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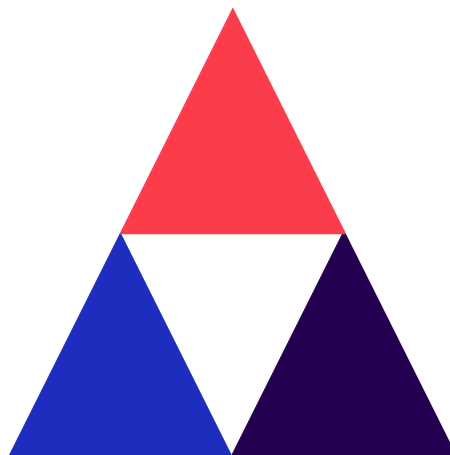


INTERNATIONAL
MARITIME
ORGANIZATION

► TWGSHE/2024/6

► Record of the second meeting

Second Meeting of the Joint ILO-IMO Tripartite Working Group to identify and address seafarers' issues and the human element
(London, 27-29 February 2024)



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► 1. General: Adoption of the agenda

Introduction

1.1. The Second Meeting of the Joint ILO-IMO Tripartite Working Group to identify and address seafarers' issues and the human element (JTWG) was held at the International Maritime Organization's (IMO) headquarters from 27 to 29 February 2024 and was chaired by Ms Mayte Medina (United States of America). The Vice-Chairpersons of the JTWG, Mr Vusi September (South Africa) for the Government group, Mr Tim Springett for the Shipowners' group and Mr Danny McGowan for the Seafarers' group, were also present.

1.2. The session was attended by representatives from the following eight Governments:

Bahamas	South Africa
France	Sweden
Panama	Thailand
Philippines	United States

observers from the following Governments:

Algeria	Madagascar
Angola	Malaysia
Argentina	Marshall islands
Australia	Mauritius
Azerbaijan	Mexico
Bangladesh	Morocco
Barbados	Netherlands
Belgium	Nicaragua
Brazil	Nigeria
Brunei Darussalam	Norway
Canada	Oman
Chile	Pakistan
China	Palau
Congo	Paraguay
Denmark	Peru
Ecuador	Poland
Egypt	Portugal
Finland	Russian Federation
Gabon	Saudi Arabia
Germany	Singapore
Ghana	Slovenia
Greece	Spain
Guatemala	Sri Lanka
Guyana	Togo
Indonesia	Trinidad and Tobago

Iran (Islamic Republic of)

Iraq

Ireland

Italy

Japan

Kenya

Liberia

Libya

Tunisia

Türkiye

Ukraine

United Arab Emirates

United kingdom of Great Britain and

Northern Ireland

United Republic of Tanzania

Uruguay

the following associate Members of the IMO:

Faroe Islands

Honk Kong, Special Administrative Region,
China

the following eight Shipowner representatives:

Mr Tim Springett, UK Chamber
of Shipping

Ms Kierstin Lachtman, Liberian
Shipowners' Council

Mr Dirk Max Johns, Swiss
Shipowners' Association

Ms Sarah Cerch  e, Maritime
Australia Ltd

Mr Tjitso Westra, Royal Association
of Netherlands Shipowners

Mr Wiebke Petersen, German
Shipowners' Association

Mr Pal Tangen, Norwegian
Shipowners' Association

Ms Hilde Peeters, Belgian
Shipowners Association

the following eight Seafarer representatives:

Ms Lena Dyring, Norwegian
Seafarers Union

Ms Lydia Ferrad, F  d  ration Nationale
des Travailleurs du Transport Alg  rien

Mr Danny McGowan,
Nautilus International

Ms Tracey Mayhew, Seafarers
International USA

Mr Christian Spain, American
Maritime Officers

Mr Odd Rune Malterud, Norwegian
Union of Marine Engineers

Mr Jesus Sale, Associated Marine Officers'
and Seamen's Union of the Philippines (AMOSUP)

Mr Carlos Muller, Sindicato Nacional dos
Oficiais da Marinha Mercante (SINDMAR)

observers from the following intergovernmental organizations which have concluded agreements of cooperation with the IMO:

European Commission (EC)

Maritime Organisation For West And Central Africa (MOWCA)

Indian Ocean Memorandum of Understanding on Port State Control (IOMoU)

and observers from the following non-governmental organizations in consultative status with the IMO; with the ILO; and both the IMO and the ILO:

International Chamber of Shipping (ICS)

Oil Companies International Marine Forum (OCIMF)

International Maritime Pilots' Association (IMPA)
 International Federation of Shipmasters' Associations (IFSMA)
 International Association of Independent Tanker Owners (INTERTANKO)
 International Group of Protection and Indemnity Associations (P&I CLUBS)
 Cruise Lines International Association (CLIA)
 International Parcel Tankers Association (IPTA)
 International Marine Contractors Association (IMCA)
 International Christian Maritime Association (ICMA)
 International Maritime Health Association (IMHA)
 International Transport Workers' Federation (ITF)
 Pacific Environment
 Women's International Shipping And Trading Association Limited (WISTA International)
 International seafarers' welfare and assistance network (ISWAN)
 Seafarers' Rights International
 observers from the following IMO training institution:
 World Maritime University (WMU)

Opening address of the IMO Secretary-General and the ILO Director of the Sectoral Policies Department

- 1.3. The IMO Secretary-General and the ILO Director of the Sectoral Policies Department welcomed participants and delivered their opening address, as set out in Annex 3. The full text of the IMO Secretary-General's opening address can also be downloaded from the IMO website at the following link: <https://www.imo.org/en/MediaCentre/SecretaryGeneral/Pages/Secretary-GeneralsSpeechesToMeetings.aspx>

Adoption of the agenda

- 1.4. The JTWG adopted the agenda for its second meeting, as set out in document ILO/IMO JTWG SIHE 2/1.
- 1.5. Following the adoption of the agenda, the JTWG noted the concerns expressed by the Shipowners' group regarding the use of an acronym for the terms sexual assault and sexual harassment, that is, "SASH" in the title of agenda items 3 and 4, since it seemed to undermine the relevance of the underlying terms. Noting that the acronym of "SASH" had been specifically referred to by IMO and ILO bodies during its previous considerations of the matter, the JTWG agreed not to change the agenda, but to limit the use of "SASH" when direct reference was to be made to IMO and ILO previous decisions.

Opening remarks

- 1.6. The JTWG noted the opening remarks provided by the Vice-Chairpersons of the three groups, as set out in Annex 3. The representatives of the Governments of Thailand, France, United States, Philippines, Panama also provided opening remarks, which are set out in Annex 3.

- 1.7. The JTWG recalled the terms of reference of the JTWG (MSC 105/16/2, annex, paragraph 15), in particular that the media, official international organizations, non-governmental international organizations or other entities with which the ILO or the IMO had established consultative relationships might be permitted, by the Chairperson, in agreement with the Vice-Chairpersons, to make or circulate statements. In this context, the observer of the International Christian Maritime Association (ICMA) delivered its opening remarks, as set out in Annex 3.

► 2. Outcome of relevant IMO and ILO bodies

Outcome of IMO bodies

- 2.1. The JTWG noted that the Maritime Safety Committee (MSC) of the IMO, at its 105th Session (20 to 29 April 2022), having recognized the need for joint action with the ILO to tackle bullying and harassment in the maritime sector, including sexual assault and sexual harassment, with the objective of ensuring a safe workplace for seafarers, had approved the establishment of a Joint ILO-IMO Tripartite Working Group to identify and address seafarers' issues and the human element, including its method of work and terms of reference. The JTWG also noted that the Committee had also:
- (1) instructed the JTWG to consider bullying and harassment in the maritime sector, including sexual assault and sexual harassment, taking into account information submitted by interested parties, with a view to providing recommendations for future steps, including the development of legislation, mechanisms and policies, and the launching of awareness-raising campaigns by relevant stakeholders, aimed at reporting and addressing these matters (MSC 105/20, paragraph 16.14.1);
 - (2) encouraged Member States to implement mechanisms and adopt relevant policies and legislation to protect seafarers, and encouraged shipping companies to implement internal monitoring, reporting and prevention policies, as well as procedures aimed at eliminating all forms of bullying and harassment on board ships and to take corrective action against persons engaging in unacceptable behaviour and practices of this nature (document MSC 105/20, paragraph 16.14.4);
 - (3) confirmed that the JTWG should consider the development of training provisions addressing bullying and harassment in the maritime sector, including sexual assault and sexual harassment (MSC 105/20, paragraph 16.18.1); and
 - (4) instructed the Sub-Committee on Human Element, Training and Watchkeeping (HTW) to develop and finalize, as a matter of priority, STCW training provisions addressing bullying and harassment in the maritime sector, including SASH, taking into account the work to be done in coordination with the JTWG (MSC 105/20, paragraph 16.18.2).
- 2.2. The JTWG further noted that IMO's Council, at its 127th Session (11 to 15 July 2022), had endorsed the above decision of MSC 105 (C 127/D, paragraph 20.2.2). Subsequently, C 129 had invited the JTWG to explore potential ways to facilitate the collection of data on bullying and harassment, including sexual assault and sexual harassment (document C 129/D, paragraph 4(a).4.5).
- 2.3. The JTWG also noted that, following the decision of MSC 105 (see paragraph 2.1.4):
- (1) HTW 9 had prepared draft amendments to table A-VI/1-4 of the STCW Code to prevent and respond to bullying and harassment, including sexual assault and sexual harassment, which

were subsequently approved by MSC 107, with a view to adoption at MSC 108 (HTW 9/15, paragraph 7.21 and MSC 107/20, paragraph 13.8); and

- (2) MSC 107 had referred the above-mentioned draft amendments to the JTWG for consideration and advice to MSC 108, before their adoption at that session (MSC 107/20, paragraph 13.9).

Considerations of MSC 107 concerning a proposal for a new output on the comprehensive review of the ISM Code and related guidelines

- 2.4. The JTWG noted the Shipowners' group's request for clarification regarding the discussions held at MSC 107 on a proposal for a new output on the comprehensive review of the International Safety Management (ISM) Code and related guidelines (MSC 107/20, paragraph 17.20.4), in particular on the linkage between that proposal and the outcome of this meeting of the JTWG.
- 2.5. In this connection, the JTWG also noted information provided orally by the joint ILO-IMO Secretariat that the above-mentioned linkage was part of the views expressed at MSC 107, which had become a conclusion of the Committee's consideration and that the outcome of this meeting might be relevant to define elements of the scope of the above new output, if agreed, rather than being decisive for the Committee's agreement to accept said proposal (see document MSC 107/20, paragraph 17.21).
- 2.6. Subsequently, the JTWG further noted that any decisions on this matter lay with the MSC and that the outcomes of the deliberations or recommendations by the JTWG, if any, should focus on its mandate as agreed by ILO and IMO bodies (see paragraphs 2.1.1 and 2.8).

Outcome of ILO bodies

- 2.7. The JTWG noted that the establishment of the JTWG was formalized at the ILO by means of the adoption of a resolution by the Fourth Meeting (Part I) of the Special Tripartite Committee (hereafter the STC) of the ILO Maritime Labour Convention, 2006, as amended (MLC, 2006) in April 2021, and subsequent decisions taken by the Governing Body of the ILO at its 343rd Session (November 2021). The resolution set out, in its annex, the terms of reference for the JTWG, including its composition by 24 members: 8 Governments to be appointed by the IMO; and 8 Shipowner representatives and 8 Seafarer representatives to be appointed by the ILO, following nomination by their respective groups. The terms of reference also specified that, for the ILO, the outcome of the meetings of the JTWG was to be reported to the ILO Governing Body.
- 2.8. The JTWG also noted that, the fourth meeting (Part II) of the STC, in May 2022, had:
 - (1) noted the MSC's request for the JTWG to consider the issue of harassment and bullying, including sexual assault and sexual harassment, and in accordance with paragraph 4(c) of the terms of reference of the resolution calling for the establishment of the JTWG;
 - (2) adopted the Resolution on Harassment and Bullying, including Sexual Assault and Sexual Harassment, in the Maritime Sector. That resolution called upon the Governing Body to take note of the request of MSC 105, and called for it to be considered, at the earliest opportunity by the JTWG, with the objective of ensuring a safe and inclusive workplace for seafarers, and included a footnote referring to the request from the MSC to the JTWG.
- 2.9. Furthermore, the JTWG noted that the ILO Governing Body, at its 346th Session (October–November 2022) had taken note of the request by the IMO to put this topic on the agenda of the JTWG at the earliest opportunity and had agreed that the topic would be addressed by the JTWG in 2023. Following consultation among the ILO and IMO Secretariats, and subsequent decisions by the Governing Body, at its 347th Session (March 2023) and 349th Session (November 2023), the

meeting was scheduled to be held at the IMO headquarters in London from 27 to 29 February 2024.

► 3. Consideration of future steps, for example, legislation, mechanisms and policies for reporting and addressing of bullying and harassment, including sexual assault and sexual harassment (sash), in the maritime sector

3.1. The JTWG considered the following documents:

- (1) ILO/IMO JTWG-SIHE 2/3 (ILO and IMO Secretariats), providing elements for the discussion of possible recommendations for preventing, reporting and addressing bullying and harassment in the maritime sector, including sexual assault and sexual harassment, for consideration by the JTWG;
- (2) ILO/IMO JTWG-SIHE 2/INF.2 (ILO and IMO Secretariats), providing background information on the work of the ILO and IMO relevant to the reporting and addressing of bullying and harassment, including assault and sexual harassment, in the maritime sector;
- (3) ILO/IMO JTWG-SIHE 2/3/1 (United States), providing proposals to address gaps in international standards and policies applicable to administrations, shipowners, and seafarers in the prevention of, and response to bullying and harassment, including SASH, and a recommendation for awareness-raising campaigns;
- (4) ILO/IMO JTWG-SIHE 2/3/2 (ICS), providing an industry perspective on harassment and bullying in the maritime sector, with a focus on legislation, guidelines, policies and studies, to provide background and guidance for the meeting and assist with the development of effective actions aimed at eliminating harassment and bullying from the maritime sector;
- (5) ILO/IMO JTWG-SIHE 2/3/3 (ICS), outlining five high-level industry principles and eight detailed industry principles for establishing effective measures to combat and eliminate harassment and bullying in the maritime sector;
- (6) ILO/IMO JTWG-SIHE 2/3/4 (France), setting out proposals aimed at improving the international regulatory framework as well as sharing best practices in terms of dedicated national policies; identifying gaps in the international regulatory framework and proposes recommendations to address them as well as sharing best practices in terms of dedicated national policies and dedicated best management practices; and
- (7) ILO/IMO JTWG-SIHE 2/3/5 (ICS), providing elements of possible recommended actions arising from the JTWG, to be developed as part of the outcome of the JTWG.

Terminology to address the issue of bullying and harassment

3.2. The JTWG, in considering relevant parts in documents ILO/IMO JTWG-SIHE 2/3, ILO/IMO JTWG-SIHE 2/INF.2, ILO/IMO JTWG-SIHE 2/3/3, ILO/IMO JTWG-SIHE 2/3/4 and ILO/IMO JTWG-SIHE 2/3/5, on terminology to address the issue of bullying and harassment, noted that such terminology may have an impact on the consideration of the relevant ILO and IMO instruments, in particular the draft STCW training provisions under agenda item 4.

3.3. The JTWG also noted that:

- (1) the Government group supported the use of the terminology “violence and harassment, including bullying, sexual assault and sexual harassment”; the addition of a footnote referring to the ILO Violence and Harassment Convention, 2019 (No. 190) (hereafter referred to as Convention No. 190); and mentioning explicitly some forms of violence and harassment due to their particular relevance in the maritime sector;
- (2) the Seafarers’ group supported the terminology proposed by the Government group, highlighting that it would adequately reflect previous ILO and IMO work on this issue; that this matter was not only about labour rights, but also was very relevant in terms of safety and that the specific references to bullying, and sexual assault and sexual harassment were important to underline behaviours of particular concern; and
- (3) the Shipowners’ group expressed the need to align the terminology with the definition in Convention No. 190 as agreed on a tripartite basis for use in IMO and ILO instruments in future. The Shipowners’ group proposed to delete the reference to “bullying, sexual assault and sexual harassment” and to refer only to “violence and harassment” or “violence and harassment, including gender-based violence and harassment”.

3.4. Following a lengthy discussion, the group also noted the following information provided by the joint ILO-IMO Secretariat:

- (1) the terminology “violence and harassment, including bullying, sexual assault and sexual harassment” would be in line with Convention No. 190;
- (2) the term “including” showed that the references to “bullying, sexual assault and sexual harassment” were not representing an exhaustive list;
- (3) under Articles 1 and 7 of Convention No. 190, Member States were required to define and prohibit violence and harassment at the national level, and might provide for a single or separate concepts; and
- (4) under Article 8, Member States were called upon to identify, in consultation with the employers’ and workers’ organizations, the sectors that were more exposed to violence and harassment and to take measures to effectively protect such persons.

3.5. Following discussion, the JTWG agreed to recommend that the IMO MSC and the ILO Governing Body use the terminology “violence and harassment, including sexual harassment, bullying and sexual assault” in their relevant instruments and guidance, as appropriate, with an associated reference to the definition of “violence and harassment” in Convention No. 190.

Consideration of the current ILO and IMO instruments to address the issue of violence and harassment, including sexual harassment, bullying and sexual assault

Consideration of IMO instruments

3.6. The JTWG considered relevant parts of documents ILO/IMO JTWG-SIHE 2/3 and ILO/IMO JTWG-SIHE 2/3/1 concerning proposals on the need for amendments to the ISM Code and relevant instruments, and STCW regulation I/5 (National provisions).

Consideration of the ISM Code and related instruments

3.7. The JTWG noted that:

- (1) the Government group suggested that, although amending the ISM Code should not be precluded in the future, only provisions in support of the implementation Code should be considered at this stage;
- (2) the Shipowners' group supported the need for additional measures and policies to address the issue of violence and harassment, but without considering amendments to the ISM Code; and highlighted that amendments to the MLC, 2006, would be the most appropriate way of addressing the matter taking into account the provisions in Convention No. 190; and
- (3) the Seafarers' group suggested that the issue of violence and harassment was directly linked with safety and it needed to be addressed broadly but directly by amending the ISM Code, highlighting also that the only way to ensure that all shipowners took responsibility for the "working culture" on board their ships was through the ISM Code; which provided a framework for all ships and was the only instrument offering means for compliance and application as indicated in its paragraphs 1.2.3 and 1.3. Furthermore, the Seafarers' group recommended an MSC resolution which should include a statement that violence and harassment, including sexual harassment, bullying and sexual assault, are serious threats to the safety of personnel and should be considered as major non-conformity in accordance with paragraph 1.1.10 of the ISM Code.

3.8. In addition, the JTWG noted information provided by the joint ILO-IMO Secretariat that some reports from Governments to the ILO Committee of Experts on the Application of Conventions and Recommendations stated that compliance with provisions of the MLC, 2006 on occupational safety and health, was ensured through the implementation of the ISM Code, and that the linkage between these two instruments already existed in practice.

3.9. Taking into account the views expressed, the JTWG agreed not to recommend that the IMO MSC consider amending the ISM Code at this stage, but consideration of amendments to the ISM Code could be revisited at a later stage.

3.10. Taking into account that it had been agreed not to recommend amending the ISM Code at this stage, the JTWG agreed to recommend that the MSC consider the adoption of measures in support of the implementation of the ISM Code, in the form of a resolution and/or, by revising existing or developing new IMO guidance, to address the issue of violence and harassment, including sexual harassment, bullying and sexual assault, in order to:

- (1) incorporate policies and procedures for the prevention of, reporting of cases of, response to, corrective action for and documentation of violence and harassment, including sexual harassment, bullying and sexual assault, in safety management systems, including victim care and protection against retaliation; and the establishment of the company's safety management objectives, including the assessment of risks and establishment of safeguards;
- (2) specify that safety management systems should ensure compliance with mandatory rules and regulations, including national requirements on violence and harassment, including sexual harassment, bullying and sexual assault, and that guidance from the industry organizations is observed;
- (3) apportion responsibilities on companies' senior management and administrations on addressing cases of violence and harassment, including sexual harassment, bullying and sexual assault, and provide adequate resources for shipboard and shoreside management and response, including medical care which includes mental health support for victims; and

- (4) ensure training and familiarization of seafarers and designated shoreside personnel on relevant company policies and their implementation.

Consideration of policies

- 3.11. The group noted that seven documents (ILO/IMO JTWG-SIHE 2/3, ILO/IMO JTWG-SIHE 2/INF.2, ILO/IMO JTWG-SIHE 2/3/1, ILO/IMO JTWG-SIHE 2/3/2, ILO/IMO JTWG-SIHE 2/3/3, ILO/IMO JTWG-SIHE 2/3/4 and ILO/IMO JTWG SIHE 2/3/5) had been submitted in relation to the consideration of policies on violence and harassment, and that the relevant parts of these documents may be taken into account when developing measures in support of the implementation of the ISM Code (see paragraph 3.10.1).

Consideration of STCW regulation I/5 (National provisions)

- 3.12. The JTWG considered the proposal in paragraph 14.2 of document ILO/IMO JTWG-SIHE 2/3/1 (United States), concerning the inclusion of a requirement in STCW regulation I/5 (National provisions), with a view to suspending or revoking the credentials of any seafarer convicted for sexual assault, and by doing so, removing perpetrators from service.
- 3.13. During the discussion, the JTWG noted that:
 - (1) the Government group proposed recommending that the MSC instruct the HTW Sub-Committee to consider the proposal in paragraph 14.2 of document ILO/IMO JTWG-SIHE 2/3/1 (see paragraph 3.10), in the context of the comprehensive review of the STCW Convention and Code, and take action as appropriate;
 - (2) the Shipowners' group supported the above proposal by the Government group; and
 - (3) the Seafarers' group expressed its support for amending STCW regulation I/5; but highlighting that the process suggested would delay the consideration and implementation of these important amendments, which would provide mechanisms to tackle a form of criminal offence taking place on board ships.
- 3.14. In this context, the JTWG also noted the background information provided by the Government group on its proposal, including the fact that there were differences between national legislations and the ways to deal with seafarers convicted for sexual assault and that further consideration would be necessary before proceeding to amend STCW regulation I/5.
- 3.15. Following discussion, the JTWG agreed to recommend that the IMO MSC instruct the HTW Sub-Committee to consider the proposal in paragraph 14.2 of document ILO/IMO JTWG-SIHE 2/3/1 (see paragraph 3.12), in the context of the comprehensive review of the STCW Convention and Code, and take action as appropriate.

Consideration of ILO instruments

- 3.16. The group discussed relevant parts of documents ILO/IMO JTWG-SIHE 2/3, ILO/IMO JTWG-SIHE 2/INF.2, ILO/IMO JTWG-SIHE 2/3/1, ILO/IMO JTWG-SIHE 2/3/3, ILO/IMO JTWG-SIHE 2/3/4 and ILO/IMO JTWG-SIHE 2/3/5 in relation to the consideration of ILO instruments, in particular the suggested amendments to the MLC, 2006.
- 3.17. Following consideration of the above, the JTWG agreed to recommend that the ILO Governing Body invite the members of the Special Tripartite Committee of the MLC, 2006 (STC) to consider

submitting proposals * to amend the MLC, 2006, taking into account the provisions in Convention No. 190, in order to ensure that Member States:

- (1) define and prohibit shipboard violence and harassment, including sexual harassment, bullying and sexual assault;
- (2) adopt relevant policies, measures and programmes to prevent and address these issues, specifying the different and complementary responsibilities of flag States, port States, labour-supplying States, shipowners, seafarers and other relevant stakeholders, as appropriate;
- (3) require shipowners to adopt relevant policies and measures to prevent and address violence and harassment, including sexual harassment, bullying and sexual assault;
- (4) adapt existing on-board and onshore complaints mechanisms to provide easy access to effective remedies in cases of violence and harassment, including the protection against victimization or retaliation and of the privacy and confidentiality of those involved; and
- (5) enhance cooperation among flag States, port States and labour-supplying States on these issues.

3.18. The JTWG also noted that the Shipowners' group, in accepting the proposal above (see paragraph 3.17.3), stated that it was important to respect the right of shipowners, as employers, to adopt policies that are commensurate with their degree of control and take account of the circumstances of their companies, including the ability to take measures that they consider appropriate in response to any breaches of such policies and disciplinary codes.

Consideration of the ILO, IMO and WHO *International Medical Guide for Ships, 3rd edition*

3.19. The JTWG noted that one document (ILO/IMO JTWG-SIHE 2/3/1), had been submitted in relation to the consideration of the ILO, IMO and World Health Organization (WHO) *International Medical Guide for ships, 3rd edition*. Following discussion, the JTWG agreed to recommend that ILO and IMO bodies consider, in coordination with the WHO, when amending the *International Medical Guide for Ships, 3rd edition*, taking into account the actions taken as a result of the recommendations of the JTWG. In this context, the JTWG also agreed that the relevant industry and national medical guidelines or provisions should also be revised, accordingly.

Consideration of the industry guidelines, for example, the ICS and ITF *Guidance on eliminating shipboard harassment and bullying, 2016*

3.20. The group noted that six documents (ILO/IMO JTWG-SIHE 2/INF.2, ILO/IMO JTWG-SIHE 2/3/1, ILO/IMO JTWG-SIHE 2/3/2, ILO/IMO JTWG-SIHE 2/3/4 and ILO/IMO JTWG-SIHE 2/3/5) had been submitted in relation to the consideration of industry guidelines, for example, the ICS and ITF *Guidance on eliminating shipboard harassment and bullying, 2016*. Having noted that the existing guidelines already addressed the issues of bullying and harassment, the JTWG agreed to recommend that the ITF and ICS carry out a review on their Guidance, and update it, as necessary, in accordance with the actions taken by IMO and ILO bodies as a result of the recommendations emanating from the JTWG.

* The deadline to propose amendments to the Code of the MLC, 2006, is 10 September 2024. The fifth meeting of the STC will take place at the ILO headquarters, Geneva, from 7 to 11 April 2025. More information is available on the official ILO [web page](#).

Consideration of the launching of an awareness-raising campaign

- 3.21. The JTWG, considered relevant parts of documents ILO/IMO JTWG-SIHE 2/3, ILO/IMO JTWG-SIHE 2/INF.2, ILO/IMO JTWG-SIHE 2/3/1, ILO/IMO JTWG-SIHE 2/3/3, ILO/IMO JTWG-SIHE 2/3/4 and ILO-IMO JTWG-SIHE 2/3/5, proposing the launching of awareness-raising campaigns concerning violence and harassment in the maritime sector, including sexual harassment, bullying and sexual assault.
- 3.22. In this connection, the JTWG noted the statements by the Governments, Shipowners and Seafarers' groups regarding the features for national and international campaigns to be launched. The full text of these statements is set out in Annex 3.
- 3.23. Following consideration, the JTWG recommended that the IMO MSC and the ILO Governing Body, as appropriate:
- (1) request the ILO and IMO Secretariats to coordinate the launching of an international campaign, with the support of ILO and IMO Member States, seafarers, shipowners, governmental and non-governmental organizations, to raise awareness on addressing violence and harassment in the maritime sector, including sexual harassment, bullying and sexual assault, as a multi-level approach;
 - (2) encourage governments to launch national campaigns, which should be orchestrated by Administrations, in collaboration with social partners and other national organizations; and
 - (3) invite all stakeholders to consider supporting by means of funding and/or other resources the ILO and IMO Secretariats in relation to the arrangements for the campaign.

Consideration of potential ways to facilitate the collection of data

- 3.24 The JTWG noted that two documents (ILO/IMO JTWG-SIHE 2/3 and ILO/IMO JTWG-SIHE 2/3/5) had been submitted in relation to the consideration of potential ways to facilitate the collection of data. It was also noted that, due to time constraints, not all three groups were able to consider potential ways to facilitate the collection of data.
- 3.25 In this context, the JTWG noted the following views expressed:
- (1) subsequent versions of the global ILO survey should be conducted by covering all economic sectors, including the maritime sector, for comparative analysis;
 - (2) the purpose of the data collection should be the identification of trends for combating violence and harassment, including sexual harassment, bullying and sexual assault, as part of a zero-tolerance policy in the sector;
 - (3) data under any future scheme should be provided in an equitable manner by all stakeholders;
 - (4) the data collection was a sensitive issue and the privacy and confidentiality of the data collected should be preserved;
 - (5) the use of the data collected should be carefully considered, noting that not every report submitted was accurate or true, providing mechanisms to protect those reporting, those accused and those receiving the data; and
 - (6) some governments were collecting data related to the complaints or cases which were reported to their Administration.

3.26 Following the discussion, the JTWG agreed to recommend that the IMO MSC and the ILO Governing Body, as appropriate:

- (1) request the IMO and ILO Secretariats to continue their work on potential ways for collecting data in an appropriate manner, taking into account the concerns expressed by the JTWG; and
- (2) encourage governments, seafarers, shipowners and all stakeholders to consider collectively how to collect data holistically, with every necessary safeguard in future meetings.

► 4 Consideration of draft STCW training provisions to address bullying and harassment in the maritime sector, including SASH, for advice to the Maritime Safety Committee

4.1. In considering the draft amendments to table A-VI/1-4 of the STCW Code, as set out in the annex to document ILO/IMO JTWG-SIHE 2/4, the JTWG, taking into account the decision made on the terminology (see paragraph 3.5), agreed to replace the terms “bullying and harassment, including sexual assault and sexual harassment” with “violence and harassment, including sexual harassment, bullying and sexual assault”, with an associated footnote referring to the definition of “violence and harassment” in Convention No. 190.

4.2. During the consideration of the additional text proposed by the joint ILO–IMO Secretariat on the contributing factors linked with the issue of violence and harassment, in order to align the terminology in the draft amendments to the STCW Code with Convention No. 190 and its accompanying Recommendation, the JTWG noted that:

- (1) the Government group proposed that the terms “discrimination” and “psychosocial hazards” should be further considered by MSC 108, noting that these terms had not been defined or referred to in the context of the STCW Convention and Code;
- (2) the Seafarers’ group proposed keeping the term “discrimination” in the draft amendments as it was one of the elements that could contribute to violence and harassment and was grounded in the ILO fundamental Conventions; and
- (3) the Shipowners’ group suggested keeping “discrimination” in square brackets for further consideration by MSC 108.

4.3. The JTWG also noted the following additional information provided by the joint ILO–IMO Secretariat:

- (1) the concept of “psychosocial hazards” was provided in Convention No. 190 and the Violence and Harassment Recommendation, 2019 (No. 206) and included factors such as “stress”, “isolation” and “fatigue”, which were particularly relevant for the maritime sector; and
- (2) the concept of “discrimination” was defined in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and also provided in Recommendation No. 206 as one of the contributing factors to violence and harassment.

4.4. Following discussion, the JTWG prepared the revised text of the draft amendments to table A-VI/1-4 of the STCW, as set out in Annex 1, and agreed to recommend that MSC 108 consider it with a view to adoption at that session.

- 4.5. In addition, the JTWG noted that the following issues were expected to be considered during the ongoing comprehensive review of the STCW Convention and Code, as provided in document ILO/IMO JTWG-SIHE 2/4:
- (1) introduction of cultural and generational gap awareness in the existing competence “Contribute to effective human relationship on board ships” in table A-VI/1-4 of the STCW Code (HTW 9/15, paragraph 7.19 and ILO/IMO JTWG-SIHE 2/4, paragraph 4);
 - (2) development of a new competence on psychological safety within section A-VI/1, and table A-VI/1-4, of the STCW Code (HTW 9/15, paragraph 7.20 and ILO/IMO JTWG-SIHE 2/4, paragraph 5);
 - (3) detailed consideration of provisions for maintaining the standard of competence on prevention and response to violence and harassment, including sexual harassment, bullying and sexual assault (HTW 9/15, paragraph 7.23 and ILO/IMO JTWG-SIHE 2/4, paragraph 7); and
 - (4) revision of Model Course 1.21 on Personal Safety and Social Responsibility.
- 4.6. In this context, the JTWG noted that any further developments on these issues would be subject to the submission of proposals and considerations by the HTW Sub-Committee, in accordance with the methodology for the comprehensive review of the STCW Convention and Code, subject to approval by the Maritime Safety Committee.

► 5. Any other business

- 5.1. Having noted the best practices shared by the delegation of South Africa, the Seafarers’ group and the Shipowners’ group in the margins of the meeting, the JTWG agreed to collect all this information, as set out in Annex 2.

Expression of appreciation

- 5.2. The JTWG expressed appreciation to:
- (1) the IMO, for hosting the JTWG at its headquarters;
 - (2) the joint ILO–IMO Secretariat, for their excellent work in supporting the JTWG; and
 - (3) Mr Brandt Wagner (ILO Secretariat), who retired on the last day of the JTWG, that is, 29 February 2024, for his invaluable contribution to the work of the Organizations, and wished him a long and happy retirement.

Closing remarks

- 5.3. The JTWG noted the closing remarks provided by the Vice-Chairpersons of the three groups, as set out in Annex 3.

► 6 Report to the IMO MSC and the ILO Governing Body

6.1. The JTWG recommended that the IMO Maritime Safety Committee, at its 108th Session:

- (1) endorse the use of the terminology “violence and harassment, including sexual harassment, bullying and sexual assault” in relevant IMO instruments and guidance, as appropriate, with an associated reference to the definition of “violence and harassment” in Convention No. 190 (paragraph 3.5);
- (2) agree that it should not consider amending the ISM Code, at this stage, but consideration of amendments to the ISM Code could be revisited at a later stage (paragraph 3.9);
- (3) taking into account the above recommendation to not amend the ISM Code at this stage, consider the adoption of measures in support of the implementation of the ISM Code, in the form of a resolution and/or, by revising existing or developing new IMO guidance, to address the issue of violence and harassment, including sexual harassment, bullying and sexual assault, in order to (paragraph 3.10):
 - (1) incorporate policies and procedures for the prevention of, reporting of cases of, response to, corrective action for and documentation of violence and harassment, including sexual harassment, bullying and sexual assault, in safety management systems, including victim care and protection against retaliation; and the establishment of the company's safety management objectives, including the assessment of risks and establishment of safeguards;
 - (2) specify that safety management systems should ensure compliance with mandatory rules and regulations, including national requirements on violence and harassment, including sexual harassment, bullying and sexual assault, and that guidance from the industry organizations is observed;
 - (3) apportion responsibilities on companies' senior management and administrations on addressing cases of violence and harassment, including sexual harassment, bullying and sexual assault, and provide adequate resources for shipboard and shoreside management and response, including medical care which includes mental health support for victims; and
 - (4) ensure training and familiarization of seafarers and designated shoreside personnel on relevant company policies and their implementation.
- (4) instruct the HTW Sub-Committee to consider the proposal in paragraph 14.2 of document ILO/IMO JTWG-SIHE 2/3/1, on the inclusion of a requirement in STCW regulation I/5 (National provisions) to take action in cases of sexual assault, in the context of the comprehensive review of the STCW Convention and Code, and take action as appropriate (paragraph 3.15);
- (5) consider, in coordination with the WHO, when amending the *International Medical Guide for Ships, 3rd edition*, taking into account the actions taken as a result of the recommendations of the JTWG, noting that relevant industry and national medical guidelines or provisions should also be revised, accordingly (paragraph 3.19);
- (6) in relation to the launching of awareness-raising campaigns (paragraph 3.23):
 - (1) request the ILO and IMO Secretariats to coordinate the launching of an international campaign, with the support of ILO and IMO Member States, seafarers, shipowners, governmental and non-governmental organizations, to raise awareness on addressing

violence and harassment in the maritime sector, including sexual harassment, bullying and sexual assault, as a multi-level approach;

- (2) encourage governments to launch national campaigns, which should be orchestrated by Administrations, in collaboration with social partners and other national organizations; and
 - (3) invite all stakeholders to consider supporting by means of funding and/or other resources the ILO and IMO Secretariats in relation to the arrangements for the campaign;
- (7) in relation to the potential ways to facilitate the collection of relevant data (paragraph 3.26):
- (1) request the IMO and ILO Secretariats to continue their work on potential ways for collecting data in an appropriate manner, taking into account the concerns expressed by the JTWG; and
 - (2) encourage governments, seafarers, shipowners and all stakeholders to collectively consider how to collect data holistically, with every necessary safeguard in future meetings; and
- (8) consider the revised text of the draft amendments to table A-VI/1-4 of the STCW, as set out in Annex 1, with a view to subsequent adoption (paragraph 4.4 and Annex 1).

6.2. The JTWG recommended that the ILO Governing Body:

- (1) endorse the use of the terminology “violence and harassment, including sexual harassment, bullying and sexual assault” in relevant ILO instruments and guidance, as appropriate, with an associated reference to the definition of “violence and harassment” in Convention No. 190 (paragraph 3.5);
- (2) invite the members of the ILO Special Tripartite Committee of the MLC, 2006 (STC), to be held in April 2025, to consider submitting proposals to amend the MLC, 2006, taking into account the provisions in Convention No. 190, in order to ensure that Member States (paragraph 3.17):
 - (1) define and prohibit shipboard violence and harassment, including sexual harassment, bullying and sexual assault;
 - (2) adopt relevant policies, measures and programmes to prevent and address these issues, specifying the different and complementary responsibilities of flag States, port States, labour-supplying States, shipowners, seafarers and other relevant stakeholders, as appropriate;
 - (3) require shipowners to adopt relevant policies and measures to prevent and address violence and harassment, including sexual harassment, bullying and sexual assault;
 - (4) adapt existing on-board and onshore complaints mechanisms to provide easy access to effective remedies in cases of violence and harassment, including the protection against victimization or retaliation and of the privacy and confidentiality of those involved; and
 - (5) enhance cooperation among flag States, port States and labour-supplying States on these issues.
- (3) consider, in coordination with the WHO, when amending the *International Medical Guide for Ships, 3rd edition*, taking into account the actions taken as a result of the recommendations

of the JTWG, noting that relevant industry and national medical guidelines or provisions should also be revised, accordingly (paragraph 3.19);

- (4) in relation to the launching of awareness-raising campaigns (paragraph 3.23):
 - (1) request the ILO and IMO Secretariats to coordinate the launching of an international campaign, with the support of ILO and IMO Member States, seafarers, shipowners, governmental and non-governmental organizations, to raise awareness on addressing violence and harassment in the maritime sector, including sexual harassment, bullying and sexual assault, as a multi-level approach;
 - (2) encourage governments to launch national campaigns, which should be orchestrated by Administrations, in collaboration with social partners and other national organizations; and
 - (3) invite all stakeholders to consider supporting by means of funding and/or other resources the ILO and IMO Secretariats in relation to the arrangements for the campaign.
 - (5) in relation to the potential ways to facilitate the collection of relevant data (paragraph 3.26):
 - (1) request the IMO and ILO Secretariats to continue their work on potential ways for collecting data in an appropriate manner, taking into account the concerns expressed by the JTWG; and
 - (2) encourage governments, seafarers, shipowners and all stakeholders to collectively consider how to collect data holistically with every necessary safeguard, in future meetings.
- 6.3. The JTWG recommended that the ITF and ICS carry out a review of their *Guidance on eliminating shipboard harassment and bullying*, 2016, and update it, as necessary, in accordance with the actions taken by IMO and ILO bodies as a result of the recommendations emanating from the JTWG.

► Annex 1*

Draft amendments to Part A of the Seafarers' Training, Certification and Watchkeeping (STCW) Code**Chapter VI: Standards regarding emergency, occupational safety, security, medical care and survival functions****Section A-VI/1**

Mandatory minimum requirements for safety familiarization, basic training and instruction for all seafarers

1. The existing table A-VI/1-4 (Specification of minimum standard of competence in personal safety and social responsibilities) is amended to read as follows:

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
Comply with emergency procedures	Types of emergency which may occur, such as collision, fire, foundering Knowledge of shipboard contingency plans for response to emergencies Emergency signals and specific duties allocated to crew members in the muster list; muster stations; correct use of personal safety equipment Action to take on discovering potential emergency, including fire, collision, foundering and ingress of water into the ship Action to take on hearing emergency alarm signals Value of training and drills Knowledge of escape routes and internal communication and alarm systems	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Initial action on becoming aware of an emergency conforms to established emergency response procedures Information given on raising alarm is prompt, accurate, complete and clear
Take precautions to prevent pollution of the marine environment	Basic knowledge of the impact of shipping on the marine environment and the effects of operational or accidental pollution on it	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Organizational procedures designed to safeguard the marine environment are observed at all times

* Tracked changes for the draft amendments approved by MSC 107 are created using grey shading to highlight all modifications and new insertions; further changes suggested by the JTWG are shown in red.

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
	Basic environmental protection procedures Basic knowledge of complexity and diversity of the marine environment		
Observe safe working practices	Importance of adhering to safe working practices at all times Safety and protective devices available to protect against potential hazards aboard ship Precautions to be taken prior to entering enclosed spaces Familiarization with international measures concerning accident prevention and occupational health ¹	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Safe working practices are observed and appropriate safety and protective equipment is correctly used at all times
Contribute to effective communications on board ship	Understand the principles of, and barriers to, effective communication between individuals and teams within the ship Ability to establish and maintain effective communications	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Communications are clear and effective at all times
Contribute to effective human relationships on board ship	Importance of maintaining good human and working relationships aboard ship Basic teamworking principles and practice, including conflict resolution Social responsibilities; employment conditions; individual rights and obligations; dangers of drug and alcohol abuse	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Expected standards of work and behaviour are observed at all times
Contribute to the prevention of and response to violence bullying and harassment, ² including sexual harassment, bullying and sexual assault and sexual harassment	Prevention of violence bullying and harassment: Basic knowledge and understanding of violence bullying and harassment, including sexual harassment, bullying and sexual assault and sexual harassment, and the continuum of harm Basic knowledge and understanding of the consequences of violence bullying and harassment, including sexual harassment, bullying and sexual assault and sexual harassment on victims, perpetrators, bystanders, stakeholders, and its effects on safety, health and well-being	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Acceptable practices and procedures designed for the prevention of violence bullying and harassment, including sexual harassment, bullying and sexual assault and sexual harassment are observed at all times Able to identify violence bullying and harassment, including sexual harassment,

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
	Understand that, among others, abuse of power relations dynamics, discrimination, stress, isolation, fatigue, drugs or alcohol may be used to create coercive situations that contribute to violence and bullying, harassment, including sexual harassment, bullying and sexual assault and sexual harassment Responding to violence bullying and harassment: Ability to identify violence bullying and harassment, including sexual harassment, bullying and sexual assault and sexual harassment Basic knowledge of the action to take to prevent, intervene in and report violence and bullying, harassment, including sexual harassment, bullying and sexual assault and sexual harassment Understand the basic principles of trauma informed response and how to provide appropriate support to a victim, bystanders and self		bullying and sexual assault and sexual harassment, and the continuum of harm and its effects Acceptable practices and procedures designed for the intervention in and reporting of violence bullying and harassment, including sexual harassment, bullying and sexual assault and sexual harassment are observed at all times
Understand and take necessary actions to control fatigue	Importance of obtaining the necessary rest Effects of sleep, schedules and the circadian rhythm on fatigue Effects of physical stressors on seafarers Effects of environmental stressors in and outside the ship and their impact on seafarers Effects of schedule changes on seafarer fatigue	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Fatigue management practices are observed and appropriate actions are used at all times

¹ The ILO Code of practice on accident prevention on board ship at sea and in port may be of assistance in the preparation of courses.

² As defined in the ILO Violence and Harassment Convention, 2019 (No. 190).

► Annex 2

Best practices shared during ILO-IMO JTWG-SIHE 2

Anglo-Eastern (ICS) AESM initiatives and actions against harassment and bullying

 **ANGLO-EASTERN**

Summary of AESM Initiatives and actions to combat Harassment and Bullying.

Anglo-Eastern Ship Management Ltd.

- More than 37,000 seafarers from 42 different nations serve on board our vessels, with Indian and Filipino seafarers being 56% and 35% respectively.

AESM subject related Policies.

- **Cultural awareness Policy:** Reserves no biases against any gender, race, religion or nationality.
- Is committed to provide a work environment based on mutual respect amongst Employees

Prevention of Harassment and Bullying Policy: AESM implemented this policy to create a working environment free from all types of sexual harassment.

- The Company does not tolerate any kind of harassment, including sexual harassment or bullying and will investigate all complaints seriously and in strict confidence.

AESM subject related guidelines. Gender diversity, Managing Fatigue, Suicide prevention and Code of conduct. These guidelines are available on board in electronic and paper copies.

Awareness campaigns to combat harassment and bullying.

- Regular online campaigns for seafarers to enhance their knowledge and understanding of harassment and bullying.
- All seafarers joining any vessel must go through Pre-Joining briefing, which includes companies' anti-harassment and bullying policies and reporting procedures.
- Shipboard training, Screening of harassment and bullying related PPT to all crew members at a regular interval.
- Marine Flix App, training videos on the app for the seafarer to familiarize at their convenient time.

AESM Measures to reduce seafarers stress and reduce harassment and bullying.

- "Buddy System" has been designed and implemented to provide emotional support and increase self confidence of new joining trainees and cadets.
- "Speak-up Program" to encourage reporting (whistle blowing)
- "I Listen program" where shore staff conduct onboard meeting as trustbuilding
- Seafarers Feedback rating (SFR) are collected from ships onboard every month, to gauge general mood and lower rated ships are followed-up.
- Anglo Eastern Reach out program for a stressed seafarer to receive prompt and confidential professional medical psychologists help.
- Mental Health First Aid Course by psychologist to train senior officers onboard.
- Mariner App for reporting any issue directly and confidentially to the company.
- High speed internet on board for seafarers to connect with loved ones, with more than 100 vessels, AESM has highest number of vessels Starlink.
- Medical insurance for seafarer and family during leave ashore and also accidental death Insurance provided for seafarers.
- 24 X 7 AESM, ISWAN, Seafarer help and Yacht crew help.
- **Additional measures to handle Sexual Harassment of women seafarers.**
- A dedicated team to brief Women seafarers prior joining
- Separate from above a dedicated AESM 24 X 7 Women Seafarer Hotline
- Anglo-Eastern Women of Seas (AWOS) connect program to maintain a regular connect with all women seafarers.
- **Robust procedure for resolution of grievances or concerns**
- A centralized and dedicated team of professionals to handle all grievances independently. The team has the support of psychologists and social workers.
- All grievances including anonymous reporting are investigated as per SOP and closed in concurrence with the complainant. Escalation channel provided.
- An independent Internal committee, which includes an NGO, to investigate all cases related to sexual harassment.
- Zero tolerance towards proven cases of harassment.

South Africa: Information session on South Africa's efforts in raising awareness and curbing gender-based violence at sea

Presentation by South Africa on 27 February 2024 during the ILO IMO JTWG

South Africa's presentation was based on the Gender-Based Violence at Sea Seminar held on 24 November 2022 in Cape Town. The presentation comprised of a video highlights of the event as well as a presentation on the "take homes" as well as the initiatives that have been implemented since the seminar.

The seminar's main objectives was to highlight the issues that affect women at sea in order to ensure that they are mainstreamed and adequately considered. South Africa has a National Seafarer Development Programme which incorporates a cadetship programme as well as a National Seafarer Employment programme. These programmes sees women cohort making up to 70% of the intakes on average in the last 5 years. It was imperative that measures are put in place to ensure the sustainability of the programme by ensuring that women issues are heard and problems addressed. To highlight the importance of the subject, the Government of South Africa included Gender-Based Violence (GBV), which includes sexual assault and harassment, as a strategic output for financial year 2022/2023 and 2023/2024.

An information brochure was developed which is shared with visiting vessels in South African ports. This was a first attempt and the message has been welcomed by the seafarers. South Africa acknowledges that the maritime industry is international and that to curb sexual harassment at sea, there is a need for a global multilateral effort involving the ILO and IMO Member States. The ILO IMO JTWG is viewed as a very progressive platform by South Africa to advance these issues. South Africa further acknowledges that although GBV, sexual assault and sexual harassment affects mostly women, there is growing evidence that it also affects men and other groups of different sexual orientation.

This seminar was supported by the Department of Transport including the Deputy Minister and current Minister of Transport, World Maritime University (WMU), ITF and the Norwegian Seafarer's Union (NSU). The seminar report was shared with the IMO through Information Paper MSC 107/INF.16 which includes links to the full recordings of the seminar.

Links:

- (1) Information brochure: [Gender-based Violence at Sea](#)
- (2) Video presentation as presented on Tuesday: "[Gender Based Violence: Maritime Sector Hard At Work – 2024](#)"
- (3) GBV at Sea Seminar: Full video in segments – "[Wrap: South African maritime sector inaugural GBV seminar, Cape Town, 24-25 November 2022](#)"

MAERSK (ICS): Maersk cultural transformation



The Maersk Cultural Transformation - Purpose and background

Maersk has zero tolerance against bullying, discrimination, violence, sexual harassment, sexual assault or harassment of any kind. We want every employee to be treated with respect and dignity and are committed to creating an inclusive workplace where diversity is valued. We have launched a global policy which:

- Sets out the minimum standards of behaviour we need from our employees
- Helps our employees identify any situation of misconduct
- Empowers people to speak up if they witness anything inappropriate.

Every employee has the right to work in an environment that is free from prejudice, bias, offensive and inappropriate behaviour. That makes it a key principle for us to handle all reported incidents promptly, fairly, and transparently and to work hard to promote an environment where people speak up and receive our support to do so.

Improved Complaint Procedure, New Reporting Lines & a Dedicated Complaint Team

A Complaint Board has been established to handle all cases related to sexual assault and sexual harassment. The Board reviews and assists the handling by the appointed case-officer to ensure a thorough, fair and transparent handling for all involved parties. Furthermore, we have upscaled our complaint handling resources, provided first response training for all relevant shore-based employees and opened new lines for our employees to raise complaints. Across ranks, our seafarers can raise a complaint via the Maersk Ombuds function, the Maersk Whistleblower and via the Seafarer Hotline, a dedicated point of contact for seafarers.

On Our Respect Radar Campaign

In June 2022, we launched the "On Our Respect Radar" campaign which focuses on enabling people to identify harassment of any kind as well as ensure they know how to react to it. It addresses all seafarers but has a special focus on leaders. The aim of the campaign is to make sure that all have a common vocabulary and know what constitutes sexual harassment, bullying and discrimination and know what to do if one experiences a situation of misconduct.

Leading as ONE

A new leadership program for all seagoing leaders and their shore-based managers has been launched. The leadership program addresses behaviour skills and how to provide a psychologically safe working environment. All Senior Officers and ship management functions will receive face-to-face training in behavioural leadership capabilities.

The program is fully dedicated to supporting the cultural transformation and equip all leaders with the tools they need to build a work culture of inclusion and respect.

Cadet culture program & Rating Culture Training

To further strengthen all ranks, and to make sure that we create a solid foundation for a working life of inclusion and respect, a Cadet Culture program will be rolled out across Maersk. The program focuses on making sure that all cadets know the support they get if they experience any situations of misconduct. Furthermore, the program focuses on preparing our cadets for a role as future leaders – a role where they are mindful of own behaviours, the nature of harassment and bullying and know how to contribute to creating a psychologically safe work environment. As of Rating, we will secure training in an face 2 face context, where the On Our Respect Radar training is emphasised and all participants have an opportunity to bring forward questions, concerns or doubts.

Norwegian Seafarers' Union

Survey on harassment and bullying and way forward

With background in own members speaking up against harassment and bullying, it was decided to work systematically to ensure an inclusive workplace free of harassment and bullying for all of our members, regardless of type of vessel they work on. We hired a reputable company to conduct a survey amongst all of our members to find out what the situation is for them in their day-to-day work.

79% of the respondents of the survey are men, 21% women which reflects the membership of the Norwegian Seafarers' Union. We are a ratings union and we also organize seafarers working in hospitality roles on passenger vessels which is why the percentage of women is higher than the industry in general, both nationally and internationally.

25% of the respondents say they have experienced harassment and/or bullying in the past 3–4 years. When expanded to describe behaviors that are legally defined as harassment and/or bullying without the seafarer necessarily describing it as such themselves, 68% of the respondents say they have experienced this in one form or another.

Other surveys conducted, such as the bi-annual survey by the Norwegian Maritime Authority, corroborate our numbers. 27% of their respondents say they have experienced harassment and/or bullying during the last 12 months.

A report by the Norwegian National Audit Office state that such behaviours and experiences can be a safety issue. 88% of marine accidents had one specific cause and another 55% of these accidents were recorded as human error. There is reason to believe that difficult and toxic working environments, stress and fatigue are common contributors to seafarers making mistakes that cause accidents.

Women and young seafarers are more vulnerable to being victims of harassment and/or bullying. The most common forms of harassment and/or bullying are verbal (written or oral), nonverbal (looks/gestures) and physical forms of various severity. Social media has become a platform for harassment and/or bullying and it continues when the seafarer goes home on leave.

With regards to sexual harassment, 9% of all of the respondents say they have experienced this. 32% of the women respond yes and 3% of the men. Young women and particularly those under the age of 30, are significantly more at risk of becoming victims of sexual harassment.

Forms of sexual harassment include oral or written, physical forms of sexual harassment such as inappropriate touching and even very severe incidents of sexual assault is reported by the respondents. In social media, respondents state that the forms of sexual harassment includes sending of obscene pictures and invitations. 39% of those who say they have experienced sexual harassment say that it has had a negative or very negative impact on their work situation.

22% of the respondents have reported some kind of harassment and/or bullying or sexual harassment. 1 out of 3 of these seafarers, say they have experienced retaliation from either colleagues or employer for having reported. 35% of the respondents say they do not know if there is a policy or procedure in place for reporting at their workplace.

Going forward, we will work with the stakeholders in the industry to combat harassment and bullying at sea. Such work includes taking part in the government's strategy for equality in the maritime industry, committing ourselves to agreements to prevent harassment and bullying and work to strengthen legislation and include in Collective Bargaining. We also include topics related to harassment and bullying in all of our meetings, conferences, courses and other events where we gather our members.

Link to full survey results and presentation: <https://bit.ly/3wBPVm1>
Lena Dyring: lena.dyring@nsu.org

OSM Thome (ICS)

OSM Thome: Championing an ecosystem against harassment, bullying and violence



OSM Thome: Championing and Ecosystem against Harassment, Bullying and Violence

Julia Anastasiou, Chief Crew Management Officer

Executive Summary

The ethnic distribution within OSM Thome reflects a diverse workforce with representation from various cultural backgrounds. Embracing this diversity fosters inclusivity, enriches perspectives, and promotes cultural exchange within the organization. OSM Thome leverages the richness of this great ethnic diversity to cultivate an adoptive, collaborative and innovative work environment, where different cultural perspectives are valued and respected. Our culture transformation in OSM Thome has enabled us to be game changers in our industry. In the context of harassment, bullying and violence, this is a fundamental and mandatory matter of prioritization for us where we openly advocate for zero tolerance having safety at the forefront.

When setting the context, safety and wellbeing of our colleagues is paramount. Our top-down commitment respects and values DEI with dignity and integrity where policies, best practices, campaigns and commitments are institutionalized. We have taken several measures to support our people through creating an ecosystem that will enable us to flourish in a safe and harassment free community, where all colleagues recognize OSM Thome as their home away from home having the tools and skillset to embrace the culture transformation. Using internal data driven information, we keep ourselves abreast of where we are as an organization and what we need to do to facilitate and implement improved standards.

The company strictly prohibits mental or physical coercion, sexual harassment, and abuse, whether onboard or onshore, ensuring fair treatment for all employees. Zero tolerance is maintained for harsh or inhumane treatment, including sexual abuse, jokes, corporal punishment, coercion, and verbal abuse. Any form of harassment or bullying, including cyber-bullying, is unacceptable both onboard and onshore. All colleagues have access to several facilities for assistance and guidance when and where required.

By institutionalizing a common company culture and strategy, we can embrace DEI and move towards championing an ecosystem against harassment, bullying and violence. Shore and seafarer training have common themes, policies and requirements whether it be psychological safety and having a positive psychological contract, the objective being to have a uniform outreach and engagement by all based on the same principles of engagement.

In short, it starts with us. A top-down commitment is mandatory to institutionalize change. For a community against harassment, bullying and violence, leaders must walk the talk and be advocates themselves for change, visibly acting responsibly and effectively. With a team that is diverse, multi-ethnic, gendered and inclusive, leadership and change management are conscious and aligned efforts that are implemented and practiced globally as mandated by decision makers.

Below are high-level challenges, solutions and recommendations to how we see and tackle the issue:

CHALLENGES	SOLUTIONS	RECOMMENDATIONS
Empowerment: Empowering people on a continuous basis to reiterate the commitment they have undertaken to speak up, act and act responsibly Unconscious Bias: Working to eliminate quick judgement and assessment that fosters negative attitudes, prejudice and stereotypes Cultural differences: Practicing the values and understanding the importance of DEI can be a challenge	Training: Full in-house e-learning modules focused on our code of conduct, shipboard and shore harassment and bullying Engagement: Engage people through seminars, conferences, customer interaction, top-down focus on the values, leadership commitments and policies. Reiterate and enforce contractual obligations in a practical, constructive and systematic manner Commitment: Leading by example and embracing our values to be practiced by all employees. A strict zero tolerance is to be enforced by all regardless of rank or position	Outreach and Education: <u>Act!</u> Ensuring our employees have the necessary tools, skillset and accessibility to information, grievance procedures, training material, assistance and most importantly support from the entire organization. Creating educational material that drives a zero tolerance culture Surveys, Campaigns and KPIs: Conduct regular surveys, targeted campaigns and regular monitoring of measures for seafarers and shore colleagues that will highlight and evaluate the status of our progress as an organization in eradicating harassment, bullying and violence among several other critical areas impacting safety in our operations

Scorpio Group (ICS)

Together: Scorpio's cultural transformation program



Cultivating Respect: Scorpio's Approach to Addressing Bullying and Harassment

Introduction:

Embarking on a maritime legacy spanning multiple generations, Scorpio's ethos is deeply rooted in a culture that prioritizes nurturing a workplace environment grounded in mutual respect and ethical conduct.

Ethical Standards and Cultural Integration:

Senior management's unwavering commitment to ethical standards sets the tone for Scorpio's organizational culture. This culture places great emphasis on dignity, diversity, and inclusivity, reflected in a workforce comprising individuals from over 30 nationalities across the globe.

Zero Tolerance Policy:

Scorpio maintains a steadfast stance against bullying and harassment, underpinned by its Code of Ethics. Rather than relying solely on formal policies, the Company instills a culture-based approach, emphasizing shared workplace beliefs, values, and behaviors.

Reporting Mechanisms and Support:

Employees, both onshore and onboard, are provided with robust reporting mechanisms ensuring confidentiality and support. These mechanisms include access to hotlines, psychologists, buddy systems, Ombudsman and an Ethics Committee for impartial investigation, fostering an environment where concerns can be raised without fear of reprisal.

Inclusivity and Gender Diversity:

Recognizing the significance of gender diversity in enhancing safety culture, Scorpio actively seeks to increase the representation of female seafarers within its ranks. This initiative reflects the Company's commitment to fostering a workplace where all individuals feel valued and respected.

Safety Culture Transformation:

The implementation of the "Safer Together" program, initiated following a comprehensive safety culture survey, underscores Scorpio's commitment to continuous improvement. With the long-term objective of establishing a self-sustainable safety culture, the program focuses on integration and ongoing monitoring of progress.

Promotion and Awareness:

Efforts to promote the Safer Together program encompass a range of initiatives, from onboard campaigns to online courses, ensuring widespread awareness and participation across the organization.

Conclusion:

Scorpio's dedication to fostering a culture of respect and safety stands as a testament to its enduring commitment to combatting bullying and harassment within the maritime industry, embodying the Company's values of integrity, collaboration, stewardship, and moxie.

► Annex 3

Statements

Opening

Opening remarks by the IMO Secretary-General

Good morning distinguished Representatives, Observers, ILO and IMO Colleagues, Ladies and Gentlemen,

I am pleased to welcome you all to the second meeting of the joint ILO/IMO Tripartite Working Group (JTWG) to identify and address seafarers' issues and the human element. Noting this is a joint meeting of two UN specialized agencies, it is my pleasure to be working with Mr Frank Hagemann, the Director of the ILO Sectoral Policies Department, who will also address you shortly.

The work of IMO revolves around human life to a significant extent. We are here today, with a profound sense of duty and unwavering commitment to the safety and well-being of seafarers. Their resilience and sacrifice have been especially evident amidst the challenges they have faced in recent times.

Our mission to safeguard human life at sea takes on particular significance against the backdrop of the situation in the Red Sea, emphasizing the imperative for collective action to fortify the safety of those who serve at sea. International trade depends on international shipping and seafarers. Attacking international shipping is first and foremost attacking seafarers. I particularly urge the immediate release of the Galaxy Leader and its crew.

I reiterate my firm belief in upholding the principle of freedom of navigation. I join the calls for caution and restraint to avoid further escalation of the situation.

As IMO continues to contribute to enhancing the safety of seafarers and the resilience of the maritime transport chain, we remain steadfast in our commitment to creating a safe and respectful working environment on board. Recognizing that this is not only a moral imperative but also a practical necessity for the industry's sustainable growth, we are committed to preventing and combatting bullying and harassment in the maritime sector, in collaboration with Member States, partners from the industry and UN agencies.

Our relationship with ILO underscores our joint commitment to addressing the unique challenges faced by the professionals of the maritime sector. Our shared goal is clear — to meet the expectations of seafarers, the industry, Administrations, and the public at large in making shipping free of any form of aggression. It is an expectation we must meet not only to enhance the well-being of those who serve at sea, but also to ensure the public's confidence in the maritime sector as a safe work environment.

Distinguished delegates,

I acknowledge the busy schedule ahead of you over the next three days.

I would encourage you, through the tripartite mechanism, to reach consensus within Governments, Seafarers and Shipowners on recommendations that will pave the way for coordinated and comprehensive actions by the relevant ILO and IMO bodies, to prevent, report and address bullying and harassment, including sexual assault and sexual harassment, and to promote a culture of personal safety and inclusion in the maritime industry.

Another important task of your meeting will be to consider the draft amendments to the STCW Code on training provisions concerning this matter. Your advice should allow the Maritime Safety Committee to make a well-informed decision in May this year in relation to the adoption of these necessary training provisions.

I hold my firm confidence in the significance of the recommendations arising from the deliberations of this working group.

Distinguished delegates,

Today, as we are meeting here to delve into the critical subject of combating bullying and harassment, we draw strength from this collaboration the tripartite structure represents. I extend my deep gratitude to each of you for your commitment to this crucial endeavour.

Thank you.

Opening remarks by the ILO Director of the Sectoral Policies Department

Chairperson, Secretary-General of the IMO, distinguished representatives, advisers, observers, ILO and IMO colleagues, ladies and gentlemen.

Let me first take this opportunity to congratulate Secretary-General Arsenio Dominguez on his election and, as this is the first joint ILO-IMO meeting in London since he took office, to express, on behalf of our Director-General, Mr Gilbert Houngbo, how much the ILO looks forward to continuing and expanding upon the excellent cooperation between our two Organizations in the years ahead.

I am also pleased to say that this year we have already had two interagency meetings with the IMO. Both concerned the fishing sector. Both were held in Geneva; the latter only weeks ago to agree joint ILO-IMO guidelines on medical examination of fishers.

The ILO and IMO of course share a common interest in the conditions of seafarers, which goes back more than 60 years. The cooperation between our agencies continues to grow and improve, in particular since our excellent cooperation during the COVID-19 pandemic.

As Director-General Houngbo said when he was here in London at the IMO last year for the IMO-ILO Work@Sea Conference, seafarers are the heart of shipping and protecting their well-being is paramount for the prosperity of the industry, the safety of navigation and, ultimately, also for global trade.

It is therefore essential that we do everything in our power to address issues that can cause experienced seafarers to leave the sea or the dissuade young women and men from taking up the profession.

Any form of bullying and harassment, or violence and harassment, is in direct contradiction to the very concept of decent work. There must be zero tolerance of such behaviour.

However, despite the ongoing efforts of most shipowners, these problems persist. Those that engage in such behaviour put a stain not only on their own character but can contribute to a negative image of shipping, an image that is undeserved and counterproductive.

This is not the first time that the ILO has sought to address this issue. Eight years ago, in 2016, the Maritime Labour Convention, 2006, now ratified by 105 States representing over 90% of the world fleet by gross tonnage, was amended to address the issue, including, under its provisions on occupational safety and health, reference to guidance developed by the industry itself. A lot has been learned in those past eight years, by all of us, that will help us move forward this week.

Shipping is not alone in facing these issues. Violence and harassment, in particular against women, is sadly a global, multi-sectoral issue that the ILO is committed to addressing.

On June 21, 2019, the ILO's International Labour Conference adopted the Centenary Declaration on the Future of Work, expressing such a clear commitment to a world of work free from violence and harassment. On the same day, the Centenary Conference brought this commitment to life with the adoption of the Violence and Harassment Convention (No. 190) and Recommendation (No. 206).

Convention No. 190 has already been ratified by 37 States, and entered into force in June 2021.

As the maritime sector continues to learn to address these issues, the whole world of work does so as well. We are now at a point where we can bring all of these experiences together, and look at all ways to address these issues, through both the ILO and IMO, including through the proposed amendments to the STCW Convention that will contribute to the very important aspect of prevention by raising the awareness and training seafarers on these matters at an early stage.

This is the second session of this ILO-IMO Joint Tripartite Working Group on the Human Element to identify and address seafarers' issues and the human element. The first session was a success, addressing the issue of abandonment. We can also build upon this cooperative, tripartite approach this week to make recommendations with respect to bullying and harassment, including sexual assault and sexual harassment, that will lead to real actions, not window dressing, but real action with accountability for all concerned.

This is in keeping with our Director-General's call for a new social contract, including in the shipping sector. It is one element of that contract, an important element.

I thank all for being here this week, either in person or online. I thank those who have already provided very helpful contributions in writing and those who will share their ideas and proposals this week.

I am also pleased to note that we have a strong participation from the ILO secretariat this week, with colleagues not only from my own department, but from several other technical departments from ILO HQ as well. This demonstrates not only the complexity of the issue but also our determination to use the full knowledge of the ILO to advance on this important matter.

Thank you for your attention. I wish you success in your deliberations.

Statement by the Shipowners' group

I am highly honoured to act as the shipowners' Vice-Chairperson for this meeting.

We welcome the fact that this joint ILO-IMO meeting is taking place.

We are pleased to see so many governments represented, a clear indication that the seriousness with which we take the need to eliminate violence, harassment and bullying from our industry is widely shared.

I congratulate Mayte Medina on her election as Chairperson. With her deep experience of both ILO and IMO, it is difficult to think of anyone else who is as well qualified to take on this important role.

I congratulate my friend Danny McGowan on his election as seafarers' Vice-Chairperson and look forward to us continuing the spirit of collaboration that has characterised our joint efforts over many years to eliminate harassment and bullying.

I also congratulate Vusi September as Government Vice-Chairperson and look forward to working with him too.

In recent years there has been increasing awareness of the need to eliminate violence, harassment and bullying from our industry, which is most encouraging. We must take the opportunity

presented by this meeting to establish a basis for our future work in this area. Having different workstreams running in parallel risks wasting valuable resources and sending out mixed messages.

ILO's report on "Experiences of Violence and Harassment at Work" recognises that this is a global society issue and therefore not unique to the maritime sector, but we must continue to do all we can to eliminate it, including by leveraging effective approaches and lessons learned both within the industry and in other sectors.

The shipowners' group has prepared carefully for this meeting. We have made three submissions under Item 3. We also have representatives of four shipping companies with us – Anglo Eastern, Maersk, OSM Thome and the Scorpio Group – who will deliver presentations on their actions to address the issue. We invite all delegations will join us for these.

The ICS has also just issued a new publication entitled "*Industry Principles for Establishing Effective Measures to Combat and Eliminate Harassment and Bullying in the Maritime Sector*". To further support global efforts, in the context of suitable e-learning courses to address violence and harassment, we note that ICS and WISTA International are also exploring options for collaboration, to complement IMO's efforts to develop training provisions through the STCW Code.

I have a strong, unified and committed team with me and we are ready to play our part in achieving a successful meeting.

Statement by the Seafarers' Group

Chair, fellow vice-chairs, distinguished guests and colleagues.

I would like to begin by thanking the IMO Secretary General and the ILO Director of the Sectoral Policies Department for their addresses today.

I would also like to congratulate the Chair on her appointment.

Thank you to the Shipowners spokesperson for his opening remarks. I am sure having heard this, that we will be able to make some important recommendations over the next three days.

And thank you to the Governments spokesperson in advance of their opening remarks.

According to the closing words of the resolution of the fourth meeting (part II) of the Special Tripartite Committee of the MLC, 2006, our objective is to ensure a safe and inclusive workplace for seafarers. This objective is not one that any of us in this room could disagree with, I am sure.

Indeed, trade unions representing seafarers have worked on this topic for some time alongside our social partners. The work of my own union, Nautilus International, on the topic of bullying and harassment found a willing social partner in the UK Chamber of Shipping which then led to the European social partners, ETF and ECSA, adopting guidelines on the eradication of shipboard harassment and bullying, which further led to the publication of the ITF and ICS Guidance – as we all know that Guidance has been referenced in the MLC 2006.

More recently, we have seen the adoption of the ILO Convention 190 and Recommendation 206 on Violence and Harassment, the culmination of years of campaigning and lobbying by trade unions. By adopting these international labour standards, worker and employer organisations alongside ILO member states have made it clear that violence and harassment in the world of work can no longer be tolerated.

Convention 190 recognises that some workers are disproportionately affected by violence and harassment. This includes underrepresented groups, such as women and LGBT+ workers.

It is therefore particularly timely that we are discussing this matter now. Next week we celebrate International Women's Day on 8 March, and tomorrow, 28 February, we mark Pride in Maritime Day, initially established by LGBT+ workers, their allies and employers in the UK's maritime industry, with a hope to it being more widely observed over time.

Convention 190 identifies that trade unions, employers and governments all have important roles in addressing violence and harassment in the world of work.

The important steps that our industry has already made on a tripartite basis, our reference at this meeting to the ISM Code and to proposed amendments to the STCW convention, will I am sure, form the building blocks upon which we can together ensure our industry can deal with forecast recruitment and retention issues.

I am pleased to have been nominated by my Union, Nautilus International, to this group alongside ITF secretariat and colleagues from the following unions:

- Norwegian Union of Marine Engineers
- American Maritime Officers
- AMOSUP, Philippines
- Federation of Transport Workers, Algeria
- Seafarers International Union, USA and Canada
- National Union of Merchant Marine Officers – SINDMAR, Brazil
- Norwegian Seafarers Union.

In closing, I say that together our benches wish to take this opportunity to ensure that our industry is one in which underrepresented groups are able to feel supported and one in which all people are welcome, working – and, somewhat uniquely to maritime, living – in an environment where bullying, harassment, sexual assault and sexual harassment is not tolerated.

I look forward to working with shipowners and governments alongside the IMO and ILO Secretariats to achieve this aim.

Statement by the Governments' Group

Madam Chair, as Governments, we would like to begin by congratulating you on your election as Chair of this 2nd meeting of the ILO/IMO established to identify and address Seafarers issues and the Human Element. Your election is well deserved Madam Chair, and we believe that with your guidance and leadership, we will deliver on what we have set ourselves to achieve over these three (3) days. We also congratulate all the Vice-Chairs on their respective elections.

Madam Chair and participants, please allow us to recognise the leadership shown by both the ILO and IMO in the fight against all the ills in the workplace generally (and in the maritime sector in our case), such as violence, bullying, harassment, including sexual assault and sexual harassment, doing so in collaboration with the many stakeholders, advocates and activists represented here today, from governments, employers, organised labour, civil society formations, etc.

We've all come an incredibly long way since the time bullying and harassment in the workplace didn't get the deserved attention that it gets today, and for some time, with the maritime sector often accused of not being bold enough to call the scourge for what it is, "sexual assault and sexual harassment". Many governments around the world have since changed their national laws or introduced new ones, many employers have introduced similar interventions, with organised labour,

advocacy groups, and media raising the much-needed awareness on the matter, all aimed at protecting workers from bullying and harassment in the workplace, including third parties.

Madam Chair and distinguished delegates, bullying, violence, and harassment are one of the most pervasive violations of human rights in the world and in the workplace, and one of the most popular issues today (albeit for all the wrong reasons), but unfortunately seen to be one of the least prosecuted crimes, and one of the greatest threats to the attractiveness of seafaring as a career. It is a dreadful and unlawful behaviour, that often leads to horrifying situations to individuals, families, businesses, and societies. It affects people's lives, dignity, health and wellbeing, aggravates inequality in society and the workplace, undermines business productivity, and must be prevented and eliminated at all costs.

The maritime sectors are unfortunately not free from this challenge, with aggravating factors.

Recent revelations illustrated through various research and survey reports, and news articles, continue to expose the vulnerability of workers onboard ships.

As governments, we know that we must do more to decisively confront the problem, ensure justice for victims and consequent management for perpetrators, and this is a challenge that we accept. We are also mindful of the harsh reality that enactment of relevant national laws, regulations and policies is often not enough, until such laws are effectively enforced. Perhaps of utmost importance, to ensure an effective response to bullying and harassment, is a consistent, deliberate, and collaborative effort by different sectors of society, like the arrangement that we have today.

As we conclude Madam Chair, we trust that by the last day of the meeting, we would have successfully and jointly identified gaps in current legislation and policies, identified additional, innovative, and impactful measures, agreed on how to collaboratively coordinate international and national campaigns aimed at addressing violence, bullying and harassment in society in general, and particularly in the maritime sector.

Thank you, Madam Chair.

Statement by the delegation of Thailand

Thailand would like to start with joining the Vice Chairperson in commending the work of ILO and IMO on the bullying and harassment in maritime and organising this meeting.

We are gathering here at the IMO to consider a very important issues "Violence and Harassment, including Bullying, Sexual Assault and Sexual Harassment in the Maritime Sector". As we will consider future steps to mitigate and eliminate the issues, the delegation of Thailand is of the opinion that our efforts will make maritime sector safer, more attractive and more sustainable. And it is our wavering duty to do so.

Having said that Thailand would like to express our support for the general principle of this meeting discussion that will enhance safe working environment onboard as well as prevent seafarers from bullying, harassment and sexual assault and sexual harassment, and strongly support the Working Group to provide practicable outcome to advise the IMO's Maritime Safety Committee and the ILO Governing Body.

Furthermore, we wish to emphasize the importance of raising awareness of bullying, harassment and sexual assault and sexual harassment in the maritime sector.

Statement by the delegation of France

First, France would like to thank the Secretariats of the IMO and the ILO for the organisation of this second meeting of the joint ILO/IMO tripartite working group to identify and address the

harassment and bullying – including sexual assault and sexual harassment – in the maritime sector. We would also like to congratulate the Chair and Vice-chair for their respective elections.

As one of the representative governments for this JTWG, we believe that addressing and report harassment and bullying is a priority for the attractiveness of the maritime sector.

To tackle harassment and bullying should be the common responsibility of the States, the shipowners and the seafarers, having in mind that addressing those issues would lead to a safer workplace, to improve working conditions and to a better employability of seafarers worldwide.

Our propositions for this are set out in our submission (document 2/3/4) that we will sum up briefly later on.

Thank you very much for your attention.

Statement by the delegation of United States

Thank you, Madame Chair.

The United States is appreciative of the shared opportunity to participate in the joint working group this week and to speak on these critical issues affecting our seafarers, the safety of ships and our industry.

For far too long bullying, harassment, sexual assault and sexual harassment have been enabled or ignored as part of accepted maritime culture. We believe that every seafarer is entitled to a safe working environment free from toxic and criminal behaviors that not only affect individuals but also affect shipboard safety and the protection of the marine environment.

We know that bullying, harassment, sexual assault and sexual harassment are all forms of workplace violence that exist on a continuum of harm and have known detrimental effects on seafarers, including depression, poor performance, unhealthy coping mechanisms and isolation. Seafarers who experience or witness bullying, harassment, sexual assault and sexual harassment are more likely to make errors and provide compromised levels of service. In the maritime industry, these experiences pose significant safety risks and lead to negative effects on recruitment and retention of seafarers.

While these behaviors are unacceptable anywhere, they are especially troubling in the maritime environment where the ship one works on is in fact a home and coworkers become roommates. Individuals cannot seek respite at the end of the workday with family and friends or otherwise separate themselves in any meaningful way from the work environment. As a result, seafarers may be victimized continuously and relentlessly, further amplifying the harmful effects of these unacceptable behaviors.

We know that past efforts to address these behaviors through broadly termed conventions, or through guidance targeting only bullying and harassment, have not been effective. In 2022, the United States amended its laws regarding shipboard safety management systems to include policies and procedures for the prevention of, response to, and reporting of sexual assault and sexual harassment. We have also implemented requirements for shipboard cameras in common spaces, master key controls for staterooms, and possibly most importantly, laws that prohibit the issuance of and mandate the revocation of seafarer credentials to individuals who have been convicted of sexual assault. These requirements were implemented because previous efforts to address these issues through our existing laws and guidance have not been effective. The United States will continue to work to eradicate this persistent problem on our ships, but this is not just a United States issue. We have received reports of sexual misconduct happening on board ships of all flags and to seafarers of all nationalities. One single report of these behaviors on any ship is one too many. It does not have to be this way.

As we begin the work tasked to this group, we must not lose sight of the issue that brought us here. At MSC 105 sexual assault and sexual harassment were highlighted as a maritime safety concern

by 17 administrations and 3 NGOs who submitted a proposal to mandate the Joint ILO/IMO Tripartite Working Group to address sexual assault and harassment in the maritime sector.

It is time for the international maritime community to collectively call these actions out by name and develop actionable requirements that address these issues and establish the necessary actions for prevention of these behaviors, ensure care for victims, provide pathways for reporting, and consequences for perpetrators. Each group represented here today has a responsibility in addressing a persistent culture that allows these toxic behaviors to thrive. Statements of zero tolerance are empty promises if they are not backed by deliberate action. A collective effort is necessary for meaningful lasting change to gain a foothold in the maritime industry. A wise person once said, "Problems can become opportunities when the right people come together." Our time is now. We must embrace this opportunity to do better for our seafarers. If we do not, we will find ourselves here in the future continuing to grapple with this issue.

Over the next three days we look forward to working with our social partners and government colleagues to identify actionable solutions, establish fair requirements, protections and patterns of cooperation that benefit everyone.

Thank you Madame chair

Statement by the delegation of Philippines

Thank you, Madam Chair Mayte Medina and congratulations, on your appointment. We likewise congratulate Vice Chair Vusi September on his appointment. We also thank the IMO and ILO for their tireless efforts in convening this Joint Working group.

The Philippines has long been a labor-supplying country in the maritime industry. Filipino seafarers comprise about an average of 25% of all crew in vessels plying international routes with a total of about 570,959 seafarers deployed just in the year 2023. As such, any global guidelines involving the human element necessarily affects our nationals. Policy changes in Philippines may take time and enforcement of these policies sometimes necessitate continuous and sustained efforts. Nonetheless, as long as the mechanisms are in place and readily available to the victim, pursuit of complaints will be less traumatic than the actual harassment.

Topics

- (1) Bullying and Harassment can not only lead to traumatic psychological impact but may even result in suicidal tendencies and negligence at work which could possibly result in accident and disappearance of seafarers onboard vessels. Our data shows that there is an increasing number of missing seafarers (especially cadets or first-time seafarers) from vessels in the high seas which, anecdotally, the family suspects bullying and/or harassment onboard by more senior crew. Bullied Filipinos rarely report their predicament as it is considered in our culture as a lack of camaraderie or "walang pakikisama", especially if they are mere cadets or new to the vessel and its crew. There should at least be a counsellor or mechanism onboard whereby the victim may ask about his rights and the mechanisms in place to raise his/her concerns. Since these victims are not usually aware of their rights and how to exercise these rights.
- (2) Mechanisms for grievance onboard (what if it is the Master who is at fault?) and appeals thereafter; we propose a Grievance Board composed of at least 3 officials/crew and an Appeals process with the Port/Flag state or Labor-supplying state.
- (3) Actual and Virtual bullying or harassment must be defined and identified (so recognition of the act can be reported); in the Philippines, moral ascendancy is a requirement for sexual harassment.

That means the perpetrator must have a higher authority over the victim in order to be covered as sexual harassment. Persons of equal rank are not considered in violation of the law.

- (4) Cultural diversity may be a factor in the determination of what harassment entails but a minimum standard must be established (physical touch; verbal or digital assault).
- (5) SASH would lead to a medical and/or psychosocial (PTSD) illness which would be grounds for medical repatriation and subsequently medical disability benefits.
- (6) Solutions must be: (1) preventive (2) supportive and (3) fair.

Statement by the delegation of Panama

Thank you, Madam Chair, for giving us the floor and good day to all distinguished representatives of governments, shipowners, and seafarers.

Madam Chair, let me start by congratulating you for your well-deserved election and all the vice chairs elected for each group.

We also want to thank the ILO Director of the Sectoral Policies Department and the IMO Secretary-General for their words during the opening session. Both organizations are aligned in joining forces to ensure the well-being of the workers in their workplace. Thank you again for your commitment and the incredible work both organizations do on this matter.

For the Republic of Panama, ensuring a safe working environment for all workers, free of harassment and violence, is crucial, irrespective of the sector. For this, the Republic of Panama ratified the Violence and Harassment Convention 2019 in November 2022, following the inclusion of new legislation within our national law to prevent harassment, including sexual harassment, racism, and sexism in the workplace, protecting the victims and penalizing the perpetrators.

There is no doubt that all of us here today, in this plenary, share the same goal and objective, which is to protect seafarers who play a vital role in the global supply chain and this was demonstrated during the COVID-19 pandemic, where the seafarers were designated as Key Workers.

We recognize the efforts that several organizations, governments, and the industry are making in tackling this issue by developing guidelines to assist shipping companies in adopting prevention policies to eradicate any forms of harassment onboard and to facilitate and provide report mechanisms for seafarers. However, each year, more cases have been reported, and there is a clear need to adopt further measures, and that is why all of us are here today!

Several factors contribute to bullying and harassment in the maritime industry, including power imbalances, stress, isolation, and a lack of awareness. These issues need to be addressed for all stakeholders to create a safe and decent working environment onboard, and Panama firmly believes that a step for moving forward is the launching of an awareness campaign to send a strong message that any form of harassment should NOT be tolerated onboard, which we fully support.

With this, I would like to end our intervention, wishing you a fruitful discussion during these three days.

Thank you, Madam Chair.

Statement by the observer from ICMA

Thank you Madame Chair and congratulations on your election as Chair, congratulations also to the Vice Chairs of the seafarers, shipowners and governments groups.

ICMA, which is the International Christian Maritime Association, is a global association of 27 seafarer welfare organizations that operate in more than 700 ports worldwide. Port Chaplains from our member organizations have too often visited with seafarers that have experienced bullying, harassment, sexual assault or sexual harassment with the devastating emotional and physical impacts these incidents have on them. Accordingly, ICMA would like to thank all the delegates that are here at this meeting to work on these important issues, and implore us all to work collaboratively; and as we deliberate on these issues over these next several days ask that we keep our focus on what is best for the seafarers. If we do this, we have a chance to make true progress on these very important issues; and make a real difference in the lives of the seafarers that are so critical to our collective well-being.

Thank you Madame Chair.

Agenda item 3 (awareness campaigns)

Statement by the Shipowners' Group

The shipowners group supported the need for an awareness campaign and did not feel that it was necessary to wait for statistics showing incidences of violence and harassment, sexual harassment, bullying or sexual assault occurring in the maritime industry. It was important to embark on the campaign as soon as possible. Shipowners recognised that they would only be able to recruit the personnel they would need if they offered workplaces that were welcoming and respectful and provided their employees with dignity. Campaigning should take place at international, national and local levels.

Statement by the Seafarers' Group

- (1) This must be a multi-stakeholder campaign.
- (2) It is essential that those working for companies with large infrastructures and those working for the smallest companies have the same opportunity to be made aware and know where to go to report incidents.
- (3) Stressed upon the fundamental principle that seafarers need to know where to refer to in case of necessity. A bad first experience of reporting will result in no further reports being made, and perpetrators/others perhaps believing that the behaviour is tolerated.
- (4) Requested clarity on defining the roles of employers, flag states, port states and country of origin of seafarers.
- (5) Successful campaigns on other issues have proved to be successful, if supported by good intention and for a period of time.
- (6) Everyone has a responsibility to share and work to do to ensure the right instruments are created and enforced.

Statement by the Governments' Group

The Governments' Group thanks all submitters of documents under this item, namely, ILO/IMO JTWG-SIHE 2/3 & ILO/IMO JTWG-SIHE 2/INF.2 (ILO/IMO Secretariats), ILO/IMO JTWG-SIHE 2/3/1 (United States), ILO/IMO JTWG-SIHE 2/3/3 & ILO/IMO JTWG-SIHE2/3/5 (ICS) and ILO/IMO JTWG-SIHE 2/3/4 (France), all of which contained clear recommendations and proposals on the launch of an awareness campaign, to raise awareness on addressing bullying and harassment in the maritime sector.

After careful consideration of all proposals and subsequent deliberations, the Governments' Group fully supports recommendations, to MSC108, for the launch of an international awareness campaign, supported by the ILO and IMO Member States, Governmental and Non-governmental

organisations, and other relevant stakeholders, to raise awareness on addressing violence and harassment, including sexual harassment, bullying and sexual assault in the maritime sector. Over and above this support, as the Governments' Group, we further propose the following initial thoughts on how to make the campaign an impactful and sustained intervention, in combination with other measures:

- (1) That the campaign is not launched as a once-off event, but a recurring annual event.
- (2) That it is supported by national annual campaigns and seminars, potentially led by Governments and Maritime Administrations
- (3) That the campaign should not be specific to women but be an all-encompassing campaign.
- (4) That key messages should include instilling confidence in and make seafaring a viable career option for the youth and women, unveiling the culture of secrecy, sincerity of the victims, linked to the seafarer pre-departure educational and training tools, etc.
- (5) That the ILO and the IMO Secretariats must explore various funding options to get the initiative off the ground, as soon as possible, and
- (6) That to keep the moment on this important piece of work, there should be a sense of urgency in preparing for and holding the inaugural international campaign, with all stakeholders onboard i.e. ILO and IMO Member States, Employers, Seafarers, Education and Training Institutions, NGOs, the Media, etc, benchmarking on various international campaigns hosted by the IMO, ILO, ICS, etc.

Closing

Statement by the Shipowners' Group

Madam Chairperson, distinguished delegates and all participants.

It's Thursday, but it feels like Friday and it is difficult to believe that it was only on Tuesday that this meeting opened. For us all to have accomplished so much in such a short time is truly remarkable.

I said in my opening address, just two days ago, that we needed to take the opportunity presented by this meeting to establish a basis for our future work in this area. We have done that and a great deal more besides. For that, we can all take credit.

There are many in this room to whom I owe gratitude, and if I were to mention them all by name, this closing address would be a contender for the longest in the history of both the IMO and the ILO. As I wouldn't like anyone to miss their flights home, I hope that those whose names I don't mention will forgive me if I restrict myself to the following:

The Chairperson of the meeting, Mrs Mayte Medina. We know each other well from both the ILO and the IMO. I knew we would be in the best hands for this meeting. The success of this meeting owes much to her incisiveness, her ability to identify solutions and to balance effectively the interests of all the parties represented here.

The Seafarers' Vice-Chairperson, my friend Danny McGowan. He represented his group with clarity, tact and diplomacy and engaged constructively behind the scenes to ensure the smooth running of the meeting.

The Government's Vice-Chairperson, Mr Vusi September. Mr September told me that this meeting was his first experience of ILO procedures. I told him that this perhaps worked to everyone's advantage – sometimes new pairs of eyes are needed in order to bring fresh perspectives on the way we carry out our work. His handling of the preparation of recommendations relating to the MLC and the guidance

on the ISM Code enabled us to expedite those essential tasks with speed and without fuss. He deserves our thanks and congratulations.

The two secretariats of IMO and ILO, who not only cooperated to great effect, but also provided essential support and wisdom, always responding promptly to requests for assistance. The outcome of this meeting is a triumph for you all.

Those who regularly see the shipowners' group here and in Geneva will no doubt have noticed that this was the first in 21 years that the shipowners' group was not accompanied by the now retired Director of Employment Affairs at the International Chamber of Shipping (ICS), Natalie Shaw. Natalie's unimpeachable grasp of detail, energy, determination and ability to focus on long-term as well as short-term aims were an indispensable asset to this group. If anything that she did could be even more impressive, it was the way that, even before the official declaration of the Covid-19 pandemic, she had assembled a diverse group of influential stakeholders to take rapid action to protect the rights, the health and the safety of the seafarers who continued to work to ensure that essential food, fuel, medicines and medical equipment were delivered to where they were needed. The horrendous conditions under which they kept the world economy active, while millions of us were doing our jobs from the comfort of our homes, must neither be forgotten nor repeated. Natalie Shaw was a key catalyst for the improvements that did occur and that in itself is a sign of the universal esteem in which she is held.

However, this group has been wonderfully well supported by Natalie's successor, Helio Vicente, along with his ICS colleagues Ondrilla Fernandes and Arvind Natrajan. Helio has shown that he has all the qualities needed to continue Natalie's work. His preparation for this meeting was as thorough as one could possibly wish, whilst his insights and ability to think on his feet have proven invaluable in our group's deliberations.

Speaking personally, I am very proud to be part of this team and even prouder to lead it. All members of our delegation have played important roles, but I will give a particular mention to Kierstin Del Valle Lachmann, with whom I shared the duties of spokesperson. Kierstin expressed the group's views relating to ISM matters with the clarity, brevity and empathy that even the most experienced spokespersons would respect.

To conclude, we have put a lot of energy over these three days into preparing the incisive and practical recommendations that we have. We are exhausted, but satisfied. But let us remember that today does not mark the culmination of our work to ensure that shipboard workplaces will be free of violence and harassment and everything that this encompasses. It marks the beginning. We have set ourselves ambitious targets, the most pressing of which will be to prepare amendments to the MLC in time for consideration at the 5th STC meeting. That meeting will come around quickly and we need to be ready. I hope that in April 2025 we will all take giant steps towards our aims in this important area.

Statement by the Seafarers' Group

Chair, fellow vice-chairs, distinguished government representatives and colleagues.

I would first like to thank the Chair for the way she has conducted this meeting ensuring that we have made progress and have come to make the recommendations that we have.

I extend my thanks and congratulations to my fellow vice-chairs for the way in which they have conducted the discussions.

I thank the ILO and IMO Secretariats for their unwavering support for the process and their expert guidance which is always so greatly valued.

But I also thank my own delegation made up of ITF and its affiliate unions for their unwavering support of seafarers.

Seafaring is a great profession, and our industry is one in which everyone should feel welcome, able to enjoy long and successful careers, without the fear of bullying, harassment, sexual assault or sexual harassment.

Those topics are not unique to our industry of course, but what is unique is the need for seafarers to live and work aboard a vessel for up to 11 months at a time, alongside the global nature and the structure of the shipping industry, that can make reporting, recording and enforcement more difficult to achieve.

This meeting has come up with some concrete proposals and recommendations, for us to collectively and collaboratively approach in both the IMO – looking at instruments such as STCW, and at the ISM Code – and at ILO with conventions such as MLC and C190.

We are confident that the opportunities presented to us this week, as social partners alongside governments on a tripartite basis, will help us to build on the existing work that has been done on the matter of violence, harassment, sexual assault, bullying and sexual harassment – developing reviewed, revised and possibly new ways of creating and ensuring a zero-tolerance environment for such behaviours.

This will positively impact the working and living environments of those who are vulnerable to these types of behaviours – underrepresented groups including women and LGBT+ seafarers, for example. But importantly, this work will positively impact the working and living environments for all seafarers.

This meeting, and its outcomes, have emphasised the necessity and importance of social dialogue, social partnership and tripartism.

That concept will be key as we continue to deal with the matter at hand but also as we continue and develop our work on the new social contract for seafarers.

The concept will also be essential to maintaining the safe, equitable and human-centred industry of the future, key elements of the Just Transition, where we hope that together with the organisations and individuals in this room, we will ensure Decent Work, leaving no one behind.

Madam Chair, in conclusion, we are confident that we are committed as seafarers representatives – trade unions and the ITF – to make our industry one that is welcoming to all. Addressing and committing to further work on violence, harassment, sexual assault, bullying and sexual harassment in the way we have done this week, is a welcome step in the right direction.

Statement by the Governments' Group

Madam Chair, we will be brief. In our opening statement on Tuesday morning, and in congratulating you as the Chair of this 2nd edition of the ILO/IMO Joint Tripartite Working Group established to identify and address Seafarers issues and the Human Element, we (and several speakers in the room) openly and confidently expressed our confidence and trust in your proven leadership capabilities, to help us navigate the stormy weathers and rough seas often associated with the tripartite meeting.

We expressed the same in both the ILO and IMO Secretariats, to whom we shall forever be indebted for all the wonderful things they do behind the scenes, including the extra hours they put in, for these meetings to run as professional as they normally do. This one was no different, so thank to you Madam Chair and the Secretariats.

We are also thankful for the level of cooperation, flexibility and understanding displayed throughout the session, and for this I wish to thank the Vice-Chair of the Shipowners Group, Mr Tim Springett and Vice-Chair for the Seafarers Group, Mr Danny McGowan, without whose support of the support of the process, we would not be where we are today.

Now on the matter hand, as we like say here at the IMO, Madam Chair and Delegates, earlier this morning I bumped into a piece by "Discover Boating" on how to drive a boat in rough waters, and amongst a number of advices they offer in this piece, on safety matters, they had the following to say, I quote:

The key to navigating a boat in rough waters is to stay on top of the waves instead of running straight through them. Essentially, this protects your boat from taking the force of the waves, keeping it stable. To stay on top of the waves, reduces your speed and positions your boat at about 45-degrees angle towards the waves. That way, you hit them head-on. Additionally, keep your boat's bow high either by trimming your outboard motor or using the trim tabs. Another thing to avoid is making sudden maneuvers in rough waters, as they increase your risk of capsizing. Instead, change direction slowly and steadily.

In our view, it is the appreciation of the greatness of the challenge that was before us on day 1, the lengthy documents, the importance, sensitivity, and urgency of the matters that the Working Group had to deal with, and the agility with which the task was handled, that landed us safely today.

What this tripartite Working Group achieved in these three days is an important building block towards ensuring a conducive working environment for seafarers and a great leap towards the eradication of Violence and Harassment, including sexual harassment, bullying and sexual assault in the maritime sector, as we collectively and positively contribute towards an international effort aimed at making seafaring an attractive and viable career option.

Amongst the issues and topics that were considered this week, all of them important of course, we wish to highlight the recommended amendments to terminology to not only spot lite the issues faced by seafarers, but to send a strong signal, that as members of the JTWG, in collaboration with all stakeholders, including governments, governmental and non-governmental organisations, the Private Sector, etc. we stand united and committed to this journey by confronting these specific seafarers' issues head-on and in a collaborative manner.

We are especially pleased with agreeing on a recommendation to launch an international conference to raise awareness on these matters, as this will certainly help us sustain the moment.

We look forward to future tripartite, other collaborative engagements, and tangible actions on the matters agreed to.

Thank you, Madam Chair.