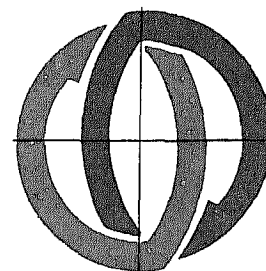


ITF NEWS



SEPTEMBER 1988

INSIDE

NEWS

South Africa takes on unions (3)
Chileans say no to Pinochet (4)

David appeals for help (5)

FISHERIES

French/Canadian fish talks collapse (5)

CIVIL AVIATION

Chaos in European skies (6)
Eastern jobs latest (7)
Vayudoot—ITF complains to ILO (8)

INLAND TRANSPORT

Malayan rail privatisation (9)
Sleepy train drivers (10)

PEOPLE (12)

FORTHCOMING MEETINGS (12)

SEAFARERS

Toxic waste ships return to Italy (13)
NUS back in hq (14)
More sub-standard ships (15)
Flag round up (16)

DOCKERS

US 50 mile rule scrapped (20)

OBITUARIES (20)

ITF NEWS

SUBSCRIPTION FORM

"GENERAL STRIKE" PROMISED IF BILL IS ADOPTED:

INDIAN UNIONS FIGHT NEW LABOUR LAWS

The ITF-affiliated All-India Railwaymen's Federation (AIRF) is threatening to stage an all out, indefinite general strike if a new industrial relations bill becomes law.

AIRF President Umraomal Purohit, who is also General Secretary of the Hind Mazdoor Sabha (HMS) trade union centre, says that the proposed "Trade Unions and Industrial Disputes (Amendment) Bill 1988" is an attack on fundamental trade union rights.

"If this bill is passed, it will reduce all union officers to the role of lawyers and advocates instead of trade union leaders," says Purohit.

The government does not hide the fact that they have decided to engage in a major structural reform that will fundamentally alter Indian industrial relations and the role and structure of trade unions. Jagdish Tytler, Minister of Labour, seems to believe that the law will "promote peace and harmony" in industrial affairs, but the trade unions disagree.

The Bill replaces India's present system of industrial relations, which is largely based on the British model, with a complex new structure of legal bodies, starting with factory based "Bargaining Councils" and leading up to a series of Industrial Relations Commissions. Legal restrictions on trade unions, and their right to take action, are introduced, along with a number of new criminal offences related to "illegal" union activities. Restrictions are also placed on who may hold office in a trade union.

Strike action is severely limited. Strikes are not to be allowed unless all negotiations have failed and arbitration efforts have faltered. No strike is allowed during the period of a contract. Even then the law states that the union must give fourteen days' notice of any strike. Employers, on the other hand, are given the right to lock out workers without the 14 day notice if they believe there is an "imminent threat of violence or damage to property" — they are then allowed to lock-out their workers and apply, after the fact, for a government dispensation. No such dispensations are allowed for the workers.

If a union participates in an "illegal" strike that does not fit into the intricate framework of what will be allowed, the Bill gives the government the right to "de-register" the union. Individual workers participating in such a strike face criminal charges with maximum penalties of between 14 days and three months' imprisonment and fines of up to 200 rupees. Once convicted of illegal strike activity, a worker is also barred from holding elected office in a trade union.

In what is a clear violation of basic trade union rights, the Bill lays down

Continued on page 2

DANISH SHIPPING REGISTER GOES INTERNATIONAL (16)

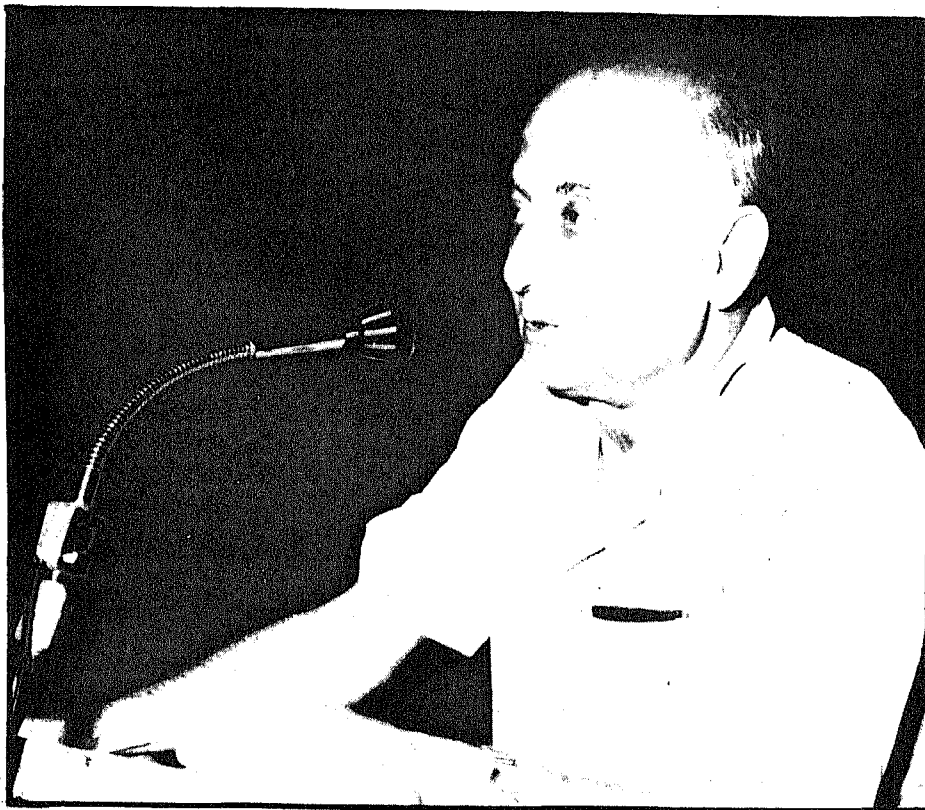
Continued from page 1

restrictions on who the workers can elect to hold office in their own trade unions. The Bill states that no office holder may have been previously convicted of an "industrial relations" offence and, furthermore, that all but two of any union's office holders must be employed in the industry that the union organises. Apart from being a violation of the workers' right to choose their own representatives, this clause would also mean that employers would be able to remove any troublesome union leaders from the picture by firing them from their place of work — a common enough problem for union activists anyway, which, under the new law, would mean that employers could have a say in who holds union office.

Minister Tytler claims that this clause "will go a long way in developing internal leadership in trade unions" — to which the trade union reply must be that it is no business whatsoever of governments to determine who is leading the trade union movement.

This bill is an extremely serious threat to the Indian trade union movement. If passed it would restrict the unions to a very limited role in a complex legal structure which is tilted in the employers' favour.

The AIRF has taken a leading role in fighting this bill and in forging a unique



Umraomal Purohit, President of the AIRF

coalition of Indian trade unions from different ideological strands to oppose the bill. It was in a meeting of this National Campaign Committee, of which Purohit is Secretary, that the AIRF announced its intention to strike if the bill becomes law.

It remains to be seen whether the fact that all genuine trade unions in India oppose this bill will be enough to stop it. The ITF has pledged its support to the AIRF and other Indian unions fighting this bill, and further developments will be reported in ITF News.

POLISH TALKS MAY LEAD TO UNION LEGALISATION

It appears increasingly likely that the Polish government is to allow the re-legalisation of the independent Solidarity union. Their recognition of Lech Walesa as the head of a mass movement, and their agreement to discuss the re-legalisation of the union is a major breakthrough for Polish workers.

Returning from a visit to Poland, John Vanderveken, General Secretary of the International Confederation of Free Trade Unions (to which Solidarity is affiliated) said in a press conference in

Brussels on Monday August 29, that "the key to a normalisation of the situation in the country is the re-legalisation of Solidarity."

Together with the General Secretary of the World Confederation of Labour, Jan Kulakowski, Vanderveken met striking workers in the Gdansk shipyard and several Solidarity leaders including Lech Walesa.

In an interview with a German radio station, Vanderveken said that the agreement on the part of the Polish govern-

ment to enter into negotiations with Walesa constitutes an important development as a first step towards a dialogue Solidarity had always wanted. The ICFTU is now mobilising its affiliates to bring strongest pressure to bear on the Polish government in order to help make sure that the negotiations conclude in the re-legalisation of Solidarity on factory as well as on national level with necessary guarantees for its future functioning in line with International Labour Conventions.

General Secretary: **Harold Lewis**

Publications Officer: **David Cockroff**

International Transport Workers' Federation
Federación Internacional de los Trabajadores del Transporte
Internationale Transportarbeiter-Föderation
Fédération Internationale des Ouvriers du Transport
Internationella Transportarbetarefederationen

133-135 Great Suffolk Street, London SE1 1PD
TELEPHONE: +44-1-403 2733
TELEX: (051) 8811397 ITF LDN G
FAX: +44-1-357 7871
CABLES: Intransfe, London SE1
E-MAIL: Geonet - GEO2:ITF

SOUTH AFRICAN STATE LAUNCHES ALL OUT OFFENSIVE AGAINST UNIONS

The South African government has now put its latest set of anti-trade union measures, the Labour Relations Act, into force, and employers, breaching an agreement with the trade unions, are planning to apply them.

The amendments (see ITF News, May 1988) came into effect on the first of September. These measures, described by the Congress of South African Trade Unions (COSATU) as a "labour-bashing bill" are designed to severely undermine free collective bargaining and the rights of workers and their trade unions to operate freely.

COSATU has identified six clauses of the new law that are in blatant violation of international labour conventions, and they have made a formal complaint to the International Labour Organisation about them.

South African employers, through their organisation SACCOLA, had originally joined COSATU and the National Council of Trade Unions (NACTU) in opposing the law and calling for their members to boycott it.

But now, with the first of September promulgation of the law, the employers have changed their tune.

SACCOLA have now refused to make any commitment about the law or the six particularly serious contentious sections. The employers have rejected COSATU's demands that they call on their members to renounce their rights in terms of the six sections.

Individual employers have also been approached by COSATU shop stewards to make the same commitment. According to COSATU, they are also refusing. COSATU is now putting together all these responses and they will hold a national meeting to discuss what steps to take.

The ITF has pledged "total support" to COSATU's campaign against the new labour laws. ITF General Secretary Harold Lewis has asked COSATU to keep the ITF informed of employer responses "so that we may exert maximum pressure and influence."

* Meanwhile, COSATU plans to hold a massive anti-apartheid conference on September 24 and 25 in Cape Town have been met with a harsh

government crackdown.

The conference, called jointly by COSATU and its allies, is in line with a decision taken at the last COSATU national congress. It was to comprise 72 organisations ranging from political, labour, religious and cultural groupings with different policies and positions but a common desire to resist the growing repression of the apartheid state.

On September 22, twelve COSATU activists and organisers were detained and a further five senior office bearers were served with special restriction

ter of Law and Order stating that we reserve our rights to sue for financial losses incurred as a result of the banning.

COSATU expects that increased harassment and detention of trade unionists as well as restrictions on our right to meet will continue. Following the brutal attack on political and youth organisations, the state is now determined to focus its attack on the church leaders and the trade union movement. The crackdown is aimed at crushing opposition to the municipal elections.

However, we will continue with ef-

...the state is now determined to focus its attack on the church leaders and the trade union movement...

orders that prevented them from leaving their home district between 18:00h and 06:00h (ie, after the conference). The Conference itself was formally banned.

COSATU General Secretary Jay Naido issued a statement to the international trade union movement about this latest act of repression:

In the week leading up to the conference, about 30 people were detained. It began with the detention of 11 United Democratic Front (UDF) people on Tuesday, then scores of shop stewards were detained either on their way to the conference (at airports, or road blocks) or at union offices. By Thursday security forces had set up road blocks on all roads leading to Cape Town as well as on main roads in the city. A group of security police booked into the hotel where most delegates stayed, while others kept surveillance at COSATU's Cape Town office and the university. On Saturday September 24, the day of the conference, the university was literally under siege by armoured vehicles and troops.

The lateness of the banning was obviously designed to preclude COSATU from taking legal action in time. However, we telexed the Minis-

ter to co-ordinate action against apartheid repression across a broad front, emphasising the common objectives of a wide range of organisations to hasten the abolition of apartheid, said COSATU.

ITF General Secretary Harold Lewis sent a message of solidarity to COSATU which was to have been read at the anti-apartheid conference:

"Please convey our warmest greetings and good wishes to this conference. For almost one hundred years, the ITF has been fighting for the elimination of racial discrimination in all its forms and we pledge our wholehearted efforts to support that end" the statement says.

* Alfred Makaleng, former COSATU construction union organiser and United Democratic Front Publicity Secretary for Transvaal, who died in detention, was buried at the end of August. The funeral itself was the subject of severe security force restrictions, and two union organisers at the burial were detained.

Makaleng was detained by the South African security forces on June 12, 1986. His death came, according to COSATU, after "months of complain-

Continued on page 4

CHILEANS SAY NO TO PINOCHET

Popular resistance in Chile to the military's plans to continue the dictatorship of General Augusto Pinochet has seen some of the largest mass demonstrations since the 1973 military coup.

The dictatorship's determination to repress the opposition was underlined by the Supreme Court's imposing sentences of 541 days internal exile on the Chilean trade union leaders Manuel Bustos, president of the national trade union organisation CUT, and Arturo Martinez, CUT Vice-President, for their part in organising a general strike last October 7.

Bustos and Martinez have been banished to small remote towns for violating internal security laws. They were originally charged on the day after the strike.

Meanwhile, the people of Chile reacted angrily to the dictatorship's announcement on Tuesday 30 August by the armed forces that General Pinochet will be the sole "candidate" in an October plebiscite. With this mandate, Pinochet can continue in power until 1997.

Demonstrators gathered as the heads of the armed forces met to rubber stamp Pinochet's "candidacy". Crowds chanting "Chile says no" and "the

dictatorship will end" were attacked by security forces with water cannons and tear gas. Demonstrations erupted in every town and city in the country. As nightfall came, barricades were built in many working class areas. The police moved in with live ammunition.

In Santiago alone about 500 demonstrators, among them numerous trade unionists, have been arrested, according to the CUT. Many of them had been wounded by police bullets and one person was shot dead by the police.

* The International Confederation of Free Trade Unions has renewed its

call for the Chilean government to free all political and trade union detainees, to stop all repressive measures and to guarantee the freedom of union leaders Bustos and Martinez.

** In response to a call from the ITF affiliated AKT, the Finnish national trade union centre SAK has expressed opposition to the possible planned purchase by a Finnish company of copper ore from the "Escondida" mining project in Chile. SAK says it considers such investments as being contrary to the interests of Chilean workers.

Right to strike guaranteed in Brazil

The new Brazilian Constitution, for the first time, guarantees some workplace and trade union rights.

The new document, approved by the two houses of Congress, comes into force at the end of this month. It specifically entrenches the right to strike as a constitutional clause and also provides for citizens to have an automatic right to information.

Trade unions and social reformers are not entirely happy with the document however. The Constitution grants

the military, who ran Brazil as a brutal dictatorship from 24 years ago until 1985, the "right" to intervene in government in the interests of "national security" — a clause which appears to legitimise a possible military coup.

One of the most important issues in Brazil, the question of agrarian reform and land distribution, reformers lost out in a bid to grant government powers to confiscate property for redistribution.

... "inhumanity and neglect" in detention

Continued from page 3
ing about repeated headaches." He was taken to hospital where he collapsed and died shortly after arrival.

COSATU lawyers state that his condition—distention of the brain—was easily detectable by ophthalmoscope and thus his death was preventable. The union centre has engaged a family pathologist to take part in the post-mortem.

"The death in detention once again reveals the inhumanity, neglect and vulnerability that are basic to arbitrary detention" says COSATU General Secretary Jay Naidoo.

RECENT RESTRICTIONS AND DETENTIONS

RESTRICTIONS:

The following people were served with restriction orders: restricted to magisterial district between 18h00 and 06h00 from 22nd September to 3rd October 1988.

1. Sydney Mufamadi - COSATU Assistant General Secretary
2. Chris Dlamini - COSATU National office bearer
3. Donsie Khumalo - COSATU Regional Secretary, N. Transvaal
4. Moses Lamola - COSATU Regional Chairperson, N. Transvaal
5. Vusi Khumalo - POTWA President

DETENTIONS:

People detained under emergency regulations:

1. Siphon Cele - COSATU, N. Natal
2. Mike Maboyakhulu - COSATU office bearer, N. Natal
3. Willis Mchunu - NUMSA, N. Natal
4. Derek Phiri - NUMSA, N. Natal
5. Jerry Thibedi - NUMSA Education Secretary, N. Transvaal
6. Joe Bokaba - NUMSA Chairperson, N. Transvaal
7. Peter Magagula - NUMSA Vice Chair, N. Transvaal
8. Grace Dube - CAWU Administrator, N. Transvaal
9. Elias Mophuthing - NUWCC, Johannesburg
10. Sizwe Mbi - COSATU, N. Cape
11. David Sibani - COSATU, N. Cape
12. Dennis Goba - TGWU, E. Cape

Malaysian union leader appeals for aid

Malaysian trade union leader V. David, who was conditionally released from detention last June (see ITF News June 88) after a vigorous international campaign for his freedom by ITF affiliates, Amnesty International and many others, is calling for renewed protests against the drastic restrictions on his own freedom and the release of a number of other prominent Malaysians who are still being detained without trial under the notorious Internal Security Act.

In a letter to ITF General Secretary Harold Lewis, David, who is General Secretary of the Malaysian Transport Workers' Union and the Trades Union Congress, explains the severe restrictions that have been placed on his liberty.

He is not allowed to leave Kuala Lumpur and the adjoining region of Petaling Jaya; he has to be in his house every night between 22:00h and 06:00h; he has to sign a register at a police station on the first day of every month; and he must not leave his home without prior permission.

"The aforementioned conditions have been deliberately imposed on me by the Malaysian Government with a view to curtail my movement and to undermine my career as a trade unionist" says David.

David points out that a number of individuals are still being held in detention — "these include opposition leader and Member of Parliament, Mr

Lim Kit Siang, Mr Karpal Singh (MP), Mr P. Pato (MP), Mr Lim Guan Eng (MP), Mr Lau Dak Kee (MP), members of the Pan Malaysian People's Socialist Party (PSRM), members of the clergy as well as like-minded social activists who are generally opposed to the government in power."

The restrictions on his movement "have made it very difficult for me to carry out my trade union activities both locally and abroad" said David.

David calls upon ITF affiliates to renew the protests they made during his detention (for which he wishes to record his "profound appreciation and gratitude"):

"Violations of human rights and erosion of democratic freedom have

reached crisis proportions in Malaysia," he writes, "and I would request your organisation to make an effective representation to the Malaysian Government, urging the removal of conditions attached to my release and to call for the unconditional release of all the detainees."

Such protests should be addressed to the Malaysian Prime Minister (who also happens to be the Home Affairs Minister) at the following address:

DR. MAHATHIR MOHAMMED
**MINISTER OF HOME AFFAIRS/
PRIME MINISTER**
JALAN DATO ONN
5052 KUALA LUMPUR
MALAYSIA

'NEW ERA' WELCOMED BY TUNISIAN TRADE UNION LEADER

The changing political climate in Tunisia has ushered in a new era of trade union freedom, says Habib Tliba, President of the country's national trade union commission, which was set up earlier this year to organise the next congress of the General Union of Tunisian Workers (UGTT), which is affiliated to the International Confederation of Free Trade Unions (ICFTU).

Tliba told ICFTU General Secretary John Vanderveken, during a visit to Brussels in September, that the Tunisian government had given guaran-

tees that it would not interfere in the internal affairs of unions and that it would return UGTT assets seized following labour unrest in 1984 and 1985 and re-establish the checkoff system for paying union dues.

All the workers sacked during the unrest have been given their jobs back and have received compensation. Tliba praised the support that the UGTT had received from the international trade union movement during its period of struggle against the former regime.

FISHERIES

French and Canadian fishing rights talks break down

Attempts to resolve the long standing fishing rights dispute between France and Canada (see ITF News April 1987, November/December 1987) through negotiations have failed.

The two states are in dispute over French fishing rights in the Gulf of St. Lawrence around the French colony of St. Pierre-et-Miquelon. The French

refuse to accept Canadian imposed quotas or restrictions, saying they are fishing in sovereign waters, while the Canadians refused to recognise their claim.

The dispute has already led the Canadians to ban French flag trawlers from Canadian ports.

Negotiations between the two sides broke down at the end of the first week of September, with the French government issuing a statement that said "it is now impossible to reach an accord through bilateral negotiations."

The French have now demanded that the dispute be referred to international mediation.

AIR TRAFFIC CHAOS IN EUROPE'S SKIES

A rapid worldwide growth in air traffic is straining airport capacities, air traffic control and threatening the safety of the industry — and without large scale infrastructure investments, it's going to get a lot worse. Basically, a lot more people are taking airplanes for business and pleasure travel — particularly in Europe and the Pacific. The rise in levels of passengers are much higher than industry and government estimates foretold.

According to the Japanese Narita Aviation Authority, the number of flights from Japan to the USA increased by 17.2 per cent in 1987. Flights to Australia and New Zealand are up by 31 per cent, to South Korea by 12.8 per cent and to China by ten per cent.

Taipei airport in Taiwan recorded 11,244 flights from Hong Kong last

year, an increase of 20.4 per cent over the previous year.

But while the rises in traffic are most dramatic in the Pacific region, they have not reached the same crisis point as the European skies yet. The rises in the Pacific have pushed air traffic systems to their capacity, and future expansion will create problems. In Europe that capacity has already been passed, and the problems are manifest.

European air traffic increased by 13 per cent in 1987, and the figure may well be higher this year. Europe's problems are compounded by the fact that a relatively small geographical area is broken down into so many sovereign states with separate authorities. In an area the same size as the USA which has a single aviation authority,

Europe has 34.

The expansion in European air traffic far exceeds planners' previous estimates. This summer, emergency restrictions were placed on certain busy corridors (while the number of air misses rose alarmingly). The result, in European airports, has been delays, frustrations and revolts by angry passengers. Delays of up to 20 hours for tourist flights have been common. In one incident in the Federal Republic of Germany, passengers sat in an airplane and had to be evicted by the police — their flight had arrived three hours late from Spain and they were told they could not continue to Hamburg because the airport was closed. Groups of passengers in Munich airport broke into tears on one day when 23 flights were cancelled.

"Civil aviation authorities in Europe were not prepared for the new surge in traffic," says a statement from the International Civil Aviation Organization. "They had not made investments in new equipment, nor hired or trained personnel."

The airline organisation IATA admits that the European civil aviation system is now at capacity. And yet, everyone predicts that the present rates of expansion will continue in to the next century.

The International Air Transport Association (IATA) estimate that European air traffic will double by the year 2000. The industry body is calling for immediate measures to deal with this crisis in the skies. Improvements to the European Air Traffic Control network, that had been slated for the 1990s, should be brought forward to today, say IATA. European administrations must do more to overcome staff shortages by "fairly rewarding" workers.

IATA also call for a rethink of the flow control systems being used in ATC, and for greater international cooperation in ATC. A special IATA Task Force has been set up to study the European situation and make recommendations by the end of this year.

SAS-Argentine link held up

The controversial decision of the Argentinian government to sell a stake in the state airline to the Scandinavian Airlines System (SAS) in running into serious legal problems.

The announcement that a 40 per cent stake in Aerolíneas Argentinas (AA) was to be sold to SAS for \$204 million led to the immediate resignation of the airline's President, Horacio Domingorena, who alleged that the real sale price was in fact only \$156 million, which he stated was a serious undervaluation of the airline (see ITF News July/August 1988).

The sale has to be approved by the Argentinian Congress, the upper house of which is controlled by the Peronist opposition. The opposition is now saying that the government has broken two laws relating to state-run companies in the projected sale. One law prohibits the injection of private capital into state firms, and the other obliges the government to call for public tenders when considering any privatisation.

This last point is aggravated by the

fact that a consortium involving Argentina's private Austral airline, Swissair and Alitalia made an offer for AA in July. Argentinian Minister of Public Works, Rodolfo Terrango, who is responsible for privatisation policy stated that the government would not consider the consortium's offer.

The consortium have now renewed their offer. They have said that they cannot name a price, because they haven't been given access to AA's books, but a senior Italian politician has said that their offer would almost certainly be higher than SAS'.

Gianni de Michelis, Vice-President of Italy's Council of Ministers, visited Argentina in early September to discuss trade relations. Italy has just agreed to provide up to \$5 billion for industrial projects in Argentina — and so their opinion of the AA deal is likely to carry some weight.

Michelis said that the consortium was "in a position to exceed" the SAS offer and hinted that the deal "would be very important for bilateral relations."

LEGAL BATTLES CONTINUE ON EASTERN JOBS

In what Texas Air supremo Frank Lorenzo described as an attack on 'the very essence' of airline deregulation, the US Federal Court in Washington issued a ruling on 30 August formally upholding the earlier ban on Eastern's plans to dismiss four thousand airline workers (see July/August issue of ITF News).

The court ruling requires Eastern to continue employing the workers it had intended making redundant as part of a cost cutting exercise due to be implemented at the beginning of September.

In reaching his decision the judge accepted the unions' argument that Eastern's decision to embark on the cost cutting exercise while in the middle of contract negotiations was a clear breach of the Railway Labor Act, which by an accident of history also extends to airline workers.

As one circuit judge observed, "bargaining is a sham if a carrier has already done in fact what it formally seeks to do in negotiation."

In giving its opinion the court accused Eastern's management of contributing to the company's financial instability by unwise business decisions and referred to questionable loans and ventures that had drained off cash reserves and other assets.

The court said these moves were not simple business decisions based on economics but part of a wider pattern of anti union activity by management, the purpose being to prop up Texas' ailing Continental Airlines subsidiary and frustrate the collective bargaining process of Eastern's employees. It added that Eastern officials had frankly admitted throughout this process that the transfers were designed to avoid and reduce labour costs under existing agreements with the unions at Eastern, to force the employees to accept further cuts in wages and benefits and ultimately to undermine the unions' exclusive rights to represent workers at the carrier.

For all these reasons the judge said that the proposed layoffs could not be justified.

Welcoming the decision, Jack Bavis, the pilots' chairman at Eastern said he was delighted that a highly respected

court had confirmed what the unions had been saying all along, namely that Eastern had been engaged in a campaign of deliberate asset stripping to punish and intimidate the unions and that there was collusion between Eastern and the management of the non unionised Continental subsidiary to achieve that aim.

Bavis pointed out that the transfer of the multi million dollar System 1 reservation system to Continental was evi-

on its Kansas City hub already dropped from the schedules.

Notwithstanding, Lorenzo has been clearly angered by the court decision against him. He sought an emergency hearing before the US Court of Appeals and at the end of September the court said that he had the right to dismiss the 4,000 Eastern employees whose jobs had been threatened by the cost cutting package. This is a very serious setback for the unions and there

*...bargaining is a sham if a carrier
has already done in fact what it
formally seeks to do in negotiation...*

dence of an intent to favour Continental over Eastern as was the admission of Eastern president Phil Bakes that Eastern was paying Continental almost \$25 million a year to pay the salaries of more than four hundred Continental pilots. Bavis said the court was to be congratulated for recognising this paper shuffling asset transfer scheme for what it was.

This view was echoed by union president Henry Duffy who said that Texas Air had exploited its unique corporate structure to undermine unionism at Eastern. The judgement, he said, had tremendous implications for ALPA and the other labour unions at Eastern and would help preserve work and work opportunities for workers at the carrier.

Both Duffy and Bavis said they hoped that the ruling would force Eastern to face the reality of the situation and deal with the various employee groups along the lines provided for in the Act, rather than continue with the strong arm tactics that have caused such distress to the labour force.

In a significant concession to Eastern and one that may well stop it from fulfilling its threat to file for bankruptcy if the court decision went against it Federal District judge Barrington Parker also said that it would not have to reinstate the many services centred

can be little doubt that the situation at Eastern — fraught for so long — will only deteriorate as the job threat which seemed at last to be almost over looms once again over the company's embattled employees. A detailed report on this latest twist in the complex Eastern legal saga — which reached us just as ITF News went to press — will be included in our next issue.

In other developments, Eastern's mechanics and baggage handlers organised in the IAM overwhelmingly rejected management's contract proposals which would have involved savage pay cuts.

*Continental, which posted a net loss of \$231m for the first six months of this year, has announced plans for slimming down the workforce by about 900 this autumn. According to Lorenzo, between three and five hundred pilots would lose their jobs because of overcapacity at Denver airport where flights are being cut back from 260 to 200 a day from September. Other job losses involve ground staff and management personnel.

**Members of the largest union at Pan Am — the Transport Workers' Union — have rejected proposals for a wage freeze and changes in work practices. The company has responded by again threatening to sell its Latin American routes.

VAYUDOOT — ITF FILES COMPLAINT WITH ILO

A story in the January edition of *ITF News* was devoted to an exposé of conditions within the fast growing Indian feeder airline Vayudoot. This told of the serious safety breaches revealed by the newly formed pilots' union at the airline and catalogued the retaliatory action taken by management against union office holders who were seeking to raise operating standards and improve the conditions of employment of its disaffected cockpit staff.

The allegations made in correspondence between the pilots' association and the ITF were brought to the attention of the other ITF unions in the Asia/Pacific region, leading to the adoption at the December 1987 regional conference in Tokyo of a resolution expressing strong support for Vayudoot's embattled pilots.

The ITF has now followed up its initial concern with a formal complaint to the Committee on Freedom of Association of the ILO accusing the government of India — as owner of the airline — of infringing the trade union rights of Vayudoot employees as embodied in ILO Conventions 87 and 98 to which it is a signatory.

The complaint is backed up by extensive documentation provided by the

pilots' association listing instances of flagrant disregard for basic trade union rights within the airline.

One of the most disturbing aspects of the Vayudoot affair has been that the management was able to victimise its unionised employees knowing that it would meet with no resistance from the government. Indeed, the Minister for Civil Aviation has publicly associated himself with the Vayudoot's management's refusal to recognise the right of unions to exist within the airline.

Despite the fact that the union is legally registered, the company took the view that it was an 'illegal body' and threatened its members with disciplinary action if they continued their association with it and its 'illegal' activities, that is exposing the shortcomings within the airline. It also said that continued union agitation bringing the company's name into disrepute would mean that union members might well find it difficult to obtain employment as pilots within Air India or Indian Airlines — a veiled threat that union activity could lead to pilots being black-listed.

Just such action was taken against the President of the Association Captain Sharma and the union's regional secretary in Delhi who were first taken

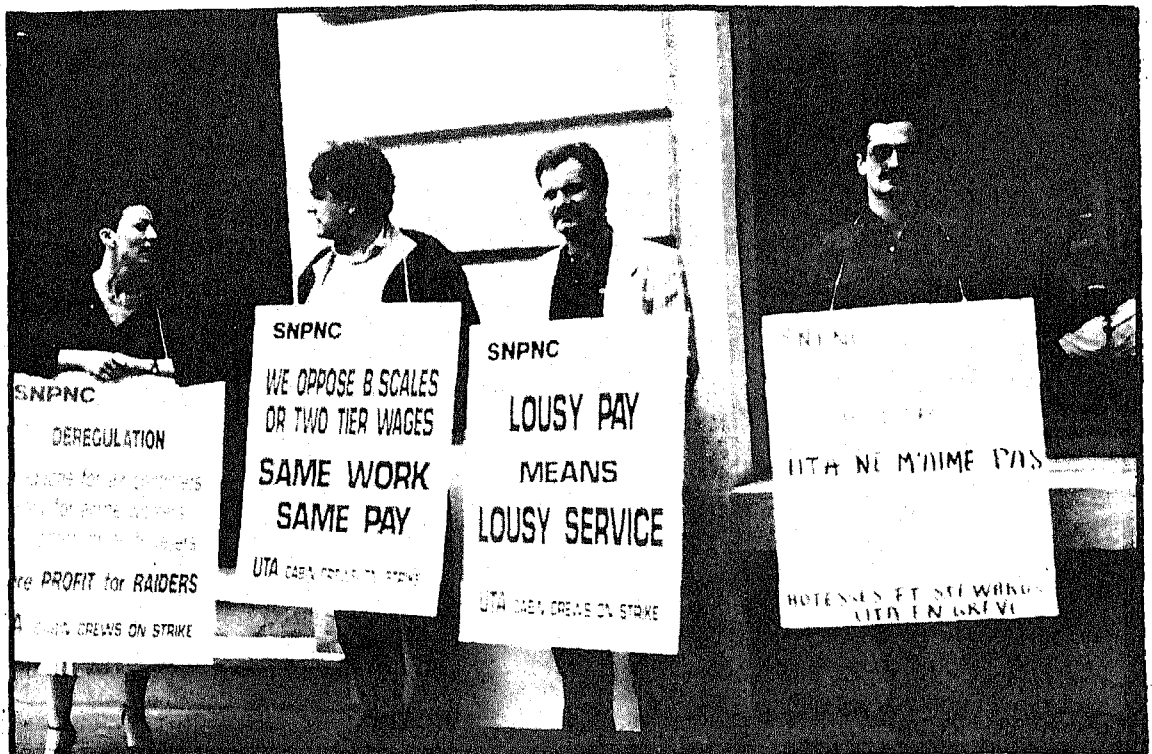
off flying duties and then dismissed on the pretext that their professional skills were not all they should be — a trumped up charge as both were experienced pilots, with previous air force service, and unblemished service records. The company even ignored the advice of its own lawyers that the dismissals were legally unsound and thus should not go ahead.

This refusal to recognise officially registered unions was not limited to the pilots' association. When the engineers formed their own union — the Vayudoot Engineering Employees' Union — some eighteen months later and raised similar allegations a letter from the union prompted a management retort that no union had the right to expect a reply to any of its letters or to be recognised.

The management also stated that neither the union nor any of its office bearers had the right in law to meet with representatives of the airline management — again a flagrant breach of ILO instruments as the engineering union is also registered and on paper at least free to function as a trade union.

The Committee on Freedom of Association will now examine the complaint and place its findings before the Governing Body of the ILO in due course.

Cabin crew from the ITF-affiliated SNPNC demonstrating in Paris against the union-busting activities of UTA's René Lapautre who is trying to become Europe's answer to Frank Lorenzo.



AIR NAURU — INDIAN GOV'T YIELDS TO PRESSURE

Thanks to the swift and decisive intervention of the country's aviation unions, the Indian government has done an about turn and has agreed that it will not now send out twenty Indian pilots to replace the Air Nauru pilots who have been on strike for the past four months (see July/August edition of *ITF News*).

The government's rethink came as a welcome boost for the Nauru Airline Pilots' Association (NAPA), which is still struggling for recognition against a government which has adamantly refused to talk to its elected officials despite numerous conciliatory approaches over the summer.

The effectiveness of the international solidarity of ITF member unions has been such that Air Nauru was until last month reduced to flying infrequent non commercial flights with three non striking Air Nauru pilots and the two Indian

pilots who had been seconded earlier. (These two pilots are now understood to have handed in their resignations.)

A significant setback occurred however in late August when the New Zealand Ministry of Transport decided to reissue an Air Service Certificate to Air Nauru. This means that the airline may now resume commercial flights.

NAPA is strongly contesting this move by the NZ authorities and has accused the government of allowing its judgment to be clouded by the need for an air service to Niue. The ministry has been unable to refute union allegations that Air Nauru lacks qualified and experienced personnel in key positions and that deficiencies in the company's flight operations structure have still not been made good.

While the Nauru government is clearly pleased at the latest turn of events it is still far from happy about having to rely on other countries to

vouch for the safety of its airline operations and has approached the Commonwealth Fund for Technical Assistance for personnel to set up its own surveillance authority.

At one stage it had also been in contact with the governments of Malaysia, Philippines and Singapore with a view to asking them to taking on this responsibility after the Indian government — no doubt influenced in this decision too by the strong union response there — had indicated that it was no longer willing to take over surveillance of Air Nauru operations.

Meanwhile, valuable assistance for the Air Nauru pilots has come from the United States where the pilots' union ALPA is opposing the reissue of Air Nauru's foreign carrier permit to travel through US airspace. The union is basing its case on sworn affidavits attesting to breaches of regulations by the company.

INLAND TRANSPORT

Unions oppose Malayan Rail privatisation

The ITF-affiliated Railwaymen's Union of Malaya (RUM) has succeeded in having a high level meeting with government representatives to express their opposition to railway privatisation — but the government is revealing little of what their exact plans are for the railways.

The meeting with the Minister of Transport, the Chairman of the Railway Board, the General Manager of the Railway and various senior civil servants was requested by the RUM (see *ITF News*, May 1988).

The union, which is campaigning against the sale to private interests of the Malayan railway, is hampered by the fact that the government, apart from extolling the virtues of privatisation, has revealed almost nothing about its plans.

At the meeting, the RUM presented their case against privatisation. They told the Minister that privatisation would lead to profit oriented management, unemployment of railway workers, neglect of the remaining staff, lowering of safety standards and a

decline in the level of service offered.

The RUM told the Minister that the existing system of railway management needed to be changed to take account of its role as a public service and "bearing in mind the social responsibilities of providing transport facilities to the urban and rural poor...

"Profitability should not be the criteria; just as Government Hospitals and Schools are not profitable. Moreover, the losses by the Railway are not due to mismanagement or actions of the Railway Staff but due to abnormal interference in railway's affairs by the Treasury; Economic Planning Unit; the Public Services Department and other bodies", writes RUM General Secretary Abdul Gaffoor Bin Ibrahim.

The Minister told the union that various different methods of privatisation were possible, and he gave an assurance that staff would not lose benefits or wages through the plan. However, he refused to give the union a copy of the interim report on the matter because he said that it was covered by the Official Secrets Act — so

the union is left in the dark about what, exactly, the government plans to do.

MASS ARRESTS OF KOREAN RAILMEN

Over 1,000 Korean railway workers were arrested in July for going on strike — most were released later, but an unspecified number will face criminal charges.

Under Korean law, railway workers are prevented from taking strike action because they are defined as government employees (who all have no right to strike).

The rank and file protest, on July 26, saw thousands of railway engineers walk off the job in protest at demands for more allowances and a shorter working week.

The security forces moved in against the strikers. Within hours of the stoppage beginning 4,500 police were mobilised and 1,160 striking workers were arrested.

Train drivers 'asleep in the cab'

Train drivers can 'drive' their train semi automatically for some minutes while falling asleep either with closed eyes or open eyes staring rigidly straight forward.

This is the alarming finding of researchers Lars Torsvall and Torbjörn Åkerstedt of the Karolinska Institute in Stockholm, who monitored eleven train drivers on one night and one day journey over the same predetermined route to examine the effects of sleepiness on their performance.

The research had been prompted by the replies to a nationwide questionnaire distributed among Swedish train drivers who reported severe fatigue during night work, including incidents of dozing off.

Initially the researchers had selected twenty drivers on the assumption that they would all be willing to take part. In the event three refused and a further six had irregular schedules that would not fit the requirements of the study.

The drivers were aged between 27 and 58 with a mean age of 42 years and were continuously recorded for four and a half hours over the selected 340 km long route in southern Sweden. The route was divided into seven roughly equal segments each separated by major stations.

The drivers — who usually work alone in the cab — were accompanied by an observer, who recorded the number of signals along the route and any failure to respond to them.

Electroencephalographic (EEG), electro-oculographic (EOG) and electrocardiographic (ECG) values were recorded on portable tape recorders worn by the driver on his belt, while the heart rate was derived from the ECG by computer analysis. (For non-scientists, increased alpha and theta activity in EEG and slow eye movement in active subjects with their eyes open are taken to indicate a state of severe sleepiness.)

Drivers were also asked to rate how sleepy they felt (on a scale of one to thirteen from very very alert to very very sleepy) after each of the seven segments. They were asked to lie down in a quiet darkened room for ten minutes both one hour before and one hour after the journey to see how long it would take them to fall asleep under ideal conditions. This was taken as a measure of tiredness. Significantly before the night journey no driver fell asleep but nine did so after coming off duty.

During the test four drivers admitted dozing off and two of these four

failed to react to signals while exhibiting large bursts of alpha activity. A further three exhibited similar patterns but never fell asleep, though they experienced considerable difficulty in remaining awake and in control.

The drivers generally admitted to feeling much more sleepy during the night journey — a problem that is common with most other groups of night workers and is known to play an important role in night time accidents.

The most sleepy of the drivers tested started to show bursts of alpha activity after 75 minutes into the night journey and these bursts continued for the remainder of the journey except when he was in the vicinity of major stations.

During the approach to one warning signal this driver exhibited a rolling EOG accompanied by bursts of alpha activity and did not respond to the pre-signal warning. This pattern continued for approximately 20 seconds, after which a normal waking pattern appeared and the driver started braking, at which point his heart rate was more than double. He was still braking when he reached the main signal but fortunately this had by now changed to green and he released the brakes and continued without having come to a

Continued on page 11

Peace deals aid African road links

Significant improvements in African road transport could be one welcome by-product of the tentative moves towards settling certain African regional conflicts that are now underway.

For many years, the Organisation for African Unity (OAU) and the United Nations Economic Commission for Africa have been pursuing developments plans for a network of trans-African highways that would boost continental trade and commerce and encourage more goods to be carried in Africa by Africans.

Two of these routes have been seriously hindered by the presence of major wars in their path. The Tangier-Lagos

highway, running around the West Coast of Africa, disappears into a dirt track in the middle of the war torn Western Sahara and reappears as surfaced road in Mauritania. The Tripoli to Windhoek highway similarly suffered from the civil war in Chad and the South African occupation of Namibia.

Recent tentative agreements between the Moroccans and the Saharan Polisario movement, the settlement of the Chad war, and the tentative pact on South African withdrawal from Namibia which are welcome moves towards peace in themselves, also promise to remove the political barriers that prevent work on these crucial highways.

COACHES OF CONVENIENCE?

Danish coach owners are threatening to "flag out" their fleets in protest at the high cost of Danish taxation. Michael Brandt-Nielsen, manager of the Danish bus employers' association, says up to 5,000 jobs could be lost if the 600 operators of Denmark's 1,500 private coaches decide to switch registration to Luxembourg or West Germany.

Some companies are already conducting flag transfers because of lower tax rates in Germany and Luxembourg. With the pending approval of European Community liberalisation of long distance bus transport (agreement is anticipated by the end of this year), the number of transfers could rise dramatically.

Transport policy under the microscope

The 11th International Symposium on Theory and Practice in Transport Economics, organised by the European Conference of Ministers of Transport (ECMT) was held in Brussels from 12 to 14 September.

These discussions are organised every three years by the ECMT to look at a specific topic of current concern from different angles. Over 400 representatives of trade unions, research bodies, government departments, international organisations, transport operators and consumer groups were present.

The theme of the symposium was "Resources for Tomorrow's Transport." Representatives from ITF affiliates in Austria, Belgium, Denmark, Germany, Italy, Luxembourg, Netherlands, Spain, Sweden and Switzerland — along with ITF Assistant General Secretary Graham Brothers — attended the two day discussion.

The main theme was broken down in to five sub-topics: the maintenance and renewal of infrastructure; financing of transport system operations; quality of life and social costs; and logistics and information technologies.

In their contributions to the discussions, speakers from ITF unions emphasised the need for action on two particular points:

Firstly, there is a definite need for uniformity in the application of criteria

determining infrastructure investment decisions and choices; and secondly, there is a very urgent need to formulate regulations governing working conditions in road transport which must involve limitations on working hours.

People — the newest technology

Machines aren't always cheaper than human beings, the managers of an English transit system have discovered. In the Tyne and Wear (Newcastle) region of Northern England, the Metro authority have reluctantly decided to abandon their high tech automated barriers and replace them with human ticket collectors — and they expect to save £250,000 a year into the bargain.

Under the old system, passengers were required to feed their ticket through an automatic gate that read a magnetic strip and let them through. Tickets also had to be passed through the gates when passengers left the stations. The problem was that the unmanned machines were no match for athletic commuters or vandals. The costs of constantly repairing and replacing damaged gates, added to the expense of having to laminate all tickets with the machine readable strips, plus the fact that a growing number of passengers paid no fare at all led the metro system management to seek a cheaper and more efficient method.

Their solution is to turn off the automatic gates, stop printing magnetic strip tickets and hire 66 roving ticket inspectors. In adopting the open station approach, all passengers will be expected to have a ticket when they travel, and will be subject to a fixed penalty fine of £5 if they are caught by an inspector without one.

An initial trial period has already proved effective and so, on September 13, the Metro system announced that it was abandoning the machines and permanently creating 66 new inspectors' jobs.

...59 per cent 'have dozed off on night trips'

Continued from page 10

stop. The same driver was also involved in a second incident when he failed to reduce speed.

It was remarkable that the sleepy group finished work later than the alert group and that it was precisely during the later hours (towards the early morning) that the most severe measured sleepiness — ie a dramatic increase in alpha and theta power density and slow eye movement (SEM) activity — occurred, coinciding with the period in the twenty four hour cycle when people are naturally at their least alert. In some cases, performance lapses occurred during bursts of this activity.

While the findings of their research are clearly of some concern, the researchers admit that a much larger sample and more more widespread testing in a wide variety of situations would be needed in order to provide a reliable estimation of the (accident and other) risks from sleepiness.

It is however beyond doubt is that subjective, behavioural and physiological sleepiness do occur in connection with shift work generally, as is shown by studies involving other groups of workers, and this is most pronounced during the night shift.

This is borne out in the case of train drivers by the answers to an earlier questionnaire distributed by our researchers — of 1,000 train drivers surveyed 11 per cent admitted to dozing off on most night trips, while an additional 59 per cent said they had experienced this at least once. (For day trips, the corresponding figures were 0 per cent and 23 per cent respectively.)

Another study of train drivers found that they failed to operate alerting safety devices more often at night than during the day.

As sleepiness is believed to be so widespread among those required to work at night, there are clear implications for other sectors of the transport

industry. Flight simulation studies have shown that ability to fly a simulator at night may decrease to a level corresponding to that seen after moderate alcohol consumption and other professional groups might well be expected to exhibit a similar lessening of ability. This is why the ITF is now considering whether similar tests should not be conducted on long distance truck drivers who like the train drivers spend long hours at the wheel alone — often driving during the night and in adverse weather conditions.

The lessons for safety on the rails and on the roads are obvious. If the onset of sleepiness coincides with the need for a driver to take prompt and decisive action in a critical situation the possibility of an accident occurring is greatly increased. We may have to rethink the measures that need to be taken to ensure that these risks are reduced to a minimum.

UNION DRIVE FOR BETTER COMMUNICATIONS

The ITF-affiliated United Road Transport Union (URTU) in Britain, in the words of their new General Secretary Frank Griffin, is taking steps to ensure their place as a "bold and imaginative union".

The 100 year old URTU have redesigned and relaunched their newspaper — *Wheels* — engaging a team of professionals to upgrade the content and style of their paper, along with a range of other, professionally produced information materials that outline membership services.

At the formal launch of the newspaper in London, England, the paper was presented to a gathering of journalists and trade unionists along with a promotional video on the URTU.

Griffin spoke then about the URTU's new look and their commitment to providing better information to their members. The URTU, he said, is also looking towards greater cooperation

with other ITF unions, particularly in Europe, where the completion of the

internal market by 1993 poses great challenges to the union.

Bus deregulation — higher prices, fewer passengers

Passenger bus deregulation in Britain has resulted in higher fares, fewer passengers and deteriorating services.

That's the official conclusion of a report conducted by an independent consultant into the effects of deregulation in the large urban centres (except London) where passenger services have been deregulated and local authority subsidies slashed by central government dictat.

The report, commissioned and published by the Association of Metropolitan Authorities, shows that, since the October 86 deregulation of services, fares have risen rapidly in every area. In Merseyside, fares have increased 100 per cent, and the highest rise, in South Yorkshire, was 238.5 per cent.

Not surprisingly, these increases have led to a decline in the number of passengers using buses. Overall, the report says, bus usage has declined by 12.5 per cent, but there are wide variations — with the largest fall being in the Merseyside area which records a 32.5 per cent drop.

PEOPLE

Captain P J Wu has been elected as the new General Secretary of the Hong Kong Merchant Navy Officers' Guild. Captain Wu, who was formerly the Guild's Deputy General Secretary, is Secretary of the ITF Coordination Committee in Hong Kong and in this capacity is responsible for the conduct of the Federation's long term education project in the country. He is also a member of the Committee of the ITF Seafarers' Section and of the Fair Practices Committee.

Patrick Quinn has been appointed the new Director of the Commonwealth Trade Union Council, CTUC. The CTUC, which was set up in 1979 to

promote the interests of workers in the Commonwealth, also gives practical assistance in the field of workers' education in the developing world though a charitable trust. Before taking up his new post, Quinn was a regional secretary of the British Trades Union Congress.

Captain George Kaye has been elected President of the New Zealand Merchant Service Guild in succession to Vince O'Sullivan.

New office bearers in the Japanese General Federation of Private Railways and Bus Workers' Unions SHITETSU SOREN were elected at

the Federation's recent National Convention. They are: President, Makoto Tamura; Vice Presidents Kaneo Suguwara, Ryosuke Oikawa and Tenda Takasaki; and General Secretary Kanju Suzuki.

Arne Kruse, group chairman of the Danish union SiD retires at the end of next month and will be succeeded by Eli Seiding. Arne Kruse is a member of the Fair Practices Committee and is also a deputy on the Committee of the ITF Dockers' Section, where his breadth of experience and knowledge will be much missed. Seiding will be taking his place within these Committees.

FORTHCOMING MEETINGS

17-18 October
30 Nov. - 2 Dec.

Executive Board
Seafarers' Section Conference

Nuremburg
Brazil

Italian unions clamp down on toxic waste

The 3,236 grt *Karin B* left Nigeria on 27 July carrying its load of two thousand tons of highly toxic waste in the full glare of adverse publicity and has scoured the seas looking for a port willing to take its deadly cargo.

The poisons had originally been dumped at the small Nigerian port of Koko (see July/August issue of *ITF News*) — part of a growing and unregulated trade in dangerous industrial wastes that are increasingly finding their way to the countries of the third world.

Nobody wants this toxic industrial rubbish dumped on their doorstep and the Nigerians — when they got wind of what was happening — rightly insisted that the Italians should take responsibility for their own wastes.

Accordingly, the Italian government chartered the *Karin B* and the *Deepsea Carrier* to remove the waste and see that it was safely disposed of. It is also understood that a third ship is to be chartered to remove the rest of the waste still remaining in Nigeria.

The *Karin B* sailed first of all for Las Palmas and then put in at Cadiz but was asked to leave by the Spanish authorities. It then made for Britain but the government said that it could not dock.

By this time the hapless seafarers on the wandering ship were ill (they were suffering from headaches, vomiting and nausea) and though it has not been confirmed that the chemicals on board are to blame for their sickness, given the condition of some of the drums after weeks at sea, the ship is a very very unhealthy workplace indeed.

Spurned by the British, the *Karin B* made in early September for continental Europe, only to be told that it would not be allowed to dock in either France or Holland.

As the international row over the poison waste scandal continued, the Italian government announced an official ban on all exports of toxic waste to third world countries. Only EC and OECD countries would be permitted to take the wastes for safe disposal.

At the same time, the environment minister said that a five year plan was

being drawn up for processing waste generated by Italian factories within Italy. A network of disposal plants would be constructed — there would be at least one in each of the country's twenty regions.

A few days later the government announced that the *Karin B* would be discharged at Livorno and the *Deepsea Carrier* at Ravenna. This news was greeted by an all-out strike threat from the ITF-affiliated CGIL-organised dockers at the two ports who were greatly concerned for their safety. (The

(now renamed the *Felicia*) which has been at sea for two years at a cost of over \$2m with its cargo of toxic ash from an incinerator in Philadelphia.

Another ship the *Zanoobia* eventually returned to Genoa in Italy after a journey of over 18,000 nautical miles around the world, while the West German cargoship *Petersberg* was trapped in the Black Sea for a number of weeks after neighbouring countries had been alerted to its cargo of radioactive waste from a demolished paint factory in Vienna.

"...a maritime waste dumping industry could well arise..."

Deepsea Carrier has since been diverted to the southern Italian port of Manfredonia.)

The dockers' concern has been heeded and protective measures will be taken to safeguard their health when the *Karin B* — now off Livorno — unloads, though this is not expected for at least a month.

Under an agreement reached between the CGIL and the government, the waste will be inspected on board the ship, discharged and transported to temporary storage sites nearby where it will be treated and then disposed of.

The dockers have some reservations about the plan, and would like to see the waste leave Livorno within the maximum period of two months.

Meanwhile, the Italian government is to sue a number of Italian companies allegedly involved in the Nigerian toxic waste trade. It hopes that if a conviction is secured the damages will be enough to cover both the costs of chartering the two ships and the waste disposal costs.

Public outrage is now such that other ships carrying hazardous loads are finding it increasingly difficult to put in to port — the unenviable record seems to be held by the *Khian Sea*

But the danger is that with port authorities unwilling to allow these 'lepers of the sea' — the chilling nickname coined for them by the environmental group Greenpeace — to dock a maritime waste dumping industry could well arise.

It is widely suspected that tricky cargo from ships is already being quietly tipped over the side after the vessel has been turned away from yet another port unwilling to handle it. But these suspicions can be remarkably difficult to prove.

Meanwhile the crews of such ships run appalling risks as they live at close quarters with leaking drums and their poisonous cocktails. We owe it to them and to the maritime environment to take immediate and effective action.

At the suggestion of Eric Ellen of the International Maritime Bureau a confidential 'waste hotline' has already been set up. This relies on the public spiritedness of ships' crews and will enable valuable information on the scale of the problem to be collated — the cases that have been uncovered in recent weeks are clearly only the tip of very large iceberg — and what is an extremely dangerous trend to be closely monitored.

Gulf peace deal holds out — so far

The month old ceasefire in the Gulf seems to be holding, to the relief not least of the world's seafarers who have been caught up time and again in the fighting on this dangerous waterway in the course of the eight year war.

With the relaxing of tensions between Iran and Iraq both owners and those governments that have provided military escorts to neutral shipping in the Gulf have begun to examine the safety measures adopted at the height of the fighting to see whether these are still necessary in the changed circumstances.

The British navy vessels of the Armilla patrol will remain on station for the time being to offer protection as necessary as will US navy warships though the latter are changing their tactics. Merchant ships will be kept under more distant surveillance rather than escorted in tight convoys — a measure that is expected to be of particular benefit to the Kuwaiti tankers which will be able to operate according to more flexible schedules than hitherto now that they will no longer have to arrive in groups.

Already, the conditions attached by the government to Japanese shipping in the Gulf have been eased and ships will no longer be required to sail in convoy through the Straits of Hormuz.

Restrictions on daytime voyages in certain areas have been lifted but war risk payments will continue to be paid to Japanese seafarers serving in the Persian Gulf (though not in the Gulf of Oman).

Meanwhile seafarers' unions generally are resisting calls from owners

for these special payments to be discontinued. They point out that seafarers on ships regularly trading in the Gulf have been through a very difficult and trying time and that the enhanced rates should not be dropped until there is firm evidence that the Gulf is completely safe and likely to remain so.

FLYING THE UNION FLAG

ITF affiliates will all be wishing the *Monterey* the very best as she travels, this month, on her maiden voyage.

The 14,799 GRT ship, built in 1952, was bought by the ITF-affiliated US maritime union, the International Organization of Masters, Mates and Pilots, and is now one of the small band of US-flag cruise ships.

The union stepped in to buy the former *Free State Mariner*, which had been laid up nine years from 1978 to 1987 and saved her from the scrap yard.

In addition to saving jobs for US seafarers, the union also wishes to show that a US flag ship, complying with the Jones Act, can profitably operate luxury cruises.

The ship was refurbished in Turku, Finland by Wärtsilä, returning across

the Atlantic on August 5 to Baltimore's Bethlehem Steel Sparrows Point shipyard for conversion from passenger/freight to cruise — it was the Baltimore yard that built the ship in 1952.

The conversion complete, and following two days of celebrations, the *Monterey* then made its way to the West Coast, leaving Baltimore on August 26, then calling in at Hampton Roads, Charleston, Port Everglades, passing through the Panama Canal in the first week of this month, calling at Los Angeles and arriving, on September 14, in San Francisco.

Now the real work has begun, and the ship, under operation from Aloha Pacific Cruises, will run seven day luxury voyages around the Hawaiian islands. She left for the first of these on September 17.

NUS regains offices but P&O strike goes on

The long running dispute at P and O ferries (see ITF News, March/April, May and June 1988) is still no nearer a solution. The company has sacked more than five hundred members of the National Union of Seamen for their refusal to accept new working patterns on grounds of safety.

As the dispute enters its eighth month the financial hardship that the strike has brought in its wake to the seafarers and their families continues and their plight has been made even worse now that the General Council of British Shipping is threatening to freeze fall back pay of £31 a week to the seafarers. It has also warned that the seafarers will be struck off the Merchant Navy

Establishment if they do not make themselves available from any alternative work that may be offered.

Similar ultimata were issued to the seafarers back in June only to be waived after they were ignored by the Dover based seafarers, but it is unlikely that the owners will back down quite so easily this time as their credibility is now very much at stake.

The High Court action taken by P & O against the ITF-affiliated National Union of Seamen (NUS) for its conduct of the strike was the most serious sustained legal attack ever taken by an employer against a British trade union.

This was the message that the NUS Acting Deputy General Secretary Tony

McGregor took to Sweden just before the Swedish general election when he warned Swedish trade unionists against voting for the Right in the elections as they might well introduce industrial relations laws that curbed hard won union rights.

After thanking the Swedish Seamen's Union for their invaluable support during the dispute he urged the Swedish trade union movement to resist any anti trade union legislation proposed by Sweden's opposition parties.

Explaining what was happening in Britain, he pointed out that for the first time in over a century the government was passing laws expressly designed to give the working people fewer rights

Continued on page 15

Sub-standard ships on the rise

Maintenance of equipment and safety standards in world shipping, particularly those relating to crew safety, appear to be declining.

This disturbing trend is identified in the 1987 Annual Report of the Secretariat of the Memorandum of Understanding on Port State Control (MOUPSC).

The European coastal states who participate in the MOUPSC conduct spot checks on vessels visiting their ports. Their inspectors (who are sometimes called in by ITF unions) check ships out on the basis of a number of agreed international maritime conventions (including IMO STCW, and SOLAS).

The basic principle behind Port State Control — that all maritime states, not just flag states, have a responsibility to maintain basic standards in shipping — is one that the ITF has always welcomed.

The memorandum itself was adopted

five years ago, in Paris. Fourteen European states have signed the agreement. In the last year, agreements on cooperation have been reached with the US and Canadian Coast Guards, and discussions are presently underway with the Japanese maritime authorities.

After five years, the annual report states that "the time has come to evaluate the effectiveness of port state control" — and a number of practical suggestions and improvements are being studied.

The MOUPSC has always admitted that a total inspection of shipping visiting European ports would be impossible, and so they originally set an aim of seeing 25 per cent of all ships inspected in any given year. Given the fact that most ships calling in Europe visit more than one port, this 25 per cent figure has always been considered as covering nearly all ship visits.

Until 1987, each year has seen the percentage of ships visited and the

overall number inspected increase. In 1987, the numbers of inspections and ship visits decreased, but the number of deficiencies increased — indicating that, contrary to the intentions of the 1982 Memorandum signatories, the number of sub-standard vessels visiting European ports is rising. Certain European maritime administrations had hoped that Port State Control, while not actually decreasing the number of sub-standard ships in the world, might at least discourage them from calling in European ports. This year's figures would seem to make that a distant hope.

In 1987 there were 11,141 inspections carried out on 10,337 ships. The year before that there were 11,740 inspections. A total of 16,566 deficiencies were detected in 1987, compared with 15,709 in 1986. Inspections as a percentage of the total number of ships entering MOU ports in 1987 was 22.5

Continued on page 16

...legal actions have devastated its finances

Continued from page 14
and worse conditions.

The NUS had stood up for its members' rights to work in safety only to be driven underground and forced to operate outside the law. Its bank accounts had been forcibly inspected, telephones had been tapped and officials' homes searched. The only difference, he said, between Mrs. Thatcher's trade union laws and those of South Africa or Chile is a facade of legality.

He called on Swedish trade unions to heed the lessons that the union had learned to its cost in Britain and to actively campaign for a victory for the Social Democratic party in the forthcoming election as only a government of this complexion would protect the rights of Swedish workers and safeguard their freedoms.

Since we last reported on the strike, the court has allowed the return of NUS assets and the union is once again back in its offices but the dispute and the legal actions have devastated its finances to the point where it is finding

it hard to provide its members with the full range of union services.

It was against this background that ITF General Secretary Harold Lewis issued an urgent appeal to all ITF affiliates last month for financial assistance to help the NUS weather the present financial crisis.

In a circular letter to affiliates he reminded them that the NUS as one of the founders of the ITF occupied a special place in the ITF's history and was vital to international efforts to protect the world's seafarers against the growing threat from flags of convenience and the new second registers. The NUS he said had been a victim of laws that were just as repressive as those in countries that were notorious for their attacks on trade union and civil liberties.

He added that the NUS had asked him to pass on its thanks to all the many seafarers' and dockers' unions that had already extended their help in many ways in the past few months. Now unions could help the NUS survive and

go on fighting by giving what they could to help it cope with these pressing financial problems.

*In a separate move, insurers for P and O are attempting to cut by more than £1 million the compensation for the 30 seamen who survived the *Herald of Free Enterprise* disaster. As reasons for this parsimony the insurers are alleging that some of the seamen had unsatisfactory work records and would have been sacked by the company this year in the dispute had they returned to work. It was also argued that some if not all of the seamen would have been made redundant in 1993 in any event with the opening of the Channel Tunnel.

All of the seamen have been declared permanently unfit for further sea service by shipping industry doctors.

The seamen's lawyers had indicated that £2.4 million would be an appropriate level of compensation for the 30 but the insurers want to limit this to just under £1.4 million.

Danish fleet goes international in 7 days

Most of the Danish flag fleet has already moved to the new Danish register — the DIS — which opened for business on the 23rd of last month. Within seven working days some one hundred and ten ships totaling three million plus tons — or 82% of the Danish flag fleet — had already transferred to the new register.

The opening of Denmark's new register has prompted renewed pressure from the German Shipowners' Association for speedy action on that country's own proposed second register. But it now seems that

for once the owners are not likely to have things all their own way as opposition to the plans, which the seafarers'

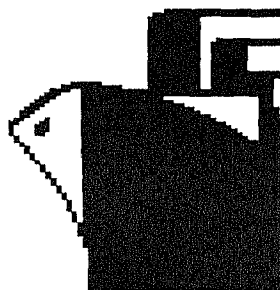
port. The latest support for the union view comes from judge Rainer Homann of the Hamburg Labour Court

who argues — as indeed has the union all along — that the lower wages that would be paid to foreign seafarers under the proposals are at odds with clause three of the German Basic Law (Grund-

gesetz) and says that it is no use maintaining that these seafarers are not German residents and come from coun-

Continued on page 17

The ITF's regular flag by flag roundup



union — the ÖTV — says threatens all 17,000 German seafaring jobs, gathers pace and union arguments win increasingly widespread and influential sup-

...almost half of all deficiencies affect crew safety

Continued from page 15
per cent, down from 23 per cent in 1986 (1985 20.4 per cent). For the first time in five years, this percentage has dropped.

The majority of ships delayed or detained due to serious deficiencies were general dry cargo and bulk carrier vessels. There was also a noticeable increase in deficiencies amongst passenger/ro-ro, unitised vessels and gas/chemical carriers.

There is a clear pattern of the kind of deficiencies that inspections discover: "It is beyond doubt now that those shipborne appliances which require regular care and maintenance are most frequently observed to be in a deficient state. The increasing number of deficiencies in these fields could be an indication of neglect of ship's maintenance," says the report.

The equipment that requires the most maintenance is, of course, that which relates directly to the health and safety of the crew.

"This could account for the steady increase of deficiencies in appliances which directly affect the personal safety of the seafarer: deficiencies in life saving and firefighting appliances

which could be avoided by proper maintenance, cover 45 per cent of all deficiencies noted!" says the report.

Common deficiencies include inadequate lifeboat and distress facilities, unhygienic kitchens and crew quarters, bad or missing medical equipment and many other deteriorated and unmaintained aspects of the working environment that will be familiar to readers of ITF News from the results of trade union inspections of vessels.

The ITF and affiliated seafarers' unions have long stressed the need for the MOU to incorporate more aspects of ILO Convention 147 into their inspections. This crucial convention on the working condition of seafarers is only partially covered by MOU inspections.

The fact that crew-environment deficiencies are on the rise, and are clearly identified in the report is further incentive to tightening up the inspections in this area.

The report acknowledges that there has been a "certain public interest" in seeing "more stringent enforcement of requirements on living and working conditions for seafarers."

Within the MOU there is a very

welcome move to intensify port state control with regard to seafarers' living and working conditions. The Port State Control Committee — the MOUPSC 'executive' body — is now reexamining the provisions of ILO 147 to consider adding more of its provisions to the list of things covered by MOU inspections. A working group is now drawing up proposals for further consideration.

On the practical front, the MOU have taken a number of steps that are strikingly similar to the moves being made by the ITF Flag of Convenience campaign: they have issued a special manual for their inspectors and they are extensively using a computer electronic mail system for rapid exchange of information which also provides details from Lloyd's of London Maritime Information System. Special circulars are also being published for their inspectors.

After five years of operation, the MOU appears to be moving in the right direction. Seafarers' unions must be pleased to see Port State Control beginning to expand beyond Europe and starting to pay more attention to crew living and working conditions.

ROTTEN FOOD AND RATIONED WATER FOR FOC CREW

The inhuman conditions seafarers on flag of convenience ships can be forced to work in was demonstrated recently by the case of the Singaporean owned, Liberian flag *Singa Sailor*.

As is so often the case, the appalling working conditions were aggravated by the fact that the owners were cheating the crew on wages.

The mixed nationality crew came from India, the Philippines and Indonesia. The ship arrived in Vancouver, Canada from China on July 1st, but remained at anchor until the 23. The

ship was then loaded with urea for shipment to the Philippines.

But the crew went on strike and sought the assistance of Canadian Brotherhood of Railway, Transport and General Workers' Flag of Convenience Inspector Gerry McCullough.

"The vessel was in a deplorable condition, they had come from China and had been rationing water to one hour a day. Sitting twenty-four days in Vancouver and the one thing we do have here is plenty of water," said McCullough, "There was also a real shortage of food, and what there was

was rotten and had expired dates on cans indicated."

The crew were short of eating utensils, the washing machines were broken and the bed linen unchanged.

Some crew members had been forced to work 10 - 12 hours a day without overtime payments.

McCullough contacted the Canadian coast guard, who ordered a number of repairs to the ship. He also assisted the crew in negotiating with the owners' agents, who eventually agreed to pay the crew all the money they were owed.

...German shipowners "gave the game away"

SECOND REGISTER
= CHEAP FLAG

I am a seafarer

I work for a German employer - like you!

I work hard - like you!

I have the same living standard as you

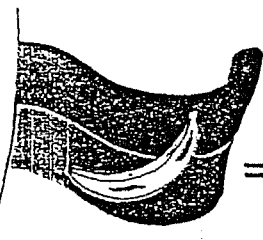
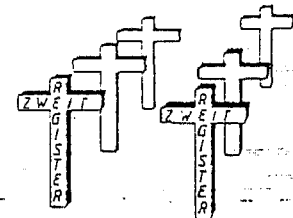
I am too expensive for my German employer - and you?

I am being replaced by a 'cheaper' colleague - and you?

I am losing my job

Today it is me Tomorrow it could be you

ZWEITREGISTER = BILLIGFLAGGE

Hier ruht mein Arbeitsplatz
1960-1988

Ich bin Seemann

Ich arbeite für ein deutsches Unternehmen - wie Du!

Ich arbeite hart - wie Du!

Ich habe den gleichen Lebensstandard wie Du!

Ich bin den deutschen Arbeitgebern zu teuer - und Du?

Ich werde durch einen "billigeren" Kollegen ersetzt - und Du?

Ich werde arbeitslos

HEUTE ICH - MORGEN DU

THE SECOND REGISTER - A "BANANA REPUBLIC FLAG"
AS SEEN BY MEMBERS OF THE ÖTV

Continued from page 16

tries with low living costs. In support of this argument, he cites a legal judgment of the Federal Labour Court to the effect that in German law it is only possible to fix a fair rate of pay by reference to factors such as the type of work involved and that the needs of the individual worker are irrelevant to this process. The judge argues that only by engaging in considerable legal sleight of hand might it be possible to get away with paying two different rates for the same work. One way might be to stop classing ships in international trade as German workplaces but this could have serious implications in times of crisis when ships with foreign crews could no longer be requisitioned to provide essential supplies — an implication that has not escaped the German Defence Ministry which has spoken of an 'unsolved problem'. Meanwhile, the Owners' Association is now saying that additional measures will have to accompany the new register if it is to constitute 'an effective alternative' to flagging out. The director of the ÖTV's seafarers' section Dieter Benze adds that the owners have given the game away by thus admitting that it is not manning costs that have undermined the competitiveness of German shipping. He couples this with a plea to the government to restore the country's shipping to its rightful place by offering tax incentives and other advan-

Continued on page 18

SHIPS BREAK SOUTH AFRICAN OIL BAN

In contravention of the embargo, 17 shipments of crude oil were made to South Africa in the first eight months of last year. All these tankers sailed directly to South Africa from the Gulf in violation of OPEC policy.

The fifth annual report of the Netherlands-based Shipping Research Bureau (SRB), which monitors the efforts of the South African government to beat the oil embargo, reveals that, while oil is still getting through, the embargo is hurting the apartheid state financially.

Oil and shipping companies go to great lengths to disguise the fact that they are shipping oil to South Africa. False destinations are recorded and forged documents are regularly used, reports the SRB. None of the 17 tankers actually stated its real destination.

Last year's report indicated the extensive involvement of a number of Norwegian shipping companies in providing South Africa with oil. This report notes that there has been a dramatic reduction in their involvement. With the adoption of legislation in Norway banning this trade, the SRB reports discovering no Norwegian shipments.

The report also points out that the South African government is suffering because of the embargo. Between 1979 and 1988 South Africa has had to pay at least \$20 billion more than the market place price for its oil. The SRB calculate that the South Africans have spent \$45 billion where they would have otherwise have had to pay \$25 billion.

The report emphasises that "a further tightening of the oil embargo is feasible". The oil being shipped to South Africa is coming from a limited number of oil-exporting countries. These countries should start to enforce their legal embargos properly and should step up the penalties for breaking these rules. The effectiveness of the 1987 Norwegian law is cited as an example of how government action can be effective.

In a call supported by the ITF, the SRB says that the United Nations Security Council should institute a full mandatory oil embargo against South Africa. It's clear that the embargo can work if governments are willing to do just a little bit more than they are at the moment.

... "if you can't beat them, join them" says Indian owner

Continued from page 17

tages to German flag ships to keep them on the national register.

"If we cannot beat the trend towards flags of convenience we must join it" says Vasant Sheth head of India's largest private sector shipping company Great Eastern Shipping, launching his bid for his country to take the same road as major maritime competitors such as Norway. Speaking at an insurance seminar in Bombay, Sheth argued that India needed a system like the NIS if it was to beat off the challenge. His plan seems to have little chance of success however as the group set up by the government to plan the future of the Indian fleet has already rejected the idea of a second register.

The British seamen's union NUS has reacted angrily to plans by London based Blue Star Line to sell off two ships — the *Southland Star* and the *Wellington Star* — and charter them back under Fijian flag with a Fijian crew with the loss of 70 British jobs.

Blue Star argues that the sale and lease back arrangement of the twenty one year old ships if finalised would be a one off arrangement and no further ships would be sold. The NUS has been unable to obtain any clarification of rumours circulating for some time that the sale would go ahead and believes it to be more imminent that the company is willing to admit.

The Japanese government has hammered out a compromise agreement on foreign crewing of Japanese owned ships after over two years of talks with both owners and unions. The agreement will take effect from the beginning of the next fiscal year. An extra 18 billion yen will be made available by the Finance Ministry to fund the government sponsored ship-building programme in return for an undertaking from the owners to buy more new ships (the existing restrictions are such that only one new ship was ordered last year) and take on a certain number of Japanese seafarers. In return the ITF-affiliated JSU, which has been concerned to protect the jobs

of its members, has said that it will accept mixed manning but only in certain international trades and for specific ships. The exact number of foreign seafarers that will be permitted to sail on Japanese ships is as yet unknown.

The Korean register topped ten million tons for the first time last year. At the beginning of 1988 it had just over two thousand ships — mostly from South Korea itself followed by Panama — on its books. This represents an increase of just ninety ships totalling an extra 700,000 tonnes when the withdrawal of a substantial number of over-aged and uneconomical vessels is taken into account. Further expansion is expected this year with the acceptance of South Korea as a full member of the International Association of Classification Societies (IACS).

Kuwait has no intention of cancelling its reflagging policy according to the chairman of the Kuwait Oil Tanker Company Abdul-Fattah al-Bader. This

Continued on page 19

Foc ferry on Channel run?

Unconfirmed reports that a Danish shipowner may be about to start a regular flag of convenience goods ferry between England and France are of grave concern to seafarers on both sides of the Channel, who are already facing severe cost cutting from operators seeking to prepare for the 1993 tunnel opening.

The Danish shipowner Knud Larsen is already operating the Panamanian flag ro-ro *Belinda* in European short haul trades.

In June the *Belinda* traded between Spain, France and Britain. From early July until August 2, the ship operated a daily service between Sheerness in

England and Flushing in the Netherlands. Since the first of September, she has been on a daily run between London and Zeebrugge.

The *Belinda*, which can carry 115 trucks and trailers, is reported to want to start a regular service between Dartford in England and Dunkirk in France.

...Poland planning second register

Continued from page 18

means that none of the fourteen tankers and gas carriers reflagged during the Gulf War to the US and Bermudan flags will be switched back, at least for the time being.

The regional government of Madeira has accused the Portuguese government of dragging its feet on the introduction of an open register on the island. Though draft legislation has been with the Department of Transport and Communications since July there is still no clear indication as to when the Portuguese cabinet is likely to grant it its approval. The delay, which is understood to stem from strong union opposition to the plan, is angering the Madeirans who would like to have the register in place before the end of the year. Portuguese seafaring unions are demanding that Portuguese nationals have the first chance of employment on Madeiran registered ships and that a percentage of ships be crewed by Portuguese seamen. These demands are being resisted by the Shipowners' Association which refuses to countenance any amendment to legislation which it helped draft.

Anxious not to be left behind, Poland is preparing plans for its own second register in the hope that this will prove attractive to West European owners and indeed several West Ger-

man owners are known to be keen to be among the first to sign on. Other signs of interest have come from Danish and Finnish owners. Three West German owned coasters have already been flagged out to Poland — a move that has been made possible by recent changes to the maritime code to allow for temporary Polish registration of foreign vessels and one that is likely to be followed by other German owners. Technically the ships are on bareboat charter to the Polish Baltic Shipping Company with a purchase option after ten years. The three ships now have Polish crews, though they are still operated by their German owners, and all legal responsibilities stay in Germany. Operating in the Baltic trade, the ships now have access to cargo normally reserved for Polish domestic vessels. Poland says that the advantages for it of these arrangements is that they provide jobs for Polish seafarers, the ships are registered and insured in Poland and the Polish owners who take the companies on also profit by the deal.

The new Trinidad and Tobago register set up in January of this year with such high hopes of attracting local owners has got off to a disappointing start and only one ship — the new inter-island ro ro ferry *Panorama* — has joined it. The two methanol tank-

ers of state-owned Scott (Shipping Corporation of Trinidad and Tobago), which were confidently expected to sign on, are still flying the Bahamas flag while two further ships of the Port-of-Spain based West Indies Shipping Corporation WISCO — in which Trinidad has a forty per cent share — remain registered in Barbados. The government is now being urged to give urgent attention to setting up the detailed machinery for enforcing the Trinidad and Tobago Shipping Act so that owners attracted to the new registry will know what is expected of them and hopefully join it shortly.

The Vanuatu registry is set to reach the 300 ship mark come November according to its globe trotting founder Clayton Beale Wentworth. Most of the new business is expected to come from the burgeoning cruise ship market which along with other passenger ship operators is now being lured to the register for the first time. Owners of Panamanian registered vessels have also been looking to the Vanuatu registry with increased interest as pressure grows from bankers for owners with mortgages to move their ships to a less politically sensitive area. Meanwhile, the government has formally agreed to abide by the key international maritime conventions SOLAS and MARPOL.

DOCKERS

US APPEALS COURT STRIKES DOWN 50 MILE RULE

In a move which sparked the re-opening of the Master Contract covering US East and Gulf coast dockers, the US Court of Appeals on 9 August struck down the so called '50 mile rule'. This is a long standing clause, agreed between the dockers' union the International Longshoremen's Association (ILA) and port employers, which guarantees that loading and unloading of all containers within a 50 mile radius of an ILA port will be done by members of the union. The Court decision follows several years of legal wrangling in the US Supreme Court and the National Labour Relations Board. The Appeal Court upheld a

decision of the Federal Maritime Commission (FMC) that the 50 mile rule discriminated between different types of shippers. This is because it didn't apply to employers sending or receiving full containers which were packed or unpacked by their own employees. The companies hardest hit were the so called NVO (non vessel operators) — which take small consignments and consolidate them into full container loads. Their association has been fighting the rule for 14 years, claiming that it forces them to use well paid ILA members rather than cheaper non union labour and is thus costing them millions of dollars.

The port employers and ILA were given 45 days to decide whether to appeal the decision to the Supreme Court but it is not clear whether they will bother doing so. It is not clear that the number of ILA jobs created by the measure is very high and a special clause in the Longshoremen's contract links the ending of the rule with the re-opening of general wages and conditions negotiations. "If we sit down and negotiate we can bring a lot more work back to the docks" commented ILA President John Bowers reacting to the decision "maybe we'll open up container stations outside the waterfront; we'll bring a lot of hours back".

OBITUARIES

We have just learned that Jim Horst, former International Executive Vice President of the Transport Workers' Union of North America and one of the first Directors of its Air Transport Division, died earlier this year after a long illness.

As Director, Horst led the AT division from the late forties and oversaw a period of rapid growth as staff at many US carriers joined the TWU. The strength of the Division today is in no small part due to the basic policies that were laid down during his period of office. As Vice President he was also at the forefront of many of the major confrontations in which the union was involved, playing a large part in helping settle the bitter 1966 New York transit strike when many union leaders were thrown into jail.

Horst attended many meetings of the ITF Civil Aviation Section over the years and was Chairman of its Cabin Attendants' Technical Committee just prior to his retirement in 1978.

Mick Martin

Many tributes have been paid by his fellow trade unionists to ITF Civil Aviation Section Vice Chairman Mick Martin whose death was reported in our last issue. In remembering Mick, fellow officials at the Transport and General Workers' Union have spoken of his deep commitment to his work and his life-long socialist principles. In a distinguished career at the TGWU he had proved a brave advocate for the two trade groups - the civil aviation and public service — he represented and in recent years especially had shown skill and sensitivity in dealing with the complex changes taking place in the aviation industry.

The ITF was represented at his funeral by Research and Publications Secretary David Cockroft and many other British union leaders were among the two hundred mourners who gathered to pay their last respects to a well liked and greatly respected union leader who we shall all miss.

ITF Civil Aviation Secretary Pio Albanesi adds this tribute:

"I started work for the ITF in May 1987. The first person to contact me was Mick Martin through a short telephone call simply offering his collaboration.

We met only a few times. All the programmes we had planned were carried out, including the Section Conference in Tenerife, which he had said was so important and urgent.

In the last few months he was compelled by his doctors to take things easy and become less active, but he never accepted this willingly.

As a newcomer, I sought his opinions and advice many times and they were always most useful.

We have all lost something: his family, the workers, his colleagues, and the ITF. Personally I have lost a special friend."