

Bilag 5

From: Propper, Bart <bart.propper@fehmarbeltcontractors.com>
Sent: 09 March 2021 19:10
To: Pedro da Silva Jørgensen <psj@femern.dk>
Cc: Sigurd Nissen-Petersen <snp@femern.dk>; Susanne Birgitte Pedersen <sbp@femern.dk>
Subject: russian tugs

Dear Pedro,

Please find below a summary of today's events around the arrest of crew from the vessels Conwenna and Trewenna.

The crew of Conwenna and Trewenna were arrested and accused of working without work permits, despite the fact these two internationally flagged vessels are in full compliance with MLC and international regulations.

Conwenna tug arrived in Rødbyhavn on 5 November 2020. On arrival the vessel was subjected to a Port State Control inspection on 12-11-2020, no immigration issues were observed. And the Trewenna arrived in Rødbyhavn on 11 November 2020. On arrival the vessel was subjected to a Port State Control inspection on 17-11-2020, during which also no immigration issues were observed.

Since their arrival in Denmark, the vessels have had several crew changes with on-and off-signing crewmembers entering/leaving Denmark via Copenhagen airport and travelling by road to Rødbyhavn to embark the vessel as would be the case for any international seafarer traveling to and from their respective vessels.

On 09 March 2021 Rødbyhavn police visited FBC's offices and informed FBC as follows:

- 1. Further to visits to FBC in December 2020 and January 2021 during which FBC informed the police that the vessels' crew are in compliance with international standards for seafarers, Rødbyhavn police contacted SIRI (Danish Immigration) and is of the opinion that the crewmembers are working on the Danish continental shelf and therefore need work permits. Today the police will arrest all crewmembers on the bases of working illegally in Denmark.*
- 2. Each crewmember will be fined (an undefined amount). If they refuse to pay, they will be summoned to appear in Danish court on 22 June 2021. If they agree to pay, this will be an admittance of guilt, no court case will be held and they will be banned from entering Denmark for 2 years.*
- 3. The department of foreign affairs has been informed*
- 4. Ultimately, it is expected that the crewmembers will be released back to the vessels after above steps have been completed and will be deported.*

The crew members of both vessels have been transported in groups of up to six persons from the vessel to the police station, where they have been interrogated by police with the aid of an interpreter but without legal representation.

At 13.00 hrs the vessel owner was informed that the crew of Trewenna had all disembarked the vessel with the exception of 2 crewmembers, neither being the vessel's Master. Subsequently customs officers boarded the vessel (being considered Russian territory) unbeknownst to the vessel Master and it is unclear what activities they are conducting on the vessel.

As far as we are aware none of the crew pleaded guilty and in absence of legal support did not make any further statement and therefor crew will be summoned to court on 22-06-21.

All crew passports have been collected by police and will be returned to crew tomorrow.

The interrogation of all crew is expected to be completed this evening after which all can return to their vessel which has to remain in port until further instruction from police.

Meanwhile shipowner has acquired legal assistance since the arrest of the seafarers by the Danish police and customs officers is considered a violation of the rights of seafarers and breach of Maritime Labour Convention rules.

At the same time FBC is seeking legal advise and support to counter this disproportionate action in contravention of existing international labour agreements leading to standby of equipment and its associated costs, and to prepare a claim against police, authorities and/or Owner for lost revenue due.

Bart Propper

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