

Brussels, 04-06-2020

Dear Ministers for Home Affairs,
Dear Ministers for Transport,

RE: Urgent request from the Shipping Industry for Decisive Commission and Member State Action to enable crew changes in EU Ports through Visa Facilitation.

Shipping lines and seafarers have been at the forefront of the disruption caused by the COVID-19 pandemic. Crew members who have had their contracts extended - in some cases by many months - urgently need to be relieved by their colleagues but today it remains exceedingly difficult for any crew changes to take place in the EU. The European Commission's own guidelines¹ identify seafarers as essential transport workers whose movement across borders should be facilitated, irrespective of their nationality. Regrettably, the single most important barrier is the inability of third country seafarers to obtain required Schengen visas.

On the occasion of the Transport Council meeting of 4 June and Home Affairs Council meeting of 5 June 2020, the shipping industry represented by the undersigned employer and seafarer representatives, are writing to you to request urgent visa facilitation to resolve this situation. Without suitable actions the working conditions of seafarers will inevitably deteriorate and it will become harder for the shipping industry to continue to support the European economy with vital transport services.

Over the next two months between 100,000 and 120,000 third country seafarers will need to be issued with Schengen visas so that they can travel to relieve crew on vessels in EU ports. Around 50% will be Filipino. Around 25% will be applying for visas for the first time, while the remainder will be looking to have visas renewed or already have their details registered in EU Schengen databases.

Overseas EU consulates in labour supplying countries are either closed or may be operational again but not be able to issue sufficient visas within the required time frame. Member States do not currently have resources available to issue sufficient visas on arrival. Within the circumstances no single solution will suffice to unblock this situation and we would therefore urge the Commission to recommend via public communication, and for Member States to implement a combination of the

¹ Communication from the Commission on the implementation of the Green Lanes under the Guidelines for border management measures to protect health and ensure the availability of goods and essential services.

following measures which can all be deployed irrespective of whether overseas visa issuing services are operational.

- **Enable more visas to be issued on arrival** – Enhanced Member State capacity to enable this is needed. This should be complementary to the efforts to resume full operations in EU missions. Allowing more visas on arrival to be issued to seafarers will help compensate for the reduction of services and the backlog of applications in the EU missions overseas.
- **Burden sharing** – all EU Schengen Member States should be called upon to make temporary arrangements to facilitate visa applications for seafarers – this would lessen the burden of applications only being submitted to a few Member States due to flight connections or ports being available for crew change. Temporary arrangements should be made for visa applications to be submitted to any EU Schengen Member State's mission in a labour supplying state (not only to the Member State in which the crew change and/or entry into Schengen occurs). Furthermore, Member States should issue visas also when entry into their Member State is for transit reasons - so as to proceed to another Member States to effect the crew change – since arrangements being made for crew changes include complicated arrangements such as flight connections to an airport in one EU Member State with transit via road transport to a port in another Member State (and vice-versa for disembarking crew). Member States are called upon not to limit the visas to crew changes in ports in their territory or to crew changes on nationally flagged ships.
- **Temporary EU level waiver:** It should be clarified that the possibility under the Visa Code to waive visas for vessel crew going ashore (when it is clearly documented that they are seafarers travelling for professional reasons) could be applied to those entering the Schengen area (at airports/ports) to sign on/off ship. Therefore Member States should be encouraged to temporarily use the exemption found in Article 4 paragraph 1c of the EU Visa Code to cover transiting (on/off-signing) seafarers with for example a restriction of a maximum of 5 days stay. As it would not be practical or timely within the circumstances to require Member States to transpose such a solution into national law, such clarification at EU level is required so as to allow immediate implementation in Member States.
- **Acceptance of recently used or expired visas** – As countries outside the Schengen area have done we urge the Council to consider this option including if necessary agreeing to a legislative measure to provide for such possibility.

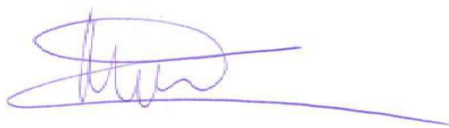
- **Call for facilitations for seafarers' visas by all EU Member States not only Schengen Member States:** To support the Schengen countries in finding a solution to these legal difficulties we would also call upon non-Schengen EU Member States (Bulgaria, Croatia, Cyprus, Ireland and Romania) to provide facilitations such as described in this letter to third country seafarers visas, including encouraging use of waivers.

We also strongly urge you to urgently call upon the European Union's External Action Service to deploy its services so as to actively engage with third countries in promulgating the EU and International efforts for the designation of seafarers as 'essential workers' so as to facilitate their movement including for access to medical treatment and shore leave, repatriations and crew changes for EU citizens and those on board EU flagged or owned vessels.

These emergency solutions would bring critical relief for many seafarers who have been at sea for many months, employment for those replacing them and support for the maintenance of shipping services that will be vital to the recovery of our economies in the short, medium and long term.

The shipping industry associations undersigned are willing to provide every support possible to the Commission and Member States in order to find an urgent solution to the problems caused by the effects of the continuing COVID-19 crisis.

Yours sincerely,



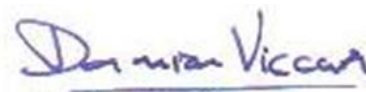
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