

ACTIONS TAKEN BY THE AMP FOR SEAFARERS DURING COVID-19

The Republic of Panama, through the Panama Maritime Authority (AMP), supports all seafarers without distinction of nationality when making crew changes in vessels of all kinds, belonging to the Panamanian Registry as well as registered with other flags in our territorial waters, in frank collaboration with the member states of the International Maritime Organization (IMO).

This action is exercised in recognition of the work carried out by seafarers as essential workers, being a fundamental link in the global supply chain, in addition to complying with the Conventions ratified by the Republic of Panama.

The exceptional circumstances currently being experienced in the world due to the pandemic caused by the coronavirus (COVID-19) has prompted us to provide a response through joint work with various Government institutions so that since last March 19, 2020 to date, September 13, 2020, we have reached a disembarkation of 5 thousand 890 and the embarkation of 1,514 seafarers of various nationalities, including Panamanians, from different types of vessels that arrive in our jurisdictional waters and ports, which has been a valuable and rewarding experience.

To achieve this objective and minimize risks, Panama prepared its own manual called "Diagram of the modalities for repatriation, disembarkation and embarkation of crew" which has been sent as a circular by email to the Shipping Lines, Shipping Agencies, Crew Members, Diplomatic Missions and others involved, having been published on the AMP website at the link: <https://amp.gob.pa/wp-content/uploads/2020/07/21072020-Instructivo-de-Repatriaci%C3%B3n-Espa%C3%B1ol-2.pdf>

This document is based on the guidelines issued in the Circular Letter of the International Maritime Organization (IMO) N ° 4204 / Add.14 for the "Recommended Framework of Protocols for ensuring safe ship crew changes and travel during the coronavirus (COVID-19) pandemic", the purpose of which is for passengers and crew to return to their homes safely, as well as to embark.

That document describes in detail, through seven (7) different modalities, the safe way to carry out repatriations and crew changes, the most important for Panamanian seafarers being modality 7 because it is the one that makes them return home.

The modalities, according to Merchant Marine Notice (MMN-16/2020) <https://panamashipregistry.com/marine-notices/repatriation-modalities-due-covid-19/> are the following:

1- Coordination of charter flights for the combined crew of different shipping lines: It consists of the organization, according to the need to change the crew of ships close to arrival in the jurisdictional waters of the Republic of Panama, by the Shipping Lines that currently operate within the country.

2- Transfer of crew from ship to ship: It consists of authorizing the arrival of ships either for anchoring or berthing with the purpose of repatriating Panamanian crew that has been previously organized.

3- Vessels with crew of Panamanian origin (repatriation): Consists of authorizing the arrival of ships either for anchoring or berthing with the purpose of repatriating Panamanian crew that has been previously organized. These requests must be accompanied by information related to the medical condition of the crew, isolation period with factors external to the ship and sanitary and isolation protocols within the ship, in addition to the list of crew members and their medical certification. The disembarked crew members,

depending on the medical history and the evaluation of the isolation times on board, may be located in hotels authorized by the Ministry of Health on behalf of the Shipping Line for a period of 14 days or authorized for home quarantine, following at all times, P12 recommendations. In both cases, they will only be transported by land from the Port to their destination by private transport authorized by MINSA.

4- Ship-to-ship crew transfer by bus (land route): When there are on both coasts, ships whose crew requires to move from one to the other, the exchange of crew from Atlantic to Pacific or vice versa will be organized, making use of private land transport and previously authorized by the Ministry of Health in order to organize crews of related nationalities and be able to initiate voyages to final destinations with the purpose of repatriating those transferred.

5- Change of Panamanian crew for Panamanian: It consists of the disembarkation of crew members of Panamanian nationality or residence by the embarkation of crew members of Panamanian nationality or residence.

6- Change of foreign crew for Panamanian: It consists of the disembarkation of crew of foreign nationalities for subsequent repatriation through coordination with the embassy of the corresponding nationality as well as the Ministry of Foreign Affairs and the embarkation of crew members of Panamanian nationality or residence.

7- Embarkation and disembarkation of Panamanian crew abroad: When a Panamanian crew member is hired by a shipping line and their embarkation or disembarkation takes place in ports outside the Republic of Panama.

In addition to crew changes, requests have been received for vessels that require medical attention for seafarers, allowing their crew to disembark for medical care related to dental cases, prenatal controls, among others.

This commendable work is carried out by the Republic of Panama despite the restrictions on airports and sanitary fences worldwide that make it difficult to change crew. These efforts have been taken as an example and have been praised internationally by the Secretary General of the IMO, Diplomatic Corps based in Panama, Non-Governmental Organizations and shipping companies from all over the world.

The experiences acquired by the Republic of Panama have been presented in various forums, both national and international and before Organizations, among which are the IMO, the International Labor Organization (for its acronym in English, ILO), the International Transport Workers' Federation (for its acronym in English, ITF), the International Chamber of Shipping (for its acronym in English, ICS), the International Maritime University of Panama (UMIP), the International PBIP Network Mexico, among others .

Recently, through Note No. DGGM-224-2020 dated July 13, 2020, addressed to the Secretary General of the International Maritime Organization (IMO), Kitack Lim, a Proposal was submitted for an Information Format available to Member States of IMO related to COVID-19 and crew changes, in order for countries to provide the information in an orderly manner, as found in the format sent by Panama, to facilitate and expedite the provision of crew change services, worldwide.

We work hard and tirelessly for our 318,000 seafarers aboard the more than 8,000 ships that belong to our flag, through the execution of actions that have been fully verified nationally and internationally, highlighting among them the Declaration of the Republic of Panama in support for the Recommended Framework Protocols issued by the IMO for ensuring safe ship crew changes due to COVID-19 through Circular No.4204 / add14 (May 7, 2020), supporting the decision of the International Maritime Organization (IMO) to designate seafarers as key

workers "Key Workers", effective May 17, 2020 and the adoption of Merchant Marine Notice No. 003-2020, through which measures are adopted regarding seafarers to be applied during the COVID-19 pandemic.

The Republic of Panama jealously ensures that the rights enshrined in international labor agreements are complied with, aboard Panamanian-flagged vessels, even in times of pandemic in which we have worked tirelessly so that all seafarers that are present on board our ships, keep their employment contracts in force and the payment of their salaries, the right to repatriation, the right to vacations, the payment of overtime, the right to medical care and other employment benefits guaranteed.

Proof of our commitment to the application of the Maritime Labor Convention, 2006, as amended, and the national regulations, is that as a result of the labor complaints processed regarding the non-payment of wages to seafarers, it has been recovered since July 2019 to August 2020, the sum of approximately USD \$ 844,968.41, in concept of wages owed. Regarding the labor complaints of seafarers, it is important to indicate that the Panamanian Maritime Administration sends annual reports on the status of their complaints to the IMO, which are related to cases reported to the database managed by the ILO/IMO.

In addition, the figure rose to about \$ 233,230 as a result of the extensions granted at no cost by the AMP, in support of seafarers working on ships of the Panamanian Registry, implemented due to the COVID-19 pandemic, which are broken down as follows:

- Total licenses extended for national and international waters = 4,349
- Total of training certificates issued in national and international maritime training centers = 17,650
- Total of extended Medical certificates = 6

In the case of requests for extensions of the employment agreement of seafarers, these were sent by the shipowners to the Administration via email, which were received at the Department of Maritime Labor Affairs of the General Directorate of the Seafarers (DGGM), as well as in its Regional Documentation Offices, where it was verified the compliance with all established requirements on Merchant Marine Notice (MMN-03/2020) <https://panamashipregistry.com/marine-notices/coronavirus-and-seafarers-employment-agreement-and-certificates-2/> which was updated at the beginning of September 2020.

In this latest update, information indicating that the extensions of the employment agreements of Seafarers working on ships of the Panamanian Registry will be issued until September 14, 2020, is incorporated. As of such date, the provisions of the Maritime Labor Convention, 2006 (MLC, 2006) must be complied with.

It is important to indicate that all documentation was based on a Seafarers Repatriation Plan and risk assessment, prepared by the shipowner and submitted for approval by the Administration, to then issue the authorization of the agreement extension SEA.

The repatriation plans and risk assessment were thoroughly verified by the technical staff of the DGGM in order to guarantee that seafarers in Panamanian-flagged vessels can disembark and be repatriated as soon as possible.

Finally, the Panama Maritime Authority reiterates the invitation to other maritime Administrations, as reflected in Note No. DGGM-224-2020 dated July 13, 2020 addressed to the IMO, in order to designate seafarers as essential workers in the maritime industry, for the invaluable service they provide during this global pandemic produced by the coronavirus (COVID-19), for the benefit of the world economy and the development of all humanity, since without trained merchant seafarers, goods could not be transported between continents, thus seafarers being the main link in the supply chain, it also urges them to respect and fulfill the rights of seafarers around the world, especially with regards to the salary aspect.