



Coronavirus COVID-19: IMO guidelines for shipowners



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To prevent the spread of COVID-19, governments across the world have imposed restrictions which affect supply chains and trade flows. IMO has now issued a circular to address the concerns of ports, shipowners and other companies involved in shipping and transport with recommendations on access to berths, crew changes and port operations.

The impact of the virus outbreak

Governments across the world have implemented various measures to prevent the spread of COVID-19. The measures include limitations on border mobility, while ports have been closed or their operations have been restricted. Closed borders and other restrictions have had an impact on shipping including among other things the difficulties of performing crew changes and carrying out surveys or essential repairs onboard vessels.

IMO Circulars

The International Maritime Organization monitors the ongoing developments and issues circulars and guidance to shipowners and other companies involved in maritime transport on how to handle the current situation.

According to the Secretary-General of IMO, one of the goals of the organization is *"to ensure availability of shipping services to the commerce of the world, for the benefit of humanity"*, including because *"the ability for*

shipping services and seafarers to deliver vital goods, including medical supplies and foodstuffs, will be central to responding to, and eventually overcoming, this pandemic."

On this basis, the IMO recently issued Circular Letter No.4204/Add.6 headed "Coronavirus (COVID-19) – Preliminary list of recommendations for Governments and relevant national authorities on the facilitation of maritime trade during the COVID-19 pandemic".

The circular emphasises the importance of ensuring that policies and measures implemented by governments to protect public health and combat COVID-19 are developed *"without the introduction of obstacles to ship and port operations, including the movement of seafarers and marine personnel"*, while noting that *"Ships and ports need to remain fully operational, in order to maintain complete functionality of supply chains."*

The circular contains a number of key recommendations. Importantly, governments are recommended to ensure that all commercial ships continue to have access to berths in port and terminals and that quarantine restrictions are not imposed on the ship itself, but for example only on crew members infected with COVID-19.

Further, the circular includes recommendations with respect to measures to facilitate crew changes in ports, to facilitate port and related operations and to ensure health protection in ports. Professional seafarers, marine personnel, port workers and service personnel, and port authorities should be designated as "key workers" providing an essential service to allow them to carry out their work including the mobility required to do so.

Impact on ports, shipowners and other companies

While Circular Letter No.4204/Add.6 is addressed to governments and national authorities, it is worthwhile for ports, shipowners and other companies to familiarise themselves with its provisions, also with respect to any ongoing dialogue with the authorities in relation to the activities carried out by the companies.

Further, IMO has issued a range of circular letters (No.4204/Add.1 - No.4204/Add.5) with useful guidance for shipowners and other companies with respect to protection of health, operational considerations and certification. The circular letters can be found [here](#).

Whilst the circular letters' guidance is non-binding, shipowners are advised to follow the advice set out therein. Omitting to do so may have an impact with respect to insurance cover and/or liability towards crew or third parties for injury, loss or damage arising as a result of the impact of COVID-19.

Further information and assistance

DLA Piper's team of lawyers with expertise in international trade, transport and logistics are available to assist with any issues arising out of the current impact of the virus outbreak.

For more information, please visit the area on our website dedicated to information and updates on the impact of COVID-19 found [here](#).

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