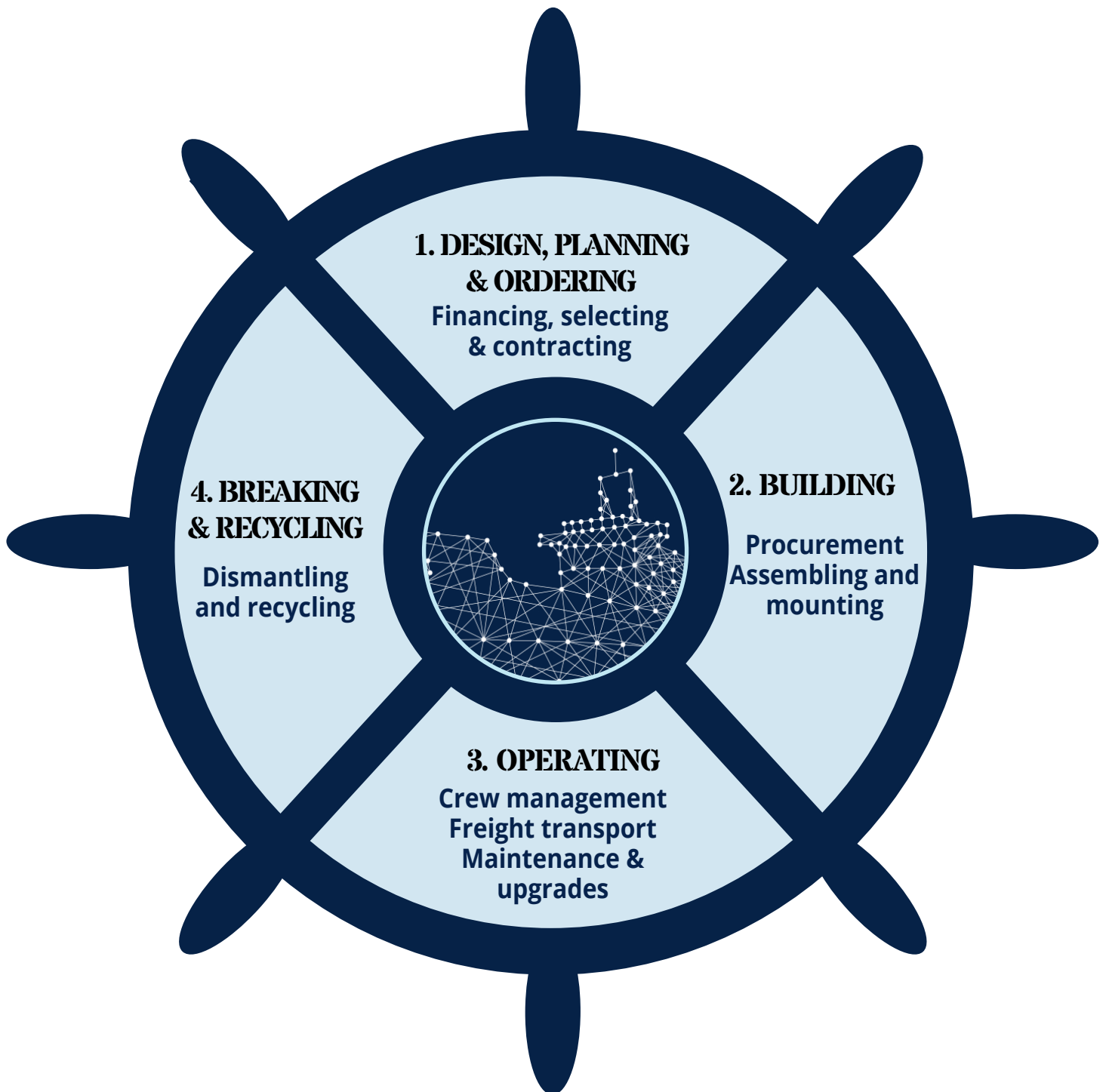


# THE SHIP LIFECYCLE:

Embedding Human Rights from Shipyard to Scrapyard



Maritime industry sustainability initiatives have generally prioritised environmental issues, with limited focus on social issues. This briefing presents human rights risks that actors involved in ocean transport may face throughout a ship's lifecycle – from planning through to recycling. It provides good practice examples for shipping companies, (owners and operators), customers and investors seeking to align with human rights international standards. The briefing focuses in particular on cargo and bulk ocean transport, and draws on standards set out in the **ILO Maritime Labour Convention (MLC)**, the **UN Guiding Principles on Business and Human Rights (UNGPs)**, the **UN Convention on the Law of the Sea** and the **Hong Kong Convention on the Recycling of Ships**.

POTENTIAL ADVERSE IMPACTS	GOOD PRACTICE STEPS
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### 1. DESIGN, PLANNING & ORDERING

#### FINANCING

<ul style="list-style-type: none"> <li>» Prioritising low cost ship yards / suppliers poses risks of substandard working conditions and weak regulatory compliance.</li> </ul>	<ul style="list-style-type: none"> <li>» Ensure human &amp; labour rights provisions in contracts from outset.</li> <li>» Require human rights due diligence as part of mortgage terms of ship yards and suppliers, including assessment of recruitment practices and working conditions.</li> </ul>
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#### SHIPYARD – SELECTING & CONTRACTING

<ul style="list-style-type: none"> <li>» Employing large number of temporary /contract workers, increases risks of labour rights violations and exploitation.</li> <li>» Recruitment fees increases risk of debt bondage and forced labour.</li> </ul>	<ul style="list-style-type: none"> <li>» Require human and labour rights policies and guarantees, on recruitment &amp; ship yard selection.</li> <li>» Work with ethical &amp; regulated recruitment agency.</li> <li>» Prohibit recruitment fees, irrespective of where or how workers are recruited.</li> <li>» Include number of hours needed, expected overtime and related costs in quoting processes.</li> </ul>
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#### SUPPLY CHAIN – SELECTING & CONTRACTING

<ul style="list-style-type: none"> <li>» Globalised and fragmented supply chain present challenges to monitoring and risk awareness</li> <li>» Lack of transparency and visibility in supply chain make difficult to identify and track responsibility</li> </ul>	<ul style="list-style-type: none"> <li>» Require human and labour rights policies and guarantees in supplier and contractor selection.</li> <li>» Communicate expectations in contracts that human rights, employment and recruitment standards are respected across the supply chain.</li> <li>» Carry out ongoing human rights due diligence of suppliers and contractors.</li> </ul>
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### 2. BUILDING

#### PROCURING MATERIALS

<ul style="list-style-type: none"> <li>» Fragmented raw materials supply chain increases risk of labour and human rights abuse (e.g. steel - working and safety conditions in iron ore mines; minerals from conflict areas).</li> </ul>	<ul style="list-style-type: none"> <li>» Map raw materials supply chain to identify key risk areas/regions.</li> <li>» Train procurement department in identifying key risks associated with production of raw materials.</li> <li>» Collaborate with other companies and initiatives on responsible sourcing and improved conditions in sourcing regions/industries.</li> </ul>
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#### STEEL CUTTING, ASSEMBLING & MOUNTING SHIP SECTIONS, INSTALLING COMPONENTS

<ul style="list-style-type: none"> <li>» Poor health and safety standards and procedures in shipyards increase risk of accidents and injuries.</li> <li>» Tight timeframe detracts labour standards (e.g. excessive overtime; inadequate compensation).</li> <li>» Recruitment and employment agencies used to hire workers are not effectively monitored.</li> <li>» Temporary and contract workers (both construction and dock workers) are required to pay recruitment fees, increasing the risk of debt bondage and forced labour.</li> </ul>	<ul style="list-style-type: none"> <li>» Monitor health and safety standards; ensure workers have appropriate equipment and training.</li> <li>» Implement independent monitoring of working conditions, including interviews with workers.</li> <li>» Ensure selected recruitment and employment agencies have explicit commitment to no-fees policy ('Employer Pays Principle').</li> </ul>
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# The Ship Lifecycle:

## Salient Risks and Good Practice Steps



RAFTO

### POTENTIAL ADVERSE IMPACTS

### GOOD PRACTICE STEPS

## 3. OPERATING

### CREW MANAGEMENT

- » Recruitment agencies used are not effectively monitored; (e.g: risk of recruitment fees).
- » Weak law enforcement and inspection of working conditions on-board increase risks of exploitation of dockworkers.
- » Isolation due to long periods at sea and long working hours affects mental health of seafarers.
- » Migrant workers have difficulty accessing health and safety information due to language barriers.
- » Threat of piracy impacts workers' physical and mental health (e.g. distress; physical violence, captivity and death in case of attacks).
- » Abandonment of seafarers (on-board vessels, without remuneration, access to adequate medical treatment, food and accommodation; or at international ports without the means for repatriation).

- » Prohibit informal labour brokers in contracts with suppliers.
- » Ensure recruitment agencies have explicit commitment to no-fees policy ('employer pays principle').
- » Monitor health and safety standards; provide workers with appropriate equipment and training in a language they understand.
- » Establish grievance mechanisms for workers (seafarers and dockworkers).
- » Monitor working conditions onboard.
- » Adopt security measures for threats of piracy.
- » Provide insurance in accordance with international standards to assist seafarers in case of abandonment.

### TRANSPORT

- » Complex freight supply chain poses challenges to monitoring business partners' practices, increasing risk of labour and human rights violations.
- » Carbon emissions, and water pollution cause adverse effects on health and livelihoods of local communities.

- » Map business relationships across freight supply chain.
- » Invest in alternative fuels, new technology and industry-wide initiatives to reduce harmful emissions and water pollution.

### MAINTENANCE & UPGRADING

- » Poor health and safety standards increase risk of accidents for both seafarers and dockworkers.
- » Temporary and contract workers are subjected to less favourable employment conditions than those of regular employees.

- » Select a shipyard and/or subcontractor with good health and safety records, policies and procedures.
- » Apply standards / policies on recruitment, employment and human rights to all workers, including temporary and contract workers.

## 4. BREAKING & RECYCLING

### DISMANTLING & RECYCLING

- » Dismantling is carried out on unregulated ship breaking yards, increasing risk of injuries, accidents and fatalities.
- » Ship breaking is carried out in countries with weak regulatory framework and law enforcement, increasing risks of worker exploitation.
- » Toxic spills and water pollution cause adverse effects on seafarers, dockworkers and local communities.

- » Carry out ship breaking / recycling in regulated facilities in accordance with international standards.
- » Monitor health and safety standards and working conditions in ship breaking yards; provide workers with appropriate safety equipment and training.
- » Establish grievance mechanisms for workers (seafarers & dockworkers).
- » Restrict ship breaking activities to demarcated areas to reduce potential environmental impacts.
- » Develop monitoring programmes to assess short and long-term environmental impact of shipyards on local livelihoods.

# SOME USEFUL STANDARDS, RESOURCES & INITIATIVES



## International Standards

- » Universal Declaration of Human Rights, 1948
- » Maritime Labour Convention (MLC), 2006
- » ILO Convention 185: Seafarers' Identity Documents Convention, 2003
- » IMO's International Convention on Maritime Search and Rescue
- » UN Convention on the Law of the Sea, 1982
- » International Convention for the Safety of Life at Sea (SOLAS) (1980)
- » ISO Standards related to shipbuilding and marine structures
- » Hong Kong Convention, 2009 (The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships – not yet in force)

## Implementation Frameworks

- » SSI, IHRB, Rafto, [Delivering on Seafarers' Rights Code of Conduct and Self-Assessment Tool](#) (2021)
- » International Transport Workers' Federation and International Chamber of Shipping, [Guidelines for Implementing the Welfare Aspects of the MLC](#) (2018)
- » Danish Institute for Human Rights, [Navigating Human Rights, A Guide to Human Rights Due Diligence and Salient Human Rights Issues in Shipping](#) (2019)
- » Swedbank, [Sector Guidelines for Shipping/Maritime Transport](#) (2020)
- » Human Rights at Sea, [Introduction & Commentary to the 2011 UN Guiding Principles on Business and Human rights & Their Implementation in the Maritime Environment](#) (2016)
- » UN Global Compact, [Maritime Transport and the COVID-19 Crew Change Crisis: A Tool to Support Human Rights Due Diligence](#) (2021)
- » ILO, [MLC Pocket Checklist](#) (2021)

## Business and Human Rights

- » UN Guiding Principles on Business and Human Rights (UNGPs), 2011
- » OECD Guidelines for Multinational Enterprises, 2011
- » Dhaka Principles for Migration with Dignity, 2011

## Initiatives & Organisations

- » The International Code of Conduct for Private Security Service Providers (ICoCA)
- » International Maritime Organization
- » Human Rights at Sea
- » Business & Human Rights Resource Centre's [Maritime Human Rights Reporting Platform](#)
- » Maritime Anti-Corruption Network
- » NGO Shipbreaking Platform
- » Poseidon Principles
- » Responsible Ship Recycling Standards
- » Ship Recycling Transparency Initiative
- » Sustainable Shipping Initiative

## Host Organisations ABOUT THE OCEAN AND HUMAN RIGHTS PLATFORM

Led by the [Rafto Foundation](#) and the [Institute for Human Rights and Business](#), working alongside a global network of business, government, human rights defenders, civil society partners, academia and national human rights institutions, the Platform for Oceans and Human Rights is a collaborative movement to raise awareness to prevent and address adverse human rights impacts across the ocean's industries.

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