



International  
Chamber of Shipping

Shaping the Future of Shipping

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7 September 2020

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**TO: PRESS  
COMMUNICATIONS LEAD  
MARINE COMMITTEE**

**CC: ALL FULL MEMBERS AND ASSOCIATE MEMBERS**

### **ICS, UNHCR AND IOM CALL FOR ACTION ON THE MAERSK ETIENNE**

**Action Required: Members are asked to share the attached press release on the unacceptable situation of the Maersk Etienne with local media contacts and notify their members of this latest guidance.**

The International Chamber of Shipping (ICS), United Nations High Commission for Refugees (UNHCR) and the International Organisation for Migration (IOM) have called for the swift resolution of the ongoing humanitarian crisis on board the Maersk Etienne (see **Annex A**). The Etienne picked up 27 distressed people on 5 August, but has since been refused the right to disembark them in a place of safety in accordance with international law. ICS has also written to the IMO Secretary General highlighting the plight of those involved and calling for action to resolve the unacceptable situation (see **Annex B**).

Members are invited to note the information provided, and are asked to share the attached press release with local media contacts and notify their members of the action by ICS.

John Stawpert  
Manager (Environment and Trade)

## **ICS, UNHCR and IOM call on States to end humanitarian crisis onboard ship in the Mediterranean**

ICS, the International Chamber of Shipping, UNHCR, the UN Refugee Agency, and the International Organization for Migration (IOM) are calling for the immediate disembarkation of 27 rescued people trapped onboard a cargo ship. The distraught group, including one child and a pregnant woman, have now been onboard the Maersk Etienne for more than one month.

Governments have been refusing permission for the ship's Master to disembark the migrants and refugees who fled Libya, in contravention of international law. The ship's crew have been sharing food, water and blankets with those rescued. They are however not trained or able to provide medical assistance to those who need it. A commercial vessel is not a safe environment for these vulnerable people and they must be immediately brought to a safe port.

In a letter to the organization's Secretary General, the International Chamber of Shipping has called on the International Maritime Organization to urgently intervene and "send a clear message that States must ensure that Maritime Search and Rescue incidents are resolved in accordance with the letter and spirit of international law."

International law and maritime conventions place clear obligations on ships and coastal States to ensure people in distress are rescued and promptly disembarked in a place of safety. The Maersk Etienne fulfilled its responsibilities, but now finds itself in a diplomatic game of pass the parcel.

"The absence of a clear, safe, and predictable disembarkation mechanism for people rescued in the Mediterranean, continues to pose avoidable risk to life," said IOM Director General António Vitorino.

"IOM and UNHCR have long called on states to move away from the current ad hoc approach and establish a scheme whereby coastal states take equal responsibility in providing a port of safety, followed by a show of solidarity from other EU member states."

"The conditions are rapidly deteriorating onboard, and we can no longer sit by while governments ignore the plight of these people," said Guy Platten, Secretary General of the International Chamber of Shipping. "This is not the first time that this has happened, and we need governments to live up to their obligations. Time is running out and the responsibility for these people's safety and security rests squarely with government ministers. This is not COVID related; this is a humanitarian issue pure and simple."

“The shipping industry takes its legal and humanitarian obligations to assist people in distress at sea extremely seriously, and has worked hard to ensure that ships are as prepared as they can be when presented with the prospect of large-scale rescues at sea. However, merchant vessels are not designed or equipped for this purpose, and States need to play their part,” said Platten.

“Rescue at sea is a basic humanitarian imperative”, said Filippo Grandi, UN High Commissioner for Refugees. “The Maersk Étienne has fulfilled its maritime obligations and prevented further death in the Mediterranean. The EU and its Member States must now do their part to complete this life saving rescue by allowing those rescued to be disembarked, and should also show some solidarity amongst states, particularly through an effective and predictable relocation mechanism.”

The Maersk Etienne is the third incident this year in which a merchant vessel has been stranded caring for people rescued at sea. In May, the Marina was delayed for six days with some 80 rescued people on board before being able to disembark, while in July, the Talia took four days out of its scheduled journey to care for 50 people who were finally allowed to disembark in a place of safety after 4 days. This latest incident represents a significant escalation of the situation.

--ENDS—

## **Notes to Editor**

### About ICS

The International Chamber of Shipping (ICS) is the principal international trade association for merchant shipowners and operators, representing all sectors and trades and over 80% of the world merchant fleet.

#### Media Enquiries:

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### About UNHCR

UNHCR, the UN Refugee Agency, leads international action to protect people forced to flee their homes because of conflict and persecution. We deliver life-saving assistance like shelter, food and water, help safeguard fundamental human rights, and develop solutions that ensure people have a safe place to call home where they can build a better future. We also work to ensure that stateless people are granted a nationality.

UNHCR media contact in Geneva: Charlie Yaxley, [yaxley@unhcr.org](mailto:yaxley@unhcr.org) +41 79 580 8702

About IOM:

The International Organization for Migration/ UN Migration is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants.

IOM works to help ensure the orderly and humane management of migration, to promote international cooperation on migration issues, to assist in the search for practical solutions to migration problems and to provide humanitarian assistance to migrants in need, refugees and internally displaced people.

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Mr Kitack Lim  
Secretary-General  
International Maritime Organization  
4 Albert Embankment  
London SE1 7SR

7 September 2020

Dear Secretary-General,

I am writing to express ICS' profound concern about the ongoing plight of the Maersk Etienne, which remains off Malta unable to disembark the distressed persons rescued on 5 August.

The 27 rescued people, including one child and a pregnant woman, have been onboard the ship for nearly a month. The crew has provided them with water, food and blankets and given them the support they can. However, the crew is not trained to provide the medical treatment needed, nor to manage the prolonged situation with vulnerable people onboard. The ship is not a safe environment for the rescued people and is not sufficiently provisioned to ensure their safety and welfare onboard. Conversely, the ship's safety may be compromised by the rescued people on board unfamiliar with the merchant vessel and its operations. Photographs attached to this letter demonstrate the desperate conditions onboard the ship.

It is of great concern that ships are being directed to respond to SAR incidents by States, but are then becoming entangled in legal and diplomatic disputes that imperil the people onboard for extended periods of time.

The shipping industry takes its legal and humanitarian obligations to provide assistance to persons in distress at sea extremely seriously, and has worked with IMO to ensure that ships are as prepared as they can be when presented with the prospect of large-scale rescues at sea. However, merchant vessels are not designed nor equipped for this purpose. It is imperative therefore for States to play their part in facilitating the swift resolution of these distressing and dangerous situations by ensuring that arrangements are in place for those rescued to be disembarked to a place of safety as soon as possible. A breakdown in the balance of trust between States and rescuing merchant vessels in such SAR incidents is likely to be profound and its consequences tragic.

We call on IMO, as the specialised agency for the safety and security of shipping to send a clear message that States must ensure that SAR incidents are resolved in accordance with the letter and spirit of international law by providing a safe port of disembarkation for the rescued people and allowing the crew to proceed on their voyage unhindered and safely.

ICS remains at your disposal in resolving this critical issue to a satisfactory end.

Yours sincerely,

Guy Platten  
Secretary General