



Second Meeting of the Joint ILO–IMO Tripartite Working Group to identify and address seafarers' issues and the human element

London, 27–29 February 2024

► Report to IMO Maritime Safety Committee and the ILO Governing Body

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

1. endorse the use of the terminology "violence and harassment, including sexual harassment, bullying and sexual assault" in relevant IMO instruments and guidance, as appropriate, with an associated reference to the definition of "violence and harassment" in the ILO Violence and Harassment Convention, 2019 (No. 190) (paragraph 3.5);
2. agree that it should not consider amending the ISM Code, at this stage, but consideration of amendments to the ISM Code could be revisited at a later stage (paragraph 3.9);
3. taking into account the above recommendation to not amend the ISM Code at this stage, consider, the adoption of measures in support of the implementation of the ISM Code, in the form of a resolution and/or, by revising existing or developing new IMO guidance, to address the issue of violence and harassment, including sexual harassment, bullying and sexual assault, in order to (paragraph 3.10):
 - (a) incorporate policies and procedures for the prevention of, reporting of cases of, response to, corrective action for and documentation of violence and harassment, including sexual harassment, bullying and sexual assault, in safety management systems, including victim care and protection against retaliation; and the establishment of the company's safety management objectives, including the assessment of risks and establishment of safeguards;
 - (b) specify that safety management systems should ensure compliance with mandatory rules and regulations, including national requirements on violence and harassment, including sexual harassment, bullying and sexual assault, and that guidance from the industry organizations is observed;
 - (c) apportion responsibilities on Company's senior management and Administrations on addressing cases of violence and harassment, including sexual harassment, bullying and sexual assault, and provide adequate resources for shipboard and shoreside management and response, including medical care which includes mental health support for victims; and



- (d) ensure training and familiarization of seafarers and designated shoreside personnel on relevant Company's policies and their implementation.
- 4. instruct the HTW Sub-Committee to consider the proposal in paragraph 14.2 of document ILO/IMO JTWG-SIHE 2/3/1, on the inclusion of a requirement in STCW regulation I/5 (National provisions) to take action in cases of sexual assault, in the context of the comprehensive review of the STCW Convention and Code, and take action as appropriate (paragraph 3.15);
- 5. consider, in coordination with WHO, when amending the International Medical Guide for Ships, 3rd edition, taking into account the actions taken as a result of the recommendations of the JTWG, noting that relevant industry and national medical guidelines or provisions should also be revised, accordingly (paragraph 3.19);
- 6. in relation to the launching of awareness campaigns (paragraph 3.23):
 - (a) request the ILO and IMO Secretariats to coordinate the launching of an international campaign, with the support of ILO and IMO Member States, seafarers, shipowners, governmental and non-governmental organizations, to raise awareness on the addressing violence and harassment in the maritime sector, including sexual harassment, bullying and sexual assault, as a multi-level approach;
 - (b) encourage Governments to launch national campaigns, which should be orchestrated by Administrations, in collaboration with social partners and other national organizations; and
 - (c) invite all stakeholders to consider supporting by means of funding and/or other resources the ILO and IMO Secretariats in relation to the arrangements for the campaign;
- 7. in relation to the potential ways to facilitate the collection of relevant data (paragraph 3.26):
 - (a) request the IMO and ILO Secretariats to continue their work on potential ways for collecting data on an appropriate manner, taking into account the concerns expressed by the JTWG; and
 - (b) encourage Governments, seafarers, shipowners and all stakeholders to consider collectively how to collect data holistically, with every necessary safeguard in future meetings; and
- 8. consider the revised text of the draft amendments to table A-VI/1-4 of the STCW, as set out in annex 1, with a view to subsequent adoption (paragraph 4.4 and annex 1).

B. The JTWG recommended that the ILO Governing Body:

- 9. endorse the use of the terminology "violence and harassment, including sexual harassment, bullying and sexual assault" in relevant ILO instruments and guidance, as appropriate, with an associated reference to the definition of "violence and harassment" in the ILO Violence and Harassment Convention, 2019 (No. 190) (paragraph 3.5);



10. invites the members of the ILO Special Tripartite Committee of the MLC, 2006 (STC), to be held in April 2025, to consider submitting proposals to amend the MLC, 2006, taking into account the provisions in Convention No. 190, in order to ensure that Member States (paragraph 3.17):
 - (a) define and prohibit shipboard violence and harassment, including sexual harassment, bullying and sexual assault;
 - (b) adopt relevant policies, measures and programmes to prevent and address these issues, specifying the different and complementary responsibilities of flag States, port States, labour-supplying States, shipowners, seafarers and other relevant stakeholders, as appropriate;
 - (c) require shipowners to adopt relevant policies and measures to prevent and address violence and harassment, including sexual harassment, bullying and sexual assault;
 - (d) adapt existing onboard and onshore complaints mechanisms to provide easy access to effective remedies in cases of violence and harassment, including the protection against victimization or retaliation and of the privacy and confidentiality of those involved; and
 - (e) enhance cooperation among flag States, port States and labour-supplying States on these issues.
11. consider, in coordination with WHO, when amending the International Medical Guide for Ships, 3rd edition, taking into account the actions taken as a result of the recommendations of the JTWG, noting that relevant industry and national medical guidelines or provisions should also be revised, accordingly (paragraph 3.19);
12. in relation to the launching of awareness campaigns (paragraph 3.23):
 - (a) request the ILO and IMO Secretariats to coordinate the launching of an international campaign, with the support of ILO and IMO Member States, seafarers, shipowners, governmental and non-governmental organizations, to raise awareness on the addressing violence and harassment in the maritime sector, including sexual harassment, bullying and sexual assault, as a multi-level approach;
 - (b) encourage Governments to launch national campaigns, which should be orchestrated by Administrations, in collaboration with social partners and other national organizations; and
 - (c) invite all stakeholders to consider supporting by means of funding and/or other resources the ILO and IMO Secretariats in relation to the arrangements for the campaign.
13. in relation to the potential ways to facilitate the collection of relevant data (paragraph 3.26):
 - (a) request the IMO and ILO Secretariats to continue their work on potential ways for collecting data on an appropriate manner, taking into account the concerns expressed by the JTWG; and
 - (b) encourage Governments, seafarers, shipowners and all stakeholders to consider collectively how to collect data holistically with every necessary safeguard, in future meetings.



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► ILO/IMO JTWG-SIHE 2/6
(extract)

- C. **The JTWG recommended that ITF and ICS** carry out a review of their Guidance on eliminating shipboard harassment and bullying, 2016, and update it, as necessary, in accordance with the actions taken by IMO and ILO bodies as a result of the recommendations emanating from the JTWG.