

Perspective

The role of political laws and policies to ensure occupational safety and health

Lemuria Carter*

Department of Political Science, Land-grant University Pennsylvania, Pennsylvania, USA.

Accepted 21 December, 2021

INTRODUCTION

For a long time, sailing the oceans was considered a male-dominated activity. In reality, in many parts of the world, this impression persists, and precise statistics on female mariners are difficult to come by. According to the International Maritime Organization (IMO), women seafarers accounted for around 2% of all seafarers in 1998, including those working in non-operational areas like as hotels and catering. Female deck officers and engineers aboard cargo ships account for 0.12% of the overall maritime population, according to estimates. The newest major workforce study finds that women seafarers in deck and engine departments account for barely 1% of all seafarers, twenty years after the IMO's estimate. About half of them are cadets and trainees who have not yet finished their 12-month sea time in order to get a Certificate of Competence (COC); women seafarers with COC in deck and engine departments make up just 0.5 percent of the overall survey participants. Although every individual working on board falls within the category of 'seafarer' in line with the Maritime Labour Convention, 2006, this statistic does not include women working in the cruise industry. According to the International Transport Workers' Federation (ITF), based on collective agreements signed with cruise ship operators, the latter may represent 28 to 30 percent of cruise ship workers. Despite different international and national initiatives committed to promoting women seafarers in recent decades, the above-mentioned figures, albeit restricted, led to the conclusion that women seafarers remain a minority on board ships. The International Maritime Organization (IMO) started the Integration of Women in the Maritime Sector (IWMS) initiative in 1988, which has since developed a gender strategy and regional associations for women in the maritime industry. The International Maritime Organization (IMO) organised a regional meeting in South Korea in 2013 to discuss

the establishment of a worldwide strategy for women seafarers. The meeting came to a close with the Busan Declaration, which calls for global support for female seafarers. Despite this, there are still a small number of female mariners.

ABOUT THE STUDY

However, such a clause must be made operational, for example, by providing a best practises guide, as the Ship Operations Cooperative Program, Inc. has done in the United States, in parallel to the adoption in 2016 of the law Subtitle C-Sexual Harassment and Assault Prevention at the National Oceanic and Atmospheric Administration (NOAA) of the National Defense Authorization Act for Fiscal Year 2017, 23 in response to 21 cases reported in a short period of time. This Best Practices Guide on Preventing Sexual Assault and Sexual Harassment in the United States Merchant Marine focuses on this form of abuse and communicates the proper message about it. In addition to the ICS/ITF Guidelines, the ILO should include a comparable recommendation in the MLC, 2006. While the latter addresses bullying and harassment, they do not go far enough in naming and shaming behaviour that cuts across all cultures. Such a broad approach is critical for developing a common understanding of unethical behaviour across the marine sector, regardless of location.

Prevention policies and initiatives are necessary at the corporate level, in addition to reporting and grievance procedures. A zero-tolerance policy in these areas begins with top-to-bottom execution and a clear and forceful attitude by business management. To effectively combat sexual harassment, research in the public sector and others such as manufacturing and higher education shows how important it is to have several policies or programmes put in place at the company level-statements, formal presentations, posters placed in conspicuous places, reminders in the form of emails, social media, training, and others because it encourages harassed

*Corresponding author. Dejian Kong, E-mail: kong.deji@aerospacelaw.cn.

women and men to respond more assertively. The goal is to make all crew members aware of the states and, in particular, the company's zero-tolerance policy. In any case, it must be done in a language that all passengers can understand, and when possible, in their own tongue.

CONCLUSION

Understanding the idea of sexual harassment in a multi-cultural work environment, such as the one of the board, is a difficulty in and of itself. Indeed, because of the global structure of the maritime sector, each flag State might take a different approach to sexual harassment, undermining the battle against

power abuse. Consequently, despite the fact that the issue is addressed in the ICS/ITF Guidance on Eliminating Shipboard Bullying and Harassment, the recommendation in this paper is to develop a specific guide on eliminating shipboard sexual harassment, similar to the Best Practices Guide on Prevention of Sexual Assault and Sexual Harassment in the United States Merchant Marine. Similar guidelines should be integrated into the ILO framework, namely the MLC, 2006, in order to encourage a coordinated approach to this issue in view of the several (possibly) applicable legislation on board that now address the matter from a variety of perspectives.