



HUMAN RIGHTS AT SEA

ANNUAL REPORT YEAR FIVE

# Delivering Impact and Influence



“Human rights apply at sea,  
as they do on land”

David Hammond, Founder,  
London International Shipping Week 2013





# Contents

Foreword from the Chair of Trustees	02
Structure, Governance & the Management Overview	03
Core Values	04
Global Impact and Influence in the Reporting Year	05
Our Supporters and Donors	06
Our Timeline of Delivery	07
Human Rights at Sea Think Tank /Geneva Declaration on Human Rights at Sea	11
HRAS & University of Bristol 'Flag States and Human Rights Report, Year Two'	13
HRAS Shortlisted for Awards in 2019	15
Publications	16
Case Studies and Reports	17
Anglo North Irish Fish Producers' Organisation	20
International Impact and Influence	21
HRAS Fifth Anniversary	31
2018 IMHR Conference	32
Internship Programme: Anastasia Papapetrou Report	35
Accounts	37
Board Members and Advisers	38
HRASi Consultancy Service to the Global Maritime Community	39
Who We Are	40
Stay in Contact	40



[www.humanrightsatsea.org](http://www.humanrightsatsea.org)

Case Studies | Reports | News | Publications |







# Foreword from Chair of Trustees



**This year has been yet another busy one focusing on transparently evidencing the need for the charity's work around the world, highlighted by examples of our extensive work within this fifth annual report.**

It remains remarkable that as a small charitable NGO our organisation has been able to so effectively advocate and widely influence across many sections of society from State, to commercial entities, throughout civil society and at individual levels. This is based on our independence, objectivity and presenting the unvarnished facts through professional publications and case studies.

As we enter our sixth year, the concept and international narrative surrounding 'human rights at sea' has become an increasingly discussed topic in academia, media and at State level. This is in stark

contrast to our many challenges in starting to internationally raise the issue and build the civil society platform early on in our organisation's history.

The need for our continuing work is evidenced by over 60 publications and 40 case studies concerning pertinent issues surrounding abuse and protections at sea.

Additionally, engagement with the 'Human Rights at Sea' Indian national seminar in Mumbai on 28th February 2019 as the first of its kind internationally, lecturing at the International Maritime Law Institute, Malta in April 2019, influencing outcomes in the UAE for abandoned seafarers and presenting at the World Maritime University's Empowering Women Conference in April 2019 has demonstrated our emerging reach. Media coverage is increasing and we have yet to see public dissent towards our founding principle that 'human rights

apply at sea, as they do on land'.

We are particularly proud that alongside leading academic partners, civil society, maritime welfare organisations, the UK and European fisheries sector and some sections of the maritime industry we are increasingly being supported. This is particularly so in the ongoing development of the 'Geneva Declaration on Human Rights at Sea' as an emerging soft-law instrument reviewing and developing the topic, including the challenges surrounding human rights protections and effective remedies at sea.

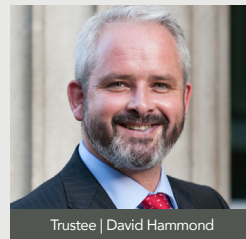
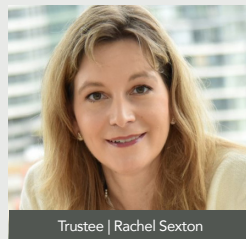
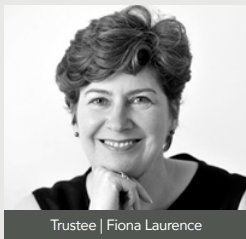
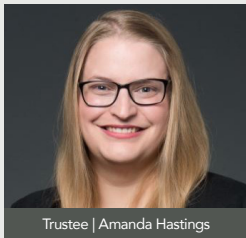
Finally, we would like to thank the loyalty of our researchers, staff and of our donors who enable us to focus all our efforts on the gathering evidence to positively influence human rights change throughout the maritime environment.

A handwritten signature in dark ink, appearing to read 'Fiona Laurence'.

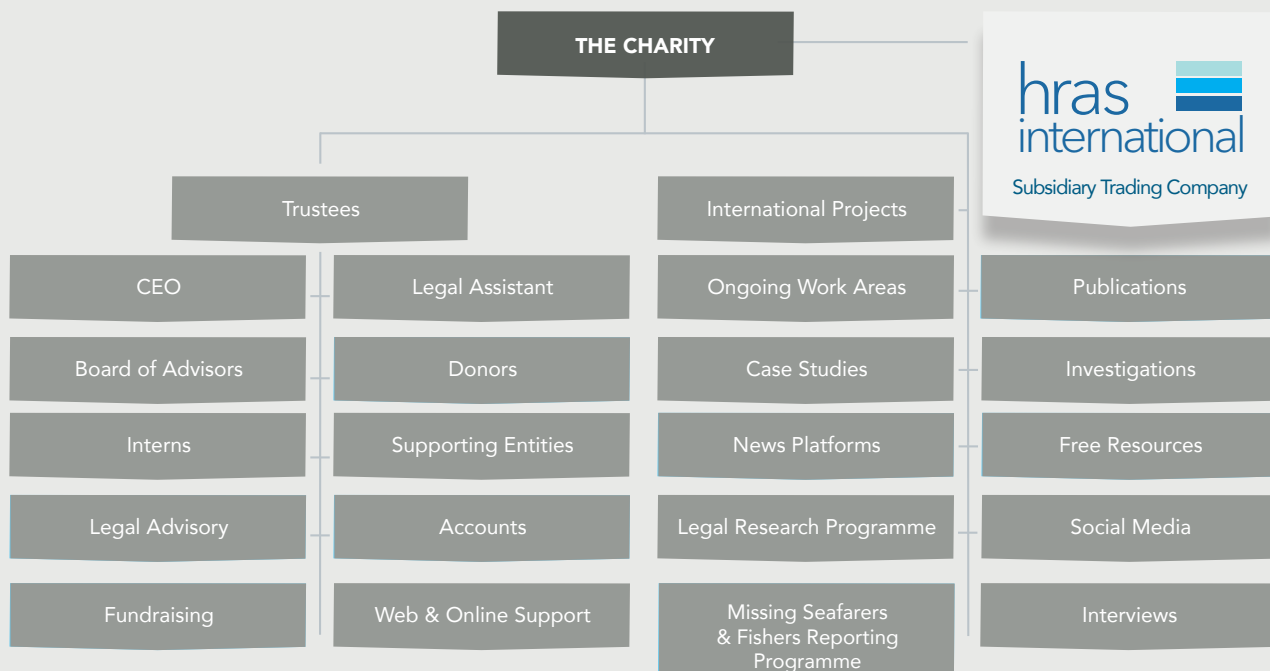
**Fiona Laurence, Chair of Trustees**



# Structure, Governance & Management Overview



## Charity Structure



## Our Mission

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.

## Our Vision

To become the leading independent maritime human rights platform.

## Our Core Values

Transparency, Clarity and Accountability.

## Our Charitable Objectives

To promote human rights (as set out in the Universal Declaration of Human Rights and subsequent United Nations conventions and declarations) for seafarers, fishermen and others involved in working at sea throughout the world by all or any of the following means:

1. Increasing global awareness of the explicit requirement for protection of, respect for and provision of effective remedies for human rights abuses at sea through international advocacy, the publishing of case studies and where applicable, the provision of teaching materials.
2. Contributing to the international development of effective, enforceable and accountable remedies for human rights abuses at sea.
3. Investigating and monitoring abuses of Human Rights at Sea.
4. Developing the UN Guiding Principles for Business and Human Rights in the maritime environment.
5. Commenting on and supporting proposed national and international human rights legislation, policies and best practice, where applicable.





# Impact and Influence



## Our Global Impact and Influence in the Reporting Year

**Independent Research, Education and Advocacy for Human Rights in the Maritime Environment.**



# HRAS

**6,820** Tweets

**20.5k** Followers

Human Rights at Sea achieves its Mission, Vision and Charitable Objectives through a variety of means, including direct engagement with the international community, as well as with like-minded organisations known as 'Supporting Entities' and 'Collaborative Partnerships'. These are entities who have a vested interest in positively developing the maritime human rights landscape. We also work in more detail with 'Collaborative Partners' on specific campaigns, projects and programmes.

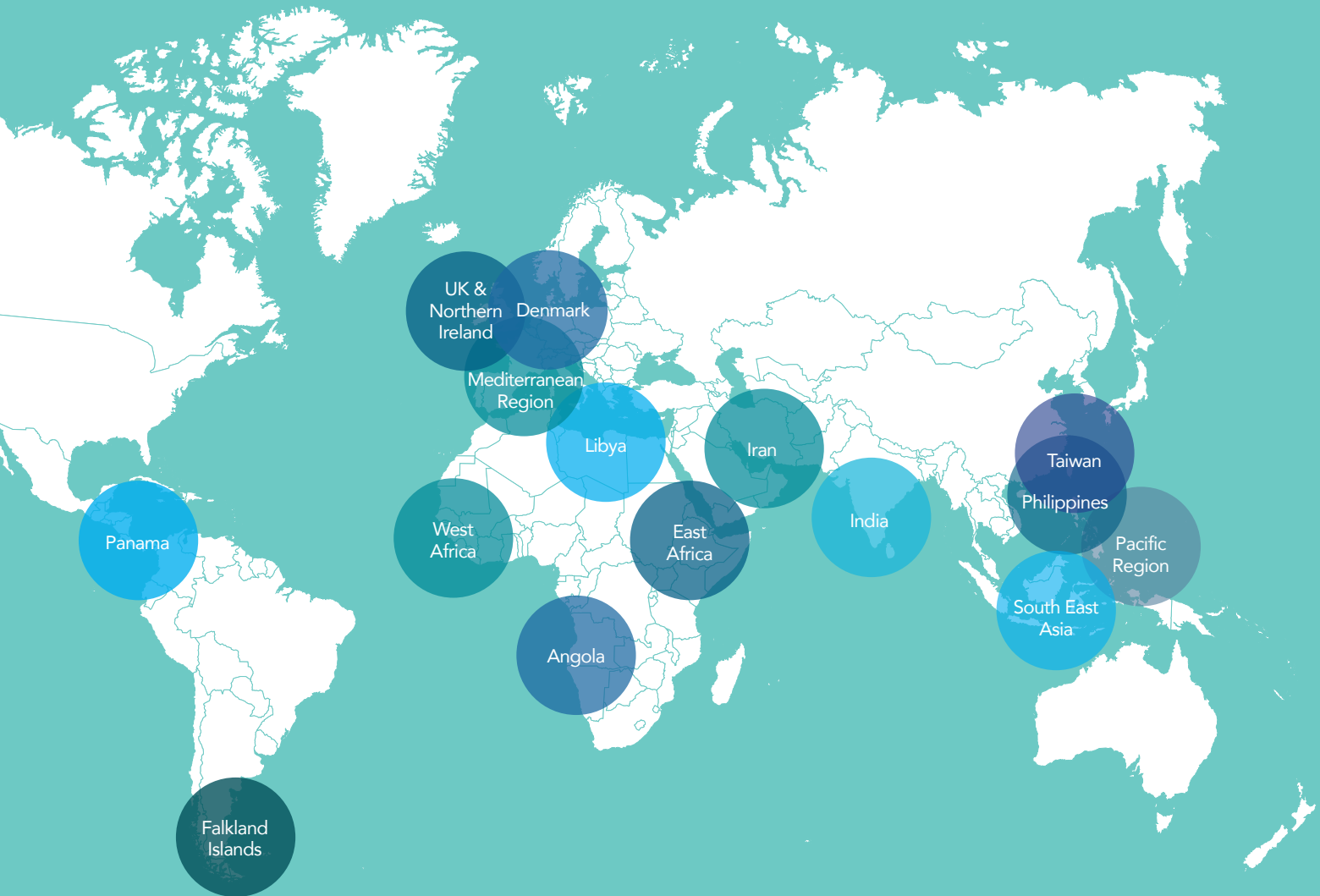
Development and promotion of Human Rights at Sea occurs through objective independent research, the publishing of case studies, the development of maritime human rights projects and international programmes alongside 'Collaborative Partners', the investigation of alleged abuses, written and oral advocacy, and commenting on and supporting proposed national and international human rights legislation, policies and best practice, where applicable.



[www.humanrightsatsea-news.org/](http://www.humanrightsatsea-news.org/)  
[www.humanrightsatsea.org/publications/](http://www.humanrightsatsea.org/publications/)

# Global Impact and Influence of Human Rights at Sea International Projects

NEWS  
RESEARCH  
EDUCATIONAL MATERIALS  
INVESTIGATION  
ADVOCACY



## Case Studies, News, and Publications

Human Rights at Sea concentrates its work efforts in four areas: Seafarers, Fishers, Migrants & Refugees and Business and Human Rights.

12 PUBLICATIONS

15 CASE STUDIES

119 NEWS ARTICLES

Human rights abuses occur at sea every day. We are building an international platform to challenge these abuses.

## SUPPORTERS AND DONORS

John Ellerman  
Foundation



Transparency Clarity Accountability



# Our Timeline of Delivery

YEAR FIVE HIGHLIGHTS

# 2018

## JULY 2018



**JULY 1:** Concerning Allegations over Maritime Recruitment Practices and Human Rights Abuses

**JULY 3:** 2nd International Maritime Human Rights Conference 2018, 29 October 2018, Schedule Announcement

**9 JULY:** HRAS **Commentary** on the ongoing Central Mediterranean Crisis



**17 JULY:** HRAS **Case Study** Seafarers' Abandonment on Kish Island, Iran, A Practice of Human Rights Abuses (Part 1)



**24 JULY:** HRAS & University of Bristol publish 'Flag States and Human Rights' Report: Flag State and Human Rights a Study on Flag State Practice in Monitoring, Reporting, and Enforcing Human Rights Obligations on board Vessels at Sea



**31 JULY:** Human Rights at Sea has joined nine other leading NGOs in an open letter to UNHCHR over the ongoing handling over the Mediterranean crisis



## AUGUST 2018

**26 AUGUST:** Family of Chennai 6 crew member thank Human Rights at Sea

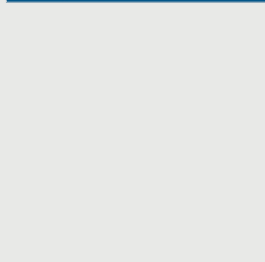
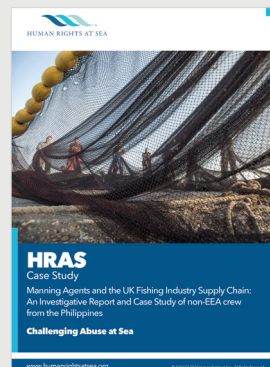


**31 AUGUST:** Human Rights at Sea and Stop Illegal Fishing announce Collaboration to raise Awareness of Human Rights Protections on Fishing Vessels



## SEPTEMBER 2018

**4 SEPT :** HRAS Case Study Manning Agents and the UK Fishing Industry Supply Chain: An Investigative Report and Case Study of non- EEA crew from the Philippines, Challenging Abuse at Sea



**8 SEPTEMBER:** HRAS welcomes new research intern Alejandro Woodroffe Guzman



**11 SEPTEMBER:** Key Facts Sheet for Maritime Business and Human Rights Published



**17 SEPTEMBER:** **Films:** HRAS launches the first of three educational videos on the UN Guiding Principles on Business and Human Rights in the Maritime Environment



**24 SEPTEMBER:** HRAS welcomes Rob Palfrey as a New non-Executive Board Member



## JUNE 2018



**12 JUNE:** HRAS Shortlisted for the 2018 Safety at Sea Awards



**20 JUNE:** World Refugee Day: Human Rights at Sea Statement issued



**28 SEPTEMBER:** Article: Luisa Zappalà. Search and Rescue: Shared Responsibilities in International Law of Member States, the European Union and Frontex in the Mediterranean

**25 SEPTEMBER:** HRAS launches the second of three educational videos on the UN Guiding Principles on Business and Human Rights in the Maritime Environment - Part 2 Access to Effective Remedy

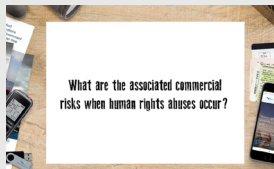


**28 SEPTEMBER:** Joint Civil Society Statement Concerning Implementation of the Protocol of 2014 to the Forced Labour Convention, 1930



**OCTOBER 2018**

**9 OCTOBER:** HRAS launches the third of three educational videos on the UN Guiding Principles on Business and Human Rights in the Maritime Environment - Part 3 Maritime Business & Human Rights: Corporate Actions



**17 OCTOBER:** HRAS enables Ethiopian Chief Officer to return home with wages paid



**25 OCTOBER:** Human Rights at Sea Annual Report Year Four: Global Delivery of Maritime Human Rights



**28 SEPTEMBER:** Human Rights at Sea welcomes New Fundraiser to the Charity

**31 OCTOBER:** 2nd IMHR Conference takes place at Fishmongers' Hall, London



**NOVEMBER 2018**

**9 NOVEMBER:** HRAS publishes second Case Study on Seafarers' Abandonment in Iran (Part 2)



**11 NOVEMBER:** Missing Seafarers & Fishers Reporting Programme updated



**2018**

**13 DECEMBER 13:** Report: Fishermen's Welfare and Human Rights Report for Ascension Island EEZ Published



**DECEMBER 2018**

**4 DECEMBER:** HRAS comments from Geneva on the status of the SAR NGO vessel Aquarius



**6 DECEMBER:** Commentary: Updated commentary on flagging issue of Aquarius SAR vessel

**6 DECEMBER:** Legal Research Paper: HRAS publishes new legal research paper on Business and Human Rights

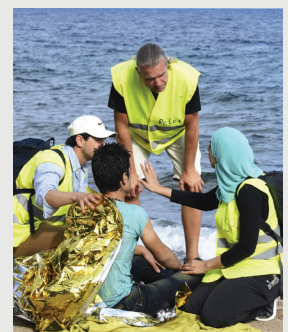


**11 DECEMBER:** Case Study: Seafarers' Abandonment in the UAE A Practice of Human Rights Abuse: More than Thirty Seafarers of Three Vessels Stranded in the UAE for Two Years, Pending Sign Off

**21 DECEMBER:** Annual Review: Human Rights at Sea Annual Review 2018



**28 DECEMBER:** Human Rights at Sea Comment: Migrants crossing the English Channel & Port Strategies





# Our Timeline of Delivery cont'd

## YEAR FIVE HIGHLIGHTS

# 2019

### JANUARY 2019

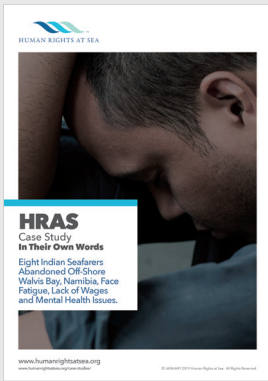
**8 JANUARY: Thesis Publication:** Shadi Elserafy: The Smuggling of Migrants across the Mediterranean Sea: States' Responsibilities and Human Rights



**15 JANUARY: HRAS Case Study:** The Killing of Fesaitu Raimkau: A Fijian Crewman in Panama



**29 JANUARY: HRAS Case Study:** In Their Own Words, Eight Indian Seafarers Abandoned Off-Shore Walvis Bay, Namibia, Face Fatigue, Lack of Wages and Mental Health Issues.

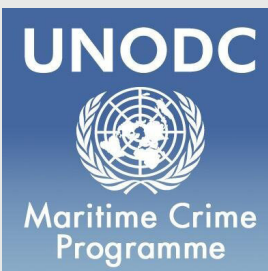


### FEBRUARY 2019

**1 FEBRUARY:** Human Rights at Sea Review of ZS Wellness Ltd Think Tank Event



**6 FEBRUARY:** UNODC Maritime Crime Programme sees HRAS attendance



**11 FEBRUARY: HRAS Review:** Independent Review & Consequences of De-Flagging M/V Aquarius Dignitus



**22 FEBRUARY:** Missing Seafarers & Fishers Reporting Programme IP Reinforced



**25 FEBRUARY:** Anastasia Papapetrou joins the Human Rights at Sea Internship Programme sponsored by The Fishmongers' Company



**26 FEBRUARY: HRAS Briefing Note:** Legal and Policy Matters Arising from the Increased Criminalisation of the Civil Society Search and Rescue Activities in the Mediterranean

**28 FEBRUARY:** Indian Government engages in Human Rights at Sea debate Mumbai seminar with FINS Think Tank



### MARCH 2019

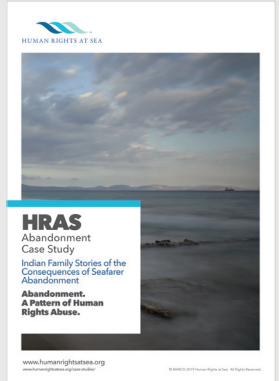
**8 MARCH: HRAS Case Study:** A Family Update for Captain Ayyappan SWAMINATHAN Abandonment. A Pattern of Human Rights Abuse.



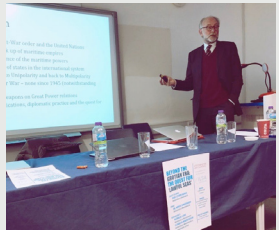
**13 MARCH: UN Global Communication on Engagement 2019 Published**



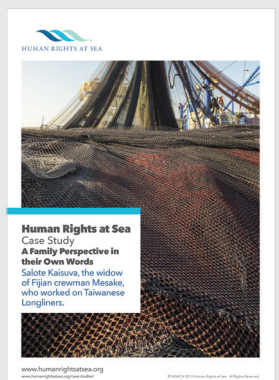
**13 MARCH: HRAS Case Study:** Abandonment Case Study A Family Update for Chief Engineer Gorropotu Venkatarao Abandonment. A Pattern of Human Rights Abuse.



**15 MARCH: HRAS Trustee Steven Haines' lecture at the University of Westminster on International Law of the Sea and the emerging debate of human rights at sea**



**23 MARCH: HRAS Case Study:** Fishing: A Family Perspective of deceased Fijian crewman who worked on Taiwanese Longliners

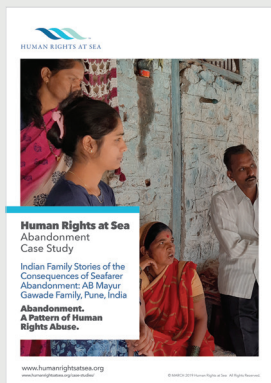




# 2019

## MARCH 2019

**24 MARCH: HRAS Case Study:** Indian Family Stories of the Consequences of Seafarer Abandonment: AB Mayur Gawade Family, Pune, India Abandonment. A Pattern of Human Rights Abuse.



**4 APRIL:** Human Rights at Sea lectures at International Maritime Law Institute, Malta



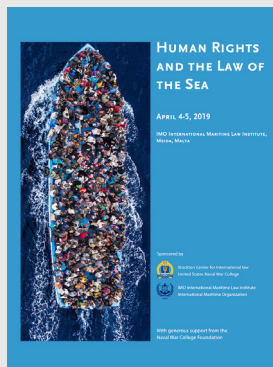
**5 APRIL:** First Geneva Declaration on Human Rights at Sea published



**11 APRIL:** 2019 Empowering Women Conference Speech by Sayedeh Hajar Hejazi



**15 APRIL:** Positive attitude of future maritime lawyers & scholars to Human Rights at Sea



**15 APRIL:** Commentary: Rape at Sea, Flag State jurisdiction and the Search for Justice



**23 APRIL:** Human Rights at Sea supports the Case filed against Greece in Strasbourg Court over Criminalising Search and Rescue



**30 APRIL:** Human Rights at Sea Briefing Note FISHING UK Share Fishermen: A Practical Guide & Review of Status



## MAY 2019

**6 MAY:** Human Rights at Sea publishes it's UN Global Compact Communication on Engagement



**21 MAY:** Human Rights at Sea Case Study: Human Rights Abuse & Amputations in Fijian Crewed Fisheries

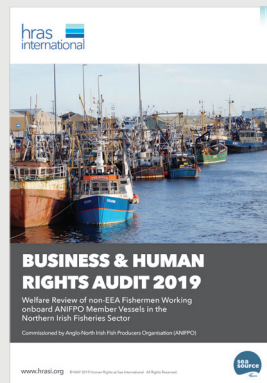


**21 MAY:** City of Geneva formally supports Geneva Declaration Development



**23 MAY:** Forum for Integrated National Security Seminar 'Human Rights at Sea' report published in India

**27 MAY:** HRAS publishes the Business and Human Rights Audit for the Anglo-Northern Irish Fish Producers Organisation



## APRIL 2019

**1 APRIL:** Indian Seafarer Abandonment discussed at SAFETY4SEA London Conference



**3 APRIL:** Human Rights at Sea Fifth Anniversary







# Human Rights at Sea Think Tank



Conceived in March 2019 with the aim to establish a new soft-law instrument bringing together and detailing all applicable international law which applies in the maritime space in defence of fundamental human rights at sea, the 'Geneva Declaration on Human Rights at Sea®' ("the Declaration") reflects existing law and looks to explore its practical application throughout the maritime environment.

The principal aim of the Declaration is to raise global awareness of the abuse of human rights at sea and to mobilise a concerted international effort to put an end to it. It recognises established International Human Rights Law and International Maritime Law, highlights the applicable legal assumptions, and reflects the emerging development and customary use of the increased cross-over of the two bodies of law.



## The Concept of Human Rights at Sea Rests on Four Fundamental Principles

- 1 Human rights apply at sea to exactly the same degree and extent that they do on land.
- 2 All persons at sea, without any distinction, enjoy human rights at sea.
- 3 There are no maritime specific rules allowing derogation from human rights standards.
- 4 All human rights established under treaty and customary international law must be respected at sea.

## THINK TANK

Under the collective approach of the independent Human Rights at Sea Think Tank platform, the Declaration will be transparently and publicly developed by a core team of experts, contributors, external observers and engaged stakeholders who will provide expertise, supporting references, independent oversight and funding.

### The core drafting team comprises:

Professor Anna Petrig, LL.M. (Harvard), University of Basel, Switzerland, Professor Irini Papanicolopulu, University of Milano-Bicocca, Italy, Professor Steven Haines, Greenwich University, United Kingdom and David Hammond Esq. BSc (Hons), PgDL, Human Rights at Sea, United Kingdom and Elisabeth Mavropoulou (LL.M). William Mitchell from Quadrant Chambers acts as Legal Counsel.

# Geneva Declaration on Human Rights At Sea

## Timeline of the Declaration's Development

20-21/03/2019

### Initial Drafting

On the 20-21 March 2019, the initial drafting of the 'Geneva Declaration on Human Rights at Sea' was held in Switzerland at the Graduate Institute of International and Development Studies, Geneva. The first meeting was attended by UN Agencies, leading civil rights organisations, humanitarian NGOs and leading academics. The aim was to discuss the concept of a Declaration, the need, the proposed contents, and to draft a skeleton for the first version.

04/04/2019

### Declaration Announced

The Declaration was first announced to students in Malta on 4 April at the IMO International Maritime Law Institute (IMLI) during the second Human Rights and the Law of the Sea workshop held in co-ordination with the Stockton Centre for International Law and on the 5th of April it was briefed at the World Maritime University, Malmö, Sweden during the Empowering Women in the Maritime Community conference by the charity's former researcher, Sayedah Hajar Hejazi.

05/04/2019

### Declaration Published

The initial (English) Version 1 was published on 5 April 2019 as the first step in the instrument's development. Since then, the Declaration has been translated into French, Italian, German, Greek, Spanish, Chinese (Mandarin), Japanese, Tagalog, Hindi and Arabic.

17/05/2019

### Stakeholder Meeting

On 17th May 2019, members of the core drafting team held a briefing to invited stakeholders within the London-based shipping community, UN agencies, maritime welfare organisations and a leading flag State.

21/05/2019

### Declaration Signed

On the 21st May 2019, the City of Geneva formally supported and endorsed the development of Geneva Declaration on Human Rights at Sea in a signing ceremony held at the Palace Eynard in Geneva between the Mayor of Geneva, Mr. Sami Kanaan, and the Founder of the charity, Human Rights at Sea, Mr. David Hammond.

21-22/05/2019

### Declaration Version 2

Version 2 commenced first drafting round at Villa Moynier, home of the Geneva Academy between 21-22 May 2019. In attendance were core drafting team members, Head of the Geneva Academy, UN agency representatives and academic scholars from Italy, Switzerland and the UK.

## Register as a contributor



The Declaration will be transparently and publicly developed by a core team of experts, contributors, external observers and engaged stakeholders who will provide expertise, supporting references, independent oversight and funding. Human Rights at Sea welcomes contributions and constructive feedback and suggestions that can enhance the collective approach towards the Declaration's development. For this reason, a discussion forum is available on the Declaration's official website, [www.gdhras.com](http://www.gdhras.com), where interested stakeholders wishing to contribute to the document's development can register and become part of the process.



# HRAS & University of Bristol Publish 'Flag States & Human Rights Report, \*Year Two



## Team's Human Rights Report Statement

Sophie Cashell (Team Leader)

From the outset the team and I were acutely aware of the importance of ensuring human rights at sea. As such, we strived to conduct a thorough report on the monitoring, reporting and enforcement of Panama's, Denmark's and Taiwan's human rights obligations at sea. In doing so, the most challenging aspect was obtaining information from the IMO representatives - or closest identifiable alternatives - during the outreach stage. The lack of available information, communication, and, ultimately, participation was disappointing as it was a missed opportunity for the flag states to actively fill in the gaps of our report. Nevertheless, we remain hopeful that as the research into flag states continues, future IMO representatives will be encouraged to engage with the project.

## Human Rights Law Clinic Team Statement

The University of Bristol's Human Rights Implementation Centre provides Law students with an invaluable opportunity to both engage with, and independently conduct, research in various areas of human rights. The Law Clinic thus attracts motivated and studious individuals' intent on gaining insight and practical experience in the advancement of human rights.

This year, the Human Rights Law Clinic continued its partnership with the Human Rights at Sea by initiating the second year of the Flag State Research Project. This project aims to investigate how three chosen flag states meet their international human rights obligations aboard ships registered under their flag. This year, the team conducted a thorough report on the monitoring, reporting and enforcement of Panama, Denmark and Taiwan's human rights obligations at sea. The student research team consisted of a diverse group of eleven University of Bristol Law School students and was supervised by Dr. Sofia Galani.

Although human rights at sea is a fundamental aspect of human rights

law, it is often difficult to monitor violations at sea away from law enforcement agents and judiciary supervision. In order to compile a report on the three flag states, the team were thus required to find all publicly available information in relation to the monitoring and reporting of human rights abuses, and then critically assess the information to reach conclusions on the standard of protection provided by flag states. In order to do so, the project was structured in three stages: **1)** extensive desk-based background research on the ship registries, the human rights obligations, and monitoring and reporting mechanisms of each flag state was conducted; **2)** direct outreach stage with the aim of establishing a dialogue with the IMO representatives (or closest identifiable alternatives); **3)** compilation of all relevant information, analysing and then summarising our findings. The project sought to answer the question: "How do flag States comply with their international human rights obligations vis-à-vis persons on board vessels registered under their flag?" and the conclusions were

condensed in the Flag States and Human Rights Report 2019 entitled Protecting Human Rights at Sea: An Evaluation of Flag State Practice in Monitoring, Reporting and Enforcing Human Rights Obligations on Board Vessels.

It is hoped that this research project will reveal deficiencies in human rights protection to offer informed recommendations and will better flag State assessments, and eventually flag State practice, in the future. Although the research team experienced challenging moments - such as the lack of active participation of the IMO representatives - working with Human Rights at Sea has given all individuals of the team the opportunity to deepen their knowledge and understanding of an important area of human rights which is sadly often overlooked. Together with Human Rights at Sea, the Human Rights Law Clinic of the University of Bristol and its students hope to maintain an enduring and productive partnership in support of more effective human rights implementation at sea.

\* Project completed prior to end of year reporting





**HUMAN RIGHTS AT SEA**

University of **BRISTOL**  
Human Rights Implementation Centre

# FLAG STATES AND HUMAN RIGHTS

A Study on Flag State Practice in Monitoring, Reporting and Enforcing Human Rights Obligations On Board Vessels

The University of Bristol Human Rights Implementation Centre and The University of Bristol Human Rights Law Clinic in partnership with Human Rights at Sea 17.07.18

© The University of Bristol Human Rights Implementation Centre and The University of Bristol Human Rights Law Clinic in partnership with Human Rights at Sea 17.07.18. All Rights Reserved.

**YEAR ONE FLAG STATE REPORT**

**HUMAN RIGHTS AT SEA**

University of **BRISTOL**  
Human Rights Implementation Centre

# FLAG STATES & HUMAN RIGHTS REPORT 2019

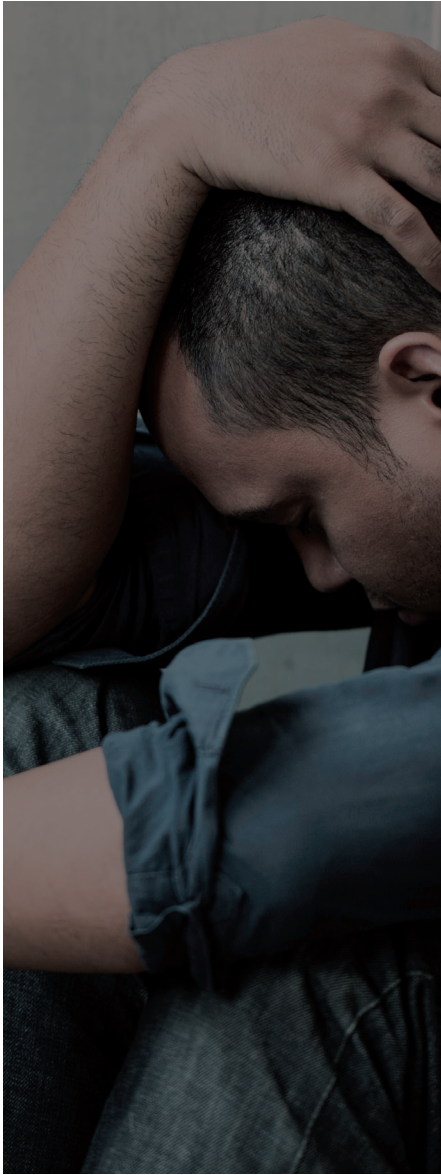
PROTECTING HUMAN RIGHTS AT SEA:  
An evaluation of Flag State Practice in Monitoring, Reporting and Enforcing Human Rights Obligations on Board Vessels

© The University of Bristol Human Rights Implementation Centre and The University of Bristol Human Rights Law Clinic in partnership with Human Rights at Sea 17.07.18. All Rights Reserved.

**YEAR TWO FLAG STATE REPORT**

“This project aims to investigate how three chosen flag states meet their international human rights obligations aboard ships registered under their flag”





# Human Rights at Sea Shortlisted for Awards 2019

Human Rights at Sea made the shortlist in the Safety at Sea Awards 2019 Best Crew Wellbeing Programme as part of the celebrations for London International Shipping Week

Human Rights at Sea has been shortlisted for the 2019 Safety4Sea Europort Awards in the category of 'Initiative Award' for its work raising global awareness of human rights abuses at sea through a series of case studies produced this year on abandonment of seafarers, aiming at creating awareness on human rights and labour abusive practices that crews may encounter worldwide.

Along with the charity, other shortlisted candidates include the Lloyd's Register, Sailors Society, InterManager and the TT Club, all of whom are undertaking key supporting work for the benefit of seafarers around the world. Winners announcement and presentation along with four panel discussions with the winners shall take place at the Hall 6 Theatre (14.30-16.00) at the Europort 2019 on 7 November, in Rotterdam.

**SAFETY4SEA**

FINALIST

**Safety at Sea**

AWARDS 2019

IHS Markit\*

**SAFETY4SEA EUROPORT Awards**

Shortlisted nominee for the Initiative Award

SAFETY4SEA EUROPORT INITIATIVE AWARD

**HUMAN RIGHTS AT SEA**

THU 07 NOV 2019  
Hall 6 Theatre (14.30-16.00)



# Human Rights at Sea Publications

HUMAN RIGHTS AT SEA

**Human Rights at Sea**  
Independent  
Briefing Note on  
UAE Government  
Legal & Policy Position  
Supporting Maritime  
Protections for Seafarers

www.humanrightsatsea.org  
www.humanrightsatsea.org/publications/

© JULY 2019 Human Rights at Sea. All Rights Reserved.

HUMAN RIGHTS AT SEA

**Human Rights at Sea**  
Briefing Note  
FISHING  
UK Share Fishermen:  
A Practical Guide  
& Review of Status

www.humanrightsatsea.org  
www.humanrightsatsea.org/publications/

© APRIL 2019 Human Rights at Sea. All Rights Reserved.

nfo John Ellerman Foundation seafarers- LE

HUMAN RIGHTS AT SEA

**HRAS**  
BRIEFING NOTE  
Legal and Policy Matters  
Arising from the Increased  
Criminalisation of Civil Society  
Search and Rescue Activities  
in the Mediterranean

www.humanrightsatsea.org  
www.humanrightsatsea.org/publications/

© FEBRUARY 2019 Human Rights at Sea. All Rights Reserved.

HUMAN RIGHTS AT SEA

**Human Rights at Sea**  
**UN GLOBAL COMPACT**  
COMMUNICATION ON ENGAGEMENT

MARCH 2019

www.humanrightsatsea.org  
www.humanrightsatsea.org/publications/

© MARCH 2019 Human Rights at Sea. All Rights Reserved.

HUMAN RIGHTS AT SEA

**HRAS**  
REVIEW  
Human Rights and  
International Rule of Law  
Ramifications of the  
De-Flagging of  
M/V Aquarius Dignitus

www.humanrightsatsea.org  
www.humanrightsatsea.org/publications/

© FEBRUARY 2019 Human Rights at Sea. All Rights Reserved.

giving nature a home  
rspb

**Fishermen's Welfare & Human Rights:  
Ascension Island EEZ**  
A Comparative Independent Assessment of the Potential Risks  
to the Welfare and Human Rights of Fishermen Operating within  
the Ascension Island Exclusive Economic Zone (EEZ) onboard  
Foreign Flagged Tuna Longline Vessels

This Report was commissioned by the Royal Society for the Protection of Birds (RSPB) on behalf of the Great British Ocean coalition and prepared by Human Rights at Sea International (HRASI) with funding from the John Ellerman Foundation. HRAS is the consultancy of the independent, trustee human rights charity Human Rights at Sea.

with funding from:  
hras international | John Ellerman Foundation



# Human Rights at Sea Case Studies and Reports

**Human Rights at Sea**  
Case Study

**A Family Perspective:**  
Testimony of Fijian Fishing  
Widows, Mother and Sister

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)  
[www.humanrightsatsea.org/case-studies/](http://www.humanrightsatsea.org/case-studies/)

© JULY 2019 Human Rights at Sea. All Rights Reserved.

**Human Rights at Sea**  
Case Study

**A Family Perspective in  
their Own Words**

The story of Josaia  
and Virisila Cama, Fiji,  
Human Rights Abuse in  
Fijian Crewed Fisheries.

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)  
[www.humanrightsatsea.org/case-studies/](http://www.humanrightsatsea.org/case-studies/)

© MAY 2019 Human Rights at Sea. All Rights Reserved.

**Human Rights at Sea**  
Case Study

**A Family Perspective in  
their Own Words**

Salote Kaisuva, the widow  
of Fijian crewman Mesake,  
who worked on Taiwanese  
Longliners.

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)  
[www.humanrightsatsea.org/case-studies/](http://www.humanrightsatsea.org/case-studies/)

© MARCH 2019 Human Rights at Sea. All Rights Reserved.

**HRAS**  
Abandonment  
Case Study

Indian Family Stories of the  
Consequences of Seafarer  
Abandonment

**Abandonment.  
A Pattern of Human  
Rights Abuse.**

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)  
[www.humanrightsatsea.org/case-studies/](http://www.humanrightsatsea.org/case-studies/)

© MARCH 2019 Human Rights at Sea. All Rights Reserved.

**HRAS**  
Case Study  
In Their Own Words

The Case of the Killing  
of Fesaitu Riamkau,  
A Fijian Crewman.

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)  
[www.humanrightsatsea.org/case-studies/](http://www.humanrightsatsea.org/case-studies/)

© JANUARY 2019 Human Rights at Sea. All Rights Reserved.

INVESTIGATIVE REPORT AND CASE STUDY  
FISHERIES ABUSES AND RELATED DEATHS  
AT SEA IN THE PACIFIC REGION  
HRAS REPORT 1 DECEMBER 2017

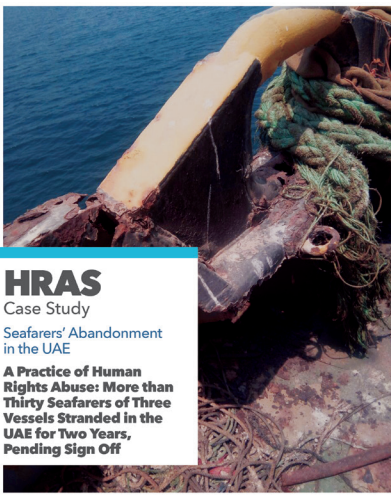
[www.humanrightsatsea.org](http://www.humanrightsatsea.org)

“ (Missing fisheries observers) ... it seems like  
it may have been a lot. There was Charles Lason. He  
was from Papua New Guinea. Larry Gavin - he's  
the one who completely disappeared. Wesley Teas  
- some people were out in a canoe, they say a body  
was surfaced in the same canoeing as the boat he  
was on. And they recognised him.”

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)  
[www.humanrightsatsea.org/case-studies/](http://www.humanrightsatsea.org/case-studies/)


**HUMAN RIGHTS AT SEA**  
Defending Maritime Human Rights

# Human Rights at Sea Case Studies and Reports



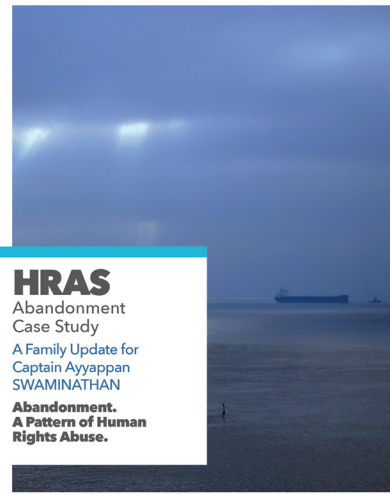
**HRAS**  
Case Study  
Seafarers' Abandonment in the UAE  
**A Practice of Human Rights Abuse: More than Thirty Seafarers of Three Vessels Stranded in the UAE for Two Years, Pending Sign Off**

www.humanrightsatsea.org  
© DECEMBER 2018 Human Rights at Sea. All Rights Reserved.




**Human Rights at Sea**  
Case Study  
**In Their Own Words**  
Gender Equality at Sea  
- Amreen Bano

www.humanrightsatsea.org  
© 23 JUNE 2019 Human Rights at Sea. All Rights Reserved.



**HRAS**  
Abandonment  
Case Study  
A Family Update for Captain Ayyappan SWAMINATHAN  
**Abandonment. A Pattern of Human Rights Abuse.**

www.humanrightsatsea.org  
© MARCH 2019 Human Rights at Sea. All Rights Reserved.



**HRAS**  
Case Study  
Seafarers' Abandonment on Kish Island, Iran  
**A Practice of Human Rights Abuses**

www.humanrightsatsea.org  
© JULY 2018 Human Rights at Sea. All Rights Reserved.



**HRAS**  
Case Study  
Seafarers' Abandonment on Kish Island, Part 2  
**A Practice of Human Rights Abuses: Some Positive Actions**

www.humanrightsatsea.org  
© NOVEMBER 2018 Human Rights at Sea. All Rights Reserved.




**Human Rights at Sea**  
Abandonment  
Case Study  
Indian Family Stories of the Consequences of Seafarer Abandonment: AB Mayur Gawade Family, Pune, India  
**Abandonment. A Pattern of Human Rights Abuse.**

www.humanrightsatsea.org  
© MARCH 2019 Human Rights at Sea. All Rights Reserved.



# Human Rights at Sea Case Studies and Reports



**HUMAN RIGHTS AT SEA**

**Human Rights at Sea Baseline Study**  
On Levels of Understanding of Human Rights among Koli Fishermen Working in and around Mumbai, India


www.humanrightsatsea.org  
© AUGUST 2019 Human Rights at Sea All Rights Reserved.



**HUMAN RIGHTS AT SEA**

**HRAS REVIEW**  
Human Rights and International Rule of Law Ramifications of the De-Flagging of M/V Aquarius Dignitus


www.humanrightsatsea.org  
© FEBRUARY 2019 Human Rights at Sea All Rights Reserved.



**HUMAN RIGHTS AT SEA**

**HRAS Case Study In Their Own Words**  
Eight Indian Seafarers Abandoned Off-Shore Walvis Bay, Namibia, Face Fatigue, Lack of Wages and Mental Health Issues.


www.humanrightsatsea.org  
© JANUARY 2019 Human Rights at Sea All Rights Reserved.



**hras international**

**BUSINESS & HUMAN RIGHTS AUDIT 2019**  
Welfare Review of non-EEA Fishermen Working onboard ANIFPO Member Vessels in the Northern Irish Fisheries Sector  
Commissioned by Anglo-North Irish Fish Producers Organisation (ANIFPO)

www.hrsi.org  
© MAY 2019 Human Rights at Sea International All Rights Reserved.



**HUMAN RIGHTS AT SEA**

**HRAS Case Study**  
Manning Agents and the UK Fishing Industry Supply Chain: An Investigative Report and Case Study of non-EEA crew from the Philippines  
**Challenging Abuse at Sea**

www.humanrightsatsea.org  
© AUGUST 2018 Human Rights at Sea All Rights Reserved.



**HUMAN RIGHTS AT SEA**

**Human Rights at Sea**  
An Introduction & Commentary to the 2011 UN Guiding Principles on Business & Human Rights & their Implementation in the Maritime Environment

www.humanrightsatsea.org  
© MARCH 2016 Human Rights at Sea All Rights Reserved.

# Anglo North Irish Fish Producers' Organisation



## OP-ED: Alan McCulla OBE CEO

**London. UK. Alan McCulla OBE Chief Executive of the Anglo-North Irish Fish Producers Organisation/Sea Source and Chair of the Fishermen's Welfare Alliance speaks about his background and upbringing in the Northern Irish fishing community, his drive for better working conditions and business transparency in the fishing industry, and his organisation's relationship with Human Rights at Sea over the past three years.**

"People sometimes ask how long I've been involved in the fishing industry. My answer is 51 years – since birth. My father was a fisherman. It was the industry that brought me up and for the last 27 years I have been employed by fishermen in Northern Ireland.

Killai is a village in south-east India, a fishing community that was devastated by the Indian Ocean Tsunami of 26th December 2004. In the aftermath and like so many fishing communities world wide, Kilkeel, Ardglass and Portavogie in Northern Ireland embarked upon a series of events to raise money, this time to help rebuild Killai. As a result, in May 2007 I found myself in Killai.

It was a Sunday and after meeting the locals I was invited for Sunday lunch to the home of the one local who could speak English. His was an unusual house. It was the only one in the village built of concrete blocks. His young family could speak some words of English. On both counts I asked why?

He told me that the next morning he would be flying to Singapore to work on a building site there for the next 12 months. His salary would be sent to Killai to build the family home and educate his son and daughter, to provide them with a better start in life.

As it happened, it was in 2006/07 the fishing industry in Northern Ireland began to recruit crew from non-EEA countries, specifically the Philippines. A combination of factors had led to a severe shortage

of local recruits willing to pursue a career on fishing vessels and a skilled workforce from a nation with a long maritime history offered a solution.

So, for the past 10 plus years a pipeline of fishing crew have been recruited from the Philippines, Ghana, Sri Lanka, Indonesia and other nations to work as engineers and deck hands on board our trawlers.

Back in 2007 I did ask myself if morally this was right thing to do? My story from Killai provided some vindication. Nevertheless, as we struggled to resolve what was, and in many ways continues to be a 'grey area' around the immigration rules for migrant seafarers and fishermen in particular, something was missing.

The fishing industry, including our organisation, spends a significant amount of resources working with various accreditation bodies to underline the sustainable nature of our fisheries. Without wild caught fish and shellfish our industry would simply not exist. It is in the fishing industry's interest more than anyone else's to ensure we have healthy and sustainable fish stocks for future generations, which can support fishing communities be they in Killai, the Philippines or Kilkeel.

Yet, an irony has been there is less emphasis on the welfare of our fishing crews, less focus on the humans who are engaged in harvesting sustainable fish stocks. Be it with domestic fishermen or those from overseas this was something that as an organisation we wished to change.

Modern Slavery Legislation, ILO regulations and consumer pressures are all combining to refocus our attention on crew welfare. This is something we support. If my own father had been posted somewhere else in the world to earn a living for his family I would have hoped that his health and wellbeing would have been top of the agenda for his employers. Likewise, when fishing crew are posted from other parts of the world to work with our member vessels

I want them and their families to know we have their interest uppermost in our minds.

In 2016, we were introduced to Human Rights at Sea (HRAS), a charity that was then still in its infancy. Our dialogue with HRAS provided the incentive for us to develop policies to assist our members comply with Modern Slavery Legislation. HRAS also provided the opportunity to commission an independent audit of the processes we had in place to ensure they complied with the highest international crew welfare standards and identify any shortcomings in these processes that working with our owners we could rectify.

HRAS delivered their first assessment of our work in 2017, which we were pleased to have published. A second report was provided in 2018. A third review of our processes has just been commissioned.

In general, these reports have provided us with a clean bill of health. Nevertheless, there is room for improvement and thanks to our work with HRAS issues have been identified and resolved.

We cannot be complacent. We have domestic and international crew to protect, as well as our reputation for supplying world class sustainable seafood. From the outset we have not been obliged by our customers to commission this work - it was simply the right thing to do.

In 2019 it is encouraging to see others adopt this approach. It is essential these processes remain independent and transparent. Human Rights at Sea have provided this safeguard for us.

Be it for local fishermen or crew from overseas, it is our sincere hope the legacy being built as a result of the pioneering work between HRAS and ANIFPO/Sea Source will have positive and far reaching consequences."

19th March 2019



# International Impact and Influence

## 1. Human Rights at Sea Narrative Reaches Indian Ministerial Level of Engagement



On 28 February 2019, at the Leela Hotel, Mumbai, the inaugural national-level seminar on 'Human Rights at Sea' was held by the Forum for Integrated National Security (FINS) think-tank with Indian Government engagement. Organised by Captain Sanjay Prashar, FINS Board member and former seafarer, this high-level seminar was the first such event to be held focusing on the emerging concept and narrative of 'Human Rights at Sea' in India.

This was the first time that a State has recognised and been engaged in the emerging 'Human Rights at Sea' concept and surrounding debate established by our charity. The event was attended by around 300 delegates including the Director General of the National Shipping Board, the current and former Director General of Shipping, the Ministry of External Affairs, the Vice-Counsel for Political Affairs of the US Consulate, Her Excellency the Ambassador for Madagascar, multiple Indian seafarers' unions, flag State officials including from the Marshall Islands, the International Maritime Federation, P&I representatives, major shipowners, CSR directors, welfare organisations, maritime lawyers, national media, and merchant marine cadets, among others.

Speakers also included an Indian Navigating Officer who spent two years in jail without due process, and two

Indian members of the MV Seaman Guard Ohio, the former US owned floating armoury vessel arrested in October 2013 in Tuticorin port who then spent four years in Chennai, two of which were in jail before being acquitted by the Madras High Court on November 27, 2017.

**Shri Amitabh Kumar, Director General of Shipping**, said: "It is indeed an honor and privilege to stand here today in front of this distinguished audience to share my views on the growth of Indian shipping and the issues faced by India on today's subject, 'Human Rights at Sea'. As we continue to add the number of active Indian seafarers, the instances of the exploitation of their human rights also continue to add. The biggest and the most common violation of human rights now is non-payment of wages and abandonment of seafarers, and Indian seafarers have been the largest group to suffer on these counts." He

went on to highlight the current issues of abandonment of Indian seafarers and restrictions of the MLC, commenting that: "The other loop-hole has emerged in the MLC regime itself, which provides for repatriation of abandoned seafarer, but does not cast any obligation on the insurance agency to provide a replacement seafarer."

David Hammond, was invited to attend and spoke on behalf of Human Rights at Sea on seafarer criminalisation, including the cases of migrant maritime workers, including fishermen, who become criminalised through failure to service loans for their training and equipment who may be forced to leave their role and are otherwise put in positions of having themselves and their families becoming indentured, and their family assets seized often pushing them into poverty.





On 8 July 2019, during a second meeting of National Human Rights Commission (NHRC) with the Forum for Integrated National Security (FINS) think-tank, a series of evidence on human rights abuses were presented.

Human Rights at Sea has been provided with a summary of examples of human rights cases, including abuses towards Indian seafarers current as of 12th July, including:

**200** Number of Indian seafarers estimated to be in foreign jails.

**65** Indian seafarers stranded for 151 days on ships in Indonesia.

**25** Ships off Mumbai coast posed significant danger with one, the MT Tag Navya, abandoned and unmanned within port limits. Stated on the 5th July 2019, in the Times Of Indian (TOI) Mumbai.

**82** Indian seafarers onboard three Mercator vessels stranded for the last month with wages unpaid for last three months including the dredger Omkara Prem off Porbandar, and the dredger Tridevi Prem off Mangalore.

**40** Indian seafarers are stranded in Dubai.

**15** Indian seafarers stranded in Iran with two stranded for more than 20 months.

**UN known** Unreported cases of illegal detention and imprisonment of Indian Seafarers in foreign waters continue to be reported.

## 2. HRAS Enables Ethiopian Chief Officer to Return Home with Wages Paid



**Human Rights at Sea worked on the successful repatriation of an Ethiopian Chief Officer with outstanding wages owed which have now been paid in full after direct, but polite intervention by the charity. The case was led by former HRAS Iranian researcher, Sayedeh Hajar Hejazi.**

The charity was contacted by the seafarer who was abandoned on Kish Island, Iran, on 12 October and where he outlined that having completed a six month contract, he had been extended by four further months without pay before the owner had deducted two months and twenty days salary without permission. The charity received corroborated evidence of sign off and wage deductions. The charity spoke with the crew manager after which the Chief Officer's wages were reimbursed and a flight home expeditiously arranged.

This case is one where the rights of the seafarer were eventually respected and acted on after direct intervention, though this cannot always be guaranteed. The charity is pleased to assist seafarers whenever and wherever they can, but if unable to do so it will pass on their details to other welfare organisations who may be able to help. The charity believes in a collective response from all welfare stakeholders in the ongoing fight for seafarers's human rights and effective remedy for abuses.





# International Impact and Influence

## 3. UNDOC Maritime Crime Programme sees HRAS Attendance



HRAS Trustee Professor Steven Haines and Advisory Board Member Dr Sofia Galani (both members of the core drafting team of the Geneva Declaration on Human Rights at Sea) attended a workshop in Colombo, Sri Lanka between 28-30 January at the invitation of the UN Office of Drugs and Crime's Global Maritime Crime Programme to discuss issues relating to maritime security and law enforcement at sea.

cables (which carry over 90% of global internet traffic).

Dr Galani gave a formal presentation on the human rights issues raised by enforcement actions and both Dr Galani and Professor Haines engaged in working groups to discuss the issues raised. Representatives from over twenty states were involved (in their personal capacities) but the meeting also ended with a Ministerial session attended by Government Ministers from Sri Lanka, the Maldives and the Seychelles, as well as the Attorney General of Somalia and the Japanese Ambassador to Sri Lanka (all of whom delivered statements supporting the UNODC's activities in this vital area). This meeting preceded a UN Security Council Open Debate on Maritime Crime on Tuesday 5 February.

The subjects discussed the implementation within the Indian Ocean Region of the 1988 Vienna Convention Against the Illicit Trafficking of Narcotic Drugs and Psychotropic Substances, the problems associated with interdiction of 'Vessels Without Nationality' (un-flagged vessels, in common terminology), and the legal framework for the protection of undersea



# International Impact and Influence

## 4. UAE Transport Authority and Ministerial Engagement - New Maritime Law to be Enacted in 2020



### Independent Review of UAE Legal and Policy Protections for Seafarers

Human Rights at Sea issued in August 2018 an independent review and briefing note on the current legal and policy protections for seafarers operating in United Arab Emirates (UAE) waters following on from the series of high-profile abandonment cases since late 2018 highlighted by the charity's case studies and other leading international newspapers such as the Times of India and The Guardian.

Recent publicly reported events from October 2018 within the territorial waters and international waters offshore the UAE of the abandonment of seafarers for extended periods, some up to 33 months at the time of writing, has once again shone a necessary light on the abhorrent practice of abandoned seafarers by

unethical ship owners. Often with the reality of minimal available direct access and recourse to effective legal and judicial remedies, unless championed by the flag State, port State authorities, or in the present case having the issue raised publicly through civil society and maritime welfare organisations, such unacceptable practices will continue with impunity and unchecked globally.

The independent Briefing Note, available to read in both English and Arabic is aimed at supportively highlighting legal and policy developments by the UAE Government in combatting such issues, and protecting seafarers responsible for moving in excess of 90% of the world's goods by sea from such poor working conditions and unacceptable human rights

abuses. While the UAE has not yet ratified the Maritime Labour Convention 2006, the current facts and evidence of abandonment in, and offshore UAE waters, suggests that an ongoing government review of this position to further safeguard international trade in the maritime supply chain is needed, and may well be shortly actioned through a proposed new maritime law in 2020 updating the extant 1981 law as announced by HE Dr Abdullah bin Mohammed Belhaif Al Nuaimi, Minister of Infrastructure Development, on Sunday 7 July 2019.





# International Impact and Influence



Capt. Ayyappan Swaminathan

## 5. Family Testimonies - Giving a Voice to Families of Seafarers

### The Family of the MV Tamim Aldar Crew Speaks Up

Human Rights at Sea was urgently contacted by Captain Ayyappan Swaminathan, Master M/V AZRAQ MOIAH (IMO – 961976, Flag -UAE), one of the three vessels anchored in the UAE who reported to the charity that 40 crew members, of whom 30 fellow Indian nationals were stranded in three vessels owned by the same shipping company, Elite Way Marine Services EST, based in DUBAI. All three have been located in the anchorage site at the port of Sharjah in UAE, with outstanding salaries, lack of subsistence means, and no medical assistance for more than a year.

On the 4 March 2019 in Mumbai, the Human Rights at Sea investigative team met with the Mr. Prabakaran, the brother-in-law of Capt. Ayyappan Swaminathan, the Master of MV AZRAQMOIAH (IMO 9619763). At the time of writing, Capt. Swaminathan and his crew remain abandoned onboard the vessel off Ajman anchorage UAE. This is after 25 months, of which 18 months has been unpaid for himself. He has a dependant family comprising a wife, mother and young daughter.

“ First of all, we would like to thank you for your support in this tough time, and it is important that all seafarers are repatriated as soon as possible with written commitment for their pending wages and some Interim support interns of Money as most of them have not send any money to their family for a very long time. It’s quite natural that the family members & the debtors expect them to pay/repay certain amount of debit. Most of the debtors may not understand the complication and they doubt the integrity of the people if they are not paying even a partial amount on the arrival back home.

We are completely demoralised about the ongoing process, and did not know what to do. It is a nightmare and mental harassment for him & his crew not being paid and pathetic living conditions. The process has taken nearly two years and we never thought that this was possible in Dubai where people cannot violate rules.

My brother-in-law is very strong and never wanted the family members to get disturbed, so he decided not to communicate the problem and try to manage it himself. When things were getting really out of control he eventually texted me about the issue. That was a real shock. It turned out that his 6 month contract had not been extended, and my sister only became aware after 12 months. He had tried to protect the family by saying there had been another extension, but after 12 months and with no money coming in, he started to communicate with family members about it.

He is the single earner for the family. He has an aging mother who needs medication which takes a lot of his income, as well as a wife and a young daughter. His mother is not in a good state of mind over this. The family don’t know what to do, they do not want to answer phone calls, and they are afraid to speak to people.

In his absence the family took out some loans to take care of day- to-day expenses , but because they could not repay them, they had to pledge their family jewellery against those loans, which was then sold to settle them. It was their wedding gold.

Their family house is rented and they have a due loan to pay everyday bills, and additionally one to service the previous loan which was being used to build their family home. That loan is being called in. On top of this, Cyclone Gaja hit Tamilnadu and hit very badly their home District (Thanjavur) and further affected their lives.

My brother-in-law is not a slave nor his crew are slaves. They work for pay and expect to be paid on time.

” **Mr. Prabakaran Testimony, Brother in law of Capt. Ayyappan Swaminathan**

# International Impact and Influence

## 6. Family Testimonies - Giving a Voice to Families of Seafarers



Chief Engineer Venkatarao with two crew members

### Abandoned Indian Seafarer Family Statement on behalf of Chief Engineer Gorropotu Venkatarao

Chief Engineer Venkatarao has a wife and two children. His son is 15 years old and his daughter is 22 years old. All are dependent upon him and his wage as a merchant marine officer.

The last time Chief Engineer Venkatarao was at home was 23 months ago. He has not seen his wife or children since then, though he has been able to speak with them via his personal What's App account and SIM, purchased by himself, though not through any communication channels provided for by his employer, Eliteway Marine Services Ltd.

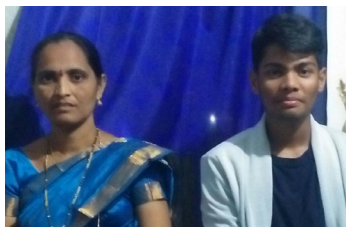
**"His only link to the outside is through his personal mobile phones, which he bought SIMS for himself."**

The family first became aware that there was an issue after 6 months had passed, when it became apparent that Chief Engineer Venkatarao has only received 5 months wages. To date, he has not been earning for 18 months. His Sign-off letter was submitted in his 7th month, prior to 1 month of notice period. Even after the completion of his contract, sign off has not been granted.

Following the end of his wages being paid into the family account, after only one month the family savings had been used up, and the family started to fall into financial problems and debt. They were and continue to be personally unable to pay household bills and have a mortgage of over 30 Lakhs which cannot be properly

repaid. The loan was taken for 7 years tenure and at the time of writing they still owe 7.50 lakhs until it is paid off.

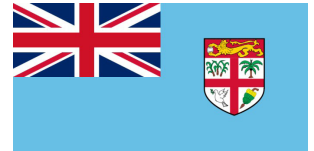
The family learned that conditions onboard had been "tough", with a lack of proper food on a regular basis, poor hygiene due to lack of regular washing and most recently, no working lights in the ship and a broken generator which has meant that every night they have been forced to stay blacked out. After a year stranded on board, the crew started to leave one by one and now the crew consists only of three seafarers one of them being my uncle.



“My Uncle is a strong man, but he does not have any hope left. His only hope has been to stay sane and to get back some of the wages that are owed to him to take home.”



# International Impact and Influence



## 7. Family Testimonies - Giving a Voice to Families of Seafarers

### Human Rights Abuse in Fijian Crewed Fisheries - The story of Josaia and Virisila Cama

This personal family case study concerning bad working conditions, poor medical treatment and the consequences of unacceptable labour practices onboard tuna fishing vessels manned by Fijian and Indonesian crew from 1999.

The case study highlights a series of past work incidents onboard South Korean fishing vessels which led to the subject of the investigation, Josaia Cama, losing the use of his fingers through amputation due to working in freezer store rooms without adequate hand protection at sub-zero temperatures of -40 degrees centigrade.

As an example of a historic incident, the charity continues to receive similar reports of poor working conditions in tuna fleets from Fijian crew. The aim of the publication is to continue to raise international attention of the human rights abuses which have occurred and remain being currently reported in fishing fleets operating in the Pacific region.



“ They had to amputate my fingers because of gangrene. I remember how humiliated I was at the CWM Hospital because I couldn't use my hands to go to the toilet. ”

# Pacific Region Impact and Influence

## Impacting State-Level Decision-Making for the Betterment of Crew Welfare Provisions in the Pacific Region

This Human Rights at Sea and NGO Pacific Dialogue **Fijian fisheries case study about Mesake Kaisuva** who worked on Taiwanese Longliner by his widow Salote Kaisuva, has been used by WWF Western and Central Pacific Tuna Programme Team to brief the **Pacific Islands Forum Fisheries Agency (FFA) Monitoring, Control and Surveillance Working Group (MCSWG)** supporting positive changes for the implementation of a crew welfare licensing minimum terms and conditions.

WWF lead, Bubba Cook, cited to the charity the leadership role by the FFA on the issue, and that last week the Pacific Islands Forum Fisheries Committee (FFC) **approved the minimum licensing conditions** for crew welfare in the region. WWF have been pushing this initiative for more than a year as an extension of their work on Observer Safety and Security, with the first significant provision on the issue being a presentation Bubba in October 2018 to the Management Objectives Consultation of the FFA highlighting the global media coverage and case studies on abuses in the Pacific region fishing industry, including those from Human Rights at Sea.

Bubba said: "In April 2019, I provided an intervention on the HRAS report on Mesake Kaisuva to the FFA MCS Working Group and offered the report as an information paper. Subsequently, it was cited a couple of times by Member States in interventions supporting the implementation of a crew welfare licensing minimum terms and conditions (MTC), most notably by Fiji. The MCS Working Group consequently forwarded the recommendation to the Forum Fisheries Committee, who agreed to adoption of the proposed MTCs last week, which represents the first instance of its kind where a fisheries institution has attempted to address crew welfare and human rights. The FFC's recommendation will now go forward to the FFC Ministers."

Human Rights at Sea Founder, David Hammond, commented: "It is reassuring to know that the charity's independent work and investigations alongside key partners is being positively used to influence State-level decision-making for the betterment of crew welfare provisions in the Pacific region, and we thank WWF for their engagement."





# International Influence through Case Studies

## Pacific Forum Fisheries Agency Enacts New Crew Welfare Regulations

Alongside other International Organisations, Human Rights at Sea work, through Case studies and presenting evidence of abuses at sea, has been taken into account at state level in the Pacific region. This has resulted in positive changes to working standards in the pacific fisheries.



As of 23 May 2019, the 17 member State **Pacific Forum Fisheries Agency (FFA)** has enacted new agreed minimum terms and conditions in relation to crew employment conditions in support of enhanced protections for Pacific fisheries seafarers largely based on the **ILO 188 Work in Fishing Convention**.

After a concerted effort in the region by both Government agencies, ILO, union representatives and civil society groups of which Human Rights at Sea was one organisation that submitted four case studies highlighting terrible human rights abuses of Pacific fishers and their families, we are pleased to see the next steps taken by the FFA. The true test, however, will be the effective implementation of the Harmonised Minimum Terms and Conditions and transparent promulgation of effective remedies for dealing with all human rights abuses towards crew.

The Harmonised Minimum Terms and Conditions for Access by Fishing Vessels (MTCs) are one of FFA Members' key tools to regulate fishing access to their waters. They are a mechanism for setting agreed standards to apply in all FFA Members' EEZs in support of the effective management of their fisheries resources. The MTCs apply to foreign fishing vessels licensed to fish in the EEZs of FFA Members. FFA Members can also apply them to their domestic fleets. Legal application of the MTCs will occur through national legislation, regulations and/or licensing conditions.

Key paragraphs explicitly highlight the requirement for respect and protection of international human rights standards, with the new standards to be enacted into national legislation in 2020.



**FFA**  
PACIFIC ISLANDS  
FORUM FISHERIES  
AGENCY

### Under the 'Crew Employment Conditions' it is stated that:

**c)** The Operator shall observe and respect any form of basic human rights of the Crew in accordance with accepted international human right standards.

**d)** The Operator shall take all reasonable steps to ensure that Crew are not assaulted or subject to torture, cruel, inhumane or degrading treatment and shall treat all crew with fairness and dignity.

### In the particulars of the Crew Agreement it further explicitly highlights that:

**11** The right of termination by the Crew in the event of mistreatment and abuse;

**12** The protection that will cover the Crew in the event of mistreatment and abuse, sickness, injury or death in connection with service;

# About FFA

The Pacific Islands Forum Fisheries Agency (FFA) strengthens national capacity and regional solidarity so its 17 members can manage, control and develop their tuna fisheries now and in the future.

Based in Honiara, Solomon Islands, FFA's 17 Pacific Island members are Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu and Vanuatu. FFA was established to help countries sustainably manage their fishery resources that fall within their 200 mile Exclusive Economic Zones (EEZs).

FFA is an advisory body providing expertise, technical assistance and other support to its members who make sovereign decisions about their tuna resources and participate in regional decision making on tuna management through agencies such as the Western and Central Pacific Fisheries Commission (WCPFC).

Since 1979, FFA has facilitated regional cooperation so that all Pacific countries benefit from the sustainable use of tuna - worth over \$3 billion a year and important for many people's livelihoods in the Pacific.



# Human Rights at Sea Fifth Anniversary



3rd April 2019

**London. UK.** Today, marks the fifth anniversary of Human Right at Sea. The past five years have seen steady development of the organisation from the genesis of an idea in early 2013, to a public promotion of the platform concept at the first London International Shipping Week in September 2013, to an initiative launched on 3rd April 2014 resulting in an independent charity that now helps to drive the narrative concerning human rights protections at sea.

We have worked from Year One to Year Two on ‘Establishing the Standard’, to ‘Raising the Bar’ in Years Three and Four, to delivering the current professional independent platform for driving global awareness on human rights abuses at sea.

Through education, advocacy, research and lobbying, Human Rights at Sea has, and continues to advocate for effective human rights protections, while constantly

challenging and recording abuses at sea through investigations and resultant publications.

With over 20 case studies reporting on human rights abuses and over 30 publications in the wider field of human rights protection at sea, these four words “human rights at sea” are now increasingly part of the global maritime lexicon. This is a far cry from the position in 2013 when such explicit subject matter profile and online platform did not exist internationally.

With the generous support of our core donors, as well as increasing commercial, State and public support we have been able to carry out our work efficiently and effectively, though increased support will result in greater output.

Our charity looks forward to the next five years of hard work continuing to develop global awareness of our founding principle and core message that: **‘human rights apply at sea, as they do on land’.**

## FIVE YEAR ANNIVERSARY



**‘Human rights apply at sea, as they do on land’**

# International Maritime Human Rights Conference

On 29th October 2018, the second International Maritime Human Rights (IHMR 2018) conference was held at The Fishmonger's Hall, London with strong international attendance. Delegates attended from around the world including USA, China, Brussels, Libya and Australia, and included leaders in business and human rights development, lawyers, academics, film-makers, heads of the main maritime welfare organisations and Government civil servants from the UK Department of Transport and other States. Unfortunately, there was limited participation from the mainstream shipping industry.

The IMHR 2018 Programme was comprehensive and covered multiple areas from slavery and trafficking, auditing, legal reviews, safety and welfare in the global fisheries sector, seafarer well-being and emerging educational materials.

The Key Note speech was kindly delivered by Nusrat Ghani MP, Parliamentary Under Secretary of State for Transport in which she highlighted that: "human rights in the maritime sector" was "an issue of enormous importance to the future of the industry and one, that is amongst my top priorities as a maritime Minister". The Minister further highlighted the need to attract the right people to work at sea, under the right working conditions, and provide fair pay for fair work.

Following presentations covered a broad, but related spectrum of issues under the business and human rights umbrella. They included **Parosha Chandran**, Barrister-at-Law and Professor of Practice in Modern Slavery Law in The Dickson Poon School of Law, King's College London, who spoke on the issue of slavery at sea. **Anna Jakobsen** from Earnst and Young delivered a detailed review of the value of audits in detecting human rights abuses. Within the UK, **Lysbeth Ford** of the Gangmasters and Labour Abuse Authority provided an overview of the Authority's background and their mission to tackle worker exploitation of vulnerable people in the agricultural industry for "people who don't have a voice" through tackling unlicensed, organised national and international criminal activity under wide UK legislation. Taking the perspective of public reporting of abuses within the global supply chains, **Phil Bloomer**, CEO of the Business and Human Rights Reporting Centre, clearly articulated the need for databases, of their monitoring over 8000 companies around the World and systematic abuses such as the Indonesian migrant crews being used and abuses in bonded labour on Taiwanese far-fleet fishing vessels working up to 22 hours a day and half the wages of Taiwanese crew.



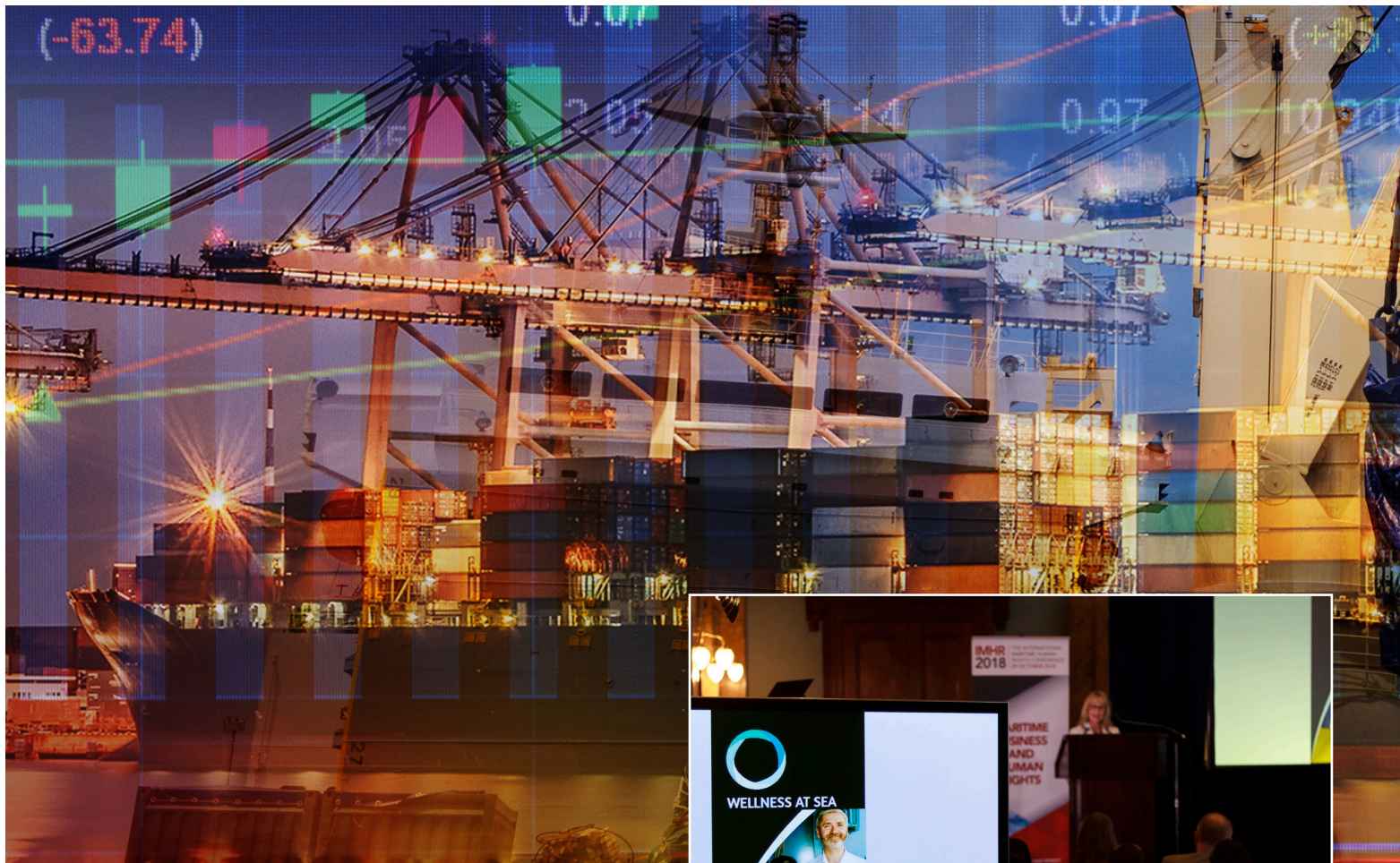
# IMHR CONFERENCE

# 2018

[www.mar-rights.com](http://www.mar-rights.com)







# IMHR Conference

The current ongoing Central Mediterranean migrant issue was covered by **Dr. Violeta Moreno-Lax & Oscar Pejuelo** of Queen Mary University, London, with the introduction to the Search and Rescue Observatory for the Mediterranean. They covered the background to the lack of statistical databases for migrants crossing, migrant deaths, cases of push backs to Libya and the ramifications of closure of Italian and Maltese ports against the varying political positioning within European States. UK Overseas Territories and fishermen's welfare in relation to Tuna fishing fleets operating in the South Atlantic and around the Ascension Island Economic Exclusion Zone, was covered by **Jonathan Hall** of the RSPB as a case study. RSPB has a large sustainable fisheries programme, including in the UK, Africa, the Baltic and the South Atlantic originating from seabird by-catch from fisheries and which has developed into the field of human rights and welfare onboard fisheries vessels operating around

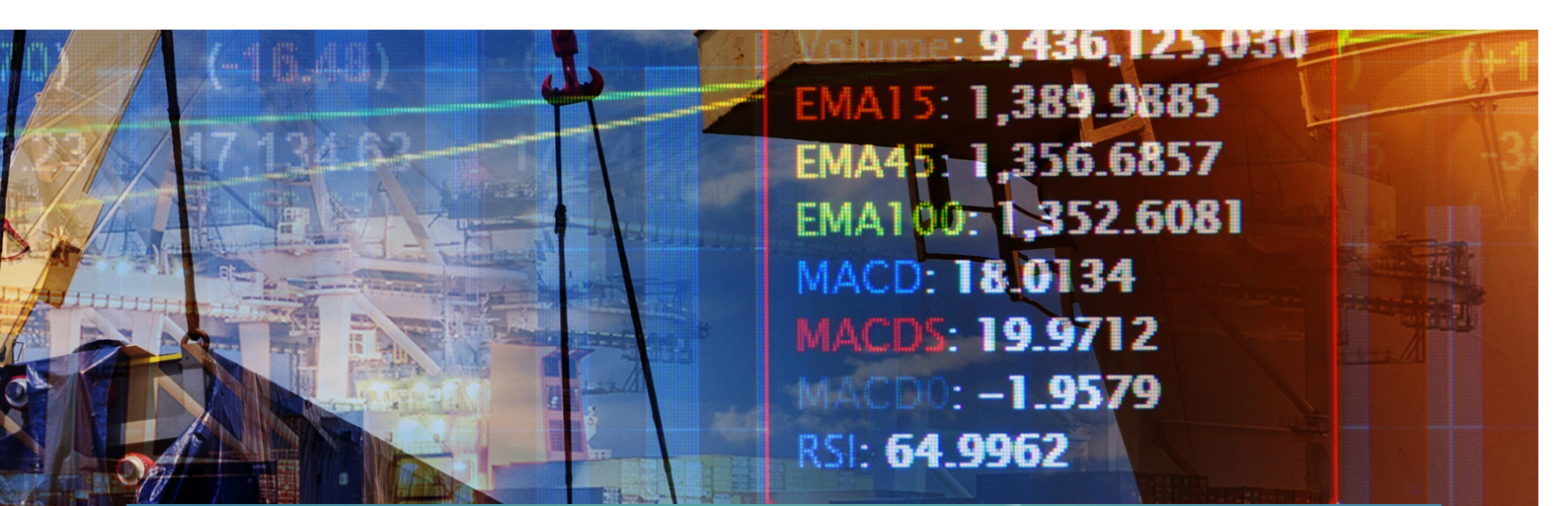
any of the 14 UK overseas territories around the World (i.e. Pitcairn Islands, Falklands, Tristan da Cuna, Anguilla). Continuing the fisheries and welfare theme, **Nikolas Evangelides** of PEW Charitable Trusts, focusing on the Ending Illegal Unregulated and Unreported (IUU) fishing campaign and the challenges of use of regulation, enforcement, information sharing and the global scope in dealing with the issue. From a UK Perspective, **Robert Greenwood** of the National Federation of Fishermen's Organisations (NFFO) trade body spoke about representing the catching sector as part of the fisheries supply chain, and the ongoing work in the industry to develop an increased focus on human rights in the sector. Switching to wider maritime industry seafarer health, and the Wellness at Sea Programme was presented by **Sandra Welch** of The Sailors Society. The programme is being backed by academic research by Yale University and has been run out supported by coaching,

trainer-the-trainer training, 20 hours of e-learning educational materials and an App which enables seafarers to monitor and maintain their all-round well-being and fitness.

The final session was delivered by the charity's Founder and Trustee, **David Hammond**, who focused on the development by the charity of free educational materials in respect of maritime business and human rights, what it means, how it affects the supply chain, and the key questions to be asked of management when looking at affecting inclusion of the 2011 UN Guiding Principles in daily business practices.

**IMHR**  
CONFERENCE  
**2018**  
[www.mar-rights.com](http://www.mar-rights.com)





# LifeBoat



## Short Film 'LifeBoat'

After the main event, the delegates were shown the short film 'LifeBoat' by the US documentary film maker, Skye Fitzgerald. LIFEBOAT showcases refugees desperate enough to risk their lives in rubber boats leaving Libya in the middle of the night, despite a high probability of drowning.

With few resources but certain that civil society must intervene, volunteers from a German non-profit risk the waves of the Mediterranean to pluck refugees from sinking rafts. The film was shortlisted last year for an Oscar.

The next IMHR Conference is scheduled for 2020



# Internship Programme Report

## Anastasia Papapetrou



**“As an LLM student of Public International Law with a special interest in Human Rights Law I was looking to gain work experience in the sector, while I was studying.**

My internship with Human Rights at Sea, as a master’s student researcher in human rights was a great opportunity for me to start my career in the field. It lasted six months and during those months, I was given the chance to participate in the background legal research of two major case studies and a Briefing Note. The field of my research was the criminalisation of NGOs and Civil Society’s Search and Rescue Operations in the Western and Eastern Mediterranean Route, which constitutes a rather thorny issue of these days due to the so-called migrant and refugee crisis in the Europe over the last years.



**HUMAN RIGHTS AT SEA**  
INTERNSHIP PROGRAMME

Although, the issue of criminalisation of humanitarian search and rescue is oftentimes politically driven, it is equally important not to forget the existing international and domestic legal frameworks that protect the duty to render assistance to people in distress at sea. To this end, my internship helped me to investigate the interplay among Public International Law (which is my expertise) as well as domestic laws of coastal states and of course European Union’s Laws and Regulations. It also helped me to investigate how politics interplays with law and particularly how this interplay shapes practice.

Furthermore, I was also assigned with other tasks for the charity. I represented the Charity at ZS Wellness Think Tank Conference, where I was given the chance to see a new branch of human rights that I was not familiar with in relation to seafarers’ welfare. The concept of wellness as a whole is a basic human right that has to be promoted and protected all the time by law and we need to go hand in hand with the shipping industry to see and research those people’s needs at their work and to see how laws can improve their position, which at times may faces challenges. It is thanks to Human Right at Sea, that I learned to view wellness as a human right and that there is a whole sector working on maritime welfare.

What is more, during these six months, apart from developing my research skills, I was given the opportunity to write and edit documents. Coming from a strictly academic environment, I became familiar with a different style of writing and editing that is more policy-oriented. I was also involved in some administrative tasks such as the preparation of the charity’s annual report and annual ‘Timeline of Delivery’, as well as the update of educational materials for the charity’s website. I had very good communication with both the founder of Human Rights at Sea, Mr. David Hammond, as well as the project Manager, Ms. Elisabeth Mavropoulou via e-mails, phone and skype. I was really glad to collaborate with them, and thanks to their guidance and support I felt very secure and confident to do my job, something that is sincerely appreciated.

Last, but not least, all the above could not have been achieved without the kind financial support of The Fishmongers’ Company. I was in the very fortunate position to do a paid job in my sector before the end of my studies, which is really important as it boosted my CV, and now that I am finishing both my internship and my LLM I have more confidence and practical experience to pursue my career further in the human rights sector”.

# Internship Programme



The  
FISHMONGERS'  
Company

## The Fishmongers' Company Support Report by Anastasia Papapetrou

**“On the 7th May, along with other interns, I was kindly invited by The Fishmongers' Company and in particular by Ms. Eleanor Adamson, the Programme Manager Science and Strategy, to attend their annual event.**

Beforehand, Ms. Adamson kindly organised a 'Behind the Scenes' tour for us in Natural History Museum. There, we had the chance to enter the laboratories of the museum and to see a great selection of fish and other animals that are not publicly on display. Afterwards, we were invited to The Fishmongers' Hall located in central London, at London Bridge in a building of historical significance. Following the building tour, where we saw a special selection of chandeliers and paintings, we moved to the main hall to attend a presentation of The Fishmongers' Company work in the sector of fisheries and philanthropy. Ms. Adamson stated that they try 'to make the difference outside this Hall's walls'. Their expertise is the protection of wild fish, as well as the protection of their habitat and fish trade in terms of the seafood industry,

and aim to support the sustainable production of healthy food. To this end, they spend time in convening and connecting people inside and outside the Company and they have influence in the UK Parliament. A number of organisations collaborate with each other in order to protect salmon and its natural habitat. It was also explained that thousands of people in the UK are involved within the fishing industry, providing jobs both at sea and on land. At times, the safety and profitability of people working within the fishing industry can face challenges and for this purpose The Fishmongers, along with Seafarers UK and Trinity House fund support to help fishermen. To date, there are some 200 active projects and £2 Million funding for the sector.

Ms. Amy Spolton made a presentation about the work of Fishmongers' Company in the field of philanthropy. More than 1000 people in London are homeless. The Fishmongers', along with other organisations undertake partnerships helping them to be employed. Ms. Spolton also talked

about the significance of nutrition and education in prisons, and mental health as a threshold of The Fishmongers' work.

**The event closed with a presentation by Mr. Charles Spicer who is the Chairman of the Philanthropy and Grants Committee. He mentioned that one aim of Fishmongers is to double the scale of philanthropy. He repeated that mental health, education in prison and nutrition are the three key areas to make the difference. Access to better food and mental health in prisoners' rehabilitation is a key to improve society.**

Summing up, I would like to express my appreciation both to Human Rights at Sea and the Fishmongers' Company for being here for me during this internship. It was the ideal start to my career in the sector of human rights, and outside the strictly speaking academic environment. Their diligence in what they are doing inspired me to become a better professional as well as more passionate about human rights as a cause”.



**Their expertise is the protection of wild fish, as well as the protection of their habitat and fish trade in terms of the seafood industry, and aim to support the sustainable production of healthy food.**

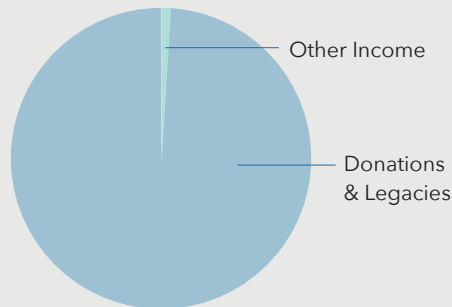


# Human Rights at Sea Accounts

## Income 1 June 2018 - 31 May 2019

### DONATIONS AND LEGACIES

Donations & Legacies	£96,301
Other Income	£50
<b>TOTAL</b>	<b>£96,351</b>



### SUMMARY

<b>Income</b>	<b>£96,351</b>
<b>Resources Expended</b>	<b>£87,325</b>
<b>Surplus Funds</b>	<b>£9,026</b>

## Expenditure 1 June 2018- 31 May 2019

### GOVERNANCE COSTS

Independent Examiners Fees	£1,170
Legal Fees	£553

### RAISING DONATIONS AND LEGACIES

Fundraising	£216
-------------	------

### DIRECT COSTS

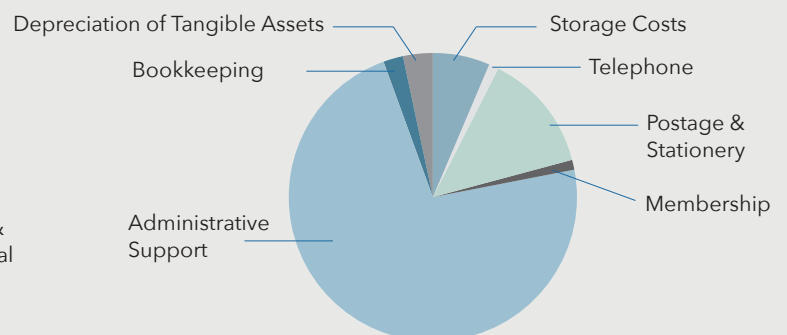
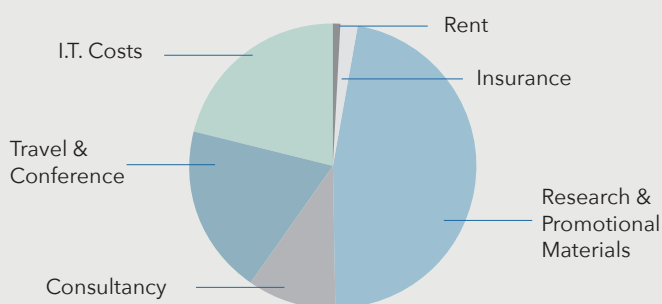
Rent	£720
Insurance	£1,260
Research & Promotional Materials	£30,827
Consultancy	£6,542
Film Costs	£0
I.T. Costs	£12,605
Travel & Conference Fees	£13,825
<b>TOTAL</b>	<b>£65,779</b>

### SUPPORT COSTS

Storage Costs	£1,274
Telephone	£210
Postage & Stationery	£2,626
Membership Fees	£237
Administrative Support	£14,175
Trustees Expenses	£0
Bookkeeping Fees	£432
Depreciation of Tangible Assets	£653
<b>TOTAL</b>	<b>£19,607</b>

### TOTAL RESOURCES EXPENDED

**£87,325**



# Human Rights at Sea Board of Advisors

Professor Irini Papanicolopulu, PhD

Rob Palfrey

Jas Uppal

David Hill

Dr Sofia Galan, LLB, LLM, PhD, FHEA

Giuseppe Cataldi

Professor Schabas, LLB, LLM, LLD

Tulika Bansal

Steven Kay QC

Professor Dr. VS Ataergin

Dr. Peter Swift

Nick Lambert

Nick Grono

Professor Neil Greenberg BM, BSc, MMedSc, MFMLM,  
DOccMed, MEWI, FHEA, FFLM, MD, FRCPsych

Dr Nadia Bernaz, LLM, PhD

Kara Bryson

Martin Foley LLB, MA

Elinor Dautlich, LLP

Captain Michael Lloyd, RD\*\*, MNM, FNI, RNR

Commodore Barry W Bryant CVO FCIPD Royal Navy

Prof. Dr. iur. Anna Petrig, LL.M

Dr. Aleka Mandaraka-Sheppard, LLB, LLM,  
Ph.D, Dip. I.A.CI Arb

Dr. Agustín Blanco-Bazán

Captain Milind J. Karkhanis

Commander Samantha Truelove, MBE Royal Navy







# HRASI

## Our Consultancy Service to the Global Maritime Community



[enquiries@hrasi.org](mailto:enquiries@hrasi.org)



[www.hrasi.org](http://www.hrasi.org)

## Our Services

- Social Licence to Operate – Design, Implementation and Maintenance Services
- Corporate Social Responsibility (CSR) Advisory
- Whistleblowing Advisory
- Corporate Human Rights Due Diligence
- Corporate Human Rights Reviews and Audits
- Corporate Business Reviews, Policy Drafting and Stress Testing
- Independent Investigations
- Independent Reviews for Business, Government and Third Sector support for Migration and Refugee Matters
- Peer Review Service



# Who We Are

## BACK GROUND

Human Rights at Sea was established in April 2014. It was founded as an initiative to explore issues of maritime human rights development, review associated policies and legislation, and to undertake independent investigation of abuses at sea. It rapidly grew beyond all expectations and for reasons of governance it became a registered charity under the UK Charity Commission in 2015.

Today, the charity is an established, regulated and independent registered non-profit organisation based on the south coast of the United Kingdom. It undertakes **R**esearch, **E**ducation, **A**dvocacy and **L**obbying specifically for human rights issues in the maritime environment, including contributing to support for the human element that underpins the global maritime and fishing industries.

The charity works internationally with all individuals, commercial and maritime community organisations that have similar objectives as ourselves, including all the principal maritime welfare organisations.

## OUR MISSION

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.



## STAY IN CONTACT



We welcome any questions, comments or suggestions. Please send your feedback to:  
Human Rights at Sea, VBS Langstone Technology Park, Langstone Road, Havant. PO9 1SA. UK



Email: [enquiries@humanrightsatsea.org](mailto:enquiries@humanrightsatsea.org)



[www.humanrightsatsea.org](http://www.humanrightsatsea.org)



As an independent charity, Human Rights at Sea relies on public donations, commercial philanthropy and grant support to continue delivering its work globally. Was this publication of use to you? Would you have paid a consultant to provide the same information? If so, please consider a donation to us, or engage directly with us.

**JustGiving** [www.justgiving.com/hras/donate](http://www.justgiving.com/hras/donate)



**ONLINE DEDICATED NEWS**  
[www.humanrightsatsea.org/news/](http://www.humanrightsatsea.org/news/)



**CASE STUDIES**  
[www.humanrightsatsea.org/case-studies/](http://www.humanrightsatsea.org/case-studies/)



**PUBLICATIONS**  
[www.humanrightsatsea.org/publications/](http://www.humanrightsatsea.org/publications/)

## OUR CONSULTANCY. INSTRUCT US



We are promoting and supporting:




Proud to be 'Green'

All of our publications are printed on FSC certified paper so you can be confident that we aren't harming the world's forests. The Forest Stewardship Council (FSC) is an international non-profit organisation dedicated to promoting responsible forestry all over the world to ensure they meet the highest environmental and social standards by protecting wildlife habitat and respecting the rights of indigenous local communities.



ANNUAL REPORT YEAR FIVE

# Delivering Impact and Influence

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)

Human Rights at Sea, VBS Langstone  
Technology Park, Langstone Road,  
Havant. PO9 1SA. UK

Email: [enquiries@humanrightsatsea.org](mailto:enquiries@humanrightsatsea.org)

ISBN 978-1-913252-09-0



HUMAN RIGHTS AT SEA