

IMPLICATIONS OF THE COVID-19 IN THE CARRIBEAN

Ingosstrakh's P&I Correspondent for Caribbean region Messrs. Caribbean Marine provides comprehensive report on prevention and control measures implemented by local administrations in response to the latest outbreak of coronavirus (COVID-19).

BAHAMAS:

Prime Minister has announced new measures through the Official Communication called "KEY TAKEAWAYS COVID-19" on April 6th, 2020.

- Another lockdown period comes into effect on Wednesday 8 April at 9 p.m. until Tuesday 14 April at 5 a.m. The 24-hour curfew will continue.
- Upon the expiration of the new lockdown (Tuesday 14 April 5a.m.), the 24-hour curfew will continue.
- Measures and Protocols regarding the COVID 19 at all ports remain the same (See the update on April 5th, 2020).
- Several empty cruise ships have been granted permission to seek temporary shelter in The Bahamas, protocols have been put in place outlining the conditions of their stay. These protocols outline medical, security and operational guidelines.
- Full details of this order and the previous Emergency Order may be found at opmbahamas.com

COLOMBIA:

Instructions from the Government of Colombia to face the coronavirus pandemic issued in Decree 457. Mandatory Preventive Isolation or quarantine is established for all the inhabitants of the country for a period of 19 days from 25MAR20 to 13ABR20.

The norm totally limits the free movement of people and vehicles in the national territory, with exceptions that seek to guarantee the right to life, health and survival of the country's inhabitants.

During this period, domestic air transport is suspended, being limited to cases of humanitarian emergency, transport of cargo and merchandise, and in fortuitous cases or force majeure.

International air operations are fully enabled but there are restrictions on the entry of passengers and flights from abroad. Likewise, there is the temporary suspension of flights from some countries such as: Italy, Spain, Chile and Peru. Similarly, flights to different countries are still allowed, with the aim that foreign citizens can return to their places of origin.

With respect to other means of transport, it is indicated that the public service of land, cable, river and sea passenger transport, postal services and parcel distribution must be guaranteed in the national territory, which are strictly necessary to prevent, mitigate and attend to the health emergency due to the coronavirus COVID-19.

It is highlighted that among the exceptions established in the Decree, the activities of the ports of public and private service are exclusively for cargo transportation. Free Pratique will be subject to Sanitation officer's approval. Health declaration is requested and must be sent on daily basis and three (3) hours before ship's arrival. No cruise vessel is allowed. No shore leaves. The local agent at some ports are only allowed to board during clearing of vessel and carry out the key meeting, further assistance by agent will continue in a remote way.

The President of Colombia (Ivan Duque) in his daily speech on April 6th, extended the Mandatory Preventive Isolation or Quarantine for the population of the country provided for in Decree 457 from April 13 to April 26.

CUBA:

Cuba continues with the measures established in the "National Plan for Prevention and Confrontation of COVID-19" which involved the processes to prevent the spread of the coronavirus (COVID-19), The measures adopted do not affect the arrival of cargo ships, the protocol start prior the arrival of the vessel which consists on verified the last port of call, an interview with the Master with the support of the local bodies of the International Health Control following by the provisions of the World Health Organization (WHO).

The Minister of Transport has announced that all public transportation is suspended since April 11th, 2020.

The country is entering in a phase of local transmission of COVID-19 between citizens, given the appearance of confirmed cases of the disease in small neighbourhoods, with no link with Cuban citizens coming from outside or foreign travellers, informed the Minister of Health Dr. José Angel Portal. The announcement was made during the special meeting of the Cabinet headed by President Miguel Diaz on April 6th, 2020.

CURACAO:

On March 30, for a period of two weeks the Government of Curacao increased curfew towards a "shelter in place". This means that all people must continue in their homes after 0600 am except for supermarkets, gas stations, bakeries and hardware stores.

Air traffic

Incoming flights

- All commercial flights are cancelled with the exception of inflight carrying local residents.
- Authorized specialists, freight and medical services between Aruba, Bonaire, St Maarten, St Eustatius and Saba are exceptions to the rules.

- All returning residents are obliged to spend 14 days in the quarantine. This needs to take place at home, as long as this is possible.

Departing Flights

- Only non-residents are allowed to travel. Residents are not allowed to travel abroad

Maritime Traffic

Curacao Port Authority (CPA) has confirmed on April 9th, 2020 the continuity of following measures:

- Vessel traffic has been restricted to only cargo, repair and bunkering supply.
- A protocol regarding the COVID 19 has to be accomplished 72hrs prior vessel arrival. The Master has to send the Health Declaration during this period. Vessels calling the container or breakbulk terminals should follow measures from Curacao Port Authority. No disembarking is allowed of any crewmember from vessel at berth, unless there is a medical emergency in that case the communication will be at first instance through the emergency numbers.
- Spares parts or shipments sent to vessels and landed for export can still be delivered in port and off port taking in consideration the altered scheduled of the transportation by air and sea cargo.

DOMINICAN REPUBLIC:

The Government of the Dominican Republic began on February 26, 2020 to take preventive measures against COVID-19, which consisted:

- Suspension of flights from Europe, China, Korea and Iran, as well as from the Dominican Republic to those countries for a month, from Monday March 16, 2020.
- The Dominican Port Authority, according to a Circular dated March 14, 2020, suspended all docking and disembarking operations of Cruise Ships from March 15 until a new order. Likewise, the cargo operations are maintained in all the country's ports, in compliance with the Protocol issued by the Ministry of Public Health.
- Suspension of commercial activities for 15 days, with the exception of those dedicated to basic activities for the population: health centers, supermarkets, grocery stores, banks, fuel dispensing stations and pharmacies, among others.
- Closing of the country's borders by land, sea and air, for 15 days, starting Thursday, March 19. Similarly, the Government suspended teaching at all school and university centers until Monday, April 13.

President Danilo Medina issued Decree 134-20 on March 19, 2020, declaring a state of emergency throughout the national territory, and informs the necessary measures to prevent the spread of COVID-19 restrictions on freedoms of transit, association and assembly were announced. The President continue the measure issuing the Decree 135-20 on March 19, 2020, which establishes the curfew throughout the

national territory from 8:00 p.m. to 6:00 a.m., starting on March 20, until April 3, 2020. The curfew has been successively extended, and it remains in effect until April 18, 2020, from 5:00 pm to 6:00 am. On March 23, President Danilo Medina, through Decree 136-20, modified Decree 135-20 to allow the movement of people and vehicles linked to the industries and commerce of food, energy, water, electricity, telecommunications, ports, airports and other services.

The circulation of inner or intercity public transportation was suspended only the transport of essential goods is authorized.

Regarding maritime transport, as part of the security protocol, the captains and / or managers of the ships must send 48 hours before arrival the health declaration of all the crew, among other required research information, which must be validated by the Ministry of Public Health. Once the health authority validates that all safety requirements are met and after having carried out the respective health inspection of the crew, the ship will be authorized to enter the port.

As part of the preventive measures taken within port operations, it was indicated that all persons boarding ships should wear nitrile gloves and masks.

Port operations continue on a regular basis, but the personnel required to physically work at the port will be limited to critical personnel. Likewise, crew changes and temporary passes to access the terminals are suspended until further notice.

TRINIDAD & TOBAGO:

On April 8th, 2020, the Port Authority of Trinidad and Tobago stated the following restrictions:

- a) Free Pratique will be authorized via VHF by Port Health Authority based on EDP "Early Departure Procedure", verifying crew list, the last 10 ports visited especially the latest 4 weeks and the submission of a Maritime Health Declaration.
- b) No shore authorization will be issued.
- c) To board any vessel, visitors must comply the corresponding protocol:
 - Wear protective equipment (mask & gloves) is compulsory, in case the visitor has not wearing the protection the vessel has to provide it,
 - Social distance (1 meters or 3 feet) is suggested,
 - Access to accommodation is restricted,
 - Local Agent personnel and Officers are not allowed to get on board, in case a visitor showed any sign of illness, the vessel has the right to restrict access.
 - Each visitor must complete a form before boarding.
- d) Ports still open in service for bunkering, goods, spare, chandlery, however Crew changes are not allowed.

VENEZUELA:

The Maritime Authority remains active at the national level, supervising compliance with the health protocols established by the World Health Organization (WHO), the International Maritime Organization (IMO) and the National Government, in order to contain the spread of COVID- 19 by sea, lake and river.

The Maritime Authority carries out daily control of the movement of users by water and the traffic of ships (entry of international flags into jurisdictional waters, docking and undocking, arrivals and departures), as well as the supervision of the state of health of the crews that are on board ships.

The Decree 4.186 published on April 12, 2020 extended the State of Alarm for thirty (30) days in the national territory.

CORONAVIRUS – UPDATE ON THE CURRENT SITUATION IN ITALY

Ingostrakh's Italian P&I Correspondent and Law firm Studio Legale Vaudo Paggini & C. reports on developments and preventive measures implied in Italian ports 2020.

A) Italian Ports - general situation

The general situation is the same contained in my previous circular COVID-19 no. 1 i.e.:

- All Italian ports are open for container ships and commercial vessel for the traffic of goods, whilst an international suspension of cruise ship traffic and a national suspension (or drastic reduction) of passenger traffic for Sardinia and Sicily Islands are operative.
- Terminals, stevedores and logistic activities are operating under strict rules and safety conditions to safeguard all operators, stevedores and crew members from potential exposure, and all must operate subject to the measures reported in my circular dated 23 March 2020.
- Considering the current emergency situation in Italy, in order to maintain efficiency and regularity in port traffic the Italian Port Authorities and Coast Guard are extremely active in safeguarding public health as the primary priority, making great efforts to monitor that the preventive measures are fully respected for maximum safety and health during the traffic of goods.

B) Italian Courts - general situation - Status of proceedings

Article n. 36 of the aforesaid Decree-Law n. 23/2020 dated 8th April 2020 expressly foresees that all Italian civil and criminal ordinary proceedings, as well as all procedural time limits, already suspended from 9th March 2020 until 15th April 2020; will be suspended from 16th April up to 11th May 2020, hearings scheduled during this period will be adjourned to a new date as of 12th May 2020.

Mediation and negotiation proceedings are suspended until 11th May 2020.

All time bars and prescription terms expiring between 16th April 2020 and 11th May 2020 (already suspended from 9th March 2020 to 15th April 2020 by previous law) are suspended.

The Courts remain operative only for urgent procedures, such as arrest or payment injunctions, which can be filed electronically (system now in use in Italy).

The offices of the bailiffs/process servers are open but there is no possibility of enforcement or of seizing assets with the exception of electronic service and/or urgent and proven cases.

From 12th May 2020 to 30th June 2020 the President of each individual Court will regulate how hearings will be held, always subject to the Covid-19 situation at that specific time.