



ANNUAL REPORT

12 MONTHS ON

'Establishing the Standard'



HUMAN RIGHTS AT SEA



A PERSONAL NOTE FROM THE CEO AND FOUNDER

YEAR 1: ESTABLISHING THE STANDARD

Since the launch of Human Rights at Sea (HRAS) as an independent maritime human rights Non-Governmental Organisation (NGO) on 3 April 2014 in London, the past 12 months for the HRAS team have been frenetic in terms of responding to the rapid expansion of the initiative and the core focus of upholding the HRAS aim: *“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”*.

Organisational growth in terms of the numbers of developing international programmes and projects, the investigation, preparation and drafting of international case studies highlighting incidents of abuse, the development of vanguard maritime human rights initiatives, the development of soft-law materials, the growth of the internship programme and the response to increased international recognition of our work has taken all involved by genuine surprise. We are also proud to be able to announce that HRAS now has become a Foundation Charitable Incorporated Organisation (CIO) under the oversight of the UK Charity Commission.

It is a matter of fact that before HRAS was established in April 2014 there was no international platform explicitly advocating matters relating to human rights provisions in the maritime space, i.e. 'human rights at sea'. This seems an incredulous statement, but one that was true. There was a global information and advocacy gap that had not previously been filled in either the scale or scope that HRAS now operates to.

It is also testimony to the profile of HRAS that other international organisations involved in the maritime industry and the maritime NGO community are now focusing on project areas introduced and led by HRAS. It is flattering to see mirrored work appearing on other platforms related to topics innovated by HRAS. This replication indicates that the leadership shown by HRAS is gaining both international attention and traction.

In terms of financial investment, over the last 12 months HRAS has been able to demonstrate real value for money. The following report highlighting all the work undertaken by HRAS to date has been achieved for a minimal cost of circa £45,000.

For seafarers, fishermen and their families the vanguard **Missing Seafarers Reporting Programme** has been an emerging success; another innovative concept proudly led by HRAS on behalf of those it serves. Recording the details of those who are missing at sea now has global engagement and the programme continues to expand in terms of growth of the platform's evidential, investigative and influence capabilities. Further investment should at least double the platform's capabilities and its support to related programmes and projects.

I must now sincerely thank all who are involved with HRAS and its continued development. To those who have directly funded or provided professional pro bono support, to those interns who have worked tirelessly to support case work research and drafting, to those organisations and individuals who have freely given their time and attention to listening to our vision and objectives. To the Board of Advisors for their support and to the Trustees for their incisive direction and continued guidance as HRAS grows.

I very much look forward to the next 12 months of development, which we have titled: **"Year 2: Raising the bar"**.

I look forward to increased engagement with international and maritime regulators, flag States, governments, NGOs, national bodies and shipowners among others. I further look forward to the development of new independent soft law guidance and to continuing our global advocacy **"Unlocking the issue" campaign** for a fundamental rights issue that can no longer be ignored in either the maritime and fishing industries.

Finally, our progressive thinking that human rights are fundamental to daily business practices, corporate social responsibility functions and that they should be applied by business and private individuals throughout the maritime supply chain will also be further developed. This will occur in partnership with those international entities who wish to innovate within the maritime environment and who are supportive of our founding principle that *"Human rights apply at sea, as equally as they do on land"*.

David Hammond
CEO and Founder | May 2015

ABOUT US

Human Rights at Sea (HRAS) is a Foundation Charitable Incorporated Organisation, (CIO) in England and Wales, Registered Charity Number 1161673 based in London. Oversight is provided by The Charity Commission. Governance is provided through the Trustees backed by a written CIO constitution and an iterative ten-year strategic plan. Legal, accounting and financial governance is provided by highly reputable entities, while HRAS undertakes its work through a secure online and multi-media platform.

AIM

The Human Rights at Sea (HRAS) 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.

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:

- 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
- Contributing to the international development of effective, enforceable and accountable remedies for human rights abuses at sea
- Investigating and monitoring abuses of Human Rights at Sea
- Developing the UN Guiding Principles for Business and Human Rights in the maritime environment
- Commenting on and supporting proposed national and international human rights legislation, policies and best practice, where applicable

STRUCTURE

Human Rights at Sea (HRAS) has been deliberately conceived to be rapidly flexible in terms of its organisational structure allowing for swift adaptation to new issues, trends and incidents requiring objective engagement and commentary. Further, the organisation has been designed to operate remotely using technology in order to reduce the financial, logistical and carbon footprint. This design feature has been robustly tested with HRAS having been run continuously and without interruption from Somalia, Qatar, Libya, Mali and throughout Europe in the last 12 months.

WHAT WE DO

Human Rights at Sea (HRAS) acts as an independent global charitable platform for initiating, developing and advocating human rights issues in the maritime environment and contributing to the support of the 'Human Element' that underpins the global maritime and fishing industries.



WHY WE DO IT

Human Rights at Sea (HRAS) believes that in the modern day the current application of human rights in the maritime environment for seafarers and fishermen often occurs through implication at best, and avoidance at worst. The HRAS position is that this approach is unacceptable for such a fundamental issue as human rights. HRAS sees no reason why human rights in the maritime environment should not be expressly profiled, developed and advocated for the benefit of seafarers, fishermen and their families. Abuses occur where individuals fail to identify, notify and rectify failures in the protection of individual's human rights, or simply turn a blind eye to issues and incidents.

HOW WE DO IT

Human Rights at Sea (HRAS) achieves its stated Aim 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'. These are entities who have a vested interest in positively developing the maritime human rights landscape.

Development and promotion of HRAS 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.

SUCCESSSES AND INTERNATIONAL DELIVERY

Human Rights at Sea (HRAS) is proud to have been responsible for several new vanguard initiatives as well as supporting other international partners and governments in their own efforts to make a difference in the maritime environment.

HRAS IS PLEASED TO OUTLINE THE FOLLOWING SUCCESSSES AND INTERNATIONAL DELIVERY

- 1 Establishment of HRAS as the first dedicated independent and international maritime human rights platform **www.humanrightsatsea.org**.
- 2 Registration in England and Wales as a Foundation Charitable Incorporated Organisation (CIO).
- 3 Establishment of the **Missing Seafarers Reporting Programme (MSRP)** as the first global database for missing seafarers and fishermen in four months from concept to delivery with an initial grant from Seafarers UK **www.missingseafarers.org**
- 4 IMO recognition on IMO website as a seafarer's resource.
- 5 Establishment of global **"Unlocking the Issue" campaign** raising maritime human rights profile with governments, flag States, regulators and operators.
- 6 Support to NGOs lobbying for the passing by the New Zealand government of the Foreign Crewed Vessels Bill in October 2014 to be implemented as law in 2016.
- 7 Change in Thai government position for using prisoners on Thai fishing vessels in January 2015 alongside 45 other global NGOs.
- 8 Introduction of vanguard initiatives: **HRAS** (2014), **MSRP** (2015) and the soon to be published **'Deprivation of Liberty Guidance'** - all global firsts.
- 9 Development of the Associated Foreign Exchange (AFEX) global maritime business and human rights policy following HRAS Corporate Social Responsibility (CSR) developmental lead.
- 10 Increased international profile of the MV Seaman Guard Ohio crew case alongside the Mission to Seafarers to the Indian government, Her Majesty's Government and the international community through the published HRAS case study.
- 11 International benchmarking of human rights for the Private Maritime Security Industry through the industry led development of the 100 Series Rules for the Use of Force now globally used by Private Maritime Security Companies (PMSCs). www.100seriesrules.com as drafted by the Founder in 2013.
- 12 Growth of the **HRAS Internship Programme** comprising five interns and one completed internship.
- 13 Development of international pro bono global correspondents supporting the HRAS organisation with translation, international conference representation and outreach to international organisations and government entities.
- 14 Invitation to join the **"Charter of the Future - One World - Our Responsibility"** initiative launched by German Federal Government in July 2014.
- 15 Dedicated news site for all HRAS news posts **www.humanrightsatsea.wordpress.com**.
- 16 **Publishing entity** with allocated ISBNs for all HRAS publications.



INTERNATIONAL CAMPAIGNS, PROGRAMMES AND PROJECTS

The scale and scope of the **Human Rights at Sea (HRAS)** international campaigns, programmes and projects has been a point of debate. These are deliberately wide in their subject matter in order to specifically highlight the reach of human rights throughout all aspects of the maritime environment, the related supply chain and to highlight the main focus of HRAS; that being the Human Element that underpins the shipping and fishing industries.



To date, HRAS is pleased to have introduced and led on the specific content of one international campaign, six programmes and seven projects with identified collaborative partners. These are available to view on the website and include:

- Unlocking the issue Campaign raising the issue of maritime human rights
- Missing Seafarers Reporting Programme (MSRP) – globally supporting seafarers, fishermen and their families
- Children’s Rights at Sea with the Romeo Dallaire Child Soldiers Foundation
- Slavery at sea programme with the NGO Slave Free Seas
- West Africa project for identification of maritime legislative provisions
- Human Trafficking project with the NGO Finance Against Trafficking (FAT)
- Deprivation of Liberty at Sea project with EU MARSAFENET
- Rules for the Use of Force programme based on the 100 Series Rules
- Human Rights and Piracy programme with Dr. Anna Petrig
- Maritime CSR Programme comprising:
 - International Model Guiding Principles and Best Practice project
 - Maritime Implement Framework project
 - Model Maritime Human Rights Impact Assessment project
 - Reporting and Assurance Framework project



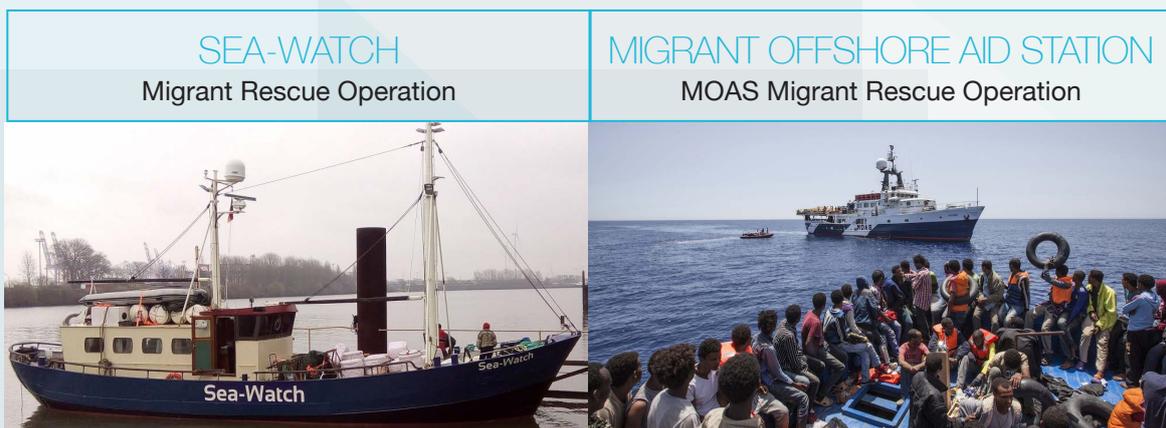
MOAS
MIGRANT OFFSHORE AID STATION



SUPPORT TO PROJECTS FOR SAVING MIGRANT LIVES IN THE MEDITERRANEAN SEA

Human Rights at Sea (HRAS) supports two key high profile private initiatives. These are currently operating in the Mediterranean Sea undertaking Search and Rescue co-ordination operations with European military forces and liaising with commercial shipping in support of the international law requirements of the Duty to render assistance under the United Nations Convention on the Law of the Sea (UNCLOS), 1982, Article 98(1) & (2), IMO International Convention for Safety of Life at Sea (SOLAS) 1974 as amended, Chapter V, Regulations 7 and 33; and IMO International Convention on Maritime Search and Rescue (SAR), 1979 as amended.

Human Rights at Sea is pleased to support the Sea-Watch crew as they undertake their first foray into the Mediterranean to rescue migrants. HRAS provides the blog of the experiences of the Sea-Watch project, vessel and its crew in their journey from Hamburg to the Mediterranean. The blog is aimed at providing a detailed account of the venture and the challenges faced in an independent and voluntary humanitarian project which aims to save lives at sea. The blog is written by Human Rights at Sea Intern, Daniel Shepherd, who is also a member of the Sea-Watch crew and is the Sea-Watch spokesperson.



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SEA-WATCH www.Sea-watch.Org

On the eve of the 25th Anniversary of the Unification of Germany, spurred on by the memory of East German migrants fleeing the iron fist of Soviet rule in search of a better life, Harald Hoppner, Matthias Kuhnt and other like-minded friends decided to buy a boat and sail it to the Mediterranean in a bid to privately act in support of international rescue efforts, raise international awareness and, where safe and able to do so, render assistance to those in distress at sea. Their vision; a civil sea rescue service. Sea Watch, the Organisation and eponymously named vessel, has embarked on a voyage to help raise awareness on the plight of the migrants attempting the Mediterranean crossing and the duties incumbent upon European countries to protect the lives of vulnerable people.

MIGRANT OFFSHORE AID STATION (MOAS) www.moas.eu

Human Rights at Sea (HRAS) also supports MOAS (the Migrant Offshore Aid Station) a registered Foundation based in Malta. It is dedicated to preventing loss of life at sea by providing assistance to migrants who find themselves in distress while crossing the Mediterranean Sea in unsafe vessels. Equipped with the 40-metre (130 ft.) expedition vessel, the Phoenix, two Remote Piloted Aircraft, two RHIBs (rigid-hulled inflatable boats), and a highly experienced team of rescuers and paramedics, MOAS is able to locate, monitor, and assist vessels in distress. The project, financed by private individuals who believe strongly in mitigating disasters at sea, is led by Martin Xuereb, Malta's former Chief of Defence, with a distinguished Board of Advisors.



MISSING SEAFARERS REPORTING PROGRAMME (MSRP)

ABOUT

The **Missing Seafarers Reporting Programme** ('MSRP' or 'The Programme') is the flagship programme delivered to the international and maritime communities by the **Human Rights at Sea (HRAS)** organisation. It is a privately funded programme delivered through the generosity of international donors having been conceived in September 2013 and been developed by CData Services web development.



VISION

The vision is to primarily support seafarers, fishermen and their families by the registration of seafarers and fishermen missing at sea through a secure, independent and international on-line platform. That platform is known as the '**Missing Seafarers Register**' ('the Register').

The Register, as it evolves, will become an international multi-lingual on-line platform for registering, tracking, updating, profiling and raising awareness of missing seafarers and fishermen on a global basis. It will be aimed at being used by multiple stakeholders, including, but not limited to, family members, colleagues, employers, NGOs, flag States, insurers, Governments, the EU and the UN for their awareness and where applicable, their engagement, intervention and investigation of alleged abuses. It is a work-in-progress.

The Programme will also support ongoing international awareness of the broader matter of seafarers' welfare and the issues they face such as the withholding of wages, confiscation of identification documents, abuse of work visas, inhumane working conditions and other human rights abuses. This will be undertaken in concert with existing seafarers organisations and international programmes. Additionally, where requested and where privately funded, HRAS will seek to assist in the gathering of evidence and conduct investigations into the disappearance and suspected murder of seafarers.

AIM

The aim, through the use of the 'Missing Seafarers Register', is to build an accurate international database of the status of seafarers and fishermen missing at sea on a global basis.

UPDATE

To date, the Missing Seafarers Reporting Programme has:

- **been conceived, established and delivered in only four months**
- **been funded by generous grants from recognised international organisations**
- **a secure and encrypted on-line database that is future proof with expansion capability for evidence handling and statistical manipulation**
- **support from seven international seafarer welfare organisations**
- **62 individual cases uploaded at the time of writing**
- **inclusion of missing vessels lost at sea with crew yet to be identified**

MISSING SEAFARERS REPORTING PROGRAMME INVESTIGATIVE CASE STUDY

DISAPPEARANCE OF W. HARSHAKA SRIMAL FERNANDO: A SRI LANKAN EMPLOYEE FROM A TAIWANESE VESSEL



Words direct from the family and family priest reproduced with express permission. Some personal details redacted.

“W. Harshaka Srimal Fernando, a Sri Lankan national holding had been working on a two year contract of a vessel belong to Taiwan since November 13, 2013. The vessel has been flying under the flag of Oman. Harshaka had found this employment through a Sri Lankan foreign recruitment agent.

Along with Harshaka three other Sri Lankans had been working in the vessel and they had been complaining about severe hardships including not providing sufficient food, water, bad working conditions and extensive long hour work sometimes more than 20 hours at a stretch.

On August 13 Harshaka had worked for 21 hours at a stretch. On the following day he had been scolded by Bosun (senior crewman of the deck department) an Indonesian national for getting delayed to report to work. There, the Bosun had pushed Harshaka on several times and Harshaka had refused to work anymore in the ship and returned to his cabin. He also had said that he did not want to work anymore in the vessel and that he wanted to return to Sri Lanka.

At this stage, the three Sri Lankan workers had seen the captain and Bosun going to Harshaka’s cabin several times. After about one and half hours the captain had informed three other Sri Lankan workers that Harshaka was not to be seen and instructed to search for him. The fellow Sri Lankans had done a thorough search within the ship and a fax sent to the families on August 23 revealed that on the second day the captain or the others had made no effort to engage in further search operations.

But Harshaka was not to be found. The three Sri-Lankan workers informed their family by letter that Harshaka Srimal had disappeared and that while they were searching for him, others in the vessel took no note of it. They also said that nobody had seen Harshaka jumping from the vessel and he was not of a mental condition to resort to such action. From then on, they never saw him again and they suspect that something might have happened to him in the hands of the captain and Bosun of the ship.

Since that day they too had refused to work and demanded that they be returned to Sri Lanka and in a letter they stated that they too feared for their lives. Even though Harshaka had gone missing on August 14 it had been kept as a secret by the agent and the vessel company and his family had only come to know about it on August 20.”

Human Rights at Sea has many cases like this submitted to the Missing Seafarers Register. These need proper investigation. Please support.

INTERNSHIPS
PROFESSIONAL AND PERSONAL DEVELOPMENT LED BY
HUMAN RIGHTS AT SEA



Human Rights at Sea has been running a pro-bono internship programme for nine months which has proven to be a huge success. HRAS is constantly looking for high quality individuals for London-based internships lasting between 3-6 months.

Based at 9 Bedford Row, London, interns are an integral part of assisting in the development of what is a rapidly emerging international maritime human rights organisation. HRAS interns have been directly responsible for many of the HRAS case studies and the development of HRAS projects and programmes.

In return, HRAS provides structured and monitored internships. Provides individual mentoring, the opportunity to add unique work experience to personal CV's and where as a result of proven ability, provides supporting post-internship references. HRAS prides itself on the provision of equal opportunities to all interns.

GAIN EXPERIENCE!

INTERNSHIPS

PROFESSIONAL AND PERSONAL DEVELOPMENT LED BY HUMAN RIGHTS AT SEA



Interning with HUMAN RIGHTS AT SEA has been a unique working experience for me as a young professional with a legal background. I have been fully trusted by the people behind the charity and that has let me grow professionally in terms of building my network and sharing my ideas to the charity. I was assigned with in-depth research in various areas of human rights law ranging from pure maritime issues such as safety and security on board of ships, piracy, armed robbery and terrorism, to more contemporary and controversial issues regarding corporate social responsibility and human rights in the shipping sector. I was granted the opportunity to acquire hands-on experience on drafting soft law initiatives that has added real value to my written and research skills. At Human Rights at Sea one feels that they are a vital part of the organization and the people behind it offer interns what the market requires of young professionals: motivation, innovation and forward thinking. Most important of all, being an intern with Human Rights at Sea one gets to work on the development of a new global human rights platform; what more is there to ask for?

Elisabeth Mavropoulou
Attorney-at-Law LLM



My internship with Human Rights at Sea has been an invaluable experience for me. Working with this international initiative, I have been able to expand my knowledge in maritime and human rights issues, whilst honing my legal skills. In comparison to other pro bono projects I had been involved with, I have felt that Human Rights at Sea provided me with a unique learning experience, allowing me to work autonomously to my own initiative whilst providing me with support and guidance. Throughout my time with Human Rights at Sea, I was able to explore various human rights issues including refugee rights in Australia and the Mediterranean, safety on ships, and UN arms embargoes. I was also given the opportunity to use my research to draft articles and other summaries for the organisation, which allowed me to develop valuable professional skills. Human Rights at Sea has been a unique and important part of my professional development, and I would highly recommend an internship there!

Andrea Tang, LLB
Barrister



During my time with Human Rights at Sea (HRAS) I have been involved in the provision of advice and assistance to a German based NGO undertaking human rights field operations in the Mediterranean. The escalation in irregular seaborne migration from North Africa to Europe has raised a number of challenging legal, political and security related questions. As a security consultant and trained barrister it is this intersection between 'real-world' problems on the one hand and practical solution finding on the other that makes the work undertaken for HRAS so fascinating. To date my research has spanned the fields of international human rights law, the law of the sea and refugee and asylum law. With the support of eminent legal practitioners and a network of expert contributors, as an Intern at HRAS one really feels like he is a part of something special. Indeed, operating on the frontline of a ground-breaking human rights-based initiative convened to enhance awareness and raise standards, it is inspiring to know that one's work is going some way to help engender a more socially responsible maritime industry.

Daniel Shepherd
Director, Cosentio



My Internship at HRAS is a deeply expansive experience. I am given total freedom to conduct my research within agreed deadlines. A work / life balance is encouraged and respected and full recognition is given where due. Given the ubiquitous nature of Human Rights it has been eye opening to discover the extent of their absence at sea. My focus has been on the express coverage of Human Rights within the International Labour Organisation (ILO) regulations, critical to HRAS' ongoing work and their defence against any party wishing to play them off against the ILO.

It is extremely satisfying to know that your research not only builds your understanding of the scope and need for development of HRAS but that, quality permitting, it is actively used for example in negotiations with seafaring unions. It is impossible to not be enthused by HRAS and the dedicated team of people involved. Effective changes are being wrought and it is an honour to play but a small part in securing Human Rights at Sea, all the while developing and enhancing the requisite skills and experiences for a successful career in law.

Ms. Joanna Oomen
Bar Vocational Course, London

STATISTICS

For a **Year 1 cost of £45,000** HRAS has achieved in 12 months

- First Independent Global Maritime Focused Human Rights Platform
- Global www recognition and explicit recognition of the term 'Human Rights at Sea'
- Delivery of first Global Database for Missing Seafarers and Fishermen
- Trademarked TM Branding
- 60 International Supporting Entities
- 21-Person Board of Advisors
- Pro-bono representation of HRAS in 12 States
- One International Campaign commenced
- Six International Programmes commenced
- Seven International Projects commenced
- Five Corporate Social Responsibility (CSR) Projects commenced
- Eight International Case Studies delivered
- Over 1,300 Twitter followers and over 1,400 tweets
- Five Internships ongoing - one Internship completed

In last 12 months for the HRAS Dedicated News Site

- 154 news posts
- Over 6,000 reviews from 79 countries

In the past 6 months for the website

- Over 4500 users from 152 countries
- 33% regular users and 67% new users
- Average 3 minutes engagement per visit
- Average 2.7 pages reviewed per visit
- Over 15,100 page views
- 45% female users

SUPPORTING HRAS

Human Rights at Sea delivers its campaigns, programmes and projects with minimal financial support. The costs for Year 1 were circa £45,000.

With very modest future investment, we assess that the charity can double its output and work in relation to campaigns, programmes and projects in order to expand its international reach in support of the aim and objectives. HRAS believes that this return is **exceptional value for money** for a subject area that will continue to expand in terms of coverage, integration and innovation throughout the maritime environment.

Professional pro bono and direct financial support is therefore encouraged as HRAS consolidates itself as a charitable organisation.

CONTACT

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TRANSPARENCY

CLARITY

ACCOUNTABILITY



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