

# RAIL STRIKE DEAL

## — South African railway workers to vote on union package

An end to the bitter and violent dispute between South African Railways, part of the state-owned South African Transport Services (SATS), and the South African Railway and Harbour Workers' Union (SARHWU) is in sight following the signing of an agreement between the management and the union on January 27th. The agreement is now to be put to the strikers for approval.

Union members at SATS have been on strike since November in support of demands for pay rises and recognition of SARHWU (see ITF News November/December 1989).

Under the terms of the settlement the company has agreed to take back the thousands of employees whom it fired for going on strike, and to enter into "good faith negotiations" with SARHWU on recognising the union.

The workers are to be reinstated at the same grades and pay levels as before, and no disciplinary procedures are to be taken against those who participated in the strike.

Although the recognition of SARHWU for collective bargaining and staff representation purposes will initially be restricted to the Southern Natal, the settlement provides the basis for it eventually to be recognised elsewhere in SATS, which as a major state-owned employer has previously refused to negotiate with the unions in any form, when the union demonstrates its substantial membership levels there.

The agreement, which is seen by the union as a "historic breakthrough", follows the intervention of the Independent Mediation Services of South Africa to help resolve the dispute. SATS

had previously been planning to re-employ only half the 23,000 strikers who had been dismissed in the course of the dispute.

The victory for the strikers came after the most horrific scenes of bloodshed in the dispute, when strikers on their way to a union meeting were waylaid by 500 vigilante strikebreakers at Germiston station near Johannesburg on January 9th and attacked with knives, spears and machetes.

Strikers and members of the general public arriving at the station were stabbed and hacked at indiscriminately while railway police looked on and did nothing. Six deaths were confirmed on the spot, but the union says that the total number of dead is nearer twenty-five. Over eighty people were injured, some losing limbs in the frenzied attack.

The police eventually arrived, firing tear-gas into a train so that more passengers were forced to disembark and run straight into the hands of the vigilantes.

The strikebreakers were wearing SATS uniforms and carried out the ambush on company property. They had been given time off by the management.

SARHWU has condemned the complicity of SATS management in the

Continued on page 2

### January 1990

Dangerous Goods (2)  
South African TGWU  
Congress (14-15)

PEOPLE (6)

FORTHCOMING  
MEETINGS (6)

INLAND TRANSPORT  
Drivers' hours in Europe (7)  
Canadian rail cuts (9)  
Cabotage in Europe (10)  
Hong Kong bus strike (11)

TRAVEL BUREAU  
ILO Meeting (12)

SEAFARERS  
Swedish boycott victory (13)  
German strike victory (16)  
Flag round-up (20)

FISHERIES  
Driftnets banned (21)

CIVIL AVIATION  
Eastern (23)

OBITUARIES (24)

DOCKERS  
UK strike victimisations (28)



7 2776

# ITF dangerous goods conference

The ITF has held its first ever inter-sectional conference on the transport of dangerous goods, in response to widespread concern among affiliates about health and safety and environmental issues affecting workers in all transport sectors.

The conference, meeting at the International Labour Office in Geneva from November 30 to December 1, was attended by over seventy representatives of 41 ITF affiliates from 26 countries covering every transport sector. The inter-sectional nature of the occasion allowed discussion to focus on the increasingly multi-modal nature of dangerous goods transport and the need for harmonisation of the different existing systems of safety regulations.

Participants heard presentations from a panel of experts from the international regulatory organisations: Hubert Wardelmann from the International Maritime Organization (IMO), Reg Watson from the UN Economic Commission for Europe, John Cox from the International Civil Aviation Organization (ICAO), Karl Maurer from the Central Office for International Rail Transport (OCTI) and Jan Huismans from the UN Environment Programme (UNEP).

The expert speakers reported on the progress of efforts to standardise international dangerous goods regulations, pointed out the serious problems of enforcement which face the regulatory authorities and welcomed the input of transport unions and the ITF to the work of the international organisations on safeguarding the transport of haz-

ardous materials.

The conference also discussed the issue of transporting hazardous cargoes by inland waterways, following the presentation of a paper from the Central Commission for the Navigation of the Rhine (ZKR) by Alfons Geeraerts, Chair of the ITF Inland Navigation Section.

In discussion, participants highlighted a frequent lack of knowledge about safety regulations at a local level, as well as the problem of dealing with rapid developments in chemical manufacturing which continually outdate existing regulations. There were also calls for much tougher penalties to be enforced against manufacturers and shippers who fail to declare the hazardous nature of cargoes.

The conference adopted a detailed policy statement on the transport of dangerous goods, focusing on questions of training, responsibility and legal liability, the enforcement of existing regulations and the input of transport unions and the ITF to international regulatory bodies. The statement is to be forwarded to the ITF's 36th Congress in Florence in August.

There was a strong feeling among participants that transport unions and the ITF should increase their cooperation with environmental organisations such as Greenpeace, building on the constructive relations with them already established by many individual unions. There was much to work on in the way of common interests and views, and it was an opportunity for unions to show their commitment to a major area

of public concern.

A key incident which had prompted affiliates to call for the conference to be convened was the dumping of unidentified waste at the Nigerian port of Koko in 1988, when dockers were taken ill after cargo handling. The response of the Dockworkers' Union of Nigeria, and the worldwide publicity generated as the cargo was shipped back to Europe aboard the *Karin B.*, served to heighten public awareness of the immoral and criminal aspects of the shipment of hazardous waste to developing countries. Reflecting these concerns, the Geneva conference passed a resolution calling for the minimising of hazardous waste production, for the burning of hazardous waste at sea to be prohibited as soon as possible, and for governments to ratify and apply the Basle Convention.

The ITF plans to continue its work on the issue of dangerous goods through its publications and educational activities and by organising international solidarity with affiliates campaigning actively against breaches of safety regulations and the illegal dumping of hazardous waste. Transport unions are also planning to make a major input to the International Labour Conference in 1990, where a new international convention on chemical safety, which includes transport within its remit, will be a key item on the agenda.

\* The use of Eastern European countries as dumping-grounds for thousands of tonnes of hazardous waste from Western industry may be nearing its end as a result of the political changes in the East. In the German Democratic Republic, where for years any form of protest against the importing of waste from West Germany and Austria was completely suppressed, strong public campaigns are now demanding the closure of the waste dumps. Western governments are also coming under pressure to halt the shipments of hazardous waste to the East, particularly in view of the grossly inadequate safety standards which predominate at the dumping sites.

## ... South African rail strike settlement

Continued from page 1

butchering of their members and has accused the police of failing to intervene effectively in time to stop the violence.

ITF General Secretary Harold Lewis has protested to the Director General of SATS, expressing the horror of transport unions throughout the world at this murderous attack and calling for "an immediate impartial and public inquiry into the cause and circumstances, and rigorous action against the perpetrators".

A large number of ITF affiliates, along with the International Confederation of Free Trade Unions (ICFTU), have also protested to the company and to the South African authorities, accusing them of complicity in the massacre.

# End of the line for WFTU

1989 saw major changes in the leadership of many of the international trade secretariats—the 15 industrially based trade union federations which include the ITF. Six of the organisations sent new General Secretaries to the annual ITS General Conference which took place this year in Vienna on 9-10 January. The ITF was represented by General Secretary Harold Lewis and Research & Publications Secretary David Cockroft.

The meeting provides the opportunity for a record exchange of information between the ITS's and the International Confederation of Free Trade Unions (ICFTU) about recent developments in the international trade union movement.

This year the discussion was dominated by the events in Eastern Europe in the last few months. Attending the meeting as a guest was Bogdan Lis, former underground leader of Polish Solidarity and now the union's International Secretary. He talked to the meeting about plans to give formal recognition to the industrial sections of Solidarity. Fifty such sections have already been established, including several in the different branches of transport, but they are not recognised in Solidarity's constitution which is at present based exclusively on the regions. This problem would be resolved at the next Solidarity national congress in April which would open way for affiliation to the appropriate International Trade Secretariat.

Solidarity hoped at the same time to be able to rationalise the current industrial structures and create about 10 large and effective industrial bodies.

Lis also referred to contacts in other Eastern European countries, many of whose workers were looking to Solidarity for assistance in forming democratic trade unions. Contacts established earlier with underground union leaders were now bearing fruit he said. The same theme was taken up by ICFTU General Secretary Johnny Vanderveken. It is vital to identify those of the many new unions which were

the most representative he said, and for this reason he had decided to send urgent ICFTU missions to Hungary, Bulgaria, Czechoslovakia and Romania to make contacts with emerging unions and, where appropriate with reformed "official" unions. Contacts with East German groups would be co-ordinated through the DGB in West Germany. The results of these missions would be reported to a special meeting of union national centres and ITS's to be held in Brussels on February 8.

A general review of the international trade union movement took place which included discussion of the position of the Communist controlled World Federation of Trade Unions (WFTU) and its affiliated Trade Union Internationals (TUIs). Events in Eastern Europe had been traumatic for the Prague based organisation which was overwhelmingly staffed and financed by the now discredited "official" unions of Eastern Europe. The consensus was that the WFTU would rapidly become irrelevant. As in the past, ICFTU affiliates had been asked to have nothing to do with invitations from WFTU and associated bodies, initiatives which could be seen as the death throes of the organisation.

Vanderveken also referred to the major changes also taking place in the leadership of the small Christian orientated World Confederation of Labour (WCL) following its recent Congress in Caracas. As a result of these developments the structure of international trade unionism looks set to change irrevocably.

Concern was expressed that the changes in Europe would divert attention and money away from the desperate situation in many developing countries, particularly those in Africa. Some of the African trade unions who had claimed to entertain a position of 'neutrality' between ICFTU and WFTU were also being forced by events in Eastern Europe to reassess their position. This was graphically illustrated by ICFTU Geneva Office Direc-

tor Eddie Laurijssen who had recently attended a meeting of the newly formed Mahgreb Trade Union Confederation which groups trade unions in Libya, Tunisia, Algeria, Morocco and Mauritania. Contrasting the position a few years ago when unions in the region which were ICFTU members had been isolated, he reported that all the main posts in the new body had been taken by union centres who are either ICFTU affiliates or extremely close.

Peter Michaelzik, General Secretary of the Miners' International Federation (MIF), recalling that the MIF had been under attack for many years by an alliance of the WFTU and the British Mineworkers' Union (who had set up a rival body called the International Mineworkers' Organisation), informed the meeting that the MIF had established close working relationships with the leaders of the recent miners' strikes in the Soviet Union. These were likely to take control of the USSR official miners' union in the near future, a move which could well be followed by their withdrawal from IMO in favour of MIF. The IMO was also in the process of losing the support of a group of African miners' unions.

Vanderveken also reported on a recent ICFTU mission to the Israeli-occupied West Bank and Gaza Strip, a region of the world which continues to cause severe problems both at the political and trade union levels. The ICFTU mission had been unique in involving both the Histadrut, the Israeli trade union movement, and representatives of various Palestinian trade unions, some of which were closely linked with the PLO. The mission was designed to examine the situation of workers in the occupied territories, something which has become a subject of enormous controversy within the International Labour Organisation. The ICFTU would soon also send a mission to Brazil to report on the divisions in that country's trade union movement and the prospects for unity. A policy of neutrality between the two main centres

Continued on page 4

# ITF discounts at Dutch Hotel-Restaurant

The Hotel Restaurant De Beer Europoort in the Netherlands is now offering special discount rates for ITF-affiliated unions and their officials.

The Hotel Restaurant is owned by the ITF Seafarers' Trust and operates as a commercial concern in order to finance the adjacent Seamen's Centre De Beer.

De Beer is located in Europoort, outside Rotterdam. The Hotel boasts an impressive restaurant, tennis courts, an indoor swimming pool and luxurious accommodation.

Two special weekend (Fridays, Saturdays and Sundays) packages are now on offer to ITF affiliates; a bed and breakfast package and a half board package.

The bed and breakfast package consists of a twin room on a bed and



HOTEL RESTAURANT

De Beer Europoort

breakfast basis for a flat rate of 110 Guilders per room. The half board package includes an overnight stay in a room, buffet breakfast in the morning and a table d'hôte dinner with coffee, at 82.50 Guilders per person.

Both packages have no single occupancy surcharge, include free use of the tennis courts and indoor swimming pool. All rooms have colour televisions with cable TV.

Reservations can be made beforehand at these rates — make sure to tell

the Hotel that you want the ITF rates.

In addition to these individual packages, the Hotel is also offering a 20 per cent reduction on all published prices for trade union meetings and conferences — contact Manager Tom Van Den Born, for further details.

**Hotel Restaurant De Beer Europoort  
Europaweg 210**

**3198 LD Europoort Rotterdam**

**Telephone: +31-1819-62377**

**Fax: +31-1819-62923**

**Telex (044)-29979**

## ... *International Trade Secretariat meeting*

Continued from page 3

CGT and CUT was strongly recommended for the time being. Some discussion also took place on divisions which are apparently opening up within the South Korean trade union movement and deteriorating relations between the unions and the government.

Heribert Maier, until earlier last year General Secretary of the white collar federation FIET and now Deputy Director General of the ILO, gave a brief presentation on current developments within his organisation.

When the agenda turned to practical cooperation between ITS's, the ITF gave a report on its latest survey of international trade union organisations' computer and communications facilities and it offered to help organise seminars and training sessions for ITS staff. There was also some discussion of the feasibility of organising international trade union databases on technical subjects as well as joint publications.

John Evans, General Secretary of the Trade Union Advisory Committee to

the Organisation for Economic Co-operation and Development (OECD) gave a round up of recent activities within this Paris based club of the world's industrialised countries. He said that he detected a slight softening in the free market philosophy which had dominated the Organisation's economic advice for the past 10 years.

Towards the end of the meeting there was a lively discussion about the representation of the ITS's within the ICFTU. Although quite separate organisations, the ICFTU (representing national union centres) and the ITSs (representing industrial unions) cooperate closely together under guidelines laid down by the so called Milan Agreement negotiated between them in 1952. This lays down the ITSs autonomy but also leaves it to the ICFTU to play a coordinating role on general social and political questions. For more than 30 years the ITSs have elected first two then four representatives to attend and speak at meetings of the ICFTU Executive Board. In recent years, however, it has become accepted that any

ITS which wishes to do so can attend and speak at ICFTU Board meetings. A majority of the ITSs took the view that the system of electing representatives should be scrapped since it was redundant, but after some discussion it was agreed that this might be interpreted by some national centres as a unilateral attempt to change the Milan Agreement. After some discussion it was agreed in principle to end the system of electing representatives to the ICFTU Board but to await a formal decision by the Board itself before scrapping the election system.

At the end of the two day meeting, Stefan Nedzynski, who had served as Chairman of the Conference for 15 years since former ITF General Secretary Charlie Blyth's retirement, announced that he would not stand for reelection following his retirement from the General Secretaryship of the Post Telephone and Telegraph International (PTTI). Hans Engelberts, General Secretary of the Public Services International (PSI) was unanimously elected as the new Conference Chairman.

# The 'New Europe' needs strong, genuine unions to defend workers

The prospects for the creation of independent, democratic trade unions in Eastern Europe have never been better.

With the disintegration of Party control and the publicising of worker grievances, the ground is being laid for a revival of genuine trade unionism. At the same time, the opening of Eastern economies to market forces and the desire of many governments to attract Western capital and managerial know-how pose the danger that worker interests may be completely neglected in the process of restructuring.

Already there are signs of a pattern whereby workers move from short-term mobilisations championing key political demands — as with the momentous General Strike in Czechoslovakia at the end of November that ensured the success of the reform movement — to the creation of new trade union structures capable of representing their interests at workplace, industry and national levels.

In Czechoslovakia itself this process had led to the formation of a National Association of Strike Committees independent of the official Central Council of Trade Unions, which the Association sees as being incapable of forming the basis for reformed trade unionism.

In Hungary the development of effective industrial unions is progressing rapidly. Independent initiatives have forced official unions such as the 150,000-strong transport union to move towards democratising their own structures and developing a more genuine negotiating role on behalf of the workers. Meanwhile seafarers working for the Hungarian Shipping Company and on FOC shipping have formed an independent trade union, the MTSZ and a professional organisation, MATE. The MTSZ, which has already recruited two thirds of Hungary's 750 active seafarers, is currently seeking affiliation to the ITF.

In Poland the national Congress of Solidarnosc in April is set to discuss the formation of industrial union structures. The part played by Solidarnosc members as ministers in the government, which is attempting to carry out a radical programme for the reshaping of the Polish economy along market lines, has raised questions as to the future direction of the movement.

In the USSR, the groups challenging the monopoly of the official Soviet union confederation, the AUCCTU, include SOTSPROF, a federation of radical independent unions. New legislation is currently being drafted which will re-define the purpose and rights of trade unions in the country.

In the GDR the revelations about the corrupt lifestyles of leading union officials, centring on Federation leader Harry Tisch's predilection for hunting wildlife in his private forest, have seriously damaged the standing of the official unions. Many of the other official leaders have either left office or face removal by their disaffected members.

In Bulgaria the independent union PODKREPA ("Support") now claims over 30,000 members and has sparked off a fierce public debate with the official unions on the progress of democratisation in the country.

In Romania there is a division between workers' groups emerging from a dangerous underground existence during the Ceausescu period and supporters of the interim government who are seeking to replace the pro-Ceausescu "unions". ITF General Secretary Harold Lewis has sent a message of fraternal greetings to the founding conference of the Free Drivers' Union of Romania, in which he "looks forward to cooperating with you in the struggle to improve working conditions for drivers in national and international road transport throughout Europe."

The disintegration of the Soviet-led

economic bloc represented by Comecon, and demands from the International Monetary Fund and Western banks are certain to lead to a radical restructuring of Eastern economies. The threats of unemployment and pressure on welfare spending make the need for independent labour organisation even more urgent.

The formation of numerous East-West joint venture companies (numbering 3,345 at the end of 1989), and plans to use Eastern "guestworkers" in Western enterprises (notably in Austria) also raise new problems for workers' organisations in both halves of Europe. Strong independent trade unions in the East would help to guarantee that workers from the formerly Communist-ruled countries are not exploited as cheap labour.

The changed political situation has thrown the existence of the World Federation of Trade Unions (WFTU) into question. With the activation of genuine union activity outside Party control, and with the surviving official unions desperate to convince their members that they are reformable, the rationale for a separate international organisation of Communist-controlled unions is fast disappearing. It is unlikely that some Eastern European governments will be willing to continue to finance the WFTU.

Meanwhile the International Confederation of Free Trade Unions (ICFTU) has launched a major assistance programme to provide technical support for workers in Eastern Europe who are trying to create democratic trade unions. In Poland a series of ICFTU-sponsored seminars for Solidarnosc activists has already begun, aimed at helping the union to strengthen its resources and organisation. Many of the ICFTU's affiliated national centres, as well as individual trade unions, are similarly intensifying their efforts to help the development of genuine trade unionism in Eastern Europe.



# PEOPLE

The Transport and General Workers' Union of South Africa re-elected **Vivian Zhungu** as President at its 1989 Congress in December (see separate story). General Secretary **Jane Barrett** stepped down, and Congress unanimously elected **Nathi Nhleko** as new General Secretary and **Randall Howard** as Assistant General Secretary. **Alfred Ndlovu** (who is currently serving a five-year jail term in Robben Island) was re-elected as First Vice President. The acting First Vice President, in Alfred's absence, is **Ephraim Makhosa** and the Second Vice President is **Philomen Mashitela**. **Nomsa Chope** was elected Treasurer — the

first woman to hold such a position in the union.

**Monika Wulf-Mathies**, General Secretary of the West German transport and public service workers' union ÖTV, was elected President of the Public Services International at the PSI's Congress in Harare in November.

**Akira Yamagishi**, President of the post and telecommunication workers' international PTTI, has been elected the first President of the new united Japanese trade union centre RENGO.

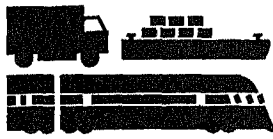
**Bernard Byrne** has been appointed Secretary of the transport division of the new Service, Industrial, Professional and Technical Union (SIPTU) in Ireland, formed from the merger of the Irish Transport and General Workers' Union and the Federated Workers' Union of Ireland.

**Mario Caligari** of the Argentinian transport union UTA has been appointed ITF Sub-Regional Coordinator based in Buenos Aires as from January 1st 1990. The new Sub-Region covers Argentina, Uruguay, Paraguay and Chile.



# FORTHCOMING MEETINGS

20-22 February	African Railwaymen's Conference	Harare
8-9 March	Travel Bureau Section Conference	London
20-21 March	Executive Board	London
11 April	Cabin Crew Meeting	Montréal
25-27 April	Latin American Regional Conference	Montevideo
17 May - 18 May	Urban Transport Working Group	Hamburg
30 May	Dockers' Meeting	London
31 May - 1 June	Fair Practices Committee	London
7-8 June	Rhine-Main-Danube Meeting	Regensburg, F R Germany
13-14 June	Fishermen's Section Conference	London
31 July - 1 August	Executive Board	Florence
2 - 9 August	ITF Congress	Florence
3-7 September	Foc Inspectors' Meeting	Eastbourne, England



# INLAND TRANSPORT

## European drivers' hours may be cut

European governments are discussing positive alterations to the regulations governing working conditions in the road transport industry, which may lead to a new set of rules bringing the conditions of drivers up to that of most professions.

Discussions are now underway within the European Conference of Ministers of Transport (ECMT) about amendments to the Europe-wide AETR Regulations on road transport. Simultaneous discussions are also underway within the European Community about amending the Community's road transport rules (EC Regulation 3820/85).

In November 1989, the ECMT decided that it was necessary to start discussions about amending the AETR. It has been included as an item in the ECMT's 1990 working programme.

In December, at the European Community's transport ministers' Council, the French Minister of Transport introduced a proposal for the amendment of EC Regulation 3820/85. They have proposed changing the regulations by substituting the limits on driving hours with limits on working hours. This has long been an aim of road transport unions.

ITF Assistant General Secretary Graham Brothers had discussions with officials of the French Ministry of Transport on January 10 about these moves. They have informed the ITF that the French proposal has been favourably received by the other EC Transport Ministers, with the exception of Great Britain.

Brothers discussed the requirements for amending the EC Regulations and the AETR, or even the creation of a new single European regulation. He outlined the ITF's minimum requirements for such a move:

— The basic purpose of the regulations should be the avoidance of driver fatigue, the protection of drivers' health and the improvement of road safety;

— Any new or amended regulation should be compatible with the ratification of ILO Convention 153 (Hours of Work and Rest Periods (Road Transport) Convention 1979);

— Any new regulation must be much simpler than the present regulations in the interests of comprehensibility and enforcement;

— Limitations should be placed on working hours rather than rest hours;

— All duty times (ie driving, loading, unloading, vehicle servicing, frontier formalities, waiting times, etc.) should count completely as working time;

— That splitting of daily rest periods should not be permitted, except possibly where the vehicle is being transported by ferry or train;

— That provisions regarding the use of the recording device should eliminate fraudulent use to the maximum extent possible, notably by numbering tachograph discs;

— That the employer's/transport

operator's responsibilities for ensuring compliance with the regulations should be clearly stated;

— That the regulations should apply to both goods and passenger transport.

The French Ministry of Transport officials generally agreed with these basic objectives and they have asked the ITF to provide them with detailed proposals regarding specific limitations (maximum and minimum) on working hours and rest periods. They also said that they believed that working conditions in road transport should not differ to any appreciable extent from conditions in other industries.

The ITF is now in the process of gathering information, comments and suggestions from its European Road Transport affiliates prior to making a formal submission to the French government. If new regulations are adopted in line with the ITF proposals, it will represent a significant improvement in the working conditions of European drivers.

## *ITF urges tighter controls on Rhine safety rules*

Governments of the countries bordering the Rhine are to be urged to impose effective sanctions against shipowners who breach safety regulations on working and rest hours.

The problem was taken up by the Central Commission for the Navigation of the Rhine (ZKR) after ITF General Secretary Harold Lewis wrote to complain that the Rhine Shipping Inspection Regulations, which entered into force in April 1988, were being widely flouted.

During the consultations held before the new regulations were passed, ITF representatives had warned of the dangerous consequences of low crewing levels and lax control over working hours, particularly for vessels carrying

hazardous materials. Since then there have been frequent failures to enforce the regulations.

A joint meeting of the river police forces of the Rhine countries, held under the auspices of the ZKR in Rotterdam in September, took up the ITF's complaint and recommended that the relevant ministry in each country should be reminded of the seriousness of breaches of the regulations. In most countries the government suggests a suitable level of penalties to the courts.

The ITF and its inland navigation affiliates in the Rhine countries hope that this positive cooperation with the ZKR — which has agreed to keep the issue on its agenda for further action — will set a good precedent for the future.

# European inland transport policy — the ITF view

ITF Assistant General Secretary Graham Brothers participated in the European Conference of Ministers of Transport's (ECMT) Annual Hearing of International Organisations in Paris on January 10. The ECMT co-ordinates inland transport policies for the European countries who are members of the Organisation for Economic Co-operation and Development (OECD).

The Annual Hearing provides international organisations with the opportunity to discuss the activities of the ECMT and to make proposals about its future working programme.

Brothers congratulated the newly formed Ad Hoc Group on Transport by Inland Waterways on its publication of a comprehensive report on the state of the industry and its future prospects. He said that he hoped it would lead to an increased understanding of the utility of inland waterways transport. It is a mode of transport that is environmentally-friendly, energy-efficient and enjoys a good safety record.

However, the ITF is concerned that the recently revised Rhine Shipping Manning Regulations are not being properly applied and has therefore called on the Central Committee for Rhine Navigation to ensure that minimum manning requirements are strictly observed.

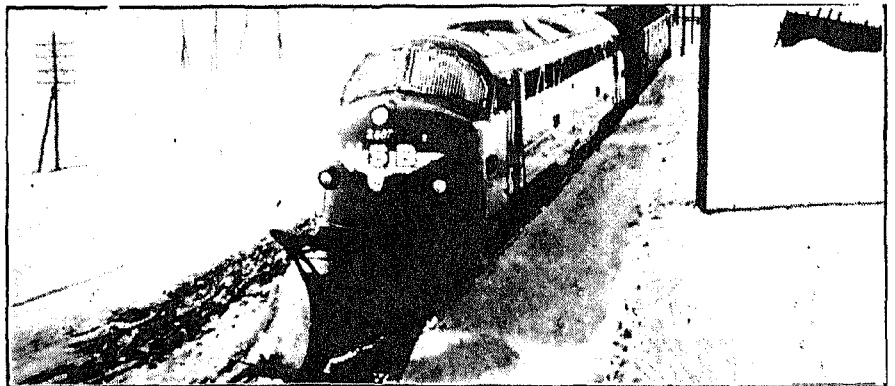
The ECMT's 1990 working programme includes the question of discussions on the revision of the AETR (The European Agreement on Road Transport). Brothers said that a single agreement for Europe could be reached if it is based on the control of working hours and if the purpose is to humanise working conditions (particularly of long-distance drivers), protect drivers' health, prevent excessive fatigue and increase the safety of all road users. The French Ministry of Transport had informed him that morning in another meeting that they received almost daily reports of accidents caused by drivers

of commercial vehicles falling asleep at the wheel; it was a situation which could not be permitted to continue. On another important road transport issue, the ITF reiterated its insistence on the need for specifying minimum cab dimensions.

Brothers was pleased to see that the ECMT in its documentation concerning the need for a common strategy for the development of combined transport, was beginning to recognise the possibilities offered by the maritime

industry as a way to overcome capacity limitations in international transport. He proposed that the Ad Hoc Group on Investment should consider the relative costs of the alternatives, for example the cost of constructing additional land-based infrastructures versus the cost of maritime expansion. Obviously, estimates of investment requirements should be based on the same cost-benefit calculations for all transport modes, including factors such as environmental costs.

## Norwegian rail strike



Norwegian railway workers have shown their ability to bring the country's entire rail network to a halt, as part of a campaign against government plans for cutting railway expenditure.

The half-day strike by the railway workers' union NJF and the locomotive drivers' union NLF, which took place on November 13, was the first national rail strike since 1920.

The action followed the announcement in Parliament and in the Board of Norwegian Railways (NSB) that severe cuts were planned which will make NSB's Goods Division run without subsidies by 1991 and cut 2,000 jobs. There had also been Press reports that the NSB was seeking to halve its number of employees — currently standing at 14,000 — over a longer period.

The unions support the aims of greater

efficiency and profitability in the railways, but argue that this should not lead to wholesale reductions in investment and employment levels. They see the government's plans as part of a move to transfer heavy goods onto the roads.

This would contravene basic environmental principles, and flies in the face of promises made by all parties in the recent national elections to give priority to investment in public transport.

The unions organised meetings and demonstrations throughout the country on the day of the strike. These received a huge level of support from the travelling public, fellow unions and environmental groups, which will strengthen the continuing union campaign to safeguard the future of the railway system.



# Canada decimates passenger rail services despite mass protests

The Canadian government has floundered in the face of unprecedented nationwide opposition and implemented savage cuts in the country's passenger rail service.

The announcement of the 50 per cent cut in staff and services in Via Rail by Conservative Transport Minister Benoit Bouchard on October 4 (see ITF News, October 1989) was a shock to rail unions, consumer and environmentalist groups and many politicians from all parties.

The drastic measures, advocated in the name of Federal budget reduction, were implemented on January 15. Nationwide rail passenger services have effectively ended, and numerous communities are now without a passenger rail service.

The ending of coast to coast passenger rail services is a symbolic blow to the very heart of Canada. The creation of the Canadian confederation in 1867 was largely made possible by the simultaneous construction of a coast to coast railway — a vast engineering project that united the disparate Canadian peoples in a desire to establish an East-West axis independent of the strong North-South tug of USA, which had never made a secret of its desire to annex Canada. Ironically, the ending of national passenger services 123 years later comes when Canada's independence and existence is once more threatened by the Conservative government's Free Trade Agreement with the USA — a treaty opposed by the trade union movement, and a majority of Canadians, as a threat to national sovereignty.

The ITF-affiliated Canadian Brotherhood of Railway, Transport and General Workers (CBRT), which represents 3,500 of the 7,000 unionized workers at Via Rail (of which approximately 2,100 are threatened) has been vigorously campaigning against the cuts. The SAVE VIA campaign was supported by the trade union movement, the mayors of many Canadian

cities, environmentalists, tourist operators and many MPs from all three of Canada's federal political parties.

The Progressive Conservative (PC) governing party had actually pledged to restore the "romance of the rails" in their 1984 campaign (following earlier cuts made by the preceding Liberal administration). But, like the Liberals before them, the PCs implemented their cuts to Via by an executive order-in-council — thus preventing a full parliamentary debate on the issue.

In spite of this attempt to avoid parliamentary scrutiny, the House of Commons Standing Committee on Transport, which has a majority of PCs, defied Prime Minister Brian Mulroney and Transport Minister Bouchard by deciding to hold its own hearings on the proposed cuts.

The Committee came out with a recommendation that the Federal government declare a moratorium on the cuts. In their place it called for a Royal Commission on a National Transportation System to be instructed to examine rail passenger services and make an interim report as soon as possible.

A majority of Canadians wanted the service to continue, the MPs said, and they severely criticised the lack of adequate resources and infrastructural investment in Via, which even compares badly with Amtrak in the USA. One of Via's main problems is that it is a passenger service operating at the mercy of two separate rail companies — the state owned Canadian National and the privately owned Canadian Pacific — who own the track and manage profitable freight services.

The Committee noted that no passenger rail service in the world actually makes a profit, though operating surpluses are possible with high speed services where the infrastructural costs are paid by the state. They cast doubt on whether cutting services was actually the best way to reduce state sub-

sidies. "While other countries are expanding and modernizing their passenger railways we seem to be going in the opposite direction," the Committee said.

The CBRT, while doing their level best to see the cuts stopped, has not forgotten their basic task of defending their Via members. During discussions with Via management in October and November, they reached a Special Agreement covering the cuts.

The CBRT calculate that 1,000 of their 3,500 members at Via face the axe. The agreement provides a high degree of protection for those who face redundancy. Highlights of the agreement are:

— Redundant employees on special retraining schemes will receive 100 per cent of their basic wages rather than the standard 80 per cent.

— There is now a special housing allowance for employees required to relocate, along with incidental and travel expenses and temporary accommodation and food allowances.

— Full life insurance cover is granted until the age of 60 for all employees between the ages of 55 and 59.

— Employees within four years of eligibility for early retirement will be allowed to retire earlier. They will be granted 75 per cent of their basic weekly rates until their early retirement begins, and the time between their early retirement and ordinary early retirement will count towards full pension credits.

Furthermore, employees retiring early will receive an additional cash bonus of between 30 and 45 weeks' pay depending on the number of years they have worked for Via. This will effectively allow employees to retire at age 51.

Finally, the CBRT have received assurances from Via that they will agree to give preference to hiring redundant Via employees should vacancies occur.

# ***European agreement on road haulage liberalisation***

The European Community has agreed a deal that will allow, for the first time, EC truckers to transport internal cargoes within other EC states.

The deal on "cabotage" was reached at the December Council of EC Transport Ministers (with only the Federal Republic of Germany and Greece voting against) and will come into effect from July 1st this year.

Up till now, EC truckers have been restricted from carrying internal cargoes in other states at the end of, or in between, international journeys. Advocates of full-blown deregulation have argued that the completion of the inter-

## **Swedish study highlights diesel cancer threat**

Transport workers who are regularly exposed to diesel fumes run an increased risk of developing cancer and heart disease, according to a new study from Sweden.

The research was carried out among over 700 workers in Stockholm City Transport's bus garage by occupational medicine specialists at the Karolinska Hospital. The subjects had been working in close proximity to diesel fumes for periods of between six months and several decades.

Even the specialists were surprised at the high incidence of lung cancer and heart disease as causes of death in the employee group studied, although the overall mortality rate was not above average.

Stockholm City Transport is planning to introduce particle filters on its vehicles in order to reduce the toxic content of exhaust fumes, pending the expected development of a sulphur-free diesel.

nal market by the end of 1992 should coincide with the elimination of such regulations, allowing drivers to carry goods anywhere in the Community without restriction. Other states, notably the Federal Republic of Germany, see these moves as a threat to their road haulage industry if they are taken without the harmonisation of other important factors (such as state assistance to the road systems and industry). Previous attempts at compromise between these two positions have floundered.

The present deal came after the French government decided to throw its weight behind the latest proposal. It will provide member states with 15,000 "cabotage permits" valid for two months (or twice as many valid for one month), which states can then distribute to trucking concerns in their country. Possession of such a permit will allow a truck to carry out internal jobs in another EC state.

There is a "safeguard clause" in the regulation which can be invoked if more than 30 per cent of cabotage permits are used in one country.

Despite the strong opposition of the Federal Republic of Germany's Trans-

port Minister Friedrich Zimmermann, the deal only says that "cabotage" hauliers need observe national rules in a selected number of areas (including driving hours and rest time and vehicle dimensions).

The deal is only a temporary compromise until the end of 1992, and what happens then is still unclear. The British government, always the advocate of total deregulation, would like to see the elimination of the permits and their replacement by a free-for-all open system of cabotage. It claims that the British road haulage industry would do very well from such a situation — a view decidedly not held by all the trade unions representing British truckers, who, along with other ITF Road Transport affiliates, have consistently opposed deregulation in the absence of measures to harmonise social and economic conditions between drivers in the member states. Such harmonisation should improve the working conditions of European drivers — who already work much longer hours in worse conditions than most European workers. The present cabotage deal ignores that pressing need entirely.

## ***Malaysian union fights 'Corporatisation' of railway***

The ITF-affiliated Railwaymen's Union of Malaysia (RUM) is to hold a nationwide picket in protest at the government's plans to turn Malaysian Railways (KTM) into a corporation.

Although the management claims that railway workers will have better pay and promotion opportunities under "corporatisation", the RUM says that the government is preparing the network for privatisation, which would lead to wholesale cuts in jobs and rail services. There is particular concern about the removal of income and job

security.

The union has mounted a long-running campaign to discover precisely what plans the government has for the future status of KTM (see ITF News May 1988 and September 1988).

The RUM has sought assistance from the Malaysian Trade Union Congress (MTUC), and trade unions throughout the public sector intend to support the picket in February. The unions are ready to step up the action should the government proceed with plans for privatisation.

# Hong Kong bus workers defy union and win strike

In the first major transport stoppage in Hong Kong since 1967, bus drivers have won major improvements in their pension entitlements — despite the half-heartedness of their union officials.

Some 1700 drivers and other staff of the China Motor Bus Company (CMB) called a two-day strike against the company's refusal to concede better pension rights. The action on November 29th and 30th caused chaos in the colony's morning commuter traffic and

quickly brought the company to the negotiating table.

Workers at CMB had become increasingly angry at the company's unwillingness to offer satisfactory improvements to its outdated pension scheme, and were disenchanted with the lack of fighting spirit shown by officials of their union, the Motor Transport Union (CMB Branch), which is affiliated to the pro-Beijing Hong Kong Federation of Trade Unions.

Finally the workers' patience snapped

and they declared that they would go on strike irrespective of the union's official line.

This rare example of a rank-and-file revolt in a pro-Beijing union in Hong Kong quickly forced the union's Executive to back down and declare official support for the action.

Under the terms conceded by CMB the workers' pension entitlement has been trebled, and this has been backdated to 1946, the year before the old retirement scheme was introduced.

## *Aid for Eastern rail networks is vital*

The opening of the borders between East and West in Europe is creating new opportunities and challenges for the railways. While the emphasis in the railway networks in the divided post-War Europe was North-South, the East-West axes may now be set to regain their pre-War importance.

With political and economic liberalisation in the countries of Eastern Europe and improved possibilities for citizens to travel between the two formerly hostile blocs, there is already a vast increase in the amount of passenger and goods traffic between East and West.

Nowhere has this process been more dramatic than between the two Germanies. Deserted and underused stations, barricaded bridges and truncated rail lines that were the victims of the Cold War division of Germany are now set to be re-opened. Tens of thousands of extra passengers are being carried in both directions — over 1300 additional East-West trains were laid on over the Christmas/New Year period alone — and the growth of economic links between the two countries will greatly increase the demand for goods transport.

But railway workers are warning that unless governments invest seriously in improving the East-West rail infra-

structure the railways may lose out. The West German railway workers' union GdED has already called on the Federal Government to give priority to an upgrading of rail links between the two Germanies.

There are high hopes for the expansion of container traffic, with Czechoslovakia, Hungary, Poland and the GDR being long-standing members of the

international multi-modal cargo trade organisation Intercontainer, but progress is likely to be hampered by the way that technical standards in the railways have lagged behind those in container handling terminals.

For both economic and environmental reasons, Western governments must provide financial assistance for the upgrading of rail networks in the East.

## *UK bus deregulation — a failed experiment?*

The deregulation of bus services in the United Kingdom has resulted in higher fares, poorer services, large job losses and wage reductions for those left in work.

The miraculous benefits of the free market, promised in the Conservative government's 1985 White paper on deregulation, have clearly not emerged.

W.J. Tyson, a Consultant Transport Economist from Manchester, England, has produced a detailed review of the operation of deregulation in the Metropolitan Counties of England and Strathclyde in Scotland. Other areas, including London, are being prepared for deregulation later.

Deregulation has forced local passenger transport authorities in major cities to cut subsidies to bus services and put routes out to commercial tender. Very limited rights to subsidise certain services and fares are all that remain.

Tyson's report concludes that deregulation has led to large-scale job losses. Most increases in operating "efficiency" have been at the expense of lower pay increases for workers and lower pay levels for the new minibus drivers.

Fares have, with one minor exception, increased well above the rate of

*Continued on page 12*

# ... UK bus deregulation's faded promises

Continued from page 11

inflation. Passengers using the buses have dropped on average between 7.5 and ten per cent.

Deregulation, while not leading to an identifiable overall decline in service levels, has not (as promised) led to an increase in services. Service levels tend to fluctuate, with some areas receiving poorer services, and with routes appearing and disappearing — creating a serious problem of instability and uncertainty for passengers.

The report clearly identifies passengers as one of the "losers" in the entire experiment. Many have seen their services decline, or be disrupted or have

been forced onto other modes of transport (commuter rail services have flourished under deregulation).

While the government still allows local authorities to subsidise elderly passengers, children and the disabled, they are not allowed to provide concession support for other socially disadvantaged groups (such as single parents, the long term unemployed etcetera).

Workers in the industry have probably lost the most. Many workers have lost their jobs, and there have been real wage reductions for many of those who remain. Put simply, tendering often involves workers being told that if they

want to keep their jobs, they will have to accept lower wages.

"Taken overall," says Tyson, "deregulation has to date been neither the major success claimed (by the government) nor a total failure."

Given such a mixed report, trade unions have the right to ask whether the experiment can really be justified. The disruption, the uncertainty, the increase in real fares, the negative effects on workers and the socially underprivileged (who rely crucially on public transport) can hardly be worth a change that results in no discernible improvements in quality or frequency of services.



## TRAVEL BUREAU

### ILO hotel, catering and tourism meeting

Trade union rights, minimum working conditions and better training were the main focal points of the first session of the ILO Hotel, Catering and Tourism Committee which met in Geneva from 6 to 14 December 1989.

The tripartite (Employer/Government/Worker) committee analysed the labour market in the tourism sector which has provided a massive source of new jobs both in developing and industrialised countries in the past ten years.

It identified some of the serious social problems which exist in the sector: the predominance of temporary and part-time jobs filled mainly by young people and women workers, low skill levels and high turnover.

The Committee stressed the importance of moving towards fixed wages and away from tips representing a large part of employees' incomes. The need for both a statutory minimum wage and collective bargaining were emphasised. The basic principle of a 40 hour work week was accepted.

A second topic discussed was productivity and training. The Committee

said that "productivity should be the result of working more intelligently not harder and of improving the quality of work and the results achieved with less fatigue."

Productivity improvements in the tourism industry were vitally linked with raising the quality of the workforce through training. Staff who were well motivated because they had job security and the possibility of career developments, contribute far more than demoralised, insecure employees, the Committee said.

The conclusions stressed that "Governments, employers' and workers' organisations should be involved in the design and implementation of national training policies and pro-

grammes."

Resolutions adopted by the meeting, which was attended by representatives from 27 countries, included freedom of association and respect for trade union rights, equality of employment rights, and multinational enterprises in the tourism sector.

Co-ordination of the workers' group during the committee session was carried out by the International Union of Food and Allied Workers' Associations (IUF). Acting Travel Bureau Secretary David Cockcroft represented the ITF at the Committee and worked closely with the IUF Secretariat. ITF affiliates from Canada, Japan and Spain were also represented in the Workers' Group.

### ITF travel bureau conference

The need to establish a common Europe-wide qualification for tour guides will be one of the main items for discussion at the Conference of ITF Travel Bureau Section unions which will take place in London on 8-9 March. The Section, which organises a wide range

of different tourism related occupations, will also examine the impact of new technologies, such as Computer Reservations Systems (CRS) on the jobs and working conditions of travel bureau employees, and will adopt a general ITF policy on tourism.



# SEAFARERS

## Penalty pay award for Pioneer Leader crew in USA

The ITF Flag of Convenience campaign is developing a major and significant presence in North America, building solidly on last year's record-breaking penalty backwages settlement of US\$1,174,000 for the crew of the Fareast Trader (see ITF News, September 1989).

In a very similar case, in late December, \$1,030,000 was recovered in Jacksonville, Florida for twelve seafarers serving on the Japanese-owned, Panamanian-flag Pioneer Leader. Though slightly less than the Fareast Trader's total figure (a record for a single ITF backpay claim), the Pioneer Leader settlement resulted in a higher payout per crewmember.

But both settlements may well be dwarfed next month, following the arrest in Portland, Oregon of the Vanuatu flag Fir Grove on January 23 for a backpay claim in excess of four million US dollars. Further actions in the campaign are already planned for February.

These new actions have many common themes. They are all cases of double-bookeeping—where crews are forced to sign two sets of books, one at ITF or similar rates and one at the lower rates they actually receive.

Once this underhand practice has been proven, the ITF is able to claim penalty wages for the crew. This means that, as a punishment for cheating the crew, the shipowner is required to pay much more than was stolen from them in the first place.

Finally, in the Fareast Trader case, the lawyers have developed the use of the protective order, a court protection for the seafarers that will allow the crew to seek further contempt damages from the shipowner should they be harassed, blacklisted or have their

money taken back from them. This latest device has been essential in giving crews the confidence to stand by their claim and withstand the inevitable pressures from owners to drop their demands. Word is beginning to get around about the US legal situation, and the ITF has begun to receive communications from crews saying that they are being cheated of wages and are willing to back a US claim.

Another common thread in these cases is the hard work put in by the US Foc Coordinator John Sansone backed

up by Louisiana maritime lawyer Richard "Jerry" Dodson.

After receiving word in mid-December that the Pioneer Leader crew were being cheated of their wages Sansone travelled from his home near New Orleans to Florida, where he met the ship on December 17 in Jacksonville. The ship was arrested the next day in Blount Island.

Within a week, the company agreed to settle for US\$1,030,000—a pretty good settlement for US\$188,000 in unpaid wages.

## Boycott victory in Sweden against floating coffin

There are still floating coffins at sea. One of them—the freighter *Fuga*—put in to Åhus, Sweden, on December 16th. When the vessel was inspected it was found that the load line—indicating the maximum depth in the water to which the ship can safely be loaded—had been moved 72 cm from its original position, the fire alarm was not working, the ship was undermanned and the crew underpaid, to mention only some of the problems.

The ship was boycotted by the ITF-affiliated Swedish Seafarers' Union (SSU) and placed under arrest by the Swedish Maritime Inspectorate.

The union's action successfully induced the owners to sign an ITF agreement not just for the *Fuga*, but also for two other ships they own: the *Tonsund* and the *Trion*. The *Fuga* crew received

a total of US\$13,000 in back pay, which was a good settlement given that the ship itself is not thought to be worth more than \$10,000.

"Now we've got agreements for three crooked ships that we've been chasing for three or four years," says SSU FOC Inspector Olle Borgström.

On the same day that the blockade was lifted the Maritime Board gave the owner permission to tow the *Fuga* to a repair yard in Denmark. Much remains to be done before she is seaworthy again: the ship's pump needs to be repaired and estimates for a new load line will have to be made, as it cannot simply be moved back to its original position.

The *Fuga*, which has been at sea for 35 years, has had more frequent changes

Continued on page 16

**SEAFARERS' SECTION CONTINUES  
AFTER CENTRE PAGES**

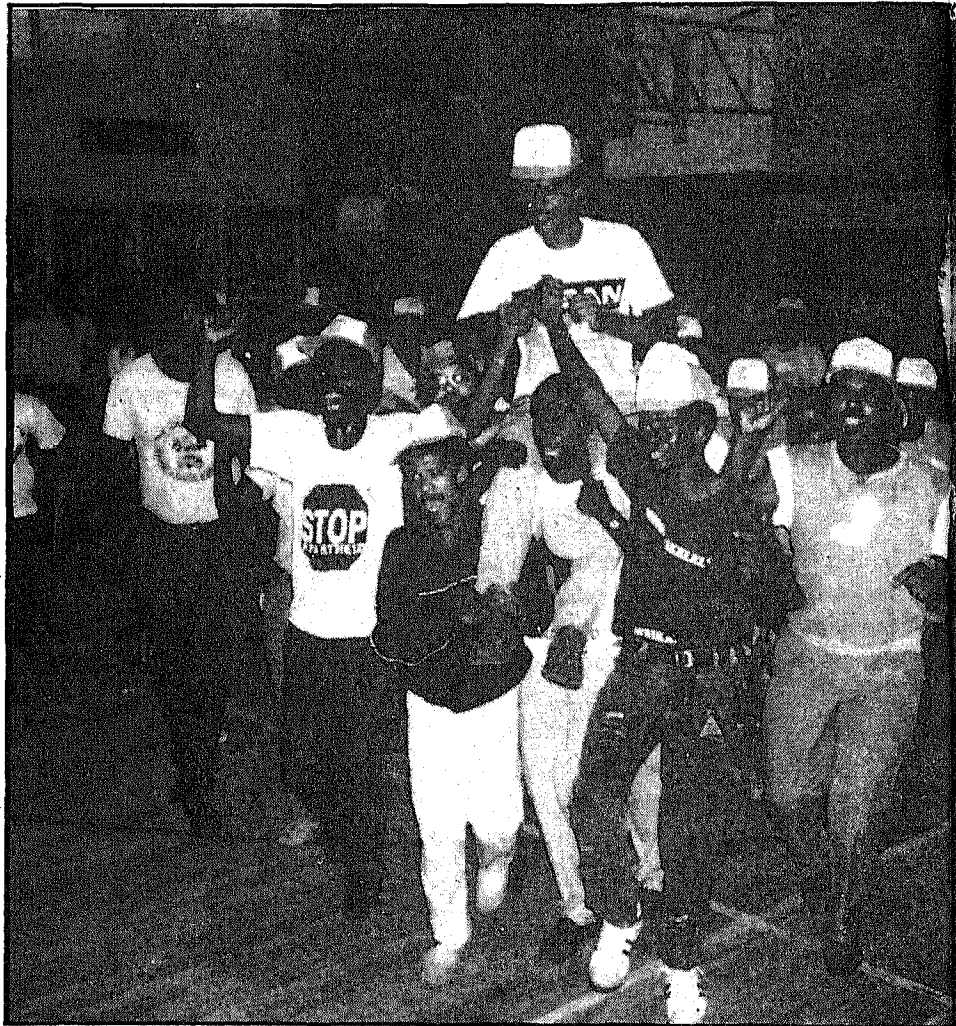
# SOUTH AFRICAN TRANSPORT

The South African Transport and General Workers' Union (TGWU) 1989 Congress held in Pietermaritzburg from 1 to 3 December was an occasion to take stock of the previous eighteen months' activities and to make a number of constitutional changes aimed at strengthening the union's structures to build on its success.

Not only has paid-up membership increased substantially from some 19,000 in July 1988 to almost 30,000 in December 1989, but the union has made significant headway into fields such as road haulage, cleaning and security staff which were previously poorly organised, if at all. Some 12,000 more members have been recruited and will be added to the paid-up membership once the union has overcome their employers' resistance to check-off arrangements. The union now has formal recognition in 310 workplaces.

This progress is all the more impressive in the face of the severe problems the union faces in some sectors. In the passenger transport industry, deregulation has threatened the economic viability of many scheduled bus services. In the docks, reductions in the workforce as a result of new technology and changes in the patterns of maritime trade, together with attempts to spread the use of casual labour, have involved the union in what it describes as "an ongoing battle".

More generally, the TGWU, like other South African unions, faces the threats to its freedom of action posed by the tightening of restrictive labour legislation and the so-called "Emergency Laws" under which its officials are often detained. The case of its Vice-President, Alfred Ndlovu, sentenced to five years' imprisonment in February 1989 on charges of attempted murder and "terrorism" is unresolved. (See *ITF News*, Nov/Dec 1989 — his appeal has since been rejected and his sentence confirmed.)



The TGWU's new Assistant General Secretary Randall Howard.

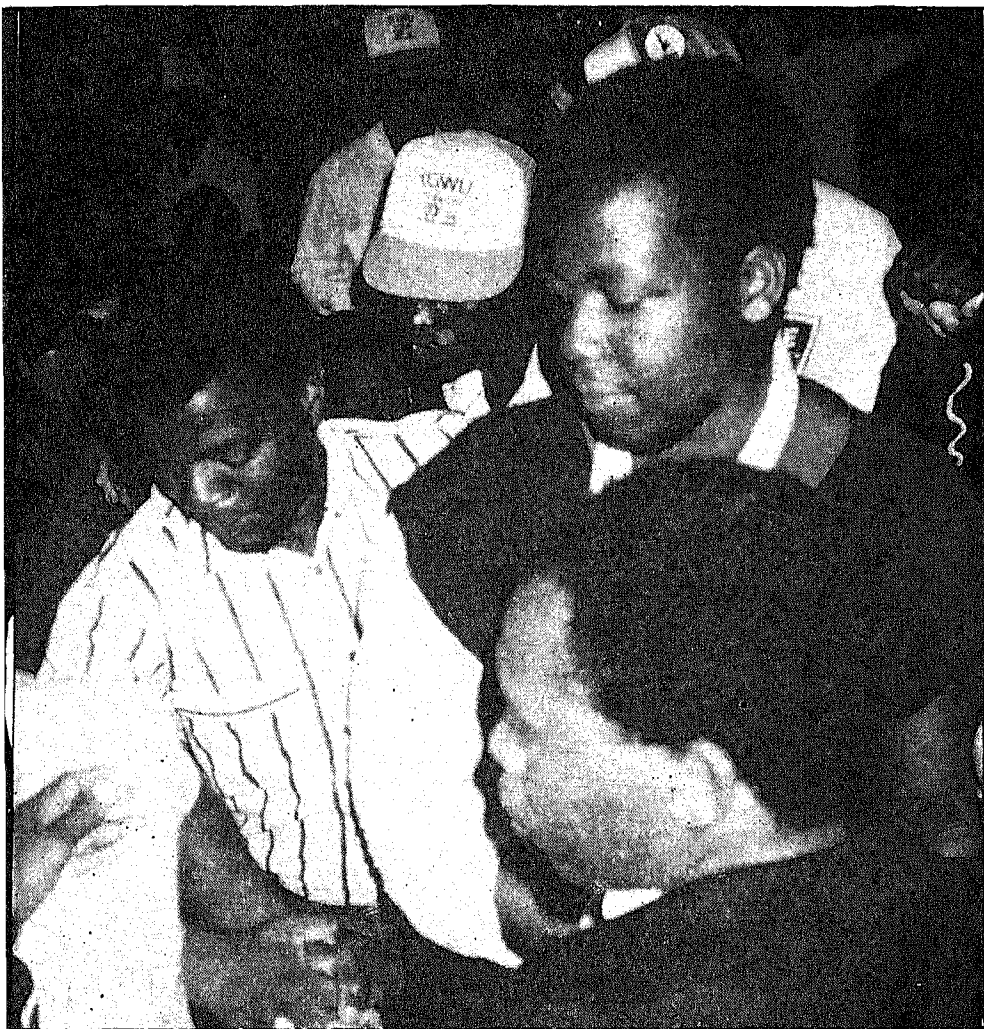
The union has also had to contend with sustained and murderous violence against its members (and those of other unions in the COSATU national centre) in the province of Natal. The violence has been instigated by Inkatha, the so-called Zulu "cultural" movement led by Chief Gatsha Buthelezi. The "homeland" Kwa Zulu government, of which Buthelezi is the head, has been implicated and the police have either stood by or actively participated in the killings.

The Congress had no illusions about the tasks ahead but nevertheless was marked by a mood of optimism and growing self-confidence. The union has a strength in depth, based on a militant and active rank-and-file, which would stand comparison with the best

of unions anywhere. It has a body of skilled and conscientious officials who can more than hold their own at the negotiating table. Its position has been further strengthened by the decision of the Zakheni Transport Workers' Union, which has a substantial membership in the largest South African bus company, to merge with the TGWU. The Zakheni President, General Secretary and other leading officials were warmly welcomed at the Congress.

It was against this encouraging background that Jane Barrett, General Secretary of the union from its foundation, decided not to stand for re-election. She had carried a tremendous burden from which she had earned some relief. Furthermore, the Congress decided to add the position of Assistant

# RT WORKERS' CONGRESS



The TGWU's new General Secretary Nathi Nhleko.

General Secretary to the union's headquarters establishment, which had been under growing pressure of work. When Jane decided to step down, the Congress unanimously elected Nathi Nhleko as General Secretary and Randall Howard as Assistant General Secretary. The Congress recorded its deep appreciation to Jane for the enormous contribution she had made as General Secretary. She will in fact continue to work for the union, probably as an organizer.

Vivian Zungu, the union's very popular and greatly respected President, was unanimously re-elected, as was Alfred Ndlovu as First Vice President. The acting First Vice President, in Alfred's absence, is Ephraim Makhosa and the Second Vice Presi-

dent is Philomen Mashitela. Of particular significance was the election of Nomsa Chope as Treasurer, the first woman to be elected to that post.

General Secretary Harold Lewis, represented the ITF at the Congress. The ITF has consistently supported the TGWU whenever it needed it and in conveying the ITF's fraternal greetings to the Congress, he pledged the ITF's wholehearted commitment to the union's cause. Fraternal greetings were also given by the other overseas visitors to the Congress — Barry Camfield and Mick Connolly from Region No. 1 of the British Transport and General Workers' Union, and Franco D'Agno of the Italian Transport Workers' Federation (FILT-CGIL).

## Harold Lewis adds a personal note:

The ITF has played its part in helping the TGWU become the robust, vital organisation it now is, but the credit must go to the union leadership and membership themselves. At the risk of embarrassing her (no-one is more allergic to personality cults) a special tribute has to be paid to Jane Barrett, the union's rock in its formative years. She has paid a great price in terms of her personal life for the round-the-clock, unremitting slog of the General Secretaryship but she had the deep satisfaction of being able finally to hand over her office knowing that the union has sunk strong roots and can face the future with pride and hope.

The Congress took place at a time of political ferment and expectations. The TGWU and its national centre, COSATU, are in the vanguard of the Mass Democratic Movement (MDM), the alliance of organisations fighting for the establishment of a genuine, non-racial and democratic South Africa. The elimination of some aspects of "petty apartheid" — in big cities at least segregation in hotels, restaurants, post-offices, parks etc. is a thing of the past — is welcome but largely irrelevant to the one ultimate question of political power.

The De Klerk government knows that something has to be done, but is not sure what. It knows full well that the ANC has to be "unbanned" and Nelson Mandela freed, but fears the reaction of the white lunatic fringe. Meanwhile, the leaders of the "banned" ANC address huge public meetings. (One I attended was held next door to the Supreme Court in the heart of Johannesburg with not a policeman within sight.)

Events are likely to move quickly when the regime finally takes its plunge into real negotiations and it would be foolhardy to speculate on the outcome. The one present certainty, and in itself it is historic, is that the white hegemony has cracked beyond repair.

# Strike stops second register switch

The West German transport union ÖTV recently scored a high-profile victory against the country's Second Ship Register (GIS) after a week-long strike on ferries belonging to the TT Line.

The company had been one of the first to transfer its ships to the Second Register after it was established by the Federal Government in early 1989. The ÖTV, which campaigned hard against the Register, has been intent on preventing shipping companies from hiring crews at sub-standard rates without the protection of West German employment laws.

When the two TT Line ferries *Robin Hood* and *Peter Pan* put in to the Swedish port of Trelleborg in mid-October the crews were well prepared to take industrial action in order to force negotiations with the shipowners. Strike committees were elected and 170 of the 185 crew members on both ships took part in the action.

Members of the Swedish Transport Workers' Union in the port as well as members of Swedish seafarers' unions serving on Swedish-flagged vessels belonging to the same company gave the

employers notice that they were prepared to take solidarity action in support of the ÖTV.

The sticking-point in negotiations between the union and the shipowners was the use of the Second Register, entailing the application of foreign law to the crews' employment conditions. The owners would only agree to a three-year period of grace before the Register's provisions were enforced,

having in mind their plan to bring new ferries into service in 1993 and 1994.

After a week of tense negotiations the owners backed down in the face of united and effective action by the crews and signed a new collective agreement guaranteeing the application of West German employment laws until at least 1996. The agreement also prevented a planned reduction in crew members' leave entitlements.

## Stena Line buys Sealink Ferries

New avenues are being opened for international cooperation between seafarers' unions following the purchase of British Sealink Ferries by Stena Line of Sweden.

Sealink, formerly part of the nationalised British Rail corporation, was sold to Sea Containers in 1984 as part of the Conservative government's privatisation programme.

The British National Union of Seamen (NUS) and the opposition Labour Party have highlighted the way in which Sealink was sold off by the government at way below its market value. Sea Containers, who bought the company for £66 million, is now to receive £259 million for the re-sale.

After six years of cuts in jobs and passenger services on Sealink, the British seafaring unions are holding discussions with the management on their future plans for the company. Stena has a record of generally good relations with the trade unions in Sweden.

## ...Action secures ITF agreement for crew

Continued from page 13

of ownership as she has grown older. In the last fourteen months the vessel has changed flags three times: from Honduras to Costa Rica, back to Honduras and then to St Vincent.

Officially she is owned by the Danish company Water Line Shipping. But the real owners are Swedes, according to both the Scottish master and the Filipino crew. Raul Abesamis, who signed on board the *Fuga* as a rating, mentions two unmistakably Swedish names of the two who make all the arrangements for the vessel. They come on board about once a month, he says.

Raul worked on the ship for two years, but now he has had enough. The *Fuga* was his second ship and possibly also his last. After a well-earned holiday with relatives in West Germany he is

going back home to the Philippines.

"According to ITF standards we should have had nine men on board. There were four of us. I signed on as a rating, but for the last eight months I have had to act as mate after the real mate signed off, although I have no training in navigation. The engineer was forced to work on deck as well as in the engine-room, and even the cook had to help out when necessary" Raul recalls.

The mate's disappearance and non-replacement was blamed on cost considerations. None of the crew had a written contract of employment.

When Raul signed on in March 1988 he received 1200 DM (ca. US\$700) a month. Since he was unofficially made a mate he got 2000 DM (US\$1176). That was for a working day of at least

12 hours with no special overtime compensation, and no paid leave.

Apart from the problems of undermanning and low wages, the vessel was not seaworthy. Old Plimsoll would have turned in his grave if he had seen what the owners did with the *Fugas'* load line.

"Every time we hit bad weather there was flooding in my cabin," says Raul. "The water was between one and two inches deep. We reported it all to the captain and he said he would fix it soon, but..." Raul sighs and shrugs his shoulders.

Raul is not returning to the *Fuga* although an ITF agreement is now in force and the arrest will not be revoked until all the things wrong with the ship are put right.

Thanks to Anita Fors of the SSU for this story.



# Rotterdam ITF seafarers' meeting welcomes Polish delegates

Underlining the close links being forged between the ITF and Poland's independent trade union Solidarity was the participation of the President and Vice-President of the union's maritime section at the ITF European Seafarers' Meeting which was held in the ITF De Beer Centre in Rotterdam on 4-5 December 1989.

Janusz Maciejewicz and Jacek Cegielski had detailed discussions with the ITF Secretariat and various European seafarers' unions in advance of the meeting to which they also gave a formal address. In his speech, which was warmly received by the seafarers' unions present, Cegielski, who works for Polish Ocean Lines, spoke of the urgent need for help from the ITF for the 5000 Polish seafarers and fishermen already organised in Solidarity.

"We want to enjoy the possibilities of using the solutions, advantages and conclusions of democratic and developed countries" he said, adding that "We don't ask for presents but we expect suggestions and proposals for bilateral cooperation among trade unions on the basis of the ITF's Constitution.

He also made it clear that urgent steps were needed to strengthen the union's financial and technical base in order to achieve their main goal, affiliation to the ITF.

Responding swiftly to the union's request for help, the meeting adopted a series of recommendations to the ITF Executive Board. Any application for membership by Solidarity should be received favourably by the Board, they suggested, adding that in the period leading up to affiliation the ITF should make clear that it recognises Solidarity as the rightful representative of Polish seafarers. The Board should extend maximum financial and technical support to the maritime section of the union. The ITF Secretariat was also recommended to begin a dialogue with Solidarity concerning a future agree-

ment for its members serving in foreign flag ships and the ITF General Secretary was asked to consider sending a fact-finding mission to Poland before the next meeting of the ITF Fair Practices Committee (FPC) in May 1990.

Developments in Poland and the rest of Eastern Europe were not the only item on the agenda of the Rotterdam meeting. In fact it had originally been convened following the 1989 FPC in order to draw up a response to a set of suggestions from the ITF's Asia/Pacific seafarer affiliates on current ITF policies and procedures on the beneficial ownership of flag of convenience ships. The Asia/Pacific unions had been concerned that ships which were willing to be covered by an ITF acceptable agreement and to be manned by an ITF union were left out in the cold because of an excessively rigid application of the so called 'Madrid Policy' under which the union in the country of beneficial ownership is entitled to exercise priority negotiating rights for the vessel. They suggested a time-scale within which such unions must exercise their rights failing which any ITF affiliate would be entitled to sign an agreement for the ship concerned.

Although they understood the reasons why it had been proposed, this formula did not meet with the agreement of most European seafarer unions. Instead, following a long and detailed discussion, the meeting adopted a series of recommendations designed to improve current procedures without changing the basic principles laid down in the 'Madrid Policy' (so called because it was adopted at the ITF's 34th Congress in Madrid). These recommendations stressed the obligation of beneficial ownership country unions to coordinate their responses to enquiries from the ITF Secretariat and to reply to such enquiries within a specified timescale. Where the owner-

ship should take practical steps to exercise those rights and should keep the ITF Secretariat informed of action taken. Ownership country unions may, if they so wish, transfer their rights to another ITF affiliate. If they do so, they are entitled to insist on certain conditions, for example, that the vessel is not used on a specified route in direct competition with national flag vessels, or that a certain proportion of the ship's officers and ratings shall be reserved for nationals of the ownership country. The meeting agreed that unions which are unable to prove that beneficial ownership rests in their country should not obstruct other unions from reaching agreements for the vessel through the ITF Secretariat, and that guidelines on how this system should work in practice should be drafted by the ITF Secretariat. A small working group was nominated to discuss these recommendations with the Asia/Pacific seafarers' unions at their annual meeting in Tokyo in February.

Amongst other issues on the meeting's agenda were a review of European Community shipping policy, including the controversial 'EUROS' register and the practical implementation of the flag of convenience campaign in European ports. It was agreed to intensify industrial action against flag of convenience ships in key European ports in close cooperation with dockers' unions. The meeting heard that this process had already been started in the Netherlands and was to be extended to other countries later in the year. To facilitate such action, the unions present agreed that where an ITF acceptable agreement may be obtained by direct industrial action or the threat of such action in a particular port, they would accept that negotiating rights under the 'Madrid Policy' could be temporarily transferred to the union concerned. This will remove one obstacle to legal boycott action in certain countries.

# Court bans random drug tests in USA

Unions and shipping companies in the USA have won a legal ban on random drug testing of seafarers.

The ITF-affiliated Seafarers' International Union (SIU), along with representatives of the shipping industry, had taken the matter to court in order to pre-empt new Department of Transportation rules on drug testing — due to be introduced December last year.

The SIU stresses that it fully supports the aim of ensuring drug-free workplaces, but believes that random testing of all seafarers irrespective of their safety role would be too blunt an instrument with which to achieve this aim.

Random drug-testing is also an unnecessary violation of the individual rights of seafarers.

The court agreed with them. It outlawed random testing, but approved the carrying-out of drug tests for specific reasons, i.e. before hiring new employees or granting licences, in the event of a serious accident or with any other "reasonable cause".

The US Government is deciding whether or not to appeal against the ruling.

## Panama invasion aborts flag ban

The United States' invasion of Panama in mid-December has brought an end to the US ban on Panamanian FOC shipping calling at the country's ports, which had been set to come into force on February 1st this year.

Panama is attempting to entice back shipping which deserted its register during the ban, waiving registration fees for vessels which have already been signed up with other national registers.

Despite this the Panamanians may still lose up to 11 million tonnes of shipping, the owners of which have

already made plans for transferring registers because they are not confident about Panama's future political stability.

The International Confederation of Free Trade Unions has condemned the US invasion of Panama as a violation of international law.

## Herald defendants sent for trial

P&O European Ferries and seven of its employees at the time of the Herald of Free Enterprise capsizing have been sent for trial in the Old Bailey Central Criminal Court in London on charges of manslaughter.

They are charged with causing the

death by negligence of four of the passengers who died in the accident outside the Belgian port of Zeebrugge on March 6, 1987, in which 150 passengers and 38 crew lost their lives.

Charged are assistant boatswain Mark Stanley, chief officer Leslie Sabel, P&O as a company, former deputy chief superintendent (P&O) John Alcindor, former technical department head Wallace Ayres, former chief marine superintendent Jeffrey Develin, the Herald's senior master Captain John Kirby, and duty master on the day of the accident Captain David Lewry. They appeared in a magistrates court on January 25, and were committed for trial — the date of the trial will be set by the Central Criminal Court's clerks.

If the manslaughter charges are proven, P&O could be liable to an unlimited fine and the individual defendants a maximum of life imprisonment. The UK maritime unions are strongly opposed to criminal proceedings being taken against the individual seafarers concerned which they believe will inhibit others giving evidence in the future which could benefit maritime safety.

## Sole lookout experiments on ships to continue

In the face of strong protests from seafarers' trade unions and many countries, the International Maritime Organization (IMO) is moving towards formally accepting single person watchkeeping experiments.

The IMO's Standards of Training and Watchkeeping (STW) sub-committee agreed an amendment in December to the 1978 STCW Convention despite strong ITF opposition.

Britain and Norway have already been experimenting with the sole lookout system, despite the fact that such programmes are a clear breach of the existing Convention. Now their ex-

periments seem likely to be allowed.

The unions have argued that these moves are part of an ill-judged move to cut crewing levels at the expense of safety. Independent scientific research has cast grave doubts on the wisdom of relying on a single individual to conduct watchkeeping duties.

The US government has said that it will neither participate in such experiments nor allow foreign flag ships sailing in US territorial waters to do so.

The proposed amendment will be presented to the IMO's Maritime Safety Committee meeting in May before it can be brought into force.

# Foc crewed by untrained youths

The loss of the British-owned Flag of Convenience freighter *Marine* in December at the cost of six lives has brought to light a scandal of untrained youths being hired as deckhands.

The Bahamian-registered *Marine* disappeared with all hands in a storm in the Bay of Biscay while carrying scrap metal from Liverpool, England to Seville, Spain.

Among the crew was 16-year old Mark Rannigan, who had been signed up for his first voyage by a government job centre in Britain without any training whatsoever. He and two other untrained men aged 20 and 21 made up the entire complement of ratings on the *Marine*. It would appear that this amounted to "adequate manning" under Bahamian regulations.

The ITF-affiliated British National Union of Seamen (NUS) has condemned the official encouragement for sending youngsters to sea on undermanned vessels without any previous training. By recruiting jobless youngsters from areas of high unemployment, government job placement schemes are providing cheap labour for unscrupulous shipping companies: Rannigan had been taken on at a rate of £70 (US\$ 112) a week, far below the established rates of pay for UK seafarers.

The union has taken up the call by relatives of the crew for an official British inquiry into the affair. An initial reply from Employment Minister Michael Howard denied government responsibility and claimed that it was up to each individual to ascertain that there were satisfactory safety arrangements before accepting a job.

The NUS is now calling for all crewing vacancies to be notified to the government's Marine Inspectorate so that checks can be made before new workers are signed on.

The *Marine* was owned by the Tropica Armadora SA of Panama, whose President is Ivan Ivanovic, a Yugoslav resident in Britain. In May 1989 another of Ivanovic's ships, the *Belgrave*,

was the scene of a tragedy when four crew members were suffocated by fumes given off by a cargo of scrap metal similar to that carried by the *Marine*. A Bahamian "inquiry" into the accident returned a verdict of death by misadventure.

The Bahamian authorities are now to hold an inquiry into the loss of the *Marine*. The NUS is anxious to know

whether the relatives of the crew will be permitted to give evidence, whether the inquiry report will be published and what sanctions will be taken against anyone who is found to be responsible for the level of safety standards on the vessel.

The ITF is providing legal support for the relatives of the three missing ratings.

## UK Appeal Court overturns ITF boycott case victory

The ITF has launched an appeal against a defeat in the British Court of Appeal to the House of Lords (the UK's Supreme Court) following the bizarre overturning of an earlier court victory.

The ITF had earlier won the *Evia Luck* case, in a ruling in July 1988 (see ITF News July/August 1988). This decision was partially overturned on December 11, 1989 by a 2-1 majority verdict in the British Court of Appeal.

The Greek-owned, Panamanian-registered *Evia Luck* was boycotted seven years ago in the Swedish port of Uddevalla, and made to sign an ITF Agreement.

The owners, operating through their Panamanian company, Dimskal Shipping SA, attempted to sue the ITF in the English Courts, demanding both a return of the backwages paid to the crew and damages for wrongful "intimidation and interference".

The initial judgement, given by Justice Phillips in London in July 1988 stated that "the fact that the defendants (the ITF) are resident in London is no reason to place them at a disadvantage as against residents elsewhere."

Phillips ruled that since the actions taken against the *Evia Luck* were lawful under Swedish law, the agreements signed were valid and the crew were entitled to the monies paid to them. In order to be able to sue the ITF in English law in London, the Judge said, it would have to be proved that a legal

wrong was committed against both English and Swedish law. Since this was not the case, the suit was dismissed.

The owners decided to appeal half of this ruling. They had originally been trying to regain their money and pursue a case for damages. They dropped the damages claim for the appeal, and argued solely on the question of getting back the money they had paid out.

They argued that, even though everyone concerned agreed that the action taken in Sweden had been lawful, it nevertheless constituted "unreasonable" duress, and so they had the right to scrap the contract and get their money back.

This time their arguments prevailed. Two of the three judges allowed their appeal on December 11, but for different reasons. The other judge re-affirmed the original ruling that the action was legitimate under Swedish law and that, therefore, there was no unreasonable duress.

The judges who ruled for Dimskal shipping made some quite wide-ranging and questionable comments. They would also appear to have contradicted previous higher court rulings on ITF actions.

The ITF's lawyers have submitted a petition to the House of Lords for permission to appeal this latest ruling, and a decision is pending.

# Swedish flag fleet increases

The remarkable fight of the Swedish maritime unions to defend their national fleet in the face of pressure from owners for a Swedish "Second Register" has finally begun to pay off. While most traditional maritime nations continue to lose tonnage, the Swedish register showed a net gain of 387,103 grt. or over 700,000 dwt. in 1989, an increase of almost 20 per cent in a single year. After many years of flagging-out, the pattern finally changed last year. State subsidies for merchant shipping and a brighter shipping market were reflected in the growth of the Swedish fleet. Some vessels were flagged out even in 1989: 17 ships of 139,858 combined dwt., together with two diving platforms, a drilling rig and a crane vessel. Altogether they grossed 192,114 tonnes. But many more joined the register: 45 vessels totalling 579,217 grt., or over 800,000 dwt.

Troubles with the plans to create a European shipping register under the European Community (first reported in Nov/Dec 1989 *ITF News*) came to a head in the December meeting of European Transport Ministers. EC Transport Commissioner Karel Van Miert managed to head off a move to scrap the EUROS plans entirely, but in doing so he has had to agree to radically revise the proposal. A major objection from the British and Greek governments to the proposed crewing stipulation (that half the crew should be EC nationals) will almost certainly lead to a drastic cut in the designated number (if not its elimination). The new proposal will be unveiled later this year. The issue of the register is tied up with a whole package of measures to assist EC shipping. These include the question of replacing existing restrictions on

coastal and inter-island shipping reservation (cabotage) with a system of European cabotage, the provision of central state aid to shipping, and the funding of European research and development in the maritime industry. Agreement is far from certain on many of these issues, and many governments



## The ITF's Flag by Flag Roundup

are arguing for the different elements of the package to be broken down into their separate parts.

Following the report of the Norwegian Shipping Directorate on numerous breaches in safety standards amongst ships on the Norwegian International Register (NIS) (see *ITF News* Nov/Dec 1989), the Norwegian Maritime Directorate (NMD) have been instructed to "show increased vigilance" in examining ships. The NMD has also instructed classification societies to tighten their checks on older NIS-registered ships. However, the number of NMD inspections (and inspectors) will remain unchanged, despite the massive growth in the number of NIS ships — a fact which undermines any "increased vigilance" the inspectors may

apply. The NMD has also expressed concern about the operating standards on the growing number of NIS ships that are wholly crewed by non-Norwegians — something that NIS was never supposed to allow. A survey published by Norway's three maritime officer unions in December reveals that Norwegians are drastically losing ground to foreign nationals as a percentage of officers on NIS ships. In the 18 months from September 1989, the survey shows that the percentage of Norwegians amongst NIS officers has dropped from 61 to 39 per cent. This is based on a crew count of 632 ships, up from 192 in September 1989. Norwegian masters accounted for 408 of the ships — a special dispensation is still required for a NIS ship to have a non-Norwegian captain. Of the 2,297 foreign officers identified by the survey well over half (1,333) were Filipinos and a further 568 Indian. Other nationalities included Spaniards, Poles, Yugoslavs and Portuguese.

Japan's largest shipping line Nippon Yusen Kaisha (NYK) has reached a new and innovative three-year contract with the ITF-affiliated All-Japan Seamen's Union (JSU) in December. The new agreement replaces the existing contract, which was due to expire next March, and runs retrospectively from last April. A key feature of the agreement is that it grants equality of pay and treatment to seafarers whether they are working on land or at sea. Seafarers assigned to a land job are offered the same opportunities and treatment and are allowed to use the skills they have acquired at sea. The previous contract tied sea based workers to seafaring only. In the light of NYK's considerable corporate diversification strategy, the new agreement will pro-

Continued on page 21

# ...Cayman Islands Foc status is certain

Continued from page 20

vide seafarers with a chance to broaden their skills while maintaining their conditions and rates of pay. NYK employs an estimated 1,380 seafarers and has promised to maintain that number over the next three years. Under the contract, NYK guarantees that its fleet of 55 ships will all be manned by union members. Twenty of these ships are Japanese flag, and 36 are foreign.

The future of national pay bargaining for British seafarers looks precarious, as yet another major company, North Sea Ferries, has announced its intention to withdraw from the National Maritime Board (NMB) next March. Over the last 18 months, many British shipping companies have withdrawn

from the national structure — today only 6,000 of the 15,000 members of the ITF-affiliated National Union of Seamen (NUS) are covered by the national accords. Both the NUS and ITF-affiliate NUMAST have expressed strong concern at the move by North Sea Ferries.

The Chief Marine Surveyor of the Cayman Islands has written a letter to the ITF claiming that his country's shipping register should not be classed as an ITF Flag of Convenience (Foc). A. R. Macnaughton states that the Cayman Islands "is a respectable flag". Seemingly unaware of the fact that ITF Foc status is primarily dependent on whether a country allows foreign owners to register their ships under its

flag, Macnaughton cites the Islands' (recent) adoption of various maritime conventions and states that "We do support the view that seamen should be fairly treated in all respects...". He doesn't mention whether his country has increased its maritime inspectorate from the previously reported figure of one — it doesn't really matter what regulations a register has ratified, if it never actually visits most ships. In any event, Mr. Macnaughton should be reassured that so long as his register intends to "expect and hope for at least modest expansion but only with ships belonging to prudent and sensible owners" (who, presumably, aren't nationals of his country), the ITF will continue to maintain the register on its designated list of Foc countries.

## FISHERIES

# UN votes to ban driftnets

The United Nations General Assembly voted on December 22 to ban high-seas driftnetting in the South Pacific from 1991 and throughout the world from 1992.

Driftnetting was declared "a highly indiscriminate and wasteful fishing method widely considered to threaten the effective conservation of living

marine resources" in the resolution jointly proposed by New Zealand and the USA.

An earlier demand for an immediate ban on the "wall of death" monofilament nets was rejected by the Japanese, who then joined a UN consensus on the compromise date of 1991.

The motion's success owes much to

efforts of the New Zealand government and their fellow South Pacific Forum member states who have conducted a constant campaign of publicity and lobbying against the nets for well over a year.

New Zealand Prime Minister Geoffrey Palmer said that world opinion had been successfully mobilised.

## **Support call for Ghanaian union fight**

On June 7 last year, the local union officials in the Ghana State Fishing Corporation were summarily dismissed by the Corporation Chairman because, he claimed, they had been circulating information about management operations.

The officials were from the Fishing Branch of the ITF-affiliated National Union of Seamen. The campaign in support of their reinstatement, a long and vigorous battle, was led by the Secretary General of the NUS and

Acting General Secretary of the Ghanaian Trades Union Congress. After what the NUS describe as "a long tussle over the issue", the dismissed union officials were finally reinstated on November 13, 1989.

"But all is not over yet," says Kofi Ameyibor from the NUS, "since their reinstatement was based on unbearable new conditions of service purposely designed for them and only aimed at discouraging them from trade union activities."

The NUS has asked fellow ITF affiliates to send messages to the State Fishing Corporation management headed by Dr. I.C.N. Morrison urging him to revoke these onerous special conditions and allow the union representatives to go about their trade union duties without interference.

Messages may be sent via the NUS at:  
**PO Box 38**  
**TUC Post Office**  
**Accra, Ghana**

# European fishing — an uncertain future

A large question mark hangs over the future of the European Community's fisheries workers.

There are 280,000 fishermen in the EC who work in vastly different national fleets and employment patterns. As in other areas of transport, the EC is moving towards the elimination of national barriers without any harmonisation of social conditions.

Contrasts between the national fishing fleets are stark. Denmark, for example, has 7,000 vessels and 14,500 fishermen who catch 1,800,000 tonnes of fish a year. France has 12,000 vessels, employing 18,500 fishermen but only catching 650,000 tonnes a year.

These wide variations in efficiency are reflected in national policies (some states subsidise the industry, others don't) and the structures of the fleet. France, for example, has many more independent, small vessels than Denmark. There is also a complex pattern of national and regional regulations that are all threatened by the completion of the European Single Market in 1993.

While European governments and the Commission continue to fail to agree on a final form for a "Common Fisheries Policy", the European Court has intervened directly in the debate.

The European Court of Justice ruled, on October 10, that the British government must withdraw its reference to nationality in the new fishing vessel register introduced on April 1.

The ruling broke new ground for the European Court because it is the first time the court has issued the European equivalent of an injunction — an emergency "interim measure" — to strike down a regulation pending a final and full hearing.

The Court has ruled against the section 14 (1) in the 1988 UK Merchant Shipping act which stated that fishing vessels registered in the UK had to be 75 per cent owned by British citizens or British-owned companies. The Court has stated that this nationality requirement constitutes unfair discrimination

on the basis of nationality within the EC.

This regulation was introduced by the British in order to eliminate what is known as "quota hopping". This practice is where foreign fishing vessels join a register and are then able to participate in the share out of that nation's fishing quotas. There are approximately 100 Spanish-owned fishing vessels that have traditionally been registered in the UK for these purposes.

However, the ruling does not mean that most of these vessels will be able to fly the UK flag again, because the Court did not strike down the regulation that requires UK registered owners to be resident in Britain. This regulation is being challenged separately by the Spanish vessel owners.

The essential problem remains that the emerging European single market clashes very seriously with the existing structure of the fishing industry in Europe. What form a European Common Fisheries policy will (or can) take remains unclear. European-wide fishing licences may perhaps eliminate existing quotas, but it is difficult to see

how they could be distributed equitably between the existing fishing vessels.

Underlying the debates about future policy is the reality that there are too many fishing vessels chasing too few fish in the European area. Inefficient stock management and poor national planning leave the Community little room to manoeuvre in the future.

Meanwhile, the European Commission has issued guidelines for a "Community framework" for implementing national quotas without falling foul of EC law.

These suggest that member states can require fishing vessels under their flag to have their day to day management controlled by an onshore office handling at least ten per cent of turnover. Governments would also be allowed to stipulate that vessels would have to make a certain number of visits per year to ports of that nation.

These guidelines constitute what the Commission feels would be a "genuine link" between vessel and register, by ensuring that some (but not even a majority) of profits are ploughed back into the local state's economy.

## ITF Fishermen's conference

The many problems facing fisheries workers, ranging from fish quotas, and poor working conditions to environmental damage will all be discussed at the forthcoming ITF Fishermen's Section Conference in London from June 13 - 14.

A detailed working conditions survey, which is now being completed by ITF affiliates, will be collated and available for detailed analysis at the meeting.

The work of the International Labour Organisation (ILO) and International Maritime Organisation (IMO) as it relates to the fishing industry, and the ITF's contribution to that work will also form a major part of the conference's discussions. The work of the ILO Fishermen's working conditions

committee will be examined in detail.

It has been four years since ITF Fisheries affiliates last met together (at the 1986 Luxembourg Congress), and there have been many changes in the industry since. Technological change, coupled with dwindling stocks and restrictive quotas in many parts of the world, are putting the squeeze on those who work in the industry. A worldwide crisis faces all those who earn their living from the industry, and a concerted trade union response is needed to these issues. The conference shall be discussing the formulation of an ITF Fishermen's Policy — that should provide a strategy for international trade union work in the industry for the future.



## Eastern strikers fight on

The International Association of Machinists (IAM) in the US has announced its determination to continue with the 11 month old strike against Frank Lorenzo's Eastern Airlines despite a number of serious setbacks.

The biggest disappointment for the union was undoubtedly the decision by ALPA representing Eastern's pilots and the Transport Workers' Union representing flight attendants, to end their own longstanding strike action in support of the IAM. This move, taken with the greatest reluctance by the two unions involved, was almost inevitable following the decision by President Bush to veto a Bill (HR 1231), which had been passed unanimously by both Houses of the US Congress, to establish an independent Fact Finding Commission to investigate the dispute.

Faced with the company's total intransigence, the unions had devoted enormous efforts to achieving the successful passage of the Bill. Its veto by Bush, who is well known to be a personal friend of Lorenzo and who has a number of former TAC employees on his staff, was therefore seen as a particularly vindictive act.

The strike goes on, however. In a statement issued on 29 November, IAM President George Kourpias made clear the union's determination to continue to support the strikers "for as long as it takes". Congress is now in session again and the union plans to campaign for the overriding of Bush's veto.

Meanwhile the ITF and its affiliates have been intensifying their efforts to provide international support for the Eastern strikers. A major victory was achieved in January when the long standing campaign by the ITF-affiliated Bermuda Industrial Union (BIU), finally forced Eastern to withdraw its service from New York's La Guardia

airport to the island from 30 January.

The BIU now intends to continue with its boycott against Continental, another subsidiary airline of Frank Lorenzo's Texas Air Corporation (TAC).

The BIU is just one of unions which has consistently supported the Eastern unions throughout the strike.

During November, shortly before the Bush veto decision was announced, the ITF organised a whirlwind tour of European unions for two Eastern strike leaders Russ McGarry from IAM and Dan Ashby from ALPA. The tour was organised in conjunction with Johnny Grönberg of the Swedish Transport Workers' Union.

McGarry and Ashby visited the ITF offices in London, held discussions with UK aviation unions, met with SAS senior management and Swedish unions, travelled to Brussels where they met the ICFTU as well as representatives of Polish Solidarity (a few days later Lech Walesa was due to travel to the US to meet President Bush), to Copenhagen and Oslo for further meetings with Nordic unions and back to the UK where they addressed shop stewards from Rolls Royce, one of Eastern's principal creditors.

Following their visit, the Congress of the Nordic Transport Workers' Federation adopted a motion of support for the Eastern strikers. It has called on the management of SAS, which has entered into a cooperation agreement with Continental and owns 10 percent of TAC stock, to influence the TAC board or to reconsider its partnership with the corporation.

Lorenzo's position is rapidly falling apart. He has been hit by the drop in airline traffic, the sharp rise in fuel prices and the crash of the junk bond market which has made it difficult for

Eastern to secure more funding. Eastern is now estimated to be losing \$3 million a day and its traffic is continuing to decline.

To reverse this decline, Eastern has taken desperate measures. It is trying to sell its South American routes to American Airlines, has cut the wages of its non-union employees by 10 percent and has slashed fares by up to 45 percent.

None of these measures are likely to save Lorenzo's plan. The sale of the South American routes may not be approved by regulatory authorities. The wage cuts have only served to further demoralise the workforce which already took a 20 percent pay cut in 1986. The fare cuts have been matched by all the major airlines which means that Eastern will not have any price advantage to boost its traffic.

To replace striking IAM members, Eastern has begun to hire scab mechanics both from the US and overseas. Some of these mechanics are not properly licensed. The airline has also had to defer most of the major aircraft overhaul and critical structural modifications ordered by the FAA on older aircraft.

Passengers planning to fly Eastern should bear this in mind. ITF civil aviation unions worldwide are being asked to step up action against Eastern and against the other TAC subsidiary Continental to which Lorenzo is trying to transfer most of Eastern's routes and assets. Unions are being asked, amongst other things, to coordinate national consumer boycotts against the two airlines. The message for all trade unionists is clear. For safety and for solidarity.

**DON'T FLY EASTERN  
OR CONTINENTAL !**

# European aviation policy

The adoption by the European Community Council of Transport Ministers on 5 December of the second phase package of civil aviation liberalisation measures represents a further important step down the road towards full deregulation of the civil aviation industry.

The ministers endorsed the principle that there should be a single European market in air services from 1 January 1993. Only Portugal, Greece and Denmark voiced reservations concerning the adopted timescale.

From 1993, any fare which is more than 20 per cent below the one prevailing in the previous year will be banned only if both governments agree to veto the move — the 'double disapproval' principle. The 20 per cent limit is to prevent dumping or predatory fares. Reductions of more than 20 per cent may still go ahead if the Commission gives its approval.

Fares at present must be approved by governments at either end of the route. A partial liberalisation introduced on January 1st, 1988 and due to expire at the end of 1990 allowed airlines to discount within defined zones. In the run-up to 1993, these zones will be made more flexible.

Once the principle of setting fares by bilateral government agreement is dropped, tickets may no longer be interchangeable between one airline and another.

Air carriers are also to lose their right to a guaranteed share of traffic on routes to or from their country. The Council agreed in principle to progressively increase the capacity share available to one operator on a route from 1 November 1990. The aim is to eliminate all capacity restrictions by 1 January 1993.

Governments have also agreed to make it easier for new operators to enter the market. They will not in future be allowed to discriminate against

airlines which meet certain technical and safety standards.

There is no agreement yet on fifth freedom rights — which would allow airlines from one EC country to compete on routes between two others, for example, allowing Air France to fly between London and Amsterdam.

However, the member states reached "a certain number of conclusions" regarding cabotage — the right for airlines of one Community country to carry traffic between two points within another country.

Current deregulation proposals do not take into account the serious implications of deregulation for those who work in the civil aviation industry - graphically illustrated in the ITF's new video production "Free Flight".

Increased competition will force carriers into a cost-cutting war. With approximately 60 per cent of costs fixed, there will be massive downward pressure on wages and conditions.

Liberalisation measures may increase the number of airlines operating in the Community at least in the early stages. New entrants to the market are likely to be small low-cost carriers who will force prices on certain routes down. They will achieve this by using cheap and possibly unorganised labour. In the longer term, as in the US, the market is likely to be dominated by a few very large carriers which have access to wide route networks and effectively dominate Europe's major airports. The low cost carriers operating charter flights or commuter services will probably continue to survive by operating services which are complementary to the mega operators or serving 'niche' markets which the big companies find unprofitable. The big losers will be the medium sized national airlines. Faced with the loss of the protection currently afforded them by national governments, most of these companies will

either be swallowed up or bankrupted. The European Communities competition bosses may try to stop such developments but they are unlikely to succeed.

One thing seems certain, life will get harder for Europe's aviation workers. For the first time their employers will be competing head on for market share. The main competitive weapon they will use is price, and the way they will achieve low prices is by trying to cut labour costs to the minimum.

Trade unions in Europe can learn from the US experience of deregulation. The only way to resist downward pressure on working conditions after the creation of the Single Market is through strong trade union organisation.

The labour consequences of deregulation in Europe may be even more marked in Europe than in the US. Living standards within the EC vary even more than in the US and employers will be keen to exploit these differences by employing cabin crew at the lowest possible wages.

The ITF's EC civil aviation affiliates recognise the need to establish strategies to combat the problem of 'social dumping'. For this reason, a study group has been set up to produce plans for joint action by European unions for the harmonisation of working conditions in the Community.

The group includes representatives from the ÖTV (West Germany), FETTC-UGT (Spain), MSF and TGWU (Great Britain). It met at ITF headquarters in London on 18 January. Among ideas put forward were an in-depth analysis of relative cost-structures of Europe's airlines and regular meetings of union officials responsible for negotiations where they can exchange information and co-ordinate bargaining strategies. These ideas will be aired further at a larger meeting of European aviation unions later this year.



# Airline shake-up as 1992 looms

The trend towards mergers and cooperation agreements in the run-up to 1992 continues with the announcement by *Air France* on 12 January that it was to take control of *UTA*, the only significant privately owned French air company. In the United States, the *UAL* pilots are leading a second buy-out attempt for *UAL*, while in Hong Kong, the Chinese government is seeking to buy shares in *Dragonair*.

In a move which will create Europe's largest airline, *Air France* will buy 54.58 per cent of *UTA* from *Chargeurs*, the French holding company which owns 82 per cent of *UTA*. In the process, *Air France* will also gain control of *Air Inter*, which has a near monopoly of French domestic air transport.

*UTA* owns 35.8 per cent of *Air Inter* which, combined with *Air France's* existing 37 per cent stake, gives the state carrier almost full control of the domestic airline. *Air France* already virtually controls *TAT*, the fourth largest air company in France.

The three main airlines have complementary route structures with *Air Inter* on the domestic market, *UTA* limited to African and South Pacific routes and *Air France* covering the rest of the world.

The European Commission is very unhappy about the implications of the *Air France* move for competition. It has announced that it will examine the move in the context of the EC's transport and competition policies.

Competition Commissioner Leon Brittan is opposed to the deal since he wants to stem the growing trend of mergers and cooperation agree-

ments between European airlines which is threatening to undermine EC attempts to liberalise European air transport.

In contrast, Transport Commissioner Karel Van Miert apparently argues that the tie-up does not pose a threat to competition since *Air France*, *UTA* and *Air Inter* all operate in different areas. He also believes that some concentration is necessary in order to compete with large US and Asia/Pacific carriers.

*Air Liberté* the French charter airline has threatened to ask the European Court of Justice to intervene if the French government does not give it at least 10 per cent of international air rights.

The charter company fears that *Air France* could slash prices in the charter sector to put France's remaining independent charter operators out of business. *Air France* already owns *Air Charter* and now *UTA's* non-union subsidiary *Aero-maritime*.

The aim of deregulation is supposedly to stimulate competition, particularly by weakening the links between individual countries and their national flag carriers. The *Air France* deal appears intended largely to entrench its traditional dominance of the domestic market.

Competition is further threatened by the cooperation agreement between *Air France* and *Lufthansa* and *Sabena's* decision to join forces with *British Airways* and *KLM* (see *ITF News*, September 1989).

The new plan for an employee-led buyout of *UAL* the parent company of *United Airlines* has won the backing of the biggest stockholder Condor Partners. Condor which

owns 11.8 per cent of *UAL* stock had pressurised the corporation to consider recapitalization. This option would have provided short-term financial gain for shareholders. However, the company would have been forced to cancel its orders for new aircraft since its balance sheet would have been seriously weakened. The airline, which has one of the oldest fleets among US carriers, had 278 aircraft worth about \$10 billion on firm orders from Boeing.

Condor is now urging *UAL* directors to defer action on the recapitalization plan and to start negotiations with the union-led buyout group. If the buyout goes ahead, employees will hold 75 per cent of the stock through various stock-ownership plans. The remaining 25 per cent will be publicly held. Estimates of the price of the anticipated offer ranged from \$190 to \$250 a share—well below the \$300-a-share offer last year. This buyout attempt for *UAL* led by pilots and management failed because of difficulties in securing financing from the banks involved (see *ITF News*, October 1989).

China International Trust and Investment Corp (CITIC) is negotiating to buy shares of *Dragonair*, Hong Kong's second largest airline. In 1987, CITIC bought a 12.5 per cent share in *Cathay Pacific Airways Ltd* which is *Dragonair's* main rival. CITIC is now studying the Hong Kong government's plans to build a new airport and port complex by 1997. The Chinese government is apparently opposed to the Hong Kong government's one-route-one-airline policy and is keen for the two airlines to cooperate in some areas.

# World air traffic up 72 per cent

World scheduled airline traffic increased by 72 per cent during the 1980s according to estimates by the UN regulatory body the International Civil Aviation Organization (ICAO).

ICAO estimates that the airlines of its 162 member states flew nearly 225 billion tonne-kilometres on domestic and international flights in 1989. This compares with 130 billion in 1980.

The fastest growing sector was freight. The amount carried grew by 96 per cent in the 1980s from 29 billion tonne-kilometres to 58 billion. The growth in freight last year was eight per cent.

Passenger traffic also increased during the 80s. The scheduled airlines carried 1.1 billion passengers in 1989, an increase of three per cent on 1988 and a 49 per cent increase on 1980.

The airlines have increased their capacity from 1.7 billion seat-kilometres in 1980 to 2.6bn in 1989. However, since the number of passengers carried has risen so substantially,

load factors have improved from 63 per cent in 1980 to 68 per cent in 1989.

Growth prospects for the future also look promising. According to the International Air Transport Association,

## Denmark SAS strikers force company to back down

Workers at the Scandinavian airline SAS have successfully forced management to abandon plans to scrap an established promotion scheme for cabin crew.

2,500 staff at Kastrup airport near Copenhagen took part in stoppages on two separate days at the end of November last year, bringing international and domestic flights which use the airport to a halt.

SAS initially dubbed the strike "illegal", claiming that the Swedish law on "labour peace" applied, and threatened to take the unions to the Swedish Labour Court. However, the Danish Cabin At-

the airlines' organisation, international passenger and freight will continue to grow by eight per cent in 1990 and then by six and a half to seven per cent in 1991 - 1993.

tendants' Union pointed out that despite the international nature of the company, the action in Denmark was covered by Danish labour law and was thus legal despite representing a breach of contract.

After the second day's stoppage the management gave in, agreeing to maintain the automatic promotion system for cabin crew which governs the appointment of pursers.

The Danish SAS workers were supported by their colleagues in Norway and Sweden, who declared themselves in full agreement with the strike demands.

---

## OBITUARIES

---

**S R "Bob" Robinson**, the ITF's former French Translator/Interpreter, died on 28 November, at the age of 76. During his fifteen years in the service of the ITF, Bob covered most of our conferences and Congresses and got to know many delegates from all around the world. Those who attended ITF meetings in the 60s and 70s will remember his ample figure and warm personality. For his former ITF colleagues, the news of his death has come as a sad blow. He will be remembered with much affection.

**Ted Brown**, former Assistant General Secretary of the British National Union of Seamen, died on 12th January 1990 at the age of 73. Having begun his seafaring career as a bell boy on the liner Lancastrian in 1932, he became a full-time union official in 1954. He served as Assistant General Secretary

of the NUS from 1967 until his retirement in 1980. Ted was also active within the ITF Seafarers' Section and represented the NUS at several ILO maritime conferences. "He was always a mine of information and advice on labour relations in the cruise ship industry" recalls ITF Assistant General Secretary Åke Selander.

**Dr. Timoci Bavadra**, former president of the Fiji Public Service Association and briefly Prime Minister of Fiji before the military coup in 1987, died on November 3rd 1989 at the age of 55 after a battle against cancer. After following a successful medical career, Dr. Bavadra turned to politics and formed the Fiji Labour Party, heading the party's coalition with the National Federation Party after the 1987 general election, only to be deposed by a coup a month later. His term as president of

the Public Service Association (1976-84) was marked by major improvements in salaries and working conditions for public servants.

**Alexander Talmadge**, a senior official of the US International Longshoremen's Association (ILA), died on December 26th 1989 at the age of 64 after a long illness. He began his career as a longshoreman in the port of Philadelphia in 1943 and rose to become Assistant General Organizer of the ILA and Director of the Philadelphia Port Corporation.

**Max Conrad**, Federal Secretary of the Swiss Railwaymen's Union SEV, died on 24th November 1989 at the age of 62. He had held the office of Federal Secretary since 1972.

# FREE FLIGHT

a 30 minute video production which explains the ITF's worldwide campaign against the deregulation of the civil aviation industry.

**"Deregulation was the greatest anti-labour Act ever passed by an American Congress"**  
Frank Borman (Eastern Airlines)

**"Deregulation has caused nothing but chaos, not only for the worker but also for the travelling public"**  
Bill Scheri, International Association of Machinists.

When President Jimmy Carter deregulated the USA airline industry in 1978, it was hoped that passengers would benefit from cheaper and more frequent flights to more destinations. For a period of 2 to 3 years fares did fall and a number of new carriers started up. This trend was quickly reversed, however. Prices increased substantially and there was an explosion of mergers that created a small number of megacarriers like Frank Lorenzo's Texas Air Corporation. Deregulation in the USA has been linked with an increase in accidents, a general reduction in the quality of passenger service and worsening conditions for airline workers.

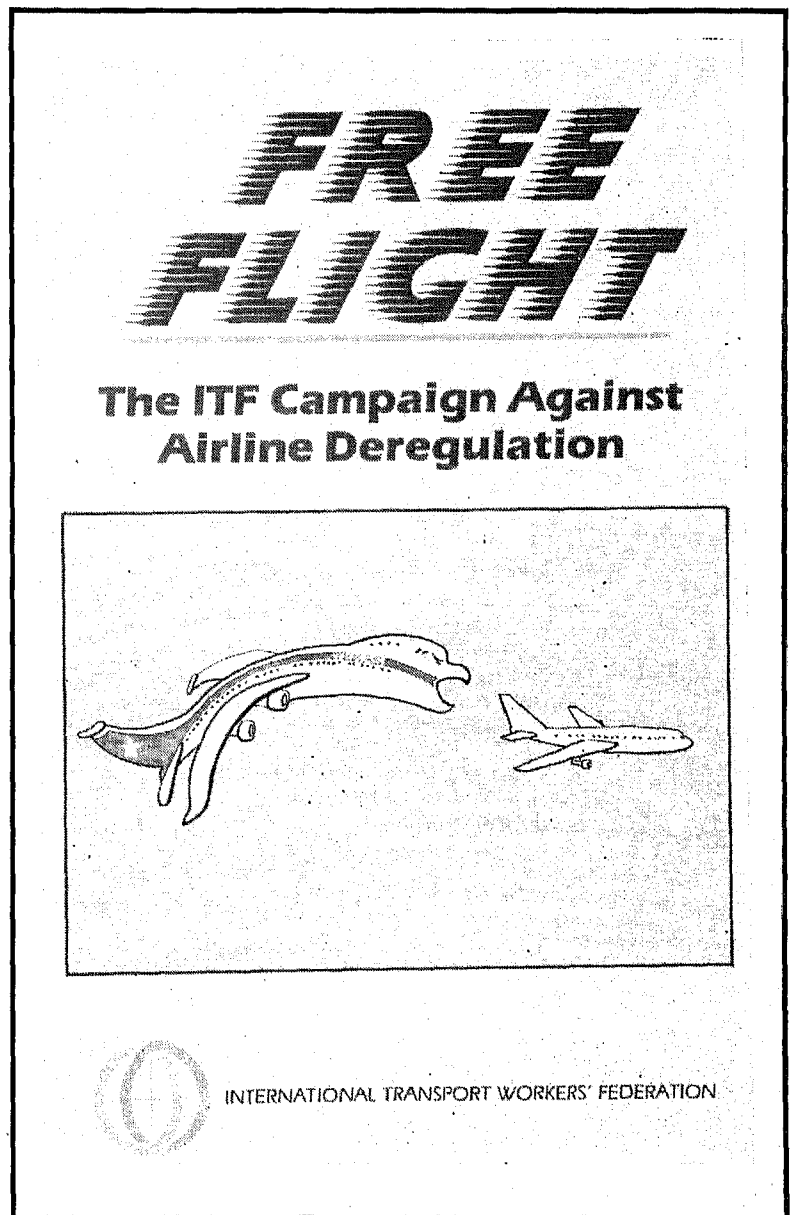
Part 1 of the ITF video outlines the first ten years of deregulation in the USA. Part 2 anticipates the likely trends in the rest of the World's aviation industry with Europe as the next target for deregulation. The video argues that important lessons for governments, passengers and workers can be learnt from the US experience and that joint international trade union action can ensure that some of the worst mistakes of US deregulation are not repeated in other parts of the World.

Single copies of the VHS format video (English language version) are available at a price of £10 (\$18) from :

Research & Publications Department, ITF,  
133-135 Great Suffolk Street, London SE1 1PD.

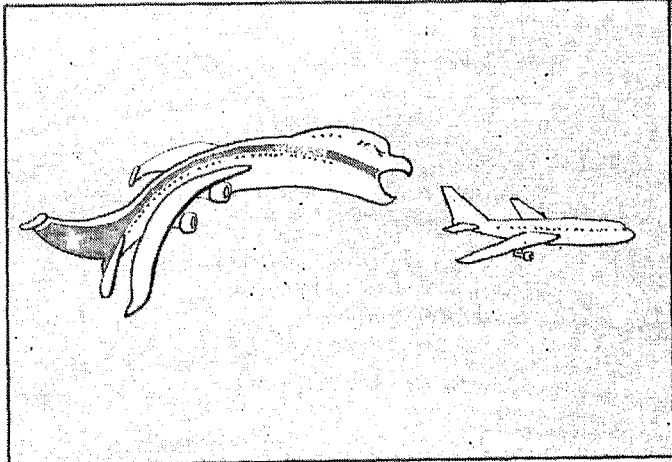
Discounts are available on bulk orders. When ordering please indicate in which country the tape is to be used.

Foreign language versions may be produced in the future. If you are interested in ordering one, please let us know which language interests you and how many you would like to purchase.

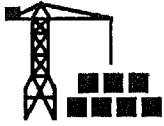


**FREE FLIGHT**

**The ITF Campaign Against Airline Deregulation**



INTERNATIONAL TRANSPORT WORKERS' FEDERATION



# DOCKERS

## Strikers victimised by UK employer

The British Transport and General Workers' Union (TGWU) is campaigning for the reinstatement of dockers at the port of Tilbury who were dismissed during the national dock strike last summer and for the resumption of trade union recognition by the port employers.

The employers — the Port of London Authority (PLA) — took a particularly vindictive line during the dispute, sacking 140 dockers and withdrawing

recognition from the union. Shop stewards and union activists were singled out in the dismissals.

The PLA is maintaining its non-recognition stance despite a 99 per cent majority in favour of union recognition in a ballot of Tilbury dockers in October.

The TGWU is pursuing the cases of its sacked members through the industrial tribunal system.

The ITF has asked its affiliated dock-

ers' unions to protest to the PLA about its actions during the dispute and its stated intention not to reinstate the dockers or to re-recognise the union.

The response has been remarkable with dozens of letters from unions all over the world arriving each week at the PLA offices. Each has been answered by a word processed standard letter from PLA Chairman Brian Kellett claiming that the Authority is "not anti-union".

## A new decade for ITF News

Regular readers of ITF News will have noticed dramatic changes in the format and presentation of this newsletter — and you will, no doubt, have noticed a longer than usual time delay in receiving your copy.

We apologise for the delay, and hope that you will understand that we have been through a period of technological change in the machinery used to produce the newsletter.

The main change is that ITF News is now a magazine format publication, stitched in the middle. This is thanks to our acquisition of collating/stitching machinery and the use of our new A3 press, which together allow us to produce a far more professional looking publication. This new technology will also allow us to produce and print ITF News much faster than in the past. So while things have been slowed down by the changeover, they should be much better in the future.

In addition to acquiring our new equipment, we have also produced a new design for ITF News. Central to the new look is a new front page format. We also, in this issue, have new logos for the industrial sections. These were produced for us, in computer form, by London designers Ruth Taylor and Liz Conway.

We hope that the new look ITF News will meet with your approval. Whatever the look of ITF News, we remain committed to improving and refining the content so that it meets the needs of our readers — particularly ITF affiliates, who have demonstrated their support for ITF News both by sending in stories and by using material from the newsletter in their own publications.

Affiliated unions are reminded that they can order copies of ITF News in bulk for their own members, and the ITF is happy to provide extra copies if they are of use to a union. We thank the many affiliates who have sent us stories and photos over the last year, and ask all ITF affiliates to remember that we are always interested in receiving up-to-date material from them about their own activities, disputes, victories or even commentaries on the state of their industry. Remember, if you feel that your country or industry isn't adequately reported in ITF News, the remedy is in your own hands. Let us have short, useable news stories about recent events and we will do our best to use them.

GENERAL SECRETARY: HAROLD LEWIS

PUBLICATIONS OFFICER: DAVID COCKROFT

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

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