requires physical and mental resilience, constant attention, and sacrifice. Additionally, stringent restrictions imposed by many countries, including denial of shore leave and access to essential medical assistance, is contributing to fatigue and exhaustion. We must change these restrictions and allow for the replacement of tired seafarers with those who have been waiting to join ships, some for over three months now.

On 30 March 2020, the G20 Trade and Investment ministers declared that the operations to support the global logistic network was one of the keys to facilitating the essential movement of goods. The ministers further committed to explore ways to facilitate the movement of key workers, who are part of the global supply chain, to discharge their duties. We are yet to see the coordinated action we need from governments.

The maritime industry has responsibly joined forces and produced [protocols](#) aimed at providing recommendations to give execution to crew changes. This Recommended Framework of Protocols for Ensuring Safe Ship Crew Changes and Travel During the Coronavirus (Covid-19) pandemic (the "Protocols") include designating professional seafarers and marine personnel, regardless of nationality, as "key workers"; the provision of practical and thorough guidance in respect of the existing maritime instruments, which most of the countries that today impose restrictions are signatory to; and the application of preventive measures in line with the World Health Organisation guidance.

Both the International Maritime Organization and the International Labour Organisation are supportive of the maritime industry protocols and urged member states to consider giving effect to the recommendations. [International Chamber of Shipping and the International Air Transport Association have also urged governments to facilitate the movement of international transport personnel and raised the issue with International Civil Aviation Organization.](#)

This is in line with the State duty to respect, protect and fulfil human rights under international law. This includes fundamental obligations of governments to protect individuals and groups from abuses and to take positive action to facilitate the enjoyment of rights, and applies both under normal circumstances and at times of crisis. In discharging this duty, it is a critical task for governments to cooperate and ensure safe crew changes and to avoid a humanitarian disaster.

Global companies too can and should take action, including exercising influence over other stakeholders such as States, which are currently not enabling an environment where businesses are able to respect the rights of seafarers directly involved in their operations and along their supply chains. This is in line with the three pillars of the UN Guiding Principles on Business and Human Rights - "Protect, Respect and Remedy" – and the obligations on business actors to both respect human rights and use their leverage to effect change in the wrongful practices of an entity causing harm. The largest multinationals may be able to communicate the risks of this situation, influence state engagement and secure action to avoid a widespread crisis for business, the economy and seafarers.

The ITF is calling on the ETI to rally its members, particularly its global business members, into action to urgently call for governments to endorse and implement the maritime industry Protocols and to give urgent effect to the provisions to allow crew changes. We kindly bring to your attention that the implementation of these measures should come into effect before 16 June 2020 - the final agreed date to extend contracts for our seafarers.

The ITF urges the ETI to take immediate action to:

- **Urgently write to the UN Secretary General highlighting the reliance of all ETI companies on the security and stability of global supply chains and the concern for the health and wellbeing of seafarers, in order that the risk of collapse can be quickly addressed at the highest level;**
- **Release a public communication from ETI on the urgent need to implement the Protocols to bring attention to this matter;**
- **Urgently distribute this information to its members, highlighting the reliance of multinational enterprises on global supply chains and on the health of seafarers transporting their goods at sea, calling on them to take immediate and targeted action to avoid this humanitarian and economic disaster;**
- **Urge global company members to critically analyse their own supply chains, communicate to their global logistics providers their concerns about the lack of crew changes and identify specific problem areas/cases that can be directly targeted for resolution with states;**
- **Urge global company members to communicate the Protocols to their own logistics partners along their supply chains, highlighting employer recommendations in relation to paperwork;**
- **Call on global company members to liaise with their home governments and the governments of states where they have influence or leverage as investors and job providers, to urge these states to implement the Protocols.**

I thank you in advance for your attention to this matter, and hope that the above is agreeable. I am available for further conversations with you and your team should you wish and look forward to receiving your response.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Ruwan Subasinghe', written over a horizontal line.

Ruwan Subasinghe
ITF Legal Director