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## **Fair Practices Committee Steering Group Statement**

# **On the Marshall Islands-flagged VLCC Heroic Idun (IMO: 9858058)**

17 November 2022, Zagreb / Virtual

The ITF Fair Practices Committee Steering Group notes that:

- The ITF and the wider maritime industry are extremely concerned about the health and wellbeing of the 26 seafarers that were detained without charge in Equatorial Guinea, and who were handed over to Nigerian authorities without due process on the 11 November 2022. The allegation against the crew is suspicion of smuggling oil.
- On 8 August 2022 during the hours of darkness, while the vessel was waiting to be loaded in Akpo Oil Field in the Niger Delta, the ship was approached by a Nigerian Navy vessel. The master was unable to identify the vessel with any certainty. Given the Master being unaware of the true identity of the navy vessel and suspecting it may be a pirate vessel, the Master, in consultation with the company decided to sail the Heroic Idun away from the area and immediately reported a potential piracy incident.
- Four days later on 12 August 2022, while passing through the exclusive economic zone (EEZ) of Sao Tome and Principe, the vessel was intercepted by an Equatoguinean Navy vessel and ordered to proceed to Luba Bay. Fifteen members of the crew were subsequently removed from the vessel, detained in an onshore “facility” devoid of furniture and subjected to lengthy interrogations of up to fourteen hours while denied access to legal representation. However, no formal charges or arrests were ever made.
- During their detention, the crew were split up, some detained ashore, some remained on the vessel and several of the crew contracted malaria and typhoid during this period.
- On 11 November 2022, Nigerian authorities moved the vessel and crew to Bonny Offshore Terminal. Gulf of Guinea in Nigeria escorted by a navy gunboat and armed guards. It appears that Equatorial Guinea allowed this to happen despite having never arrested or charged any of the crew.
- The Federal High Court in Port Harcourt has ordered the detention of all crew members for alleged involvement in oil theft. The seafarers face two counts under the Suppression of Piracy and Other Maritime Offences Act 2019 including conspiracy to commit an offence and falsely reporting a piracy

incident. They are also charged with the attempted export of crude oil without authority. The seafarers pleaded not guilty.

The ITF Fair Practices Committee Steering Group strongly condemns:

- the criminalisation and unfair treatment of the seafarers and reminds all states of ILO *Maritime Labour Convention 2006* (MLC) Guideline B4.4.6 that seafarers who are detained in a foreign port should be dealt with promptly under due process of law and with appropriate consular protection and the IMO/ILO Fair Treatment Guidelines which states are encouraged to apply in all cases in which seafarers are detained.

The ITF Fair Practices Committee Steering Group demands:

- the immediate release and repatriation of the seafarers.

