

**Sectoral Meeting on the Recruitment and Retention
of Seafarers and the Promotion of Opportunities
for Women Seafarers**Geneva
25 February–1 March 2019

**Conclusions on the recruitment and retention
of seafarers and the promotion of
opportunities for women seafarers**

The Sectoral Meeting on the Recruitment and Retention of Seafarers and the Promotion of Opportunities for Women Seafarers,

Having met in Geneva from 25 February to 1 March 2019,

Adopts this first day of March 2019 the following conclusions:

Introduction

1. Shipping is the engine of global trade, carrying over 90 per cent of world trade in terms of tonnage and the movement of millions of passengers. Suitably qualified seafarers are essential to achieving safe, secure, environmentally sound and efficient shipping. The sustainability of this dynamic sector depends on the ability to continue to attract a sufficient number of quality new entrants and retain experienced seafarers, including women seafarers and other under-represented groups. This calls for a creative approach involving the social partners and all other relevant stakeholders to achieve both meaningful and viable solutions.
2. The Global Commission on the Future of Work ¹ has examined opportunities that arise as the world of work continues to transform and makes recommendations on how to address the key challenges for the future of work. Its report discusses how advancement in gender equality, seizing the opportunities presented by technological change and effective social dialogue can promote decent and sustainable work.

¹ ILO: *Work for a brighter future – Global Commission on the Future of Work*, Geneva, 2019.

Recruitment and retention of seafarers

3. There are many positive and attractive aspects to a maritime career. However, there are also challenges and issues that may dissuade some new entrants and may also cause experienced seafarers to leave the seagoing profession. The projected seafarer shortage, in particular the shortage of officers, calls for promoting decent work and good practices, addressing problem areas to ensure that there are qualified and motivated seafarers in the future. Many issues impact seafarers' happiness, as set out in the Seafarers Happiness Index, 2018,² and may be factors in the recruitment and retention of seafarers.

Cadet and trainee berths

4. Cadets and trainees on ships covered by the Maritime Labour Convention, 2006, as amended (MLC, 2006), are to be considered seafarers under the definition in the Convention. The experience they gain from their assignments as cadets and trainees is an essential element for ensuring that they are prepared and qualified for their duties as required by the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW). However there are not always sufficient berths for cadets and trainees. Some ships lack the space to accommodate their cadets and trainees on board, as ships tend to be designed with a view to maximizing space for cargo and minimizing port levies calculated according to the ship's gross tonnage, which is based on the International Convention on Tonnage Measurement of Ships, 1969 (TM Convention) of the International Maritime Organization (IMO). There are several stakeholders with a role in addressing the complex issue of ensuring cadet and trainee berths, including shipowners, who are to provide sufficient quality berths, where possible; seafarers' organizations who are representing the interests of their members; maritime education and training institutions (METs), which are to provide quality trainees and cadets; and governments, which are to approve the training programmes.

Recruitment and placement

5. Though the MLC, 2006, in Regulation 1.4 contains extensive provisions on the regulation of recruitment and placement of seafarers, there remains inconsistency in law and practice in how such services are regulated and operated, and guidance is needed for States in which such services operate and for flag States of ships employing seafarers using such services. For example, the negative impact of some recruitment and placement services sending replacement crews to abandoned ships, knowing that the replacement crew will face payment problems, should be addressed.

Automation and digitalization

6. Discussions around automation and technological innovations often revolve around the issues of job creation and destruction and the need for reskilling. While automation could free seafarers from hazardous, monotonous labour and reduce work-related stress and potential injuries, there are concerns that these developments could lead to further reduction in the size of crews. A human-centred approach to automation, based on social dialogue, would ensure decent jobs and gradual shifting in roles. Reskilling, upskilling and new skills are essential to ensure the sustainability of the sector.

² The Mission to Seafarers: *Seafarers Happiness Index, Quarter 2, 2018, 2018.*

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7. These changes are evolutionary not revolutionary, and may eventually lead to certain operational tasks being shifted ashore. The cost of upgrading skills should be borne by shipowners, labour-supplying States or METs. Seafarers should be encouraged to understand their role in the importance of lifelong learning. E-learning, at sea or ashore, may be used to aid in this training, provided such activity does not reduce rest hours of seafarers. It is important to raise awareness among seafarers that their jobs could evolve in the face of these changes. Alongside technical training, consideration should be given to providing seafarers with training on the differences between shore-based and sea-based work.

Loneliness and isolation, and social media and internet connectivity

8. Loneliness and isolation are serious issues for seafarers and may constitute one of the reasons why some of them may leave seafaring professions and why young people may not consider a career at sea. Reduced crewing of vessels, which means fewer people to socialize with on board, increased working time, stress, long periods at sea and other factors, including language and cultural barriers, contribute to increased isolation and therefore result in dissatisfaction with living conditions and in mental health issues. Social media and internet connectivity, provided by shipowners at no or reasonable cost, may help solve these issues and is particularly important for attracting young seafarers. However, there are some concerns that unlimited access could also contribute to less social interaction on board ship. Human social interaction should be encouraged.
9. Awareness-raising of mental health issues is necessary. Some seafarers fear losing their jobs if they ask for assistance. Seafarers should therefore have access to independent, confidential helplines and professional counselling when faced with such issues. There are good examples of such hotlines in operation. Seafarer welfare services in ports remain important means of countering isolation, and new forms for networking among young seafarers, at sea and ashore, should be encouraged. The *Guidelines for implementing the Welfare aspects of the Maritime Labour Convention, 2006*,³ should be widely disseminated in many different languages. Shipowners and seafarers should pay particular attention to the effects of long trips or contracts on mental health.

Governmental responsibilities towards seafarers in relation to issues such as abandonment, criminalization and shore leave

Abandonment

10. The 2014 amendments to the MLC, 2006, introducing a financial security certificate for cases of abandonment have had a positive impact on the timely resolution of such cases. However, problems persist, in particular with regard to countries that have not ratified the MLC, 2006. There is a need for capacity-building with respect to those States.
11. If the shipowner fails to make arrangements for, or to meet the cost of repatriation, the flag State has the primary responsibility to repatriate the abandoned seafarers. If it fails to do so in a timely fashion, the port State or the State of which they are a national may arrange for the repatriation. The port State or coastal State or State of nationality is responsible for facilitating the repatriation of seafarers. Enhanced expedited communication and cooperation between the flag State, the port State, the labour-supplying State and social

³ The International Chamber of Shipping (ICS) and the International Transport Workers' Federation (ITF) have jointly released new *Guidelines for implementing the Welfare aspects of the Maritime Labour Convention, 2006*.

partners is therefore crucial. Other good practices identified are: the designation and publication of a contact person and contact details within the Government of the flag State, port State and State of nationality and the establishment and use of port welfare committees in various ports.

Criminalization

12. Seafarers are at risk of criminalization following maritime disasters, incidents, accidents at sea or while in port. Some seafarers have also been criminalized on suspicion of participation in maritime crime despite being unaware of such illegal activities on board. As a result, they may face detention for long periods of time and lack of compensation. The risk of criminalization is exacerbated by various factors including language and cultural barriers, different legal systems and insufficient knowledge of criminal proceedings and legal recourse. This situation has a negative impact on seafarers and their families, as well as on the attractiveness and therefore the sustainability of the shipping industry.
13. Seafarers are entitled to fair treatment including access to legal services, appropriate consular protection and due process at all times.

Shore leave

14. Access to shore leave and shore facilities around the world is a right and fundamental to attracting young seafarers and is vital for the general well-being of seafarers and is part of the appeal of the seafaring profession. However, they continue to experience difficulties due to security restrictions and visa requirements. In addition, quick turnaround times and strict schedules are limiting the possibility for seafarers to exercise these rights. Seafarers, and in particular new hires, including cadets and trainees, also face difficulties in obtaining visas that enable transiting through certain ports and terminals.

Government incentives to shipowners for the retention of seafarers

15. Government programmes can encourage the recruitment and development of seafarers, such as subsidy programmes for training or tax incentives.

Equal opportunities and treatment of seafarers, including women seafarers

16. The prohibition of discrimination in employment and occupation, as one of the ILO's fundamental principles and rights at work, should be treated in a holistic manner and address diversity as a whole. All seafarers regardless of race, colour, sex, religion, political opinion, national extraction or social origin, as well as nationality, gender and sexual orientation have the right to equal opportunities and treatment.

Women seafarers

17. A one-size-fits-all approach to combat the discrimination of women seafarers is not realistic since there are notable differences in the life at sea of women across different types of ships, cultures and different trading patterns.
18. Publications, job advertisements and other information produced by shipowners and others are not always adapted to attract both women and men seafarers.

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19. One of the biggest challenges is ensuring diversity in the hiring of seafarers. In many cases, women graduate with excellent results from METs but sometimes see their job applications being turned down systematically. Good practices may include: the publication of guidelines on equal employment opportunities; and the calculation of an annual index on gender equality for companies with more than 50 workers, engaging in awareness-raising and identification of barriers when the figure falls below a certain threshold.
 20. Mandatory pregnancy testing, as part of the pre-employment medical examination of seafarers, is a concern for many women seafarers. There are Members that have equality and anti-discrimination legislation which prohibits the employer from asking a worker or a potential worker whether she is pregnant or other questions that are considered to be discriminatory. Under such legislation a mandatory pregnancy test would be prohibited. Other Members' legislation require pregnancy testing in accordance with national law; however, this information is not released to the employer. Mandatory pregnancy testing shall not be used to discriminate against women as this would violate the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Maternity Protection Convention, 2000 (No. 183). At the same time, maternity protection falls within the shipowner's duty of care and their legitimate concern for seafarers' safety. The ILO/IMO *Guidelines on the medical examinations of seafarers*⁴ contain guidance in respect of pregnancy. This issue requires further research and deliberation among maritime tripartite constituents and medical experts.

Harassment and bullying

21. There should be zero tolerance to harassment and bullying, including sexual harassment. Governments should take a proactive approach with respect to the elimination of harassment and bullying. The 2016 amendments to the MLC, 2006, include a reference to the ICS/ITF *Guidance on eliminating shipboard harassment and bullying*.⁵ The operationalization of the guidance and its practical implementation at the national level can help change shipboard cultures and develop a working environment in which all seafarers are treated with dignity and respect. Effective policies and timely response to complaints relating to harassment and bullying would render the industry more attractive to potential seafarers.
22. Means to effectively address harassment and bullying could include an independent hotline or reporting process ("safe space"), sensitization and diversity training of all cadets and trainees and seafarers, as well as, potentially, amendments to relevant ILO instruments for seafarers.

Age discrimination

23. Older seafarers can encounter difficulties to find employment. Seafarers, regardless of their age, are entitled to equal employment opportunities based on skills and qualifications and equal treatment on board. Good practices may include the promotion of crew balance in terms of age, reskilling and schemes for transition to shoreside jobs.

⁴ ILO/IMO: *Guidelines on the medical examinations of seafarers*, Geneva, 2013.

⁵ ICS/ITF: *Guidance on eliminating shipboard harassment and bullying*, London, 2016.

Social dialogue

24. Effective social dialogue mechanisms in all forms are essential to address the challenges and opportunities concerning the recruitment and retention of seafarers and to provide equal opportunities to people vulnerable to discrimination. Collective bargaining agreements or other measures are used to encourage and facilitate the employment of cadets and trainees while protecting their rights as well as the rights of other seafarers.
25. It is essential to give women seafarers and all groups vulnerable to discrimination a voice and to ensure that they are active participants in decision-making, in particular on matters that concern them. Greater representation by these groups in social dialogue is essential.

Recommendations for future action by the International Labour Organization, governments, shipowners' and seafarers' organizations and others

26. Tripartite constituents in the maritime sector should actively engage in effective social dialogue in its various forms including in cross-border social dialogue in order to advance areas of common interest and to promote decent work and sustainable employment. In order to guarantee a sustainable future for the industry, they should jointly address all issues related to the recruitment and retention of seafarers and the promotion of opportunities for women seafarers.
27. Governments and social partners must ensure that the fundamental principles and rights at work and relevant international labour standards, in particular those related to equality of treatment and equal opportunities, protect and are applied to all seafarers.
28. Governments should assist the International Labour Office to provide development cooperation for non-ratifying countries of the MLC, 2006.
29. Governments of flag States, port States, labour-supplying States and States in which recruitment and placement agencies operate should:
 - ratify and effectively implement the MLC, 2006, and other instruments relevant to the shipping sector, including the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185);
 - ensure that national laws, regulations, policies and other measures use language that is gender neutral so as to encourage equal opportunities in the sector and take a proactive approach with respect to the elimination of harassment and bullying;
 - encourage the establishment of welfare boards in their territory and establish welfare facilities in ports;
 - facilitate the transit of and shore leave for seafarers;
 - effectively and in a timely manner discharge their obligations towards seafarers in cases of criminalization, piracy and armed robbery against ships, and provide adequate support in migrant rescue and abandonment;
 - facilitate the expedited repatriation of abandoned seafarers.

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- 30.** Governments should ensure policy coherence and effective coordination among government agencies both at the national and international levels, in general, and in particular, the alignment of requirements of Education and Transport national departments for the development of training programmes in accordance with the STCW.
- 31.** Governments should ensure that recruitment and placement services operating in their territory effectively establish a system of protection to ensure they are able, by way of insurance or any equivalent appropriate measure, to compensate seafarers for monetary loss they may incur as a result of the failure of a recruitment and placement service or the relevant shipowner under the seafarers' employment agreement to meet its obligations to them (as required by the MLC, 2006).
- 32.** Shipowners and Seafarers should:
- consider widely disseminating, in not only English but also other languages, guidance, including ICS–ITF publications, concerning bullying and harassment, seafarers' welfare and other issues;
 - market opportunities for women in positions at sea and ashore, in order to ensure that the perspective of women and women seafarers is taken up in company and trade union policies and social dialogue for the promotion of opportunities for women seafarers;
 - identify role models and establish mentoring and networking programmes for women seafarers and groups vulnerable to discrimination, provide training to break down misconceptions, highlight gender equalities and establish policies of zero tolerance on bullying and harassment;
 - consider establishing a working group to identify the best way forward to provide seafarers with an independent counselling network available to seafarers who may develop mental health issues, anxiety, or symptoms of depression;
 - consider cooperating in the promotion of the provision of qualifying sea time for seafarers under training via collective bargaining agreements or other appropriate means.
- 33.** Shipowners should:
- ensure that recruitment and placement agencies they use operate in accordance with the requirements of the MLC, 2006;
 - ensure that seafarers are provided with sufficient recreational facilities, internet connectivity at no or reasonable cost, rest time, shore leave and annual leave in accordance with the MLC, 2006, to help avoid social isolation and enhance health, including mental health;
 - provide opportunities and facilities for women and men cadets and trainees to serve upon their vessels; and liaise with METs to coordinate the timing of the taking on board of cadets and trainees and the METs' academic schedules to maximize such opportunities;
 - provide safe and gender-friendly working environments, including appropriate personal protective equipment (PPE), access to sanitary items and hygiene products and discreet disposal mechanisms for women seafarers, zero tolerance measures to harassment and bullying including sexual harassment;
 - ensure that pregnancy testing for women seafarers is in line with Convention No. 111.

34. The International Labour Office should:

- promote the ratification and effective implementation of the MLC, 2006, and Convention No. 185, and all other instruments relevant to the shipping sector and build capacity of constituents through technical advice and development cooperation;
- promote decent employment in the maritime sector and encourage career and skills development and greater employment opportunities for seafarers, especially young persons and women, and remind ILO Members of their obligation to develop and implement national policies to this effect;
- should convene a Meeting of Experts to adopt guidelines on fair and non-discriminatory practices for the recruitment and placement services;
- strengthen its partnership with the IMO on issues such as flag and port State control inspections and barriers to recruitment and retention of seafarers;
- establish an ILO–IMO tripartite working group to identify and address seafarers’ issues and the human element;
- develop, together with tripartite constituents a research agenda, which could include a study on age discrimination issues faced by seafarers, including the law and practice in different countries, the influence of their training on their career paths and the impact of lack of social security and on other challenges;
- conduct a study which will include statistical research, an analysis on the numbers and distribution of women seafarers within the industry, identify the positions and sectors they work in, and analyse the legislation member States have in place to ensure non-discriminatory access to employment and equal opportunities and to identify examples of best practice;
- conduct a review of the international labour standards related to the maritime sector with the aim of identifying biased language in order to address and to promote diversity and inclusion.