Foreword for JOMA December 2019—empowering women in the maritime community: the way ahead

Cleopatra Doumbia-Henry¹

Published online: 12 November 2019
© World Maritime University 2019

The commitment of the World Maritime University (WMU) to empowering women in the maritime and ocean communities is longstanding. In 2019, this commitment was renewed with the convening of the WMU Third Women Conference, which took place from 4–5 April. The Conference was entitled “Empowering Women in the Maritime Community”,¹ which was the theme chosen by the International Maritime Organization (IMO) for World Maritime Day 2019.

Two basic objectives were pursued for this Conference. The first was to increase awareness of the work done by women in the maritime and ocean communities. The second objective focused on the importance of inspiring future generations, highlighting role models and encouraging women to engage in all sea-related activities. From this perspective, the Conference report is inspiring and provides pathways towards achieving the United Nations Sustainable Development Goal (UN SDG) No. 5 relating to Gender Equality. What is however striking is that so much still remains to be done to advance gender equality in shipping, since no more than 2% of women are among the world’s 1.25 million seafarers, being employed in the maritime sector.² Of the total number of women in maritime, 94% are employed in the cruise industry, particularly in catering and as cleaners on passenger ships, while just 6% are employed on cargo vessels (e.g., container ships and oil tankers). Perhaps, more than in any other profession, women’s access to the seafaring profession poses one of the greatest challenges.

The reasons for women’s limited access to the profession mirror many of the reasons why they are excluded from other professions, including unfounded beliefs that women are incapable or unsuited to seafaring due to the physical demands of the work; ideas that women are responsible for family and household responsibilities, which make long

¹World Maritime University (2019) *Conference Report Third WMU International Women’s Conference Empowering Women in the Maritime Community*, 4–5 April 2019, Malmö (Sweden). DOI: <https://doi.org/10.21677/cr.20190828>.

²Belcher, P., Sampson, H., Thomas, M., Veiga, J., & Zhao, M. (2003). *Women Seafarers: Global employment policies and practices*. Geneva: International Labour Organization.

✉ Cleopatra Doumbia-Henry
cdh@wmu.se

¹ World Maritime University, Malmö, Sweden

periods away from home problematic; and concerns relating to occupational safety and health as well as pregnancy.

More than many other professions, seafaring has been and still is depicted as a distinct and challenging way of life, with countless writers appealing to our imagination relating to the difficult nature of the profession, the perils and adventures. Needless to say, the traditional role allocated to women in most societies is even in greater contradiction than with life on board. The good news is that there have always been women willing to defy this prejudice.³ While the number of women engaged in the maritime sector is still too low, as abovementioned figures suggest, there are today more women than ever on board vessels. Regrettably, most of them are employed in low wage-paying jobs with a significant majority working as ratings and most are in other types of employment on board passenger ships, in particular the cruise industry. In the light of UN SDG 5, more direct action is required not only to achieve gender parity but also to enhance the type of jobs that women undertake aboard.

As the seafarers' bill of rights, the Maritime Labour Convention, 2006 (MLC, 2006) is the framework within which measures should be taken. Along with its counterpart, the Work in Fishing Convention, 2007 (C.188), the MLC, 2006, has visibly changed the approach to the profession by eliminating the terms "seamen" and "fishermen"—from legal terminology. Gender neutral terminology is to be found in both of the abovementioned Conventions with the consistent use of the terms "seafarers" and "fishers". More specifically, the MLC, 2006 provides for separate sleeping rooms and separate sanitary facilities for men and women.⁴ The amendments to the MLC, 2006 adopted in 2016, which address harassment and bullying on board ships, have been introduced in Guideline 4.3.1. This Guideline includes and integrates by reference, as the applicable recommendation, the latest version of the *Guidance on eliminating shipboard harassment and bullying*, jointly published by the International Chamber of Shipping (ICS) and the International Transport Workers' Federation (ITF).⁵ However, more needs to be done to promote career opportunities for women.

While one may consider the Convention to be insufficient in its references to gender issues,⁶ this is covered by the inclusion in the MLC, 2006 of the provisions on fundamental principles and rights at work. Article III (d) of the MLC, 2006 provides that the elimination of discrimination in respect of employment and occupation is a fundamental right. Discrimination on the basis of gender is therefore prohibited by the Convention. This provision is complemented by guidance in the Code of the MLC, 2006 requiring the development of policies and programmes targeting the recruitment of women seafarers, wage parity, and access to shore-based facilities in a non-discriminatory manner.⁷ Nevertheless, more robust action is required to move beyond words and to translate them into action providing more maritime employment opportunities for women.

³ Cordingly, D. (2001). *Women Sailors and Sailors' Women. An Untold Maritime History*. Random House

⁴ See Standard A3.1, paragraphs 9(b) and 11(a), of the MLC, 2006.

⁵ Guideline B4.3.1, paragraph 2, of the MLC, 2006 lists harassment and bullying now in subparagraph (d).

⁶ See Stribis, I (2019). The 2006 Maritime Labour Convention: a Cautious Step towards Gender Awareness? In Papanicopolulu, I. *Gender and The Law of the Sea*. Leiden: Brill-Nijhoff, pp. 279-301.

⁷ See Guideline B1.4.1, paragraph 1(e), Guideline B2.2.2, paragraph 4(a), and Standard A4.4, paragraph 1, of the MLC, 2006.

The recruitment process starts with education and training. While most countries already provide equal access to their educational systems, there is still room for improvement, in particular in the light of the technology innovation challenge that shipping is facing.⁸ As the Conclusions of the WMU Third Women Conference state,⁹ it is necessary to motivate women and girls as early as possible in their education to pursue career paths in the maritime and ocean fields, and to raise their awareness in the fields of science, technology, engineering, and mathematics (STEM). However, on the other side of the employment relationship, it is also necessary to encourage shipowners to provide them with equal opportunities to work on board a ship, including during the crucial period of training. A selected number of companies already make it part of their business model, choose their future employees among the best in maritime education and training (MET) institutions, and encourage their promotion to senior-level positions. Regrettably, in many other cases, women either do not find an opportunity to prove themselves as valuable seafarers or find other obstacles that frustrate their career such as mandatory pregnancy testing.¹⁰ Against this backdrop, Article III of the MLC, 2006 which requires the elimination of all forms of discrimination should not be taken lightly by the countries that have ratified the Convention.

Other provisions of the MLC, 2006 focus on retention of women seafarers, in particular Regulation 4.5 and Standard A4.5. The latter deals with seafarers' social protection by establishing two essential principles. The first one requires member states to put seafarers and shore-based workers on an equal footing with respect to social security. The second one allocates the responsibility in these matters to the seafarer's country of residence shifting it from the flag state. It should be noted, though, that the Convention does not exempt flag states from responsibility to the extent that their action is required in cases where the country of residence does not assume it. The objective is to achieve a comprehensive social security scheme for seafarers, including with respect to old age benefit.

The MLC, 2006's provisions set out the minimum requirements for countries that ratify the Convention to apply at least three out of the nine branches of social security or more in accordance with national legislation. Member states are also required to undertake steps according to their national circumstances, individually and through international cooperation, to achieve progressively comprehensive social security protection for seafarers.¹¹ To date, while many more countries than ever before have provided for protection for all nine branches of social security for seafarers, both men and women, there is still a long way to go in the explicit coverage for maternity protection, which would provide greater security and encouragement to women joining and remaining within the maritime industry.¹²

⁸ World Maritime University (2019). *Transport 2040: Automation, Technology, Employment – The Future of Work*. Reports, 58. DOI: <https://doi.org/10.21677/itf.20190104>. Available at WMU: < https://commons.wmu.se/lib_reports/58>.

⁹ Conclusions of the Third WMU International Women's Conference on "Empowering Women in the Maritime Community" (EWMC 2019).

¹⁰ International Labour Organization (2019). *Conclusions on the recruitment and retention of seafarers and the promotion of opportunities for women seafarers*. Geneva: ILO. Document No. SMSWS/2019/9.

¹¹ See, Regulation 4.5, paragraph 2 of the MLC, 2006.

¹² Dombia-Henry, C. (Forthcoming 2020). *Achieving Social Security Protection for Seafarers and the ILO's Maritime Labour Convention, 2006: Progress and Gaps*. Forthcoming in Charbonneau, A. et al. (eds.). *Mélanges Patrick Chaumette*, Rennes: PUR.

Maternity benefit is one of nine branches of social security that can—and should—be provided to seafarers if we want to attract more women to go to sea. With the family benefit, these measures encourage work-life balance for all on board regardless of gender. In other words, pursuing a career at sea should not prevent either men or women from having a family and, in this respect, maternity benefit is important. However, we know that many member states do not include maternity benefit as a component of the seafarers' social security scheme, including developed countries.¹³ There is an obvious protection gap that has the potential of preventing women from entering the profession which should be tackled by concerted efforts of member states. It is critically important that resources are made available if priority is to be given to measures that would further promote career opportunities and decent working and living conditions for women seafarers.

An important achievement of the WMU Conference is the spotlight it shed on issues that would otherwise go unnoticed. Mainstreaming gender in the maritime and ocean professions not only enhances respect for diversity but also raises awareness on the many existing research gaps that need to be addressed. This issue of the *WMU Journal of Maritime Affairs* seeks to inspire further research work regardless of gender. In this respect, WMU welcomes all those interested in engaging in constructive discussions and dialogue on empowering women in the maritime and ocean communities.

The World Maritime University, as a post-graduate academic institution established by the IMO, needs to continue to make progress towards achieving gender balance in maritime education and training. We need donors who would be committed to sponsoring women in higher maritime and oceans education and training. This is not just a good thing to do. It is a necessary prerequisite as it is good for business and for the world at large.

Publisher's note Springer Nature remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

¹³ A case in point is that of member states of the European Union: Cyprus, the Faroe Islands (Denmark), Finland, Germany, Hungary, Ireland, Malta, Romania, Slovakia, and Spain. The UK and the Cayman Islands have not included the maternity benefit in their list of social security branches either. This information has been taken from the MLC Database run by the International Labour Organization, available at: < <https://www.ilo.org/global/standards/maritime-labour-convention/database-ratification-implementation/lang%2D%2Den/index.htm>>