



Organización
Internacional
del Trabajo

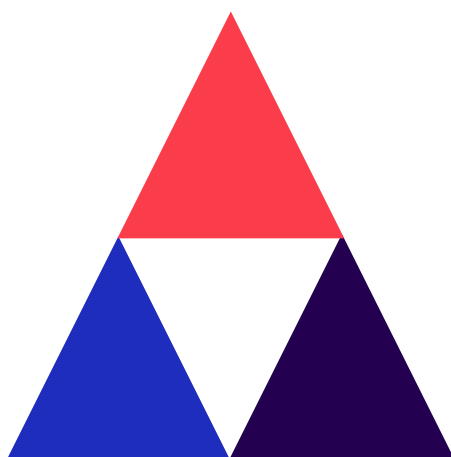


ORGANIZACIÓN
MARÍTIMA
INTERNACIONAL

► TWGSHE/2024/6

► Actas de la segunda reunión

Segunda reunión del Grupo de trabajo tripartito mixto OIT-OMI para determinar y abordar cuestiones relativas a la gente de mar y los factores humanos
(Londres, 27-29 de febrero de 2024)



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► 1. General: Adopción del orden del día

Introducción

- 1.1. La segunda reunión del Grupo de trabajo tripartito mixto OIT-OMI para determinar y abordar cuestiones relativas a la gente de mar y los factores humanos (JTWG) tuvo lugar en la sede de la Organización Marítima Internacional (OMI) del 27 al 29 de febrero de 2024 y fue presidida por la Sra. Mayte Medina (Estados Unidos de América). Los Vicepresidentes de la reunión fueron el Sr. Vusi September (Sudáfrica) en nombre del Grupo Gubernamental, el Sr. Tim Springett en nombre del Grupo de los Armadores y el Sr. Danny McGowan en nombre del Grupo de la Gente de Mar.
- 1.2. La reunión contó con la asistencia de representantes de los ocho Gobiernos que figuran a continuación:

Bahamas	Panamá
Estados Unidos	Suecia
Filipinas	Sudáfrica
Francia	Tailandia
observadores de los siguientes Gobiernos:	
Alemania	Islas Marshall
Angola	Italia
Arabia Saudita	Japón
Argelia	Kenya
Argentina	Liberia
Australia	Libia
Azerbaiyán	Madagascar
Bangladesh	Malasia
Barbados	Marruecos
Bélgica	Mauricio
Brasil	México
Brunei Darussalam	Nicaragua
Canadá	Nigeria
Chile	Noruega
China	Omán
Congo	Países Bajos
Dinamarca	Pakistán
Ecuador	Palau

Egipto	Paraguay
Emiratos Árabes Unidos	Perú
Eslovenia	Polonia
España	Portugal
Federación de Rusia	Reino Unido de Gran Bretaña e Irlanda del Norte
Finlandia	República Unida de Tanzania
Gabón	Singapur
Ghana	Sri Lanka
Grecia	Togo
Guatemala	Trinidad y Tabago
Guyana	Túnez
Indonesia	Türkiye
Irán (República Islámica del)	Ucrania
Iraq	Uruguay
Irlanda	

los siguientes Estados Miembros Asociados de la OMI:

Islas Feroe	Región Administrativa Especial de Hong Kong (China)
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los ocho representantes de los armadores que figuran a continuación:

Sr. Tim Springett, Cámara Naviera del Reino Unido	Sr. Tjitso Westra, Real Asociación de Armadores de los Países Bajos
Sra. Kierstin Lachtman, Consejo de Armadores de Liberia	Sr. Wiebke Petersen, Asociación de Armadores de Alemania
Sr. Dirk Max Johns, Asociación de Armadores de Suiza	Sr. Pal Tangen, Asociación de Armadores de Noruega
Sra. Sarah Cerche, Maritime Australia Ltd	Sra. Hilde Peeters, Asociación de Armadores de Bélgica

los ocho representantes de la gente de mar que figuran a continuación:

Sra. Lena Dyring, Sindicato de Gente de Mar de Noruega	Sr. Christian Spain, American Maritime Officers
Sra. Lydia Ferrad, Federación Nacional de los Trabajadores del Transporte de Argelia	Sr. Odd Rune Malterud, Sindicato de Ingenieros Navales de Noruega
Sr. Danny McGowan, Nautilus International	Sr. Jesus Sale, Sindicato de Filipinas de Oficiales y Marineros de la Marina Asociados (AMOSUP)
Sra. Tracey Mayhew, Seafarers International Estados Unidos	Sr. Carlos Muller, Sindicato Nacional del Brasil de los Oficiales de la Marina Mercante (SINDMAR)

observadores de las siguientes organizaciones intergubernamentales que han suscrito acuerdos de cooperación con la OMI:

Comisión Europea

Organización Marítima de África Occidental y Central (MOWCA)

Memorando de Entendimiento sobre Supervisión por el Estado Rector del Puerto en la Región del Océano Índico (IOMOU)

y observadores de las siguientes organizaciones no gubernamentales reconocidas como entidades consultivas ante la OMI, la OIT y tanto la OMI como la OIT:

Cámara Naviera Internacional (ICS)

Foro Marítimo Internacional de Compañías Petroleras (OCIMF)

Asociación Internacional de Prácticos (IMPA)

Federación Internacional de Asociaciones de Capitanes de Buque (IFSMA)

Asociación Internacional de Armadores Independientes de Petroleros (INTERTANKO)

Grupo Internacional de Asociaciones de Protección e Indemnización (P & I CLUBS)

Asociación Internacional de Líneas de Cruceros (CLIA)

Asociación Internacional de Buques Tanque para Carga Diversificada (IPTA)

Asociación Internacional de Contratistas Marítimos (IMCA)

Asociación Marítima Cristiana Internacional (ICMA)

Asociación Internacional de Medicina Marítima (IMHA)

Federación Internacional de los Trabajadores del Transporte (ITF)

Pacific Environment

Women's International Shipping And Trading Association Limited (WISTA International)

Red Internacional para el Bienestar y la Asistencia de la Gente de Mar (ISWAN)

Centro Internacional de los Derechos de la Gente de Mar

observadores de la siguiente institución formativa de la OMI:

Universidad Marítima Mundial (UMM)

Discursos de apertura del Secretario General de la OMI y de la Directora del Departamento de Políticas Sectoriales de la OIT

- 1.3. El Secretario General de la OMI y la Directora del Departamento de Políticas Sectoriales de la OIT dieron la bienvenida a los participantes y pronunciaron sus discursos de apertura, que figuran en el anexo 3. El texto completo del discurso de apertura del Secretario General de la OMI también se puede descargar desde el sitio web de la OMI a través del siguiente enlace: <https://www.imo.org/es/MediaCentre/SecretaryGeneral/Pages/Secretary-GeneralsSpeechesToMeetings.aspx>.

Adopción del orden del día

- 1.4. El JTWG adoptó el orden del día de su segunda reunión, el cual figura en el documento ILO/IMO JTWG SIHE 2/1.

- 1.5. Tras la adopción del orden del día, el JTWG tomó nota de la inquietud expresada por el Grupo de los Armadores en relación con la utilización de la sigla en inglés «SASH» para «las agresiones sexuales y el acoso sexual» en el título de los puntos 3 y 4 del orden del día, dado que parecía restar importancia a las palabras en cuestión. Observando que los órganos de la OMI y la OIT habían utilizado específicamente la sigla inglesa «SASH» en otras ocasiones en que habían abordado la cuestión, el JTWG acordó mantener el orden del día, pero limitar el uso de la sigla inglesa «SASH» a las instancias en que se estuviera haciendo alusión directa a decisiones anteriores de la OMI y la OIT.

Alocuciones de apertura

- 1.6. El JTWG tomó nota de las alocuciones de apertura de los tres Vicepresidentes, que figuran en el anexo 3. También pronunciaron alocuciones de apertura los representantes de los Gobiernos de Tailandia, Francia, los Estados Unidos, Filipinas y Panamá, las cuales figuran en el anexo 3.
- 1.7. El JTWG recordó los términos de su propio mandato (MSC 105/16/2, anexo, párrafo 15), concretamente que los medios de comunicación, las organizaciones internacionales oficiales, las organizaciones internacionales no gubernamentales y otras entidades con las que la OIT o la OMI hubieran establecido una relación consultiva podrían ser autorizados por el Presidente, con el acuerdo de los Vicepresidentes, para pronunciar o difundir declaraciones. En ese contexto, el observador de la ICMA formuló su alocución de apertura, que figura en el anexo 3.

► 2. Resultado de los órganos competentes de la OMI y la OIT

Resultado de los órganos de la OMI

- 2.1. El JTWG observó que el Comité de Seguridad Marítima (MSC) de la OMI, en su 105.º periodo de sesiones (20-29 de abril de 2022), tras reconocer la necesidad de actuar conjuntamente con la OIT para hacer frente a la intimidación y el acoso en el sector marítimo, incluidas las agresiones sexuales y el acoso sexual, con el objetivo de garantizar un lugar de trabajo seguro para la gente de mar, había aprobado la constitución de un grupo de trabajo tripartito mixto OIT-OMI para determinar y abordar cuestiones relativas a la gente de mar y los factores humanos, incluido el método de trabajo y el mandato. El JTWG observó además que el Comité también había:
 - 1) encargado al JTWG que considerase la intimidación y el acoso en el sector marítimo, incluidas las agresiones sexuales y el acoso sexual, teniendo en cuenta la información presentada por las partes interesadas, con miras a formular recomendaciones para adoptar medidas en el futuro, incluida la elaboración de legislación, mecanismos y políticas, y el lanzamiento de campañas de concienciación por las partes interesadas pertinentes para denunciar y abordar estas cuestiones (MSC 105/20, párrafo 16.14.1);
 - 2) alentado a los Estados Miembros a implantar mecanismos y adoptar políticas y legislación pertinentes para proteger a la gente de mar; y a las compañías navieras a implantar políticas internas de vigilancia, notificación y prevención, así como procedimientos destinados a eliminar toda forma de intimidación y acoso a bordo de los buques, y a tomar medidas correctivas contra las personas que se comportaran de manera inaceptable o incurrieran en prácticas de esa índole (MSC 105/20, párrafo 16.14.4);
 - 3) confirmado que el JTWG debería considerar la elaboración de disposiciones de formación que aborasen la intimidación y el acoso en el sector marítimo, incluidas las agresiones sexuales y el acoso sexual (MSC 105/20, párrafo 16.18.1), y

- 4) encargado al Subcomité de Factor Humano, Formación y Guardia (Subcomité HTW) que elaborase y finalizase, con carácter prioritario, disposiciones para el Convenio de formación que abordasen la intimidación y el acoso en el sector marítimo, incluidas las agresiones sexuales y el acoso sexual, teniendo en cuenta la labor que debía realizarse en coordinación con el JTWG (MSC 105/20, párrafo 16.18.2).
- 2.2. El JTWG observó asimismo que el Consejo de la OMI, en su 127.º periodo de sesiones (11-15 de julio de 2022), había refrendado esa decisión del MSC 105 (C 127/D, párrafo 20.2.2). A continuación, en su 129.º periodo de sesiones, el Consejo había invitado al JTWG a estudiar las posibles vías para facilitar la recopilación de datos sobre la intimidación y el acoso, incluidos el acoso sexual y las agresiones sexuales (C 129/D, párrafo 4, a).4.5).
- 2.3. El JTWG también observó que, tras la decisión del MSC 105 (véase el párrafo 2.1.4):
- 1) el Subcomité HTW en su 9.º periodo de sesiones había preparado el proyecto de enmiendas al cuadro A-VI/1-4 del Código de formación para prevenir la intimidación y el acoso y hacerles frente, incluidas las agresiones sexuales y el acoso sexual, que luego fueron aprobadas por el MSC 107 con miras a su adopción por el MSC 108 (HTW 9/15, párrafo 7.21, y MSC 107/20, párrafo 13.8), y
 - 2) el MSC 107 había remitido dicho proyecto de enmiendas al JTWG para que lo examinase y brindase asesoramiento al MSC 108, antes de su adopción en ese periodo de sesiones (MSC 107/20, párrafo 13.9).

Consideraciones del MSC 107 en relación con la propuesta de un nuevo resultado sobre el examen amplio del Código internacional de gestión de la seguridad (Código IGS) y sus directrices conexas

- 2.4. El JTWG tomó nota de la aclaración solicitada por el Grupo de los Armadores en relación con las deliberaciones del MSC 107 acerca de una propuesta de un nuevo resultado sobre el examen amplio del Código internacional de gestión de la seguridad (Código IGS) y sus directrices conexas (MSC 107/20, párrafo 17.20.4), en particular en lo tocante al vínculo entre dicha propuesta y el resultado de la presente reunión del JTWG.
- 2.5. A ese respecto, el JTWG también tomó nota de la información facilitada verbalmente por la secretaría conjunta de la OIT-OMI de que el citado vínculo formaba parte de las opiniones expresadas en el MSC 107, las cuales se habían convertido en una conclusión del examen del Comité, y en el sentido de que el resultado de la presente reunión podría servir para definir los elementos del alcance del nuevo resultado, de aceptarse este, pero que no sería decisivo para que el Comité aceptara la propuesta en sí (véase el MSC 107/20, párrafo 17.21).
- 2.6. A continuación, el JTWG también observó que las decisiones a este respecto incumbían al MSC y que los resultados de las deliberaciones o las recomendaciones del JTWG, de haberlas, deberían centrarse en su mandato, según lo acordado por los órganos de la OIT y la OMI (véanse los párrafos 2.1.1 y 2.8).

Resultado de los órganos de la OIT

- 2.7. El JTWG observó que su creación se había formalizado en la OIT mediante la adopción de una resolución por la cuarta reunión (Parte I) del Comité Tripartito Especial del Convenio sobre el trabajo marítimo, 2006 (MLC, 2006), en abril de 2021, y en virtud de varias decisiones posteriores adoptadas por el Consejo de Administración de la OIT en su 343.ª reunión (noviembre de 2021). En el anexo de la resolución se definía el mandato del JTWG y su composición integrada por 24 miembros: 8 representantes gubernamentales designados por la OMI, 8 representantes de los

armadores y 8 representantes de la gente de mar designados por la OIT cuyas candidaturas debían contar con el respaldo de sus respectivos grupos. En el mandato se especificaba igualmente que, en lo referente a la OIT, el resultado de las reuniones del JTWG debía comunicarse al Consejo de Administración de la OIT.

2.8. El JTWG también señaló que la cuarta reunión (Parte II) del Comité Tripartito Especial, de mayo de 2022, había:

- 1) tomado nota de la solicitud del MSC al JTWG de que considerase la cuestión del acoso y la intimidación, incluidas las agresiones sexuales y el acoso sexual, de conformidad con el párrafo 4, c) del mandato que figura en el anexo de la resolución relativa a la creación del JTWG;
- 2) adoptado la Resolución relativa al acoso y la intimidación, incluidas las agresiones sexuales y el acoso sexual, en el sector marítimo. En dicha Resolución se instaba al Consejo de Administración a que tomara nota de la solicitud formulada por el MSC 105, y a que considerase que se trataba de un punto que debía ser examinado lo antes posible por el JTWG, con el objetivo de garantizar un lugar de trabajo seguro e inclusivo para la gente de mar, y se incluía una nota al pie relativa a la solicitud en cuestión.

2.9. Asimismo, el JTWG observó que el Consejo de Administración de la OIT, en su 346.^a reunión (octubre-noviembre de 2022), había tomado nota de la solicitud de la OMI de incluir el tema en el orden del día del JTWG a la mayor brevedad posible y había acordado que el JTWG lo abordaría en 2023. Tras las consultas celebradas entre las secretarías de la OIT y la OMI, y las decisiones posteriores del Consejo de Administración, adoptadas en sus reuniones 347.^a (marzo de 2023) y 349.^a (octubre-noviembre de 2023), se decidió que la reunión tendría lugar en la sede de la OMI en Londres del 27 al 29 de febrero de 2024.

► 3. Examen de futuras medidas, incluida la elaboración de legislación, mecanismos y políticas para denunciar y abordar la intimidación y el acoso, incluidas las agresiones sexuales y el acoso sexual, en el sector marítimo

3.1. El JTWG examinó los siguientes documentos:

- 1) ILO/IMO JTWG-SIHE 2/3 (secretarías de la OIT y la OMI), en el que se presentan varios elementos para facilitar el debate sobre posibles recomendaciones para prevenir, denunciar y abordar la intimidación y el acoso en el sector marítimo, incluidas las agresiones sexuales y el acoso sexual, para su examen por el JTWG;
- 2) ILO/IMO JTWG-SIHE 2/INF.2 (secretarías de la OIT y la OMI), en el que se brinda información básica sobre la labor de la OIT y la OMI en relación con la denuncia y protección contra la intimidación y el acoso, incluidas las agresiones sexuales y el acoso sexual, en el sector marítimo;
- 3) ILO/IMO JTWG-SIHE 2/3/1 (Estados Unidos), en el que se formulan propuestas para paliar las deficiencias de las normas y políticas internacionales aplicables a las administraciones, los armadores y la gente de mar para la prevención y respuesta frente a la intimidación y el acoso, incluidas las agresiones sexuales y el acoso sexual, y una recomendación sobre el lanzamiento de campañas de concienciación;

- 4) ILO/IMO JTWG-SIHE 2/3/2 (ICS), en el que se ofrece una perspectiva sectorial de la intimidación y el acoso en el sector marítimo, especialmente en materia de legislación, directrices, políticas y estudios, con miras a brindar información y orientación a la reunión y facilitar la formulación de acciones eficaces para eliminar el acoso y la intimidación del sector marítimo;
- 5) ILO/IMO JTWG-SIHE 2/3/3 (ICS), en el que se presentan cinco grandes principios sectoriales y ocho principios sectoriales más detallados para establecer medidas eficaces con el fin de combatir y eliminar el acoso y la intimidación en el sector marítimo;
- 6) ILO/IMO JTWG-SIHE 2/3/4 (Francia), en el que se formulan propuestas para mejorar el marco jurídico internacional y se exponen mejores prácticas para la creación de políticas nacionales específicas; se identifican las deficiencias presentes en el marco jurídico internacional para las que se recomiendan posibles soluciones y se exponen mejores prácticas para la creación de políticas nacionales y mejores prácticas de gestión específicas, y
- 7) ILO/IMO JTWG-SIHE 2/3/5 (ICS), relativo a los elementos de posibles acciones recomendadas dimanantes de la reunión del JTWG, que pueden desarrollarse como parte del resultado de la reunión del JTWG.

Terminología para abordar el tema de la intimidación y el acoso

3.2. El JTWG, al examinar las partes de los documentos 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 e ILO/IMO JTWG-SIHE 2/3/5 relacionadas con la terminología para abordar el tema de la intimidación y el acoso, observó que dicha terminología podía influir en el examen de los instrumentos pertinentes de la OIT y la OMI, sobre todo en el proyecto de disposiciones de formación previsto en el punto 4 del orden del día.

3.3. El JTWG también observó que:

- 1) el Grupo Gubernamental estaba a favor de utilizar la expresión «violencia y acoso, incluidas la intimidación, las agresiones sexuales y el acoso sexual», así como de incluir una nota al pie en la que se hiciera alusión al Convenio sobre la violencia y el acoso, 2019 (núm. 190) de la OIT (en adelante, «Convenio núm. 190»), y de mencionar explícitamente determinadas formas de violencia y acoso debido a su particular relevancia en el sector marítimo;
- 2) el Grupo de la Gente de Mar había aceptado la terminología propuesta por el Grupo Gubernamental y había señalado que reflejaría de manera adecuada la labor previa de la OIT y la OMI sobre la cuestión, que ese tema no guardaba relación únicamente con los derechos en el trabajo, sino que también revestía gran importancia en términos de seguridad, y que era necesario aludir específicamente a la intimidación, las agresiones sexuales y el acoso sexual para hacer hincapié en las conductas más problemáticas, y
- 3) el Grupo de los Armadores encontraba que era preciso alinear la terminología con la definición del Convenio núm. 190 acordado a nivel tripartito para su uso en los futuros instrumentos de la OMI y la OIT. El Grupo de los Armadores había propuesto eliminar la alusión a «la intimidación, las agresiones sexuales y el acoso sexual», y utilizar únicamente las palabras «violencia y acoso» o «violencia y acoso, incluidos la violencia y el acoso por razón de género».

- 3.4. Tras un largo debate al respecto, el Grupo también aportó la siguiente información facilitada por la secretaría conjunta de la OIT-OMI:
- 1) la terminología «violencia y acoso, incluidos la intimidación, las agresiones sexuales y el acoso sexual» estaría en consonancia con el Convenio núm. 190;
 - 2) la palabra «incluidos» indicaba que la alusión a «la intimidación, las agresiones sexuales y el acoso sexual» no constituía una enumeración exhaustiva;
 - 3) en virtud de los artículos 1 y 7 del Convenio núm. 190, los Estados Miembros debían definir y prohibir la violencia y el acoso a nivel nacional, para lo que podían establecer un único concepto o conceptos separados, y
 - 4) en virtud del artículo 8, los Estados Miembros debían identificar, en consulta con las organizaciones de empleadores y de trabajadores, los sectores en los que las personas estaban más expuestas a la violencia y el acoso, y adoptar medidas para proteger de manera eficaz a dichas personas.
- 3.5. Tras las correspondientes deliberaciones, el JTWG acordó recomendar al MSC de la OMI y al Consejo de Administración de la OIT que emplearan la expresión «la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales» en sus respectivos instrumentos y orientaciones, según correspondiera, con una llamada que remitiera a la definición de «violencia y acoso» del Convenio núm. 190.

Examen de los instrumentos vigentes de la OIT y la OMI para abordar la cuestión de la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales

Examen de los instrumentos de la OMI

- 3.6. El JTWG examinó las partes de los documentos ILO/IMO JTWG-SIHE 2/3 e ILO/IMO JTWG-SIHE 2/3/1 relativas a las propuestas sobre la necesidad de introducir modificaciones en el Código IGS y en los instrumentos conexos, así como en la regla I/5 del Convenio de formación (Disposiciones de carácter nacional).

Examen del Código IGS y de los instrumentos conexos

- 3.7. El JTWG observó que:
- 1) el Grupo Gubernamental había apuntado que, si bien no cabía excluir una modificación del Código IGS en el futuro, por el momento se deberían examinar únicamente disposiciones que apoyasen la aplicación del Código;
 - 2) el Grupo de los Armadores coincidía en que eran necesarias medidas y políticas adicionales para hacer frente a la cuestión de la violencia y el acoso, pero sin llegar a contemplar la introducción de enmiendas en el Código IGS; y había señalado que la mejor manera de abordar la cuestión sería modificar el MLC, 2006, teniendo en cuenta las disposiciones del Convenio núm. 190, y
 - 3) el Grupo de la Gente de Mar había apuntado que la cuestión de la violencia y el acoso estaba directamente vinculada con la seguridad y debía abordarse de manera amplia pero directa mediante la modificación del Código IGS, y había señalado igualmente que la única manera de asegurarse de que todos los armadores aceptaran su responsabilidad en relación con la «cultura del trabajo» a bordo de sus embarcaciones era a través del Código IGS, que brindaba

un marco para todos los buques y era el único instrumento que ofrecía medios para el cumplimiento y la aplicación, como se indicaba en sus párrafos 1.2.3 y 1.3. Asimismo, el Grupo de la Gente de Mar había recomendado la elaboración de una resolución por el MSC en la que se debería afirmar que la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales, constituían una grave amenaza para la seguridad del personal y deberían considerarse un incumplimiento grave de conformidad con el párrafo 1.1.10 del Código IGS.

- 3.8. Asimismo, el JTWG tomó nota de la información facilitada por la secretaría conjunta OIT-OMI de que en algunos de los informes remitidos por los Gobiernos a la Comisión de Expertos en Aplicación de Convenios y Recomendaciones de la OIT se indicaba que el cumplimiento de lo dispuesto en el MLC, 2006, en materia de seguridad y salud en el trabajo se garantizaba mediante la aplicación del Código IGS, y que el vínculo entre ambos instrumentos ya existía en la práctica.
- 3.9. Teniendo en cuenta las opiniones expresadas, el JTWG decidió no recomendar al MSC de la OMI que estudiara la posibilidad de modificar el Código IGS por el momento, aunque la introducción de enmiendas en dicho Código podría volver a plantearse ulteriormente.
- 3.10. Teniendo en cuenta que se había acordado no recomendar una modificación del Código IGS por el momento, el JTWG acordó recomendar al MSC que estudiara la posibilidad de adoptar medidas para apoyar la aplicación de dicho Código, como dictar una resolución y crear nuevas orientaciones de la OMI o revisar las existentes, para abordar el tema de la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales, con miras a:
 - 1) incorporar políticas y procedimientos para la prevención, denuncia, respuesta, aplicación de medidas correctivas y documentación de los casos de violencia y acoso, incluidos los de acoso sexual, intimidación y agresiones sexuales, en los sistemas de gestión de la seguridad, así como para el cuidado y la protección de las víctimas contra las represalias; y el establecimiento de los objetivos de gestión de la seguridad de las compañías, incluida la evaluación de los riesgos y la introducción de salvaguardias;
 - 2) especificar que los sistemas de gestión de la seguridad deberían velar por el cumplimiento de las normas y reglamentos oficiales, entre los que figuraban los requisitos nacionales en materia de violencia y acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales, y por que se observaran las orientaciones de las organizaciones del sector;
 - 3) distribuir responsabilidades entre los altos cargos de las compañías y las administraciones en la lucha contra los casos de violencia y acoso, incluidos los de acoso sexual e intimidación y las agresiones sexuales, y brindar los oportunos recursos de gestión y respuesta tanto a bordo como en tierra, incluidos unos servicios médicos que incluyeran la atención a la salud mental de las víctimas, y
 - 4) garantizar la formación y la familiarización de la gente de mar y del personal de tierra designado con las políticas correspondientes de las compañías y su aplicación.

Examen de políticas

3.11. El JTWG observó que se habían presentado siete documentos (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 e ILO/IMO JTWG SIHE 2/3/5) en relación con el examen de políticas sobre la violencia y el acoso, y que cabría tener en cuenta las partes pertinentes de dichos documentos cuando se elaborasen medidas para apoyar la aplicación del Código IGS (véase el párrafo 3.10.1).

Examen de la regla I/5 del Convenio de formación (Disposiciones de carácter nacional)

3.12. El JTWG examinó la propuesta que figuraba en el párrafo 14.2 del documento ILO/IMO JTWG-SIHE 2/3/1 (Estados Unidos) de incluir un requisito en la regla I/5 del Convenio de formación (Disposiciones de carácter nacional) para suspender o anular los títulos de cualquier marino declarado culpable de acoso sexual, y al hacerlo, retirar del servicio a los autores.

3.13. Durante el debate, el JTWG observó que:

- 1) el Grupo Gubernamental proponía recomendar al MSC que pidiera al Subcomité HTW que examinara la propuesta del párrafo 14.2 del documento ILO/IMO JTWG-SIHE 2/3/1 (véase el párrafo 3.10), en el contexto del examen amplio del Convenio y el Código de formación, y que adoptara las medidas oportunas;
- 2) el Grupo de los Armadores apoyaba esa propuesta del Grupo Gubernamental, y
- 3) el Grupo de la Gente de Mar estaba a favor de modificar la regla I/5 del Convenio de formación, pero señalaba que el proceso propuesto retrasaría el examen y la aplicación de esas importantes enmiendas, que brindarían mecanismos para luchar contra una forma de delito que ya estaba teniendo lugar a bordo de los buques.

3.14. En ese sentido, el JTWG también tomó nota de la información complementaria facilitada por el Grupo Gubernamental en relación con su propuesta, según la cual existían diferencias entre las legislaciones nacionales y la manera en que los distintos países trataban a la gente de mar declarada culpable de acoso sexual, y que por lo tanto sería necesario examinar la cuestión más detenidamente antes de proceder a enmendar la regla I/5 del Convenio de formación.

3.15. Tras las deliberaciones, el JTWG aceptó recomendar al MSC de la OMI que pidiera al Subcomité HTW que examinara la propuesta del párrafo 14.2 del documento ILO/IMO JTWG-SIHE 2/3/1 (véase el párrafo 3.12), en el contexto del examen amplio del Convenio y el Código de formación, y que adoptara las medidas oportunas.

Examen de los instrumentos de la OIT

3.16. El JTWG analizó las partes pertinentes de los documentos 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 e ILO/IMO JTWG-SIHE 2/3/5 en relación con el examen de los instrumentos de la OIT y en particular con la propuesta de modificar el MLC, 2006.

3.17. Tras el examen de dichos documentos, el JTWG acordó recomendar al Consejo de Administración de la OIT que invitara a los miembros del Comité Tripartito Especial del MLC, 2006, a formular

propuestas * para enmendar el MLC, 2006, teniendo en cuenta lo dispuesto en el Convenio núm. 190, con miras a asegurar que los Estados Miembros:

- 1) definieran y prohibieran la violencia y el acoso a bordo, incluidos el acoso sexual, la intimidación y las agresiones sexuales;
- 2) adoptaran las políticas, medidas y programas pertinentes para prevenir y abordar estas cuestiones, especificando las responsabilidades distintas y complementarias de los Estados del pabellón, los Estados rectores del puerto, los Estados que suministran mano de obra, los armadores, la gente de mar y otras partes interesadas, según correspondiera;
- 3) exigieran a los armadores que adoptaran las políticas y medidas pertinentes para prevenir y abordar la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales;
- 4) adaptaran los mecanismos de denuncias existentes a bordo y en tierra para facilitar el acceso a un recurso efectivo en los casos de violencia y acoso, así como la protección contra la victimización y las represalias, y la defensa de la privacidad y confidencialidad de las partes involucradas, y
- 5) mejorasen la cooperación entre los Estados del pabellón, los Estados rectores del puerto y los Estados que suministran mano de obra en relación con estas cuestiones.

3.18. El JTWG también observó que el Grupo de los Armadores, al aceptar la citada propuesta (véase el párrafo 3.17.3), había declarado que era importante respetar el derecho de los armadores, como empleadores, a adoptar políticas acordes con su nivel de control y que tuvieran en cuenta las circunstancias de sus compañías, incluida su capacidad para adoptar las medidas que estimaran oportunas frente a los casos de incumplimiento de las políticas y los códigos disciplinarios.

Examen de la *Guía médica internacional de a bordo* de la OIT, la OMI y la OMS, tercera edición

3.19. El JTWG observó que se había presentado un documento (ILO/IMO JTWG-SIHE 2/3/1) relacionado con el examen de la *Guía médica internacional de a bordo* de la OIT, la OMI y la Organización Mundial de la Salud (OMS), *tercera edición*. Tras las correspondientes deliberaciones, el JTWG acordó recomendar a los órganos de la OIT y la OMI que, en coordinación con la OMS, a la hora de modificar la *Guía médica internacional de a bordo, tercera edición*, estudiaran la posibilidad de tener en cuenta las medidas adoptadas como resultado de las recomendaciones de la reunión del JTWG. En ese contexto, el JTWG convino asimismo en que las directrices y disposiciones médicas nacionales y sectoriales también deberían ser revisadas en consecuencia.

Examen de directrices sectoriales, como las *Directrices de la ICS y la ITF para erradicar el acoso y la intimidación en los buques* de 2016

3.20. El JTWG observó que se habían presentado seis documentos (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 e ILO/IMO JTWG-SIHE 2/3/5) en relación con el examen de directrices sectoriales, como las *Directrices de la ICS y la ITF para erradicar el acoso y la intimidación en los buques* de 2016. Tras

* La fecha límite para proponer enmiendas al Código del MLC, 2006, es el 10 de septiembre de 2024. La quinta reunión del Comité Tripartito Especial tendrá lugar en la sede de la OIT en Ginebra del 7 al 11 de abril de 2025. Para más información, sírvanse consultar la [página web](#) oficial de la OIT.

señalar que en las directrices existentes ya se abordaban las cuestiones de la intimidación y el acoso, el JTWG acordó recomendar a la ITF y a la ICS que revisaran sus orientaciones y las actualizaran según resultara necesario con arreglo a las medidas adoptadas por los órganos de la OMI y la OIT como resultado de las recomendaciones dimanantes del JTWG.

Examen del lanzamiento de una campaña de concienciación

- 3.21. El JTWG examinó las partes de los documentos 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 e ILO/IMO JTWG-SIHE 2/3/5 en las que se proponía lanzar campañas de concienciación sobre la violencia y el acoso en el sector marítimo, incluidos el acoso sexual, la intimidación y las agresiones sexuales.
- 3.22. En ese sentido, el JTWG tomó nota de las declaraciones del Grupo Gubernamental, el Grupo de los Armadores y el Grupo de la Gente de Mar sobre las características que debían tener las campañas nacionales e internacionales que fueran a ponerse en marcha. El texto completo de dichas declaraciones figura en el anexo 3.
- 3.23. Tras el correspondiente examen, el JTWG recomendó que el MSC de la OMI y el Consejo de Administración de la OIT, según correspondiera:
- 1) solicitaran a las secretarías de la OIT y la OMI que coordinasen el lanzamiento de una campaña internacional, con el apoyo de los Estados Miembros de la OIT y la OMI, la gente de mar, los armadores y las organizaciones gubernamentales y no gubernamentales, con fines de sensibilización acerca de la necesidad de abordar la violencia y el acoso en el sector marítimo, incluidos el acoso sexual, la intimidación y las agresiones sexuales, como iniciativa multinivel;
 - 2) alentaran a los Gobiernos a lanzar campañas nacionales, orquestadas por las administraciones, en colaboración con los interlocutores sociales y otras organizaciones nacionales, y
 - 3) invitaran a todas las partes interesadas a estudiar la posibilidad de brindar apoyo mediante la aportación de fondos u otros recursos a las secretarías de la OIT y la OMI en relación con las disposiciones necesarias para llevar a cabo la campaña.

Examen de posibles vías para facilitar la recopilación de datos

- 3.24. El JTWG observó que se habían presentado dos documentos (ILO/IMO JTWG-SIHE 2/3 e ILO/IMO JTWG-SIHE 2/3/5) en relación con el examen de posibles vías para facilitar la recopilación de datos. También observó que, por falta de tiempo, no todos los grupos habían podido examinar posibles vías para facilitar la recopilación de datos.
- 3.25. En ese contexto, el JTWG tomó nota de las opiniones expresadas que figuran a continuación:
- 1) las próximas ediciones de la encuesta mundial de la OIT deberían abarcar todos los sectores económicos, incluido el sector marítimo, para poder realizar análisis comparativos;
 - 2) el propósito de la recopilación de datos debería ser identificar las tendencias en la lucha contra la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales, en el marco de una política de tolerancia cero en el sector;
 - 3) en los futuros programas, todas las partes deberían facilitar datos de forma equitativa;
 - 4) la recopilación de datos era una cuestión delicada, por lo que se debería proteger la privacidad y la confidencialidad de los datos recabados;

- 5) se debería examinar detenidamente la utilización de los datos recopilados, teniendo en cuenta que no toda la información presentada era exacta o veraz, por lo que habría que establecer mecanismos para proteger a los informantes, a los acusados y a quienes recibían los datos, y
 - 6) algunos Estados estaban recopilando datos sobre las denuncias o los casos notificados a su administración.
- 3.26. Tras el correspondiente debate, el JTWG acordó recomendar que el MSC de la OMI y el Consejo de Administración de la OIT, según correspondiera:
- 1) solicitaran a las secretarías de la OMI y la OIT que prosiguieran su labor para identificar posibles vías para recopilar datos de manera adecuada, teniendo en cuenta las cuestiones planteadas por el JTWG, y
 - 2) alentaran a los Gobiernos, la gente de mar, los armadores y las demás partes interesadas a estudiar colectivamente cómo recopilar datos de manera holística, con todas las salvaguardias necesarias, en futuras reuniones.

► 4. Examen del proyecto de disposiciones para el Convenio de formación para abordar la intimidación y el acoso en el sector marítimo, incluidas las agresiones sexuales y el acoso sexual, con fines de asesoramiento del Comité de Seguridad Marítima

- 4.1. En el contexto del examen del proyecto de enmiendas al cuadro A-VI/1-4 del Código de formación, que figura en el anexo del documento ILO/IMO JTWG-SIHE 2/4, y teniendo en cuenta la decisión adoptada en lo relativo a la terminología (véase el párrafo 3.5), el JTWG acordó sustituir las palabras «la intimidación y el acoso, incluidos el acoso sexual y las agresiones sexuales» por «la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales», con una nota al pie que remitiera a la definición de «violencia y acoso» del Convenio núm. 190.
- 4.2. Durante el examen del texto adicional propuesto por la secretaría conjunta de la OIT-OMI sobre los factores que contribuían al problema de la violencia y el acoso, a fin de alinear la terminología del proyecto de enmiendas del Código de formación con el Convenio núm. 190 y la Recomendación que lo acompaña, el JTWG observó lo siguiente:
 - 1) el Grupo Gubernamental había propuesto que el MSC 108 examinara con mayor detenimiento las palabras «discrimination» (discriminación) y «psychosocial hazards» (peligros psicosociales), ya que estas no se definían ni se mencionaban en el contexto del Convenio y el Código de formación;
 - 2) el Grupo de la Gente de Mar había propuesto mantener la palabra «discrimination» (discriminación) en el proyecto de enmiendas, ya que era uno de los elementos que podían contribuir a la violencia y el acoso y estaba documentado en los convenios fundamentales de la OIT, y
 - 3) el Grupo de los Armadores había propuesto mantener «discrimination» (discriminación) entre corchetes para que el MSC 108 examinara la cuestión ulteriormente.

- 4.3. El JTWG también tomó nota de la siguiente información adicional facilitada por la secretaría conjunta de la OIT-OMI:
- 1) el concepto de los «psychosocial hazards» (peligros psicosociales) figuraba en el Convenio núm. 190 y en la Recomendación sobre la violencia y el acoso, 2019 (núm. 206), e incluía factores como el «stress» (estrés), el «isolation» (aislamiento) y la «fatigue» (fatiga), que eran especialmente relevantes en el caso del sector marítimo, y
 - 2) el concepto de «discrimination» (discriminación) se hallaba definido en el Convenio sobre la discriminación (empleo y ocupación), 1958 (núm. 111) y también figuraba en la Recomendación núm. 206 como uno de los factores que contribuían a la violencia y el acoso.
- 4.4. Tras el correspondiente debate, el JTWG preparó la versión revisada del texto del proyecto de enmiendas al cuadro A-VI/1-4 del Convenio de formación, el cual figura en el anexo 1, y aceptó la recomendación de que el MSC 108 lo examinara con miras a su adopción en dicha reunión.
- 4.5. Asimismo, el JTWG observó que, durante el examen amplio del Convenio y el Código de formación, estaba previsto que se abordaran las siguientes cuestiones, que figuraban en el documento ILO/IMO JTWG-SIHE 2/4:
- 1) introducción de la sensibilización sobre la brecha cultural y generacional en la competencia existente «Contribuir a que las relaciones humanas a bordo del buque sean eficaces» del cuadro A-VI/1-4 del Código de formación (HTW 9/15, párrafo 7.19 e ILO/IMO JTWG-SIHE 2/4, párrafo 4);
 - 2) elaboración de una nueva competencia sobre seguridad psicológica en la sección A-VI/1, y en el cuadro A-VI/1-4, del Código de formación (HTW 9/15, párrafo 7.20, e ILO/IMO JTWG-SIHE 2/4, párrafo 5);
 - 3) estudio más detenido de las disposiciones para mantener la norma de competencia en materia de prevención y respuesta a la intimidación y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales (HTW 9/15, párrafo 7.23, e ILO/IMO JTWG-SIHE 2/4, párrafo 7), y
 - 4) revisión del curso modelo 1.21 sobre seguridad personal y responsabilidades sociales.
- 4.6. En ese contexto, el JTWG observó que las reflexiones posteriores sobre estas cuestiones se hallarían sujetas al proceso de presentación y examen de propuestas del Subcomité HTW, de acuerdo con la metodología del examen amplio del Convenio y el Código de formación, con la aprobación previa del MSC.

► 5. Otros asuntos

- 5.1. Tras tomar nota de las mejores prácticas transmitidas por la delegación de Sudáfrica, el Grupo de los Armadores y el Grupo de la Gente de Mar en paralelo a la reunión, el JTWG acordó recopilar toda esa información, que figura en el anexo 2.

Agradecimientos

- 5.2. El JTWG manifestó su agradecimiento a:

- 1) la OMI, por organizar la reunión del JTWG en su sede;
- 2) la secretaría conjunta de la OIT-OMI, por la excelente asistencia brindada al JTWG, y

- 3) al Sr. Brandt Wagner (Secretaría de la OIT), que se había jubilado el 29 de febrero de 2024, último día de la reunión, por su inestimable contribución a la labor de ambas organizaciones, y le deseó una larga y feliz jubilación.

Observaciones finales

- 5.3. El JTWG tomó nota de las observaciones finales de los tres Vicepresidentes, que figuran en el anexo 3.

► 6. Informe para el MSC de la OMI y el Consejo de Administración de la OIT

- 6.1. El JTWG recomendó al MSC de la OMI que en su 108.º periodo de sesiones:

- 1) refrendara el uso de la expresión «la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales» en los instrumentos y orientaciones pertinentes de la OMI, según correspondiera, con una llamada que remitiera a la definición de «violencia y acoso» del Convenio núm.190 de la OIT (párrafo 3.5);
- 2) aceptara que no debía estudiar la posibilidad de modificar el Código IGS por el momento, aunque la introducción de enmiendas al Código IGS podría volver a plantearse ulteriormente (párrafo 3.9);
- 3) teniendo en cuenta la recomendación anterior de no modificar el Código IGS por el momento, estudiara la posibilidad de adoptar medidas para apoyar la aplicación de dicho Código, como dictar una resolución y crear nuevas orientaciones de la OMI o revisar las existentes, para abordar el tema de la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales, con miras a (párrafo 3.10):
 - 1) incorporar políticas y procedimientos para la prevención, denuncia, respuesta, aplicación de medidas correctivas y documentación de los casos de violencia y acoso, incluidos los de acoso sexual, intimidación y agresiones sexuales, en los sistemas de gestión de la seguridad, así como para el cuidado y la protección de las víctimas contra las represalias; y el establecimiento de los objetivos de gestión de la seguridad de las compañías, incluida la evaluación de los riesgos y la introducción de salvaguardias;
 - 2) especificar que los sistemas de gestión de la seguridad deberían velar por el cumplimiento de las normas y reglamentos oficiales, entre los que figuraban los requisitos nacionales en materia de violencia y acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales, y por que se observaran las orientaciones de las organizaciones del sector;
 - 3) distribuir responsabilidades entre los altos cargos de las compañías y las administraciones en la lucha contra los casos de violencia y acoso, incluidos los de acoso sexual e intimidación y las agresiones sexuales, y brindar los oportunos recursos de gestión y respuesta tanto a bordo como en tierra, incluidos unos servicios médicos que incluyeran la atención a la salud mental de las víctimas, y
 - 4) garantizar la formación y la familiarización de la gente de mar y del personal de tierra designado con las políticas correspondientes de las compañías y su aplicación.

- 4) pidiera al Subcomité HTW que examinara la propuesta del párrafo 14.2 del documento ILO/IMO JTWG-SIHE 2/3/1 relativo a la inclusión de un requisito en la regla I/5 del Convenio de formación (Disposiciones de carácter nacional) para adoptar medidas en casos de agresión sexual, en el contexto del examen amplio del Convenio y el Código de formación, y que adoptara las medidas oportunas (párrafo 3.15);
- 5) en coordinación con la OMS, a la hora de modificar la *Guía médica internacional de a bordo, tercera edición*, estudiara la posibilidad de tener en cuenta las medidas adoptadas como resultado de las recomendaciones de la reunión del JTWG, señalando que las directrices y disposiciones médicas nacionales y sectoriales también deberían ser revisadas en consecuencia (párrafo 3.19);
- 6) en relación con el lanzamiento de campañas de concienciación (párrafo 3.23):
 - 1) solicitara a las secretarías de la OIT y la OMI que coordinasen el lanzamiento de una campaña internacional, con el apoyo de los Estados Miembros de la OIT y la OMI, la gente de mar, los armadores y las organizaciones gubernamentales y no gubernamentales, con fines de sensibilización acerca de la necesidad de abordar la violencia y el acoso en el sector marítimo, incluidos el acoso sexual, la intimidación y las agresiones sexuales, como iniciativa multinivel;
 - 2) alentara a los Gobiernos a lanzar campañas nacionales, orquestadas por las administraciones, en colaboración con los interlocutores sociales y otras organizaciones nacionales, y
 - 3) invitara a todas las partes interesadas a estudiar la posibilidad de brindar apoyo mediante la aportación de fondos u otros recursos a las secretarías de la OIT y la OMI en relación con las disposiciones necesarias para llevar a cabo la campaña.
- 7) en relación con las posibles vías para facilitar la recopilación de datos (párrafo 3.26):
 - 1) solicitara a las secretarías de la OMI y la OIT que prosiguieran su labor para identificar posibles vías para recopilar datos de manera adecuada, teniendo en cuenta las cuestiones planteadas por el JTWG, y
 - 2) alentara a los Gobiernos, la gente de mar, los armadores y las demás partes interesadas a estudiar colectivamente cómo recopilar datos de manera holística, con todas las salvaguardias necesarias, en futuras reuniones.
- 8) examinara la versión revisada del texto del proyecto de enmiendas al cuadro A-VI/1-4 del Convenio de formación, el cual figura en el anexo 1, con miras a su posterior adopción (párrafo 4.4 y anexo 1).

6.2. El JTWG recomendó al Consejo de Administración de la OIT que:

- 1) refrendara el uso de la expresión «la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales» en los instrumentos y orientaciones pertinentes de la OIT, según correspondiera, con una llamada que remitiera a la definición de «violencia y acoso» del Convenio núm.190 de la OIT (párrafo 3.5);
- 2) invitara a los miembros del Comité Tripartito Especial del MLC, 2006, que se reuniría en abril de 2025, a estudiar la posibilidad de formular propuestas para enmendar el MLC, 2006, teniendo en cuenta lo dispuesto en el Convenio núm. 190, con miras a asegurar que los Estados Miembros (párrafo 3.17):
 - 1) definieran y prohibieran la violencia y el acoso a bordo, incluidos el acoso sexual, la intimidación y las agresiones sexuales;

- 2) adoptaran las políticas, medidas y programas pertinentes para prevenir y abordar estas cuestiones, especificando las responsabilidades distintas y complementarias de los Estados del pabellón, los Estados rectores del puerto, los Estados que suministran mano de obra, los armadores, la gente de mar y otras partes interesadas, según correspondiera;
 - 3) exigieran a los armadores que adoptasen las políticas y medidas pertinentes para prevenir y abordar la violencia y el acoso, incluidos el acoso sexual, la intimidación y las agresiones sexuales;
 - 4) adaptaran los mecanismos de denuncias existentes a bordo y en tierra para facilitar el acceso a un recurso efectivo en los casos de violencia y acoso, así como la protección contra la victimización y las represalias, y la defensa de la privacidad y confidencialidad de las partes involucradas, y
 - 5) mejorasen la cooperación entre los Estados del pabellón, los Estados rectores del puerto y los Estados que suministran mano de obra sobre estas cuestiones;
- 3) en coordinación con la OMS, a la hora de modificar la Guía médica internacional de a bordo, tercera edición, estudiara la posibilidad de tener en cuenta las medidas adoptadas como resultado de las recomendaciones de la reunión del JTWG, señalando que las directrices y disposiciones médicas nacionales y sectoriales también deberían ser revisadas en consecuencia (párrafo 3.19);
- 4) en relación con el lanzamiento de campañas de concienciación (párrafo 3.23):
- 1) solicitara a las secretarías de la OIT y la OMI que coordinasen el lanzamiento de una campaña internacional, con el apoyo de los Estados Miembros de la OIT y la OMI, la gente de mar, los armadores y las organizaciones gubernamentales y no gubernamentales, con fines de sensibilización acerca de la necesidad de abordar la violencia y el acoso en el sector marítimo, incluidos el acoso sexual, la intimidación y las agresiones sexuales, como iniciativa multinivel;
 - 2) alentara a los Gobiernos a lanzar campañas nacionales, orquestadas por las administraciones, en colaboración con los interlocutores sociales y otras organizaciones nacionales, y
 - 3) invitara a todas las partes interesadas a estudiar la posibilidad de brindar apoyo mediante la aportación de fondos u otros recursos a las secretarías de la OIT y la OMI en relación con las disposiciones necesarias para llevar a cabo la campaña.
- 5) en relación con las posibles vías para facilitar la recopilación de datos (párrafo 3.26):
- 1) solicitara a las secretarías de la OMI y la OIT que prosiguieran su labor para identificar posibles vías para recopilar datos de manera adecuada, teniendo en cuenta las cuestiones planteadas por el JTWG, y
 - 2) alentara a los Gobiernos, la gente de mar, los armadores y las demás partes interesadas a estudiar colectivamente cómo recopilar datos de manera holística, con todas las salvaguardias necesarias, en futuras reuniones.
- 6.3. Asimismo, el JTWG recomendó a la ITF y la ICS que procedieran a examinar sus *Directrices para erradicar el acoso y la intimidación en los buques* publicadas en 2016 y que las actualizaran en la medida en que fuera necesario con arreglo a las medidas adoptadas por los órganos de la OMI y la OIT como resultado de las recomendaciones dimanantes del JTWG.

► **Anexo 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).

► Anexo 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 (ITF)

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 behaviors 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 DB 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: Act! 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.

► Anexo 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 Hounbo, 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 Hounbo 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 wellbeing 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 organization 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 also would 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 behaviours, 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 behaviours 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 labour-supplying country in the maritime industry. Filipino seafarers comprise about an average of 25 per cent 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 Government 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 Government group

The Government group thanks all submitters of documents under this item, namely, ILO-IMO JTWG-SIHE 2/3 and 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 and 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 Government 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 organizations,

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 Government 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 Seafarer 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 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 co-operated 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 – under-represented 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 organizations 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 Seafarer 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 Government 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 manoeuvres 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 organizations, 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