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HUMAN ELEMENT, TRAINING AND WATCHKEEPING

Campaign to promote the implementation of international policies and measures to combat harassment and bullying in the maritime industry

Submitted by France, Panama, ICS and ITF

SUMMARY

Executive summary: This document proposes that the International Maritime Organization (IMO), with the support of Member States and governmental and non-governmental organizations, initiate a campaign to promote the implementation of policies and measures to combat harassment and bullying in the maritime industry. Also, the Member States of this Organization are urged to adopt and implement measures and formulate legislation at the national level to protect seafarers from harassment and bullying in the workplace.

Strategic direction, if applicable: 6

Output:

Action to be taken: Paragraph 17

Related documents: HTW 8/16; C 125/WP.1/Rev.1 and C 125/WP.7

Introduction

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC-MEPC.1/Circ.5/Rev.2) and provides comments on document HTW 8/16.

2 The Committee will recall that the Sub-Committee on Human Element, Training and Watchkeeping (HTW Sub-Committee), at its eighth session, recognized that psychological safety, mental health and well-being, as well as sexual assault and sexual harassment, were issues of serious concern in the maritime sector that required coordinated action by relevant organizations such as the International Labour Organization (ILO) and IMO (HTW 8/WP.1/Rev.1, paragraph 3.11.1). In addition, HTW 8 invited Member States and international organizations to submit relevant proposals to the Maritime Safety Committee to address the subject in question.

3 In view of the need in the maritime industry to implement international regulations and policies to combat harassment and bullying, the Republic of Panama considers it opportune at this juncture to take concrete measures to combat this issue.

Background

4 Harassment and bullying are considered substantial problems in the maritime industry for both men and women, who have been victims of this situation for years. It is important to highlight that seafarers' work performance is affected by direct and indirect workplace, sexual, physical and psychological harassment, putting operations on board ships and the lives of our seafarers at risk.

5 Studies have shown that harassment and bullying in the workplace have been increasing over the years due to the lack of international policies and standards to prevent and address this issue in the maritime industry. An article entitled "Workplace bullying and harassment at sea: A structured literature review", published in December 2016 by Kalmar Maritime Academy, Linnaeus University, Sweden, points out that, since the publication of the first study in 1995, no significant changes have been achieved in this matter.¹ The authors concluded that prevalence rates of workplace harassment and bullying at sea ranged from 8% to 25% of all seafarers and over 50% of these were women, which is alarming.

6 Although many States are implementing policies at the national level, the need for international standards for the maritime industry aimed at protecting seafarers on board is imperative.

7 International bodies such as the International Chamber of Shipping (ICS) and the International Transport Workers' Federation (ITF) have joined forces to address onboard harassment and bullying and have developed guidelines to eliminate them, which undoubtedly serves as a basis for developing international policies to combat onboard harassment and bullying. In addition, it helps seafarers to distinguish the different types of harassment to which they may be exposed and how to deal with them.² It should be noted that both organizations have shown interest in addressing this issue as they have determined that both harassment and bullying are unacceptable.

8 It is important to highlight that, while the progress made has not been significant, some steps have been taken within the industry at the international level to protect seafarers; that is why on 8 January 2019 the amendments to Regulation 4.3 of the Maritime Labour Convention, 2006 (MLC 2006) on "Health and safety protection and accident prevention", specifically at Guideline B4.3.1 "Provisions on occupational accidents, injuries and diseases", came into effect whereby the most recent version of the guidelines developed by ICS and ITF (*Guidance on eliminating shipboard harassment and bullying*) should be taken into account in order to enforce the provisions required under Standard A4.3 of the said regulation and require that Governments address harassment and bullying by adopting legislation that guarantees the safety and health of seafarers on board ships that fly their flag.

9 Furthermore, the International Labour Organization, taking into consideration the increase in cases of harassment and bullying in the workplace, adopted in June 2019 at the International Labour Conference (ILC) the first international treaty on violence and harassment in the world of work, which entered into force on 25 June 2021, recognizing that everyone has the right to a world of work free from violence and harassment.

¹ <https://www.sciencedirect.com/science/article/pii/S0308597X21005212>

² <https://www.itfglobal.org/media/1279810/harassment-guide.pdf>

10 To date, some actions have been taken to address this situation; however, much remains to be done.

Discussion

11 The International Maritime Organization, through resolution A.1110(30) adopted on 6 December 2017, approved the Strategic Plan of the Organization for the six-year period 2018 to 2023, stating in paragraph 6 of the said resolution that:

"IMO, in all aspects of its work, will take into account the needs and well-being of seafarers and, in doing so, will always attach the utmost importance to education and training, as well as the promotion of gender equality and the empowerment of women."

12 In addition, the Committee will recall that the Council at its 125th session approved the inclusion of a new strategic direction on the human element within the Strategic Plan of the Organization for the six-year period 2018 to 2023, which was adopted by A 32 (2021) through resolution A.1149(32). With the inclusion of SD 6: Address the human element, the Organization highlights the importance of addressing human element-related issues within the Organization, while recognizing that the human element is a key element of the safety of life at sea and the protection of the marine environment.

13 Therefore, IMO must ensure a fair and healthy working environment for seafarers. For this reason, the co-sponsors of the present document would like to highlight the role of the Organization in implementing and promoting measures and standards that ensure the well-being of seafarers on board, with the main purpose of achieving the goals set out in SDG 8: Decent work and economic growth of the 2030 Agenda for Sustainable Development.

14 A series of proposals are set out in the following paragraphs that will serve as a basis for the future work of IMO.

Proposal

15 It is proposed that IMO, with the support of Member States and governmental and non-governmental organizations, initiate a campaign to promote the implementation of international policies to combat harassment and bullying in the maritime industry.

16 This campaign can be carried out through publishing infographics and videos against harassment and bullying on all social networks or digital platforms of the Organization, as was done by ILO to promote the ratification of the Violence and Harassment Convention, 2019; and also through promoting a zero tolerance policy, taking into consideration the potential of social networks for disseminating information and conveying the message worldwide; the main aim being to raise awareness among all parties involved in the maritime sector about this problem, which directly affects people's mental and emotional health and can cause physical injury, social and emotional problems and, in many cases, even death.

Action requested of the Committee

17 The Committee is invited to consider the proposal in paragraph 15 and, in particular, to:

- .1 invite Member States to implement a mechanism for reporting, monitoring and following up cases of harassment and bullying both on board and ashore;

- .2 encourage Member States to share information with the Joint ILO/IMO Tripartite Working Group to Identify and Address Seafarers' Issues and the Human Element on reported cases of harassment and bullying both ashore and on board and on the corrective actions taken to address this situation;
 - .3 urge Member States to adopt policies and legislation at the national level to protect seafarers from harassment and bullying, thereby safeguarding the well-being of crew members on board regardless of gender, sexual orientation, nationality, religion, culture or ethnicity, and thus ensuring the safety and dignity of seafarers in their workplace; and
 - .4 urge shipping companies to implement internal monitoring, reporting and prevention policies and procedures aimed at eliminating all forms of harassment and bullying on board ships, and to take corrective action against individuals who engage in unacceptable behaviour and practices of this nature, which have serious consequences for the physical and mental health of seafarers.
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