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Shipping Information Notice – 123 **Guidance for shipowners regarding seafarers affected by Russia's invasion of Ukraine**

To: Masters, Owners, Operators, Recognised Organisations & Certifying Authorities

This Shipping Information Notice (SIN) clarifies the provisions within the notice for shipowners and adds a section on qualifications for seafarers holding Russian certificates of competency, whilst referencing information contained within IMO circular no. 4232/Add 18 and IMO Circular Letter No. 4524.

This SIN expires 31st December 2025.

Summary

- Under Gibraltar legislation implementing the Maritime Labour Convention, 2006 (MLC), every seafarer on a UK ship is entitled to repatriation on the expiry of their Seafarer Employment Agreement ("SEA") or after a maximum of 11 months of continuous service on board their ship (as well as in other specified circumstances). The requirements of the MLC apply at all times, and there is no provision which allows them to be suspended under any circumstances.
- The volatile situation in Ukraine means that it may not be appropriate to repatriate seafarers to Ukraine. In addition, restrictions on movement since Russia's invasion of Ukraine may cause obstacles when repatriating seafarers. The GMA also notes that Ukrainian seafarers may not wish to return home in these circumstances.
- While recognising the exceptional obstacles in the current situation, as a flag State which has ratified the MLC, Gibraltar has a legal obligation to protect the living and working conditions of seafarers on its ships.
- This notice therefore requires shipowners of Gibraltar registered ships to notify the GMA of any seafarers remaining on board beyond the maximum period.
- This notice provides guidance on the extension of Ukrainian Certificates of Competency (CoC) in line with IMO Circular Letter No. 4232/Add.16 and an update on Gibraltar Flag State Endorsements (FSE) for holders of a CoC issued by Ukraine.
- This notice provides information to shipowners on alternative means of paying seafarers affected by the conflict.
- This notice reminds shipowners of MLC guidance for seafarers on entering war zones and the entitlement to repatriation in such a case. This notice also reminds shipowners and seafarers that changes of repatriation destination is possible upon mutual agreement.
- The GMA recognises that seafarers from other nationalities may also be affected, this notice also sets out guidance for other seafarers affected by the conflict.

1. Introduction

1.1 Since Russia invaded Ukraine on 24th February 2022, the situation there has been volatile with civilians leaving their homes to move to safer areas within or outside of Ukraine. In addition, a number of countries have imposed travel restrictions and sanctions which may make it difficult to repatriate seafarers.

1.2 The situation remains extremely uncertain and further sanctions by the UK and other states may be imposed in response to events and to further encourage Russia to cease its actions against Ukraine.

1.3 Seafarers have a right to be repatriated:

- (a) when their SEA expires
- (b) when their SEA is terminated by the shipowner
- (c) when their SEA is terminated by the seafarer in accordance with the terms of their SEA,
- (d) when the seafarer is no longer able to carry out their duties under their SEA or cannot be expected to carry them out in the specific circumstances.

1.4 The specific circumstances referred to in paragraph 1.3 (d) include the following:

- (a) where the seafarer has an illness, injury or other medical condition which requires their repatriation when found medically fit to travel
- (b) where the seafarer has been shipwrecked
- (c) where the shipowner is not able to fulfil their legal or contractual obligations towards the seafarer by reason of insolvency, sale of the ship or a change in the ship's registration
- (d) where the ship is bound for a war zone to which the seafarer does not consent to go. In this context, for UK registered ships, what constitutes a "war zone" may be defined in the seafarer's SEA or by the UK's Warlike Operations Area Committee
- (e) where the seafarer has completed the maximum period of service on board following which the seafarer is entitled to repatriation in accordance with their SEA
- (f) where their SEA is terminated pursuant to an order of a court or tribunal.

1.5 The Warlike Operations Area Committee, which comprises the UK Chamber of Shipping, Nautilus International and the National Union of Rail, Maritime and Transport Workers (RMT), has declared all Ukrainian, Russian and International Waters north of 44°North in the Black Sea as a Warlike Operations Area and issued recommendations accordingly. Any seafarer shall have the right not to proceed to a war zone in which event they shall be repatriated to their country of residence, or other mutually agreed location, at the company's expense.

1.6 "shipowner" in this notice is used as defined in UK legislation implementing the MLC:

"shipowner" means –

- (a) in relation to a ship which has a valid Maritime Labour Certificate, the person identified as the shipowner on that Certificate,
- (b) in relation to any other ship, the owner of the ship or, if different, any other organisation or person such as the manager, or the bareboat charterer, that has assumed the responsibility for the operation of the ship from the owner.

2. Ukrainian seafarers who are onboard Gibraltar registered ships

Extension of Seafarer Employment Agreements

2.1 The GMA recognises the current situation and understands that Ukrainian seafarers may not wish to be repatriated at the end of their contract.

2.2 The GMA also recognises that there could be difficulties arranging repatriation for seafarers to Ukraine due to restricted movement on travel and sanctions which could make travelling to these areas difficult or impossible.

2.3 In these circumstances, where requested by Ukrainian seafarers working on board Gibraltar registered flagged vessels, a new or extended SEA should be agreed and issued. The GMA does not need to be notified, up to a total period on board of 11 months. The seafarer's entitlement to repatriation will not lapse if an extension is given.

2.4 If the seafarer wishes to remain on board beyond 11 months, the GMA must be notified, and a letter of approval will be sent to show Port State Control that the Flag State have agreed to the extension under the current circumstances. The seafarer's entitlement to repatriation should not lapse if an extension is given.

2.5 To obtain a letter of approval for an extension of an SEA, which would increase the continuous service on board beyond 11 months, please email maritime.survey@gibraltar.gov.gi with the following information-

- (a) seafarer's start date
- (b) seafarer's contract expiry date
- (c) seafarer's rank
- (d) name of vessel
- (e) country of nationality
- (f) written confirmation from the seafarer requesting the extension

Changes to repatriation destination

2.6 Ukrainian seafarers should be repatriated if they request to be. This may involve a mutually agreed change of repatriation destination. This is in accordance with IMO circular letter 4524, with information on the UNHCR position on returns to Ukraine. Further guidance is available from the UK social partners concerning advice to Ukrainian seafarers and shipowners employing Ukrainian seafarers on completing repatriations.

Payment of wages

2.7 The method of payment of wages is specified in the seafarer's SEA. This can be varied by agreement with the seafarer.

2.8 Where wages are normally paid into bank accounts in Ukraine, shipowners should verify that payments will be accepted by the bank concerned and accessible by the seafarers. In the event of doubt, alternative means of paying seafarer wages should be considered.

2.9 Payment in cash may be appropriate in some circumstances. Other options include:

- making payments onto bank cards supplied by shipowners to seafarers that can be used in any country
- making payments into bank accounts in third countries where this is permitted (it has been found to be possible in at least Poland and Romania)
- using money transfer systems

Wages may be paid in cash to the seafarer where a written request from the seafarer is provided.

Seafarer wellbeing

2.10 Where seafarers remain on board for longer than their contracted period of service, shipowners and seafarers should consider the following:

2.10.1 Extended periods working on board ship without leave are likely to give rise to greater risk of fatigue, and a dip in morale particularly if anticipated leave is deferred at short notice.

2.10.2 Shipping Guidance Notice (SGN) 094 includes guidance on recognising the signs of fatigue, and the master and all seafarers should monitor and be alert for such signs and report any concerns to the master or the safety committee.

2.10.3 Consideration should be given to rearranging work patterns to allow for additional rest periods/shore leave where possible, and to providing increased connectivity to allow seafarers to contact home and access entertainment on board.

2.10.4 The IMO council have advised steps that should be taken to reduce the suffering of seafarers and their families, including condemning any form of harassment of seafarers due to their nationalities, seafarers affected by the conflict should be allowed free access to communications with their families, amongst other things which can be found on the IMO website: IMO Council decisions on Black Sea and Sea of Azov situation

Qualifications

2.11 The GMA will treat all Ukrainian Certificates of Competency in line with IMO Circular Letter No.4232/Add.19, dated 21st April 2023. FSEs will be issued in a digital format with validity until 31st December 2025.

2.12 For guidance on the issue of your FSE please refer to SGN 119. Please note that if a Ukrainian FSE has expired while onboard, the seafarer should be able to apply for revalidation as per SGN 119.

3. Other seafarers on board Gibraltar registered vessels affected by the Russian invasion of Ukraine

3.1 The GMA recognises there could be difficulties arranging repatriation for seafarers to other countries due to restricted movement on travel and sanctions which could make travelling difficult. There may also be circumstances that mean other seafarers affected during this period of conflict cannot or do not wish to be repatriated. Seafarers should be repatriated if they request to be. This may involve a mutually agreed change of repatriation destination.

3.2 Where requested by seafarers working on board Gibraltar flagged vessels in these circumstances, a new or extended SEA should be agreed and issued. The GMA does not need to be notified, up to a total period on board of 11 months. The seafarer's entitlement to repatriation will not lapse if an extension is given.

3.3 If the seafarer wishes to remain on board beyond 11 months, the GMA must be notified, and a letter of approval will be sent to show Port State Control that the Flag State have agreed to the extension under the current circumstances. The seafarer's entitlement to repatriation should not lapse if an extension is given.

3.4 To obtain a letter of approval for an extension of an SEA, which would increase the continuous service on board beyond 11 months, email maritime.survey@gibraltar.gov.gi with the following information-

- (a) seafarer's start date
- (b) seafarer's contract expiry date
- (c) seafarer's rank
- (d) name of vessel
- (e) country of nationality
- (f) repatriation plans (if appropriate)
- (g) mitigating measures being undertaken
- (h) written confirmation from the seafarer requesting the extension

Payment of wages

3.5 The method of payment of wages is specified in the seafarer's SEA. This can be varied by agreement with the seafarer.

3.6 Where wages are normally paid into bank accounts in Ukraine, shipowners should verify that payments will be accepted by the bank concerned and accessible by the seafarers. In the event of doubt, alternative means of paying seafarer wages should be considered.

3.7 Payment in cash may be appropriate in some circumstances. Other options include:

- making payments onto bank cards supplied by shipowners to seafarers that can be used in any country
- making payments into bank accounts in third countries where this is permitted (it has been found to be possible in at least Poland and Romania)
- using money transfer systems

3.8 Wages may be paid in cash to the seafarer where a written request from the seafarer is provided.

Seafarer wellbeing

3.9 Where seafarers remain on board for longer than their contracted period of service, shipowners and seafarers should consider the following:

3.9.1 Extended periods working on board ship without leave are likely to give rise to greater risk of fatigue, and a dip in morale particularly if anticipated leave is deferred at short notice.

3.9.2 SGN 094 includes guidance on recognising the signs of fatigue, and the master and all seafarers should monitor and be alert for such signs and report any concerns to the master or the safety committee.

3.9.3 Consideration should be given to rearranging work patterns to allow for additional rest periods/shore leave where possible, and to providing increased connectivity to allow seafarers to contact home and access entertainment on board.

3.9.4 The IMO council have advised steps that should be taken to reduce the suffering of seafarers and their families, including condemning any form of harassment of seafarers due to their nationalities, seafarers affected by the conflict should be allowed free access to communications with their families, amongst other things which can be found on the IMO website: IMO Council decisions on Black Sea and Sea of Azov situation.

Qualifications

3.10 For guidance on the issue of Flag State Endorsements (FSE), please refer to SGN 119. Please note that if an FSE has expired while onboard, the seafarer should be able to apply for revalidation as per SGN 119.

Steve Gomez
Chief Surveyor

Issue date: 09 July 2025

All notices are available through www.gibraltarship.com

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