

ABANDONMENT AT SEA: LEGAL AND HUMANITARIAN CHALLENGES FACING INDIAN SEAFARERS IN MIDDLE EASTERN PORTS

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ABSTRACT

The abandonment of seafarers is a critical humanitarian and legal crisis in the maritime sector, marked by prolonged detentions, unpaid wages, and psychological distress. This research paper focuses on the plight of Indian seafarers abandoned in Middle Eastern ports, examining the systemic, legal, and enforcement-related gaps that perpetuate such violations. Drawing on the Maritime Labour Convention, 2006 (as amended), and other international instruments, this study analyses the obligations of flag States, port States, and shipowners to safeguard seafarers' rights. The paper critically explores case studies involving abandoned Indian crews, revealing the inefficiencies in enforcement mechanisms and the urgent need for coordinated international responses. Key issues such as inadequate financial security, lack of awareness among seafarers, and weak port State interventions are addressed. The findings underscore the importance of stronger compliance measures, enhanced repatriation frameworks, and institutional accountability. The study concludes with recommendations for policy reform, improved monitoring, and the empowerment of seafarers through legal literacy and international cooperation. By situating the crisis within the broader context of maritime labour law, the research offers a path forward to protect the dignity and rights of those who sustain global shipping.

Keywords: Seafarer abandonment, Maritime Labour Convention 2006, Flag State responsibility, Port State control, Maritime labour rights, Repatriation of seafarers

INTRODUCTION

Maritime trade underpins the global economy, with over 80% of all trade volumes transported by sea (International Labour Organization [ILO], 2022). At the heart of this industry are seafarers—the professionals who sail across oceans to ensure that cargo reaches its destination. Despite their crucial role, many seafarers, particularly from developing countries like India, face persistent

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exploitation, with abandonment at foreign ports representing one of the most severe violations of their rights (International Maritime Organization [IMO], 2023).

The International Labour Organization and the International Maritime Organization have long emphasized the importance of protecting seafarers' rights through instruments like the Maritime Labour Convention, 2006 (as amended), which outlines the minimum standards for working and living conditions on ships. However, despite such frameworks, abandonment incidents continue to rise, leaving seafarers stranded for months without wages, legal recourse, or basic necessities.

This paper explores the specific challenges faced by Indian seafarers abandoned in Middle Eastern ports. India remains a major supplier of seafarers to the global shipping industry, contributing nearly 285,000 active maritime professionals in 2023 alone (Directorate General of Shipping [DGS], 2023). Yet, many Indian seafarers working aboard foreign-flagged vessels are left vulnerable when shipowners fail to meet contractual obligations.

Through an analysis of the international legal framework, coupled with recent case studies and statistical evidence, this research aims to identify critical gaps in the enforcement of seafarers' rights and propose robust legal and institutional reforms. It argues that abandonment is not only a legal failure but also a humanitarian crisis that requires coordinated international action and stronger domestic enforcement.

UNDERSTANDING SEAFARER ABANDONMENT

Seafarer abandonment is a grave form of labour rights violation, characterized by the severance of ties between shipowners and crew, often in foreign ports. According to the IMO and ILO, a seafarer is considered abandoned when the shipowner fails to cover the cost of repatriation, leaves the seafarer without essential support, or ceases payment of wages for at least two months (IMO-ILO, 2022). Such abandonment can leave seafarers without food, water, medical care, or legal support—trapped on vessels for months or even years.

The rise in abandonment cases underscores structural deficiencies within the maritime regulatory system. In 2022 alone, 118 new abandonment cases affecting 1,841 seafarers were reported in the IMO/ILO joint database. The situation worsened in 2023, with 132 reported cases involving over 1,676 seafarers, the majority of whom were Indian nationals (International Transport Workers' Federation [ITF], 2024). These figures represent a disturbing trend, illustrating how enforcement mechanisms fail to protect maritime workers at their most vulnerable moments.

Abandonment typically results from economic insolvency, legal disputes, or disputes between shipowners and port authorities. In the Middle East, geopolitical instability, weak enforcement of labour rights, and the absence of strong maritime unions exacerbate the problem for foreign seafarers. Indian seafarers, in particular, are vulnerable due to limited awareness of their rights, language barriers, and dependence on unregulated recruitment agencies.

Despite the existence of international standards such as the Maritime Labour Convention (MLC), 2006 (as amended), abandonment persists. One key reason is the lack of rigorous financial safeguards and the failure of shipowners to maintain adequate insurance coverage, as mandated by Standard A2.5.2 of the MLC. Although the 2014 MLC amendment introduced compulsory financial security certificates for repatriation and unpaid wages, enforcement remains inconsistent across flag and port States (ILO, 2014).

The abandonment of seafarers is not merely a technical breach of contract—it represents a humanitarian crisis. The psychological toll on abandoned seafarers, who often go months without pay or communication with family, can be devastating. Some cases have even resulted in suicides and mental health breakdowns, as seen in the tragic case aboard the vessel *Advantage Sweet*, where a crew member jumped overboard due to prolonged detention and stress (DGS, 2023).

In sum, abandonment must be understood not only in legal terms but as a violation of basic human dignity. Addressing it requires strong legal protections, swift enforcement, and coordinated support mechanisms from all stakeholders—flag States, port States, shipowners, insurers, and international organizations.

INTERNATIONAL LEGAL FRAMEWORK

The governance of seafarers' rights, including protection against abandonment, is anchored in a complex web of international conventions and cooperative mechanisms spearheaded by the International Labour Organization (ILO) and the International Maritime Organization (IMO). These frameworks aim to ensure that labour rights are upheld globally, particularly in the context of transnational shipping.

The Role of the ILO and IMO

The International Labour Organization, created in 1919, is a tripartite body representing governments, employers, and workers. It has played a foundational role in establishing labour standards for maritime workers. Its early conventions, such as the Unemployment Indemnity (Shipwreck) Convention and the Placing of Seamen Convention, laid the groundwork for the more comprehensive Maritime Labour Convention, 2006 (ILO, 2022).

The International Maritime Organization, a specialized agency of the United Nations, works in close partnership with the ILO to improve legal frameworks governing shipping, including those related to safety, seafarers' rights, and environmental protection. A significant milestone was the Joint ILO–IMO Tripartite Working Group, which produced the 2022 Guidelines on Seafarer Abandonment. These guidelines advise States on creating national Standard Operating Procedures (SOPs) to manage abandonment incidents and define the roles of key stakeholders, including welfare boards and recruitment agencies (IMO, 2023).

Despite these joint efforts, enforcement remains fragmented. For instance, between January and December 2022, 109 new cases of abandonment were recorded in the IMO/ILO database, and only 41 were resolved (ILO-IMO, 2022). This statistic highlights the limitations of current enforcement mechanisms and the need for a more unified global compliance regime.

Maritime Labour Convention, 2006 (as amended)

The Maritime Labour Convention, 2006 (MLC, 2006) is widely referred to as the “seafarers’ bill of rights.” It consolidates over 60 earlier conventions and recommendations, aiming to provide comprehensive protection to seafarers while ensuring fair competition for shipowners (ILO, 2006). The Convention became effective in August 2013 and has since been amended in 2014, 2016, 2018, and 2022 to address gaps—including seafarer abandonment.

Under Standard A2.5.1, the MLC guarantees the right to repatriation without expense to the seafarer. Standard A2.5.2, added in 2014, mandates financial security systems to cover abandonment-related costs such as repatriation, unpaid wages, and essential maintenance (ILO, 2014). Ships must carry certificates proving insurance coverage or equivalent arrangements, typically issued by Protection and Indemnity (P&I) Clubs.

The MLC operates through three core mechanisms:

- a) Flag State Control – States must inspect and certify their vessels.
- b) Port State Control – Allows foreign-flagged vessels to be detained if non-compliant.
- c) Labour-supplying State Control – Ensures agencies and shipowners comply with recruitment and placement standards (ILO, 2006).

However, the enforcement of these provisions varies by jurisdiction. The “no more favourable treatment” clause in Article V(7) of the MLC aims to close loopholes by requiring port States to apply MLC standards to all ships, even those flying the flag of non-ratifying countries. Still, systemic disparities in national implementation and political will often undermine its effectiveness (MLC, 2006, art. V(7)).

Financial Security Gaps and Insurance

The 2014 MLC amendments required vessels to carry financial security certificates issued by insurers. These cover up to four months of unpaid wages and costs of repatriation, food, water, and medical care in the event of abandonment (ILO, 2014). Yet, in many reported abandonment cases—including those in the Middle East—flag States failed to enforce this requirement effectively.

ITF reports show that in 2023 alone, over \$12.1 million in unpaid wages were owed to abandoned crews globally, with Indian nationals comprising the largest group affected (ITF, 2024). The increasing gap between formal requirements and practical enforcement makes clear that financial security mechanisms alone are insufficient without regular audits, transparent documentation, and better port State collaboration.

Repatriation and Financial Security

The right to repatriation is a cornerstone of the Maritime Labour Convention, 2006 (as amended), and serves as a fundamental safeguard for seafarers facing hardship at sea. The convention recognizes that seafarers, due to the inherently international and mobile nature of their work, may often find themselves stranded in foreign jurisdictions without support or recourse. Regulation 2.5 and Standards A2.5.1 and A2.5.2 of the MLC outline the conditions and mechanisms under which repatriation must be provided and financed.

Repatriation Rights Under MLC, 2006

Under Standard A2.5.1, shipowners are required to bear the cost of repatriating seafarers upon:

- a) Completion of the employment agreement,
- b) Termination of the contract by either party,

- c) Inability of the seafarer to perform duties due to health or emergency,
- d) Shipwreck, sale of the ship, or insolvency of the shipowner (ILO, 2014).

Repatriation must be timely and effective, ensuring that seafarers are not left languishing in port for extended periods. However, in many abandonment cases involving Indian nationals, including those in Kuwait, Iran, and the UAE, seafarers remained onboard for over a year awaiting repatriation—often without wages, basic supplies, or medical attention (DGS, 2024).

A major problem is the failure of shipowners to initiate repatriation. When this happens, the MLC shifts the responsibility to the flag State, and in cases where the flag State also defaults, the burden may fall on the port State or the labour-supplying State (MLC, 2006, A2.5.1). Despite this provision, many States are reluctant to bear these costs, leading to prolonged suffering for the crew.

Financial Security System (FSS)

To address this issue, the 2014 amendment introduced Standard A2.5.2, requiring all ships to maintain a Financial Security System (FSS) to assist seafarers in the event of abandonment. This system ensures:

- a) Direct access for seafarers to financial assistance,
- b) Coverage for repatriation, essential needs (such as food, shelter, and medical care), and
- c) Compensation for up to four months of unpaid wages (ILO, 2014).

Ships must carry a certificate issued by their insurer or P&I Club verifying compliance. However, in practice, many vessels either lack valid insurance or fail to provide coverage documents, especially those operated by smaller or poorly regulated shipping companies. According to IMO reports, nearly half of all reported abandonment cases lacked proper financial security at the time of incident (IMO, 2023).

In the case of MV *Ula*, a bulk carrier stranded in Kuwait, Indian seafarers went 11 months without pay, eventually launching a hunger strike. Although financial support was nominally available, the lack of prompt enforcement by flag and port authorities allowed the situation to escalate to a humanitarian crisis (ITF, 2022).

Flag State and Port State Responsibilities

The MLC obliges flag States to ensure that vessels flying their flag are certified under the MLC and subject to regular inspections. These inspections must verify compliance with repatriation and financial security requirements (MLC, 2006, A5.1.4). However, flags of convenience—where ships are registered in countries with lax enforcement—often fail to meet these obligations.

Port States also play a vital role through Port State Control (PSC). Under Standard A5.2.1 of the MLC, port States may board and inspect foreign ships for compliance. If the ship fails to demonstrate valid financial security or adequate conditions onboard, PSC officers can detain the vessel until deficiencies are corrected (ILO, 2006).

Despite these powers, port States are often hesitant to act, particularly in politically sensitive or resource-constrained jurisdictions. The Middle East, where many Indian seafarers are abandoned,

illustrates these challenges. The legal obligations under the International Covenant on Civil and Political Rights, particularly Article 6 (Right to Life), may also be engaged when seafarers are forced to remain aboard unsafe or under-provisioned vessels (Human Rights Committee, 2019). Port States have a duty to facilitate disembarkation and provide assistance where lives are at risk.

CASE STUDIES: INDIAN SEAFARERS IN THE MIDDLE EAST

Case studies provide vital insights into how abandonment unfolds in real scenarios and the extent to which existing legal frameworks succeed—or fail—in protecting vulnerable seafarers. The following examples from Kuwait, Iran, and the United Arab Emirates (UAE) expose systemic failures in enforcement, support mechanisms, and legal accountability.

MV Ula – Hunger Strike in Kuwait (2021)

The MV Ula case involved 19 seafarers, including several Indians, who were stranded at Shuaiba Port in Kuwait. After nearly a year without pay, the crew initiated a hunger strike in January 2021, declaring they could not eat while their families went hungry. Six were hospitalized for medical complications, and the crew had been onboard for up to 26 months (International Transport Workers' Federation [ITF], 2022).

Despite repeated appeals, local authorities delayed action due to disputes over wages and crew change logistics. This case highlights how even when abandonment is evident, lack of diplomatic and port State coordination can delay repatriation and prolong human suffering.

Advantage Sweet – Detention and Mental Trauma (2023)

The MT Advantage Sweet, flagged under the Marshall Islands, was seized by Iranian authorities in April 2023. The crew included 23 Indian nationals, one of whom tragically jumped overboard after 140 days of confinement. The Directorate General of Shipping (DGS), India, took prompt action, involving the Ministry of External Affairs and the RPS agency, but Iranian legal procedures obstructed timely resolution (DGS, 2023).

This case underscores the need for rapid diplomatic escalation, and the role of flag State negligence in prolonging crew detention. It also illustrates the psychological toll abandonment can inflict on seafarers.

Vessel Steven – Legal Limbo in Iran (2023–2024)

Nine Indian seafarers aboard the vessel Steven were detained by Iranian coast guards in September 2023 under accusations of smuggling. By April 2024, some had been removed by authorities with no clear update on their status. The vessel master died of a heart attack, further destabilizing the situation. Salaries had not been paid for several months (DGS, 2024).

The case reveals how legal accusations—even unproven—can entrap seafarers in protracted proceedings. It also reveals how fragile the support infrastructure becomes when a vessel is under investigation and the crew has no legal representation.

Global Cherlyn – Delayed Court Proceedings (2023–2024)

In December 2023, the oil tanker MT Global Cherlyn was detained at Bandar Abbas, Iran, with 21 seafarers (20 Indians and one Bangladeshi). Legal delays and jurisdictional transfers from local

courts to Tehran postponed their release. The vessel operator was unable to appoint timely legal representation, while seafarers suffered from uncertainty and poor access to medical care (DGS, 2024).

The slow Iranian legal process, especially during Ramadan, compounded repatriation efforts. This demonstrates how court-based resolution mechanisms can be unfit for rapid humanitarian response, and how consular involvement is essential but often insufficient alone.

MSC Aries – High-Profile Seizure (2024)

In April 2024, the cargo ship MSC Aries, sailing from Abu Dhabi to Mumbai, was seized by Iranian forces. The crew included 16 Indians. One Indian female seafarer was allowed repatriation, but others remained onboard. The Indian RPS agency attempted to arrange a replacement Iranian crew to facilitate release of the abandoned crew, but Iranian authorities delayed approval (DGS, 2024).

This high-profile case, involving one of the world's largest shipping lines, underscores the complexity of navigating diplomatic standoffs, especially when geopolitical tensions intersect with commercial shipping operations. It also reflects the unique challenges Indian seafarers face due to nationality-based vulnerabilities.

These case studies collectively show a pattern of:

- a) Weak enforcement by flag States,
- b) Reluctant or delayed interventions by port States,
- c) Inadequate financial security mechanisms,
- d) Limited legal literacy and representation for seafarers, and
- e) Poor mental health support during prolonged abandonment.

They also highlight that while India actively engages diplomatically, it must enhance its regulatory oversight of RPS agencies, and develop a central support mechanism for tracking and intervening in such cases.

CHALLENGES IN ENFORCEMENT AND JURISDICTION

Despite a comprehensive international legal framework, including the Maritime Labour Convention, 2006 (as amended), and the involvement of institutions like the ILO and IMO, enforcement remains patchy and inconsistent. The frequent and growing number of abandonment cases reveals deep-rooted structural, legal, and operational weaknesses in the maritime labour protection regime—especially in relation to Indian seafarers stranded in Middle Eastern ports.

Flag State Failures

A key obligation under the United Nations Convention on the Law of the Sea (UNCLOS) is that each State must exercise effective jurisdiction and control over ships flying its flag, especially regarding labour and social conditions (UNCLOS, 1982, art. 94). However, many vessels involved in abandonment operate under flags of convenience—jurisdictions known for lenient inspection, low regulation, and weak enforcement. These States often do not maintain rigorous compliance checks or are slow to respond when violations occur (ILO, 2022).

As demonstrated in cases such as *MT Advantage Sweet* and *MV Ula*, the flag States—Marshall Islands and Palau, respectively—failed to proactively initiate repatriation or financial support for the seafarers, in clear breach of their obligations under the MLC and UNCLOS (DGS, 2023).

Port State Reluctance

Port State Control (PSC) is a secondary line of defense. Under the MLC, 2006 (Standard A5.2.1), port States can inspect foreign vessels for compliance with international labour standards, and detain non-compliant ships. However, enforcement remains weak due to a variety of reasons:

- a) Lack of trained personnel
- b) Geopolitical considerations
- c) Bureaucratic delays
- d) Fear of diplomatic backlash

Port States in the Gulf region, including Kuwait, Iran, and UAE, often delay interventions, fearing responsibility for unmanned vessels or long-term detention costs. For example, in the *MV Ula* case, the port of Shuaiba refused to allow disembarkation until a replacement crew was arranged—leaving the original crew trapped (ITF, 2022).

Jurisdictional Conflicts and Legal Complexity

The governance of seafarers is inherently transnational. Seafarers may be citizens of one State, employed by a company in another, sailing on a vessel flagged to a third, operated by a manager in a fourth, and abandoned in a fifth. This jurisdictional fragmentation complicates the implementation of seafarers' rights (MLC, 2006).

The MLC attempts to coordinate between:

- a) Flag State
- b) Port State
- c) Labour-supplying State
- d) Shipowner's State
- e) Recruitment and Placement Services (RPS) location

Yet, when incidents arise, no single entity takes full responsibility. Each blames another, and seafarers are caught in the middle, often unable to initiate legal proceedings or seek consular support in the port of abandonment.

Insufficient Role of Insurance Mechanisms

While the MLC mandates a financial security certificate under Standard A2.5.2, in practice, many vessels:

- a) Do not maintain valid certificates
- b) Hold expired or fraudulent insurance
- c) Lack clarity on claims processing

Even where valid insurance exists, access is not straightforward. For example, seafarers often lack knowledge of their insurance rights or fear retaliation if they report violations. As a result, funds meant to cover repatriation and unpaid wages go unclaimed.

Lack of Domestic Enforcement in Labour-Supplying States

Countries like India, which supply a large share of the global seafaring workforce, have limited mechanisms to proactively track and intervene in abandonment cases. The Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2016, place responsibility on licensed RPS agencies to ensure seafarer welfare, but in practice, enforcement is weak. The Directorate General of Shipping often responds only after complaints are made, and it lacks a comprehensive system to monitor the post-deployment status of Indian seafarers working abroad.

Human Rights Concerns

International human rights law, particularly Article 6 of the International Covenant on Civil and Political Rights (ICCPR), provides that every person has the inherent right to life, and States are required to take positive measures to protect this right (Human Rights Committee, 2019). Port States that prevent abandoned seafarers from disembarking or fail to provide humanitarian assistance may be violating this obligation, especially when food, medical care, and water are denied. For instance, in the MV Ula case, extended confinement without proper provisions led to a severe deterioration in health conditions, highlighting a potential breach of ICCPR obligations by the port State.

These enforcement challenges reveal that legal protection on paper does not guarantee seafarer safety in practice. Bridging the gap between international law and local action requires robust institutional reforms, coordinated oversight, and empowered seafarers who understand their rights.

IMPACTS ON SEAFARERS

While seafarer abandonment is a legal and operational failure, its most profound effects are human. Abandonment places enormous psychological, emotional, financial, and physical burdens on seafarers and their families. These impacts often persist long after the immediate crisis ends, disrupting lives, careers, and mental health.

Psychological and Emotional Toll

One of the most devastating effects of abandonment is the loss of identity and dignity experienced by seafarers. Many report feeling “discarded” by the very industry to which they devoted their lives. According to interviews and case assessments, seafarers often feel dehumanized, stigmatized, and powerless when they are left without communication, legal status, or repatriation support (ILO, 2022).

In the Advantage Sweet case, the psychological pressure on the crew after over 140 days of uncertainty and legal limbo led to a crew member jumping overboard, highlighting how abandonment can push individuals to the brink (DGS, 2023). Prolonged isolation, especially without clarity on wages or return dates, causes anxiety, depression, and post-traumatic stress, with many seafarers requiring counseling after repatriation.

Financial Hardship

Financial insecurity is the most immediate and tangible consequence of abandonment. Seafarers often go unpaid for months, despite being contractually entitled to wages. The loss of income affects not just the individuals, but also their dependents and communities, particularly in labour-exporting countries like India, where seafaring is a key source of livelihood.

In the MV Ula case, families of the abandoned crew struggled to survive for over 11 months without remittances. One seafarer had been aboard for 26 months without consistent pay. Outstanding debts—often taken to fund seafarer training or placement—continue to accumulate, and legal recovery of wages can take years (ITF, 2022).

Even when financial security mechanisms exist, the compensation process is slow and limited. The 2014 MLC amendment caps recovery to four months of wages, even when seafarers are abandoned for longer periods. This creates a justice gap, leaving many without full restitution (ILO, 2014).

Career and Employment Disruption

Seafarers abandoned on vessels often face difficulties securing future employment. In many cases, outstanding loans, medical conditions, or legal entanglements prevent a return to sea. Some employers may also view abandoned seafarers as “risk liabilities”, fearing legal disputes or reputational harm.

For example, crew members involved in the Vessel Steven or Global Cherlyn incidents, who were accused of smuggling or detained during judicial proceedings, are unlikely to find work again in the maritime sector, even though no wrongdoing may be proven (DGS, 2024).

The loss of employability contributes to long-term poverty and forces some seafarers to exit the maritime profession altogether, despite their qualifications and experience.

Health Impacts

The health consequences of abandonment are both immediate and lasting. Seafarers deprived of fresh food, clean water, and medical supplies face increased risk of disease and injury. The MV Ula hunger strike led to multiple hospitalizations due to deteriorating sugar levels and blood pressure (ITF, 2022).

Moreover, living on an unmanned or under-maintained vessel may expose seafarers to safety hazards such as:

- a) Unstable power supplies
- b) Lack of refrigeration for medicines
- c) Contaminated drinking water
- d) Absence of medical personnel

Long-term psychological stress can manifest in insomnia, anxiety, and suicidal ideation—conditions for which no support is usually provided onboard. The Maritime Labour Convention

does not yet require mental health services or counseling, even though such needs are widespread and urgent.

Family and Social Disintegration

Families of abandoned seafarers often experience social stigma, economic decline, and relationship breakdowns. The absence of income disrupts children's education, housing stability, and medical care. Spouses and parents—often unaware of how to contact the authorities—feel helpless and isolated.

Many families are too poor to initiate legal claims, and even if they do, cross-border enforcement of judgments is rare. There is also evidence of emotional trauma among family members, including children, particularly when seafarers go uncontacted for months.

In sum, abandonment profoundly affects every aspect of a seafarer's life—from dignity to livelihood, from health to hope. Recognizing the human cost is essential for shaping responsive policies and legal interventions that go beyond compliance to compassion.

RECOMMENDATIONS AND POSSIBLE SOLUTIONS

Seafarer abandonment is a systemic failure that requires a comprehensive, multi-level response. Based on the legal analysis, case studies, and human impacts discussed, this section offers targeted recommendations aimed at governments, international bodies, the maritime industry, and civil society to better protect seafarers and prevent abandonment.

Strengthen Enforcement of Financial Security Requirements

While the 2014 MLC amendment mandates financial security to cover repatriation and unpaid wages, enforcement remains inconsistent. Flag States must:

- a) Regularly verify the validity and adequacy of financial security certificates.
- b) Mandate auditable proof of insurance during port entry or registry renewal.
- c) Penalize non-compliant shipowners through de-registration, fines, or criminal prosecution (ILO, 2014).
- d) Port States should include abandonment risk indicators in their inspection checklists and refuse port entry or release unless valid insurance is confirmed.

Centralized Abandonment Monitoring and Response Mechanism

India, as a major labour-supplying State, should establish a centralized digital platform for:

- a) Real-time tracking of Indian seafarers on foreign-flagged vessels.
- b) Uploading of shipowners' and recruiters' insurance and financial details.
- c) Receiving complaints and alerts from seafarers or families.

This can be modeled on the IMO-ILO abandonment database but adapted for proactive monitoring and domestic intervention (IMO-ILO, 2022).

Legal and Regulatory Reform in Labour-Supplying States

Indian authorities must:

- a) Strengthen compliance under the Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2016.
- b) Mandate financial guarantees from RPS agencies before overseas deployment.
- c) Hold RPS agencies accountable for due diligence on shipowners and flag States.
- d) Impose blacklisting or license revocation on agencies involved in fraud or neglect.
- e) Such measures would ensure that Indian seafarers are not lured into unsafe or uninsured placements.

Ratify and Implement Additional ILO Conventions

India and other major seafarer-supplying nations should consider ratifying:

- a) The Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173).
- b) The International Convention on Maritime Liens and Mortgages, 1993.

These instruments provide additional avenues for wage recovery, especially when shipowners go bankrupt. As of now, only 21 countries have ratified Convention No. 173, limiting its global applicability (ILO, 2022).

Seafarer Legal Literacy and Access to Justice

Many abandoned seafarers are unaware of their legal rights and fear retaliation. The Indian government, maritime training institutes, and seafarer unions should:

- a) Provide pre-departure legal awareness sessions.
- b) Offer multilingual guides on rights under the MLC, 2006, insurance claims, and complaint mechanisms.
- c) Establish a 24/7 legal assistance helpline for Indian seafarers abroad.
- d) Encourage crew to retain digital copies of their contracts, insurance documents, and employer information.
- e) Legal empowerment would help seafarers report abandonment early and assert their entitlements.

Enhance International and Regional Cooperation

India should engage diplomatically with Gulf Cooperation Council (GCC) countries and push for:

- a) Bilateral MOUs on seafarer protection and repatriation.
- b) Standardized crew change protocols, particularly during emergencies.
- c) Improved consular access and communication with abandoned seafarers.

Furthermore, global maritime actors must hold flags of convenience accountable. International pressure—through trade restrictions, port bans, or industry blacklists—can deter chronic violators from operating unchecked.

Psychological and Welfare Support

Repatriation is not the end of abandonment's trauma. Governments and NGOs must:

- a) Provide post-repatriation counseling and reintegration support.
- b) Create a fund to support families during wage disputes.
- c) Involve seafarers' families in emergency notification systems and grievance redressal mechanisms.
- d) A humanitarian framework for seafarers must include not only legal but also emotional safety nets.

Through these reforms, abandonment can be transformed from a recurring tragedy into a rare exception. But this requires more than reactive measures—it demands political will, cross-sectoral collaboration, and seafarer-centered policies that uphold the dignity and labour rights of those who keep the global economy afloat.

CONCLUSION

The abandonment of Indian seafarers in Middle Eastern ports is not merely a regulatory shortfall—it is a profound failure of the international maritime system to uphold the basic rights and dignity of its workforce. Despite the existence of robust legal instruments such as the Maritime Labour Convention, 2006 (as amended), UNCLOS, and various ILO conventions, the persistent rise in abandonment cases reveals stark enforcement gaps, especially concerning flags of convenience, weak port State interventions, and poorly regulated recruitment channels.

Case studies involving the MV Ula, MT Advantage Sweet, MSC Aries, and others illustrate how Indian seafarers are disproportionately affected due to a combination of economic vulnerability, legal ignorance, and jurisdictional complexity. The human toll—measured in psychological trauma, unpaid wages, medical neglect, and family disruption—demands urgent and systemic intervention.

This paper has demonstrated that financial security mechanisms, while essential, are not sufficient. Effective enforcement, transparent monitoring, inter-State cooperation, and strong legal support for seafarers must accompany these financial safeguards. Moreover, India, as a key seafarer-supplying nation, has a crucial role to play in holding recruitment agencies accountable, providing legal literacy, and negotiating bilateral protections for its nationals.

The recommendations proposed here—including centralized tracking, enhanced RPS regulation, regional diplomacy, and psychological support—are designed to shift the discourse from reactive damage control to proactive seafarer protection. Abandonment must not be viewed as an operational mishap but as a human rights violation deserving of legal redress and international solidarity.

Seafarers ensure the continuity of global trade. It is the shared moral and legal responsibility of the international community to ensure that when crisis strikes, they are not left behind—alone and unheard—on rusting vessels in foreign ports.

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