

## **Seafarers' Rights**

### **Overview**

The Directorate General of Maritime Administration is committed to protecting the rights, welfare, and dignity of Indian seafarers. Every seafarer is entitled to fair employment practices, safe working and living conditions, timely payment of wages, access to quality medical care, social security protection, and repatriation in accordance with applicable national laws and international maritime conventions. These rights ensure that seafarers are treated with fairness, respect, and dignity throughout their employment.

### **Maritime Labour Convention, 2006 (MLC, 2006)**

- Eligibility requirements for seafarers serving on board ships
- Terms and conditions of employment for seafarers
- Standards relating to accommodation, recreational amenities, food, and catering services
- Provisions for health protection, medical care, welfare measures, and social security safeguards

### **Fundamental Rights**

Every seafarer is entitled to the following fundamental rights:

- Freedom of association and the right to join a trade union of their choice.
- The right to collective bargaining.
- Freedom from forced or compulsory labour.
- Equal opportunity and protection against discrimination based on race, religion, nationality, gender, or political opinion.
- Fair working hours and adequate periods of rest.
- Safe and secure working conditions onboard.
- Access to medical care, welfare services, and social security protection.

### **Employment Rights**

Before joining a vessel, every seafarer should carefully review and understand the terms of the Seafarers' Employment Agreement (SEA) or Collective Bargaining Agreement (CBA). The agreement should clearly specify:

- Duration of employment.
- Basic wages and working hours.

- Overtime payment and applicable rates.
- Paid leave entitlement.
- Repatriation arrangements.
- Conditions for contract termination.
- Rights and responsibilities of both the seafarer and the employer.

Every seafarer should retain a signed copy of the employment agreement for future reference.

### **Wages and Benefits**

Seafarers are entitled to:

- Timely payment of wages.
- Payment for overtime as applicable.
- Paid annual leave.
- Compensation and benefits as provided under the applicable employment agreement or Collective Bargaining Agreement.
- Protection against unauthorized withholding or deduction of wages.

### **Compensation for Injury, Disability and Death**

Seafarers and their nominated Next of Kin are entitled to compensation in accordance with the applicable employment agreement and governing regulations in cases involving occupational injury, long-term disability, or death during the period of employment.

Where assessment of long-term disability requires additional time, interim financial assistance may be provided to avoid undue hardship. In case of delays in settlement of claims, the matter may be taken up with the Directorate General of Maritime Administration/ Jurisdictional offices appropriate facilitation.

### **Rights in Case of Vessel Abandonment**

Seafarers have the right to protection in situations where a vessel is abandoned by the shipowner.

Common warning signs of abandonment include:

- Non-payment of wages.

- Lack of food and drinking water.
- Denial of shore leave.
- Fuel shortages affecting essential services.
- Absence of communication from the shipowner.
- Inability to maintain the vessel due to lack of supplies.

Seafarers should seek assistance at the earliest opportunity to ensure their safety, welfare, payment of wages, and repatriation.

### **Right to Repatriation**

Every seafarer has the right to be repatriated at the completion of their contract or in circumstances provided under applicable laws and employment agreements.

Where applicable, financial security mechanisms ensure that seafarers receive:

- Outstanding wages.
- Food and accommodation.
- Essential medical care.
- Safe and timely repatriation to their home country.

### **Rights of Next of Kin**

In the unfortunate event of a seafarer being reported missing at sea, the Next of Kin is entitled to receive timely information regarding search and rescue efforts, applicable investigations, and compensation as provided under the relevant employment agreement and governing regulations.

### **Rights During Detention or Arrest Abroad**

Where a vessel is detained or arrested in a foreign country, Indian seafarers are entitled to consular assistance and appropriate support through Directorate General of Maritime Administration and the concerned Indian Embassy or Consulate.

Support may include:

- Welfare assistance.
- Access to food, water, and accommodation.

- Legal assistance, where applicable.
- Facilitation of repatriation after completion of legal formalities.

### **Commitment to Seafarer Welfare**

The Directorate General of Maritime Administration remains committed to safeguarding the rights and welfare of Indian seafarers by promoting safe working conditions, fair employment practices, protection against exploitation, and timely assistance during emergencies.