

‘The next phase – human rights at sea’

>> sector focus:
onboard security

As the 100 Rules Series moves to the next stage of real-time production, human rights are also on the agenda

The first ever international model principles for human rights at sea are expected to be released this month. They will be a model set of rules based on current international conventions.

‘Model Guiding Principles and Best Practice for Human Rights Considerations in the Maritime Industry’ is being released by 9 Bedford Row International Chambers (9BRi) Maritime Practice and will be used by the maritime industry, including maritime security and interested third parties, and will be guided by international case law.

It follows May’s release and integration of the 100 Series Rules for the Use of Force (RUF) as the first

international set of maritime RUF for the benefit of the entire shipping industry for best practice at sea.

According to the author of the 100 Series Rules, David Hammond, who is also head of maritime practice at 9BRi, the rules have now expanded the scope of the work to cover human rights model principles and best practice, which 9BRi believes is what the industry needs.

“As the 100 Series Rules gains increasing international traction, commercial acceptance, and support from major maritime industry associations and international bodies looking to what is becoming an accepted lawful and ready-made solution to the issue of an international model set of RUF, it has allowed the drafting team to further expand its assistance to the maritime industry,” he told *Fairplay*.

The guidelines will provide another foundation document for consideration by commercial and state entities in the fight against maritime crime on an international basis. Like the 100 Series Rules, the human rights principles will be underpinned by a thorough international law legal review.

“The new model guiding principles are focused on the duties of business enterprises in terms of their responsibility to protect human rights and is aimed at providing further support to the maritime industry, alongside the 100 Series Rules,” said Hammond.

The justification comes from prominent treaties, including the International Covenant on Civil

and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR). They are also formed from the 2011 UN document ‘Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework’.

“The guiding principles rest on the recognition of three main principles,” said Hammond. They are: a) states’ existing obligations to respect, protect, and fulfil human rights and fundamental freedoms; b) the role of business enterprises as specialised organs of society performing specialised functions, required to comply with all applicable laws and to respect human rights; and c) the need for rights and obligations to be matched to appropriate and effective remedies when breached.

“Like the 100 Series Rules, this will be for the use and benefit of the entire maritime industry, as well as interested third parties. It will be founded upon current international human rights

conventions and decided international case law. It will comprise a detailed legal analysis and a short PDF document of the identified and proposed model principles,” he told *Fairplay*.

In tandem with the 100 Series Rules, immersive and real-time maritime simulation and scenario films are being produced by Tundra International in Canada, alongside simulation equipment provider VirTra in Arizona. These are to cover real-time simulation for piracy, armed robbery, and hijacking incidents at sea, on board merchant vessels, super yachts, and fixed platforms.

“The scenarios will be applicable on a worldwide basis,” said Hammond.

Based on the 100 Series Rules, the films will represent realistic scenarios using advanced training methodology and techniques to demonstrate the lawful use of force at sea.

“The importance of readily available, realistic, and commercially viable training methodology and equipment that is portable, future proof, and can be rapidly deployed around the world to training facilities, both state-sponsored and privately run, is key to the cementing of a comprehensive and accountable training system,” he said. ■



David Hammond, author of the 100 Rules Series, takes safety to the next level

David Hammond



Real-time film production of maritime simulation and scenario films are being produced by Tundra International and simulation equipment provider VirTra