

**Minutes of the Meeting on the Human Rights of Indian Seafarers held on
9 July 2019**

A meeting on 'Human Rights of Indian Seafarers' was held in the Commission on 9 July 2019 at 3.30 p.m. to discuss the issues related to the Indian seafarers. The meeting was chaired by Dr. D.M. Mulay, Member, NHRC. Shri Jaideep Govind, Secretary General, NHRC, Shri Prabhat Singh, DG(I), NHRC, Shri Surajit Dey, Registrar (Law), NHRC, and Dr. M.D.S. Tyagi, Joint Director (Research), NHRC were present during the meeting. Besides, Shri Amrit Lugun, Additional Secretary, AS [OE & PGE], Ministry of External Affairs and Shri Pradeep Chabra, Chartering Officer, Ministry of Shipping were also present during the meeting. The complete list of the participants is at **annexure-A**.

2. At the outset, Dr. D.M. Mulay, Member, NHRC, welcomed all the participants. Acknowledging that the human rights abuses of seafarers were on the rise, he stressed that there is a need to address the gaps leading to the violation of rights of the Indian seafarers. These related to low wages, non-payment of salaries, poor working conditions, ill-treatment, training and employment issues etc. Shri Jaideep Govind, Secretary General, NHRC, highlighted that the Commission has received five complaints regarding the violation of the rights of the seafarers. The Commission would examine these cases in detail in order to take appropriate action.

3. Captain Sanjay Prashar, Maritime Study Group, FINS, made a detailed presentation on the ruthless conditions of the seafarers who were abandoned on ships by the shipping companies without paying salaries to them. He apprised that more than 40 Indian Seafarers are still abandoned off UAE and there are a large number of them stranded on ships in Iran. This was followed by the video which screened the plight of Indian seafarer stranded for 33 months on a ship without a salary.

4. During the presentation, the following issues were highlighted by Captain Sanjay Prashar:

- a) The Maritime Training Institutes (MTI) which are not registered with DG Shipping charge high fee for 3 months course with no job guarantee. Further, these Institutes furnish wrong information in advertisements.
- b) In case of Maritime Training Institutes (MTI) registered with DG Shipping, the young trainee Seafarers after spending course fee are left to illegal / legal placement agencies for further abuse. However, in this regard, DG Shipping has initiated action.
- c) 7 types of grievances of the seafarers have been received by the DG Shipping which includes (i) Non Payment of Wages, (ii) Cases of abandonment , (iii) Non compliance of MLC 2006 onboard, (iv) Death / Missing / Accident, (v) Case of Indiscipline by Indian Seafarers, (vi)

Case of Marine Casualty / Medical attention / Repatriation / Payment of Compensation, (vii) Absconding at Foreign Ports.

- d) There are many illegal recruitment and placement service agencies which operate as small time – one mobile phone shop operators.

A copy of the presentation is at **annexure-B**.

5. Responding to the large number of seafarers stranded on ships in Iran, Dr. D.M. Mulay, Hon'ble Member, NHRC, stated that considering the current tension between USA and Iran, DG Shipping may issue an advisory for those seeking employment in the shipping Industry in the region. He further stated that the Commission may take few important issues concerning the rights of the Indian seafarers and taken them forward.

6. Shri Prabhat Singh, DG(I), NHRC, stated that Indian Penal Code (IPC) have enough provisions to book fraudulent agents and training institutes which cheat seafarers in the name of providing jobs. Therefore, he suggested that there is a need to create awareness regarding these fraudulent activities among the individuals who are seeking jobs in shipping industry.

7. Shri Jaideep Govind, Secretary general, NHRC, requested the representatives from the Ministry of Shipping and the Ministry of External Affairs to respond to the issues highlighted by Captain Sanjay Prashar.

8. Shri Amrit Lugun, Additional Secretary, Ministry of External Affairs, stated that there is a need to discuss the grievances of the Indian seafarers. He informed that the Ministry of External Affairs has been taking up the issues of the seafarers with the Ministry of Shipping as and when it is brought to their notice. He further stated that a unique computerized system called "e-Migrate" which regulate overseas employment of less educated blue collar workers may be made more useful in order to protect the rights of the Indian seafarers.

9. Shri Pradeep Chabra, Chartering Officer, Ministry of Shipping, stated that the issues highlighted during the presentation have been noted for taking them up in the Ministry. He requested Shri Prashar to send the list of issues on the rights of the Indian seafarers to the Ministry of Shipping.

10. After intensive deliberations, the following was decided in the meeting:

- a) **Working Group on Rights of Indian Seafarers:** A Working Group on the rights of the Indian Seafarers will be constituted in the Commission under the chairmanship of Registrar (Law), NHRC. The Working Group will be responsible for developing the Standard of Operating Procedures (SOPs) in respect of the various issues concerning Indian seafarers. The Working Group would work towards bringing synergy among the Ministry of External Affairs, Ministry of Shipping, State Governments and

law enforcement State agencies on the issues of the rights of the Indian seafarers.

[Action: MEA, M/o Shipping, State Governments, Registrar (Law), NHRC]

- b) **Seafarers Issues:** The various issues of the Indian seafarers were discussed during the meeting including low wages, non-payment of salaries, poor working conditions, ill-treatment, training and employment issues etc. Five most important issues affecting the rights of the Indian Seafarers are to be identified along with details both of individuals and firms/companies and brought to the notice of the Working Group.

[Action: Forum for Integrated National Security (FINS)]

- c) **Individual complaints received by NHRC:** NHRC would examine the complaints received by it on the issue of the rights of the Indian seafarers on fast track mode.

[Action: Registrar (Law), NHRC]

- d) **Sensitization of the consulates/Indian Embassies:** The local Indian Consulates/Embassies would be sensitized to give initial and immediate legal and other assistance and utilize the Indian Community Welfare Fund to address the issues of seafarers stranded abroad.

[Action: MEA, JS (A&R)]

- e) **Letters to stakeholders:** The Secretary General, NHRC, will write to all the Ambassadors of Indian Embassies to create awareness on the rights of the seafarers among their respective officials. He will also write to Foreign Secretary, Secretary, Ministry of Shipping, Secretary, DG Shipping etc. highlighting the issues of the rights of the Indian seafarers from time to time.

[Action: Research Division, NHRC]

- f) **Creating awareness on fraudulent agents and training institutes:** There is a need to create awareness among the individuals who are seeking jobs in shipping industry regarding the fraudulent agents and training institutes which cheat seafarers in the name of providing jobs.

[Action: DG Shipping]

- g) **List of Indian seafarers stranded at sea:** The list of the Indian seafarers stranded at sea to be provided by the Forum for Integrated National Security to the Ministry of External Affairs and Ministry of Shipping.

[Action: Forum for Integrated National Security (FINS)]

11. Shri Jaideep Govind, Secretary General, NHRC, appreciated the efforts of FINS for putting the issue of human rights of the Indian Seafarers in perspective. Acknowledging the fact that there are no hanging fruits, the issues of these seafarers may be dealt with both short term and long terms initiatives. He stated that the developing Standard Operating Procedures (SOPs) by the proposed Working Group on the rights of the Indian seafarers comprising the representatives from the Ministry of External Affairs, Ministry of Shipping and NGOs working in the area would be a welcoming move in the direction of addressing the human rights abuse of the Indian seafarers.

12. The meeting ended with a vote of thanks to the Chair.
