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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

The Cabinet Ministers of Ukraine
12/2 Hrushevsky Str.
Cabinet of Ministers of Ukraine
Kyiv
01008
Ukraine

Via email: prshmygal@kmu.gov.ua; 1545@ukc.gov.ua

Cc: Ministry of Defence of Ukraine; The General Staff of the Armed Forces of Ukraine

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Ref: S/SMC/ih

08 November 2022

Dear Cabinet Ministers of Ukraine

On behalf of the International Transport Workers' Federation (ITF) and its affiliated unions, representing around 20 million transport workers of which around 1.5 million are seafarers from around the world, I wish to express our respect to the Ministry of Defence of Ukraine and the General Staff of the Armed Forces of Ukraine for your strength, persistence and courage.

Also, we want to thank the Cabinet of Ministers of Ukraine for the steps taken to help alleviate the issues global shipping is facing now. The adoption of the Decree No. 992 of 02.09.2022 "On Amendments to the Rules for Crossing the State Border by Citizens of Ukraine", allows for the provision of male citizens of Ukraine aged from 18 to 60 years of age the right to cross the state border of Ukraine during the operation of martial law on the territory of Ukraine, if such persons are sent to work on sea vessels, inland navigation vessels as part of the crews of such vessels or to undergo practical training on vessels.

However, it is vital that the procedures and methods for crossing the state border of Ukraine by Ukrainian seafarers, as developed by the General Staff of the Armed Forces of Ukraine including the proposals submitted by the Marine Transport Workers' Trade Union of Ukraine, are promoted in order to ensure proper implementation of the Decree No. 992. Practical implementation of the Decree is needed to enable seafarers to join seagoing merchant vessels, to gain access to jobs according to their qualifications, to secure their work roster and to maintain the required manning of vessels for the safety of global shipping.

In accordance with the ILO Maritime Labour Convention (MLC) 2006, as amended, seafarers have the right to be replaced and repatriated upon completion of their employment agreements and shall not remain on board any longer than allowed in the MLC 2006. Noncompliance could cause fatigue and health problems that could lead to unwanted consequences and accidents/incidents and result in detention of the vessel by Port State Control authorities in order to prevent a tragic disaster. The Covid-19 pandemic created a global shipping crisis that has worsened because of the war in Ukraine and the absence of Ukrainian seafarers in the global labour market because of their inability to travel abroad and join the vessels. It would be greatly appreciated if you could use your political position and influence to do whatever possible to ensure the implementation of the proposed procedures, as well as provide the local military registration and enlistment offices, in particular in the Odessa region, a detailed explanation on the application of the procedures required to resolve the current shortage of qualified seafarers needed to ensure the safety of navigation and timely delivery of the world's goods.

Respectfully,

A handwritten signature in black ink, appearing to read "Stephen" followed by a stylized flourish.

Stephen Cotton
ITF General Secretary