



COLOMBIA

18 MAY 2020

Coronavirus, COVID-19

The following information was received from our correspondent on 18 May:

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After successfully managing various challenging cases over the last 2 months in which we obtained good insight and experience, please find below short advice on COVID19 and its impact on vessels calling to Colombia, the challenges we have faced and the solutions found.

1. COVID19 Regulations - Impact to Ships calling to Colombia

Due to COVID19 the Country was declared by the President in “State of Emergency” in March. This is an extraordinary scenario provided by the Constitution, that when declared, some fundamental rights can be temporarily restricted due to extreme crisis (in this case COVID 19). This implies not temporarily following some regular national laws or international conventions. Within the State of Emergency’s context the following measures were ordered which have an impact on ship’s operations in Colombia:

- a) A total national lockdown was declared restricting movement to nationals and foreigners.
- b) One exception to the lockdown order is the loading and unloading operations of ships. Force majeure situations and Humanitarian emergencies are also exempted.
- c) No foreigners are allowed into the country (including crew members, so they cannot go off board the ship), and in principle no injured or dead crew members are being allowed to disembark.
- d) Airports are closed for passenger flights but cargo flights are still operating.
- e) Courts and Harbour Master Offices stopped working and so the procedural terms have been suspended.
- f) No Harbour Master hearings are currently taking place.

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- g) A health declaration of the crew members is mandatory to all ships, and must be submitted 3 hours before the arrival to any Colombian Port. This includes a record of the temperatures taken to the crew members. If some crew member appears to have fever, the Harbour Master may request to test for COVID19 to all the other crew members.
- h) If the Harbour Master believes that there is a suspicious case of COVID 19 on board a determined vessel, the HM may order the vessel to proceed to the anchorage/quarantine area and to quarantine for 14 days before berthing.
- i) At the present time there are no reports of problems with coal loading/supply in Colombia's coal Terminals, and loading/unloading operations of general cargo has been working relatively normal.

2. Challenges faced during Case Management and Solutions found

Taking into account the above restrictions, our work has faced new challenges. These include:

- j) In normal circumstances when a vessel is detained due to a casualty occurred, clearance is not granted until a hearing takes place and a Club LOU is accepted. Since at the present time no hearings are taking place, the scenario for a detained ship after a casualty was unknown.

Solution: In a recent collision case, we managed to persuade the HM to allow the ship to sail by only issuing a HM LOU without having to wait for the uncertain hearing. The HM accepted and we have been working this way in other casualties.

- k) Sometimes third parties like divers, doctors and some surveyors are finding difficulties in entering terminals and/or going on board ships.

Solution: Our surveyors have all discussed with the local Harbour Master and they all have special permissions to go to Terminals and assist ships. To other third parties going on board we have drafted permissions, establishing that they need to go on board due to a cargo vessel activity and/or an humanitarian activity and this have worked well.

- l) Recently a HM wanted to put a vessel in quarantine because a crew member had died apparently from a heart attack before arriving to the Colombian port.

Solution: We challenged the quarantine order since there were no indications whatsoever of COVID19 on board. Then the HM accepted to take a doctor on board to check for the crew's temperatures, and then he authorized the ship to start loading operations..



m) Recently an injured crew member could not have a difficult surgery in Aruba because of the severity of his condition, and the only nearby port with capacity to undertake this surgery was Cartagena (Colombia), however due to the lockdown authorities denied him to arrive by plane.

Solution: The ship returned to Cartagena and we managed to obtain authorization to disembark on humanitarian grounds.

I hope this advice will be useful to your Members and the Club. We will keep you fully updated on any developments on this issue.

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