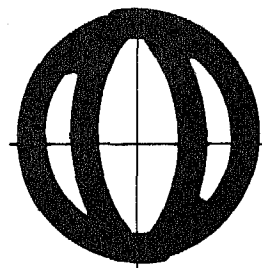


# ITF NEWS



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## REFORM MOVEMENTS CHALLENGE PHONEY UNIONS :

# WORKERS CREATE GENUINE UNIONS IN EASTERN EUROPE

In the tumultuous changes taking place in Eastern Europe and the Soviet Union, the current upheavals in labour representation in those countries have often failed to receive the attention they deserve. The growth of independent, democratically-organised trade unions there will be of the utmost importance, both for national political and economic development and for the international trade union movement.

The wave of reform and protest movements in Eastern Europe has given birth to a number of new labour initiatives which have shaken the unrepresentative structures of the existing State-run "unions".

In **Bulgaria**, the new unofficial trade union SUPPORT is hoping to benefit from the ousting of the Communist Party's old guard and the growing confidence of the reform movement.

In the **German Democratic Republic**, an independent trade union called REFORM was launched at a factory outside Berlin in late October. Many workers have already quit the official union confederation FDGB to join the new movement, which is demanding the right to strike and the dissolution of Party factory cells and militia units. As criticism and dissent swept through the official unions, whose leaders were accused of failing to represent worker interests against the State, even the long-serving leader of the FDGB, Party Politbureau member Harry Tisch, was forced to resign at the beginning of November.

In an extremely encouraging development, the ITF has received approaches from transport workers' unions in **Hungary** with a view to their possible affiliation to the Federation. An application from **Yugoslav** unions has already received preliminary consideration.

Meanwhile, in the **Soviet Union** thousands of miners have taken industrial action for improved pay and conditions, defying both the official union and new legislation outlawing strikes in vital industries. The miners are protesting against the authorities' failure to keep their promise of better conditions in the coalfields. The action is being led by unofficial strike committees, because of the official union's inability to act as genuine workers' representatives. The strikers, who have already been fined 1,000 roubles each by local courts, have appealed to a number of miners' unions and national centres abroad for support. The entire leadership of the Soviet Fishermen's Union have been forced to resign by rank and file protest, and a new executive will be elected at a Congress in the New Year.

In **Czechoslovakia**, over 700 factories, including the country's largest steel works

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## ...New unions

Continued from page 1

and carmaker, staged a two hour general strike in support of the opposition group Civic Forum's demands for democratisation on Monday November 27. Prague's trams, taxis and underground system all came to a halt. One of the central demands of Civic Forum, realised in their first week, was the resignation of the senior leaders of the official "Revolutionary Trade Union Federation."

As in all Eastern European countries that are breaking free from one party rule, the Czechoslovaks identify the official trade unions as nothing more than an adjunct of the corrupt party structure.

In fact, many observers have remarked that the individual leaders of the official "trade unions" are often the staunchest opponents of reform, representing the most conservative layers of the old Stalinist bureaucracy. These bureaucrats have perhaps the most to lose from the introduction of pluralism and the freedom of association, because they know that if workers have the right to choose their own trade unions, the official union bodies will cease to exist.

## ERRATUM

On page 6 of the October 1989 ITF News we ran a story about the Norwegian Transport Workers' Congress in which we incorrectly identified Anders Lindström as the President of the Nordic Transport Workers' Federation. In fact, Walter Kolstadt was then President of the Federation, as well as being President of the Norwegian Transport Workers' Union, and Lindström was the Vice-President of the Federation. At the Federation's Congress in late November, Lindström was elected President.

ITF News apologises to Brothers Kolstadt and Lindström for this error.

# COMMENT

Political events in Eastern Europe have moved in recent weeks at a breathtaking pace. While it is too early to be sure, there are signs that an irreversible change is taking place in those countries which have been subjected to totalitarian rule under the watchful eye of the USSR since the end of the Second World War.

As in Poland, one of the first manifestations of the desire for political change in Hungary, in East Germany and in Czechoslovakia has been the formation of independent trade unions. This is no coincidence. Genuine representative and self-governing trade unions are a vital part of any democratic society, a point which several Western governments would do well to remember. By the same measure, however, free trade unions also represent a major threat to all dictatorial and repressive regimes.

The potential implications of these developments for the international trade union movement, including the ITF, are profound. Like other International Trade Secretariats, the ITF has long been criticised for refusing cooperation with those 'trade unions' - almost entirely from Communist controlled countries which are part of the World Federation of Trade Unions (WFTU) and its associated Trade Union Internationals. We have insisted on a clear line being drawn between democratic self governing trade union organisations and those dominated or controlled by the government in power, and we have been reluctant to participate in purely symbolic meetings with international organisations with which we have nothing in common.

The political change in Eastern Europe demonstrates clearly the rightness of that policy. But it also demands a speedy and imaginative response from us. Democratic trade unionism is very much a reality in Poland today. Hungary is not far behind, and other Eastern European countries look set to follow. The stage is set for *genuine* international cooperation, not with the discredited state-run bodies which currently make up the WFTU, but with free, independent, self-governing transport workers' trade unions.

Prior to 1939, the ITF had many important and well organised affiliates in the countries of Eastern Europe. Adjusting to the new situation created by those unions will be a difficult, but enormously rewarding process. But they should be under no doubt that they will be welcomed warmly within the ITF family.

— Harold Lewis  
ITF General Secretary

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Publications Officer: David Cockroff

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# SA union leader appeals conviction

South African transport union leader Alfred Ndlovu, who is currently imprisoned in the notorious Robben Island jail on a five year sentence for "terrorism" and "attempted murder", will begin his appeal on December 12.

Ndlovu is first Vice-President of the ITF-affiliated Transport and General Workers' Union and Natal Chairperson of the Congress of South African Trades Unions (COSATU).

He was originally detained without charge on October 10, 1987. Ten months later, on June 17, 1988, he was brought suddenly before the Pietermaritzburg Regional Court and charged with attempted murder and terrorism.

The State alleged that Ndlovu committed and planned acts of terrorism with the African National Congress (ANC). They said that he had helped an ANC member in his work and that he had encouraged people to leave the country and join the ANC for military training. They alleged that he had assisted a man, after he had fired gunshots at someone — which constituted attempted murder (after the fact).

The trial, which began in November 1988 was postponed and continued on February 21 1989. The States' case against Ndlovu was a shambles, and no real evidence of any of the charges against him was provided.

Two fellow TGWU members who

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TGWU shop steward Falakhe Hlela and fellow workers during Ndlovu's initial trial.

## *ITF South African solidarity fund needs cash*

ITF members are being asked to demonstrate their solidarity with our South African affiliates by contributing again to the special ITF support fund.

The ITF Executive Board, at its meeting on 17 and 18 October, has appealed to affiliates to contribute again to ITF South African Support Fund.

The fund was first launched after the 1986 Luxembourg ITF Congress in order to raise money to meet the special needs of the ITF's South African affiliates.

"The response was generous and the South African Support Fund set up within the ITF from the proceeds has for the last three years financed organisational and educational activities which would otherwise have been beyond our South African affiliates' means" said ITF General Secretary Harold Lewis in a letter to all ITF affiliates.

"The influence of our affiliates and of the independent trade unions in general has grown steadily over recent years, both industrially and politically. In the absence of any constitutional right to a voice in their country's political life, the black workers have looked to their unions to press their case against apartheid and its associated evils. At the same time, a crumbling economy is adding to their everyday problems of negotiation and representation.

"Now at long last there are signs that the apartheid regime is cracking, the unions' role is more central than ever. They are making all the efforts that could be asked of them but the handicaps imposed on them make it impossible for them to shoulder their loads without international support." said Lewis.

# Developing world gets bigger say in ITF

ITF affiliates from developing countries will get a stronger voice in the organisation in future if the next Congress adopts a Constitutional amendment agreed by the Executive Board at its October meeting. The amendment, put forward on the basis of detailed research by ITF General Secretary Harold Lewis, will permit unions from poorer countries which are unable to pay full affiliation fees to enjoy full voting rights at the Congress.

Under the present rules a union can ask the Executive Board to let it pay at a reduced rate which can be as low as 10%, but its voting rights are limited to twice the number of members for which it pays full fees. The amendment proposed by the Board will eliminate the restriction on voting, making it possible for the first time for some very big but very poor unions (such as the All India Railwaymen's Federation with more than 1 million members) to play a more active role in the ITF's work. The change will not, however, alter the fundamental principle that all unions which want to belong to the ITF must

pay something in affiliation fees. No-one in the organisation will get a 'free ride'.

The two day Board meeting was held in London in the headquarters of the National Union of Railwaymen at the invitation of its General Secretary Jimmy Knapp. Among other decisions, it agreed to accept into affiliation unions from Portugal, the Philippines, Pakistan, Papua New Guinea, Mali and Mauritius. An enquiry about affiliation from the Yugoslav seafarers' union was deferred until the next meeting. A request for affiliation from the Philippine Seamen's Union (PSU) was deferred until that union shows evidence that it is taking steps to conform with ITF policy on flag of convenience shipping.

The Board gave its support to efforts by the railway unions in France, Britain and Belgium to form a joint consultative committee to coordinate union organisation on the Channel Tunnel services due to start operation in 1993. It took note of a joint declaration on Disarmament and Public Transport

adopted by a conference of railway unions in Vienna in October, agreed that contacts with appropriate organisations should take place on the social protection of inland navigation workers when the Rhine-Main-Danube canal opens and heard a detailed report on the latest developments in the Eastern strike (see separate story). It also approved the agenda and programme for the ITF's 36th Congress in Florence, Italy next August.

The General Secretary reported to the meeting on arrangements made to service the Civil Aviation and Travel Bureau sections of the ITF in the light of the resignation of Pio Albanesi earlier in the year. The Board agreed that responsibility for the two sections should be given to ITF Research & Publications Secretary David Cockroft and that extra assistance should be provided to enable the workload to be handled. This decision would be reviewed at the Board's next meeting, in the light of experience in the intervening period.

## ...Five TGWU members are now in SA jails

Continued from page 3  
had been detained by the State were brought on as State witnesses against Ndlovu. The first retracted his Statement on the stand and the second gave State evidence that in no way implicated Ndlovu.

As the trial continued, the State's case came increasingly to rely upon the assertion that trade union involvement with the TGWU and COSATU was linked to the ANC and therefore constituted terrorism.

In the attempted murder charge, the State had never caught or charged anyone with the offence of attempted murder — and yet they managed to convict Ndlovu of assisting this person!

In summation, the Judge managed to discount the contradictory evidence and confusion of the State's case as "reasonable forgetfulness."

Ndlovu was sentenced on February

24 to five years. By the time he was convicted he had already spent 16 months in jail.

The appeal on December 12 will see lawyers challenge the State's evidence on 20 separate counts. Their most important point is that Ndlovu was convicted on the basis of hearsay evidence (ie testimony by people reporting what other people had told them.) The lawyers are very hopeful that Ndlovu's conviction will be overturned or that his sentence will be reduced.

Ndlovu is allowed one visit a month on Robben Island. He is allowed to receive four letters a month. His wife (who has to support their five children on her own now) visits him every month and reports that he is busying himself with academic studies.

\*At the moment, there are five TGWU members in South African prisons. Ndlovu is one, and the others are the "PUTCO 4" who were re-

prieved from death sentences following an extensive international campaign by ITF affiliates. Their reprieve from the death sentence has now been followed up a remission reduction of their sentences to 12 years each.

Rhodes University TGWU shop steward Elijah Ntentile and Western Transvaal branch secretary Swayi Mokoena were both released from detention on October 20.

Three TGWU members have been served with restriction orders. This involves having to report daily to a police station, being restricted to a certain area and at home between certain hours and not being able to attend any meetings where the government is criticised.

One TGWU branch secretary, Tamsanqa Mfazwe, in line with the mass defiance campaign in South Africa, defied his restriction order. He was arrested on September 16.

# Chinese secretly detain workers' leaders

A Chinese railway worker, Han Dongfang, the most important leader of the Beijing Workers' Autonomous Federation (WAF) was secretly detained in late June, 1989 by the Chinese government in its crackdown of pro-democracy activists.

Han Dongfang was the founder of the Beijing WAF and was the key member of its standing committee. He topped the government's wanted list issued in early June after the June 4th massacre and the violent suppression of the pro-democracy movement.

Han Dongfang (age 26) has been a worker at the spare parts factory of Beijing (Fengtai district) Railway, since 1984. He was the key leader in organizing the Beijing WAF. He was also the most respected and visible leader of the BWAF. He was described by his colleagues as a man of wisdom, underlying a quiet personality and mild and calm manners. Born in Beijing, he grew up in his poverty-stricken ancestral village in Shanxi province, then he joined the People's Liberation Army at the age of 17 and received an award from the army as an "outstanding progressive person". Han was married in 1988.

He acted as the leading negotiator with the Beijing Public Security Bureau for the release of three of his colleagues from Beijing WAF on May 30th. The detention of his three colleagues took place the day following the formal inauguration of Beijing WAF. He led the pickets protesting about the secret detention and finally succeeded in securing the release of the three on the following day. However, he was identified as the leading "instigator" by the Chinese government for organizing the "attacks on the Public Security Bureau".

When asked by a reporter in early June if he feared the consequences of his involvement in the Beijing WAF, he said, "No, I have no fear. People will always find a way to live on. I only wish to have an organization that can truly speak for the workers. The situation will be worse if we retreat now."



The most worrying aspect of Han Dongfang's detention is that it was never announced by the Chinese authorities. Information from China reveals that Han has been held in solitary confinement since end of June. The fact that these arrests were never officially announced raises fears that many other arrests of WAF members have gone unreported.

Numerous reports from China show that, in general, detained workers have received much worse treatment than detained students or intellectuals, such as harsh beatings and tortures. In response to enquiries about human rights, the Chinese authorities have said repeatedly that they haven't killed, executed, nor harshly treated students and intellectuals. The conclusion has to be that detained workers do not receive such leniency. The Chinese government announced in June and July the execution of 12 workers or "unemployed" for their activity in the pro-democracy movement.

At present, the officially-announced arrests of members of Beijing WAF

include the following:

**Liu Qiang** (26). Former occupation: worker at a military printing plant. A member of standing committee.

**Liu Huanwen** (28). Unemployed. General commander of Beijing WAF Pickets' Corps.

**Bai Dongping** (26). Former occupation: train attendant. A core member of Beijing WAF. Was one of the 3 unionists detained at end of May.

**Tian Bomín** (24). Former occupation: photo studio worker.

**Guo Yaxiong**. Member of Beijing WAF. Drafted and distributed a famous leaflet in Tiananmen Square — "Declaration of the Dragon".

**Li Jiang**. Former occupation: Worker. Core member of Beijing WAF's Dare-to-Die Corps.

**You Dianqi** Core member of Beijing WAF.

**Yan Fuqian** (27). Worker. A leader of the Pickets' Corps of Beijing WAF. Reported detainees of WAF members in other cities:

Continued on page 6

# Japanese unions form new national centre

A new united trade union centre was established in Japan in late November, bringing together unions from both public and private sectors. The move came as the public sector confederation SOHYO voted to join the private sector unions in RENGO.

The Unification Conference of the new Japanese Trade Union Confederation (JTUC-RENGO) decided to

affiliate en bloc to the ICFTU. JTUC-RENGO replaces the ICFTU Japanese Affiliates' Liaison Council (ICFTU-LC), whose Secretariat has now wound up its activities.

The creation of the new RENGO, with over ten million trade union members affiliated, now leaves only a minority of unions aligned with the

Communist and Socialist parties outside the confederation.

Welcoming the Unification Conference, ITF General Secretary Harold Lewis described it as "an historic moment in the development of the Japanese trade union movement" and congratulated all those who had been involved in the unification process.

## ICFTU African conference in debates development

Over 200 delegates and observers attended the "Conference on the African Development Challenge" in Nairobi, Kenya from 25 to 27 October.

The conference, jointly organised by the International Confederation of Free Trade Unions (ICFTU) and the Kenyan national centre COTU in cooperation with the Organisation for African Trade Union Unity (OATUU) brought together a wide spectrum of African

trade unionists, representatives of pan-African and international organisations, the International Monetary Fund and the World Bank as well as senior representatives of the Kenyan government.

The discussions centred around four main topics: tackling Africa's economic crisis; agriculture, the environment and rural workers; trade unionists in Africa; and Africa facing the future.

Delegates called for more attention to be paid to workers' views in devising and implementing development programmes, and adopted a statement on South Africa calling for an intensification of the sanctions campaign.

*The ITF was represented at the conference by African Representative Ben 'Roxy' Udogwu.*

## ...Support for jailed workers is essential

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Changsha: He Zhaohui, Li Jian, Liu Xingqi, Lu Zhaixing, Yang Xiong, Zhang Xudong, Zhou Yong. Hangzhou: Gao Jingtang, Li Xiaohu, Zhu Guanghua. Jinan: Che Honglian, Hao Jingguang, Liu Yubin, Shao Liangchen, Zhang Xinchao. Nanjing: Li Huling, Rui Tonghu, Zhu Huiming. Shanghai: Cai Chaojun, Chen Shengfu, Gong Chencheng, Li Zhibo, Wang Hong, Wang Miaogen, Zhang Renfu, Zhang Qiwan, Zheng Liang. Xian: An Baojing, Bao Hongjian, Chang Ximin, Liu Chongxi, Liu Congshu, Ren Xiying, Xu Ying, Zhao Demin.

Trade unions in Hong Kong, including the ITF affiliated Federation of Hong Kong Transport Workers, have called upon fellow trade unionists to make the following appeal to the Chinese authorities:

1. Disclose names of all people

who were arrested, detained, tried, sentenced or executed, in particular those who were members of the Beijing Workers' Autonomous Federation and WAF in other cities.

2. Disclose the legal status (whether investigated, detained, tried, sentenced, jailed or executed) of Han Dongfang, Liu Qiang, and all other detainees for their involvement in WAFs.

3. Allow communication such as prison visits, mail correspondence with Han Dongfang, Liu Qiang and other detained WAF members.

4. Release all those who were arrested or jailed for their activity in organizing the Workers' Autonomous Federation, including Han Dongfang, and Liu Qiang.

5. Treat workers in China with the same amount of dignity and respect as other classes.

The ITF supports this appeal and calls upon all affiliated organisations

to send messages to the Chinese government.

Appeals can be sent to:

Premier Zhongguo Guowu Yuan  
Beijing

People's Republic of China  
Yang Shangkun, President  
Zhongguo Guojia Zhuxi Banshichu  
Beijing  
People's Republic of China

Ni Zhifu  
Chairman,  
All-China Federation of  
Trade Unions  
Beijing

People's Republic of China  
Fax: (86-1) 801 2933

Please send copies of any letter or appeal to the ITF or to the HK Trade Union Education Center, 3/F, 57 Peiking Road, Kowloon, Hongkong. Tel: 3-665860 3-665965. Fax: (852) 3-724 5098. E-mail: Geonet:GEO2:CICAttn: Trini Leung.



*Pictured above is the Campaign bus of the Spanish transport union FETT-UGT. The bus, called 'UGT en route' is a fully equipped mobile office and campaign vehicle. Complete with mobile telephone and fax machine, it moves around Spain assisting in the union's organising and campaigning activities.*

## Solidarity with working women in the developing world

Solidarity work with women in developing countries is to be a key focus of the work of the ICFTU Women's Committee in the coming period. The Committee met in Brussels in October, with the ITF being represented by Administrative Officer Eva Leigh.

A major concern identified by the meeting was the growing 'feminisation' of poverty in developing countries. An increasingly youthful population structure in those countries, combined with the predominance of social discrimination against women, is likely to raise pressures driving women into the worst-paid sectors of the workforce or out of employment altogether. This contrasts with the increasingly feminised workforces of many Western countries, where demographic changes are working in the opposite direction.

As part of the international trade union movement's efforts to tackle this problem, there were calls at the meeting to insist that countries comply with the ILO conventions on equal opportunities before they benefit from regional women's aid programmes. The Committee decided to raise funds through national trade union centres for a number of projects, including a

women's literacy centre in Burkina Faso and a women's vocational training programme in El Salvador.

The Committee also plans to contribute to the Year of the Family in 1994 by encouraging the formation of national Family Committees with trade union participation. These would attempt to tackle the problem of unequally-shared family responsibilities, which acts as a key hindrance on women's participation in employment and the trade union movement itself.

Trade unions were urged to campaign for the ratification of ILO Convention no. 156 on Family Responsibilities.

The Fifth ICFTU World Women's Conference is to be hosted by the Canadian Labour Congress in April 1991. With its main theme as "Equality — the Continuing Challenge", the Congress will consider strategies for equal opportunities in employment and for the successful involvement of women at all levels of the trade union movement.

### ***Nine trade unionists murdered in Salvadorean bombing***

On Tuesday October 31, nine people were killed in a bomb attack which completely destroyed the San Salvador headquarters of the Salvadorian trade union confederation, Fenastras. Among the dead were seven trade unionists, including the organisation's international affairs director, Febe Elizabeth Velasquez. A further 36 people were seriously wounded, two of whom were Gerardo Enrique Diaz, President of Fenastras and Treasurer Mario Palencia.

The International Confederation of Free Trade Unions (ICFTU) issued a statement after the attack saying that it holds the Salvadorian government responsible owing to its failure to control the activities of the paramilitary groups. The ICFTU has called upon the government to launch an investigation into the incident and to bring those responsible to justice.

# Seafarers

## Bush bans Panamanian-flag port visits

President George Bush has issued an order banning Panamanian flag of convenience ships from calling at U.S. ports from February 1, 1990.

The ban, which was formally announced on November 30, was anticipated for quite a while, following the U.S. government's circulation of a document to maritime nations saying they were considering the move.

The Panamanian flag of convenience register now appears to be on the brink of collapse following the announcement.

While the root cause of this spectacular maritime bust up lies in the US administration's continuing efforts to overthrow the Panamanian Noriega dictatorship, seafarers and other opponents of the Foc system must certainly draw some comfort from the contradictions this action exposes about maritime policy and Focs.

The fact that the threat of a ban in itself triggered off a series of desertions from the Panamanian flag demonstrates the fact that the USA has actually been responsible for allowing the Panamanian flag to prosper in the first place. Shipowners are clearly leaving the register because they call at US ports, which means they carry US trade. It is precisely because the US government, like so many other nations that used to have extensive maritime fleets, has allowed its cargoes to be carried by Focs while its own fleet declines, that the Foc fleet now consists of over one third of all the world's ships.

Not only does this dispute show that traditional maritime nations have a large responsibility for the growth of Focs, it also, more importantly, demonstrates how easy it would be for governments to eliminate the Foc system. If just one (albeit large and powerful) major trading nation can ruin an Foc register by this kind of ban, then

clearly concerted action by a number of states could effectively eliminate Focs from the high seas tomorrow.

This is what upset and worried shipowners are actually talking about when they defend the principles of "free trade and free commerce". This is why, despite the fact that they are all usually happy to cut each others' throats, other Foc registers such as Liberia have denounced the threatened ban.

The US government issued a "démarche" by fax to 15 'friendly' shipowning nations at the beginning of November. The document — of which the ITF has obtained a copy — states that the US "remains very concerned about General Noriega's continuing consolidation of a dictatorship in Panama." It accuses the Noriega regime of conducting "a series of repressive and violent acts unparalleled in Panamanian history."

The document talks about the economic sanctions already in place against Panama and says "The US is considering taking additional economic steps to deny further revenue to the Noriega regime.

"One of the steps we are contemplating is banning Panamanian-flag ships from our ports effective January 1, 1990." In fact, they have decided to delay the ban by one month to February 1.

The document goes on to say that this ban would directly cost the Panamanians \$45 million, plus, it says, "millions more in graft and corruption."

The US says it will provide "sufficient advance notice" of the ban to give owners adequate chance to reflag to another convenient register.

The document also rather amusingly assures states that the costs of reflagging would not be too high because "we understand that rumors we are

considering this option have led to a price war among world registries which would help mitigate the cost of changing registries"!

Dr. Hugh Torrijos, head of the Panamanian registry for the past nine years, has been touring the world trying to drum up opposition to the threatened ban. He admits "it would be a serious handicap for Panama.

Torrijos, who has been accompanied by his successor (if there is a register left to head) Olga Bosquez Paveda, has been in a number of Asian countries this month. After his visit to Hong Kong, the Hong Kong Shipowners' Association denounced the US threat as "short-sighted and intolerable". Most governments, however, like the British have refused to comment on the affair.

What is clear is that the threat had a dramatic effect on Panamanian registration. After all, few owners can have much loyalty with an Foc register which ceases to be "convenient" to them.

On November 14, three of Japan's major shipping lines announced their intention to join the flight from Panama. Kawasaki Kisen Kaisha (KLine), Nippon Yusen Kaisha (NYK) and Mitsui OSK are all departing. The Liberians, while denouncing the threat, have admitted to receiving a large number of enquiries about re-registration. It remains to be seen if their solidarity will extend to refusing the Liberian flag to ex-Panamanian "refugees".

Jerry Smith of the Liberian Shipowners' Council told Lloyds List newspaper that the precedent set by a ban on Panamanian flag ships "would be very dangerous:

"If the US can ban one registry, what is to stop it — or other countries — banning others on political grounds" he said.

Continued on page 9



# Uruguayans uncover fraudulent crewing agent

The ITF's Uruguayan ships officers' affiliate UCOMM has uncovered an attempted confidence trick by a fake London based crewing agency. Job hunting seafarers, particularly officers, should be on the lookout for this type of operation which can leave them considerably poorer.

This particularly nasty trick was operated by a company calling itself Cosmos Enterprises, with an address in a residential suburb of London. 'Cosmos' placed advertisements in the Uruguayan press in August this year for 'All Categories of Ship's Crew'. Potential applicants were invited to send biographical information and a copy of their passport to the London address. When a member of UCOMM followed these instructions, he received back a letter from Nick Price of 'Cosmos' crew department offering him the position of master on the vessel 'Cosmos Charter' at a monthly salary of \$3,200 plus 40% overtime. So far so good he thought, but then he read on... "If the above proposal is acceptable by you and in order to furnish you our standard contract of employment duly signed we will require before any further step, the sum of US\$500 to be sent by you, preferably in BANK NOTES by post in order to avoid any delays in clearing your cheque through our Banks...in case you are unable to provide the above requested amount we are not prepared to agree to any other alternatives of suggestion like deduction from your first salary and the offered position will be automatically withdrawn."

Happily the applicant smelled a very large rat at this point and asked his union to find out a little more about

Cosmos Enterprises before posting off his hard earned money to an address the other side of the world.

Initial investigations through the Uruguayan Embassy in London elicited the following, interesting, facts :

— there is no ship called Cosmos Charter

— there is no British company called Cosmos Enterprises

— no-one answers the telephone number on the company's letterhead.

Further investigations through the British authorities showed that Cosmos Enterprises was, in fact, 'a 100% fraudulent' company under police investigation and that the person re-

sponsible for it had been arrested and imprisoned for fraud. Apparently more than 100 Uruguayans had replied to the press advertisement and some of them had actually sent money to London.

Although in this case relatively little harm was done, the possibility of similar frauds in other countries is always there. Anyone applying for a job at sea should know that it is highly irregular, and in most countries strictly illegal to seek money from seafarers in return for finding them a job. Under no circumstances should a seafarer part with any money without first verifying the genuineness of the company and the job he has been offered.

## FRENCH FERRIES DISPUTE

French seafarers twice occupied ferry access ramps at Calais during October and November in protest at the planned reorganisation of the shipping division of the French railway organisation SNCF.

SNCF is to reduce its involvement in the Dover-Calais ferry route because of its commitment to the Channel Tunnel project.

Sealink British Ferries, a subsidiary of the UK Sea Containers Group is to take a 49 per cent stake in a new company which is to be created to take over ownership of French ships operating in the English Channel.

The remaining 51 per cent will be held by a consortium, in which the SNCF will have a 90 per cent stake. The other 10 per cent will be in the hands of a holding company, Compagnie Générale Maritime Financière.

The Consortium will also take a 70% stake in a new company formed to operate the vessels. Seafarers are opposed to SNCF's moves as they see it as a first step towards complete withdrawal from the ferry sector. They are also campaigning against the privatisation of ferry operations.

The unions successfully organised two blockades of the port of Calais between the 26 and 29 October and 17 and 19 November. Ferries had to be diverted to Boulogne and Zeebrugge. Services between Newhaven and Dieppe were also disrupted.

## ...Flag ban is a 'dangerous precedent'?

Continued from page 8

Ironically, Panama's register has just recorded its largest ever number of ships. The Lloyd's Register 1988 fleet statistics (full details in the January, 1990 ITF News) show that the Panamanian fleet has more than doubled in size in the last ten years and is poised to

displace Liberia as the world's largest. That now seems a distant possibility. The figures reveal that Panama had 47.36 million tons gross (11.54 per cent of the world fleet) compared with Liberia's 47.89 million tons gross (11.67 per cent).

Vanuatu's flamboyant Flag of Con-

venience Deputy Commissioner Cy Wentworth told the ITF, before the ban was announced, that he had been "flooded" by applications from Panamanian operators wishing to change Foc. Now that the ban has been announced, the Panamanian register will doubtlessly suffer a major contraction.

# Germans unmask fake Belizean register

While it seems that the ITF hears about a new flag of convenience every month or so, we have recently come across an even more devious shipowners' strategy for avoiding regulations and maritime laws — the fake flag.

Following complaints in the port of Hamburg, the German police have arrested two men on October 17 in connection with a general dry cargo vessel called the *Bosun*.

The *Bosun* was flying the flag of the small Caribbean state of Belize. But Belize is not the latest entrant in the cheap flag stakes — they, in fact, operate no shipping register whatsoever!

The German police and the ITF contacted the Belizean High Commission in London who were astonished to learn that a ship was pretending to be registered in their country.

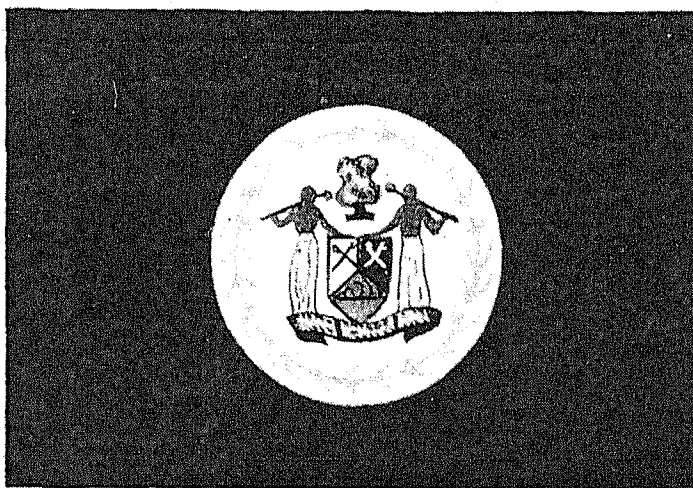
The German police have now arrested two men, the 54 year old British master of the *Bosun* and the German owner of the ship. They have been charged with flying a false flag and forgery of Belizean government documents.

The Belizeans have also arrested two German nationals in their country for forging government documents and are looking for a third.

The *Bosun* is a very, very old ship. It was built in 1931 in Holland and was until recently German-flag. No permission was sought or granted from the German Ministry of Transport for a transfer of flag and the owner is also suspected of tax fraud.

The ITF decided to conduct a little research into the Belizean register question. A computer search of the Lloyd's of London Seadata computer revealed not only that Lloyds have assigned a ship register shortname (BZE) to the non-existent Belizean register, but that there are five ships listed as belonging to that register.

The cargo vessel *Bacalar* is listed, with a registered ownership company called Belize Trading in Belize City. Another two cargo vessels, the *Honduran* and the *Belizean Star*, are listed as owned by a company called Honduran



The flag of Belize — not meant to be flying from any of the world's ships.

Trading (also in Belize City). The *Bosun* is listed (though their owner is not identified by Lloyds), and a ship called the *Fiona* is also listed as belonging to a company called Celtic Marine.

Celtic Marine is identified as a St. Vincent company. However, its address is care of one Horst Labuschewski in Brake, West Germany. The same Labuschewski appears to own a management company, uninterestingly enough called Labuschewski H, at the same address. Labuschewski manages the *Fiona*, two St. Vincent flag ships, the *Anne* and the *Anne M* and Antigua and Barbuda registered ship called the *Edda R*. The *Edda R* is not owned by Celtic Marine, but by another German based company, Roszkiewicz W.

The *Bosun* was formerly known, under the German flag, as the *Christa Juls* and owned by Helgoland-Fracht-Kontor GmbH in Hamburg.

Another ship identified by the ITF as flying the fake Belizean flag is called the *Nadine*. Lloyd's has this ship registered in St. Vincent — which may or may not be a coincidence.

The ITF has provided this information to the Belizean government, who are investigating the matter and treating it as a major fraud.

The Belizean's have confirmed in writing that they operate no shipping register whatsoever. A government committee is looking at the possibility of setting up a register in the future, but no recommendations have even been

made.

The ITF has passed this statement from the Belizeans onto Lloyd's of London, who must be somewhat embarrassed by the whole affair. Lloyd's Register of Shipping is an acclaimed and experienced international body, and information about ship's names, registration, ownership etcetera is only published by Lloyds when they have confirmed information from at least two sources.

Up till now, it has generally been assumed that Lloyds doesn't simply take an owner's word for it when they are told of a ship's registration. On the other hand it is clear that there are many ships in the world, and it would be difficult to check with register authorities every time a ship is identified.

Not only were these fraudulent ships listed by Lloyd's as flying a flag that doesn't exist, but the register itself was provided with a standard abbreviation in the Seadata computer — surely, for most people, proof enough of the register's existence.

The ITF is asking everyone to keep an eye open for any more "Belizean" ships they might encounter, and especially to beware of the ships and owners named in this article. We can only wonder, if it is so easy to fool the international maritime community about the existence of a register, how much easier it would be to pretend to be registered with an existing one.

# Court supports ITF direct action

The Norwegian Seafarers' Union (NSU) and the ITF have won an important battle in the Norwegian courts to uphold the legality of boycott actions against FOC vessels.

The legal challenge by the shipowners centred around a threatened boycott of the Bahamas-registered *Murano*. The ship is owned by a Greek-based but Panama-registered company, Overseas Cosmos Inc., and crewed chiefly by Poles.

When ITF FOC Inspector Sverre Nilsen discovered that the *Murano*, which was due to put into the Norwegian port of Narvik in late April, was not covered by an ITF agreement, he warned the owners that the vessel would be boycotted unless an acceptable agreement was signed.

The owners took the NSU to court, arguing that they had already signed employment contracts with the Polish seafarers through an official Polish crew-hiring agency. The plaintiff also claimed that the action was designed to 'force' the crew to become members of the ITF, which would be illegal under Norwegian law.

However, the court ruled in favour of the union, which had argued that the boycott threat was designed to secure an ITF acceptable agreement for the

ship, which would improve the wages and conditions of the crew. The action was therefore found to be fully legal under Norwegian law.

## BACKPAY BOYCOTT VICTORY



Norwegian seafarers and the ITF scored another victory against the exploitation of FOC crews in October when the Filipino crew of the Bahamian-flagged *B.A. Chris* won US\$ 59,690 in back-pay from the owners, Blue Atlantic Maritime, after the Norwegian Seafarers' Union boycotted the ship at the Norwegian port of Sauda.

Within five days the owners signed an agreement with the NSU, arranging the payments to the crew via the ITF and guaranteeing free passage home and no reprisals against the crew (pictured above).

## Unions fight for legal change after Swedish ruling

The ITF and the Swedish trade union movement have launched a joint campaign to change Swedish law following an extraordinary decision by the country's Labour Court on November 1.

The decision, which is not subject to appeal, results from a law suit brought against the Swedish Seafarers' Union and Swedish Transport Workers' Union by the owners of the Cyprus flag *JSS Britannia*, following industrial action taken by those unions in the port of Gothenburg in 1988.

The 117 page ruling - the longest in the history of the Labour Court - has sparked off a major political row in the country with implications far wider than the maritime industry. It appears

to prevent Swedish unions from legally taking industrial action in support of any group of foreign workers in Sweden who are already covered by any sort of collective agreement signed in their employer's 'home' country.

The ruling appears to prevent the Swedish courts from taking any account either of the provisions of a pre-existing collective agreement or even of the genuineness or otherwise of parties to it. This ridiculous decision therefore effectively gives carte blanche not only to FOC shipowners, but also to other employers of migrant workers in Sweden, notably in the building industry, to create their own 'sweetheart' unions for the sole purposes of signing 'agreements' at what-

ever conditions they like.

Not surprisingly, not just the ITF's affiliates but also the Swedish trade union centre LO are deeply disturbed at this potential stain on the country's proud international reputation for defending workers' rights. Approaches have already been made to the country's Social Democratic government - closely linked to the trade union movement - to discuss the detailed changes which will be necessary in the country's Co-determination Act to reverse the effects of the Court decision. In the coming months, however, industrial action against FOC ships in Swedish ports may well increase as the unions attempt to test the effects of the law in practice.

# DRAFT US LAW WOULD EXTEN

United States' maritime unions are strongly supporting new legislation in Congress which would extend coverage of labour relations and minimum wage laws to seafarers on certain flag of convenience ships.

The draft bill "To extend the coverage of certain Federal labor laws to foreign flagships (H.R. 3283)", was submitted to the House of Representatives on September 18 by Representative William Clay from Missouri and has 31 co-sponsors from both major parties.

The Bill, which has just had preliminary hearings in the House of Representatives, needs to be adopted both by the House and by the Senate and signed by the President if it is to become law.

If it does it will have a major impact in improving the legal provisions governing seafarers serving on US-owned FOC ships as well as others which trade regularly in US cargoes, carry US passengers or call regularly at US ports. It has long been a source of frustration and bitterness on the part of

US maritime unions that US-owned and controlled Focs calling regularly at US ports are free from Federal labour law. This situation is the result of a US Supreme Court ruling in 1957.

The initial salvo in the Bill's long battle to be adopted came on October 25 in Washington, when the Subcommittee on Labor-Management Relations of the House Education and Labor Committee held the first hearings on the proposal.

The hearing was chaired by Rep. Clay, a Democrat, who pointed out that foreign-owned companies operating in the USA are obliged to abide by US labour standards:

"This legal principle, for no apparent reason, stops at the water's edge. A foreign vessel doing all its business in U.S. ports can ignore our labor laws. This ability to disregard our laws also extends to a ship owned by a U.S. corporation that flies a foreign flag of convenience, even when such a vessel does exclusive business in this country," he said.

He stated that these inconsistencies had forced U.S. flag vessels out of business:

"U.S. vessels, which are required to meet minimum labor standards, find it near impossible to compete with employers who are able to cut costs by exploiting their workers. It's unfair to U.S. employers and unfair to their workers. The American maritime industry and those who work in it are fighting a competitive battle that can't be won."

The next speaker was Republican Representative Helen Bentley (Maryland), known as one of the foremost experts on maritime issues in the House. She also gave the bill her full support.

"In HR 3283, we finally have an effective tool for halting the decline of the American merchant marine and a mechanism to stop the abuse and intimidation of foreign seafarers in our ports," she said.

She also stated that she was confi-

Continued on page 13

## Foc crew win strike in USA

Owners of the Cyprus flag *MV City of Stockholm* eventually gave way to their workers' demands when the entire crew went on strike after arriving in the Port of Houston, Texas.

The crew took the action in pursuit of thousands of dollars of unpaid back wages but they were also concerned about the safety of the ship.

Well aware of the fact that they needed help, the Pakistani crew members immediately contacted the nearest office of an ITF affiliate, in this case the Marine Engineers Beneficial Association/National Maritime Union. Their case was handled by Charles Stewart the local ITF Flag of Convenience inspector.

The master, who is also a part owner of the ship, threatened to fire the crew and have them deported if the strike continued. He hired armed security guards to prevent crew members from leaving the ship without his permis-

sion.

Members of the ITF affiliated International Longshoremen's Association (ILA) declared their solidarity with the crew's strike action. They refused to load the vessel with its cargo unless the owners agreed to dismiss the guards, pay the back wages and perform more than £200,000 worth of repairs to the vessel.

Stewart eventually reached agree-

ment with the owners who agreed to the back pay demands and to allow those who wanted to fly home.

Ten of the 13 crew members opted to return home with their back pay. The owners then hired Mexican nationals as replacement crew.

The ship did not pass its initial Coast Guard inspection but underwent necessary repairs and eventually sailed on 19 October.

## IMU STATUS RULING FROM ITF SECRETARIAT

Following a request by the Fair Practices Committee in May this year for a ruling on the position of the International Maritime Union (IMU) in the ITF's flag of convenience campaign, the ITF General Secretary on 16 October issued a circular to all FPC members stating that the IMU, which had previously been treated as part of the ITF's US affiliate the National Maritime Union "is no longer qualified to negotiate or conclude collective agreements for US-owned FOC ships within the terms of ITF policy and practices".

Anyone requiring further clarification of this ruling should contact the ITF.

# RIGHTS TO FOC SEAFARERS

Continued from page 12

dent that President Bush would support the bill.

Testimony and submissions giving powerful support to the bill were then presented by Talmage Simkins (Executive Director of the AFL-CIO Maritime Committee), John Sansone (US ITF Inspectorate Coordinator), Edd Morris (US Foc Inspector/Seafarers International Union), Tom Schneider (legal counsel to the AFL-CIO Maritime Committee), Reverend James Lindgren (Director, New England Seamen's Mission) and from Zissimos Sinogeorge (a Greek former Chief Officer and direct victim of Foc abuse) and Paul Chapman (Director, Centre for Seafarers' Rights, New York).

The testimony was an effective mixture of general overview of the decline of the US merchant marine and the growth of Focs with individual accounts of specific cases of crew maltreatment, intimidation and poor pay.

Submissions in opposition to the Bill came from a number of shipowners' organisations, who clearly prefer to maintain the current situation where they are free to exploit their crews behind a mask of fake nationality with the protection of international law.

The Council of European and Japanese National Shipowners' Associations (CENSA) — which gathers together Shipowners' Associations of Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Italy, Japan, the Netherlands, Norway, Portugal, Sweden and the United Kingdom — testified against the Bill.

They used the well worn owners' argument that under international law "the only proper approach" was to follow the law of the flag. (Actually the ITF has many examples of shipowners using the laws of other countries whenever they are more favourable.)

"Finally, we have heard it implied that if the United States were to enact this legislation it would be doing simply what other foreign nations are doing. We reject that view and wish to

assure the Committee that insofar as CENSA is aware, other nations are not seeking to intrude and impose their laws upon the internal labor matters of vessels which do not carry their flag." said the CENSA representative, apparently momentarily forgetting the European Memorandum on Port State Control which obliges port states to intervene on a wide range of maritime safety and social matters if international standards are being violated.

Phillip Lorce, Chairman of the Fed-

includes extortion in the form of under-the-table payoffs and kickbacks not witnessed in this country since the early 1930s. These workers do not even have the protection of one of the first labour laws ever enacted - the 80 hour workweek".

With extraordinary arrogance, the representative of the Cruise Ship Operators hardly bothered to argue against the Bill. Instead he issued a clear threat to the US government:

"If the Bill were ever to become law,

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## *...cruise ship operators believe US labour laws to be a violation of the principles of the free market.*

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eration of American Controlled Shipping and a veteran opponent of the ITF predictably attacked the Bill. His vitriolic submission claimed that US maritime unions had priced themselves out of the market by "their own bargaining excesses." His remarks were countered by Tal Simplins who pointed out that labour costs on US flag ships have declined from 30 per cent of total operating costs thirty years ago to just 18 or 19 per cent today."

The shipowners' rogues gallery was completed with testimony from John Reurs on behalf of the International Committee of Passenger Lines, a body representing owners of the booming cruise ship industry, much of it US owned and most of it based in Miami.

Pointing out that the industry had enjoyed a recent boom in popularity in the USA, Simplins stressed to the Committee that "in real life there is a great deal more to running a giant ocean going passenger ship than a charming captain, a cheery ship's doctor, an affable bartender. The owners of these fun flotillas throw little money at the people who work on these ships" he continued "they actually pay crewmembers in nickels and dimes and work them 14 to 16 hours a day to boot. The shabby scene also

foreign-flag passenger vessel operators would be impelled to transfer their operations out of the United States," he said.

He claimed that stories of "slave labor" on Foc ships were untrue, and asserted that "foreign-flag cruise operators and their seamen-employees compete in a world where free enterprise and international markets still prevail."

Clearly the cruise ship operators believe US labour laws to be a violation of the principles of the free market.

It's clear that the rich and powerful shipowners' lobby will do all they can to stop this Bill from becoming law. The ITF and affiliated maritime unions will have to provide the maximum possible support to the efforts of the US maritime unions and the supporters of this Bill in order to see this measure adopted.

It would appear that the very first battle in this process has been won by the seafarers. In the view of most Committee members, the balance of testimony for the Bill far outweighed that against. There is still a long legislative battle to be fought however, and the forces ranged against it are both powerful and ruthless.

# Older ships dominate the world fleet

The world fleet is ageing rapidly, according to the latest figures from Lloyd's Registry of Shipping. In the last decade the percentage of vessels less than ten years old has fallen from 62 per cent to 36 per cent. Canada has the oldest fleet, with 59 per cent of its ships 20 years old or more (though most of these are in Great Lakes' service). West Germany has the youngest fleet, with 70 per cent of its tonnage less than ten years old. But even this has declined from 77 per cent in 1979. Japan is in second place with 68 per cent under ten years. The figures show that over three quarters of the world's tanker tonnage is over ten years old.

A high level commission appointed by the Dutch government's Ministry of Transport has recommended that subsidies to encourage shipping investment by Dutch companies should be extended for three years, although in a slightly modified form. The commission recommends that the *Investerings Premie Zeevaart* (IPZ) subsidy system should be basically maintained. Initially the IPZ was worth 25 per cent of the actual cost of a new or secondhand vessel to shipowners investing in Dutch-flag tonnage. Last year that figure was halved, and the system was set to disappear altogether this year. But the study recommends the continuation of the subsidy system and other positive measures to encourage owners to return to the Dutch flag.

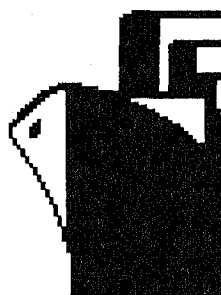
Plans to create a **European** shipping register — dubbed **EUROS** — appear to be floundering within the European Community. The fact that the proposed register would half to be one half crewed by European nationals appears to have been too much for many governments. The Greeks and the British are apparently arguing for scrapping the plan entirely. British Transport Minister Cecil Parkinson has also said that the proposed definition of an European

shipowner "does not take into account" the situations in Britain's colonial flag of convenience registers like Gibraltar. An interesting admission from the British government, who always try to wipe their hands clean of the "Red Duster" Focs when anything goes wrong with them.

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## The ITF's regular flag by flag roundup

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The new **Hong Kong** shipping register is set to be launched in 1990. The Register Steering Group, which has been responsible for setting the terms of the new flag, is prepared to make its final recommendations for legislation early next year. The new register is explicitly not intending to be a flag of convenience, but rather an inexpensive registry for Hong Kong's own shipowners. Part of the register's regulations will be that management and control of vessels must be from Hong Kong. This "genuine link" guarantee is an important element of the plan. The ITF has been extensively consulted about the terms and conditions of the new register, and the Secretariat is confident that Hong Kong will not be a new Foc of the 1990s.

**Japanese** shipowners and the ITF-affiliated All Japan Seamen's Union have reached an agreement over the use of foreign seafarers on board Japanese flag ships. The two sides have reached a compromise agreement that will allow foreign seafarers on newly built Japanese flag ships so long as there are nine Japanese officers on board. The owners had demanded that there be only four officers and that the agree-

ment cover all ships. The number of Japanese flag ships has fallen from 1,028 in 1985 to 640 at the end of last year in the face of massive flagging out. The massive rise in the value of the Yen against the US dollar has also hurt Japanese seafarers — their comparative wage costs compared to other Asian nationals have risen sevenfold in the last two years.

Yet another price war appears to be breaking amongst the world's Flag of Convenience registers. It's almost to the point where price wars are the normal state of world shipping. Liberia has led the way this time, with drastic cuts in registration fees to "more realistic" levels. Liberia, remember, lost out the most in the last round last year — as shown by the 1988 Lloyd's Register shipping statistics which reveal that Panama has almost passed Liberia as the largest flag in the world in terms of gross registered tonnage. Competition from new fangled, bargain basement registers (like Vanuatu) has hurt the more "established" Focs like Liberia, but the greatest threat is perceived as being from the new "pseudo" Focs — second registers. Following the successful launch of Norway's NIS, we now see Denmark and the Federal Republic of Germany following suit. This reflagging has been at the expense of the more established Focs. So the pressure is on from both sides. What effect the US threat to ban Panamanian flag ships from its ports next January has on the latest price war is unclear — the Liberians probably wish they'd kept their mouths shut (and wallets open) since the US threat has started something of a rout to the Liberian register (see separate story).

Finally a seasonal note of caution to those who will be celebrating New

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# Koreans mobilise for seamen's law reform

Korean seafarers rallied in Seoul have been demonstrating to demand that the government implements improvements in the basic law governing seafarers' rights.

Their actions in early November are part of a long running campaign by the ITF-affiliated Federation of Korean Seafarers' Unions (FKSU) to bring the legal framework governing seafarers in line with that of land-based workers (see ITF News, September 1987).

The FKSU drafted a series of amendments to the Seamen's Act and the Labour Law, which were presented along with a petition to the National Assembly. Individual lobbying efforts were made with all parties in the Assembly, who have both stated their public support for the draft bill.

Placards have been hung on ships in port, posters, ribbons and buttons have been distributed.

On Saturday November 4, FKSU demonstrated outside the National Assembly in the pouring rain for nearly two hours shouting slogans and brandishing picket signs that read "We urge the amendment of the Seamen's Act which is inferior to the Labor Standard Law".



Seafarers demonstrating outside the national Assembly in Seoul

Following the demonstration, union members staged a motorcade through the centre of Seoul.

FKSU President Bu Ung Kim says that this campaign is "the biggest project" the union has ever been involved in and that "the entire function and organisational power of the Federation will be mobilised" to gain their goal.

The next phase of the campaign, according to Kim, will "involve limited or unlimited slowdowns and/or strikes. When and how to carry these out will be decided later depending on the proceedings of the National Assembly, willingness of the Administration, and the attitude of the owners vis-a-vis the amendment Bill."

## US safety board concern over cruise ship standards

Foreign-flagged cruise ships based in US ports have been warned by the national transport authorities to get their

house in order as regards safety on board.

The National Transportation Safety

Board (NTSB) highlighted concern about safety standards after having studied the pattern of accidents sustained by such passenger ships over the last 15 years.

In particular, the Board called for the installation of adequate fire-fighting, detection and rescue equipment on all cruise ships, as well as improved language training standards among crew members in order to ease communications problems.

The Board's recommendations have been passed to the US Coast Guard, which has the power to enforce them if the relevant provisions are included in Coast Guard regulations. There are also hopes that Congress may pass fresh legislation to tackle what are felt to be serious gaps in maritime safety standards.

## ...master attacked by ship's washing machine

Continued from page 14

Year in the traditional manner. A Scandinavian master who had a few too many vodkas while in charge of his ship off the British coast has landed in jail. His crew reported that they were disturbed by seeing him staggering about, banging his fists against the wall and falling over. But they really suspected that he had had a few too many when he began threatening the ship's washing machine! The washing

machine survived, but the ship didn't. The master executed a dramatic u-turn off the coast and ran the vessel onto coastal rocks. Shortly afterwards a harbour pilot arrived on the ship and told him he was aground. The captain replied "No Mr Pilot. We are at anchor." The ship was damaged, but fortunately none of the crew were hurt. The master, however, will probably be celebrating his New Year in a British jail.

# Three die in Foc mystery collision

A collision between two well equipped vessels in clear sight of one another in the North Sea on the night of November 8 has left experts puzzled. The only noteworthy point about both ships was, in fact, that they were flying flags of convenience.

Seafarers know that Foc ships are more likely to have accidents than those in most established shipping registers, the causes of this collision are not yet known, but the incident is bound to raise questions about the standards of Foc shipping.

The Panamanian registered roll-on roll-off carrier, the *Nordic Stream*, operated by Johnson Line and Finncarriers, was on her way to Hamburg on the night of November 8 when she ran into the Bahamian registered car ferry, the *Hamburg* (owned by the Danish

DFDS line) on route for Harwich in England.

The *Hamburg* was holed above and below the waterline on the starboard quarter, causing extensive damage to the passenger lounge and car decks. The ice-strengthened *Nordic Stream* continued to Hamburg, and the other

vessel limped into Bremerhaven. Three passengers were killed in the accident and five were injured, along with two members of the crew.

The night was clear, though there were strong winds. A West German enquiry will now attempt to discover the reason for this strange collision.

## Poor safety report for NIS ships

Safety standards on vessels belonging to the Norwegian International Register (NIS) have been slammed by the country's Shipping Directorate after a series of unannounced inspections uncovered numerous breaches of safety regulations.

The report of the Directorate's inspectors, covering the first half of 1989, revealed a total of 739 infringements

of regulations on the 77 vessels inspected around the world, with over 60 per cent of these relating to safety conditions. The most common shortcomings were in the lifesaving and firefighting equipment on board the ships.

Shipowners were also put on the spot for failing to provide the Directorate with up-to-date information about the state of the NIS fleet.

The contents of the report, which were branded "scandalous" by the Norwegian Seafarers' Union, have prompted the Shipping Directorate to tighten its controls on NIS ships and check that the points raised in the inspectors' reports are implemented by the shipowners.

## FRENCH SEAFARERS STRIKE OVER KERGUELEN

French maritime unions staged a series of 48-hour strikes between 1 October and 15 November over the French government's plans to extend the low-cost Kerguelen register.

The second register was previously open only to bulk shipping but new proposals mean that only regular liner and tanker operators operating under French oil supply legislation will be excluded from access to the register which allows owners to employ up to 75% of foreign seafarers on their vessels.

The unions called on both officers and ratings to hold up the departures of their vessels from French ports for 48 hours. The strike affected more than 50 deep-sea vessels in all.

An offer of negotiations from the shipowners' committee was rejected by the unions. The shipowners were simply looking to negotiate redundancy terms for the French seafarers who would lose their jobs.

All the unions involved in the dispute wrote to the President of the Republic Francois Mitterand and the President of the European Commission Jacques Delors putting their case against the second register. They protested that state aid for investment in the French fleet is insufficient. The second register allows shipowners the same freedom to exploit their employees as Foc shipowners while also benefiting from the state aid measures.

They pointed out that the establishment of the second register allowed shipowners to deny basic human rights to their employees.

They argue that discriminatory pay and conditions for foreign seafarers on French flag ships is contrary to Article 23 of the Universal Declaration of Human Rights which states that everyone has the right to equal pay for equal work.

The French government is also acting in contravention of the ILO convention 111 which states that racial discrimination in employment is a violation of human rights. Signatories of the Convention are obliged to apply its provisions even in their colonies.

The unions have now agreed not to stage further industrial action until 12 December when they will have talks with the Minister for the Sea Jacques Mellick.

## Cancer threat for seafarers?

Disturbing findings on the incidence of cancer among American seafarers have been revealed in scientific records unearthed recently after having been lost some ten years ago.

The research, which showed that seafarers in the United States were twice as likely as the general population to die of cancer, was shelved when the Reagan administration closed down all the marine hospitals in the country.

The 60 per cent incidence of cancer in deaths among seafarers has been linked to the continued widespread use of asbestos in merchant ships. The link is now to be the subject of a major fresh study carried out by a team under the direction of asbestos researcher Dr. Irving Selikoff.



# Inland transport

## South African rail strikers endure management and state violence

A campaign of violence and intimidation is being conducted by the South African government against more than 40,000 Black railway workers who are now on strike for a basic living wage and union recognition. Many strikers have been badly injured and at least one has been killed so far.

South African railways are part of the state-owned South African Transport Services (SATS), which has a long history of suppressing independent trade unionism and of overt, extreme racism. Railway employees are divided into temporary and permanent categories — with most black workers being classified as temporary, and hence have far less job security and are more vulnerable to acts of intimidation.

In 1987, 22,000 members of the South African Railways and Harbour Workers' Union SAHRWU (an affiliate of the Congress of South African Trade Unions) took strike action against SATS opposing unfair disciplinary procedures and demanding union recognition. SATS' response was to dismiss 16,000 workers. The strike succeeded in achieving reinstatement for the sacked workers, but failed to get formal union recognition from the company.

SATS management continues to refuse to recognise the union. They have ignored the legitimate demands of the striking workers, and prefer to blame the dispute on the general political climate in South Africa. Management refuses to negotiate with the union, insisting that they must register under the Labour Relations Act before being recognised. But in order to register the union must demonstrate its legitimacy in terms of paid up membership — and thousands of SAHRWU members are being prevented from leaving the SATS staff association —

BLATU — by management.

SATS management itself appears to be involved in a series of violent acts and intimidation against the union. Certain white SATS personnel are engaged in attacks on strikers, and there has been heavy police involvement in these assaults. Furthermore, SATS have dismissed many hundreds of striking workers.

SAHRWU is demanding that SATS' new disciplinary code be negotiated with the workers. The new code was imposed by management in September. Since then, 1,000 workers have been dismissed under the new code. This was one of the major reasons for the strike starting.

In addition to the disciplinary code, strikers are also demanding a reasonable wage. SAHRWU calculate that 90 per cent of its members are paid the minimum wage of 600 Rands per month (about US\$150). Workers are demanding a basic rate of 1,500 Rand per month — a figure generally accepted in South Africa as a living wage. SATS have been deceptive about their ability to pay a living wage. While they claim to have made losses in the last two years, if their accounts were calculated in the same way as a private company, they would have shown a profit of R849 million in 1988 and over one billion rand this year.

Underlying the other issues in dispute is the spectre of privatisation. SATS is engaged in a secretive process of privatisation at the moment. The result has been the loss of over 80,000 jobs, and management have said they would like to shed more.

The dispute began in early November as a localised strike in the Witwatersrand area and rapidly spread throughout the country. The demands of a living wage of R1500, recognition of SAHRWU, repeal of the discipli-

nary code, reinstatement of sacked workers and no privatisation have struck a responsive note with black railway workers.

As the numbers of strikers grew, the violence against them has also grown.

By November 7, when 7,000 workers were on strike, strikers had already been assaulted and harassed by the police.

As the strike spread to the Eastern Transvaal coalfields and Kazeme, eight workers were attacked by armed SATS employees in the Central Rand and another was attacked in Dunswart. By November 8, 20,000 were on strike.

SATS management agreed to meet with a local workers committee in Southern Transvaal, making it clear that they were not meeting the union. The discussions broke down. The union, throughout the dispute have emphasised that they are willing to negotiate — yet SATS management claim they are not.

November 9 saw 35,000 on strike. Police arrested 14 striking workers in Daveytown and made baton charges against union meetings in Johannesburg and Geldenhuis stations. Lubius Chihawe, a SATS worker, was hospitalised after being shot by his white supervisor at Mzimhlope Station in Soweto.

On November 10, 40,000 workers were on strike and SATS began to dismiss striking workers. 150 workers were fired on November 14.

SATS Labour Relations Director Jan Bredenkamp stated that the strike was only caused by the 'general political climate in South Africa'. He claimed that the strikers were not willing to negotiate, and warned that up to 17,000 workers could be dismissed if the strike continued.

Police attacks against the union and

Continued on page 18

# Underground autoroutes planned for Paris

The French government and the City of Paris are considering building a network of underground roads with controlled access to the centre of Paris as a dramatic measure to cut congestion in the capital city.

Various alternative proposals are now being considered, and the favoured plan will be presented to the people of Paris, who will have the unprecedented right to vote on the plans in a city-wide referendum — despite the fact that the final project will be financed entirely by private companies.

Paris authorities estimate that there are 4.2 million cars in the region, and only 720,000 legal parking places in the city. Paris enjoys a sophisticated and extensive underground railway network that incorporates suburban trains, high speed express métros and local métro lines into an efficient and reliable public transport system. Even so, vast numbers of Parisians still use their cars to get to work.

The proposal to build underground motorways came two years ago when the director of one of France's largest construction companies — GTM-Entrepose — submitted a proposal to the Mayor of Paris (former right wing Premier Jacques Chirac) entitled *Projet Laser*. *Laser (Liaison Automobile Souterraine Expresse Regionale)*

stands for underground automobile regional express routes. It would include 22 km of underground autoroute, costing FF16 billion in the first phase, set to open in 1995. An additional 27 km, costing a further FF6bn would open five years later.

This unsolicited proposal has already been backed by a powerful consortium of banks and private companies — who calculate that they could make a profit on the roads within ten years.

The project would entail two underground tunnels 30 metres below the surface of the city (deeper than the metro), with a circular inner autoroute underneath the centre of the city fed by underground feeder roads from the outskirts. Massive underground parking facilities would also be constructed. Car owners would pay tolls for using the roads and for parking. An additional fee could be charged for limited access to the surface of the city, which would be regulated by computers that would only allow a limited number of vehicles above ground at any given time. Above the underground roads, in central Paris, virtually all on street parking would be prohibited.

The city authorities have responded to this suggestion by asking other companies to put forward proposals. One other company have apparently

come up with a similar proposal (which hasn't been given to the public) and a final proposal envisages building a 50 km steel expressway above the existing Paris ring road linked to underground parking.

Critics of the proposals have said that the solution should be to restrict cars in cheaper ways, and even possibly to reintroduce trams into Paris. Whatever happens, however, the authorities have already committed themselves to letting the people of Paris have the final say on the proposals.

## Crash inquiry calls for 93 new measures

The public inquiry into the rail disaster at Clapham in London (see *ITF News* November/December 1988 and March 1989) in which 35 people died has produced 93 recommendations for improving safety standards at British Rail. Cost constraints imposed on the railways by the Conservative government may however prevent the early implementation of many of the proposals.

One of the main recommendations is that BR should speed up its programme to install an Automatic Train Protection (ATP) system throughout the network which would prevent trains from passing red signals.

After the accident, BR announced its plans to install ATP on routes covering 80% of passenger miles within 10 years. The inquiry has set a time limit of five years.

The "Mark One" coaches with slamming doors used in all three of the trains that collided at Clapham are also to be made safe. The inquiry report instructed BR to complete a £1m research programme into the structural integrity of the old model coaches by 1991.

BR is slowly phasing out the "Mark One" stock but plans to have about 250 four-coach units still in operation in 1999 when they will be 36 years old.

## ...40,000 railway workers on strike

Continued from page 17

strikers, along with armed attacks on individuals have become more frequent, while SATS continues to dismiss strikers.

On November 15 another worker — Benjamin Manakoko — was shot in the hand by a white SATS employee at Jeppe station.

On November 16 police attacked workers at Germiston station as they were going to meet at the union offices. Many strikers were injured, and one man had three fingers of one hand chopped off by a SATS employee who had joined the police charge armed with a knife.

Later that day the police attacked the

union offices where a meeting was being held. They fired live ammunition and attacked strikers with batons and iron bars. Two people were shot, six are seriously injured, one of whom died later in hospital on November 17.

On November 20 police shot and wounded 15 strikers near Durban. The police opened fire on a demonstration of 3,500 strikers. Doctors in the local hospital report treating numerous shotgun wounds and serious head wounds.

The strike continues as *ITF News* goes to press. *ITF* General Secretary Harold Lewis has called upon *ITF* affiliates in all sectors to express their solidarity with the SATS strikers.

# Indian rail strike threatened by AIRF

The world's largest railway network may soon be the target of an indefinite general strike. Indian railway workers, at their recent Congress, have agreed to mobilise for an all-out strike because of the complete breakdown of negotiations with the government.

The ITF-affiliated All India Railwaymen's Federation (AIRF) 63rd Annual Convention in Calcutta was held from October 16-19. ITF Asia/Pacific Regional Secretary Mo Hoda attended the meeting, which adopted a wide ranging resolution denouncing the government's economic policies and calling for a new commitment to fighting poverty in India.

Negotiations with the government over wages have broken down. The government have refused to discuss the union's demands for wage parity within the public sector. The government has also rejected the recommendation of the independent pay commission which called for the establishment of a Wage Review Body.

Other negotiations with the government and Ministry of Railways have also floundered. The government has been siphoning off work traditionally done by casual railway workers to private contractors, thus throwing many workers out of their jobs. The union also cites the "indiscriminate introduction of labour saving devices" which has also badly affected employment.

The government has refused to consider proposals from the AIRF for job creation and youth training schemes, and they have dismissed a proposal from the union to enshrine the right to work in the Indian Constitution:

"The negotiating machineries have been rendered thoroughly ineffective to find solutions to the burning problems of the employees. The Government is unfortunately following the policy of repression and victimisation of sincere and militant trade union workers," says the AIRF.

The government's wrong-headed approach extends much further than the issues raised in negotiations with the railway workers. The overall eco-

nomical strategy of the Rajiv Gandhi government has been to favour the wealthy minority while the living standards of the vast majority of Indians declines.

"The Convention also takes note of the situation that has been created in the country on account of wrong economic policies and misplaced priorities inasmuch as minimum wages are not paid, child labour exists, women are exploited and discriminated, contractors are allowed to exploit the poor and needy people. Besides, the government and its policies helped the multi-nationals, hoarders, black-marketeers and economic offenders against the poor and suffering humanity," says the AIRF.

The resolution also states that "prevailing allegations of manipulation and corruption in high places is having a demoralising effect on society as a whole."

The AIRF does not believe that the government has insufficient resources to redress the problems of poverty in India. Certain Indian state governments have been able to make a difference

within limited budgets:

"The Convention, therefore, is of the considered view that Government of India lacks the will and determination to eliminate the sufferings and hardships of the poorer sections of the society."

Hence, the AIRF believes it has no choice but "to mobilise the Railwaymen for an indefinite strike".

Since India is now having a general election (which may result in the government losing power), the Convention decided to postpone the strike until after the vote. The intervening period should be used to rally support for their cause:

"...public opinion should be created and the workers educated to the various excesses and faulty policies of the Government which are responsible for creating stalemate in the settlement of the problems of the workers and the employees and also to act collectively and decisively to cause a change in the situation so that the people do not have to suffer from the same maladies, deprivations and inequalities continuously and perpetually."

## Dutch court decision says drivers waiting times ARE working hours

Truck drivers throughout the European Community can take heart from the recent decision of a Dutch court that waiting times during loading and unloading at terminals and border crossings are no longer to be counted as unpaid 'rest time'.

The precedent-setting judgement in August came after haulage employers were taken to court by the Dutch truck drivers' union FNV. The union had calculated that drivers were earning between five and ten per cent less because of many employers' practice of not paying them for waiting times.

The court also ruled that in cases where employers dispute the number of hours of work recorded by drivers the burden of proof is with the employer rather than the employee. In this way drivers will remain innocent unless proven guilty.

# Civil aviation

## ITF denounces European reform package

The European Community Council of Transport Ministers has approved the "second wave" of air transport liberalisation measures (see ITF News, July, September & October 1989). ITF aviation unions are alarmed by the haste with which the measures have been put together and accepted.

The package includes proposals for liberalising fares, changing government capacity sharing arrangements and increasing market access.

While European unions are not opposed to greater competition in intra-Community air transport, they believe that the consequences of the measures for both aviation employees and passengers have not been fully considered.

European trade unions remain unconvinced that Europe's civil aviation industry can avoid the evils of 'US style' deregulation. The long-term result of the US Deregulation Act was market dominance by monopolies, a lowering of safety standards and work-

ing conditions, higher fares and a reduction in passenger choice.

Europe must learn from developments in the USA. Liberalisation and the resulting expansion in the volume of traffic should not take place until the conditions of competition have been equalised and the safety and labour consequences have been fully considered.

The net effect of the new measures will be to bring about a significant further increase in capacity at a time when Europe's air traffic control system is already reaching breaking point. There is congestion too at airports, on the ground and on their approaches.

Since new aircraft are in short supply, increased capacity will come from an ageing fleet, as happened in the US. Although it is possible to fly older aircraft safely, it is expensive. Greater economic pressure on airlines will discourage high investment in aircraft maintenance.

The introduction of intense competition between airlines in the USA led to massive reductions in employment, savage cuts in wages, longer working hours and increased pressure on maintenance staff to complete jobs quickly.

The labour consequences of liberalisation will be more marked in the European Community countries, where wages, living standards and social conditions vary enormously.

Action is needed to harmonise social conditions in the EC countries to avoid downward pressure on pay and working conditions to the lowest European level. Harmonisation is needed particularly in the field of personnel licensing and flight and duty times.

The accord aims at liberalising tariffs by ending the double approval system. This will enable carriers exercising new fifth freedom rights to engage in marginal pricing on the fifth freedom leg, undercutting established carriers. The ITF would prefer a further relaxation of the conditions within the present discount zones.

Predatory fares are banned but these are defined as being 20 per cent less than those charged in the preceding season. The ITF regards this figure as arbitrary and unrealistic given the high inflation rates in many countries at present.

The package includes measures to relax conditions for market access. The ITF accepts that increased fair competition may benefit passengers.

However, Member States should retain reserve powers to control access to the market. States should be obliged to take account not only of economic and technical requirements but also of social needs.

These measures have been approved without consultation with the social partners. The ITF is calling for the urgent establishment of a Joint Committee for civil aviation which would be fully consulted before deregulation measures proceed any further.

### **Strike action forces climb down by British Airways over dismissal**

Effective industrial action by cabin crew members of the Transport and General Workers' Union has forced the management of British Airways to back down over the unfair dismissal of stewardess Lynn Hooper.

BA alleged that Mrs. Hooper had sold free drinks intended for business class to economy class passengers. The TGWU maintained that she was innocent and staged a one-day strike in August (ITF News September 1989) which the union estimates cost the company £5 million.

A settlement was reached in October a few days before an industrial tribunal hearing was due to begin in London. BA offered Mrs. Hooper her job back with an unblemished record or maximum compensation - around £9,500.

The tribunal then ordered BA to pay the legal costs incurred since 7 September by Mrs Hooper and the union in fighting the company's allegations.

The tribunal also found that the company had delayed a settlement by relying on Mrs Hooper for information, rather than going into its own records for evidence. It said the company had acted "frivolously, vexatiously and unreasonably."

# ITF cabin crew unions meeting

More than forty representatives representing 21 cabin crew unions from 19 countries met at the London headquarters of the Transport and General Workers' Union on 23 & 24 October.

Discussion at the ITF meeting of cabin crew unions focussed on two issues of major importance to flight attendants: cabin crew licensing and flight and duty time limitation. The meeting also reviewed the recent activities of the ITF's civil aviation section.

The ITF's new video production "Free Flight" received its première at the meeting, and copies of the newly printed 1989 International Survey of Cabin Crew's Working Conditions were distributed to the participants.

Future section publications announced to the meeting include the *Civil Aviation Briefing* which will provide in-depth coverage of developments in the industry and a comprehensive digest of ITF civil aviation policies.

David Cockroft, Acting Secretary of the Civil Aviation Section explained that all cabin crew unions had been invited to the meeting because of confusion about who was and who was not a member of the various technical committees. He asked the meeting for comments on some proposals for a restructuring of the section, including the establishment of a small section bureau which could take policy decisions between conferences.

The meeting then split into two working groups, one to discuss cabin crew licensing, while the other examined proposals to update the ITF's existing policy on flight and duty time limitations.

The group discussing *licensing* decided that the ITF Secretariat should draft a new policy document on cabin crew licensing to be used by members of the section in negotiations with ICAO member states and in the EC. ITF's representative at ICAO Stu Johns stressed that an ICAO licensing standard would focus exclusively on safety-related issues. Within the EC, it might be possible to approach the question of

licensing from a social perspective. A working group was set up to assist Stu Johns in producing a draft licensing standard appropriate for inclusion under Annex 1 of the Chicago Convention.

Two other working groups were also formed: one to help revise Annex 6 of the Chicago Convention which covers operational procedures and working conditions and one to help update the ICAO Cabin Crew Training Manual.

The group discussing *flight and duty time limitations* worked out proposals for revising the ITF policy adopted at the 1980 Miami Congress.

Group members felt that a major deficiency in that policy was the lack of any provision governing extended range operations. This was becoming increasingly important as aircraft such as the Boeing 747-400 were being brought into service which were capable of non-stop flights of up to 18 hours, well in excess of all existing maximum duty time limits. There was agreement that simply opposing such operations wouldn't stop them happening and it was suggested that unions should concentrate on measures to combat fatigue, such as securing

better rest facilities for cabin crew on extended range operations and longer rest periods.

Draft documents from the ITF Secretariat dealing with flight and duty time limitations were to be distributed to cabin crew unions as soon as possible after the meeting and it was suggested that another cabin crew meeting should be convened next year in Montreal where participants would have the opportunity of meeting and talking with representatives of the ICAO Secretariat.

Representatives of the Australian Flight Attendants union presented to the meeting their proposals on mutual assistance for members of cabin crew unions in cases of accidents. They pointed out that when cabin crew are involved in legal and medical problems at foreign airports, they should be able to benefit from advice and help from the local ITF cabin crew union. They undertook to draw up a protocol for signature by interested unions and the ITF Secretariat agreed to prepare a small brochure giving addresses and telephone numbers of airport offices of the unions which cabin crew members could consult in an emergency.

## FLIGHT OPERATIONS OFFICERS' WORKING GROUP

The ITF's Flight Operations Officers' Working Group met in London on 6 November.

Stu Johns, ITF's representative at ICAO explained that the meeting was the last in a series which had been convened to discuss the position of the FOO in the licensing standards of the International Civil Aviation Organisation (ICAO).

The meeting concerned itself mainly with drafting an ITF response to a 'State letter' from ICAO about changes to the FOO licensing provisions. This follows the success for the ITF's campaign to retain an international FOO licensing requirement.

Flight Operations Officers, also known as Flight Dispatchers, are ground personnel who are responsible for the preparation of flight plans, calculation of aircraft loading, routes etc. They require virtually the same level of skill and knowledge as a pilot. Licensing them is, in the ITF's and ICAO's opinion, vital to guarantee air safety. The meeting also discussed changes to Annex 6 (aircraft operations).

# Calcutta workers sacked by Bangladesh airways

The ITF has protested to the management of Bangladesh Biman airways about the redundancy of 27 local employees of the union based at Calcutta airport. The workers, members of the All India Federation of Foreign Airlines Employees' Unions (AIF-FAEU) have been handling Biman flights to Calcutta since 1972. Without consultation with the union, Bangladesh Biman decided earlier this year to stop using direct employees and to enter into a contract with Air India to handle its flights. Air India has engaged non-union casual workers to carry out the work.

A series of protests by the local union the BBEU, backed up by posters and demonstrations at the airport, were met with a bland denial that any redundancies were planned. Tripartite negotiations eventually took place with government representatives on 24 May and an agreement was reached that union protest action would stop and the management would refrain from provocative acts. This promise was quickly broken however as redundancy notices were given to all employees effective from 1 June.

The BBEU then sought a court injunction blocking the redundancy notices and on 21 September, the City Civil Court in Calcutta found in the

union's favour.

The management has now announced its intention to appeal to the High Court. In a move which would have profound implications worldwide, it is claiming that the state run Bangladeshi airline has the status of a foreign government and that permission from the Indian government was therefore needed prior to filing the suit.

After the court order was granted, the Biman workers went to the airport but were refused work. Demonstrations were held inside the airport where

workers from several other unions participated.

On 26 September the employees who had been laid off and their supporters started a five-day continuous hunger strike and sit-in outside the Biman office in Calcutta demanding re-instatement.

ITF Asia/Pacific Regional Secretary M S Hoda has intervened on a number of occasions since the beginning of the dispute, urging the management of BB to reach an acceptable settlement with the union.

## ***ITF support for Biman cabin crew dispute***

Meanwhile representatives of the Bangladesh Biman cabin crew union requested and received full ITF support in their own dispute with the company.

Two representatives of the union attended the ITF cabin crew meeting in London and told of the unacceptable working conditions imposed by Bangladesh Biman Airlines on its cabin crew. The airline management has been blatantly ignoring a greed flight and duty time limitations in scheduling; cabin crew now receive much lower

meal allowances than flight deck crew and they are forced to stay in substandard hotel accommodation.

The most recent attack on cabin crew conditions has been the introduction, without union agreement, of a snack service on internal flights of less than 30 minutes.

The union is also contesting the company's policy on retirement for cabin crew. The meeting passed a resolution of support for the Bangladesh Biman Association of Cabin Crew and condemned the company's actions.

## **Smoking to be banned on all US domestic flights**

US civil aviation unions are celebrating a successful outcome to their anti-smoking campaign following the House of Representatives vote to ban smoking aboard almost all domestic flights.

The new legislation forbids smoking

on all flights within the Continental United States and on all routes to and from Alaska and Hawaii lasting six hours or less. There are approximately 17,500 domestic flights daily.

The ban is part of a House-Senate bill which also provides \$3.2 billion

for anti-drug efforts. The Senate is expected to pass the bill and President George Bush is expected to sign it.

The current temporary law, banning smoking on domestic flights lasting two hours or less, is due to expire in April.

## ***New airline takeover law proposed in USA***

The US House of Representatives has passed legislation requiring the Transportation Department to block takers of major US airlines if safety or competition would be jeopardised.

The Bill is similar to draft legislation recently adopted by the Senate's

Commerce, Science and Transportation Committee.

It has been pushed through because of anxieties about Donald Trump's attempts to take over AMR Corp, the parent of American Airlines.

The Bill is seen by many as an attempt to regulate leveraged buyouts.

There has been widespread concern that debt financing of these buyouts leaves companies financially too weak to maintain safety standards.

# France's Lapautre tries to block air deal

UTA's president René Lapautre, notorious for his anti-union policies, is jostling to improve his airline's market position before 1993. He is attempting to block the recent cooperation agreement between *Air France* and the domestic carrier, *Air Inter*.

The agreement allows *Air Inter* to operate flights to Rome, Madrid, Ibiza, Athens and London/Gatwick under *Air France's* flag. In return, *Air France* will have the right to serve three of *Air Inter's* busiest destinations: Nice, Marseille and Bordeaux, as well as Corsica, Lyon, Montpellier and Nantes using an *Air Inter* flag.

Lapautre claims that the agreement is illegal because it has not been submitted to the *Air Inter* board for approval. UTA has a 35.8% stake in *Air Inter*, almost equal to *Air France's* 36.5%. *Air France*, as a party to the cooperation agreement, would be ex-

cluded from a vote on the issue. This would give UTA a blocking vote which it would certainly use. UTA has filed a complaint before the French Commercial Court.

Lapautre's cause may be helped by the European Commission which is also looking into the agreement. Competition Policy Commissioner Leon Brittan and Transport Commissioner Karel van Miert believe that the deal is unfairly advantageous to *Air France*.

They also see the new fare agreement between the two airlines as anti-competitive. The prices on *Air Inter's* new routes, except the London run, will be tied to those of *Air France*. *Air Inter* will have fare autonomy only on the Paris-London route, where it would not otherwise have been able to compete with low-cost British carriers.

Brittan and Van Miert are reported to

be against the granting of an exemption from Community competition rules to the deal. This would mean that it would be in contravention of Article 85(3) of the Treaty of Rome.

Lapautre is also hoping to use the EC competition rules to overturn French Transport Minister Michel Delebarre's decision to refuse UTA scheduled European route rights and additional US rights. While waiting for results from these complaints, Lapautre is seeking to expand UTA by developing his low-cost non-union operation *Aeromaritime*.

The subsidiary airline is increasingly being assigned operations for which UTA has scheduled traffic rights. It is already flying scheduled services on behalf of UTA to the French Caribbean and is to expand its charter operations in the Mediterranean, South East Asia, North and South America.

## ***New bid for United fails to take off***

Airline Acquisition Corp, a group led by United's management, pilots and British Airways PLC, has failed in its efforts to put together a second buyout bid for United Airlines, the second-largest airline in the US after American Airlines. The deal, if it had been successful, would have been the largest employee-led buyout of a US company.

The group failed to gain enough bank financing for its original \$300-a-share, \$6.75 million buyout bid on 13 October (see *ITF News* October 1989). The failure of the bid triggered the US stock market's greatest fall since the 1987 plunge.

Under the terms of the deal, BA was to have provided \$750 million in financing for a 15% stake in the airline. United employees would have had 75% and the management partners the remaining 10%.

United's pilots voted overwhelmingly to invest \$200 million of their

\$1.2 billion pension fund in the Employee Stock Ownership Plan which was to control UAL under the deal.

Chase Manhattan and Citibank were the leading banks providing financing for the bid. They pledged loans totaling \$3 billion and were to form a syndicate of banks to provide the remaining \$4.2 billion.

It is now clear that some of the primary banks involved in the syndicate found the fees and interest rates on the deal too low. Several Japanese banks turned down the proposals or said that they would put only \$100 million into the venture against \$500 million or more needed to make it a success. A number of US banks followed suit.

Marvin Davis the Los Angeles investor who started the bidding for UAL offered to match the \$300-a-share buyout bid if the Airline Acquisition deal failed. He withdrew this offer after UAL's stock plunged by 30%.

He is still said to be interested in

buying United and is exploring the price at which a new bid would be feasible. However, observers believe it is unlikely he will act until the stock market has settled down.

There was also speculation that Airline Acquisition's original bid might be replaced with a bid consisting of \$260 to \$275 a share in cash and some securities to give the deal a value on paper of \$300 a share.

The revised proposal actually lowered the price to \$250 a share or \$5.62 billion. The plan also raised the interest rate on the loan and gave banks bigger fees for participating.

However, the bid collapsed when British Airways announced that it was pulling out. This decision came shortly after BA had issued optimistic statements as to the chances of a restructured deal succeeding.

The pilots and management group consulted with their advisers and sought new partners - without success.

# Dockers

## Partial settlement in New Zealand strike

Following a long and difficult strike, a partial settlement has been reached between employers and unions in the New Zealand ports industry. Dockers at smaller ports went back to work on 9 October while those at the larger ports ended a few days later on the basis of a two-week interim agreement.

The dispute arose after the government, responding to employer pressure, repealed the legislation providing job security for dockworkers, scrapped the national port industry negotiating structure and insisted on

local port by port deals (see ITF News September & October 1989).

Dockers at the container terminals in Lyttelton, Port Chalmers and Auckland returned to work on 20 October following an interim agreement between port employers and the two unions involved (the Waterside Workers' Federation and the Harbour Workers' Union) and is to run for six months.

The unions have now reluctantly accepted the principle of local negotiations but with the important proviso that they will be underpinned by a national framework agreement cover-

ing key areas such as safety.

A dispute at the Wellington container terminal has still not been settled. Container vessels are being handled under an interim agreement but conventional cargo vessels are not being unloaded.

Dockers at Tauranga, Napier, Gisborne, Timaru and Nelson were still on strike as ITF News went to press and conventional vessels were not being handled at the port of Wellington. Negotiations on the future shape of the industry's bargaining structure are still under way.

# People

**WILLIAM O'NEIL** has been formally elected Secretary-General of the International Maritime Organization, replacing **C.P. SRIVASTAVA**, who is retiring at the end of 1989 after four consecutive terms of office. O'Neil, a Canadian, is currently President of the St. Lawrence Seaway Authority and has served as Chairman of the IMO Council since 1979.

The Ship's Engineers' Union in Finland has elected **HEINO KOVANEN** as its new General Secretary. Kovanen has worked as a ship's engineer for some twenty years, and within the union has until now led the association of ship's engineers employed in the State sector.

**OLGA BOSQUEZ POVEDA** took over from **HUGO TORRIJOS** as Director General of Secnaves, the Panamanian ship register administration, in November. Bosquez is a graduate of the World Maritime University in Malmö. She will certainly have her work cut out for her.

# Obituaries

**DON SECORD**, formerly National President of the Canadian Brotherhood of Railway, Transport & General Workers and a member of the ITF Executive Board, died on 5 October 1989 at the age of 78 after a long illness. For many years he was a leading figure in the Canadian trade union movement, known for his stout defence of the distinctively Canadian qualities of his own union and those like it. He had a deep and genuine interest in the ITF and will be remembered warmly by everyone who knew him.

## Forthcoming meetings

<b>20-21 March, 1990</b>	<b>Executive Board</b>	<b>London</b>
<b>17 May - 18 May</b>	<b>Urban Transport Working Group</b>	<b>Hamburg</b>
<b>30 May, 1990</b>	<b>Dockers' meeting</b>	<b>London</b>
<b>31 May - 1 June</b>	<b>FPC</b>	<b>London</b>
<b>31 July - 1 August</b>	<b>Executive Board</b>	<b>Florence</b>
<b>2 August - 9 August</b>	<b>ITF Congress</b>	<b>Florence</b>