

Guide to tackling harassment in the waterway transportation sector

creating a wave of respect



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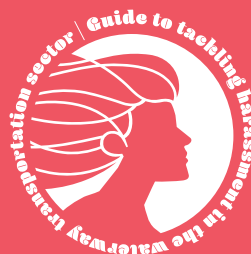
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GUIDE TO TACKLING HARASSMENT IN THE WATERWAY TRANSPORTATION SECTOR

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1. Introduction

In an increasingly dynamic scenario in the waterway sector, the National Waterway Transportation Agency (ANTAQ) and the Ministry of Ports and Airports (MPor) — in partnership with WISTA Brazil¹ and the Maritime and Port Law Commission of the Federal Council from the Brazilian Bar Association (OAB) — understand the complexity of issue of harassment against women and recognize the importance of fostering respectful human and social relations in maritime and port activities. The discussion of these issues transcends our organizational boundaries, embracing core values of citizenship and identity, and encouraging the reflection on this theme.

The approach to tackling harassment in the waterway sector goes beyond mere data compilation and information. Our goal is, in an empathetic manner, to instigate reflection and offer guidance on how, both as an institution and as committed individuals, we can effectively contribute to building inclusive and welcoming work environments. This commitment reflects our fundamental values, such as Regulatory Security, Excellence Technique, Cooperation, Commitment to the Public Interest, Responsibility, Ethics, Transparency, Dignity, and Careful towards the Human Being. Therefore, this Guide is motivated by the Agenda 2030² and the Sustainable Development Goals (SDG) of the UN, particularly, SDG 5 (Gender Equality), 8 (Decent Work and Economic Growth), 9 (Industry, Innovation and Infrastructure) and 16 (Peace, Justice and Effective Institutions). Believing on combating the harassment in the waterway sector, we are promoting a safer and more inclusive work environment and also contributing to strengthening of this sector as one all.

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- 1 WISTA Brazil is part of the Women's International Shipping and Trading Association – WISTA international, one Association with advisory status at IMO, founded in 1974, and it is a global network for women, no-binary people and supporters members in executive roles and rising sectors in Shipping and Trade . <https://wistabrazil.com/>
 - 2 Agenda 2030 and the Sustainable Development Goals (SDGs) of the UN are a Guide for the international community and an action plan to put the world on a more sustainable and resilient path by 2030. The plan outlines 17 Sustainable Development Goals (SDGs) and 169 targets aimed at eradicating poverty and promoting a dignified life for all within the Earth's limits.

ABOUT THIS GUIDE

Anchored in the principles of dignity of the human being, social valorization of work and inclusion increment, it is undeniable that we seek a deep commitment to equality of opportunities and, primarily, with respect for fundamental rights. Among these rights are the right to life, freedom, equality, security, property, education, health, work, food, home, freedom of expression, freedom of belief, and others. The adoption of tackling actions to the most diverse types of harassment and discrimination is fundamental to ensure the mutual respect in any environment, and a continuous process that requires the commitment of all sectors from the society. Regulatory Authorities, as well as all the Public Administration, has an essential role in this mission that adds to its main goals on building the economic, social, and sustainable development of the State.

Inspired by the Guide Lilac from the General Comptroller from the Union (CGU), that promotes combating the moral and sexual harassment, crime, and many other forms of violence against women, as well as other measures adopted within the scope of the Federal Government and the International Labor Organization (ILO) for tackling different types of harassment, we hereby present our **Guide to Tackling Harassment in the Waterway Transportation Sector**. Here, we will provide good practices that will serve as guideline tools and promoting safer environments, providing clarity on considered conduct of abusive practices that constitute of harassment and presenting examples of appropriate and inappropriate behaviors at the work environment

**The changing wave starts with you and, together,
we will navigate with respect, strengthening
actions to tackle harassment.**

2. Roles of ANTAQ and the Ministry of Ports and Airports

At ANTAQ and at the Ministry of Ports and Airports (MPor), we perform a crucial role in sector strengthening, making it an example of integrity and attention to interpersonal relations. Our performance is especially notable in the educational and preventive axis extenuating the wide dissemination of theme, in comprehensive training,

in promoting health environments and in generating sectoral data. We recognize that, as to tackle harassment, it is crucial to promote a comprehensive awareness in all sectors. Thus, we invite you to read the Guide and support us at the promoting a work environment free in harassment.

3. Harassment: understanding the Villains of the Work Environment

Our commitment is to STRENGTHEN a safe, respectful waterway environment; therefore, it is crucial to understand the numerous types of harassment against women that occurs at the context professional. However, for a start, we need to make things clear. Have you ever stopped to think about what means harassment? Why are so many women vulnerable to this type of violence? 'Harassment', in a broader sense, refers to intolerable and harmful behavior directed at an individual or group of people. It may occur in various contexts, such as the workplace, with children, at school,

in public environments, and even in personal relationships.

By the ILO, harassment is defined as "any unwanted conduct, manifested verbally, physically or per any other modality, and that is linked to a specific series of reasons." These reasons include sensitive aspects such as ethnic origin, religion, age, disability, sexual orientation, gender identity or any other personal features. The ILO scope aims to ensure a wide and inclusive understanding of the phenomenon of harassment, recognizing that this can take on several shapes and based on different individual characteristics.

Then, what is the difference between HARASSMENT and DISCRIMINATION?

Discrimination is any distinct approach towards race, religious beliefs, age, gender, sex, nationality, or regionality. It is the prejudice against everything and everyone that seems different to you and, therefore, are seen as inferior and deserving of discriminatory treatment. However, it is important to remember that the Brazilian Constitution protects and defends a plural society and has as some of its foundations the dignity of the human person and the social value of work (Art. 1, III and IV). It also states that all Brazilians and foreigners, men and women, without distinction, have the right

to life, freedom, security, among many other fundamental rights and guarantees protected by the Constitution.

However, discriminatory acts in work environments are still common and often accompanied by harassment of the most diverse types. For this reason, the importance of the extensive disseminating and clarifying, so that they are immediately identified and reported. This Guide is intended for all gender identities. Nevertheless, our focus will be on highlighting towards harassment against women in our sector and how it impacts their lives.

What is the difference between SEX and GENDER?

The Lilac Guide from CGU presents cases in which harassment occurs due to sex or gender. In common sense, sex is medical information, assigned at birth, according to a series of physiological factors such as genitalia, hormones, and the chromosomes we carry. These are factors determined at our birth. Gender is defined per other perceptions, concerning how each

individual identifies themselves, and it may or may not be related to sex. LGBTQIAPN+ is an acronym that encompasses lesbians, gays, bisexual, transgender, queer, intersex, asexual, pansexuals and no-binaries. Each of these identities have their own unique characteristics and experiences, and it is essential to recognize and respect this diversity.

L	Lesbians women who feel sexual and/or affectionate attraction to other women
G	Gays men who feel sexual and/or affectionate attraction to other men
B	Bisexuals people who feel sexual and/or affective attraction to more than one gender
T	Transgender people who do not identify with their biological gender and assume an identity different from their birth
Q	Queer identities and expressions in gender and sexuality who do not fill heteronormativity standards (in heterosexuality or binarism in gender), e.g., drag queens
I	Intersex people born with biological characteristics (genitals, hormones, etc.) that do not correspond to the typical definition of the masculine or feminine sex
A	Asexuals, Agender or Aromantics people who do not feel sexual attraction to other people
P	Pansexuals and polysexuals individuals who feel sexual and/or affective attraction to others, regardless of gender or gender identity
N	Non-binary people who do not identify with any gender, or that identify with many genders
+	O “+” represents other identities and sexual guidelines not mentioned at the acronym and genres fluids, recognizing the vast diversity that exists

Source: Adapted from [11].



FIGURE 1: ACRONYM LGBTQIAPN+

Although abuses and violence can be experienced regardless of gender, it is important to recognize that the female gender is more vulnerable to these situations.

Understanding and respecting the diversity of gender identities is essential for creating an inclusive and welcoming environment for all individuals, regardless of their orientation.

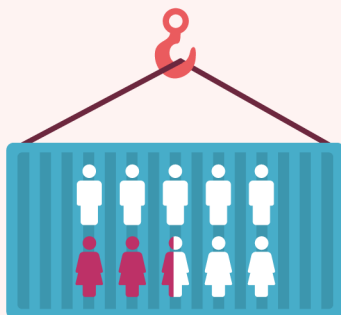
This expanded approach is crucial to contemplate the specific

dynamics involving gender issues in the workplace, recognizing the need for preventative and corrective measures that consider the disparities and challenges faced by different groups.

Antonette, an engineer dedicated to the waterway sector, finds herself in a situation of gender harassment. As a woman, she is a constant target of sexist comments in the workplace. Furthermore, Antonette faced the injustice of not being promoted due to the simple fact of being a woman, even demonstrating competence and dedication.

22,55%

Women



77,55%

Men

Women occupy only 22,5% of the high management positions at organizations.

Source: Gender Equity Research Results Panel - <https://web3.antaq.gov.br/ea/peg/>

This scenario highlights not only the urgency to implement approaches specific to prevent and combat

harassment in gender, but also underlines the importance of promoting gender equity.

1. Types of harassment

GENDER

Numerous studies demonstrate that women, in particular, face a number of unique challenges in the workplace, including manipulative behaviors that result in psychological violence. Such behaviors, unfortunately, have

become so common that they have gained specific terms in contemporary language. We present definitions of these terms to raise awareness and promote a more inclusive and respectful work environment for all people.

Source: Adapted from [7].

IT'S NOT JUST PHYSICAL VIOLENCE



Gaslighting:

is a type of psychological manipulation in which a person, usually intentionally, causes another person to doubt their own memory, perception, or sanity. Do you know that feeling when you are sure you have done something or submitted a document, but the other person denies it to the point of making you doubt your own memory? This can be done through denial, distortion of facts, minimizing events, or even questioning the victim's reality. For example, someone might insist that something that happened never occurred, leading the victim to question and doubt their own memory.

Mansplaining:

is when a man explains something to a woman in a pedantic or arrogant manner, even if it's about something she is knowledgeable about, just because she is a woman.

Maninterrupting:

is the act of a man constantly interrupting a woman while she is speaking, preventing her from finishing her thoughts or expressing her ideas. So, why do some men act this way? To dominate the conversation and devalue the woman's contributions, leaving her without credibility or relevance.

Bropriating:

occurs when a man takes credit for the work, ideas, or achievements of a woman as if they were his own. And the result of this? The work of their female colleagues is undervalued and marginalized..

Manspreading:

is the behavior of men taking up more space than necessary, in places such as auditoriums or meeting rooms, by spreading their legs or occupying adjacent seats. And what is the reason for this behavior? It can be a display of power or dominance.

RED FLAGS: IDENTIFYING GENDER HARASSMENT



- Derogatory comments or jokes about a person's gender identity, such as mocking a coworker for not accepting gender norms.
- Deliberate exclusion of a person from team activities or social events based on their gender identity.
- Refusal to use a person's name or pronouns, even after being informed of their gender identity preferences.
- Comments or sexually suggestive behaviors directed at a person based on their gender identity.
- Promotion or assignment of tasks based on gender stereotypes, such as assuming that someone of the female gender is better at domestic or administrative tasks than at technical or executive tasks.

NONETHELESS, IT IS ALSO WORTH ILLUSTRATING WHAT IS NOT GENDER HARASSMENT



- Respectful debate on issues related to gender identity if it is conducted in a civilized and inclusive manner.
- Constructive feedback related to work performance, regardless of the person's gender identity.
- Equal and respectful treatment of all coworkers with equality and respect, regardless of their gender identity, promoting an inclusive and diverse work environment.
- Respect for everyone's gender identity preferences, recognizing and using the names and pronouns they prefer.

Aiming at economic and social development, it is essential to have a sum of competencies among genders, allowing growth with higher quality, accessibility, and equity.

And it doesn't stop there! We still have to present more definitions to help combat harassment in your work environment.



SHALL WE START WITH intersectionality?

The idea of intersectionality, when we talk about harassment, is about how different forms of discrimination can overlap a person. This occurs due to the unique combination of characteristics such as gender, race, religion, age, disability, sexual orientation, and gender identity. It means understanding that harassment experiences are not separate but often interconnected and overlapping. This reminds us of the importance of deeply understanding these situations to deal with their complexities appropriately.

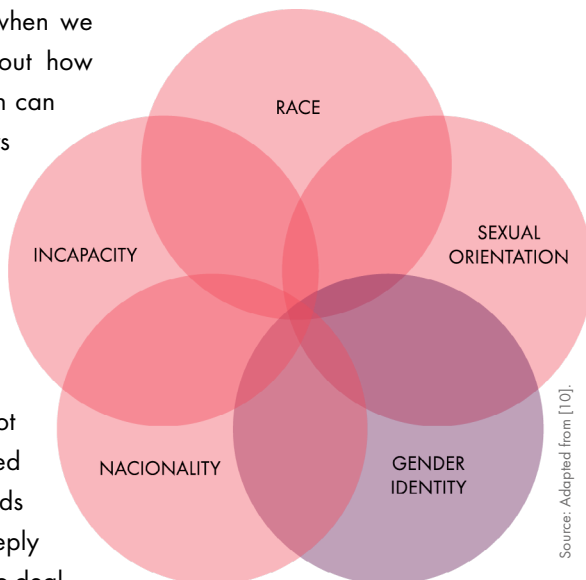


FIGURE 4: INTERSECTIONALITY

Camila, an experienced sailor, faces harassment that shows how different parts of who she is intertwine. Being a black lesbian woman, she is the target of sexist, racist, and homophobic comments at work. Her colleagues make jokes that not only belittle her professional abilities but also discriminate against her because of her race and sexual orientation. Intersectionality highlights how various aspects of Camila's identity affect the harassment she faces, showing that we need comprehensive approaches to prevent and combat harassment in the maritime sector.

NEXT, WE WILL PRESENT how to identify OTHER TYPES OF HARASSMENT.

MORAL

Moral harassment is characterized by abusive and disrespectful behaviors manifested repetitively through words, gestures, writings, or other means, which expose people to humiliating, embarrassing situations and that can cause harm to personality, dignity, physical and psychological integrity.

In the organizational environment, this type of harassment occurs in an institutionalized manner, that is, it refers to a pattern of behavior that is part of the political structure of the organization itself and affects a larger number of people. A management that operates under pressure, based on fear and intimidation, in the establishment of abusive goals, in imposing an excessive workload, in exposing the individual to embarrassing situations in case of not achieving results, in limiting breaks to go to the bathroom, are examples of typical collective

harassment behaviors perpetrated by the company/institution aiming at times, the maximization of results.

But not all is lost! After all, the Brazilian Penal Code began to typify as a crime the systematic bullying (Bullying) according to the disposition contained in Art. 146-A, as well as virtual systematic bullying (Cyberbullying), set out in the Sole Paragraph of the mentioned article. Another significant protection brought by the Brazilian Penal Code was the insertion of Art. 147-B, which provides for the criminalization of psychological violence against women.

These malicious behaviors that occur in an unjustified way may cause serious damage to the dignity and physical and psychological integrity of the individual, in addition to greatly harming their professional performance, among other serious consequences.

Rafaela, a dedicated port worker, faces moral harassment that undermines her self-esteem and well-being in the workplace. Her team members constantly ridicule and belittle her, criticizing her decisions and discrediting her professional contributions. They purposefully isolate her, refusing to include her in team activities and ignoring her suggestions during meetings. These hostile attitudes create a toxic work environment for Rafaela, harming her mental health and affecting her job performance. She finds herself unable to excel and progress in her career due to the constant moral harassment she faces.

RED FLAGS: IDENTIFYING MORAL HARASSMENT

- Ridicule, humiliate, or insult a coworker in front of others at work;
- Constantly assign tasks that are impossible to fulfill or that are beyond the employee's abilities;
- Purposefully ignore or isolate a coworker in the team, excluding them from important meetings or events;
- Spread false rumors or engage in malicious gossip about a coworker at work;
- Verbally threaten or intimidate a coworker at work to force them to do something against their will;
- Harm or hinder a coworker's professional advancement at work for personal or discriminatory reasons;
- Overload a coworker at work with constant and non-constructive criticism about their performance;
- Use offensive, aggressive language when addressing a coworker at work.

NONETHELESS, IT IS ALSO WORTH ILLUSTRATING WHAT IS NOT MORAL HARASSMENT

- Divergence of opinions - disagreements that arise in interpersonal relationships in the workplace are natural processes, as long as they are done respectfully.
- Management decisions made fairly and impartially.
- Constructive criticism, if it is done respectfully, with the aim of encouraging the individual's professional performance.
- Requirement for compliance with rules/norms established by the company/institution.
- Requirement that tasks be completed.
- Constructive feedback related to work performance, without resorting to insults or discrimination.



SEXUAL ORIENTATION

This is criminal conduct since the Federal Supreme Court (STF) classifies LGBTQIAPN+phobia as a crime. This includes prejudiced comments, exclusion, and unfair treatment.

Harassment based on sexual orientation

refers to discrimination based on sexual preference, while harassment based on gender identity addresses discrimination against those whose gender identity is perceived as inferior to their own.

Andrea, a dedicated deck officer, faces harassment due to her sexual orientation. Her colleagues make homophobic comments, creating a toxic environment that affects her mental health and professional performance.

SEXUAL

According to the International Labour Organization (ILO), sexual harassment is defined as insinuations, unwanted physical contact, used as a condition to give or maintain employment, influence promotions or the harassed person's career, among other situations that violate the victim's sexual freedom. It is important to highlight that sexual harassment is a crime under Art216-A of Brazilian

Penal Code, defining it as the conduct of constraining someone with the intent of obtaining sexual advantage or favor, taking advantage of the agent's condition of superior hierarchy or ascendancy inherent to the exercise of employment, position, or function. According to various studies, sexual harassment, like other types of harassment, affects women in the vast majority of cases.

Clara, a Naval engineer, started receiving messages from Valdir after providing her telephone number exclusively for professional reasons. He took advantage, I tried to propose an intimate meeting between the two, pestering her. She refused, and yet he continued to send suggestive emojis, tag in posts on social networks, saying, in then, which had sent by mistake.

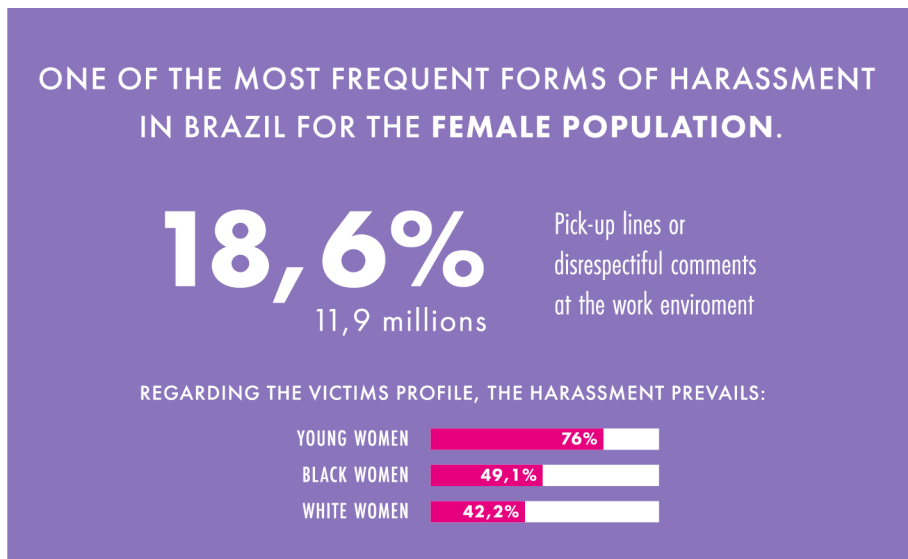
RED FLAGS: IDENTIFYING SEXUAL HARASSMENT

- Comments of a sexual nature, jokes, or obscene gestures directed at a coworker in the workplace, whether related or not to the tasks performed;
- Requests for sexual favors in exchange for promotions, wage increases, or other job benefits;
- Display of pornographic material at the workplace or sending electronic messages with sexual content;
- Unwanted caresses, hugs, kisses, or other forms of physical contact of a sexual nature;
- Threats or intimidation of a sexual nature, such as promises of dismissal or retaliation if the victim does not accept sexual advances;
- Invasion of personal space of a coworker at work in a sexually suggestive or inappropriate manner;
- Sending messages, emails, or making phone calls with sexual content after the victim's refusal.

NONETHELESS, IT IS ALSO WORTH ILLUSTRATING WHAT IS NOT SEXUAL HARASSMENT

- Genuine and respectful compliments without sexual content;
- Cordial greetings or respectful compliments on a coworker's appearance, provided they are made in an appropriate and non-invasive manner;
- Mutual exchange of compliments and flirtations between consenting adult coworkers;
- Invitations to dates or social events outside the workplace, provided there is no pressure or expectations of a sexual nature associated;
- Offering of gifts or sincere compliments without ulterior motives or expectations of sexual favors in return;
- Expression of romantic feelings or love interest in a respectful and non-invasive manner, without pressuring the other person to reciprocate.

FIGURE 5: BRAZILIAN FORUM IN SECURITY PUBLIC – TYPES OF HARASSMENT



Source: Adapted from [6].

ETHNICITY OR RACE

Harassment based on ethnic origin refers to actions that discriminate against someone based on their race or ethnicity. In this case, it's important to highlight that we are talking about the crime of racial insult, typified in

Law No. 7.716/1989 (Racial Crime Law) in its article 2-A, and can include derogatory comments, offensive jokes, and social exclusion based on racial origin. In case of conviction, the penalty for the crime is imprisonment from two to five years and a fine.



Carla, an experienced sailor, suffers harassment due to her ethnic origin. Her colleagues make racist jokes and derogatory stereotypes about her culture, making the work environment unpleasant. Carla feels isolated and professionally harmed due to these discriminatory actions.

RED FLAGS: IDENTIFYING ETHNIC ORIGIN AND RACE HARASSMENT

- A supervisor makes stereotypical comments about a woman's work skills employee based on her ethnic origin, suggesting that she is not capable of performing certain tasks per cause in your race;
- Making derogatory comments or offensive jokes about a coworker's ethnicity or race at work;
- Exclusion from team events or social lunches due to ethnicity, being systematically left out of company social activities;
- Making offensive comments about a coworker's accent, whether they are from a regional or foreign origin, ridiculing their way of speaking;
- Imposition of negative stereotypes on specific ethnic or racial groups;
- Refusal of opportunities for promotion or professional advancement to an employee based on their ethnic origin or race;
- Use of racist language or gestures in the work environment;
- Ridiculing or showing contempt for cultural traditions of a coworker;
- Refusing to work with or collaborate with colleagues due to their ethnic origin or race;
- Spreading rumors or fake rumors about a coworker at work based on their ethnic origin or race.

NONETHELESS, IT IS ALSO WORTHWHILE TO ILLUSTRATE WHAT IS NOT ETHNIC ORIGIN AND RACE HARASSMENT

- Celebrating the ethnic and racial diversity of the team through cultural events or activities that promote mutual respect and understanding among colleagues;
- Promoting events or activities that value and respect different cultures and ethnicities;
- Recognizing and appreciating the individual contributions of each coworker, regardless of their ethnic or racial origin;
- Offering constructive feedback related to work performance, without considering ethnic or racial origin;
- Treating all coworkers with equality and fairness, without discrimination based on their ethnic or racial origin;
- Respecting the cultural and religious traditions of coworkers, ensuring an inclusive and respectful work environment for everyone;
- Collaborating and working as a team with colleagues from different ethnic or racial backgrounds, valuing diversity and promoting equality in the workplace;
- Encouraging collaboration and teamwork among colleagues from different ethnic or racial backgrounds, valuing diversity as a resource for the company.

RELIGIOUS

Religious harassment occurs when someone is targeted for discrimination due to their religious beliefs. This can include mockery, derogatory comments, and discriminatory practices associated with faith. Just like racial harassment, religious harassment is

also characterized as a crime of insult, typified in Paragraph 3, of Law No. 2.848, Article 140, which states: if the insult consists of the use of elements referring to religion, the penalty can be imprisonment from one to three years and a fine.

Juliana, an administrative assistant, is subjected to religious harassment. Her colleagues make offensive remarks about her religious beliefs and her attire that reflects her religion, creating a climate of hostility. Juliana finds herself facing discrimination at work because of her faith.

RED FLAGS: IDENTIFYING RELIGIOUS HARASSMENT



- A supervisor makes unfavorable comments about an employee's religious beliefs during meetings, implying that her religious practices are inappropriate or meaningless.
- A coworker refuses to collaborate with a team member on projects, referring to religious differences as the reason for their reluctance.
- An employee is the target of jokes or derogatory comments about her religion by other coworkers, creating a hostile and disrespectful environment.
- A superior denies promotion or career advancement opportunities to an employee based on her religious beliefs, demonstrating prejudice.
- An employee is excluded from social events or team activities simply because of her religion, being treated differently and discriminatorily.
- A coworker attempts to convert other team members to their religion, pressuring them to participate in religious activities or events against their will.
- An employee is subjected to unfair or discriminatory treatment by superiors or coworkers due to her religious beliefs, harming her dignity and well-being in the workplace.
- A supervisor makes offensive comments about religious holidays observed by an employee, belittling her religious practices and devaluing her identity.

NONETHELESS, IT IS ALSO WORTH ILLUSTRATING WHAT IS NOT RELIGIOUS HARASSMENT



- Respect the religious beliefs of coworkers and avoid making disrespectful or discriminatory comments about their religions;
- Celebrate the religious diversity of the team through cultural events or activities that promote understanding and mutual respect among colleagues;
- Provide reasonable accommodations for religious practices and/or flexible scheduling;
- Avoid imposing personal religious beliefs on other coworkers and respect each individual's religious freedom;
- Promote an inclusive and respectful work environment, where all religious beliefs are treated with equality and tolerance, regardless of one's religion;
- It is not religious intolerance when the employer provides specific food for people who have religious restrictions.

It's important to emphasize, for those who may not know, that the secular state defended by the Brazilian Constitution defines the freedom of belief of each individual as inviolable.

Religious harassment, on the other hand, is a discriminatory practice that violates this freedom, resulting in unfair treatment or hostility in the workplace.

AGE

Age harassment refers to actions that harm or discriminate against somebody based on their age. This may include jokes, negative stereotypes, and exclusion of opportunities due to age. And it is important to highlight that it is also a form of qualifier of the crime of

insult as provided in Law No. 2,848, Paragraph 3rd, of Art. 140, which provides: if the injury consists of the use of elements referring to the condition of an elderly person, the penalty can be imprisonment from one to three years and a fine.

Odette, who works as a customs broker, faces age harassment. Her colleagues make derogatory jokes about her age, questioning her ability to stay up-to-date and her leadership capacity. Odette feels devalued and professionally excluded due to ageism.

RED FLAGS: IDENTIFYING AGE HARASSMENT



- A younger coworker makes derogatory comments about the capacity or competence of an older colleague, suggesting that she is outdated or unable to keep up with changes in the workplace;
- An organization does not recruit, hire, or develop people based on age;
- Coercing an employee into retirement plans or voluntary resignation due to age;
- Discrimination against older individuals by attributing to them slowness and difficulty in learning and relating;
- Isolation of older individuals from activities, instead of integrating and qualifying them for new ways of performing them.
- A supervisor refuses to assign challenging projects or important responsibilities to older female employees, citing their age as a reason for not trusting their ability to perform innovative tasks;
- A female employee is the target of jokes or mockery related to her age by other coworkers, creating a hostile and disrespectful environment;
- An older employee is excluded from social events or team activities simply because of her age, being treated differently and discriminatorily;
- A superior makes offensive comments about an employee's age during meetings or performance evaluations, belittling her abilities based on age-related stereotype.

NONETHELESS, IT IS ALSO WORTH ILLUSTRATING WHAT IT IS NOT AGE HARASSMENT



- Consider the experience and knowledge of older female employees as valuable and offer opportunities for mentorship or leadership;
- Respect the unique contributions and perspectives of employees from different age groups, promoting an inclusive and collaborative work environment;
- Provide training and professional development tailored to the individual needs of each employee, regardless of their age;
- Avoid making generalizations or stereotypes based on an employee's age and treat them with equality and respect, recognizing their skills and professional achievements;
- Promote an organizational culture that values age diversity and recognizes the contributions of employees of all ages to the company's success.

DISABILITY DISCRIMINATION

The Decree No. 6.949, OF AUGUST 25, 2009, “defines that persons with disabilities are those who have long-term physical, mental, intellectual, or sensory impairments, which, in interaction with various barriers, can obstruct their full and effective participation in society on an equal basis with others”, as stated in Article 1. Article 2 defines that “discrimination on the basis of disability means any differentiation, exclusion, or restriction based on disability, with the purpose or effect of hindering or making impossible

the recognition enjoyment, or exercise, on an equal basis with others, of all Human Rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. It includes all forms of discrimination, including the denial of reasonable accommodation”.

Offending someone using elements related to their condition as a person with disabilities is also a criminal conduct qualified by the crime of insult as typified in Paragraph 3, of Law No. 2.848, Article 140.

Rebeca, an onboard engineer, is subjected to harassment due to her disability. Her colleagues make offensive comments about her physical condition, limit her professional opportunities, suggesting that she is less capable or productive due to her condition.

RED FLAGS: IDENTIFYING DISABILITY DISCRIMINATION



- A supervisor refuses to provide reasonable accommodations for an employee with a disability, hindering her full participation at work or denying her career advancement opportunities;
- An employee is the target of jokes or mockery related to her disability by other coworkers, creating a hostile and disrespectful environment;
- An employee with a disability is excluded from team activities or social events, being treated differently and discriminatorily due to her condition;
- A superior makes offensive or humiliating comments about an employee's disability during meetings or performance evaluations, belittling her skills and professional contributions.

NONETHELESS, IT IS ALSO WORTH ILLUSTRATING WHAT IT IS NOT DISABILITY DISCRIMINATION



- Promote channels and tools adapted to the physical and mental conditions of employees, aiming for better adaptability during the workday;
- Offer reasonable accommodations for employees with disabilities, allowing them to perform their tasks effectively and fully participate in the workplace;
- Recognize and value the unique skills and contributions of employees with disabilities, promoting an inclusive and respectful work environment;
- Respect the privacy and dignity of employees with disabilities, avoiding making invasive or discriminatory comments about their condition;
- Promote an organizational culture that values diversity and inclusion, ensuring that all employees are treated with equality and respect, regardless of their physical or mental condition;
- Implement policies and procedures that explicitly prohibit harassment and discrimination based on disability, and ensure that employees know how to report any incident in a safe and confidential manner.

HARASSMENT IN ALL WAVES:

HORIZONTAL, UPWARD, DOWNWARD, IN-PERSON AND REMOTELY

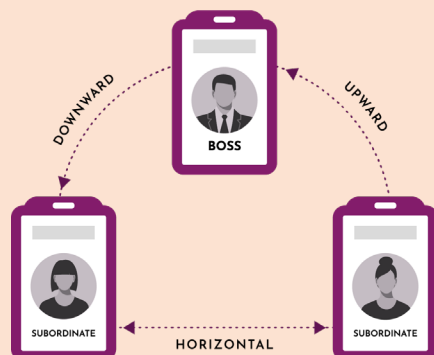
It is not enough to merely recognize the types of harassment in the workplace; it is crucial to understand that it manifests

in various ways, reflecting the dynamics of relationships among people within an organization.

Upward vertical harassment is the one that involves a subordinate or group of subordinates harassing an individual in a higher hierarchical position, such as a manager, supervisor, or boss

Downward vertical harassment refers to the more common harassment that occurs in professional contexts and involves an unequal hierarchical relationship. Where a superior or boss harasses a subordinate or group of subordinates.

Horizontal moral harassment occurs among coworkers who are at the same hierarchical level or have equivalent positions within an organization.



Source: Adapted from [12].

FIGURE 6: TYPES OF HARASSMENT

You might already be imagining that harassment situations can manifest in a variety of contexts within the workplace and its extensions. In the workplaces themselves, interactions among colleagues, supervisors, and subordinates can create an environment prone to inappropriate behaviors. Whether through offensive comments, tasteless jokes, intimidation, or discrimination, harassment can arise in different forms and significantly affect individuals. These situations can cause discomfort, anxiety, stress, and have a negative impact on the mental and emotional well-being of those involved. Moreover, during commutes or business trips, employees may find themselves in vulnerable situations, away from their usual environment and often in unfamiliar places. In these moments, opportunities for abusive behaviors by colleagues, clients, or even strangers may arise, creating an unsafe and hostile environment. Training and qualifications also represent a conducive scenario for the emergence of harassment. During these activities, group dynamics, the presence of instructors or higher-ranking superiors, and the pressure for results can contribute to situations of power abuse and intimidation.

Furthermore, with the advancement of technology, harassment can extend to the virtual world. Messages through apps, emails, or on corporate social networks can become vehicles for cyberbullying, where coworkers may be the target of attacks and offensive comments anonymously or not. It is important to highlight that systematic virtual intimidation is also considered a crime, as specified in the Single Paragraph of Article 146-A of the Brazilian Penal Code. The Civil Rights Framework for the Internet, outlined by Law No. 12.965/2014, is an important legal instrument for addressing online harassment. Article 19 stands out in this context, ensuring freedom of expression on the internet, except in cases of violation of privacy, private life, honor, and the image of individuals. Thus, a safer and more respectful internet is possible, while individual rights are protected.

Given this panorama, it is essential that everyone adopts clear policies for the prevention and combat of harassment, promotes awareness, and trains their employees. Only then will it be possible to ensure a healthy, safe, and harassment-free work environment for all employees.

Understanding what constitutes harassment and having the opportunity to openly discuss the topic are essential steps to promote a healthier work environment. This awareness not only benefits the personal and professional development of all involved but also contributes to strengthening the organizational culture and fostering relationships of respect and collaboration, thereby benefiting the maritime sector as a whole.

5. Harassment: everyone loses EMPLOYEES

When harassment is present in the work environment of the maritime sector, nobody wins. The employee who is the target of these practices faces significant psychological and

physical consequences, resulting in psychosomatic risks that can deeply affect her health. These impacts are reflected not only in her quality of life but also in her professional performance.

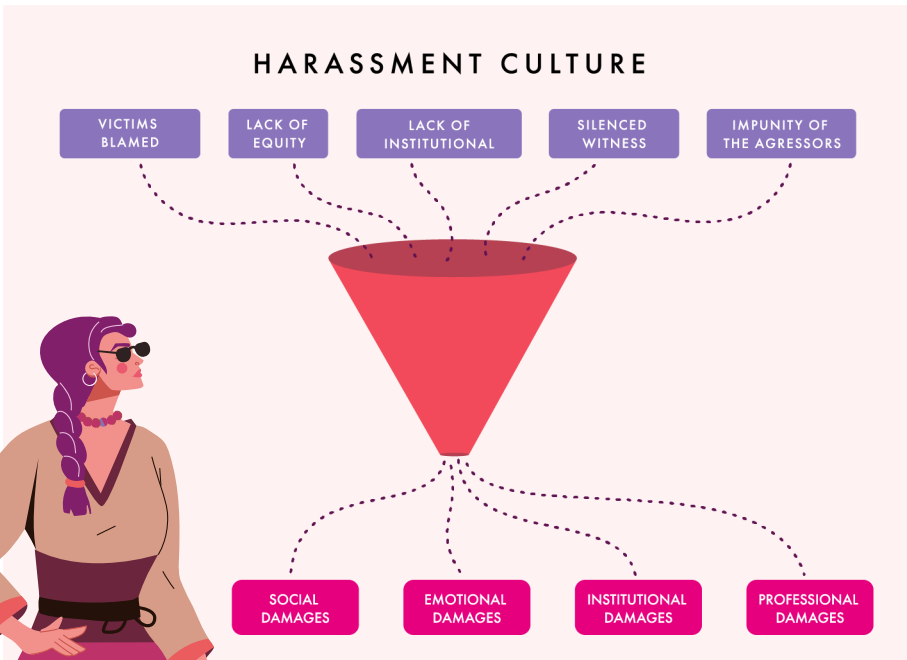


FIGURE 7: THE HARASSMENT CULTURE

COMPANY

The company also suffers, as harassment contributes to a toxic organizational climate. The financial losses are significant, as productivity may be compromised, absenteeism and presenteeism are increased, and the costs related to employee turnover rise. Legal lawsuits can accumulate.

Depending on the situation, there are legal implications that can lead to the accountability of the aggressor both in civil and criminal court. Within the scope of labor relations governed by the Consolidation of Labor Laws (CLT), inappropriate behavior may also constitute a serious fault, leading to termination for just cause.



What is Psychosocial risk?

Psychosocial risk, according to the International Labour Organization (ILO), refers to conditions and situations in the workplace that can affect the mental health and well-being of workers, potentially having negative effects at the psychological, physical, and social levels. These factors include high levels of stress, excessive workload, lack of social support, a hostile and discriminatory environment, and the emergence of problems such as anxiety, depression, and hypertension, among others. The ILO emphasizes the importance of recognizing and addressing these risks to ensure healthy and sustainable work environments, promoting the overall well-being of workers.

What is absenteeism?

Absenteeism is a term that describes a pattern of absence from a commitment or obligation. In institutions, absenteeism can be easily observed in daily operations through factors such as decreased productivity, overload, and a compromised organizational climate.

And the presenteeism?

Presenteeism is a form of absence where the worker is physically present at their workplace but is unable to fully dedicate themselves to their tasks. This type of behavior is related to stress and exhausting work conditions, which cause individuals to disconnect from their external environment in order to cope with their workday. The professional suffering from presenteeism goes to work every day but is no longer able to emotionally engage with their duties.

EVERYONE

The maritime sector as a whole is harmed when harassment persists. The industry's reputation as a diverse, safe, and respectful environment is compromised, deterring potential talents and investments. Ultimately, it is imperative for the sustainability of companies and the prosperity of the maritime sector to eradicate harassment and promote a healthy and respectful work culture.

Promoting healthy and quality work environments in the maritime sector requires the engagement of all parties involved. To build a culture of respect

and prevention harassment it is crucial to establish and publicize reporting channels, ensuring the ANONYMITY of victims. Moreover, the implementation of policies to support victims of harassment are critical steps.

Creating a culture of combating harassment is a collective effort. The dissemination of this Guide proves to be a valuable resource to guide all stakeholders. Additionally, campaigns, discussion groups, and regular training are essential to address the issue effectively.



6. Harassment Prevention in the Waterway Sector

One COLLECTIVE Commitment – environment grade A+

In the dynamic scenario of the maritime sector, preventing harassment requires a COLLECTIVE approach and the active

participation of both companies and employees. Here are some suggestions that highlight the role of each part:

COMPANIES' ROLES	EMPLOYEES' ROLES
<p>1. Implementation of Clear Policies: Companies must establish clear and comprehensive policies that explicitly condemn any form of harassment, including clear definitions and consequences for inappropriate behavior.</p>	<p>1. Knowledge and awareness: Employees should educate themselves about what constitutes harassment, recognizing different forms and understanding its negative impact on the workplace.</p>
<p>2. Regular Training: It is the responsibility of organizations to provide regular training for all employees, highlighting the impact of harassment, how to identify inappropriate behaviors, and the proper procedures for reporting incidents.</p>	<p>2. Responsible Reporting: They need to be vigilant about inappropriate behaviors and immediately report harassment incidents through designated channels, contributing to the maintenance of a safe environment.</p>
<p>3. Safe Reporting Channels: The establishment of effective and confidential reporting channels is essential, ensuring the anonymity of the victim and possible witnesses, as well as an anti-retaliation policy that encourages employees to report incidents.</p>	<p>3. Support for colleagues: employees should offer support to colleagues who may be victims of harassment, promoting a culture of solidarity and mutual care.</p>
<p>4. Creating a Respectful Culture: Institutions must commit to fostering an organizational culture that values diversity, promotes inclusion, and encourages respect, from leaders to frontline employees.</p>	<p>4. Participation in Training: it is also the responsibility of employees to commit to actively participating in training and actions offered by the company to better understand how to prevent harassment and contribute to the creation of a healthy work environment.</p>
<p>5. Quick and Effective Response: Organizations committed to combating harassment must respond promptly to any reports, investigating impartially and applying appropriate disciplinary measures when necessary.</p>	<p>5. Respect for Diversity: It is also incumbent upon the staff to value the diversity present in the workplace and recognize the importance of treating everyone with respect and dignity, regardless of their differences.</p>

FOR ALL

It is essential that everyone in the maritime sector actively participates in reading and disseminating this Guide. The spread of knowledge contributes to collective awareness and the construction of a diverse, safe, and respectful work environment for all.

1 IN 6
victims of sexual harassment
in the workplace resign



35,5%

STATES THEY LIVE IN CONSTANT FEAR

Source: Adapted from [16].

FIGURE 8: LIVING WITH FEAR

7. Guidelines

IF YOU SUFFER HARASSMENT

It's not always easy to collect or gather evidence that proves the harassment suffered, either because it involves subtle behaviors that often leave no evidence, or because the situation often occurs without the presence of a third party who can witness the inappropriate conduct. The fear of retaliation, along with feelings of shame and guilt, are

possible causes that silence the victims, causing them to stop reporting and seeking appropriate support. It is important for the victim to be aware of any inappropriate acts or behaviors. Some attitudes are relevant so that the victim can gather elements that characterize the practice of harassment and feel safer seeking help.

ELEMENTS THAT MAY ASSIST IN FILLING THE COMPLAINT

- 1. Detailed record of the experienced situation (notes indicating the location, day, time, name of the aggressor, spoken words, gestures shown, recordings, videos, etc.);
- 2. If the aggression can be proven through phone messages, email, or any other written means, it is important that these records are saved, as they constitute important means of proof;
- 3. If the situation has caused psychological distress to the victim, attested by medical reports, such evidence should also be part of the efforts to prove the harassment suffered and its consequent effects.
- 4. Psychological guidance helps in finding the best way to behave in order to face such situations.

IF YOU TESTIFY HARASSMENT

Just like the victim, the witness also needs to feel safe to provide the necessary support. It is of fundamental importance that their identity is preserved, and confidentiality is maintained regarding the information provided.

Many times, those who witness harassment situations prefer to remain silent or even deny support due to fear of possible retaliation. If you are a witness, remember that fighting harassment is a duty for everyone. Offer the victim any help within your capacity to report the incident.



FIGURE 9: ACT OF COURAGE

8. Channels for Reporting and Support

Source: Adapted from [16].

BIGGEST BARRIERS TO REPORTING HARASSMENT



FIGURE 10: BARRIERS TO REPORTING

In the organizational context, the existence of internal complaint channels can vary from company to company. However, when available, it is highly recommended that employees use these channels to report any incidents or harassment situations.

Furthermore, it is crucial that these channels are accompanied by appropriate support measures, ensuring that reports are handled with sensitivity, confidentiality, and impartiality. This approach aims to ensure a safe environment conducive to everyone in the organization feeling protected and supported in case of harassment.

**Do not hesitate to seek help!
Time is important. Be quick and
do not fail to report the case.**



IMPORTANT RESOURCES FOR REPORTING

Below, some public channels available for situations where companies do not yet have an adequate structure to receive complaints and offer the proper support will be mentioned.

IARA	https://www.gov.br/antag/pt-br – ANTAQ makes available on its portal IARA, an artificial intelligence bot, which is prepared to receive complaints confidentially, facilitating the complaint process.
Libras Assistance	https://atendelibras.mdh.gov.br/aceso – Exclusive channel for people with hearing disabilities who are users of the Brazilian Sign Language (Libras).
Child Protection Council	Important for cases of violence against minors, such as in the case of underage apprentices. It is emphasized that it is up to the municipality of each region to define the location, days, and operating hours of the agency.
Specialized Women’s Police Station	An important channel for reporting violence against women, including harassment. Brazil has 400 specialized police stations or service centers within common police stations. Search for the nearest location that is convenient for you.
Dial 100	Human rights violation reporting and protection service, operating 24 hours a day, every day of the week. Calls can be made from anywhere in Brazil through direct and free dialing from any landline or mobile phone, by simply dialing 100.
Fala.br	https://falabr.cgu.gov.br/web/home – Platform for sending complaints of moral or sexual harassment to bodies and entities of the Federal Executive Power, as well as state and municipal bodies.
Hospital	In case of any violence where the victim needs immediate medical help/assistance.

Call 180	An essential service for addressing violence against women. In addition to receiving complaints, it forwards the reports to the competent bodies and monitors the progress of the cases. Calls can be made from all over Brazil through direct and free dialing, as well as having international options, in such case, consult the website https://www.gov.br/mdh/pt-br/ligue 1 80 .
Public Labor Prosecutor's Office (MPT)	https://mpt.mp.br/pgt/servicos/servico-denuncie – Enables workers to register labor complaints quickly and easily.
Federal Public Prosecutor's Office	https://www.mpf.mp.br/ – Institution that can investigate and take legal action against companies that tolerate or practice harassment.
Federal Police	https://www.gov.br/pf/pt-br – Authorized to investigate crimes under Law No. 13.642/2018, committed through the internet, including misogynistic content.
Trade Union	Assists in protecting the rights of employees and can provide support with the adoption of measures in case of harassment practices.

It is crucial to highlight that the channels mentioned do not represent the entirety of the available options, and this list is not exhaustive. Other options may be considered, considering the individual circumstances of each person and the region of the country.



Conclusion

At the end of this Guide to Tackling Harassment in the Waterway Transporting Sector, we emphasize the importance of education, awareness, discussion, and the expansion of actions adopted on the topics presented. Knowing the details of harassment and being aware of the available support channels are fundamental pillars for dealing with this delicate issue.

By sharing this knowledge, we not only strengthen the ability to confront harassment but also contribute to the construction of a more united and healthier waterway sector. Everyone benefits when we promote a work environment based on respect and dignity.

To amplify the reach of these vital pieces of information, we have made available a digital version of the Guide to Tackling Harassment in the Waterway Sector. We encourage you to share this version with colleagues, friends, and anyone who may benefit from this valuable tool.

DO NOT FORGET, by spreading knowledge, we strengthen our collective capacity to create safer and more respectful environments for everyone.

Your contribution is valuable for the continuous improvement of this Guide. Please, if you have any suggestions, send them to the email combataoassedio@ANTAQ.gov.br.



**Together, we can
make a difference and
promote a healthier and
more inclusive future
for everyone in the
waterway sector.**

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Word Search

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SUPPORT
HARASSMENT

VICTIM
REPORT

PROTECTION
PREVENTION

Notes

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Notes

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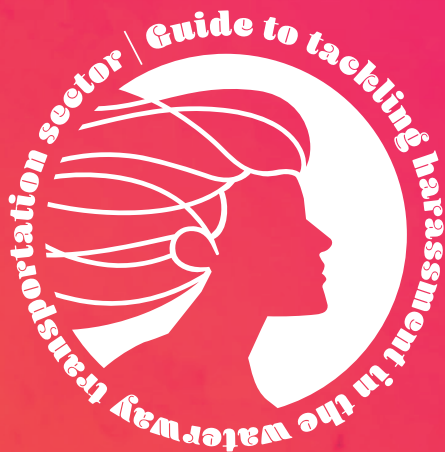
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Support and Partnerships

This Guide is the result of intense collaboration among various entities linked to the waterway sector. We record here our thanks for the support of all who contributed, especially to the companies that participated in the workshop and the survey for collecting sector information.



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