

**Draft Minutes of the Webinar on "Human Rights of Indian Seafarers"**

**Date: 06th October 2020**

**Time: 11.00 A.M. to 12.30 P.M.**

The Webinar on "Human Rights of Indian Seafarers" was held on 06th October 2020 from 11:00 A.M. to 12:30 P.M. in NHRC (Room No. 508) under the chairmanship of Dr. D.M. Mulay, Hon'ble Member, NHRC. A list of the participants is annexed.

2. Shri R.K. Khandelwal, Joint Secretary (A&R), NHRC while giving welcome address stated the agenda of the webinar on Human Rights of Indian Seafarers. He also talked about the recent issues of the Indian seafarers and focused to develop a proper strategy to protect the rights of Seafarers.

3. Thereafter, Hon'ble Member, NHRC, Dr. D.M. Mulay in his address said that NHRC is active in every sector where Human Rights issues come into play and there is no area which does not include human rights issues and as part of our duty we are dealing with the Seafarer's issues since one and half years with a proactive approach. He appreciated the efforts of DG, Shipping and MEA in issuing advisories, identifying the fraudulent institutions and protecting human rights of seafarers. He categorised human rights issues of Indian seafarers in three parts/areas which need to work upon:

1. The human rights problems and constraints which are faced by seafarers directly such as ill-treatment, low wages, non-payment of salaries, poor working conditions, training and employment issues, abandonment, detainment, imprisonment in foreign land, illegal retrenchment etc. Also, the problems they face due to the illegal practices of middlemen in India and abroad.
2. The role of India in the International Maritime Organisation needs to be strengthened. India should not only actively represent in IMO but should also contribute in designing agenda and framework for rights of seafarers.
3. Training and empowerment of seafarers in order to make them aware of the rights and provisions available for them. They can be provided training regarding maritime guidelines and international laws etc. DG, Shipping already provides some kind of pre departure training, these should be made more comprehensive. The workers should be taught about their passport details, international laws and rights for them, how to contact the embassy in foreign land and if they can not read and write then they should be provided these details in audio form.

4. Thereafter, **Capt. Sanjay Prashar** made a presentation on the conditions of Indian Seafarers in context of the violation of their Human Rights, response from the Government Authorities, case studies, data analysis and the research. During the presentation he made below statements:

1. The action points made in the first meeting held in July 2019 are not moved yet, out of 7 action points only one agenda is moved i.e. Online Grievance Redressal mechanism.
2. The SOP for Human Rights at Sea should be prepared and to draft the SOP he requested help from NHRC.
3. The New Merchant Shipping Bill has not come in the Parliament yet.
4. Informed that 80% of the detained/jailed seafarers are from lower economic backgrounds.
5. Spoke about the illegal agents of seafarers and cheating of Indian youths by them.
6. Discussed the case of Mr. Saurabh's death and added that in such cases no compensation for loss of life is given. In this regard he stated insurance of Seafarers on the lines of Pravasi Bhartiya Bima Yojna should be considered.
7. Suggested encouraging companies so that more employment could be generated.
8. Informed that many cases related to Seafarers not coming in front of the public, in such situations case studies and research would help to protect their human rights.
9. There are no proper guidelines so a proper guideline is required so that rights of Seafarers could be protected.
10. Raised the concern that thousands of people get fake certificates from the fake institutions to get employment in the maritime field and there is no authority in the State Govt who takes action against such Illegal Maritime Institutes.
11. Concluded his presentation by stating that, conducting more research and organising seminars would be great and helpful to fulfill the objective of the webinar i.e. to protect the Human Rights of Indian Seafarers.

5. **Mr. Ashok Mahapatra**, retired Director of Maritime Safety Committee made below statements:

1. In his observation safety, security and division of national organisations are the major issues.
2. Informed that in other countries the officials/representatives deal with a particular subject for a long time but in our country representatives/officials keep changing.
3. Emphasised that in our country a certain degree of continuity is required.
4. He said that the Ministry of Labour needs to work closely with the Ministry of Shipping for Seafarers rights issues.

5. He expressed his willingness to work with NHRC and requested to ask him for any kind of support any time.
6. **Dr. Rewa Singh**, Researcher and Assistant Professor, Maharishi University informed about the dire need of conducting research in the field of human rights of seafarers. She studied seafarers and their human rights and presently she is also conducting research on the issue with the objective to make a demographic profile of Seafarers. Further, she suggested working on an awareness program especially about the right institution that where to go and where not to go. She also added that the issue of Seafarers can be considered as a Global issue.
7. **Shri Subhash Barguzer**, Deputy Director, Ministry of Shipping informed that data related to seafarers is periodically updated and published. With respect to the Grievance of Seafarers an efficient redressal mechanism is there. With respect to the constraints of seafarers mentioned in the presentation by Captain Prashar, the issue is already taken up by the ministry in Parliament.
8. **Shri Pramil Gupta**, Director, Ministry of External Affairs informed that the complaints related to Seafarers received by MEA are transferred to the e-migration system. He also informed that issues related to consulates/embassies are handled by the CPV division.
9. **Shri Surajit Dey**, Registrar (Law), NHRC spoke that the Global/National Seminars would be helpful to accomplish the objectives. Working together is always enhancing the quality of any task so to the welfare of Seafarers it is focused on improving the coordination among different Ministries as well Departments.
10. **Smt. Anita Sinha**, Joint Secretary (P&T), NHRC mentioned the role of promotion of human rights by NHRC under section 12 of PHR, Act which research and training division are actively taking up. NHRC regularly conducts training and awareness programs such as short term internship, sensitisation program etc. We have also collaborated with various institutions such as Nehru Yuva Kendra Sangathan (NYKS), NCC, Red Cross for the promotion and dissemination of resource material on human rights. We also conduct research on human rights. Every year Expression of Interest is invited from the reputed institutions to conduct research on several burning thrust areas of human rights. She suggested the following ways to promote the issue of Indian seafarers:

1. In collaboration with the above mentioned organisation, FINS and DG, Shipping we can create a quality resource material in order to disseminate among various stakeholders.
2. We can provide these materials to Universities, Educational Boards, open universities such as IGNOU to include in their curriculum. We can also request them to include a brief topic on seafarers in their textbooks and study material in order to make students more aware of these issues.
3. These material and booklets on human rights of seafarers can be shared with online study platforms such as SWAYAM, DIKSHA, e-Pathshala, National Repository of Open Educational Resources (NROER), Swayam prabha, etc.
4. We can write to States/UTs about establishing maritime institutes only with approval of DG, Shipping.
5. We are also participants at Asia-Pacific Forum, GANHRI, OHCHR etc where we can iterate about the human rights issues of seafarers.
6. Further, we are in touch with DG, Shipping to provide virtual sessions to our interns and also collaborate in other sensitisation programs.

11. **Hon'ble Member, NHRC, Dr D.M. Mulay** in his closing remarks mentioned that the discussion was fruitful and several issues were brought on the table which can be dealt with by the collaboration of DG Shipping, MEA; NHRC and other stakeholders. He outlined the actionable points emanated from the webinar:-

1. Directorate General, Shipping to monitor and play an active role in protection of Human Rights of Seafarers.

**(Action By: DG, Shipping)**

2. Merchant Shipping bill to be discussed and looked up for better enactment and inclusion of stakeholder voices.

**(Action By: DG, Shipping, NHRC, FINS)**

3. Framework for Standard Operating Procedures (SOPs) for safeguarding human rights of Indian Seafarers need to be immediately drafted in collaboration with DG Shipping, MEA and FINS.

**(Action By: NHRC Working Group on Indian seafarers (Registrar, Law)**

4. Research division of NHRC can publish quality booklets on the subject of human rights of Indian Seafarers which can be disseminated to educational boards, UGC, institutes, universities and other stakeholders.

**(Action by: Research Division, NHRC)**

5. For conducting research in Human Rights of Seafarers, all the interested parties and FINS are requested to submit the research proposal next year to the NHRC Expression of Interest of Research Projects advertisement.

6. For the issues of Indian seafarers stranded in foreign land, MEA should coordinate with embassies in respective countries and also with DG Shipping to expedite the proceedings of stranded seafarers.

**(Action By: MEA, GoI)**

7. Cases which were mentioned by Captain Sanjay Parashar in his presentation can be utilised by NHRC in preparing booklets on the subject. DG Shipping may also contribute with the knowledge in this.

8. The matter of insurance of Indian seafarers should be taken up by DG Shipping in order to ensure reasonable compensation to the victims of abandonment and other human rights violations.

**(Action By: DG, Shipping)**

9. Although, the matter of fraudulent institutions in the domain of ships related jobs is specifically under the purview of DG Shipping. However, if the available data of such institutions is provided to NHRC, the Chief Secretaries of States/UTs and SHRCs can be requested to initiate necessary action against them.

**(Action By: DG, Shipping and NHRC)**

10. The Chief Secretaries of States/UTs may be requested that no maritime institutions be set up without registration or approval from DG Shipping.

**(Action by: Research Division, NHRC)**

11. For the issue of stranded seafarers in Iran and Malaysia or any other country, the MEA can be requested to fasten the procedure of their repatriation. The requisite data and other supporting material & documents from DG, Shipping and MEA can be requested.

**(Action By: DG, Shipping, MEA, NHRC)**

12. Dr M.D.S Tyagi, Joint Director (Research), NHRC gave the vote of thanks to the Chair and all the other participants.

LIST OF PARTICIPANTS

**Government representatives**

1. Shri Subhash Barguzer, Deputy Director General, Ministry of Shipping
2. Shri Pramil Gupta, Director, Ministry of External Affairs

**Forum for Integrated National Security (FINS), NGO**

3. Capt. Sanjay Prashar
4. Dr. Rewa Singh
5. Shri Ashok Mahapatra
6. Ms. Suhasini Shekhawat

**NHRC**

7. Dr D.M. Mulay, Member, NHRC
8. Shri Surjit Dey, Registrar, (Law)
9. Shri R.K. Khandelwal JS (A&R)
10. Smt. Anita Sinha JS (P&T)
11. Dr. M.D.S. Tyagi, JD(R)
12. Shri Debendra Kundra, Assistant Registrar
13. Shri A.K. Tiwari, Section Officer
14. Ms. Smriti Pandey, JRC
15. Mr. Maninder Singh, JRC
16. Mr. Masroof Anwer, JRC