

The background image shows a dark, moody scene of a ship's deck and the sea. A person in an orange jumpsuit is visible on the right side of the deck, looking out over the water. The ship's structure, including railings and equipment, is visible in the foreground and middle ground. The overall tone is somber and contemplative.

FHAS Foundation
for Humanitarian
Action at Sea

WHEN DOES SEAFARING BECOME A CRIME?

THE CHALLENGE OF SEAFARER CRIMINALIZATION

Seafarers face unusual legal exposure just for doing their jobs, and it's not confined to poorly governed states: some of the most notorious cases occurred in mature legal systems.

After an accident or incident, authorities often prosecute whomever they can take jurisdiction over, which usually means the ship master and crew, often before a full investigation.



THE CHALLENGE OF SEAFARER CRIMINALIZATION

In a 2018 survey of over 5,000 seafarers, 82.68% said they feared facing criminal charges over pollution, accidents, or drugs found aboard. Roughly 24% of masters report having faced criminal charges at some point in their careers.

Ship masters have been detained for months with no fault proven. And crews have been held for months for leverage in negotiations with insurance companies.



ARE SEAFARERS CRIMINALIZED FOR RESCUING MIGRANTS?

International law obligates ships to rescue people in distress yet rescuing them offers no guarantee against prosecution.

There are a number of high-profile cases of the prosecution of rescuers, including Italian prosecution of fishermen who rescued migrants (*later acquitted, 2018*), and the charges against NGO ship masters Pia Klemp (*acquitted, 2017*) and Carola Rackete (*2019, ongoing*), and the arrest of volunteer rescues in Lesvos (*2016, acquitted*). These are in addition to many other incidents of fines and administrative penalties leveled against migrant rescuers.

STRENGTHENING SEAFARER PROTECTIONS

After years of advocacy, the International Maritime Organisation, International Labour Organisation, International Chamber of Shipping, and International Transport Workers Federation have passed new (2025) guidelines on detained seafarers to establish due-process norms. But they are not binding, and implementation still varies.

Seafarer unions, such as Nautilus International and the General Confederation of Labour (CGT, France), have pushed for a 'solidarity exception' protecting rescuers specifically (2019).



Building bridges to save lives at sea

Find more information and resources at

www.fhas.ch