Email

FOR: Member Maritime Authorities

FROM: Viña del Mar Agreement Secretariat

SUBJECT: “PROVISIONAL GUIDANCE TO FACE THE IMPACT OF COVID-19, WITH REGARD TO IMO CONVENTIONS AND MLC 2006”

DATE: 06 ABR 2020

The Secretariat of the Viña del Mar Agreement takes this opportunity to convey our regards to your Maritime Authority and addresses you to submit, for your consideration, a draft of a “Provisional Guidance to face the impact of COVID-19” in the framework of the Latin American Agreement on Port State Control of Vessels.

Following the statement, from last March 11, 2020, made by the World Health Organization (WHO), referring to the outbreak of the new coronavirus (COVID-19) as a pandemic, the crisis that international shipping is undergoing and the challenges that the industry faces to meet the regulatory requirements under the relevant IMO conventions and the Maritime Labour Convention 2006 (CTM 2006) are acknowledged.

On this basis, the Latin American Agreement Secretariat, in view of the concerns raised regarding the effects of this pandemic in the region, has been carrying out a constant information exchange to find common guidelines on a regional basis to protect the health and safety of port State control officers and seafarers on board of vessels, while recognising that in these times of global crisis it is essential to maintain supply chains open and trade, transport and maritime services in movement.

Besides, associated difficulties have arisen for ship owners and companies to coordinate inspections and/or audits to ships and, at the same time, seafarers are also experiencing difficulties to attend the required training courses and to revalidate certificates.

Due to the implications of the outbreak of the coronavirus (COVID-19) for shipping, it is necessary that Member Maritime Authorities, in the exercise of port State control jurisdiction, ensure the full and effective implementation of measures for the safety of navigation, maritime protection, safety of persons and property on board and environmental protection, though considering the possibility to allow an exceptional delay in compliance under these special circumstances.

In this regard, the need for flexibility under these special circumstances is being considered, by adopting a pragmatical and practical approach regarding the actions implemented by flag States as a result of the impact of delays in surveys, inspections, audits, extensions in the validity of titles, certificates and endorsements of seafarers, etc, and their acceptance in the
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exercise of the port State control procedures, so as to avoid the adoption of non-coordinated measures that affect the regional port State control regime.

In this context, marked by the global public health emergency, and with a view to provide the member Maritime Authorities with common guidelines to address in a harmonized way the issues concerning international shipping in the region, the Agreement Secretariat submits for its consideration the document called “PROVISIONAL GUIDANCE TO FACE THE EFFECTS OF THE OUTBREAK OF COVID-19, WITH REGARD TO IMO CONVENTIONS AND MLC 2006”, which sets out the concerns and courses of action arising from the recent information exchange.

This provisional document will be reviewed and updated based on future initiatives by the IMO/ the ILO or future developments of the pandemic in the region.

Yours sincerely,

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