



HUMAN RIGHTS AT SEA



# HRAS

## Case Study

Seafarers' Abandonment  
on Kish Island, Part 2

**A Practice of Human  
Rights Abuses: Some  
Positive Actions**

### Introduction: Seafarers' Abandonment on Kish Island, Iran

The following case study has been put together and prepared by Human Rights at Sea (HRAS) intern and scholar, Sayedeh Hajar Hejazi, overseen by the charity with all reasonable and necessary due diligence conducted following an investigation of alleged abandonment of seafarers by their employers on Kish Island, in the Islamic Republic of Iran. This case study draws upon the previous alerting to and study by the charity about alleged abusive maritime human rights practices by ship-owners. The case study details the most recent investigation conducted by the charity that follows events and highlights the positive actions taken by some employers of seventeen seafarers stranded in Kish, as well as the reported positive actions of the Iranian authorities on the island. HRAS is further proud to be able to support an Ethiopian Chief Officer seafarer who had been abandoned in Kish, to be successful repatriated with his outstanding salaries paid in full as result of the direct intervention and negotiations of Sayedeh Hajar Hejazi.



Sayedeh Hajar Hejazi

### Background

In May 2018, Human Rights at Sea was first put on notice and became aware of potential labour and human rights abuse practices from Justice Upheld, a supporting entity to the charity, and a British registered international human rights charity. seventeen seafarers in total were abandoned by various maritime companies on Kish Island, Iran, of which it was alleged that none had been paid for over two years. Among them were twelve Indian nationals, three Ethiopian nationals and two Filipino nationals. All seventeen seafarers factually worked on different ships ran by various companies, including Baltic Marine Services (BMS) and Al Matab Shipping. They had been suffering from food poisoning, due to contaminated food, as well as other declared health problems. Fearing for their safety in case of reprisals, full details of all the companies involved have not been provided by the seafarers. HRAS, through its Iran-based intern Sayedeh Hajar Hejazi, has further investigated the case. The charity contacted the one of the two maritime companies, the Baltic Marine Services (BMS), who were willing to provide a response and clarify their position on the alleged abandonment. This was a positive step that HRAS welcomes. Unfortunately, the charity did not obtain a response from the company, Al Matab Shipping, which was asked to disclose materials relating to their actions to support the previously employed seafarers, but have not communicated or corresponded with the charity at the time of publishing.



### HRAS Investigates The Claim

In September 2018, HRAS contacted the crew manager and operations officer of the Baltic Marine Service (BMS) who denied the allegations of human rights abuses and was willing to provide and disclose a statement relating to the situation on Kish Island.

The crew manager stated: **"The crew, after completing their contract, will be transferred to our temporary dormitory. We will arrange their salary statements and will forward to our accounting department all bank account details for arranging payment. Seafarers will receive their salaries and other entitlements within 4 days to 45 days, depending on the amount of wages.**

**While they are waiting for their salaries to be paid and pending repatriation they are staying in our dormitories. They have clean rooms with bed accessories, air conditioning in all cabins, and access to laundry facilities, bath, and meals. They are free to go to the city for shopping or leisure. If they should need medical assistance or check ups, company staff will provide this for free. Finally, after they receive their salaries, we will provide flight tickets for their return home, according to their contract.**

**While the crew stays in the dormitory, Iranian immigration officers perform random checks to monitor the number of crew waiting as well as the standard of living. If the crew has any complaints, the immigration office will contact our company to ensure that the seafarer's standard of living are satisfactory. Port state control in Kish is also monitoring the company to ensure that it pays the crew on time".**

### Iranian Authorities Supportive Actions on Kish Island

HRAS identified, that due to the strategic location of Kish Island in the Persian Gulf, State authorities of the Islamic Republic of Iran, including those from the Coast Guard and the immigration department, take care to ensure the safety and security of any transportation and transaction in the area. Seafarers who come to Kish, irrespective of their nationality or their employer receive support from the Iranian authorities. For example, seafarers are not permitted to stay on board their ship following arrival on Kish and must be transferred to a place of safety on land by their maritime companies. It is therefore customary law of this area for seafarers to receive accommodation and sufficient means during their stay on Iranian territory.

HRAS was contacted by, and made contact with more than five crew members employed by Baltic Marine Services (BMS). They provided the charity with photos that provide evidence on their circumstances, accommodation, and transportation, which confirmed the BMS statement with regards to the safety and wellbeing of seafarers. As a consequence of its investigation, HRAS found that seafarers employed by BMS have more than standard accommodation and healthy food, and everyone communicated with maintained that they had received good treatment by BMS, as well as the Iranian authorities and Coast Guard. According to the seafarers' affidavits and the transit forms (sign off salary statements) provided by BMS, despite the economic crisis in Iran, all seafarers will receive their salaries and repatriation tickets in fewer than three months.

It is reported to HRAS that the State port guard, as well as the immigration department and other authorities involved with international seafarers on the coast of Kish, regularly check the safety and health of the seafarers, as well as their legal status under the employment contract.



### Example: Successful Repatriation of Ethiopian Seafarer

HRAS was contacted by an Ethiopian seafarer on Kish Island in October 2018. The seafarer, who was a Chief Officer, disclosed to HRAS that he had completed a six-month contract that had been further extended for four months. The employer had deducted two months and twenty days of salaries without permission. HRAS received corroborated evidence of sign off salary statements and wage deductions.

On behalf of HRAS, Sayedeh Hajar Hejazi spoke with the crew manager and managed to have the salaries of the seafarer paid in full, as well as to arrange an expedited flight home. The crew manager told HRAS that in the case of the seafarer's wages: **"the entitlement had been sent from Dubai and that it takes few days to be received in Iran and that he will take care of the seafarer's rights"**. Hajar's professional mediated intervention resulted in the seafarer being repatriated home to Ethiopia with his outstanding salaries paid in full.

### Conclusions

HRAS has concluded that from the scope of enquiries for this specific case, Iranian authorities appear to be actively supporting foreign seafarers on Kish Island who are waiting to be repatriated. Similarly, the statement provided by Baltic Marine Services (BMS) that none of its seafarers were officially abandoned corresponded to what the seafarers independently informed the charity.

At the time of writing, no significant human or labour rights abuses, other than minor cases of apparent abandonment, which itself is unacceptable, had been found in respect of the 17 seafarers during their stay in Kish Island, and their legal interests appear to have been eventually taken care of by their respective employers, albeit with interventions from HRAS.

The case study highlights a strong degree of positive actions from both employers and the Iranian authorities on Kish Island in relation to the legal obligations owed to seafarers transiting through the location. However, there remains concern for seafarers who are working for other maritime companies, who the charity understands remain stranded and abandoned on Kish Island.

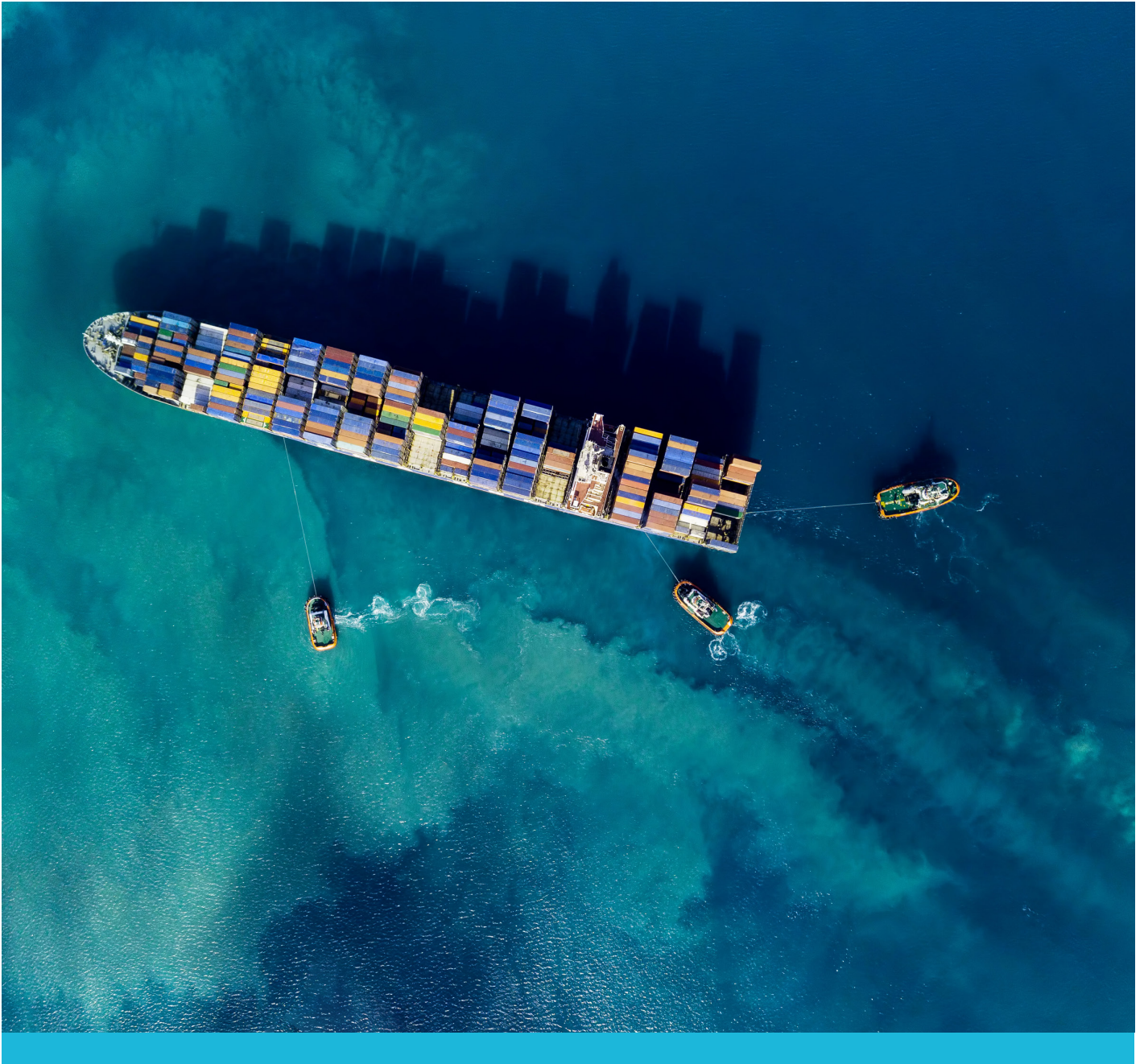
Noting that the issue remains a live one, HRAS will continue to closely monitor the situation on Kish Island and any remaining seafarers' treatment as it comes to light and is disclosed to the charity.

#### Disclaimer

The contents within this Case Study has been publicly provided by the independent UK registered maritime human rights charity, Human Rights at Sea, following independent research and investigation. The contents of the submitted text have been checked as diligently as is reasonably possible within the context and limitations of the case for accuracy by the authors at the time of writing. Human Rights at Sea and any of its Trustees, employees, interns and other named consultants is not liable in anyway, whatsoever, in any jurisdiction, for the contents of this case study which has been published in good faith following due investigation and noting the right of freedom of speech. All text and pictures have been acknowledged where able and applicable. Any omissions or factual inaccuracies should be immediately alerted by writing to: [enquiries@humanrightsea.org](mailto:enquiries@humanrightsea.org). The opinions, perspectives and comments are solely those of the author(s) supported by the reviewed evidence and facts disclosed.



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### Seafarers' Abandonment on Kish Island, Part 2

Human Rights at Sea is a Registered Charity in England and Wales No. 1161673. The organisation has been independently developed for the benefit of the international community for matters and issues concerning human rights in the maritime environment. Its aim is to explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.

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