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## INKATHA VIOLENCE IN SOUTH AFRICA: TRANSPORT WORKERS IN THE FRONT LINE

A campaign of terror and violence against trade unionists and anti-Apartheid activists in South Africa, perpetrated by vigilante groups, has been misrepresented by much of the world media as "black on black" violence.

What it is, in fact, is another tactic by the white minority government to destroy political opposition to Apartheid. Detention without trial, media censorship and the banning of meetings and demonstrations have failed to quell resistance – this latest wave of violence, combining with these other state attacks on the opposition, represents a sinister new development in South Africa.

The focus of this reign of terror is the South African province of Natal, and within Natal some of the most serious incidents have occurred in Pietermaritzburg. The overwhelming majority of the violence comes from one source – vigilantes supported by the Inkatha organisation.

Inkatha is directly linked with Gatsha Buthelezi – a man who pretends to the outside world that he is an opponent of Apartheid, while simultaneously endorsing the central plank of Apartheid. Buthelezi accepts the notorious South African "Bantustan" policy which pretends to grant political rights to black citizens by hiving them off into fictitious "homeland" states. In Buthelezi's case, he is the Chief Minister of the "Kwa-Zulu" homeland, a geographically incoherent bundle of arid lands that the South African government – and no-one else in the world – considers the basis of an independent homeland for the Zulu people. The homeland policy, internationally discredited and condemned, is another variant of the familiar divide and rule tactics of dictatorships everywhere.

It is important to realise that what has been reported in many media outlets as fighting between blacks is exactly what the South African government, with its stringent controls on television and newspapers, wants the rest of the world to think. "Black on black" violence is a propaganda tool that seeks to establish a fundamental racist concept of white minority rule – that majority rule is impossible because "tribal" factionalism would inevitably lead to civil war.

During 1987 at least 200 people were victims of this wave of violence in the Pietermaritzburg area. The townships in the area are gripped with fear.

The main targets of Inkatha violence are Congress of South African Trade Unions (COSATU) and United Democratic Front (UDF) activists, but some of the latest attacks have been against people unattached to either organisation.

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January 1988

# ...Bus drivers attacked by stone throwing mob

Continued from page 1

Recently there has been a backlash from the community sympathetic to COSATU and the UDF, and some Inkatha supporters have been attacked or killed. But it is beyond doubt that Inkatha vigilante squads commit the most, and worst atrocities. They are clearly responsible for the increasing violence in the area, which has been building up since late 1985.

Members of the ITF-affiliated Transport and General Workers' Union (TGWU), which is part of COSATU, have suffered badly from these attacks and from official state repression in the last year. Transport workers, as visible targets who work on the streets, cannot help but be in the front line.

What follows is a summary of some of the major attacks that transport workers have suffered:

On May 5, 1987 anti-apartheid organisations in South Africa called for a stay-away protesting at the whites-only election. The action was very successful in Natal, partly because bus and taxi drivers supported it. Two days later a Mr. Duma was stabbed at a Pietermaritzburg bus terminus by unknown people. Duma was suspected of having been involved in killing a young UDF member the previous day. TGWU bus drivers were accused of killing Duma.

The following day, members of UWUSA (the Inkatha-linked "union") at Kwa Zulu Transport all took sick leave. At 4 am, the first bus leaving the depot was stoned by a group of people who had erected barricades across the road.

The first TGWU driver to be attacked by Inkatha members was Jerome Mbonqwa. He was attacked while driving on his first trip. He survived the attack, but has been declared medically unfit to work and is now on a pension.

On May 10, another bus driver, S. Zulu was shot at while driving his bus by a member of the South African Police whose brother is a well known Inkatha leader. He survived.

TGWU bus drivers became terrified to go out on their usual routes. Attacks were reported to the police, but nothing was done to help them and no protection was offered. Drivers began escorting

each other in their time off to offer what protection they could.

On the same day - May 10 - bus driver Jeffrey Kheswa's wife was picked up by the security forces from her home and detained. Kheswa went to the Plessislaer police station to find out what was happening to his wife. He was told that she had been released and was then promptly detained himself. Nine months later he is still being held incommunicado with charge or trial.

Shortly afterwards, an UWUSA member, Ova Mncwabe stormed the house of Themba Gwala, a TGWU driver. Finding Gwala was not at home he ransacked the house and robbed Gwala's mother

people waiting for him at the road block, so he turned round and drove away - he was pursued for many kilometres before shaking his pursuers off.

Ndlovu is a bus driver at Kwa Zulu, and, in addition to being a TGWU Vice President, he is also COSATU Natal Chair. He is a highly respected and active trade unionist and member of his community. During this period he was very active both in trying to expose the terror campaign and in seeking a peaceful solution. He was detained by the police on October 10 last year. Initially he was charged with attempted murder. On the day he was to appear in court, the charge was dropped and he has

## **"In almost all cases there is direct or indirect assistance from certain policemen"**

of food, furniture and clothing. Gwala went to the police to lay a charge against Mncwabe. The police detained Mncwabe for two weeks, then withdrew the charge and released him.

A TGWU dispatcher, Colin Dobile, was shot dead. He had previously survived a car chase by UWUSA member Phillip Thabethe. The same Ova Mncwabe was charged with the murder and illegal possession of a firearm. The charges were dropped without any court appearance.

TGWU drivers N. Dlamini and E. Nene were shot at while travelling in their own car. The three attackers, Inspectors Thusi, Dube and M. Mbatha were all UWUSA members working at Kwa Zulu transport. Dlamini died later of his wounds.

A week later Inspector Dube and another UWUSA member, Wilson Mda, were shot dead on a bus by one of the passengers after a heated exchange.

During the May attacks there was an attempted attack against TGWU Vice President Alfred Ndlovu. While driving his car, he spotted a road block and stopped further up the road. Passers by told him that there were Inkatha

since been held under the notorious Section 29 of the Internal Security Act - which allows for indefinite detention without access to a lawyer or family visits.

On the same day Ndlovu was arrested another TGWU Kwa Zulu Transport driver, Ndodo Ngubo was also detained. He is also still being held.

On November 20 another TGWU Kwa Zulu driver was detained. Jerry Vlikazi is also Vice Chair of the shop stewards' committee. He was taken off his bus by security police and is still being held under the emergency regulations.

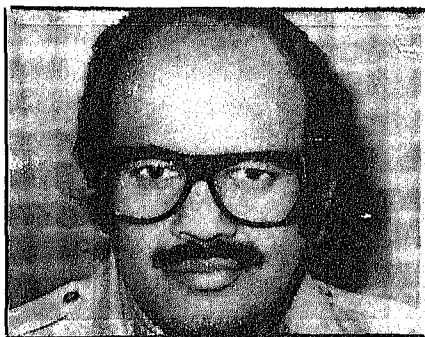
On December 2 yet another TGWU driver from this company, Ngodlomane Mkhuzi was also detained.

While the situation in Pietermaritzburg is the most intense, there have been attacks on transport workers throughout Natal in areas where Inkatha operates. In June 1987 the chairman of the shop stewards' council at South African Stevedores in Durban was murdered at night while on duty. He was stabbed to death. UWUSA had just started organising at this depot and, although there no wit-

Continued on page 3

# Detained union leader handcuffed to hospital bed

V David, General Secretary both of the ITF affiliated Transport Workers' Union and of the Malaysian Trades Union Congress (MTUC) was handcuffed to his bed while being treated for a heart attack suffered following his detention in October last year. This information, recently supplied to the ITF secretariat, demonstrates the inhuman conditions under which trade unionists and opposition politicians detained under the notorious Internal Security Act, are being held. According to information supplied by Amnesty International early in January, a number of detainees, including David have now been served with a two year extension of their detention orders. Eye witnesses say that



David was handcuffed to his bed while being treated in hospital after his heart attack and that he remains handcuffed while in detention. Questions asked in the Malaysian Parliament about this practice provoked the response that anyone in Malaysia can be handcuffed by the police - except

the King!

The Internal Security Act, which provides for prolonged detention without trial, is a blatant violation of basic human and trade union rights. Amnesty International is coordinating international action in support of the detainees and ITF General Secretary Harold Lewis, in a circular to all affiliates, has asked that letters or cables protesting against the detentions, including that of Bro V David be sent to Malaysian diplomatic representatives or directly to :

Dr Mahathir Mohammed  
Prime Minister of Malaysia  
Jalan Dato Onn  
50502 Kuala Lumpur  
Malaysia

## ... 'Warlords' behind terror gangs

Continued from page 2

nesses to this killing, a connection is suspected.

In Northern Natal, last May, the then President of the TGWU, Jerry Ntombela, had shots fired into his house in the middle of the night. He escaped unharmed.

At the beginning of October Northern Natal TGWU organiser Nkosinathi Nhlekos' home was strafed by machine gun fire. A few days later, on October 14, Nheleko was taken from the local TGWU office in Empangeni and was detained - he is still being held.

There is a similar pattern in all these attacks. They are directed against anti-apartheid organisations and often follow the establishment of some democratic structure, campaign or action. The aim is clearly to stamp out all non-Inkatha political activity.

In almost all cases there is direct or indirect support from certain policemen. Residents complain that police do not act against the vigilantes even when the individuals are clearly identified. The police also refuse to provide protection to people after vigilante attacks.

Linked to this campaign by Inkatha for total political control and the elimination of all opposition is the emergence of a number of Inkatha "Warlords". Certain key figures can be identified with much of the violence in the area.

### APARTHEID DETENTIONS

Natal Transport Workers...	...held since
JEFFREY KHESEWA	MAY 10, 1987
ALFRED NDLOVU	OCTOBER 10, 1987
NDODO NGUBO	OCTOBER 10, 1987
JERRY NTOMBELA	OCTOBER 14, 1987
JERRY VILIKAZI	NOVEMBER 20, 1987
NGODLOMANE MKHUZI	DECEMBER 2, 1987

ALL THE TGWU MEMBERS ARE BEING HELD WITHOUT CHARGE OR ACCESS TO A LAWYER UNDER THE SOUTH AFRICAN EMERGENCY

These people are known to be Inkatha members. In the case of the attacks against TGWU bus drivers after the stay-away a certain individual "Warlord" appears to have been behind the violence.

While these Warlords continue to attack anti-apartheid forces and communities, it is no wonder that the authorities do little to stop them - for they are doing the state's job for them. The security force's complicity in this reign of terror is further illustrated by the way that attacks against individuals and their arrest and detention by the security forces seem, often, to follow one another in sequence.

With official state repression and "unofficial" Inkatha violence working hand in hand, the transport workers of Natal need all the support they can get. Telegrams of protest should be sent to the South African government and their embassies naming the detained men and demanding their release. It's important that the South African government know that we know who they are holding - their own emergency regulations prevent South African organisations from publishing the names of those detained, because the government hopes to hide its crimes from the world.

# ITF Asia/Pacific conference

The link between deregulation and privatisation in the transport sector and attacks on trade union rights came under the spotlight during the Second ITF Asia/Pacific Regional Conference held in Tokyo from 3-5 December 1987.

Delegates heard a long list of examples of serious violations of basic rights by governments in the region, and debated in depth the situation in the Philippines, Pakistan, Korea, Bangladesh, Sri Lanka, Malaysia and Fiji.

10 resolutions were adopted by the three day conference including ones on trade union and human rights in Fiji; the Gulf War; Vayudoot Airlines; Air India's policy of forcing aircraft engineers to carry out bomb searches; and the denial of trade union rights to PIA employees in Pakistan. A special

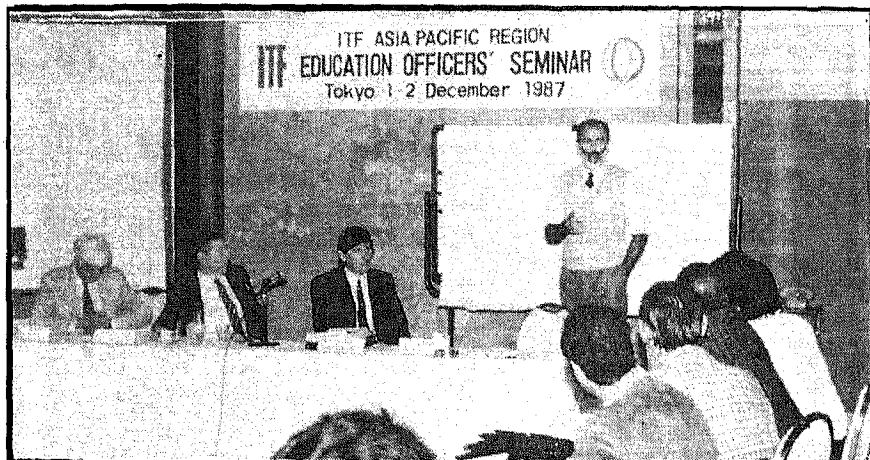


statement was adopted on the ITF Long Term Education Programme asking affiliates in the region to ensure that it becomes self financing and expressing appreciation to unions in Norway, Sweden, USA and the Netherlands for their financial support.

The Conference also adopted a declaration on trade union rights with special reference to privatisa-

tion and deregulation in the transport industry which pointed out the fact that transport workers are in the front line of attacks against workers' rights because of the industry's position as an "essential service". The Declaration expressed opposition to privatisation and demanded safeguards for workers in cases where it cannot be avoided.

## ITF education officers evaluate programme



Immediately prior to the ITF Regional Conference a Mid-Term Evaluation Seminar of the Asia/Pacific 5 year education programme was held in Tokyo. Chaired by Mike Fleming of the Merchant Service Guild of Australia, the seminar was attended by all but 2 of the Programme's Education Officers as well as by Regional Secretary M S Hoda and Phil Drew of Clyde Cameron College, Australia where the officers received their initial training, and Eleanor Kølstad, LO Norway on behalf of the organisations funding the programme.

Each of the education officers submitted a detailed written report on their national education programme using visual aids. Working Groups dealing with educational and organisational problems were then formed to discuss how to strengthen the programme in the future, and in particular how to ensure that it becomes self financing when the support from donor organisations comes to an end.

## Greek unions stage 24h general strike

Greek workers staged a 24 hour strike on 15 December in support of union demands for more jobs, immediate and substantial pay increases and the linking of pay to rises in the consumer index. The strike grounded domestic flights by Olympic Airways and disrupted international flights out of Athens airport as well as affecting other transport services.

It followed similar stoppages earlier in the year called in protest at the government's monetarist policies which are depressing living standards. A virtual wage freeze is currently in force, despite inflation now running at about six times the European Community average, and unemployment levels are rising steadily.

## Backdated Sri Lankan pay accord for CMU

Immediate pay increases of more than 10 per cent, improved incremental scales and automatic compensation for cost of living increases formed the major part of a

new national collective agreement signed in Colombo, Sri Lanka on 27 November 1987. The agreement, which is backdated to September 1, follows nearly two years

of hard negotiations between the ITF affiliated Ceylon Mercantile Industrial and General Workers' Union (CMU) and the Employers' Federation of Ceylon.

# If abuses continue, Fiji trade bans may be reimposed

Fiji is balanced on a knife edge and constant international pressure is necessary to ensure that Fijians are allowed to enjoy basic human and trade union rights. This was the main conclusion of ITF Asia/Pacific Secretary M S Hoda who took part in the ICFTU mission which visited the country from 13 to 16 January.

The delegation, led by ICFTU General Secretary Johnny Vanderveken met many Fijian trade unionists and with government officials including "Employment and Industrial Relations Minister" Taniela Veitata, who has retained his position as General Secretary of the ITF affiliated Registered Port Workers' Union despite his elevation to government office in Colonel Rabuka's military regime. Speaking at the conclusion of the mission Vanderveken stressed that the situation in Fiji could not be considered normal as long as fundamental rights such as freedom of assembly and freedom of the press were suppressed and the government ruled by decree.

"It is part and parcel of the restoration of trade union rights" he pointed out, stressing that union rights could not be seen in isolation from the general situation.

The delegation's recommendation was that the continued suspension of aviation and maritime bans by Australian and New Zealand unions should be conditional on a speedy return to genuine democracy, including full respect for trade union and civil rights in Fiji.

Despite the formal handing over of power to a 'civilian' administration, it was clear to the delegation that the army remains in power. Four senior army officers hold cabinet positions including Colonel (now promoted to Brigadier) Rabuka who as Home Affairs Minister controls the army and police.

Since September 1987 the country has been without higher courts. Freedom of the press is severely restricted as are trade union rights and political and religious freedoms. At least 150 people, including leading trade unionists are restricted from leaving the country without the express permission of the Home Affairs Ministry. (Mahendra Chaudhry of the FPSA who is on the list had to seek permission to

attend the ITF Asia/Pacific Conference in Tokyo.)

The Fijian trade union movement, nominally under the leadership of the Fiji Trades Union Congress (FTUC) is also seriously divided over the crisis. Several unions, including most ITF affiliates, are critical of the present FTUC leadership for what is seen as their failure to stand up to the regime after the May coup. According to a submission made to the ICFTU delegation by 14 FTUC unions "our national centre miserably failed to provide the type of leadership sorely needed in a situation of the type faced by workers generally".

The Fijian unions also warn against abandoning the threat of international sanctions which are the only thing holding the government back from the complete elimination of democratic trade unionism. "We have no reason to believe that the regime is either sincere or will honour its commitment unless there is international trade union pressure constantly in place" the unions argue.

Despite the impression given to the world's press that the seizure of power was carried out in a bloodless and civilized manner, the delegation heard many reports of ill treatment and torture of union activists and members of the Indian community at the hands of the Fijian security forces and of the racist "Taukei" political movement.

A confidential medical report on one such victim, an official of an ITF affiliate, gives the flavour of what is going on in this "peaceful South Pacific state".

The official, who suffers from asthma, was detained at the end of October and held in a police cell before being transferred to the Queen Elizabeth army barracks for interrogation. According to the report "He was questioned regarding his involvement with the coalition political party...and his affiliation with international trade unions. He was verbally threatened and spat upon. He was physically



*Taniela Veitata meeting with the delegation (pictured with him are Mo Hoda and Mike Walsh)*

assaulted with repeated blows to the jaw, ears, forehead, neck and ribs. He received repeated blows to the face until passing out. X rays taken later showed a fracture of the right nasal bones. Evidence was also presented to delegation members about systematic beatings and torture by security force members on politicians, trade unionists and ordinary citizens. Many of these were forced to stand or swim in pools of raw sewage, allegedly for not complying with the strict Sunday observance decrees, and a number of women were raped or sexually assaulted by soldiers.

In discussions with 'Employment Minister' Veitata, the delegation urged him to ensure that the regime honoured previous undertakings given by him on trade union rights including the restoration of the Tripartite Forum, an employer/union/government body which exists to resolve outstanding disputes. It also expressed concern about the abrogation of the 1974 Public Service Act which had abolished many established rights enjoyed by Fiji's public servants.

The Fiji situation will be reviewed once more at the ICFTU Congress which meets in Melbourne, Australia in March. The ITF, on the basis of information received from its Fijian affiliated unions, remains very concerned about trade union and political rights in the country. If there has not been a major improvement in the situation, the re-imposition of bans on ships and aircraft to and from Fiji remains a distinct possibility.

# ITSs to coordinate computer communications

Making more effective use of international trade union organisations' computer and telecommunication links was one of the issues discussed at the 1988 meeting of the ITS General Conference held in Brussels on 6 and 7 January. The Conference, which brings together the General Secretaries of the 16

International Trade Secretariats and the International Confederation of Free Trade Unions (ICFTU) provides an annual opportunity for an exchange of information and views on developments in the international trade union movement.

Following a request from the

1987 conference, the ITF presented a paper to the meeting, summarising international union organisations' current use of computers, word processing systems, facsimile machines, and telecommunications links. Together with the ICEF, the ITF has been using an electronic mail system (POPTEL-GEONET) for computer to computer communication. More and more affiliates were linking up to this and similar systems and it was recommended to the other organisations as a useful addition to existing communications methods. From the discussion at the meeting it was clear that many international organisations and their affiliates were now making use of personal computers and, increasingly, desk top publishing systems, and it was agreed that the ITS's should keep in touch to share experience on the use of these technologies.

Other topics discussed during the two day session included the OECD's activities on multinational companies; and recent developments in Korea, Fiji and Tunisia. Johnny Vanderveken from the ICFTU gave details of the recent visit to Moscow by an ICFTU delegation which had presented the international trade union movement's position on peace and disarmament to Soviet Communist Party Secretary Mikhail Gorbachev. A similar meeting had been scheduled in mid January with President Reagan and US Secretary of State George Schultz he reported.

Two guest speakers addressed the meeting at the invitation of General Conference Chairman Stefan Nedzynski (PTT). Luis Anderson, General Secretary of the ICFTU's interamerican regional organisation ORIT gave a detailed analysis of the trade union situation in Central and South America, and Jerzy Milewski from the Brussels Coordinating Office abroad of Solidarnosc who gave a surprisingly optimistic account of attempts by the independent union to recommence organising activities in Poland. In what has now become an annual tradition, the Conference addressed a message of solidarity and support to Solidarnosc Chairman Lech Walesa.

## ILO complaint filed over Indonesian rights violations

A formal complaint against continued violations of trade union rights by the government of Indonesia was submitted to the International Labour Organisation (ILO) in December by the International Confederation of Free Trade Unions.

In a letter to the ILO Director General, ICFTU General Secretary Johnny Vanderveken drew attention in particular to the legal prohibition of trade union rights for public employees, including many transport workers, in the country. Despite a number of criticisms of

the country's labour laws by the ILO in the past, the Indonesian government appears to have done nothing to improve the situation Vanderveken points out.

Strike action is forbidden by Presidential Decree in 27 state and private corporations, 14 government departments and banks, and 20 development projects. Included in the list are sea communications, railways, harbours, and civil aviation.

The most serious problem of all exists in public undertakings or those in which the state has an interest. This includes not only the civil service, teachers, postal employees and regional and local authorities but also corporations in which the government owns any shares, including those in steel, oil, gas, mining, and aircraft manufacture. All such workers - more than half the entire Indonesian workforce - are required by law to be members of a single organisation, known as KORPORI. KORPORI, says the ICFTU "does not and cannot perform true trade union functions", amongst other reasons because "its central board is chaired by the Minister of Internal Affairs".

### NUR and NUS talks

Two ITF affiliates in Great Britain - the National Union of Railwaymen (NUR) and the National Union of Seamen (NUS) - have opened discussions on closer cooperation which may lead to a merger.

### Union membership up

Trade union membership in the Mediterranean republic of Malta increased last year by over 14 per cent, according to the ITF-affiliated General Workers' Union (GWU).

This impressive increase in times when most trade unions are suffering losses in numbers puts Malta's level of unionisation among the highest in the world. At the end of June 1987, there were 60,625 people in Maltese unions (up from 53,008 the previous year) out of an estimated active working population of 122,500 - so nearly one in two of all people in employment in the island are trade unionists. Of those that are unionised, the GWU represents a clear majority - 64 per cent. The GWU's own membership rose by nearly 26 per cent over the same period.

### UK unions to merge

The ITF affiliated Association of Scientific, Technical and Managerial Staffs (ASTMS) has voted by a 3 to 1 margin to merge with the white collar union TASS.

The new union will be called Manufacturing, Science and Finance (MSF) and will have at least 700,000 members, making it one of the largest unions in the country.

The formal launch of the new union takes place next month in London.

# Indian airline victimises pilots for forming union and exposing safety violations

A hair-raising catalogue of breaches of international safety regulations, lack of attention to routine aircraft maintenance and crude union busting by India's fast growing third airline Vayudoot emerge from a report submitted by the Vayudoot Pilots' Association to a recent ITF civil aviation seminar in India. Vayudoot is a rapidly expanding Indian feeder airline. The airline, which is six years old, has a fleet of Avros and Dornier 228s and is reported to be on the point of placing orders for more than 20 new 40-65 seater commuter planes.

The Vayudoot pilots - most of them recruited from the Indian air force - claim that they were regularly being required to fly aircraft which were grossly overloaded and in an unsafe mechanical condition.

Although the maximum certified passenger capacity of the Avro is 32, pilots flying some routes were being forced to accept up to 55 passengers - occasionally as many as 60 with the surplus passengers having to stand or sit on their suitcases - a highly illegal move which could put lives at risk if an evacuation had to be carried out. A similar situation existed on the 18-seat Dornier 228, with up to 5 passengers regularly flying perched on their suitcases on certain routes. The Dorniers were also breaking the law by flying with no flight attendant.

The pilots also found that the company was skimping on repairs and maintenance. The Dorniers had been purchased, in 1985, minus either spares or maintenance rigs, and the ground engineers were therefore unable to carry out proper maintenance work or to correct all the many faults which inevitably developed with use. The pilots were regularly experiencing alarming malfunctions on these aircraft, some of which could quite easily have led to a catastrophic accident. On four different occasions emergency doors became detached in flight and the main passenger door

opened three times while in the air during 1986 alone!

Engine failures were becoming common, 18 being reported in under a year. Oil consumption of more than 30 times the permissible limit was being recorded. Vital instruments and stand-by equipment were either defective or unserviceable, and air conditioning and ventilation systems seldom worked. The company's slapdash attitude also extended to employee relations. Company pi-

says a great deal for levels of dissatisfaction within the company that 60 out of the company's 78 mainly ex airforce pilots decided to join the association.

There followed a series of meetings with General Manager Vardhan to discuss ways of improving employee conditions and operating safety within the airline. Two days after the first meeting - on December 26 1986 - at which Vardhan had promised formal recognition to the union, Vayudoot

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***"On four different occasions emergency doors became detached in flight and the main passenger door opened three times..."***

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lots with as much as 3 years' service were being refused confirmed status, while the legal 3 month probationary period was being extended to as much as 18 months from joining the airline.

This unestablished status made the pilots extremely vulnerable to summary dismissal, increasing the pressure on them to continue flying even under unsafe conditions. Pilots who insisted on recording in the flight log details of excessive oil consumption and low engine power were forced to delete the entries under threat of dismissal. No duty time limits were enforced (duty periods of up to 24 hours were common), pay levels were about half those prevailing in the industry, and the pilots were denied industry standard benefits such as life insurance and loss of licence insurance.

Despite clear threats from Vayudoot General Manager Harsh Vardhan that anyone who tried to set up a union would face the sack, in mid-1985 a group of Vayudoot pilots formed an Association which was registered as a trade union in February 1986. Fresh elections in October 1986 resulted in the election of Captain S C Sharma as President, and Captain J M Singh as General Secretary. It

Pilots' Association president Sharma was summoned by the Delhi regional manager and warned that he would be dismissed if he did not cease his union activities immediately. Despite this threat, union activities continued and, in February 1987, all Vayudoot pilots had their appointments confirmed - with the exception of Captain Sharma and two other union activists who were obviously being singled out for victimisation.

Sharma was taken off flying duties at the end of March and dismissed in April together with another union official.

Meanwhile things were hotting up on the flight safety front. On 30 March, the door of one of the Dorniers opened in flight while the aircraft was en route from Ludhiana to Delhi in full view of the passengers.

Despite the General Manager's claim that the door opened because the pilots 'sabotaged' it, the company's management was savaged in the Indian press over this incident. The criticism produced some positive results.

The day after the Ludhiana incident flight attendants were introduced on the Dorniers.

**Continued on page 8**

# ***Air Canada climbs down as lockout ends — union victory on pensions, wages***

The dispute between Air Canada and the ITF affiliated International Association of Machinists (IAM) which led to a lockout last November has ended with the union gaining almost all of what it wanted.

The lockout (see *ITF News* November/December 1987), which lasted from November 27 till December 17, came after the IAM had announced its intention to pursue a campaign of rotating strikes

against the airline.

The union's main demand was for index-linking of pensions — the airline response was that the only way this could happen was if the members paid for the indexation in their own pension contributions. Additionally the IAM wanted a two year contract with wage increases totalling 12 per cent.

Air Canada management gave in completely on the pensions, which

will now be fully indexed. On wages they accepted a three year contract with increases totalling 13 per cent (but only 8 per cent in the first two years).

In a message to the ITF outlining the settlement, IAM General Vice President John Peterpaul thanked ITF affiliates on behalf of the Air Canada workers for "their assistance and solidarity in this dispute."

## ***ILO says action against Olympic crews was wrong***

Workers who strike in defence of their legitimate social and economic interests should not face anti union reprisals, says the Committee on Freedom of Association of the International Labour Organisation (ILO) in its report on the strike of Greek pilots and flight engineers in June 1986.

The Committee had been investigating the complaints submitted to it by the ITF and IFALPA, together with the Greek pilots' association HALPA.

The Olympic flight deck crews had decided to call a strike after the breakdown of negotiations, whereupon the government had imposed a civil mobilization order in a vain attempt to frustrate their

action. When the pilots and flight engineers went ahead with industrial action nonetheless large numbers of strikers were imprisoned, dismissed or had charges brought against them.

A settlement of the dispute was eventually reached after some months. All outstanding charges were dropped and the dismissed workers were reinstated although they were not paid for the months they were out of work.

The ILO Committee report stresses that the Greek government should not have taken the anti union measures it admits it did take and stresses that the ILO has always urged governments not to resort to emergency measures

when dealing with strikes as these inevitably involve restrictions on fundamental rights. It had particularly warned against resorting to civil mobilization in labour disputes as this was liable to abuse.

These findings were subsequently endorsed at the November 1987 meeting of the ILO Governing Body, which found that the call-up of Olympic flight deck crews constituted a violation of the ILO forced labour conventions 29 and 105. The Governing Body called on the Greek government to bring its legislation into line with the Conventions and to ensure that no action was pursued that might involve the imposition of penalties on those concerned.

## ***...Campaign of harassment against union activists***

**Continued from page 7**

Vayudoot aircraft no longer fly overloaded, engine faults have been put right with the help of German engineers and efforts are being made to remedy other deficiencies. Flying hours have also been brought within reasonable limits, pilots are now free to log defects, and a Provident Fund and insurance scheme were introduced last July.

A union delegation led by Indian MP Suresh Kalmadi to the Minister for Civil Aviation on 21 April revealed another worrying aspect to the Vayudoot fiasco - the degree of involvement by the Indian govern-

ment. While accepting that the standard of management at Vayudoot was appalling, the Minister, under pressure from the Vayudoot General Manager, refused to countenance the formation of trade unions within the company.

Meanwhile, Vardhan continued his campaign of harassment against union activists. He visited pilots' homes and spoke to their families. Threats were made in person to a number of pilots. Knowing that the General Manager had the Minister in his pocket did nothing to quieten the pilots' fears for the future.

The pilots' courageous action has helped to improve safety and working conditions within Vayudoot. But the union is still outlawed and the dismissed pilots have been effectively blacklisted, making it impossible for them to find employment elsewhere in the industry. The IIF Asia/Pacific Regional Conference in Tokyo in December 1987 adopted a resolution in support of the Vayudoot pilots and the ITF is now examining whether sufficient grounds exist for a formal complaint against the government of India to the International Labour Organisation's Committee on Freedom of Association.



# Euro-air deal clears Gib hurdle

After years of wrangling and the initiation of legal action by the European Commission against European airlines, the EC air 'liberalisation' package finally took effect on January 1 — and so far no one's noticed any difference.

The long negotiations between the Commission and government ministers (previously covered in *ITF News* May 86, June/July 86, September 86, December 86 and July 87) finally reached a unanimous conclusion at the end of last year with an agreement between Spain and Britain over Gibraltar airport.

Spain had vetoed the last deal, in July 1987, because they were

unhappy over the inclusion of the Gibraltar airport in the list of regional airports covered by the package. The final compromise agreed between the two countries is to either exclude Gibraltar from the agreement, or, if the Gibraltarians agree, to build a second Spanish terminal at the airport through which people could deplane directly to Spain — it appears unlikely that the Gibraltarians will agree to this, but the removal of the airport from the deal has satisfied Spanish objections to the package.

The package progressively reduces seat sharing agreements and the number of restrictions on discount fares of up to 45 per cent

on normal rates (though airline restrictions on deep discount fares of up to 65 per cent will still largely remain).

The new rules also affect the use of regional airports, allowing airlines other than small regional airlines to drop off up to 30 per cent of their passengers at intermediary regional airports. The regional airport provisions will mean that greater discounts are available for flights to and from these smaller airports — but the list of airports covered is limited. Spain, Greece, Denmark and Italy all objected to a universal application of this principle, and so the package names 157 specific regional airports.

## French aviation workers face tough times

While civil aviation in France remains gripped by a series of industrial disputes about the crewing arrangements on the new A320 Airbus, the government has just released a major study on the future of the industry in the face of the new era of European liberalisation and the creation of a unified internal market by 1992.

The airline liberalisation package (see top of page) has just come into effect, and the European Community is aiming, in general, for a unified market in goods and services by 1992.

The French Transport Ministry have published the "Mahler" report on the future of the industry. While it is a 'prudent' document, attempting to balance the conflicting requirements for 'liberalisation' with 'harmonisation', it hasn't satisfied the trade union movement.

Once again we hear the familiar refrain in this report — if French air transport isn't profitable, the workers in the industry are to blame. Harmonisation, the report says, must also include salaries and working conditions — and this can't simply involve bringing everyone up to the highest level — so it probably means bringing everyone down to the lowest.

The French line is somewhat contradictory. They desire greater free competition, but only under conditions that will protect French interests. They seek a balancing

act between competition within the Community and the rest of the world, and the protection of their own concerns. They would like to see a kind of Euro-regulation replacing national rules, which would place requirements on European carriers to be controlled by European capital. Liberalisation towards the rest of the world should be approached on a bilateral and reciprocal basis — and the report rejects outright US-style deregulation.

But all this careful equivocation does not apply to the report's attitude towards the aviation workers. The report "suggests" that it would be a good idea to enter into discussions with the unions concerning concessions on wages and working conditions.

R. Valladon, General Secretary of

the ITF affiliated FO Federation of public, port, marine and transport workers, has dismissed this idea, "To ask union organisations to enter into discussions as outlined in this report is to ask us to negotiate a total and complete abandonment of the conditions we have already achieved. That is something which we will never accept" he said.

With the first phase of European air liberalisation in place, French aviation workers, along with all their European counterparts are having to prepare for some tough times. Whatever the future balance between liberalisation and harmonisation turns out to be, the unions and their members are going to have to fight to defend their acquired rights and conditions.

## French Airbus cockpit crew strikes

A series of industrial disputes continues at the French domestic airline Air Inter, as unions challenge the management's decision to reduce the cockpit crew from three to two in the new A320 Airbus.

The rolling two day strikes by pilots, flight engineers and mechanics have also become a battle for trade union rights, following the Bobigny Court ruling of November 23 that declared a planned strike by the ITF affiliated SNPL

pilots and SNOMAC flight engineers' unions illegal.

But while the unions are appealing the judgement, other strikes continue. Leaders of the main trade union confederations have denounced the decision as a fundamental breach of the right to strike and the French constitution.

Strikes at Air Inter occurred on December 16 and 17th, and further actions were planned for later this month.

# BA takes over B-Cal

After a furious battle with Scandinavian Airlines System, British Airways has finally succeeded in taking over the UK's number two carrier British Caledonian.

The situation last month (see **ITF News** November/December 1987) was that British Airways' original bid for BCal had been approved by the government Monopolies and Mergers Commission after three months' consideration but that SAS were also making a bid. The period since the original bid saw the world's stock markets tumble, resulting in a drop in the price offered by BA from £237 million to £119 million. BCal suddenly therefore found itself much more interested in the SAS option.

SAS first offered to buy 40 per cent of BCal, an offer which was vetoed by the UK Civil Aviation Authority (on the grounds that it undermined the airline's UK flag status). Then SAS made a bid for 29 per cent - which was also vetoed. Finally, on December 10, SAS made a package offer to pay £130 million for a 23.4 per cent voting stake along with a £50 million capital investment in the airline to be raised by a rights' issue. Now BCal was offering more than BA for less of the airline. They were also promising that there would be no redundancies - a point which swung the BA and BCal unions behind the SAS deal.

At this point things got nasty. Members of the UK Conservative government began to voice strong opposition to the SAS option, not so much because it was foreign but because of the Scandinavian government's holdings in the airline (nationalisation by the back door). BA announced that it would demand that the Civil Aviation Authority revoke BCal's licence if the bid went ahead on the grounds that it was no longer a UK carrier. Even though this tactic would almost certainly have failed, it would have disrupted the airline for many months.

A day later, on December 12, British Airways boosted its bid for BCal to £200 million.

While SAS were considering another, higher bid, BA came back on December 21 with yet another,

higher bid of £250 million - higher than their original offer, and double their opening bid in this round of corporate poker. This new offer was suddenly and rapidly accepted by BCal's largest investor and board of directors.

The rapid acceptance of the final BA offer interestingly coincided with the Chairman of British Caledonian, Sir Adam Thomson, and three other BCal directors exercising their share options in the company. Share option arrangements allow corporate officials the chance to buy a fixed number of their company's shares at an artificially low level. BCal's options were given to Thomson at £1 a share. The final BA offer came to £12.15 per share, so Thomson made an instantaneous, no risk profit in 160,000 shares of £1.7 million from the deal. Since he already owned 90,925 shares his final takings amounted to over £3m. The other three directors exercised instant options on 165,000 shares, giving them £1.7 million between them.

As BA now consolidates their takeover - BCal is now formally known as British Airways (Gatwick) - a number of issues remain unresolved.

The CAA has been instructed by the UK government to monitor the takeover process to make sure that BA follows the informal agreement reached with the Monopolies and Mergers Commission. Five domestic and three European routes are to be "surrendered" by BA according to this deal. In theory, any airline (including BA) is equally free to apply for any or all of these routes, but in the meantime BA continues to fly them. Other airlines may or may not bid for these routes, but it seems likely that, in the end, BA will hang on to most of them.

The European Commission, in the shape of Competition Commissioner Peter Sutherland, has also intervened. In what may well be a test of the Commission's powers and authority in mergers and competition policy in transport, the Commissioner wrote to BA Chairman Lord King saying that it was concerned about the

B-Cal takeover.

Sutherland's letter is believed to state that the EC is concerned that the merger may infringe Community competition rules, especially those concerning the abuse of a dominant position. The Commission is worried about the merger's impact on their recently agreed air liberalisation package, because of the new airline's control of certain routes and its effective control over so many take off and landing 'slots' at Heathrow and Gatwick airports.

Confidential discussions were held between the Commission and BA on January 5, and further talks are scheduled for later this month.

The future of the BCal workforce is also still uncertain. BA has talked of the need for at least 2,000 redundancies - perhaps more depending on the final shakedown of route licences. At the time of the takeover, BA promised that there would be no compulsory redundancies, but it's clear that, one way or another, jobs will disappear.

\* In the midst of the BCal takeover battle, on December 10th, British Airways announced a "marketing merger" with United Airlines in the USA.

United, second only to Frank Lorenzo's airline empire in passenger capacity, carries more than 50 million passengers and flies to 165 cities, while BA (before absorbing BCal) carries 20 million and flies to 150 destinations. But the two airlines' route structures tend not to overlap - United doesn't fly to Europe, and BA flies to only a handful of United's US destinations.

The deal, described in a joint statement by the two airlines as creating "the world's most powerful international airline team" will cover general "co-operation", and the two airlines have agreed to explore the possibilities of joint food provisioning and the use of common sales and ticketing agents.

BA passengers will also get United's frequent flier bonus benefits.

This deal represents a new development in airlines coping with the

**Continued on page 11**

# Pilots' union raps backtracking on plastic guns

The US Justice Department's decision to drop support for legislation that would outlaw plastic guns has been denounced by the ITF-affiliated Air Line Pilots Association (ALPA).

Legislation now before the US Congress would ban these weapons which are capable of slipping through airport metal detectors.

Captain Henry Duffy, President of the 40,000 strong ALPA, has denounced the Justice Department for its change of heart.

"Legislation must be passed as soon as possible to limit the manufacture and importation of weapons which are difficult, if not impossible, for airport security devices to detect. By blocking such legislation, the Justice Department is encouraging the introduction of new weapons into the arsenal of international terrorism", he said.

Duffy says that the new legislation is vital in order to reduce the risk to passengers and crews from hijackers while security experts work to improve detection systems. The bill, which is opposed by the National Rifle Association (the powerful pro-gun lobby group),

enjoys broad support amongst both parties in Congress — but will still require the assent of the executive branch to become law.

"Until a security system has been developed that can successfully

scan firearms made of material not now detectable, there is no other alternative than to keep such weapons out of this country," Duffy said, "the safety and security of air travel depend on it."

## NO SMOKEHOODS YET

At the end of a two year research programme, the civil aviation authorities in four countries - Britain, France, Canada and the United States - have decided not to make smokehoods mandatory on their passenger aircraft yet.

Pressure for the introduction of hoods in Britain intensified following a fire aboard a B 737 British Airtours jet at Manchester Airport in August 1985 in which 55 passengers and crew lost their lives.

Four types of hood were investigated in detailed tests conducted with the assistance of manufacturers' associations and aeromedical authorities but all failed to come up to the demanding standards set.

No single hood could have been relied upon to provide protection in every type of fire. All allowed potentially dangerous levels of carbon dioxide to build up inside the hood. All were bulky, increasing the time taken to put them on and take them off - with perhaps fatal consequences - and causing difficulties of stowage.

The requirements that were tested included: protection against fire gases; resistance to fire, heat and molten thermoplastic drops; ease of donning; and weight. The authorities insisted that the hoods be capable of providing protection for up to 30 minutes.

The authorities also investigated alternative methods of providing protection against aircraft fire and fumes, with the emphasis on stopping the generation of smoke rather than responding to it.

They looked at the use of fire-blocking materials in cabin seating and wall and ceiling linings and floor level emergency lighting which offers a blinking path to exits when smokes obscures over-

head lights. Other areas investigated included higher standards of crew training and restrictions on carry on baggage to facilitate passenger evacuation.

Particular enthusiasm was expressed for a new spray system designed to cool hot gases, douse fire and prevent it developing, which was considered to offer great hope for the future.

The conclusion reached was that if these methods gain widespread acceptance and application they could make smokehoods unnecessary by inhibiting fire and smoke.

The researchers also calculated how many lives might have been saved in the past had the carriage of smokehoods been mandatory. Costs and benefits are difficult to assess but it is estimated that the time taken to don a smokehood could have led to the loss of a very small number of lives but that overall about nine lives a year would have been saved worldwide.

In the UK, the Civil Aviation Authority estimated that 19 lives would have been saved in two major accidents had smokehoods been available, with even more lives saved had the new safety standards introduced following the Manchester fire already been in place.

However, no final decision has been reached on the mandatory provision of smokehoods and it is possible that should a new form of smokehood be developed capable of meeting these stringent requirements it would become standard practice for aircraft to carry smokehoods along with lifejackets and other standard emergency equipment. Meanwhile, work is progressing on the development of internationally acceptable specifications for smokehoods.

### ...BA agrees 'marketing merger' with United

Continued from page 10

new world of liberalisation and the emergence of the US "mega-carriers". One of BA's often repeated reasons for wanting to take over BCal was that they needed to expand in order to compete with the large US carriers — but at the same time they have also adopted a policy of co-operating with the second largest of these airlines.

BA Chief Executive Sir Colin Marshall sees no contradiction in these positions. On the contrary he described this type of arrangement as "the way forward".

"As liberalisation spreads worldwide, we would hope to see a greater strengthening of our position in a number of markets through co-operation with other airlines," he said.

# Air door blocking saves cash but costs lives

As Boeing continues to put intense pressure on the US Federal Aviation Administration to allow it to block off the two overwing emergency exits on its new generation 747-400s, the cost saving achieved by eliminating the doors has been estimated at a paltry \$8,300 a year - \$6,800 in fuel and

\$1,500 in maintenance costs.

The space thus saved is then turned to revenue earning, normally from extra seating capacity.

The cost analysis is authoritative, having been conducted by the FAA itself in connection with its proposed ruling setting a maximum

distance of 60 feet between exits.

Commenting on the figures, the President of the ITF-affiliated US Association of Flight Attendants, Susan Bianchi-Sand, said: "It is sad to see a company reduce the chance of passenger escape in a post-crash fire by 20% just to save a few thousand dollars".

## Abacus joins computer reservations line up

Airlines in the Asia/Pacific region have joined forces to set up their own advanced airlines reservations computer to rival those being established by North American and European airlines.

These new computer reservations systems, which allow full booking and reservation facilities to travel agents worldwide, represent a highly competitive new area for airlines. Unlike the limited fare display and booking facilities available on individual airline computers, these systems, shared by different airlines, offer the full

range of ticketing and reservation.

Three of the largest airlines in the Asia/Pacific region have announced that they will jointly participate in the Abacus system, which will be based in Singapore and will cost between \$150 - \$200 million.

So far, the participating airlines are Cathay Pacific, Thai International and Singapore Airlines, Australia's Qantas pulled out of the Abacus planning group because they wanted the computer to be based in Sydney. Japan Air Lines, the region's largest carrier, has not yet decided, whether or not

to join the network.

Abacus now joins the equally lyrically named Apollo and Sabre systems in the USA and the recently launched Erasmus network in Europe.

The importance of having a fully operational computer reservation network cannot be overestimated. According to studies from within the travel business, up to eighty per cent of airline reservations through the networks are made on the simple basis of which airlines show up first on the computer screen.

## PEOPLE

**Nils-B Andersson**, Vice President of the Swedish Seamen's Union, retired earlier this month after thirty years as a union official. ITF Assistant General Secretary Åke Selander was present at the farewell reception given for Andersson and passed on the ITF's best wishes to him in his retirement. Andersson represented his union as a deputy on the ITF Seafarers' Section Committee.

**Roger Bricknell**, former chairman of the Council (Executive) of the British National Union of Marine, Aviation and Shipping Transport Officers (NUMAST), has been presented with the Frank Durkin Award. The Award, commemorating a former President, is made by the Flight Engineers' International Association. Bricknell was previously Chairman of the ITF's Flight Deck Technical Committee.

**Knud Christensen** has resigned because of ill health as President of the Danish Trade Union Confed-

eration (LO) and has been succeeded by **Finn Thorgrimson**, formerly LO Vice President, who was elected at the LO Congress in November. The new Vice President is **Hans Jensen** of the Plumbers' Union.

**Leif Haraldseth** has been the acting President of the Norwegian Trade Union Confederation LO since February 1987 when illness prevented President Halvorsen from carrying out his union duties. With the death of Halvorsen, Haraldseth will continue as President until he retires next year.

**Ivar Nes**, who was the Norwegian Seamen's Union lawyer for the past thirty seven years, has retired. Nes was Norway's deputy member on the Committee of the ITF Fishermen's Section and a delegate to the Luxembourg Congress.

**Charly Pasche**, the new President of the Swiss Railwaymen's

Union SEV, has been nominated for the seat on the Board of the Swiss Federal Railways (SBB) formerly occupied by ex-SEV President Jean Clivaz. Pasche is one of three trade union representatives on the Board.

**Yehezkel Shemesh** has been elected to succeed the late Moshe Levy as General Secretary of the Transport Workers' Division of Histadrut. Shemesh will also take over Levy's role as the link man between the Israeli national trade union centre and the ITF.

**Ron Ellison-Smith**, aviation district organiser for the past eight years of the British National Union of Marine, Aviation and Shipping Transport Officers (NUMAST), retired in December. A former chief flight engineer with British Airways, Ellison-Smith played an active role within the ITF Civil Aviation Section as deputy member of the Flight Deck Technical Committee.

## INLAND TRANSPORT

# Massive 'yes' vote for Swiss rail

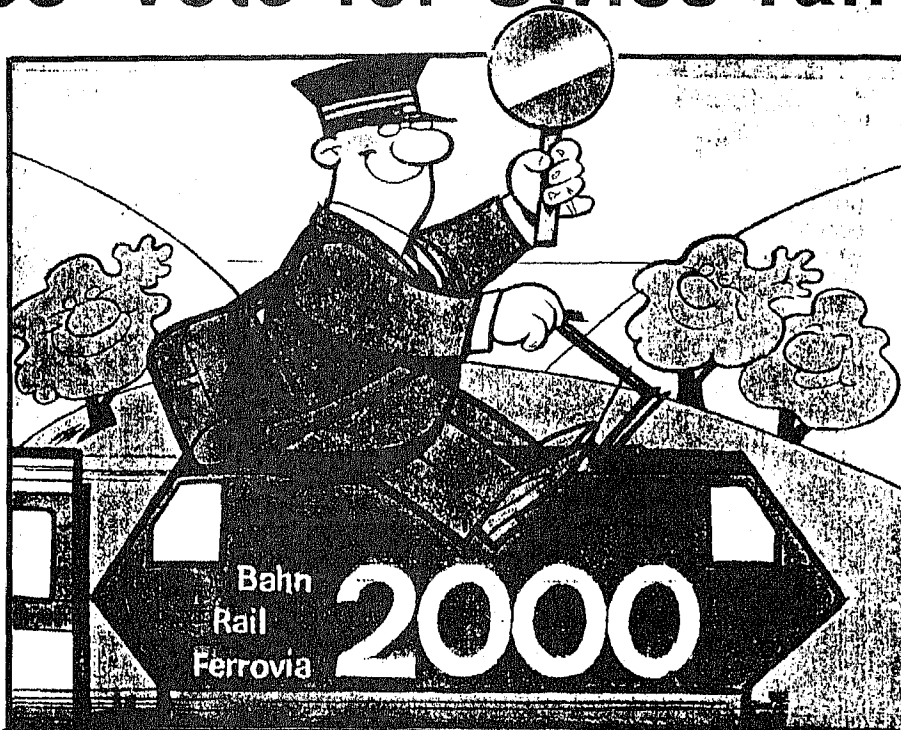
While governments in the rest of Europe are cutting back on their railway systems and discussing the privatisation of large sections of their public transport networks, the people of Switzerland at the beginning of December cast a decisive vote in favour of the Bahn 2000 project - the much-discussed blueprint for the future of Swiss public transport into the next century.

The referendum vote (57% for and 43% against) is conclusive proof, if it were needed, of public confidence in the plans for a renaissance of Swiss public transport. It was hailed in the press as a victory that was both environmentally and socially desirable.

The yes vote marked a fitting conclusion to the career of Swiss Transport Minister Leon Schlumpf, whose support had been central to the development of Bahn 2000.

In the weeks leading up to the referendum, the Swiss rail union (SEV) swung its impressive publicity machine into action in support of a yes vote. Thousands of copies of an attractive full colour magazine setting out the case for Bahn und Bus 2000 were distributed throughout Switzerland.

Railwaymen used their free time



**The Swiss union publicity for Rail and Bus 2000 helped to boost the pro-rail vote**

to canvass friends and neighbours for a yes vote and were warmly thanked for their efforts by the union executive when it met shortly after the result was announced.

They were joined by the National Committee for Bahn 2000, which groups together private rail and municipal bus operators. As a state body, the Swiss Railways did not lobby directly but it did produce extensive pro-rail information and publicity material.

The union publicity material was much praised by Swiss journalists as being well argued and without political slant. The union's unbiased espousal of the case for rail/bus integration won particular praise.

Swiss Federal Railways (SBB) President Dr Werner Latscha, clearly delighted at the outcome, wrote to the SEV thanking the union for its support, which he was convinced had made a real difference to the final result.

The mood among trade unionists after the vote is quite rightly one of optimism that with the Bahn 2000 programme assured, Switzerland is on track for a public transport system that will be capable of meeting the highest demands that will be placed on it in the next century.

## RIO GRANDE BID FOR SOUTHERN PACIFIC

After evaluating the bids received for its Southern Pacific subsidiary, Santa Fe Southern Pacific - under government orders to sell off part of its railway business - has agreed to accept an offer from Rio Grande Industries, a private holding company for the Denver and Rio Grande Railroad. The Rio Grande deal is worth \$1.8 billion (1.02 billion in cash, the rest by assumption of Southern Pacific's debt).

Opposition to the deal is expected from the railroad's two biggest shareholders, who have rival plans to buy the whole of Santa Fe and

sell its assets, as well as from some of the other bidders who emerged last year. Already one potential purchaser, Kansas City Southern, arguing that its bid is worth more to Santa Fe, has indicated that it will continue to pursue its acquisition of Southern Pacific in spite of the deal with Rio Grande.

The sale must also win the approval of the Interstate Commerce Commission, although it is thought unlikely that the Commission will oppose the take-over by the much smaller Rio Grande on competition grounds.

# EC plans unfair to drivers say unions

Two European ITF affiliates have joined forces to fight European Community liberalisation in road transport.

The British TGWU and German ÖTV, meeting at a bilateral seminar where they discussed common problems of new technology, health and safety and the transport of hazardous goods, made common cause against the EC's plans for cabotage and deregulation in road transport.

The EC plans, which are supposed to be phased in in the early 1990s will be unfair to British and German drivers, the unions say, because of the different levels of tax, pay and working conditions for road transport workers in different Community states.

The elimination of the present quota systems within the Community are seen by both unions as a direct threat to their members' jobs and working conditions.

One of their concerns is that the level of road tax varies wildly within member states. The rates of taxation in the Federal Republic and Great Britain are nearly twice as high as in any other member state.

On this point the unions have the support of the Federal Republic's Transport Minister, Jurgen Warnke, who has raised objections to the plans to increase quotas by 40 per cent a year until they are eventually abolished in 1992. The German government's position is basically that there should be "no liberalisation without harmonisation" of the tax structures for road transport.

With the Germans threatening to vote against the package, and if outvoted to take their objections to the European Court of Justice, the Commission introduced new proposals in late December in an attempt to placate Warnke.

They are now proposing a harmonisation of the basis for calculating road taxes for trucks - rather than harmonising the actual levels themselves. This would still leave disparities, but it places the responsibility for harmonisation back in the hands of the member states. They would like to see community road taxes calculated on the basis of the truck's minimum laden weight.

Additionally, the proposals include the unusual idea of charging individual hauliers for the upkeep of the international roads they use most frequently, perhaps by the use of a motorway licence system.

This proposal may succeed in buying the German government's support for the package, but it falls far short of what the unions want. The basic disparities between driving times, working hours and other taxes still represent a threat to many Community drivers.

## Strike threat brings Indian rail pay victory

More than a million workers on India's vast railway network system have won a significant victory with the securing of the continued payment of their traditional productivity bonus.

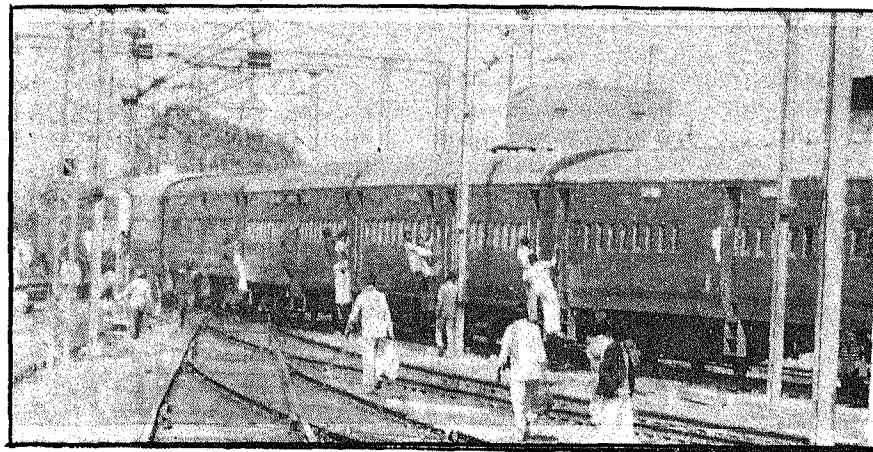
Under an agreement that expired at the end of March 1986 railway workers had received an annual bonus linked to the levels of productivity they achieved in the previous year.

The ministry seized on the expiry of the agreement as a suitable moment to review the method by which the bonus was arrived at.

From the start, the workers were suspicious of the conclusions the committee would reach, doubts that proved well founded when it eventually reported and proposed a new formula entitling them to a bonus equivalent to only 33 days' pay.

The All-India Railwaymen's Federation, which is led by ITF Railwaymen's Section Vice Chairman Umraomal Purohit, rightly judged that its members would be prepared to take on the government when faced with what amounted to a pay cut.

The union's strong opposition to the new slim-line bonus failed to



spur the government into action until the AIRF brought matters to a head by declaring an all-out strike from mid-September if the bonus issue had not been settled by then.

This put the government into something of a flap and it promptly agreed to serious talks with the union. These were satisfactorily concluded on 19 September when an agreement was signed between the parties.

Not only did the AIRF succeed in winning an increase in the bonus to 42 days' pay for the year 1986/7 but it also got the government to

agree to raise the ceiling for payment from 2,500 to 3,500 rupees.

The 2,500 rupee figure had been set by reference to the 1965 Bonus Act. The union had successfully argued that there was no cogent reason why they - and other government employees - should be bound by the restrictions of the Act that applied to industrial workers.

This latter advance is not without significance for industrial workers as the HMS trade union federation has now taken up the cudgels on their behalf and has set as a one of its priorities the scrapping of the 2,500 rupee bonus limit.

# Private cash for Chunnel rail link?

Plans for a high speed rail network in the South-East of England to link up with the Channel Tunnel have been unveiled, but not by the government or British Rail.

While the French rail authorities have made no secret of their desire to see the poor quality rail lines in England upgraded so that high speed trains can run through the tunnel and on to London, the British government, well known for its shallow support of the railways, has refused to contemplate the necessary investment.

Now the engineering and construction company Costain, who are one of the founding promoters

of the privately financed Channel Tunnel, have proposed building the system with private finance and running it on a commercial basis. The cost of the project would be £2.5 billion, but the company believe that the network would pay for itself eventually.

The fact that a private company can envisage financing the project with venture capital and bank loans, and still expect to make a profit, reinforces what many railway authorities and governments already know, that high speed trains are a worthwhile investment. Given the anti-rail attitude

of the British government, however, it seems unlikely that they will consider undertaking the project themselves. The emergence of a private network would also be very damaging to British Rail as a whole, since the Costain scheme envisages taking most of the cargo and passengers that will be using the tunnel away from British Rail.

The Costain company has also proposed to build an eight lane, 16 mile long underground motorway that runs under the river Thames. They have also offered to buy the London Orbital motorway and build a second motorway on stilts above it.

## DOCKERS

### Uruguay dockers launch all-out strike

More than 1000 Uruguayan dockworkers, members of the ITF affiliated SAEDU went on indefinite strike from 15 January. The original dispute started in late December when the port employers unilaterally suspended productivity payments under an existing collective agreement. After 20 days of 30 minute protest strikes, the government intervened and on 14 January issued a decree obliging employers to deduct pay for the period spent on strike. This provocative move led the union to call an all out strike on January 15. Despite attempts at conciliation on 20 January, the strike was still continuing as **ITF News** went to press.

**Dockers' affiliates are requested to sent messages of support for the union to :**

**Julio M Sanguinetti**  
**President of the Republic of Uruguay**  
**Casa Presidencial**  
**Calle Luis Alberto Herrera**  
**Esq Boulevard Artigas**  
**Montevideo**  
**Uruguay**

**Copies of messages should go to :**

**C Oscar Diaz**  
**Secretario General**  
**Sindicato Autonomo de Estibadores de Ultramar del Uruguay**  
**Piedras 160-64**  
**Montevideo,**  
**Uruguay**

## GENOA PORT PEACE PLAN SIGNED

A bitter year long dispute between port employers and 2,300 dockers in Italy's biggest port Genoa ended on December 5. That date saw the signature of a new labour relations agreement between the Chairman of the Genoa Port Authority, Roberto d'Alessandro and Paride Batini, president of the local dockers' company the CUL.

The agreement is a vital step forward in the implementation of a major recovery programme for the

port which has already involved investment of more than \$500m over the past four years. Traditionally control over the allocation of labour and many other port operations has been exercised by the CUL, a cooperative, most of whose members belong to the ITF affiliated FILT-CGIL. Early last year d'Alessandro imposed reduced gang sizes (from 18 to 9 in the container sector) and new working practices by decree. Further in-

dustrial action took place followed by mediation by the Archbishop of Genoa.

The final agreement, which was approved by the workforce at a mass meeting on December 5, reduces gang sizes, but less drastically than the original decree. It also permits a new operational system, dispensing with 'gangs' altogether to be tried at the new Calata Sanitas container terminal which is due to open shortly.

# Greek crew aids US dockers' fight

Attempts to use non-union dock labour to unload a Greek ship in New Orleans were stopped by solidarity action from the ITF affiliated Greek Seafarers' Federation (PNO) last November.

The ITF-affiliated International Longshoremen's Association has been fighting, and winning, a campaign against non-union dock labour in some Southern US ports. The last ITF Fair Practices Committee unanimously adopted a motion, proposed by the ILA, that called upon ITF Seafarers' unions to give solidarity to ITF Dockers' unions when asked.

This policy was put into effect again last year when the ITF received an appeal from the ILA concerning the Greek flag *Saint Gerasimos*, which was due to dock in a non-union berth in New Orleans in the first week of November.

ITF Assistant General Secretary Åke Selander immediately contacted the General Secretary of PNO asking them to respect the ILA picket line and not assist non-union labour in unloading the ship.

The Greek seafarers gave the US Dockers their full support, and the authorities were forced to back down. The unloading was performed by union members. "This is a great victory for the ILA and the ITF," said a pleased ILA Local 3000 President Cliven Cormier in a message to the ITF.

In another victory for the ILA's continuing campaign, they have signed a five year contract with

Crowley Maritime Corporation, ending a lengthy and bitter dispute.

Crowley had been attempting to boycott the ILA by only calling at non-union ports in the USA. Now, in exchange for the ILA dropping a lawsuit against a Crowley subsidiary, the company has signed a five year deal with the union agreeing to use ILA labour under the terms of last year's master contract.

## Mediator appointed in Montréal docks dispute

The Canadian government has appointed a special labour mediator to seek a settlement in a dispute between the Maritime Employers' Association and the International Longshoremen's Association (ILA) local 357 in Montréal.

The dispute between the 700 dockers at the port of Montréal is for a new contract. Their last contract expired on December 31, 1986 and the dockers have continued working under this agreement. They want to see improved

safety provisions and better job security provisions in the new contract.

There were five 24 hour strikes by the ILA local in December and January, the last on January 5, which hit the peak end of season trade in the St. Lawrence Seaway. The mediator will now meet both sides and attempt to produce an agreement between them - failing that there may be further industrial action.

## End feared for Canada's 50 mile container clause

While the International Longshoremen's Association (ILA) in the USA awaits its day in court to defend the 50 mile rule for stuffing and stripping containers, the Canadian unions have been refused a hearing over the same issue.

The Canadian section of the ITF affiliated International Longshoremen's and Warehousemen's Union (ILWU) has been refused a hearing by the Canadian Supreme Court.

The issue was first raised in the 1986 contract, which was enforced by government arbitration. In this deal, the 50 mile rule was left aside for further consideration by the Federal Government. Canada's Conservative government planned to abolish the rule following an "inquiry" by industrial inquiry commissioner Joseph Weiler, who recommended its abolition.

The ILWU obtained a ruling from the Federal Court over a legal error in the preparation of the study, resulting in its referral back to the commissioner, seeking in the meantime to have the recommen-

dation set aside by the Supreme Court. Now that the country's highest court has refused to hear the case, the amended report, due out now, is likely to put an end to the 50 mile rule.

## New deal in Amsterdam

The series of strikes by members of the ITF affiliated *Vervoersbond FNV* in the port of Amsterdam in November and December (ITF News Nov/Dec 1987) has resulted in a new 2 year agreement valid until March 1989 approved by a two thirds majority of the workforce.

The agreement provides for wage increases of 1.5 per cent from September last year, continuation of the current system linking wages to prices, limited flexibility for employers in the scheduling of extra days' leave due under a previous agreement to shorten working hours, and the acceptance by the employers' organisation SHB of the principle of technology agreements at company level.



# Key judgement in asbestos case

In a key decision that could set an important precedent for British workers exposed to asbestos, the widow of an ex-docker won damages of £40,000 in the High Court last December in a case brought against the Port of London Authority.

It was the first time in Britain that a court had found that while the subject of the case before it had not contracted asbestosis, repeated exposure to the deadly dust over his working life had caused the lung cancer which had killed him.

Professional medical opinion has always been divided as to whether the connection between asbestos exposure and lung cancer could be positively proved.

The judgment settles this argument conclusively and opens the

door to the thousands of workers - many in the different branches of the transport industry - who have experienced exposure to asbestos in the course of their working lives. They will now be able to seek legal redress if they then succumb to lung cancer.

The court decision effectively overturns a coroner's inquest verdict of natural causes on the former docker, who died in 1982, aged 57, after working for twenty years in the East India Docks.

The court heard evidence that during his time on the docks he had often been covered from head to toe in asbestos - including the greatly feared and most dangerous blue asbestos - when unloading hessian sacks filled with asbestos from vessels.

Although asbestos fibres had lodged in his lungs he had not contracted asbestosis, the painful, disabling and fatal disease of the lungs caused by exposure to asbestos.

The port authority admitted negligence in not protecting its employee but had alleged in court that it was his smoking habit and not exposure to asbestos that had caused his death.

The court threw out this argument after hearing evidence from a specialist in chest diseases from a leading London hospital who argued that "on the balance of probabilities the cancer was caused by the exposure (to asbestos)" - exposure to asbestos is known to increase the risk of contracting lung cancer by a factor of five.

## FISHERIES

### Cod down but haddock up in EC quota shareout

The European Community has cut the Total Allowable Catch (TAC) of North Sea cod by six per cent for this year.

The decision, by European Fishing Ministers, falls within the range of suggestions made to them by the scientific community. The EC Commission had suggested that the cod TAC be 148,000 tonnes, but the ministers have raised

this to 160,000.

Last year's TAC was set at 125,000 tonnes, but this figure was then raised to 175,000 tonnes after re-assessment later in the year. Nevertheless, most countries expended their quota well before the end of the year.

On the other hand, the haddock TAC has been raised from 140,000 tonnes to 185,000 ton-

nes - which is a surprise to many fishermen in the North Sea, who have been finding cod much more easily than haddock.

The whiting TAC has been cut from 135,000 to 120,000 tonnes while Hake and Sole remain static at 2,360 and 14,000 tonnes respectively. Plaice is being allowed to rise from 150,000 to 175,000 tonnes.

## TRAVEL BUREAUX

### New union links forged in tourism industry

Closer relationships between the two international union organisations in the tourist sector were forged during the Tourism Conference of the International Union of Food and Allied Workers' Associations (IUF) in Limassol, Cyprus from 9 to 11 November 1987. The conference, which was attended by ITF Travel Bureau Section Secretary Pio Albanesi, brought together workers primarily from the hotel and restaurant sectors to

discuss tourism and its impact on workers.

Addressing the meeting's opening session Albanesi referred to the strategic importance of the tourism industry which is one of the fastest growing and worst organised in the world. Workers in tourism urgently needed the support of genuine trade unionism he suggested, and it was the duty of the IUF and the ITF to cooperate together wherever possible to secure

that objective.

Among other topics discussed at the conference were: tourism and development; the social and economic impact of tourism, and corporate campaigns against companies such as McDonalds, Holiday Inn and Trust House Forte.

The IUF and ITF are both affiliate members of the World Tourism Organisation (WTO) a specialised agency of the United Nations.

## SEAFARERS

# Philippine fleet safety call after *Dona Paz* disaster

A special task force should be set up to tackle the problems of the Philippine domestic fleet in the wake of the tragic collision between the passenger ferry *Dona Paz* and Motor Tanker Victor, according to Captain Greg Oca, President of the Associated Marine Officers and Seamen's Union of the Philippines (AMOSUP) and ITF Executive Board member.

Oca says that the collision in the Tablas strait has raised questions and doubts about the state of affairs of the coastal shipping industry.

The 24 year old *Dona Paz*, crowded with passengers on their way to Manila for the Christmas holidays, hit the Vector on December 20. The two vessels appear to have caught fire.

While it will probably never be known for sure how many people died in the sinkings, or in the flames or shark infested waters afterwards, it is now clear that this was the worst loss of life ever involving a passenger ship. There were 27 survivors — the company's official estimate of numbers aboard of 1,493 rose first to 1,532 passengers and 58 crewmembers and later to 1,631. Many passengers are believed to have been on board without any record of their presence, so the death toll could well be a ghastly 2,000 or more. (There were 1,503

on the Titanic and 1,012 on the Empress of Ireland, the next worst recorded accidents).

While an official enquiry in Manila considers the reasons for this awful tragedy, the marine unions are calling for a comprehensive overhaul of domestic shipping regulations.

Oca says that the Philippines

should be trained, examined and licensed in accordance with international standards, he said. Particular emphasis should be put on the IMO's Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW 1978) to ensure the reliability and competence of seafarers in navigational safety.

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### ...the worst loss of life ever involving a passenger ship...

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government must re-assess its policies towards the domestic shipping industry with a view to instituting remedial measures of fleet modernisation, better supervision and regulation of vessels, and better training and discipline of officers and crews to "maximise safety of life and property on the seas."

"We have apparently forgotten to uplift our domestic fleet," said Oca, pointing out that 85 per cent of Philipinos travel by sea.

Oca wants the government to set up a "Super Maritime Body" to study, review and assess the problems of the domestic fleet. This body, he says, should be empowered to take immediate action in formulating, adopting and recommending solutions to "the ills" of the industry.

Crewmembers of domestic ships

Additionally, Oca called for the committee to look into the salaries of domestic seafarers and institute measures to upgrade them together with other benefits to "infuse better incentives for better delivery of services".

\* More than 40 people lost their lives on the night of December 24th when an overcrowded Nigerian passenger ferry sank near Port Harcourt. The ferry, packed with 200 passengers, was travelling from Port Harcourt to Nembe.

\* The families of the 22 crew members who lost their lives in the Herald of Free Enterprise capsized last year are to receive a total £2.2 million between them. Details of individual payments, which will range up to £150,000, have not been revealed by P&O's insurers, the Standard Steamship Protection and Indemnity Association.

## Cruise ship organising centre set up in Miami

Seafarers' and dockers' unions in the **United States** are girding themselves up for a busy year as they step up their campaign against Foc owners in the US and Caribbean cruise trade.

The National Maritime Union has already set up a campaign headquarters in the cruise capital Miami and already, according to Vice President Rene Lioeanjie, crew complaints have come flooding in.

The unions will be picketing ships and distributing leaflets to draw attention to the low levels of pay and poor conditions of cruise ship crews.

The ITF has evolved its own cruise ship agreement in an effort to curb these widespread abuses and has welcomed the support it has received from the AFL-CIO.

Full backing for this latest round

of the campaign has come from the newly-created corps of US Foc ship inspectors. Meanwhile, it has been decided to appoint more inspectors in the Caribbean region specially to check on Foc cruise ships.

## Ferries stay with Norwegian flag

Under a strike threat from seafarers on board the *Kronprins Harald* the Norwegian ferry operator Jahre Line has agreed not to go ahead with its plans to flag out the *Kronprins* and its sister ships the

*Prinsesse Ragnhild* to Bermuda. Talks will now be held with officials of the Norwegian Seamen's Union on replacing some of the crews on the vessels with foreign nationals.

# UN must act on Gulf says ITF

In the light of the worsening situation in the Gulf, the ITF has asked for urgent talks with the United Nations to protect the lives of innocent seafarers in the region. More oil tankers were set ablaze in December as Iran and Iraq launched a new wave of attacks on unarmed merchant shipping which by the year end had brought casualties in the seven-year-old war to record levels.

In the worst single incident, the Iranian shuttle tanker *Susangird* (formerly the *British Pride*), fully laden with crude oil and en route from Kharg Island to Sirri Island, was set ablaze in two Iraqi missile attacks during the night of Wednesday 9 December. 26 crew members, including the captain, died in the attack. She was the fourth Iranian tanker to be hit by the Iraqis in ten days.

In the course of the year, some 172 ships were attacked compared with 105 in 1986, the increased risk being reflected in the new hull war risk rates, double for most Gulf ports, that took effect just before Christmas.

Following a resolution on the conflict from the ILO Maritime Conference in October and a decision by the ITF Executive Board last November to call on the UN to take urgent action, the ITF Maritime Policy Committee, meeting in Baltimore in December, decided to ask for an urgent meeting with UN Secretary General Perez de Cuellar to underline the appalling daily risks being run by seafarers in the area. Among issues expected to be discussed are the feasibility of a UN naval presence in the Gulf, a move now supported by a significant number of ITF maritime affiliates in the light of the

relative success of the US and British naval escorts in protecting tankers flying their flags. Despite rumours that US ships have also been escorting US owned tonnage under other flags, unescorted tankers flying the convenience flags of Cyprus, Panama and Liberia - as well as Greece - are clearly still the most vulnerable to raids.

Meanwhile, the ferocious fires on ships attacked by Iranian gunboats in recent weeks have prompted renewed speculation that the Iranians are using phosphorus packed incendiary shells.

The Singapore-flag combina-

tion carrier *Norman Atlantic*, shelled on 6 December by an Iranian patrol boat and set alight near the Straits of Hormuz while outbound with a cargo of naphtha, may well have been one such casualty. Fortunately all the crew were saved thanks to the Omani Coastguard, but the ship sank - only the second to do so in the course of the war.

These suspicions hardened when the fully laden Cyprus-flag VLCC *Pivot* was set alight after being hit on Saturday 12 December by four or five shells from an Iranian frigate. With the seas burning to a radius of 200 metres from the ship, it was only thanks to the prompt action of four fire fighting salvage tugs that the fire was extinguished and the ship was

saved.

In other attacks in the past two months, one seafarer was killed and another seriously injured in an Iranian attack near Dubai on the A P Møller products carrier *Estelle Maersk* and there were several casualties in an explosion on board the Cyprus-flag products carrier *United Venture*, in an attack at Iran's Lavan Island terminal.

\* Legislation has been enacted in the United States that will require three quarters of the crews on the 11 reflagged Kuwaiti tankers to be US citizens and the remainder to hold US work permits. Previously, the tankers had taken advantage of a loophole in the law that permitted them to sail with only a US master on board.

## Court rules owner responsible for Amoco Cadiz disaster

Ten years after the *Amoco Cadiz* spilled 220,000 tonnes of crude oil on the Breton coastline of France, a Chicago judge ruled on January 14 that the Amoco oil corporation should pay 468 million French francs in damages.

But the saga isn't over yet. Both the oil company and the coalition of Breton groups and the French government who launched the suit, have announced their intention to appeal the verdict.

The Breton groups - representing towns, cities and regional authorities and environmental protection groups - have already won some of the most important arguments in the case. Up till 1984, the case centred on the determination of responsibility for the disaster -

with lawyers from Amoco attempting to parcel out blame to the crew, the shipbuilder and repairers. But Chicago District Judge Frank McGarr ruled then that the company was completely responsible for damages resulting from the 1978 grounding and spillage that was caused by the malfunctioning of the ship's steering mechanism. The judge ruled that the company was negligent in keeping the ship - which was carrying oil from the Gulf to Europe - at sea instead of docking it for necessary maintenance.

The judgement does establish the principle of corporate responsibility for environmental damage.

"I guess what it says to the world is our constantly recurring problems of environmental damage are serious and that those perpetrating them are going to be responsible, and we all better be more careful than we are," McGarr said.

But the French groups are not satisfied with the amount of money awarded (which was set in French Francs to avoid exchange fluctuation problems). The judge ruled that the damages should be limited to "actual losses rather than theoretical losses", such as lost investment opportunities and the damage to the Breton area as a tourist centre.

A number of questions have been raised by the French groups about the method of calculation of the losses. The largest share of damages is awarded to the central government in France, and the appeal is partly based on the fact that the Judge ignored claims submitted by regional authorities in addition to the towns affected. The oil company also wants to appeal the judgement on principle and level of damages awarded - so the case is likely to continue through the US courts for quite a few years yet.

# New Spanish rules on tanker safety

Following the fire on board and the subsequent grounding of the *Cason*, Spain is to limit oil tankers and ships carrying dangerous chemicals to at least 25 nautical miles from its coastline. The Spanish government has also said that it will investigate the possibility of charting new shipping routes off the coast of north west Spain.

The *Cason*, Panamanian-registered and en route from Rotterdam to Hong Kong, was carrying a highly dangerous cargo. It was abandoned by its crew at dawn on 5 December when it caught fire following an explosion 20 miles off Finisterre. 23 Chinese and Hong

Kong seamen drowned after abandoning the blazing vessel. Only 8 could be rescued, 2 from the ship itself and 6 from the water by ships and helicopters. All the ships' officers died in the accident. The ship, still on fire, was then swept ashore on rocks near Vigo by the strong winds.

The *Cason* was subsequently found to be carrying a cargo of 2,000 drums of inflammable gases, liquids and toxic chemicals. This included several tons of metallic sodium which reacts strongly when in contact with water, six tons of ethane and some hundred plus tons of toxic aniline

oil as well as ten tons of an unnamed highly inflammable chemical.

20,000 people had to be evacuated on 10 December from coastal villages - already on maximum alert - after a series of explosions occurred on board the vessel and pure sodium leaked from containers on the ship, releasing a gas cloud - later proved to be harmless - which drifted inland.

An official inquiry is to be conducted into the accident and will be particularly concerned to learn why an attempt at towing the vessel failed.

## Herald owners demand ferry manning cuts

British seafaring unions and the management of P&O are set for a major battle against the company's plans to slash crew numbers on their channel ferries.

P&O European Ferries - who dropped their previous name of Townsend Thoresen after the *Herald of Free Enterprise* capsized - told the ITF affiliated UK unions NUMAST and NUS in December that it wanted major staffing cutbacks on the ferries. Originally there was talk of 400 redundancies, but this has now risen to 800 and may end up being as high as 1,000.

The company say they want to reduce the ratio of crews on their 12 ships, including leave replacements, from 3.6 -1 to 2.5-1.

The NUS and NUMAST have both expressed concern about the safety implications of such heavy staffing cuts, particularly coming so soon after the *Herald* disaster.

Management have stated that "safety standards are regarded as absolute and there is no threat to them whatsoever" - but the association of relatives of the victims of the *Herald* disaster do not agree with them.

Peter Spooner, whose 29 year old son was killed last March 6 when the *Herald* capsized, is the spokesperson for the *Herald* Families Association. His organisation is calling upon the UK Department of Transport to investigate the proposed P&O cutbacks.

He says that someone should question the company's motives,

and describes some of the cuts proposals as "a little disturbing."

Saying that the company is claiming that these cuts are a "response" to commercial pressures, Spooner has called on the government to investigate what impact they would have on safety.

"There was a lot of talk at the time of Zeebrugge about commercial pressures," Spooner told Lloyd's List.

Both the NUS and NUMAST have told the company that they consider the present proposals unac-

ceptable. They both believe that the present staffing levels are close to the minimum acceptable level for the maintenance of safety, and further cuts would court disaster.

The unions also reject the company's attempt to use the Channel Tunnel, the potential extension by the UK government of Value Added Tax on certain zero rated items and the possible elimination of inter-European duty-free sales as grounds for cuts now when none of these things have happened yet.

## Union focus on stress and fatigue

Two trade union initiatives designed to highlight the rapidly increasing stress and fatigue problems took place this month

An ITF paper, put forward to the International Maritime Organisation (IMO) Committee on Standards of Training Certification and Watchkeeping (STW) drew attention to a number of cases where marine casualties had taken place because of stress and fatigue imposed by impossibly low manning levels on board ship.

The ITF is arguing for a comprehensive review by the IMO of the fatigue factor in manning and for a tough line on proposals to weaken current international watchkeeping standards.

In the UK the United Kingdom Pilots' Association, a section of the ITF affiliated Transport & General Workers Union launched a pub-

lication dealing with the job stress experienced by marine pilots.

The report draws attention to an agreement concluded by New Zealand Pilots with the Wellington Harbour Board which lays down clear limits to working hours and conditions. Identifying marine pilotage as a high stress occupation, the report argues that work and rest patterns should match those enjoyed by airline pilots, particularly flying instructors and training captains. No harbour authority should, it says, schedule a pilot unless he has had 10 hours rest before the duty period and there should be a day off after three consecutive periods of night duty. Copies of the report "Occupational Health and Safety of Marine Pilots" can be obtained from the T&GWU, Transport House, Smith Square, London SW1 3JB.

# Still more entrants in the flag of convenience race

The end of 1987 and the first few days of 1988 saw frenetic activity in the world's 'ship registration industry' as more and more governments decided to set up new flags of convenience or offshore registers.

Plans for a **Danish** international register (the DIS) on the lines of the NIS took a further step forward in December when draft legislation passed through its initial parliamentary stages before the Christmas recess. Tax changes to encourage investment in new vessels are under active consideration by the government although full details are yet to be announced. The Danish Finance Ministry, in what is becoming a familiar pattern, is considering whether seafarers serving on DIS ships should be exempt from the high Danish tax rates.

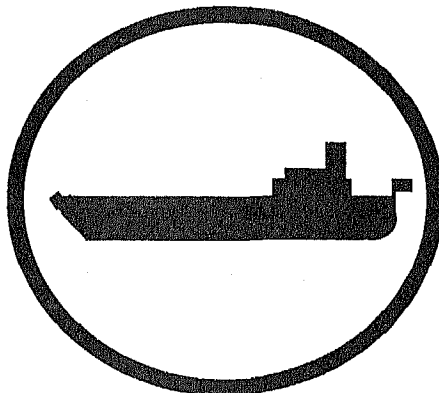
Denmark's seafaring unions have expressed total opposition to the idea of a DIS since it was first mooted last summer and are still attempting to block it in Parliament. They have already expressed to the Danish Shipowners' Association their concern that Danish unions might be excluded from negotiations on pay and conditions of foreign seafarers on DIS registered ships. Should this happen, K Mols Sørensen of the Danish Mates' Union and ITF Seafarers' Section Chairman has warned that he may demand that ITF officials sit in on negotiations for DIS crews.

Meanwhile in **Norway**, the parliamentary opposition parties - under pressure from shipowners - have forced the Socialist government to raise the amount foreign seafarers may earn free of Norwegian tax from 6,000 to 10,000 kr a month and are now urging the ruling Socialist party to consider abolishing the tax ceiling altogether. The government had originally intended raising the figure only to 7,000 kr. Since the cost to shipowners of providing the same net pay is much higher where seafarers have to pay tax, the tax problem is claimed to be one of the main reasons why the NIS register has so far dismally failed to attract significant numbers of non-Norwegian shipowners.

January has been a mixed month for NIS enthusiasts. Royal Caribbean Cruise Line (RCCL) has

announced that it is placing the world's largest cruise ship, the newly-built *Sovereign of the Seas*, on the NIS register. RCCL will also be transferring its four remaining four cruise ships, which currently fly the genuine Norwegian flag, to the NIS.

But the Oslo-based Helge



## The ITF's monthly flag by flag round-up

Myhre company has decided not to switch the last five of its gas carriers to the NIS. The company said that there would have to be further changes in the NIS tax regime applied to foreign seafarers before its remaining tonnage left Bermuda. Helge Myhre began transferring its ships to the NIS shortly

## Banana boats buck the trend

While other companies are fleeing the British registry, one company - Geest Industries - has been bucking the trend and is bringing all its ships back under the British flag. Geest already has two ships registered in Britain and announced in December that it was repatriating to Britain two reefers bought last March which it is currently operating under the Hong Kong flag. The two ships involved, the *Geesthaven* and *Geestcape*, have mixed British and Caribbean crews and operate in the banana trade between the Windward Islands in the West Indies and Great Britain.

after the register opened last July. Eleven of its ships have joined in the past six months.

Seafaring unions have also been reviewing their arrangements for offshore registers like NIS. In an innovative agreement reached during January between Norwegian officers' and NUMAST, representatives of the British officers' union may sit in on negotiations if British officers are employed on NIS ships.

At the end of December, the NIS comprised 103 vessels totaling 6.2m gross tonnes, the Norwegian owned flag of convenience fleet comprised 412 ships and 15.9 gross tonnes while 103 ships, totalling 4.6m tonnes remained under genuine Norwegian flag. According to a forecast made by a working party set up by Norwegian shipping minister Kurt Mosbakk, the NIS is expected to expand to 630 ships and 21.5m tonnes by 1990 at which time the 'traditional' Norwegian flag (by this stage only ferries and possibly offshore vessels) will be down to no more than 2m tonnes.

Meanwhile, the **German** Shipowners' Association, after another difficult year, has endorsed earlier calls by the governments of the four coastal states for a second German register. In their annual report published in December the owners urge the government to follow other Western European nations in setting up an offshore register tailored to the specific needs of the country's shipping industry.

The rumours circulating just before Christmas that an open register was in the offing on the Portuguese island of **Madeira** have been confirmed. The island government is understood to be putting the finishing touches to draft legislation, while the Portuguese shipowners' association, which first promoted the idea, is well into a feasibility study. The new register - which will probably be in place before the end of the year - will seek to attract Portuguese owners by offering the now common lures of cheaper crews and tax concessions.

Over on the east coast of Africa, the Indian Ocean island of **Mauritius** is currently refining its 1986 Shipping Act with the aim of

continued on page 22

# ITF wins appeal in *Nora* case

In what may well prove a landmark decision for the ITF, the French Cours de Cassation (Supreme Court), in a judgment handed down this month, has overturned a decision of the Court of Appeal in Rouen in July 1985 ordering the release from arrest of the American-Greek owned Panamanian-flag mv *Nora*.

The *Nora* had been arrested in support of a crew claim arising from the ITF Special Agreement signed for the vessel in Israel in

October 1984. The lower Court had accepted the owners' argument that the ITF agreement had been signed under pressure (ie the threat of a boycott) and that this invalidated the arrest of the vessel in pursuit of crew claims under the agreement. This had led the court to rule that the crew members' claims were doubtful and therefore the arrest of the ship could not be legally justified.

In coming to its decision, the Supreme Court accepted a num-

ber of arguments of the ITF's lawyers including that in releasing the ship and nullifying the arrest, the Court of Appeal had failed to abide by the provisions of Brussels convention of 1952 regarding the arrest of sea-going vessels.

This latest decision effectively places the dispute and parties in the position they were in before the court decision of 1 July 1985 and they now have four months in which to refer to the court of appeal in Caen.

## ...Pakistan owners urge attack on trade union rights

continued from page 21

opening up its register next year to foreign owners. When all the preparations are completed, a promotional campaign will be launched advertising the usual financial incentives and wide-ranging tax exemptions. Age limits on ships joining the registry of between 15 and 20 years are expected and it is being claimed that the government will insist on between 25% and 30% of the ratings on board its ships being Mauritian. The Mauritian Trade and Shipping Ministry has joined representatives of other FOC nations in arguing that it is offering a registry open to all comers but not a flag of convenience. This echoes a recent advertisement in Lloyds List which claimed that Bermuda was "a convenient flag but not a flag of convenience". These distinctions cut no ice with the ITF.

Another country where calls for an open register are being heard is **Pakistan**. In an editorial published in its latest newsletter the Master Mariner Society - a body representing serving shipmasters and leading shipowners calls for the Pakistan registry to be opened to all comers and makes a scathing attack on the country's seafaring unions. The editorial accuses the ITF affiliated unions of "militant activities that have given Pakistani seafarers a bad name and lost them jobs to seafarers from other countries in the region" and calls on the government of general Zia to introduce stringent curbs on seafarers' trade union rights, a move which would meet with a strong response from other ITF affiliates.

In **Britain**, The jobs of merchant navy officers are increas-

ingly coming under threat from companies flagging out to the **Isle of Man** tax haven. One of the first of these was Canadian Pacific Ships, which for some time has been operating a policy of "split crewing" (British senior and Indian junior officers) on some of its ships. Now CP has taken the obvious next step and announced that it will be replacing the junior officers on all its ten IoM registered ships with foreign nationals, at the cost of 130 jobs according to the officers' union NUMAST, which fears this could set a new trend. These developments have taken place despite informal assurances given by the Island's registrar that only ships covered by a collective agreement with British maritime unions would be accepted onto the register. Once the ships have re-flagged, however, the lack of appropriate legislation makes crew replacement an easy matter.

The job losses at CP take place against a background of massive growth in the IoM register last year. Ships of over 500 tons joining the register in 1987 totalled 103, double the previous year's figure. There is now a total of 4.08 million tonnes deadweight registered in the IoM overall, three times that on the register in 1987.

Also in Europe, the **Luxembourg** shipping register is set to come into operation on 1 April after the adoption of the relevant legislation early in the new year. Belgium's national shipping line, the Compagnie Maritime Belge (CMB), which already has several ships registered in Liberia and Hong Kong, has described the facilities offered by new register as "very appealing". It will probably transfer most of its remaining

national flag ships to Luxembourg, though a decision on just how many is a few months away. The Belgian seafarers' union, the BTB, has reluctantly agreed not to oppose the switch of Belgian-flag ships to the new registry after winning assurances on continued Belgian manning and measures to protect seafarers' take-home pay.

**Canadian** shipowners are pressing the government of Prime Minister Brian Mulroney to set up an international shipping register to enable Canada's shipping industry to compete internationally. Other measures being sought include the exemption of serving seafarers from income tax and the repeal of the 25% tax payable on all ship repairs carried out abroad.

Anxious to dispel the dismal image of its flag, the government of **Cyprus** has enlisted the help of the International Maritime Organization. IMO Secretary General C P Srivastava recently visited the island on a fact-finding tour and suggested improvements to the Shipping Minister. Plans have now been drawn up for the updating of national maritime legislation, new examination and certification standards for seafarers, and a strengthening of the maritime administration, with top officials being offered specialist training at the IMO World Maritime University in Sweden. New regulations will also be drafted to enable Cyprus to ratify outstanding IMO treaties. The Cyprus flag's well-known weaknesses have not halted the registry's progress. It put on 4.17 million tons gross to over 17m tons last year and growth over the past five years - 11.42 million tons - has been unmatched, except for Panama.

# Trinidad flies the flag...at last

Over twenty years of sustained effort by succeeding administrations and local shipping interests have finally come to fruition with the passing into law this month in **Trinidad and Tobago** of the Shipping Act, giving this important Caribbean nation its very own register for the first time.

The new national register has received a warm welcome from Francis Mungroo, General Secretary of the Seamen and Waterfront Workers' Trade Union, who has always regretted that the locally-owned vessels on which Trinidad and Tobago seafarers work should have to be registered elsewhere, often in one of the country's Caribbean neighbours.

Mungroo was particularly angry when even the *Trinidad and Tobago*, owned by the Shipping Corporation of Trinidad (Scott for short) and named after the country itself, hoisted the flag of the Bahamas.

Now local seafarers will be able for the first time to feel a quite proper national pride in working on ships flying their national flag, and Mungroo has high hopes that the new register will mean more seafaring jobs.

The Shipping Act incorporates those international conventions (such as SOLAS and the Load Line Convention) to which the country is already a party and is a comprehensive 200-plus page document setting high standards for ships on the register as well as safeguarding the rights of seafarers.

The country intends to build up its own survey capacity but as this will obviously take time it has asked the highly-respected Lloyd's Register of Shipping to inspect and survey ships on the government's behalf in the interim.

Trinidad and Tobago owned ships will not be obliged to register but most local owners are expected to do so. It is possible that foreign owners might also place their ships on the new register if the government were to encourage exporters to give preference to ships flying the national flag. This would have the added benefit of creating even more jobs for local ratings as well as enabling a corps of local merchant navy officers to

be built up.

The register has come into being just in time for the 5,330 ton government owned inter-island ro-ro ferry *Panorama* - newly delivered from its German builders - to be the first ship to sign on.

She will operate on the Trinidad-Tobago run for six months with a crew of Danish officers - from the superannuated Danish-owned *Gelting* that she is replacing on the route - while local officers work alongside, with a view to taking over.

A total of 27 ships - including the *Panorama* - are expected to join the register initially, led by the four Scott ships. The two ships of the Port-of-Spain regional line Wisco

(also previously registered in nearby Barbados) will sign on the register, as will a number of government-owned inter-island passenger ferries and the tugs and barges operated by the oil companies.

The upgrading of the Trinidad and Tobago route with the introduction of the *Panorama* is being accompanied by the improvement of terminal facilities at the port of Scarborough on Tobago where the harbour is being dredged and better berthing facilities for cargo and passenger cruise ships are being introduced. This should give a valuable boost to the local economy, especially the tourist trade.

## UK shipping bill "a missed opportunity"

The British government's new shipping bill is an inadequate 'ragbag' of measures that will do little to stem the decline of the UK flag fleet, says the ITF-affiliated officers' union NUMAST.

The Merchant Shipping Bill, now being considered by the House of Lords (see *ITF News* November/December 1987), has been denounced by NUMAST Deputy General Secretary John Newman as "a ragbag of measures, none of which will tackle the fundamental issues facing the fleet's future. A golden opportunity for long overdue steps has been thrown away."

The bill incorporates new regulations on the conduct of British dependent territory registers, such as Gibraltar, which were promised a year ago after the sinking of the Gibraltar registered *Syneta* off the Icelandic coast in December 1986. There are also very limited measures regarding help with repatriating seafarers, and provisions for the creation of a Merchant Navy Reserve.

The dependent territories measures will not substantially limit or restrict the open register activities of colonies such as Gibraltar, and the Bill makes no provision to act against the continuing decline of the UK fleet.

There are also new safety regula-

tions relating to ro-ro passenger operations as a result of the Zeebrugge disaster.

Part of these measures is the provision for tough penalties of prison sentences and fines for shipowners or crewmembers found guilty of contravening the new rules.

While the unions welcome the measures, they oppose the provision of individual fines for masters and crew members who 'contravene' the new rules.

NUMAST general secretary Eric Nevin said he was particularly concerned with these proposals, because they are being made at a time when officers are facing increasing pressure from management.

The unions fear that officers will be penalised for the cost cutting measures that are forced upon them by company decisions. While the Bill gives officers personal legal responsibility for maintaining certain safety levels, it does not give the officers the means to enforce these measures in the face of a determined company. The union is still hoping that these sections of the bill will be altered to place responsibility for safety violations where it belongs - with the company management who decide crew levels and safety investment.

# SE Asia shipowners concerned over piracy

A recent study of the growing threat of piracy in the South East Asian (Asean) seas warns that shipowners may start avoiding the area altogether unless the attacks are stopped.

The report, by the Singapore National Shipping Association (SNSA), says that shipowners and crews are already expressing a preference to avoid Asean waters because of the threat of piracy.

Most of these attacks occur in Asean waters near Phillip Channel, Horsburg Lighthouse in the

South China Sea and the area around the Straits of Malacca.

According to the International Maritime Bureau, there were 30 reported cases of piracy in 1986. SNSA reported 17 cases involving its members' ships in 1986, but up to August 1987, there were 20 attacks recorded.

The frequency of attacks appears to have increased, according to the SNSA, and a set pattern also seems to be emerging.

The pirates normally come in speedboats in groups of three or

four, armed with knives and crow-bars (but, usually, not firearms). They attack in the night and usually go straight for the masters' cabin — they tie him up and then take money and valuables.

Fortunately, there is rarely any injury inflicted on the crew.

The Federation of Asean Shipowners' Associations has resolved to raise the matter with local governments and they have formed a special piracy monitoring group to liaise with governments on the piracy question.

## OBITUARIES

With the tragic early death of **Thor Halvorsen**, President of the LO Trade Union Confederation, Norway has lost one of its greatest union leaders of modern times. Halvorsen died on 4 November after a long illness at the age of only 56. Apart from the three years he served as a government minister, Halvorsen had devoted his working life to the trade union movement, the last ten years as LO President. A brilliant negotiator, he influenced many of the major social reforms of recent decades and as an able conciliator did much to foster good industrial relations. His diplomatic skills made

him an obvious choice in 1985 for President of the Council of Nordic Trade Unions (NFS), which brings together the national trade union centres in Denmark, Finland, Iceland, Norway and Sweden. In Europe, he was a member of the Board of the European Trade Union Confederation (ETUC).

**Moshe Levy**, General Secretary of the Transport Workers' Division of Histadrut (the Israeli national union centre), died last September after a long illness. Levy had previously represented his country within the ITF Road Transport Workers' Section and had also been responsible for maintaining

the links between the ITF and Histadrut.

The Transport and General Workers' Union in South Africa has been saddened by the death, at 70, of **Reverend Marawu**, one of its organizers in Cape Town. The Reverend Marawu gave freely of his energies over many years and did much to help black workers win trade union representation. It was he who brought the stevedores first in the Cape and later in the Durban docks into the General Workers' Union, the forerunner of today's TGWU, thus helping shape what was later to become a strong and vital national transport union.

## FORTHCOMING MEETINGS

1-2 March	Road Transport Steering Cttee	London
15-16 March	Executive Board	London
19 March	Railway Rally	Frankfurt
6-7 April	Fishermens' Section Cttee	Vigo, Spain
11-12 April	Urban Transport Group	Geneva
20-21 April	Maritime Policy Committee	Bremerhaven
4-5 May	Railway Section Committee	Vienna
30-31 May	Dockers' Section Conference	Rotterdam
1-3 June	Fair Practices Committee	Rotterdam
27-28 June	Research & Publications Meeting	London
28-30 September	Civil Aviation Section Conference	Tenerife
4-6 October	Road Transport Section Conference	Brazil
18-19 October	Executive Board	London
28-29 November	Seafarers' Section Conference	Brazil