



HUMAN RIGHTS AT SEA



Human Rights at Sea

UN GLOBAL COMPACT

COMMUNICATION ON ENGAGEMENT

MARCH 2019

Human Rights at Sea

UN GLOBAL COMPACT COMMUNICATION ON ENGAGEMENT

Langstone Technology Park
Langstone Road
Havant
PO9 1SA
United Kingdom

Communication on Engagement: Statement for Continued Support for the UN Global Compact

12 March 2019

Dear Secretary General,

I am writing to confirm the continued support of Human Rights at Sea for the United Nations Global Compact and the ten Principles.

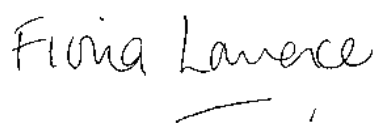
To reinforce our first Communication on Engagement (COE), and since joining the UN Global Compact in May 2015 as a UK-based not-for-profit and independent maritime human rights non-governmental organisation established in April 2014, Human Rights at Sea continues to promote the Global Compact through its on-line platforms, and in all appropriate investigative and voluntary guidance documentation which is published. This included the first profiling of the Global Compact membership at the inaugural International Maritime Human Rights conference held in London in September 2016, and most recently, at second International Maritime Human Rights Conference also held in London in October 2018 (www.mar-rights.com).

As an independent human rights charity, Human Rights at Sea is currently unique in its sector for including the development and advancement of the 2011 UN Guiding Principles on Business and Human Rights within its Constitution, specifically in the maritime environment and reflecting the 1948 Universal Declaration of Human Rights as a specific charitable objective under the UK Charity Commission's oversight.

This first COE highlighted the areas of our collaborative work, initiatives, delivery and profiling of the Global Compact with our official Supporting Entities and partners specifically in relation to the first two Principles covering Human Rights, noting the four Principles covering labour rights, which are part of the wider human rights umbrella of fundamental rights, and also being aware of the tenth Principle concerning our international work and the avoidance of corruption in all forms.

On behalf of the Board of Trustees, it is my pleasure to continue publicly to express our support for the UN Global Compact initiative as a core tool in bringing about consistent systems and a principled approach to undertaking lawful and credible business throughout the maritime value and supply chains.

Yours sincerely,



Ms. Fiona Laurence
Chair of Trustees

Human Rights at Sea

UN GLOBAL COMPACT COMMUNICATION ON ENGAGEMENT

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HUMAN RIGHTS AT SEA
 INVESTIGATIVE REPORT & CASE STUDY
 - Defending Maritime Human Rights -

Breach of Indian Seafarers Human Rights & their Abandonment


MT Ocean Pride IMO 8520989 - Offshore UAE
 Flag: Panama
 Crew Evidence and Impact Statements
 Initial Report: 2 July 2017



"We are totally unsafe here... this is a dead ship. Sea water is leaking in the engine room... no facilities... rusty water... if anything happens we will not survive. All will be dead... Please send us home."

Disclaimer
 The content and facts within this investigative report and case study has been freely obtained from voluntarily personal testimony that has been checked, as best as is reasonably possible, by Human Rights at Sea (the charity) both at the time of writing, and before publishing. The reporting is ongoing and may be updated. All quotes, pictures and diagrams have been acknowledged where able and any omissions, or factual inaccuracies may be immediately alerted by writing to: enquiries@humanrightsatsea.org. Any opinions, perspectives and comments are those of the charity. Where necessary, [redacted text] redacted text is inserted to protect seafarers identities. This report may contain graphic images, and which are viewed at the sole discretion of the reader. The charity does not accept any liability, whatsoever, howsoever asserted, in any jurisdiction. The charity always works in good faith as an independent maritime human rights defender, following our founding principle that 'human rights apply at sea as equally as they do on land' and based on core values of transparency, clarity and accountability.


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HUMAN RIGHTS AT SEA
 INVESTIGATIVE REPORT & CASE STUDY
 - Defending Maritime Human Rights -


The Human Impact of Crew Abandonment

MV Liberty Prudencia IMO 9250141
 Indian Crew Evidence
 February - March 2017

"My old aged parents suffering with medical problems and my eight years old son, he is a special child suffering with autism problem now the situation at my home in very bad condition, I want to sign off from here with all my pending wages so kindly help me."




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HUMAN RIGHTS AT SEA
 INVESTIGATIVE REPORT & CASE STUDY
 - Defending Maritime Human Rights -

The Human Impact of Denial of Crew Wages to Seafarers

MV Sharjah Moon IMO 7516503
 Hamriyah Port, Sharjah, United Arab Emirates
 Crew Evidence and Impact Statements
 Report: 9 June 2017



"Many times I requested to company but they did not send my salary. Even my family do not have money for food but my company not responded. I am fully desperate. My mental and physical condition is too bad..."

"They didn't care about the crew some crew trying to suicide themselves, but we rescued them. Since company not taking any action and we ran out of food, water, fuel ... Just request to whoever reading this to kindly help us."

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Human Rights at Sea

UN GLOBAL COMPACT COMMUNICATION ON ENGAGEMENT

About Human Rights at Sea

Before September 2013, factually, there was no international co-ordinated on-line investigation, education and advocacy platform explicitly dealing with the wide and varying topics that comprise the subject matter of 'human rights at sea' in all of its guises across the global shipping, fisheries, and related business sectors, as well as the investigation of maritime humanitarian crisis and indigenous coastal communities suffering from and subject to human rights abuses at sea.

Today, these four words "human rights at sea" continue to become part of the global maritime lexicon. **This was most recently demonstrated in India where the Forum for Integrated National Security, a leading Indian think-tank, ran a national conference in Mumbai entitled 'Human Rights at Sea', with recommendations to be subsequently submitted to the national government for policy consideration. This State-level profile would not have occurred at the time of our first COE.**

Five years since its establishment, Human Rights at Sea is making every possible effort to at the very least profile as many forms of human rights abuses occurring in the maritime environment as possible, and at best raise awareness, educate and bring about change that will have lasting effect in addressing effective remedy and impunity. This includes accountability by businesses operating in the maritime supply and value chains, backed by a collaborative approach to highlight abuses through engagement with our 'Supporting Entities' and partnerships.



Mumbai Human Rights at Sea conference at The Leela Hotel 28 Feb 19

It is recognised that such scale and scope of work is a massive undertaking for a small organisation, but we believe through our contributions over the last five years, limited only by available funds, that we have been delivering tangible change in civil society, government and business environments through the increased awareness of abuses at sea.

OUR MISSION 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.

OUR VISION is to become the leading independent maritime human rights platform.

OUR FOUNDING PRINCIPLE is that 'human rights apply at sea as equally as they do on land'.

OUR CORE VALUES are Transparency, Clarity and Accountability.

Human Rights at Sea and the UN Global Compact

The charity joined the Global Compact in May 2015, and since then it has grown in terms of its advocacy efforts and exposures of abuses at sea. We see the Global Compact as an integral part of our continued transparent drive to build credibility in terms of our governance. This position has not changed since 2015.

The charity further believes in complimentary soft-law and soft-instrument approaches and initiatives to helping tracking human rights abuses and highlighting the impunity from accountability that can surround unlawful business practices. As such, the charity believes that overt support and international profiling of the UN Global Compact Principles is another key tool in initiating positive institutional and generational change.

We believe that support and respect for internationally proclaimed human rights is a 'must have' fundamental for any credible business acting within the maritime supply and value chains. The charity therefore intends to continue to advocate this view through our online platforms, educational tools, investigations and international advocacy.

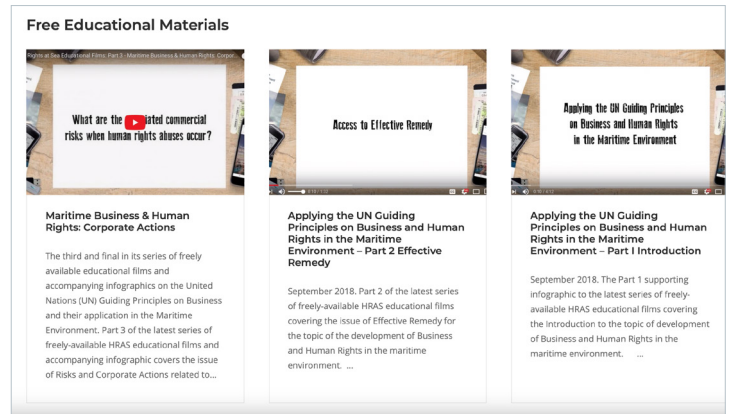
Human Rights at Sea

UN GLOBAL COMPACT COMMUNICATION ON ENGAGEMENT

Highlighting Human Rights Abuses in Maritime Business Activities

The charity continuously profiles factual case studies and voluntary guidance publications in support of highlighting human rights abuses that occur in the maritime environment and providing, where able, support for those who have suffered or been affected by such abuse. The volume of such work is significant and it is on-going on a daily basis; the majority of cases originating from within business supply chains. During 2018-2019 the charity investigated and published three different detailed case studies of seafarer abandonment by their respective employers with wages unpaid, crews facing destitution and mental health suffering. Some crew have even been recorded as stating that they are prepared to commit suicide over their working conditions.

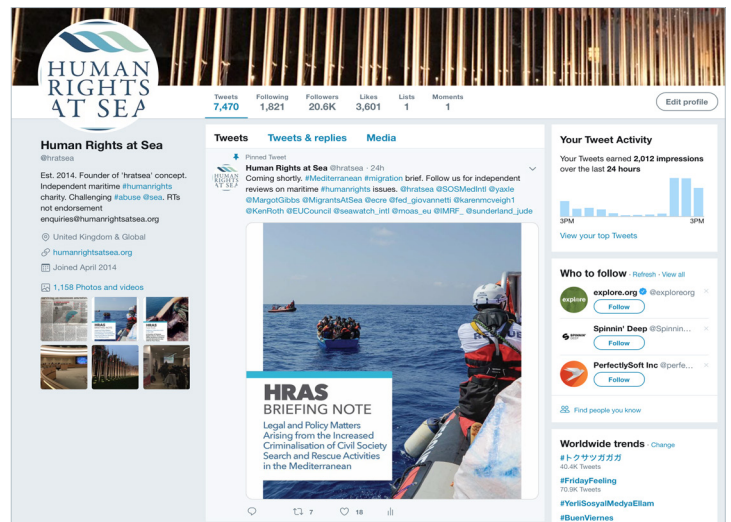
As previously highlighted, the charity is concentrating on promoting good business efficacy and voluntary alignment with the 2011 UN Guiding Principles on Business and Human Rights (UNGPs). While this guidance is an internationally recognised and weighted soft-law instrument, in the absence of explicit hard law and a related Convention for legally enforcing business and human rights, we believe that this is the best international guidance and platform currently available. Against this background, Human Rights at Sea has continued to produce freely available educational videos and infographics including on **Implementing the UN Guiding Principles on Business and Human Rights in the Maritime Sector**.¹ With our videos we aim to educate the seafarers and the business on the "Protect, Respect, Remedy" Framework as well as on the key questions maritime businesses should ask at a board level.²



Our Communication and Engagement

While being a small organisation, the charity makes every effort to communicate its position on membership of the Global Compact.

This includes it's terms of oral and written advocacy, demonstrating alignment with the applicable Principles and the use of the officially supplied logo on our main publications and annual reports. It is backed up by dissemination through our social media channels and in particular, our Twitter platform.



¹ All three videos and their respective infographics are available to download at <https://www.humanrightsatsea.org/free-educational-materials/>

² Business and Human Rights Key Facts for Maritime Executives, available at: <https://www.humanrightsatsea.org/wp-content/uploads/2018/09/HRAS-IMHR2018-Business-and-Human-Rights-Key-Facts.pdf>

Human Rights at Sea

UN GLOBAL COMPACT COMMUNICATION ON ENGAGEMENT

Our Initiatives

In terms of supporting the first two Principles related to human rights, a key charitable objective of our organisation is to encourage engagement within the entire maritime community for overt support and application of the protection and application of effective remedies towards internationally recognised human rights based on the 1948 Universal Declaration.

As such, our initiatives are focused on a wide range of activities within the maritime environment and within its supply and value chains. These include, but are not limited to:

- Awareness and profiling human rights abuse case studies around the globe with the most recent ones on seafarers' abandonment and labour abusive practices.
- Delivery of the second international Maritime Human Rights Conference themed "Maritime Business and Human Rights" bringing together maritime and fisheries businesses, welfare organizations and the UK Government as the UK Minister for Shipping, Nushrat Ghani MP, delivered the keynote address. (October 2018).
- Partnership with the Business and Human Rights Resource Centre for the launch of a New Global Maritime Human Rights Reporting Platform. (Jan 18) The platform records cases of maritime human rights abuses, highlighting pertinent international cases from the shipping and fisheries industries, and publishes cases relevant to identifying best Corporate Social Responsibility (CSR) practices for companies operating in the maritime sector.
- Three Year Partnership with the Bristol University Human Rights Clinic and the Bristol University Human Rights Implementation Centre to launch the Flag State Report Project, which examines how flag States meet their international human rights obligations aboard vessels registered under their flag. (June 17)
- The production and publication of three series of freely available educational videos and infographics on "Implementing the UN Guiding Principles on Business and Human Rights in the Maritime Sector". The videos are "Introduction to the Guiding Principles", "Access to Effective Remedy" and "Risks and Corporate Actions" respectively.
- The publication of a detailed Investigative Report & Case Study of Non-EEA crew from the Philippines on manning Agents & UK Fisheries Supply Chain.



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

hras international
with funding from:
John Ellerman Foundation

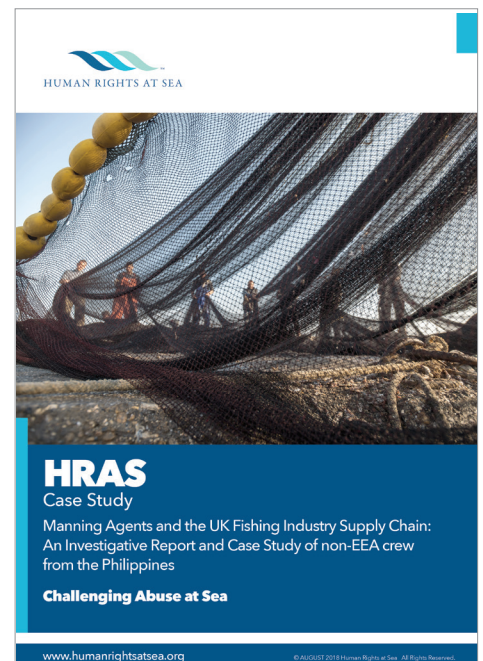


HUMAN RIGHTS AT SEA

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



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

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Our Work with Anti-Bribery Initiatives

As highlighted in the first COE, all our international engagement is undertaken with a view of undertaking lawful and ethical activities that protect our work, our reputation, our Intellectual Property (IP) and the same applies for our Supporting Entities and partners. This includes our emerging paid for services on a non-profit basis by our trading company, Human Rights at Sea International Ltd www.hراسي.org.

At all times we undertake all reasonable due diligence and associated checks in order to identify any aspect of a partner's or Supporting Entities business and/or not-for-profit activities, including identifying obvious conflicts of interest at Trustee or Board level which may lead to less than transparent charitable and business activity. Those organisations identified as being in conflict with our core values are not engaged with at first instance. Any organisation which seeks to align with the charity, must actively demonstrate a 'clean bill of health'.

Influencing Partners

At all times, Human Rights at Sea seeks to positively influence our Supporting Entities and partners variously engaged in our charitable work, to encourage them to join the Global Compact, or at the very least to follow some or all of the ten Principles from a voluntary perspective. We also look for partnerships with organisations that are established members of the UN Global Compact.

Over the past two years, the charity has continued to run its Internship Programme developing the wider experience of young people and young professionals in an NGO environment that advocates the position and ethics of lawful and transparent business activity. The aim is to shape the interns' attitudes and perceptions towards lawful and effective NGO activities, and to provide them with new life experiences so that they may use balanced consideration and judgement in their future professional work and lives.

Conclusion

This second Communication on Engagement has been a useful professional exercise in assessing and identifying current work strands that Human Rights at Sea is undertaking, and which seeks to embed the concept and intent of the UN Global Compact in terms of its ten Principles and specifically, the first two Principles which expressly apply to the charity's work in the maritime environment.

The charity fully supports the UN Global Compact initiative and other such soft-law initiatives and instruments that promote an environment which helps to reduce abuse at sea towards individuals working in the global maritime supply and value chains, as well as those subject to deprivations resulting from the ongoing global humanitarian crisis, most notably and recently exemplified in the Central Mediterranean Sea.

Contact

For further information contact:

Mr. David Hammond, Founder and Trustee, Human Rights at Sea

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We are promoting and supporting:





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Photograph credit: Judith Buthe




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