

JOINT ILO/IMO TRIPARTITE
WORKING GROUP TO IDENTIFY AND
ADDRESS SEAFARERS' ISSUES AND
THE HUMAN ELEMENT
2nd meeting
Agenda item 3

ILO/IMO JTWG-SIHE 2/3/2
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**CONSIDERATION OF FUTURE STEPS, E.G. LEGISLATION, MECHANISMS AND
POLICIES FOR REPORTING AND ADDRESSING OF BULLYING AND HARASSMENT,
INCLUDING SEXUAL ASSAULT AND SEXUAL HARASSMENT (SASH),
IN THE MARITIME SECTOR**

**An industry perspective on addressing harassment and bullying
in the maritime sector**

Submitted by ICS

SUMMARY

<i>Executive summary:</i>	This document provides an industry perspective on harassment and bullying in the maritime sector, with a focus on legislation, guidelines, policies and studies. Its purpose is to provide background and guidance for the meeting and assist with the development of effective actions aimed at eliminating harassment and bullying from the maritime sector.
<i>Action to be taken:</i>	Paragraph 20
<i>Related documents:</i>	ILO Maritime Labour Convention, 2006, as amended; the International Chamber of Shipping and the International Transport Workers' Federation Guidance on eliminating shipboard harassment and bullying, 2016; ILO Violence and Harassment Convention, 2019 (No. 190)

Introduction

1 This document is submitted in accordance with the established procedures for the submission of documents to this second meeting of the Joint ILO/IMO Tripartite Working Group to Identify and Address Seafarers' Issues and the Human Element, as provided under paragraph 1.1 of document ILO/IMO JTWG-SIHE 2/1 (Provisional Agenda).

Background

2 In recent years, the issues of harassment and bullying in the workplace have been highlighted as subjects of serious concern, impacting many (if not all) sectors and industries ashore and at sea. The maritime sector takes these issues very seriously. As a ship is often a seafarer's home for many months, harassment and bullying can be of concern given the

shipboard living and working environment, isolation, size and proximity of cabins and the necessity to remain at the workplace during rest periods.

ICS/ITF Guidance on Eliminating Shipboard Harassment and Bullying

3 The joint ICS/ITF *Guidance on Eliminating Shipboard Harassment and Bullying*, 2016 is a key component of the maritime sector's global and holistic approach to eliminating harassment and bullying from ships. Importantly, the Maritime Labour Convention, 2006, as amended (MLC, 2006) recognizes the negative impact that harassment and bullying can have on seafarers. MLC, 2006 guideline B4.3.1.1 recommends that competent authorities take account of the guidance when implementing their responsibilities under standard A4.3 ("Health and safety protection and accident prevention").

4 ICS believes that the guidance should be reviewed jointly with ITF at regular intervals and revised as appropriate. It is envisaged that, among other things, a review of the ICS/ITF guidance will take into account lessons learned and any recommendations arising from this joint ILO/IMO meeting. Revised guidance might also include templates to help companies implement effective policies and other complementary measures, including guidance on how these can be developed, implemented and enforced, through internal monitoring, prevention and reporting policies and corrective action. It might also include means in which trade unions and governments can contribute to the elimination of shipboard harassment and bullying.

ILO global survey findings

5 In December 2022, the International Labour Organization (ILO) – alongside Lloyd's Register Foundation (LRF) and Gallup – published a first-of-its-kind global survey and analysis on experiences of violence and harassment at work. The ILO-LRF-Gallup report found that "one in five people (almost 23%) in employment have experienced violence and harassment at work, whether physical, psychological or sexual".

6 Although the data from the global survey on "Experiences of Violence and Harassment at Work" does not appear to cover cases on board ships, the figures do point to a need for all industries and sectors to ensure that they do the utmost to prevent harassment and bullying. This includes having suitable policies and complementary measures in place to address the issue. Other notable findings from the report, potentially pertinent in a shipping context, include:

- .1 women were more likely to share their experiences than men (60.7% compared to 50.1%);
- .2 most common reasons provided for non-disclosure were "waste of time" and "fear for their reputation";
- .3 globally, 17.9% of employed men and women said they had experienced psychological violence and harassment in their working life;
- .4 8.5% had faced physical violence and harassment, with more men than women experiencing this;
- .5 6.3% of survey respondents reported facing sexual violence and harassment, with women being particularly exposed;

- .6 young women were twice as likely as young men to have faced sexual violence and harassment; and
- .7 more than three out of five victims reported experiencing violence and harassment at work multiple times, and for the majority, the most recent incident took place within the last five years.

7 The abovementioned ILO report, which recognizes the difficulties in measuring violence and harassment at work (e.g. due to under-reporting, among other things), lays bare the magnitude of the task ahead, to end workplace harassment and bullying. Seafarers are just as vulnerable as shore workers to the physical and psychological impacts of these actions.

Maritime sector-specific data on harassment and bullying

8 Global data on harassment and bullying on board ships does not appear to be easily accessible or available. However, some recent analyses and reports do attempt to take stock of the impact they are having on the maritime sector. Although the reports mentioned below do have notable limitations – including the fact that they are based on information collected from a small proportion of the nearly 2 million seafarers worldwide – they are nevertheless helpful in providing some insight in the context of the maritime sector.

ISWAN Insights report: spotlights on Q1, Q2 and Q3 2023

9 The International Seafarers' Welfare and Assistance Network (ISWAN) – of which ICS is a member – offers practical, emotional and wellbeing support for seafarers, yacht crew members and their families around the world 24 hours a day, 365 days a year. ISWAN operates two helpline services: one for merchant seafarers, named "SeafarerHelp" and the other for those working on board superyachts, called "Yacht Crew Help". Anonymised data is generated from these helplines to show the numbers of seafarers and yacht crew members raising concerns related to "abuse, bullying, harassment, discrimination or violence (ABHDV)". The ISWAN Insights reports published in 2023 suggest percentage increases in the number of calls to the SeafarerHelp service related to ABHDV in Q1, Q2 and Q3 of last year.

10 ICS fully recognizes the difficulties to measure ABHDV at work in general and the maritime sector is no exception. In this context, while ICS is broadly supportive of ISWAN's efforts, there are some limitations to that data as it is currently published, which need to be taken into account, so that the trends they highlight become clearer in future. ISWAN and ICS discussed the underlying numbers and it was concluded that much more work is needed before their SeafarerHelp service data can be considered as an accurate representation of any potential global trend. This includes, for example, making publicly available the underlying numbers underpinning their data, rather than highlighting only percentage increases or decreases. On the other hand, whilst statistics showing incidences and trends are useful, the need for action to tackle and eliminate harassment and bullying in all its forms is well recognized. There is no acceptable level.

Danish Maritime Authority report: Bullying and harassment in the Danish merchant fleet (2023 report)

11 The report of a study carried out in 2023 by the Danish Maritime Authority (DMA) into bullying and harassment in the Danish merchant fleet presents results limited to bullying and harassment data based on "a total number of 3,470 seafarers [who] answered the questionnaire in full or in part, corresponding to a response rate of 21.7%".

- 12 The DMA report, among other things, found that:
- .1 17% of respondents reported exposure to bullying;
 - .2 10% of respondents have been exposed to harassment;
 - .3 young and less experienced seafarers are more likely to be victims of bullying and harassment;
 - .4 bullying most often occurs between colleagues with the same rank;
 - .5 harassment is more likely to be undertaken by a superior towards a subordinate; and
 - .6 bullying and harassment is more prevalent on cargo vessels in international trade than on vessels in trades with short voyages.

ILO Violence and Harassment Convention, 2019 (No. 190)

13 ICS recognizes the need for a holistic approach in combating harassment and bullying and believes that the ILO Violence and Harassment Convention, 2019 (No. 190) is a key part of the holistic approach that is needed. This is the first international labour standard to address violence and harassment in the world of work, providing a common global framework for action. It applies to all sectors and industries – including the maritime sector (unless there is a specific exemption issued by a State).

14 This landmark instrument will be indispensable in helping to achieve the ILO Centenary Declaration on the Future of Work, 2019, which commits to a world of work free from violence and harassment. ICS, its global network of shipowners and operators and its industry partners are fully committed to ensuring that the spirit of Convention No. 190 and the essence of the Centenary Declaration are fully reflected in the actions being taken to effectively address harassment and bullying in the maritime sector.

15 For example, in the recently agreed terms (2024-2027) of the International Bargaining Forum (IBF) – between seafarers' unions and maritime employers – which negotiates the world's largest global collective bargaining agreement; in addition to significant wage increases, the deal struck in September 2023 also includes provisions for dozens of workplace protections and improvements for over 250,000 seafarers serving on more than 10,000 vessels. Among these are references to Convention No. 190, to reinforce a joint commitment between seafarers and employers, to provide safe workplaces free of violence, discrimination and harassment for all seafarers.

16 ICS therefore hopes to see expedited universal action towards ratification and implementation of Convention No. 190.

Notable MLC, 2006 provisions aimed at ILO Member States concerning the elimination of harassment and bullying from ships

17 In addition to MLC, 2006 guideline B4.3.1.1, guideline B4.3.1.4 recommends that competent authorities ensure that the implications for health and safety are taken into account in amongst other areas, harassment and bullying. Meanwhile, MLC, 2006 guideline B4.3.6.2(g), recommends that "problems arising from harassment and bullying" be included in

the list of matters for which ILO Member States, through their respective competent authorities, should undertake investigations.

Conclusions and recommendations

18 ICS acknowledges that the primary responsibility for devising and implementing policies to eliminate harassment and bullying from ships lies with shipowners (i.e. the persons responsible for crew terms and conditions and HR policies), while trade unions, governments and regulators also have important roles to play. A collaborative approach, involving social partners, should be the favoured method of promoting appropriate shipboard cultures where all seafarers are treated with dignity and respect.

19 Meanwhile, national civil and criminal codes should be examined to ensure that they provide victims with effective rights of action, whilst being dissuasive and corrective towards perpetrators. The ability of a victim of harassment or bullying to report an incident that they have suffered is essential, but the process of reporting and the manner in which they are subsequently treated must not deter reporting.

Action requested of the JTWG

20 The JTWG is invited to consider the perspectives provided in this document, including the conclusions and recommendations set out in paragraphs 18 and 19 above, and take action as appropriate.
