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### **INTERMANAGER MEMBERS RALLY TO SUPPORT OF HEBEI SPIRIT CREW**

The jailed Master and Chief Officer of the Hebei Spirit are being held in inhumane conditions which breach their human rights and go against their religious principals – and the shipping industry will not stand idly by while this injustice continues.

That was the hard-hitting message delivered by InterManager General Secretary Guy Morel on behalf of his members – who between them represent some 2,500 ocean-going ships and more than 125,000 crew.

Speaking at this week's Seatrade Middle East Maritime Conference in Dubai, Mr Morel told delegates he believes the court's decision was based on a "inaccurate, if not incompetent" report.

InterManager has vowed to submit an official complaint to the United Nations for breach of the Human Rights Act and is calling on all its 125,000 seafarers to send a personal message of protest to the Korean Government.

In addition, the organisation says it will not stand in the way of crew who refuse to serve on ships bound for South Korea for fear that their own freedom may be at risk once there.

Reading a statement to the packed maritime conference, Mr Morel said:  
"I believe that most of you are aware of the criminalisation of the Master and Chief Officer of the Hebei Spirit, whose only fault was to professionally serve onboard a tanker that was peacefully anchored in a Korean port and that was hit by a Korean barge owned by Samsung Heavy Industries, one of the largest Korean industrial concerns. Notwithstanding the excellent response of the tanker crew and the desperate attempts made to avert the incident, the drifting barge collided with the tanker, and 10,000 tonnes of oil were leaked, creating a serious oil spill which damaged beaches and affected many local people's lives. The Master and Chief Officer of the Hebei Spirit, both of Indian Nationality, were retained in Korea to undergo trial on criminal responsibility charges (together with the owners and crew of the barge). A first judgment resulted in complete acquittal of the two seamen who were, however, forced to remain in Korea pending appeal. The Court of Appeal reversed the judgment and sentenced the two men to 18 and 12 months of jail respectively. This judgment was based on a Korean report prepared exclusively within Korea which was never presented to the other party, in breach of international rules. Experts have since seen this report, which is, to say the least, inaccurate if not incompetent.

"The two officers have now been thrown into jail and we have received reports indicating that they have been mistreated. Some of these mistreatments include: public humiliation after the sentence; being confined to a small, filthy cell without proper heating and proper facilities; being refused proper visiting time; and being forced to

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accept a feeding regime that is against their philosophical or religious beliefs. These are direct breaches of their Human Rights.

*“International press reports convey the global condemnation of this internment. For example, one report said: ‘ There is much to be concerned with this case. Firstly, that “passive parties” who were clearly in no way, shape or form responsible for the incident should be found guilty by a reversal of an original decision, is disgraceful.*

*‘Secondly, the fact that the appeal was instigated by the Korean Maritime Safety Tribunal (KMST) that (according to Intertanko) did not produce its reports in accordance with the IMO Interim Guidelines for the Investigation of Marine Casualties..... [which] clearly emphasise the requirement for the body conducting an enquiry to consult with all interested parties before a final report is made. This was not done in this case and may indicate a pre-concluded desire to attach blame to the officers of the Hebei Spirit.*

*‘Thirdly, the two officers had been detained since the incident and then were not released when the first judgement of innocence was made. . . . Current concern with the environment is justified, but what is not is the scapegoat mentality that so often puts seafarers in the firing line.’ \**

Mr Morel continued: “In the face of this parody of justice and the unjustified and unacceptable judgment of the Korean Court, InterManager is teaming up with all other shipping organisations, particularly Intertanko, to exert pressure on the Republic of Korea to organise the immediate freeing of our crews.

“InterManager members are considering several actions (that will continue until Captain Chawla and Chief Officer Chetan are freed):

1. Encouraging all seafarers from all our organisation’s members to send a personal message of protest to the Korean authorities calling for the immediate freedom of Capt. Chawla and C/O Chetan – a potential total of 125,000 people.
2. Adding a clause to any contract our members agree with Korean firms, indicating that both parties support the legitimate request for freedom of Capt. Chawla and C/O Chetan – and bear in mind that our members have a total turnover in sole crew operations of some \$5 Billion.
3. Appealing to the Human Rights Commission of the United Nations for it to intervene with the Korean Government and asking for their help to organise the immediate release of our crews.
4. Not opposing our crew members who refuse to serve on ships bound for Korea, on the basis that they fear for their freedom once they arrive there.

Mr Morel concluded: “This affair is the worst thing that could happen to an industry that is already having so much difficulty in attracting young people. How can we explain to our apprentice officers that, even if they do their job well in all aspects, they may end up in jail for long periods for incidents in which they bear no responsibility?”

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\* *Gulf News*, 15<sup>th</sup> December 2008.

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