



HUMAN RIGHTS AT SEA



Human rights **SHOULD** apply at sea
as they do on land

Human Rights at Sea

**We are ALL
someone's Daughter.
We chose to be Seafarers.**

A reality check on Diversity and Hope in 2021



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We are ALL someone's Daughter.
We chose to be Seafarers.

INTRODUCTION

The following case study is a personal account by Joanne Rawley, a maritime professional based in the United Kingdom and a newly appointed Human Rights at Sea Advisory Board member. This is her perspective, in her own words, having been selected, trained and worked at sea.

Joanne started her maritime career in 2012 aged 30, considerably older than her classmates. She was also the only female on her cadet intake.

Completing her cadetship through Clyde Marine and Vroon Offshore, she sailed on multi-role vessels in the North Sea. Since qualifying in 2014, she has sailed as both 2nd and Chief Officer with four other companies on yachts, tall ships and multi-role vessels.

Sea-time highlights so far include Madagascar to Netherlands, via Cape Town and the Canaries; Singapore to Busan (South Korea) and around most of Japan; calm seas and pods of whales 100nm north east of Shetland with a return to the same location with 20–22m seas over Christmas. Many of these sailings gave her the opportunity to train and mentor cadets of varying experience levels and with diverse cultural backgrounds. Joanne has recently completed a year ashore in QHSE as fleet DPA and CSO and will be returning to sea soon to complete her Master Mariner qualification.

Joanne was nominated for the MN Medal of Honour and is committed to trying to make a difference – to speak for those without a voice, to continue to raise awareness of human rights at sea and, most notably, diversity and mental health (MH) stigma. Her involvement is contributing to the ongoing work within Maritime UK among others.

As argued by its founder, HRAS as an organisation should not need to exist in 2021 and awareness should not need to be drawn to the difficulties female seafarers still face. But unfortunately there remains a need to shed light on the challenges which remain and are faced on a daily basis across fleets worldwide. There have been case studies since 2015, a campaign from the IMO on Day of the Seafarer back in 2019 with #IAMBOARD and the Nautical Institute Women in Maritime (WiM 365) Challenge.

In the media, the lives of women seafarers all look sparkly and wonderful, but is everyone really on board?

This case study will give an insight, not from a female perspective but from a personal account of what Joanne, as a seafarer (and seafarers she has mentored and connected with) has witnessed, heard and endured first-hand over the years and most importantly, how every seafarer can help make a positive change.



Photo: Joanne Rawley

#IamOnBoard

with gender equality

2019



"I told the f'ing crewing department to not send any more f'ing female cadets to this f'ing boat as they're nothing but f'ing trouble."

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TODAY'S REALITY

Having experienced most forms of discrimination and harassment throughout her career, Joanne is deeply concerned that it is still commonplace among most women she has either mentored or connected with.

Even more crushing is that, often, these instances go unreported as the women fear having their training and/or their careers cut short, or worse, not being believed. This can lead to a real decline in performance on board, including an individual's safety and a long-term impact on their well-being.

discrimination is the act of making unjustified distinctions between human beings based on the groups, classes, or other categories to which they are perceived to belong. People may be discriminated on the basis of race, gender, age, religion, or sexual orientation.

harassment is unwanted behaviour which you find offensive or which makes you feel intimidated or humiliated. The ITF has issued a detailed and freely available booklet: *'Guidance on Eliminating Shipboard Harassment and Bullying'*.

sexual harassment is a form of unlawful discrimination under the Equality Act 2010. The law says it is sexual harassment if the behaviour is either meant to, or has the effect of:

- violating your dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment.

Gender¹ refers to the characteristics of women, men, girls and boys that are socially constructed. This includes norms, behaviours and roles associated with being a woman, man, girl or boy, as well as relationships with each other. As a social construct, gender varies from society to society and can change over time.

Gender is such a fundamental difference – full of preconceived ideas and stereotypes assumed from their formative years handed down by generations. **I don't see how other diversity groups addressing issues of race, LGBTQ+, for example, can be accepted as equals and successfully integrated without discrimination until gender is removed as a divide and we are all united under the category of 'seafarer'.²**

Having given the official definitions (extended definition of harassment available in the appendix), a lot of it is down to individual interpretation. What makes one person uncomfortable and is seen as crossing the line is not the same for all. In recent months on social media, requests and suggestions were made of the re-naming of 'Seamans Discharge Book'/Master. Personally, that terminology, or being considered 'one of the guys' is not an issue (sociology experts may disagree – recent government COVID-19 exemptions listing occupations show 'Seaman' as the only gender-specific term).

1 https://www.who.int/health-topics/gender#tab=tab_1

2 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/869326/MGN_471_MLC_Definitions.pdf

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MALE-DOMINATED WORKPLACES

Having served in the Royal Air Force (RAF) and with a significant portion of life experience, I'm well used to working in a male-dominated environment and the prolific bad language or dirty jokes that are often told within earshot, rarely warrant a reaction from me.

What does get a reaction is the assumption and judgement made of me purely because my chromosomes are XX and not XY.

"You'll need to work twice as hard to be considered half as good," advised one Captain with another Captain declaring (with many expletives included), "I told the f'ing crewing department to not send any more f'ing female cadets to this f'ing boat as they're nothing but f'ing trouble." That introductory speech on my very first bridge at the commencement of my first six weeks at sea made a lasting impression and stayed with me till this day.

The awareness of gender bias in the industry started long before that day on the bridge when my Cadet Training Officer advised me that several of the sponsorship companies to apply through, would not accept females and a couple of the others on the list were deemed not suitable for female cadets after previous issues and incidents. Which raises the question, how seriously are complaints taken, if these companies are still ranked as 'Training Providers' with the Merchant Navy Training Board?

The International Maritime Organisation (IMO) quotes the figures of female seafarers being at 2% with 94% of them being on passenger vessels.³ Within the North Sea, a rough sampling of the major ERRV (Emergency Rescue & Recovery Vessels) and PSV (Platform Supply Vessels) employers in the UK sector show female seafarers make up less than 1%.

For most of the boats I've stepped foot on, I'm rarely off the gangway before being told by the crew that they've never sailed with a female officer. Shortly after comes the question, "Why are you not at home with your husband and children?" On hearing I have no children, their next question is "Why not/when will you?". It isn't offensive, but it becomes tiring and is certainly not among the first questions asked of a male officer on board.

A male officer giving instructions/raising their voice/objecting to the jokes and subject of discussion, is considered being a leader and his reactions are justified as part of the job. A female officer doing the same is considered bossy/emotional/ 'has a chip on her shoulder'/unable to take a joke and is overreacting. In my experience, if you fail to react substantially when appropriate, you are deemed weak and not in control of the situation. Attacks also become more personal; instead of just the generic name-calling there is the accusation that you're only there to improve diversity statistics or because of false/inappropriate favouritism.

FITTING IN

Team dynamics and the ability to interact successfully with the crew is also under the microscope. Be professional and distant (but still maintain an open-door policy for grievances and discussion). If you don't, you're cold and not a team player.

Being a good team player can result in a different interpretation with accusations of being unprofessional and flirting.

Achieving that successful balance with multiple different individuals is incredibly difficult, time consuming and needs a lot of personal and situational awareness – notice I use the term 'individuals', not the sweeping generalisation of 'all male seafarers'. Get the balance wrong and the rumours can falsely follow you around the fleet faster than the relief boat.

3 <https://www.imo.org/en/OurWork/TechnicalCooperation/Pages/WomenInMaritime.aspx>

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Such pressure of perfecting this balance, among the other ongoing battles, can have a detrimental impact on a seafarer's mental health. Seafarers are more at risk as there is no real escape – once you join the vessel you are living and working in that environment for a few weeks or a few months. This is compounded (for some) by the impact of not being used to being away from home; not being used to being so outnumbered by the opposite sex; the constant judgement and criticism (in some cases bullying and harassment) and the lack of connectivity with the outside world. Yes, seafarers choose this lifestyle, but it doesn't mean it is an easy transition, every vessel or crew change can reset the cycle.

It is not like a shore job, where you have the luxury of coming home to reassurance from family, rebalance with friends or a familiar safe space to decompress.

CONSEQUENCES

Recipients of long-term negative attention are more likely to withdraw and internalise the criticism – believe that they are at fault or deserving of the abuse and are more susceptible to developing depression and anxiety. From a Chief Officer and QHSE perspective, the concerns are that the team then becomes fractured – crew are more distracted than usual (a Harvard study estimated that 47% of every hour is spent mind wandering), safety and situational awareness are no longer a priority and critical jobs may not be completed fully. **If an individual does not feel comfortable in their working environment, they are less likely to draw attention to a problem or to ask for help – this increases the risk of accidents and injuries.**

On the IMO #IAMBOARD virtual wall 'hopes for the future – one change' from male and female seafarers include the following statements:

- **'Wanting safely fitting PPE'**. CHIRP Maritime in 2019⁴ conducted a small survey of 40 female seafarers of a range of ranks. "The respondents ranged from ABs and deckhands to captains, engineers, a CEO of a ferry company (former captain) and a United Kingdom Maritime and Coastguard Agency marine surveyor (former captain). Without exception, they have all experienced issues regarding availability or sourcing of correctly sized PPE. The majority feel they have been potentially put at risk, not so much from standard PPE but certainly by unsuitably sized fire-fighting suits, boots and gloves. A majority take some elements of self-provided PPE with them when joining a vessel. Attitudes to this necessity range from pragmatic to resentment. Purchasing and Crewing departments of companies could easily have female equivalents available."
- **'When a complaint is made the vessel and company should take it seriously in order to deter repeat occurrences'**;

The Merchant Navy chain of command and code of conduct are well entrenched within the industry and are:

- 5 - d) Behaviour towards others. A person's anti-social behaviour can be a nuisance to others on board. In extreme circumstances, it can also place the ship and the crew at risk of danger. Such behaviour includes but is not limited to excessive noise, abusive language, harassment, bullying, aggressive attitudes and offensive personal habits.
- Section 7 clearly categorises the below as factors of gross misconduct.
- xv) conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men which is unwanted, unreasonable or offensive to the recipient;
- xvi) behaviour which seriously detracts from the social well-being of any other person on board, including but not limited to bullying, harassment, intimidation and coercion.

4 <https://www.chirpmaritime.org/wp-content/uploads/2019/11/20191119-PPE-for-female-mariners-Fit-for-Purpose-1.pdf>

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- If there is an issue, report it to your head of department, the Chief Officer or the Master. But if the discrimination is coming from those in leadership positions, or they are not deterring the instances they witness from the crew, then the isolation is compounded, and you can feel trapped. **Fear was the main reason the bullying was not reported in numerous instances – fear of not being believed, fear of accusation of overreacting or lying which could mean reluctance to rehire or loss of sea-time opportunity as a cadet.**
- **'Equal rights/respect everyone on board/no discrimination/promotion based on ability not gender'** were the most prolific comments. Adhering to common decency and one of the HRAS fundamental concepts this could be achieved. Another fine balance to be struck – on one hand encouraging more women into the industry will reduce the 'novelty' factor and hopefully the wariness and assumptions made. However, until significant changes are made and attitudes shifted, I'm reluctant to champion this industry as an equal opportunities arena.
- **'Empower women'** can mean many different things from separate schemes, implementing specific policy or building confidence and creating a safe workplace. Multiple HR sources acknowledge women rarely apply for a position unless they are 100% qualified for it, whereas men will apply for a position or promotion when they only meet 40–60% of the requirements – this can be attributed (according to various sources) to multiple reasons such as lack of connections; lack of testosterone and aggression; lack of confidence; the belief that a requirement is genuinely a requirement; imposter syndrome.

"I wanted to be that point of contact for other women, so they didn't have to go through what I did alone, but I'm enraged at the frequency and severity that it is still occurring."

I didn't want to be seen as the problem

I spent 20 years not telling...I do not care if I never work offshore again if my experiences can help one other person

I was sexually assaulted on board..the captain had me removed from the ship the next day

I experienced sexual assault at sea...there was nowhere to go for support

He always scheduled me for his watch

The resources out there are so limited

I didn't feel like I had the support system to talk to anyone about it

I will never believe that a woman is safe to come forward in this industry without retaliation

My experience was joked about

I was afraid after being raped that I would be "that girl". It was easier just to ask to switch crews than address why.

I am now looking for a suitable shore-based position so I can go home and feel safe.

He showed up in my cabin and told me he wasn't leaving

I didn't tell the Captain because I thought it was my fault.

I haven't raised the issues because honestly I don't think I'd be believed

Quotes Credit: Safer Waves

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MENTORING AND ROLE MODELS: A POSITIVE ACTION

Mentoring is a key way to support female seafarers. Allow them a safe space and be their point of contact to reach out for guidance and support if it is needed. Mentees I'm connected with have expressed that knowing there is someone there who has been through what they are going through is of comfort. Knowing they have a contact number and/or email address of someone that will respond if needed is of comfort. I wanted to be that point of contact for other women, so they didn't have to go through what I did alone, but I'm enraged at the frequency and severity that it is still occurring.

Examples of women within the industry that are well publicised include Captain Kate McCue, first American female cruise ship captain; Reshma Nilefer Nata, India's first female river pilot; UK Captain Belinda Bennett – WISTA UK who also has the added accolade of being the first black female cruise captain in history; and Captain Radhika Meron of IWSF, first Lady Master of India, to name just a few.



Captain Kate McCue



Captain Reshma Nilefer Nata



Captain Belinda Bennett



Captain Radhika Meron

GENDER IMBALANCE

It is disappointing that, as a society, we feel the need to highlight each time a woman successfully attains and performs in a traditionally male role, disappointing that women have not already completed these firsts many times over and disappointing that these roles were male dominated and previously thought to be out of the reach of women at all. The myths and legends of old always portrayed women to be bad luck at sea. Several studies over the years have disputed these myths and these examples are also both hopeful and inspirational – to show that women are still making progress and can have hugely successful careers at sea.

Men, as a gender, are not the enemy to the female seafarer. It is not an us-against-them situation. The fact I'm using the terminology 'female seafarer' reiterates the premise that all seafarers are predominantly male, unlike that of nursing where the opposite is true. 'Nurse' leads to an assumption of female and then, for clarity, 'male nurse' becomes a title but rarely is 'female nurse' used. **The emphasis needs to be on Teamwork and Crew Unity.**

This career is not for everyone. One could argue that, if you want the career badly enough, you'll push through the barriers and prove yourself capable. I don't dispute this mindset and approach but, for the sake of team cohesion, safety and undisputed entitlement of human rights for all, gender division really should be eradicated. Everyone has a part to play in reducing the impact of the gender divide and ensuring human rights at sea are upheld.

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Anyone reading this can make a significant difference. **Remember, every female at sea is someone's daughter. If it was your son or daughter, brother or sister at sea, wouldn't you want them to be part of the crew, to feel safe and supported?**

So why not make a conscious effort to show more compassion, patience and kindness to your crew and colleagues?

Your actions on social media can also play a huge part. Captain Kate McCue recently posted a video after being trolled, "How can you be a Captain. Your only a woman [sic]". The resulting grammar clarification went viral and is still featured on the pages of *Newsbreak*, *The Independent*, *Fox News*⁵ and *USA Today* with millions of views and supporting comments.

Imagine the improvements we could make globally if we used that same power to uphold the basic human rights of our fellow seafarers – something they should already be entitled to.

CONCLUSION

I'm constantly amazed and inspired when I hear the stories of my fellow seafarers who have rallied against their cultural expectations and followed their dreams in the face of such adversity and bias. Sharing my personal story with you all makes me aware of the privileged experience at sea I've had so far. Originating and training in the UK, I had no fixed cultural barriers to overcome. I had no firsts to achieve – all the companies I (and my mentees and connections) sailed with have been MLC2006 compliant, pay a fair wage and provide adequate food, water and accommodation. They all also had female cadets before, as well as officers so, **imagine our surprise when we are faced with so much opposition and continue to do so in 2021.**

ORGANISATIONS WHICH CAN OFFER SUPPORT ⁶

Seafarer Help : <https://www.seafarerhelp.org/>

Safer Waves : <https://saferwaves.org/about-us/>

International Women

Seafarers Foundation : <https://www.iwsf.co/about-us>

Women Offshore : <https://womenoffshore.org/>

The Mission to Seafarers : <https://www.missiontoseafarers.org/>

Stella Maris : <https://www.stellamaris.org.uk/>

Sailors' Society : <https://www.sailors-society.org/>

ISWAN : <https://www.seafarerswelfare.org/>

ITF Seafarers : <https://www.itfseafarers.org/en>



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⁵ <https://www.foxnews.com/travel/celebrity-cruises-captain-kate-mccue-sexist-tiktok-user>

⁶ The list is not exhaustive and other national and international organisations exist to support seafarers, both female and male, as well as their dependants.

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APPENDIX

harassment is a form of discrimination which has the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Harassing behaviour is listed as:

- displaying or circulating offensive or suggestive material;
- innuendo, mockery, lewd or sexist/racist/homophobic jokes or remarks;
- use of offensive language in describing or making fun of someone with a disability;
- comments about a person's physical appearance or character which cause embarrassment or distress;
- unwelcome attention such as spying, stalking, pestering, overly familiar behaviour or unwelcome verbal or physical attention;
- making or sending unwanted, sexually suggestive, hostile or personally intrusive telephone calls, text messages, emails, comments on social networks, faxes or letters;
- unwarranted, intrusive or persistent questioning about a person's age, marital status, personal life, sexual interests or orientation, or similar questions about a person's racial or ethnic origin, including their culture or religion;
- unwelcome sexual advances or repeated requests for dates or threats;
- suggestions that sexual favours may further a person's career, or that not offering them may adversely affect their career;
- leering, rude gestures, touching, grabbing, patting or other unnecessary bodily contact such as brushing up against others; and
- spreading malicious rumours, or insulting someone (particularly regarding age, race, marriage, civil partnership, pregnancy and maternity, sex, disability, sexual orientation).



Human Rights at Sea believes that abuses occur when good people turn a blind eye to bad things.

In the absence of individuals, organisations or States unwilling to tackle such Human Rights issues our charity will take a stand and undertake research, advocacy, investigation and lobbying on behalf of those unable to do so themselves, or who are prevented from doing so.

Will YOU help us to help others?

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Who We Are

BACKGROUND

Human Rights at Sea was established in April 2014. It was founded as an initiative to explore issues of maritime human rights development, review associated policies and legislation, and to undertake independent investigation of abuses at sea. It rapidly grew beyond all expectations and for reasons of governance it became a registered charity under the UK Charity Commission in 2015.

Today, the charity is an established, regulated and independent registered non-profit organisation based on the south coast of the United Kingdom. It undertakes **R**esearch, **A**dvocacy, **I**nvestigation and **L**obbying specifically for human rights issues in the maritime environment, including contributing to support for the human element that underpins the global maritime and fishing industries.

The charity works internationally with all individuals, commercial and maritime community organisations that have similar objectives as ourselves, including all the principal maritime welfare organisations.

OUR MISSION

To explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.



STAY IN CONTACT



We welcome any questions, comments or suggestions. Please send your feedback to:
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www.humanrightsatsea.org



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HUMAN RIGHTS AT SEA



The Geneva Declaration on Human Rights at Sea ©

The protection of human rights at sea rest on four fundamental principles:

1. Human rights apply at sea to exactly the same degree and extent that they do on land.
2. All persons at sea, without any distinction, are entitled to their human rights.
3. There are no maritime specific rules allowing derogation from human rights.
4. All human rights established under treaty and customary international law must be respected at sea.

Did you know the Earth's surface is 71% Oceans and 64% of the Oceans are considered the High Seas beyond National Jurisdiction where Human Rights are consistently abused and ignored?

www.gdhras.com

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**A reality check on Diversity and
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Human Rights at Sea is a Registered Charity in England and Wales No. 1161673. The organisation has been independently developed for the benefit of the international community for matters and issues concerning human rights in the maritime environment. Its aim is to explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.

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