



International Maritime Law Institute

Human Rights at Sea and Role of Civil Society

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Malta

David Hammond Esq. AFNI
Founder Human Rights at Sea



HUMAN RIGHTS AT SEA

Human rights apply at sea, as they do on land.

**WE ADVANCE HUMAN RIGHTS'
PROTECTIONS AT SEA**

Context Overview

- Estimated **30 Million** people living, working and transiting at sea every day.
- September 2020 Global pandemic and seafarer crew-change crisis identified labour abuses at sea (extended contracts, lack of access to medical care, logistic hub failures, unlawful orders by owners to ship's Masters, abandonment).
- **45%** of women working at sea reported sexual harassment.
- Estimated **100,000** fishermen's deaths per annum.
- **11%** of all seafarer deaths 2019-2023 were from suicide surpassing the number of deaths caused by onboard injuries.
- **52** countries where Human Rights at Sea (HRAS) has influenced Law & Policy development.
- 150 reports, publications and resources issued since 2014.
- **130,000** seafarers' onshore welfare facilities assured by updating primary legislation in one coastal state (New Zealand).

About Us

- Established 2014. UK non-profit Charity (2015-2025) to Community Interest Company (2025).
- Patron: Lord Robin Teverson (UK House of Lords, Liberal Democrat Cross-bench Peer).
- UN Global Compact Member (2015).
- **Observer to Western and Central Pacific Fisheries Commission (2019).**
- **UN Economic and Social Council Accreditation (ECOSOC) (2022).**
- Year 13 as a global research, investigation and advocacy resource hub.
- **Originator of the Geneva Declaration on Human Rights at Sea.**
- Subject of 2023 House of Lords Inquiry into ‘UNCLOS: Fit for Purpose in the 21st Century?’

Websites

www.humanrightsatsea.org | www.hراسي.org | www.gdhras.com



HUMAN RIGHTS AT SEA

Context: State Concerns

- + Illegal, Unregulated and Unreported (IUU) fishing
- + Acts of piracy and armed robbery at sea
- + Terrorist attacks on commercial vessels (Red Sea, Black Sea, Gulf / Hormuz)
- + Refugee and Migrant interdiction (Mediterranean Sea, Andaman Sea, South China Sea)
- + Modern Slavery and Human Trafficking
- + **Impact on families and dependents – *the hidden endemic of seafarer and fisher abuse***



Photo Credit: Royal Navy



Photo Credit: Royal Navy



Photo Credit: BBC



HUMAN RIGHTS AT SEA

Context: Scope of Abuses at Sea

- + Slavery
- + Human Trafficking (+ migrant smuggling)
- + Homicide
- + Physical and mental abuse - Bullying, Harassment, Exploitation
- + Sexual exploitation
- + Failure to rescue persons in distress at sea
- + Attacks on commercial vessels in times of conflict – Hormuz / Black Sea**



Photo Credit: IntraFish



Photo Credit: ABC News



Photo Credit: Greenpeace



Photo Credit: Ukraine SBU

PROPOSITION

#1. There is little requirement for civil society influence in a commercially-run, state-centered, UN specialized agency overseen maritime transport system.

Discuss.

PROPOSITION

#2. Civil society is best placed in a watchdog role,
not a collaborative industry partner.

Discuss.

PROPOSITION

#3. Civil society is a hindrance to commercial and state actor maritime activities.

Discuss.

Need

- **Independent organisations trusted to report facts in a transparent, objective and accountable manner.**
 - Lack of public awareness of human rights abuses at sea – only becomes apparent when an exposés occurs.
 - Impunity in unlawful operations by flag states, coastal states, beneficial owners, recruiters and managers of crew require investigation.
-
- + **Arguable breakdown of effective enforcement of rule of law at sea with sustained geo-political tension [DISCUSS].**
 - + **Reality of limited ability of UNCLOS enforcement [DISCUSS].**

Q. What is left to enable effective ocean governance?

Seafarers: Disposal Assets?



Disposable: Easily replaced. **Assets:** Necessary for business.

PROPOSITION

#4. Seafarers are a disposable workforce (‘Disposable Assets’) driving an unnecessary industry focus on individual rights and ongoing welfare provision.

Discuss.

Criminalisation – Iran / Hormuz



Iran

- Seafarers lost in judicial system
- Owner abandoned crew
- Business trading continues
- Lack of representation
- Limited national state support

Lives changed forever

Political negotiation assets

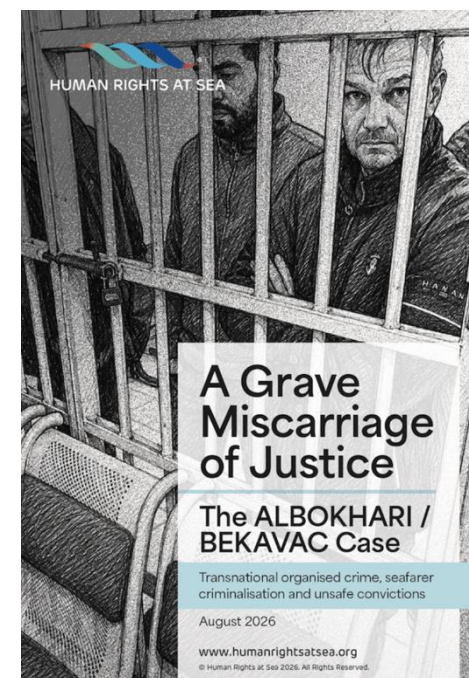
Impotence to intercede

“The shipowner has completely abandoned them, stopped paying their salaries since December 2023, and refuses to provide any financial or legal support. We have learned that he [the shipowner] even collected the crew’s insurance money and purchased a new vessel, leaving them behind to face this ordeal alone.”

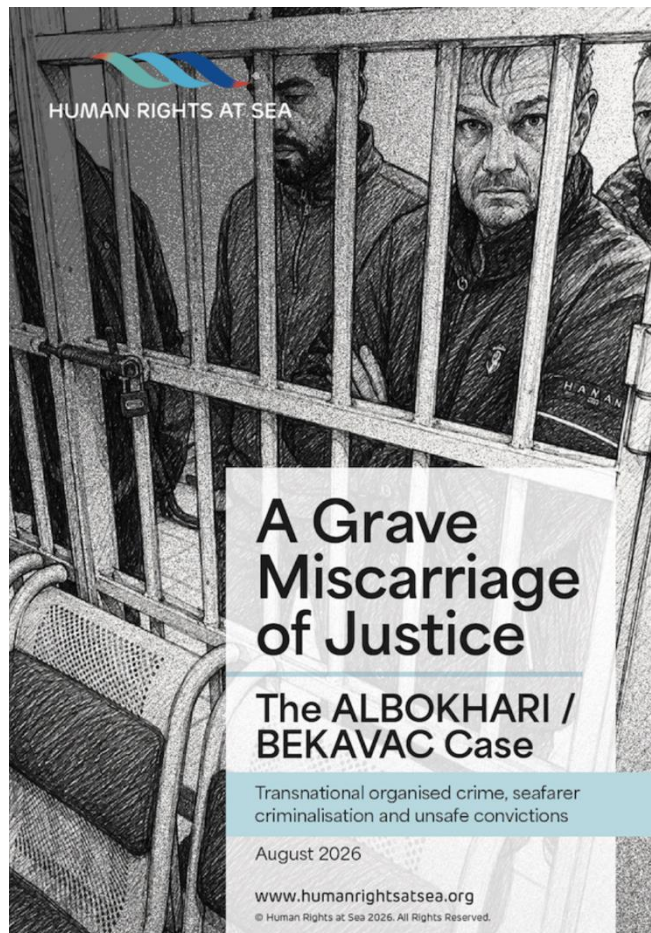
Criminalisation: Albokhari / Bekavac

A Turkish court sentenced Captain Marko Bekavac and First Officer Ali Albokhari to 30 years in prison.

- 137 kg Cocaine found in the coal (coke) cargo of their Panama-flagged vessel on arrival in Türkiye.
- Acquittal of eight other crew members due to lack of evidence linking them to the drugs.
- Prosecution emphasised the command responsibility of the senior officers.
- Article 308 appeal based on prosecution and judicial adverse observations submitted to Constitutional Court.
- **Singular public campaign by wife, Elena.**
- **Families abandoned.**



Criminalisation: Albokhari / Bekavac



"The convictions of Chief Officer Ali ALBOKHARI and Captain Marko BEKAVAC raise substantial concerns about whether criminal responsibility was established beyond reasonable doubt. The disclosed record indicates three central weaknesses: missing cross-border evidence, an unverified chain of custody for the alleged Turkish seizure, and reliance on command rank without clear proof of knowledge or participation. These issues warrant urgent disclosure, independent legal review and coordinated diplomatic action."

"The case raises fundamental questions about 1) seafarers' personal safety and liberty, 2) port State security, 3) conduct of criminal investigations, and 4) the impact of local corruption, infiltration and exploitation of port workers, shipping agents and all elements of the supply chain involved in commercial maritime operations by organised crime networks."

"The case requires the close attention of Interpol, the UN Working Group on Arbitrary Detention, and the European Court of Human Rights."

REPORT: <https://www.humanrightsatsea.org/albokhari-bekavac-case-transnational-organised-crime-seafarer-criminalisation-and-unsafe>



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<https://youtu.be/ewzi5fBInbU>

PROPOSITION

#6. Assured human rights' protections and remedies are unobtainable without access to private funding, individual patronage and state-level decision-makers.

Discuss.

Geneva Declaration on Human Rights at Sea



Four Fundamental Principles

- Human rights are universal; they apply at sea, as they do on land.
- All persons at sea, without any distinction, are entitled to their human rights.
- There are no maritime specific reasons for denying human rights at sea.
- All human rights established under both treaty and customary international law must be respected at sea.

www.gdhras.com

PROPOSITION

#7. Soft-law initiatives are a wasted effort.

Discuss.

The Vlasenko Effect in Shipping ?



Photo credits: REUTERS - Sofia Gatilova



What the maritime industry can learn from the Ukraine battlefield. **The individual matters.**



LOOK FORWARD

29 October 2026. The ILA (Malta Branch) *Lectio Magistralis* will address the legal, structural, and corporate failures that allow human and labor rights abuses to thrive within, and adjacent to, international waters.

Some Key Points

- The human rights structural vacuum of UNCLOS 1982.
- Flag State impunity & MOU reporting.
- Unjust criminalisation & The "Disposable Asset" paradox.
- The evidentiary gaps in case jurisprudence: Active cases—including the unsafe convictions of Ali Albokhari (MV Phoenician M) in Turkey and Filipino crew (MV Harris) in Algeria—expose broken chains of custody, missing cross-border evidence, and an over-reliance on command rank to infer intent.
- The Deficit in protecting crew lives.
- The Geneva Declaration as an adversarial proposition.
- Corporate and insurance leverage.
- The roadmap to accountability?



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QUESTIONS?

Contact

David Hammond Esq. AFNI

Founder Human Rights at Sea

E: david.hammond@hrasi.org

Linkedin: <https://www.linkedin.com/in/davideuanhammond>