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icipate in these important consultations. I represent  
ernational organization monitoring human rights  
ries.

lving shipping that are relevant to our work: the  
e rights of stowaways and migrants and refugees  
and maritime arms transfers to human rights  
rum will provide an opportunity to raise these  
er discussion.

eneral on Oceans and the Law of the Sea touches on  
ill first discuss our interest in three general issues of  
and on specific human rights-related issues. We  
her attention during this week's consultation and in

General's report is the responsibility of flag states.

We therefore encourage continued attention to efforts to better define flag state responsibilities and strengthen flag state enforcement and implementation. We join other civil society groups in drawing special attention to the proposal, at paragraphs 243 and 249, to define the requirement for a “genuine link” between the country of registration and the ship that flies that state’s flag.

### *Port State Control*

Port states can help enforce international maritime standards. Their efforts to screen ships entering their ports do not substitute for effective flag state control but can provide an added level of protection. Moreover, actions taken with a view to enhancing port security can be useful from a human rights point of view. For example, greater diligence in inspecting cargo, checking for substandard ships, and monitoring conditions on ships could reduce the incidents of abuses associated with ships.

Along these lines, the Secretary General’s report, at paragraph 93, describes a measure by the European Commission to publish a blacklist of ships that have failed to comply with international standards. We would encourage making the list global and extending it to include ships and their personnel that have been implicated in human rights abuses or engaged in arms trafficking.

### *Crimes at Sea*

Crimes at sea are another issue of concern. As noted in the Secretary General’s report, in Section V, the international community has begun to work to address crimes at sea with special attention to fighting terrorism and international organized crime. However, we believe that the type of crimes should also include labor rights violations, human trafficking, and the illicit transport of weapons. We believe that states should enhance efforts to prevent criminal activity, rigorously investigate suspected criminal activity, and prosecute the perpetrators.

### *Workers’ Human Rights*

Human Rights Watch is troubled by persistent reports of workers’ human rights violations aboard ships, especially on ships that fly flags of convenience. For example, we noted with ILO)at udyps that co

### *Stowaways and Persons Interdicted or Rescued at Sea*

Another area of concern relates to stowaways and persons rescued or interdicted at sea. We welcome discussions about the responsibilities of states toward such persons, which can include migrants and asylum seekers. It is important to emphasize fundamental human rights principles that should guide state action in this area:

1. Comply with international refugee protection standards with respect to persons who may be fleeing persecution;
2. Afford special protections to victims of trafficking;
3. Uphold fundamental, core rights of undocumented migrants with respect to detention, procedural guarantees, and deportation;
4. Consistent with international human rights standards, no person—regardless of status—should be ill treated, subjected to arbitrary or discriminatory treatment, or returned to territories where there are substantial grounds for believing she or he would be in danger of being tortured;
- 5.

One issue the Secretary General's report does not mention, but that also warrants attention, is the