

FMC to investigate Spain's refusal to handle US freight

The US Federal Maritime Commission (FMC) will investigate whether Spanish authorities violated international agreements earlier this year.

[Nick Savvides](#), Europe correspondent

December 5, 2024



Image: APM Terminals

Outgoing Federal Maritime Commissioner Carl Bentzel told Seatrade Maritime News that yesterday's [FMC](#) meeting debate and vote ended in agreement that there should be an investigation into whether Spain's reticence to handle [US](#) cargo involved violations of international agreements.

Bentzel confirmed that Spanish authorities had denied permission to dock in Spain to the [Maersk Denver](#) and the [Maersk Seletar](#), which left New York on 31 October and 4 November, respectively. The Spanish authorities suspected the vessels were carrying arms for Israel's military.

On November 7, a Spanish foreign ministry spokesman confirmed that the vessels would not be allowed to call at Maersk's southern Spanish hub at Algeciras.

Spanish politician, Enrique Santiago warned at the time that allowing these Maersk vessels to dock could violate Spain's penal code, which prohibits the transit of military material that could exacerbate conflicts.

FMC discussions have concluded that Spanish authorities may be in violation of the Foreign Shipping Practices Act and/or Section 19 of the Merchant Marine Act, which looks at trade remedies.

"The FMC will initiate an investigation to see if they [the Spanish authorities] are in violation of these acts," said Bentzel, adding that a formal announcement of the investigation is expected imminently.

Related: [GSL snaps up high-reefer quartet for \\$274m](#)

Maersk operates around 20 vessels under the US Voluntary Intermodal Sealift authority, having acquired the lucrative contracts when the Danish carrier bought the major US container carrier Sea-Land in 1999.

Bentzel pointed out that these contracts can be for the carriage of all sorts of cargo, not just weapons, "including humanitarian aid, in support of the Gazan population."

It is not clear what freight was on board these ships, or whether other cargo destined for Mediterranean or other destinations was affected.

Spanish authorities have announced a ban on vessels carrying arms for Israel from its ports.

A report from the Palestinian Youth Movement (PYM)'s Mask Off Maersk campaign, published on 4 November said it reviewed 2,110 US shipments on Maersk vessels, between September 2023 and September 2024, listed as shipped on behalf of Israel's Ministry of Defense (IMOD), "827 of which were for armoured vehicles, tactical vehicles, weapons systems, or parts.

The report lists other hardware shipments totalling close to \$1bn worth of military hardware and ammunition.

"Almost all of the military goods shipments examined (2104/2110) departed from the Port of Elizabeth, NJ, with the remainder (6/2110) departing from the Port of Houston, TX and while not all explicitly state that the destination country was Israel, the receiving agent is listed as the Government of Israel's Ministry of Defense, such that it can be assumed they were ultimately delivered to Israel for military purposes. Approximately half (1238/2110) of these shipments transited through the Port of Algeciras, Spain," reported PYM.