

Gender Based Violence at Sea: Collective Actions for Collective Trauma

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ABSTRACT

Gender Based Violence (GBV) has been a priority agenda in the international maritime community in recent years when GBV was anonymously reported through social media. GBV is particularly a challenge for young women seafarers who are more likely to experience sexual harassment than their male counterparts. Nevertheless, GBV is a common problem for all seafarers on board where a hostile environment and hierarchical and male-dominated work cultures may foster GBV. A similar term, sexual assault and sexual harassment (SASH) is used during the meetings of the International Maritime Organization (IMO), in relation to a new mandatory training on the prevention of bullying and harassment including SASH. The paper also used a theory of “collective trauma” which refers to how silently GBV or SASH had been practised and unchallenged in the culture of seafaring.

Keywords: Gender based violence (GBV), Sexual assault and sexual harassment (SASH), Women seafarers, Collective trauma

INTRODUCTION

Gender Based Violence (GBV) has been increasingly recognized as human rights issues as well as threats to sustainable development. GBV is understood as “violence directed towards a person because of their gender, or violence that affects persons of a specific gender disproportionately” (Lipinsky et al., 2022).

The Violence and Harassment Convention, 2019 (No. 190) was adopted as the first, comprehensive international instrument aimed at addressing and preventing violence and harassment in the world of work. It has treaty status in international law, accompanying Recommendation (No. 206), which provides guidance and framework for action. According to the Preamble of C190, we must “recogniz[e] the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment.” Article 1(1)(b) provides the definition of “gender-based violence and harassment” which means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.

In the world of seafaring work, women are a minority which is estimated as 1.28% of the total seafarer population certified by the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978 (ICS and BIMCO, 2021). GBV is known as a

common problem for women seafarers (Stanley, 2023) and the recent survey reveals that 60% of women reported encountering gender-based discrimination onboard (WISTA, 2023). The majority of these women were working on ferries and cruise ships where more women represented in catering and hotel sections on board. The International Transport Workers' Federation (ITF) also reported in 2019 that on average, 28-30% of crew on ferries and cruise vessels are women. In addition, women ocean scientists who work on research vessels also face a similar problem; 78% of women ocean scientists had experienced sexual harassment and nearly half of such incidents happened during fieldwork (St Clair, 2021). Through social media, more incidents were recently reported, which became scandals and called for actions.

This paper argues how GBV is a prevailing issue to prevent women from working at sea and what responses are currently being developed at the national and international levels. The paper reviews selected cases of GBV in the workplace, international legislation related to GBV, and its application to maritime labour with other relevant maritime regulations and standards. Further, the current debates regarding sexual assault and sexual harassment (SASH) at the International Maritime Organization (IMO) and the International Labour Organization (ILO) will be summarized. A theory of collective trauma is used to conceptualize why GBV or SASH faced by women seafarers was untouched until recently. Finally, the discussions and conclusions will be presented to list key issues to be considered in the future development.

GBV IN THE WORKPLACE

GBV has been observed in various workplaces in shore-based jobs. In European academic or research institutions, a large survey was conducted as part of the EU-funded UniSAFE project which looked into six categories of GBV, including physical violence, psychological violence, economic violence, sexual violence, sexual harassment, and online violence. Their data reveals that 66% of women in the survey, compared to 56% of men, have experienced at least one form of GBV since their start of working or studying at their academic or research institutions across 15 European countries (Lipinsky et al., 2022). A large survey participated by 9408 adults (51% men and 49% women) in eight countries (i.e., Australia, Ecuador, Egypt, India, South Africa, the United States, the United Kingdom and Vietnam) revealed that almost a quarter of male participants believed that "it is sometimes or always acceptable for an employer to ask or expect an employee to have intimate interactions such as sex with them, a family member or a friend" (CARE, 2018).

The impact of GBV in the workplace is serious on workers who are often women and other minority groups. Victims suffer from devastating effects on their health and wellbeing. Attraction and retention to work will soon or later decrease, because in work organizations which are tolerant to GBV, it would ultimately feed into a negative organizational culture. Motivation and performance to the workplace will be severely compromised. Loss of talent is a social and economic cost which our modern society cannot afford in terms of achieving sustainable development.

The economic costs of workplace sexual harassment are estimated as a share by individuals (7%), employers (70%), and government (23%) (Deloitte, 2019). At the global level, the estimated economic cost of GBV is approximately 1.5 trillion US dollars, which is equal to the size of the Canadian economy (UN Women, 2016). Ouedraogo and Stenzel (2021) report that violence against women is harmful to economic development in Sub-Saharan African countries that are without protective laws against domestic violence, with rich natural resources, without women's decision-making power, and during economic stagnations.

GBV AGAINST WOMEN AT SEA

GBV experience has been frequently reported in male-dominated jobs where a hostile environment and culture may be developed to bully and harass women and men onboard ships. The latest survey based on the responses from 1128 women seafarers from 78 countries reveals that 60% reported encountering gender-based discrimination onboard; 66% concur that their male employees had turned to harassing and intimidating female co-workers; and 25% reported that in the context of shipping, physical and sexual harassment on vessels is common (WISTA, 2023). In addition to the world-wide figures of GBV against women seafarers, individual cases have been reported on the news as well as social media in recent years.

In 2021, a blog of "Midshipman X" by a female cadet in the United States reported her experience of GBV, specifically a rape by her male senior on board a ship occurred in 2019. After this, there were more similar cases reported through social media and news. Previously in 2017 when a global movement of "#MeToo" came to the maritime sector, over 1150 Swedish maritime women joined a Facebook group under the hashtag #lättaankar (Swedish for anchors aweigh) where they share their experiences of sexual harassment and bullying (Raun, 2018). In fact, there are many untold stories of GBV experienced by women seafarers for a long time. The lack of legal instruments until recent years to protect women from GBV is one reason. The other issue was an unclear or absent reporting mechanism within shipping companies when GBV occurs. Finally, the use of common language "Gender-Based Violence" came recently in the maritime sector.

Among various international maritime instruments, the ILO convention, that is the Maritime Labour Convention (MLC), 2006, and its 2016 amendments make a reference to women seafarers. The first version of the MLC Guideline B4.3.1 on occupational accidents, injuries and diseases did not include "harassment" but in 2016, this was amended to take into account that implications for health and safety, harassment and bullying should also be considered. This amendment entered into force on 8 January 2019. Under MLC, the States and companies are responsible for ensuring occupational safety and health of seafarers, including sexual harassment. Beyond the maritime sector, it is important to note that the Violence and Harassment Convention, 2019 (No. 190) was adopted as the first, comprehensive international instruments aimed at addressing and preventing violence and

harassment in the world of work, with the accompanying Recommendation (No. 206), which provides guidance and framework for action.

SEAFARER TRAINING TO PREVENT GVB

At IMO, the specialized UN Agency, the 105th session of the Maritime Safety Committee (MSC 105) in 2022 instructed the Sub-Committee on Human Element, Training and Watchkeeping (HTW) to prioritize the development of mandatory training provisions addressing bullying and harassment, including SASH, as part of the “Comprehensive review of the 1978 STCW Convention and Code”. During the 9th session of HTW in February 2023, three documents relating to SASH were submitted from the United States, Republic of Korea, and Dominica with seven other States and six organizations with consultative status. These documents became the basis for discussion in the Working Group on the Comprehensive Review of the 1978 STCW Convention and Code, where a new draft competence of seafarers to “Contribute to the prevention of and response to bullying and harassment, including sexual assault and sexual harassment” was discussed under the STCW Table A-VI/1-4. In addition, another new competence regarding “psychological safety” was proposed by Dominica and further discussions are planned in future meetings. It was also agreed to amend and revise the IMO Model Course 1.21 (Personal Safety and Social Responsibilities (PSSR)) to prevent and respond to bullying and harassment, including SASH.

In addition to the ongoing discussion at the IMO level, MSC 105 referred to two UN specialized agencies, IMO and ILO to work in liaison for a Joint Tripartite Working Group (JTWG) on human element, including SASH. The first JTWG on SASH is planned to be held at the end of 2023.

There are several important milestones to note in the maritime industry to prevent GBV at sea. At the industry level, Anglo-Eastern published the 2nd edition of gender diversity handbook which specifies the definitions and examples of GBV at sea. The handbook can be a good resource to design training against GBV at sea. Some governments are active in raising awareness about GBV at sea. The South African Maritime Safety Authority (SAMSA) organized the first GBV at Sea seminar in Cape Town on 24 October 2022. The Deputy Minister of Transport, Ms Sindisiwe Chikunga was present for the whole day with great interest to combat against GBV at sea. A number of South African women seafarers shared their experiences at sea and discussed the way forward to promote a safe working environment free from violence and harassment at sea.

COLLECTIVE TRAUMA

The issue of GBV at sea has been silent for a long time. Women seafarers were, and are still today, a minority in the work organization (Kitada and Langåker, 2016), representing only 1.28% of the total STCW-certified seafarers (BIMCO and ICS, 2021). In such an extreme male-dominated work organization, it is difficult for women to share their concerns and distinguish what is acceptable or not in the organizational culture where masculine

norms and values are prevailing. For example, sexual jokes may be common on board and some women seafarers may not feel appropriate to react every time they hear and decide to ignore (Kitada, 2010). One possible explanation of why women seafarers could not talk about GBV or SASH may be “collective trauma” where both individuals and the seafaring community had been accepting physical and psychological bullying and harassment within the hierarchical and masculine cultures on board. Pain (2021) articulates how collective trauma can be an alternative framing for GBV by linking it to women’s cumulative experience of GBV, survivors’ involvement with other people, and a united sense of suffering. Such shared experience of seafarers in GBV or SASH, regardless of being victims, perpetrators, or bystanders, could be understood as “collective trauma”, repeatedly practised and normalized in the seafaring community.

DISCUSSION AND CONCLUSION

This paper discussed how the recent development of legal instruments on GBV or SASH at sea at IMO and ILO levels has been influenced by both individuals’ and collective voices of reporting GBV incidents on board. MLC, 2006 provides a guideline for preventing bullying and harassment after the 2016 amendments and ensures the responsibilities of States and companies. The maritime community realized that a stronger solidarity was necessary to drive zero-tolerance to GBV or SASH at sea and this gesture has been clearly seen in the on-going discussion at IMO MSC and HTW Sub-Committee meetings. An introduction of a mandatory training requirement about SASH for seafarers would invite maritime education and training institutions to get actively involved in promoting a safe working environment for all seafarers.

Internationally beyond the maritime sector, GBV is a common terminology which links to the Violence and Harassment Convention, 2019 (No. 190). This paper also reviewed the literature on GBV in the workplace in order to conceptualize GBV at sea. While mandatory training to prevent GBV at sea creates a new opportunity for the maritime sector to promote a safe working environment on board, to agree on new competences and revisions of model courses is expected to take another 4 to 5 years. GBV or SASH at sea was also discussed by using a theory of “collective trauma” which might have partly contributed to the silence of victims about their experience of GBV or SASH. It is important to familiarize ourselves with these terminologies and what constitutes GBV or SASH and how they are regulated both internationally and nationally. Realizing structural problems to foster GBV in local communities is needed to better analyze the root-causes of the identified problems which could have wider implications.

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