



HUMAN RIGHTS AT SEA



HRAS

Case Study

Seafarers' Abandonment
on Kish Island, Iran

**A Practice
of Human Rights
Abuses**



HRAS

Case Study

A Practice of Human Rights Abuses

Seafarers' Abandonment on Kish Island, Iran

Seventeen seafarers in total were abandoned by various maritime companies on Kish Island, in Iran, of which none had been paid for over two years. Among them were 12 Indian nationals, 3 Ethiopian nationals and 2 Filipino nationals. All seventeen seafarers worked on different ships ran by various companies, including 'Baltic Marine' and 'Al Matab Shipping'. Fearing for their safety (in case of reprisals), full details of all the companies involved have not been provided by the seafarers. They had been suffering from food poisoning, due to contaminated food, as well as many other health problems. This case study is based on information kindly disclosed by some of them.



(Kish Island, Iran photo provided by the seafarers)

“the labour abusive practice had an ultimate goal to wear down the seafarers, break them physically and mentally”

Seafarers' Abandonment Comes to Light

Human Rights at Sea became aware of this labour and human rights abusing practice in May 2018, from Justice Upheld, a British registered international human rights charity, founded by one of the HRAS Non-Executive advisors, solicitor Jas Uppal. Justice Upheld was established to provide legal help and representation to victims of human rights abuses who do not have the financial means and capacity to assert their rights and seek redress.

Justice Upheld was contacted by Mr Abhishek Kumar Tiwari initially in early May 2018 seeking help on his case. Mr Kumar Tiwari is an Indian national and a seafarer who had been abandoned on Kish Island, Iran, by his employer, left without food and with unpaid salaries of up to a year, facing destitution on the island. Initially, when asked to provide further evidence on the case he was reluctant, fearing reprisals from his employer. Mr Tiwari had contacted his employer himself, who in turn had ignored his requests.

This horrendous event was not an isolated case. It came to light that there were seventeen seafarers in total abandoned on the Island of Kish, in Iran by various shipping companies, who fearing reprisals were found in a 'master and slave' relationship. Such labour abusing practices need to be reported so that the shipping companies responsible for these grave human rights abuses do not continue to do so with impunity. The maritime industry as a whole needs to be aware that there are employers today that still mistreat their seafarers and cause them harm.

Some of the seafarers have been on Kish Island for over a year, waiting to be paid their outstanding salaries, (outstanding for up to two whole years), to be signed off, and repatriated to their home countries. Their respective employment contracts had all expired, and they were left in limbo waiting for the return of their identity papers. All supporting documents had been retained by the shipping company they were employed by, without justification.

HRAS

Case Study

www.humanrightsatsea.org

Destitution and Inhumane Treatment on Kish Island

On Kish Island, they were given substandard food and access to fresh water was limited. They reported that they were suffering from health problems. Access to medical assessments and treatments were denied. They were desperate to return to their homes, with their salaries paid in full, and formally signed off. It transpired that the labour abusive practice had an ultimate goal to wear down the seafarers, break them physically and mentally, so they would return home without the salaries due to them. Not only were they left facing destitution in a foreign land, but also, they had been denied their identity documents, so they could not travel. Such practices amount to slavery.

When Justice Upheld reported the case to the respective national authorities of the seafarers in Iran, namely the Indian and Filipino embassies, fortunately the Indian authorities dealt with the matter with urgency. The authorities contacted the shipowner's agents who in turn were pressured to resolve the matter and settle the case. The men were paid their outstanding salaries in full and were repatriated at end of May. Some of the seafarers alleged that their respective employers had made deductions from their salary to cover the fare of their flights, amounting to 400 USD.

Despite the fortunate turn of events for the seventeen seafarers, Human Rights at Sea remains concerned over such labour abusive practices. If Kish Island in Iran is being used by ship owners to abandon seafarers, so they can circumvent the legal obligations owed to them under their employment contract (while they are in the process of recruiting new ones), then such practices must come to an end. The shipping industry must come together and explicitly condemn such practices. This pattern of abuse constitutes a violation of fundamental human rights first and foremost.



Disclaimer

The content and detail within this Case Study has been provided to Human Rights at Sea by Justice Upheld. The contents of the submitted text have been checked, as best as is possible, for accuracy by the authors at the time of writing. Human Rights at Sea is not liable in anyway, whatsoever, in any jurisdiction, for the contents of this case study which has been translated and published in good faith following investigation by the Charity. All text and pictures have been acknowledged where able. Any omissions or factual inaccuracies may be alerted by writing to: enquiries@humanrightsea.org. The opinions, perspectives and comments are solely those of the author supported by the evidence disclosed.



HUMAN RIGHTS AT SEA



HRAS

Case Study

Seafarers' Abandonment
on Kish Island, Iran

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

The aim of the Missing Seafarers Reporting Programme 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.

enquiries@missingseafarers.org
www.missingseafarers.org

www.humanrightsatsea.org
www.humanrightsatsea.org/case-studies/
VBS Langstone Technology Park, Langstone Road
HAVANT PO9 1SA , United Kingdom

© JULY 2018 Human Rights at Sea
All Rights Reserved.