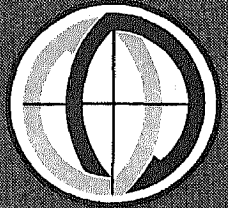


INFORMATIONS : NOTICIAS

ITF NEWS



NACHRICHTEN : NYHETER

GULF CRISIS THREAT TO MARITIME AND AVIATION WORKERS

The sudden and brutal invasion of Kuwait by Iraqi forces and the resulting economic sanctions imposed by the United Nations Security Council have inevitably had serious effects on transport workers, including many members of ITF affiliated seafarers' and civil aviation unions.

While most foreign ships in Kuwait were able to escape while the invasion was under way, the crews of aircraft as well as the ground staff of a number of western airlines were not as fortunate. According to information supplied by unions to the ITF, cockpit and cabin crew members from Japan Airlines, Air France and British Airways are amongst the unwilling "guests" currently being held hostage by the Baghdad regime. Although female employees were permitted to leave at the beginning of September, a significant number of men remain as hostages at unknown locations.

The first priority for the unions concerned is obviously to secure the safe return of their members and they have been urging diplomatic pressure by their respective governments to achieve this end. The continuing crisis in the Gulf is also, however, raising longer term questions relating to the safety of those transport workers engaged in services to countries which could at any moment become involved in a serious armed conflict.

For seafarers this has a familiar ring to it. 430 crewmembers were killed during the eight year Gulf War between Iraq and Iran and many collective agreements, including the ITF agreement for Flag of Convenience ships, now contain

specific clauses dealing with service in 'warlike operations areas'. The ITF agreement, for example, provides that seafarers must be given full information on the inclusion of any war zones in a vessel's trading pattern and that they should have the individual right not to proceed to that area and be repatriated at the owner's expense without loss of accrued benefits and without losing their job or suffering any other detrimental effects. The Agreement also provides that seafarers operating voluntarily within such zones shall be paid a bonus of double the basic wage for the duration of the ship's stay with a minimum of 5 days' bonus. At the same time the compensation rates for disability and death are doubled.

The fact that no armed conflict is currently under way (at least when ITF News went to press) and that the two countries directly involved are subject to a mandatory UN embargo complicates the matter somewhat. All UN member states, including the governments of Foc countries like Panama and Liberia (what is left of it — see flag round up) are obliged to respect the embargo which means cooperating if intercepted by western naval vessels. In fact only ships carrying cargo for Northern Iranian ports

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...aviation workers held as "guests" of Iraq

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have any legitimate reason to be in the region at present. For insurance purposes war risk premiums are being levied on ships sailing beyond latitude 24°N. According to UK officers' union NUMAST, the British government's advice to ships originally was not to sail beyond latitude 26°30'N but this was later relaxed to 27°30'N. This permits ships to visit several major Saudi oil ports such as Ras Tanura.

A separate problem for seafarers and aviation workers has been their participation in the huge logistics operation now being mounted by the US and other Western governments to reinforce and support the troops now stationed in Saudi Arabia. A number of US airlines have been requisitioned to carry troops and equipment under the Civil Reserve Air Fleet (CRAF) Programme. Under an agreement supplied to the ITF by the Association of Flight Attendants, United Airlines cabin crew are assigned to these flights on a volunteers first basis with any additional slots being filled on the basis of reverse seniority. Those involved receive additional leave and enhanced workers' compensation benefits while carrying out the duties. The Japan Airlines Cabin Attendants' Union has decided not to cooperate with charter flights taking commodities and personnel to the Gulf. They cite the danger to Japanese hostages and lack of security guarantees among the reasons for doing so. Similar arguments have been advanced by the All-Japan Seamen's Union in respect to seaborne supplies. So far no other ITF affiliates have reported having crews requisitioned directly into the highest risk area around the Saudi-Iraqi border but many other flight deck and cabin crew are continuing to operate flights into neighbouring airports. The possible risks should war break out have already been clearly demonstrated by the fate of the crews stranded in Kuwait. Should the United Nations declare an air embargo (something currently under discussion by the Security Council), with the possibility of force being used

against Iraqi civilian aircraft, the risk to all aviation operations will multiply enormously. In response to concerns expressed by a number of affiliates, the ITF Civil Aviation Section has consulted flight deck and cabin crew unions about the conditions under which flights to the region are being conducted and on what definition if any is being used to determine the 'war zone' for civilian aircraft. From the replies so far received a number of important issues have been identified.

Most important of all is the question of voluntary service. In France Article 423-1 of the civil aviation code guarantees this right, but the lack of a clear definition of what constitutes the zone is causing severe difficulties to the unions who have requested clarification from the government. Flight deck and cabin crews unions in Air France have demanded special measures for flights to sensitive zones which they define as airports in Syria, Jordan, Saudi Arabia and the United Arab Emirates. For other airlines Iran, Bahrain, Oman and Qatar would also presumably count perhaps with Israel and southern Turkey. In addition to the principle of voluntary service, the unions are demanding that no crews are accommodated overnight in these countries, that

routes are chosen which keep well away from the likely war zones, and that detailed instructions are given to the crews. Alitalia has not adopted a policy of volunteers only for the Gulf and is currently still flying to Jordan, Israel, Syria and Iran, the latter flights still making use of Iraqi airspace. The ITF affiliated cabin crew union has explained that the company is in close contact with the Italian foreign ministry before each flight leaves to establish whether there is any risk. So far there have been no cases of crews refusing to fly to the region.

The ITF Secretariat is in the process of drafting a common policy position dealing with these questions together with issues such as augmented pay and leave and enhanced insurance coverage for service in the region while the present crisis continues.

On the general political front, the ICFTU issued a statement at the beginning of the crisis condemning the invasion and calling for full support for the UN mandatory sanctions. In a letter to UN Secretary General Perez de Cuellar, the ICFTU also said that it would co-ordinate trade union action in support of the embargo in consultation with the appropriate international trade secretariats including the ITF.

Fijian regime imposes "apartheid" constitution

The military-installed régime in Fiji has proclaimed a new constitution for the country that borrows heavily from the political system of Apartheid South Africa. At a time when even the South African government recognises that such a system is no longer viable, the Fijian authorities have devised a mechanism to ensure an automatic parliamentary majority for ethnic Fijians, who will also have the sole right to hold the office of prime minister and to maintain traditional land ownership. The government, which came to power

in 1987 after a military coup toppled the Labour Party administration in Fiji, proclaimed the new constitution on July 25.

Just a month earlier, the house of Fiji Trade Union Congress leader M. Chaudhry was attacked by early morning raiders, who smashed windows and damaged his car with iron bars. Chaudhry and his wife fortunately escaped the attack without injury.

The new constitution was condemned in an emergency resolution adopted by the 36th ITF Congress in Florence.

ITF 36th Congress — Florence, Aug. 2-9

Optimism about the fall of authoritarian regimes in many countries, the growth of independent trade unionism and a realisation by many governments that ideologically motivated deregulation policies were a mistake coloured the ITF's 36th Congress, which was held in Florence, Italy, from 2-9 August.

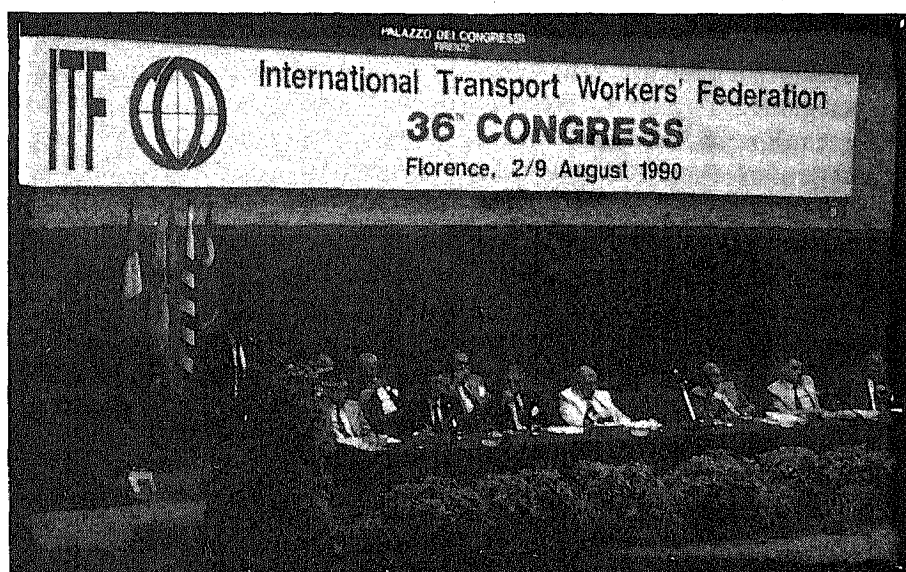
The Congress was attended by 477 delegates and 259 advisers from 221 unions in 55 countries, together with 32 observers and 3 guests of honour.

Plenary sessions were addressed by European Community Transport Commissioner **Karel van Miert**, who spoke of the implications of the EC's common transport policy and of the importance of strengthening the social dimension in the Single European Market, and by the Assistant General Secretary of the International Confederation of Free Trade Unions (ICFTU), **Enzo Friso**, who described the many positive political changes taking place in the world, tempered by the dangers of unfettered free market development which rides roughshod over the interests of working people.

ITF General Secretary **Harold Lewis**, introducing the Report on Activities carried out by the ITF in the last four years, welcomed the emergence of independent transport workers' unions in Eastern Europe, and spoke of the need for a balanced policy of assistance to affiliates which would ensure that unions in developing countries were not deprived of desperately needed resources.

New faces at the Congress included observers from transport workers' unions in Poland, Yugoslavia, Czechoslovakia, Hungary and Romania, as well as a delegate from the ITF-affiliated Hungarian Seafarers' Union.

Jim Hunter and **Harold Lewis** were unanimously re-elected President and General Secretary of the ITF respectively. Four Vice-Presidents: Africa — **Raphael Okang'a** (Kenya), Asia / Pacific — **Tadashi Kubo** (Japan), Europe — **Eike Eulen** (Germany), and Latin America — **Ricardo Perez** (Argentina) were also elected unani-



mously by the Congress delegates.

ITF Gold Badges for long and outstanding service to the trade union movement and the ITF were awarded to **Anderson Mhungu** of the Zimbabwe Amalgamated Railwaymen's Union and, in their absence, to **Teddy Gleason** of the US International Longshoremen's Association and **Ernst Haar** of the German Railwaymen's Union.

Delegates passed an amendment to the ITF Constitution which removes the reduction in voting strength for unions which are unable to afford the full affiliation fees. The change means that in future a union that is accepted with a membership of 100,000 and is given a concession in the fees charged to it by the Executive Board will still have 100,000 votes at an ITF Congress. The new rule, which will be subject to guidelines to be drawn up by the Executive Board, will apply from the next Congress onwards.

It was also agreed to raise the number of seats on the Executive Board from 26 to 27, to take account of the increase in membership of affiliates in the Asia/Pacific Region.

A large part of the Congress week was taken up by conferences of the ITF's industrial sections, which elected new officers and section committees and discussed work programmes for the next four years. Resolutions on a wide range of industrial, political and

trade union matters were adopted by the plenary sessions and the section conferences.

Towards the end of Congress came the welcome news that Fred Olsen Lines had agreed to suspend the controversial *Black Prince* ferry service (see separate article). Seafarer delegates had passed an emergency motion on the *Black Prince* only hours before the news broke, and were joined by their colleagues from other ITF Sections in congratulating the Scandinavian maritime unions on a successful campaign against the exploitation of Third World seafarers and the undermining of safety and environmental protection standards.

ITF News

The last edition of ITF News was May/June, and we regret to inform our readers that due to the pressures of work surrounding the ITF Congress we have not produced the promised July/August issue. In its place we have produced **Congress News Report**, a compilation of the daily news reports produced during Congress that provides an informal report of the meeting. **Congress News Report**, effectively, replaces the July/August Newsletter and will be sent to ITF News subscribers shortly. The formal Report of Proceedings of the 36th Congress will be available by 1992.

Yugoslavian trade union mission

Intensive discussions with a wide range of Yugoslavian trade unionists in different regions of Yugoslavia took place during the special International Confederation of Free Trade Unions (ICFTU) mission which visited the country from 16 to 21 July. The mission, one in a series of fact finding visits to the countries of Eastern and Central Europe, took place at the request of ICFTU General Secretary Johnny Vanderveken. It comprised Stefan Nedzynski, ICFTU Consultant and former General Secretary of the Postal Telegraph and Telephone International (PTTI) and David Cockcroft, ITF Research & Publications Secretary.

The mission's task, to investigate changes in the Yugoslav trade union movement and to make contacts both with the former "official" trade unions and with the emerging groups of independent unions was enormously complicated by Yugoslavia's federal structure. Yugoslavia itself is a relatively recent creation, held together since the 2nd World War mainly by the personality of President Tito. Free elections held earlier this year in the two northern republics of Slovenia and Croatia led to the election of non-Communist coalitions, while in the four other republics (where elections are also promised) the Communist Party still retains a (weak) grip on power.

Trade union activity has always been highly decentralised and this trend has been strongly reinforced by the political changes in Slovenia and Croatia where the majority of the population want either total independence or at most a very weak link with the other republics. As a result the mission spent most of its time talking to unions at the republic or local level rather than anything which considers itself a Yugoslav-wide body. The single exception was the former "official" body now renamed the Council of Independent Trade Unions of Yugoslavia, whose leaders insisted (perhaps expressing their hope rather than their belief) that there would always be an important role for a Yugoslav-level union body.

The ITF was invited to join the mis-

sion because a very high proportion of the growing number of independent trade unions which have been created in the past 12 months are in the transport field. Discussions took place with railway locomotive drivers' unions in Croatia and Slovenia, with the Seafarers' and Dockers' Union of Croatia, with the Airport Workers' Union of Croatia and with the Serbian Truck Drivers' Union as well as with a range of teachers', journalists' and bank employees' leaders. In Croatia and Slovenia discussions also took place with groups which are trying to create new independent union confederations to replace the old official union bodies which are themselves in a state of change.

The mission's conclusions were subsequently reported to the ICFTU and circulated to other International Trade Secretariats. Most important is the conclusion that things are in a rapid state of change in the country. Yugoslavia as such may not exist in 12 months' time, and this will have important implications for contacts with its trade unions. Only a few of the leaders of genuine workplace-based unions expressed any interest in belonging to a Yugoslav-level organisation, even though some of them still retain links with the "official" councils in their own republic. Tremendous changes are taking place in the Yugoslav economy which will impose huge burdens on workers. Genuine trade unions will face a huge task. Hyperinflation has been stopped by a strict monetarist policy and a fixed exchange rate. Many workers face massive cuts in real wages and many more will face unemployment in the near future as restructuring of the tens of thousands of "illiquid" (bankrupt) enterprises all over the country takes place. The Yugoslav government has been told by the OECD and the International Monetary Fund that it must reform its labour market and introduce private ownership, proper management of enterprises and collective bargaining in place of the vaguely defined "social ownership" of property and "workers' self man-

agement" which has characterised the economy in the post-War years. The problem at present is that very few people in government, old unions or new unions have any idea what collective bargaining means or how to go about it. The first step will be to define who owns and controls the 'social' enterprises so that the unions have someone recognisable to bargain with.

Even at the level of the Yugoslav "official" unions it is now accepted that "self-management" didn't work in practice. "In the past we made many errors" said Council Secretary Nedjo Bjelica admitting that "the system had resulted in many unqualified people being put into positions of responsibility."

In the short time available the mission was able to visit only three of the 6 republics. Developments in Bosnia-Herzegovina, Macedonia and Montenegro were not examined in depth. The political situation in the country is also seriously complicated by Serbia's two 'autonomous provinces', Vojvodina and Kosovo. Kosovo has a population of more than 90 per cent ethnic Albanians. In reaction to recent successes by nationalist political groups, the Serbian government in Belgrade has dissolved the provincial parliament, shut down all Albanian language newspapers and broadcasting stations and imposed martial law enforced by more than 15,000 Serbian troops. The old official trade union structure in Kosovo has been virtually destroyed by the defection of all but one of its Albanian leaders to the new Independent Trade Union Confederation of Kosovo headed by a University professor Hajrulla Gorani.

Despite warnings from the official Serbian union that Hajrulla is a "terrorist", the mission met him near Belgrade in conditions of extreme secrecy. He outlined the political developments which had taken place in Kosovo and said that his confederation now has 200,000 members. A series of strikes against Serbian direct rule and in favour

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Spanish FETCOMAR (CC.OO) and Romanian unions accepted as latest new ITF affiliates

New affiliations to the ITF from Spain, Romania, Great Britain and the Faroe Islands were agreed by the Executive Board meetings held in Florence in conjunction with the ITF 36th Congress.

The largest of the new affiliates is FETCOMAR, the transport union with members in all transport sectors except seafaring and which belongs to the Spanish national centre the Comisiones Obreras (CC.OO). Having already paid the relevant affiliation fees, FETCOMAR representatives were able to participate in the work of the Congress as delegates. From Romania two unions were accepted into affiliation at the Board meeting held on the last day of Congress: the Romanian Drivers' Union, which has been the strongest

force behind the creation of the new independent union federation FRATIA, and the Romanian Seafarers' Union based in Constanta on the Black Sea coast.

The British public service union IPMS which organises air traffic controllers, and the Faroe Islands marine engineers' union were also accepted by the Board. An application from the Hungarian Aircraft Technicians' Union received widespread support from Board members but was deferred so that discussions could take place about affiliation fees. Discussion on two applications received during the Congress from the Seafarers' and Railwaymen's Sections of Solidarity in Poland was deferred. The question of granting concessions on ITF affiliation fees was

discussed at length by the Board because of a Constitutional amendment proposed to Congress (and accepted by it) which effectively cuts the automatic link between what unions pay and their voting strength at Congress. Initially tabled to assist unions in the developing countries, it also had important consequences for unions from Eastern Europe, many of which have large memberships but which are unable to pay fees in the normal manner because their domestic currency is almost worthless in terms of pounds or dollars. The Board instructed the ITF General Secretary to draft a set of guidelines to be approved by the Board and applied strictly in the future whenever concessions from the full rate of affiliation fee are requested.

Australian unions form maritime federations

Australian unions representing port workers and seafarers have taken a bold step towards unity by agreeing to form two union federations in place of the present six.

The ITF-affiliated Waterside Workers' Federation (WWF) is to amalgamate

... Yugoslavia

Continued from page 4

of republic status within Yugoslavia has been going on almost continuously. Members of his union were being constantly arrested and harassed and he expected to be arrested at any moment. (Several weeks later he was arrested and sentenced to 2 months' prison for planning illegal strikes.)

Gorani expressed a strong desire for international support and assistance in his struggle, a desire which the mission undertook to communicate to the ICFTU. His subsequent arrest was strongly condemned by the ICFTU which is planning to submit a formal complaint to the International Labour Organisation against the Yugoslav government as a result of its recent activities in Kosovo.

with the Seamen's Union of Australia (SUA) and the Australian Foremen Stevedores' Association.

A second bargaining group for the maritime sector will be formed by an amalgam of the Australian Stevedoring Supervisors' Association, the Merchant Service Guild and the Australian Institute of Marine and Power Engineers, all of which are affiliated to the ITF.

The move, which comes as part of a union-initiated strategy to reform the Australian maritime sector, and the ports industry in particular, was negotiated by the unions in cooperation with the Australian Council of Trade Unions.

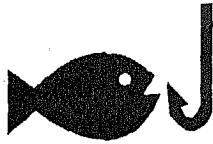
The planned new union organisations, whose names have not yet been agreed upon, represent a major achievement

in the battle to overcome political differences and demarcation disputes in the maritime sector. The unions intend to create a single organisation for the sector once the first stage of reorganisation has been successfully completed.

* In the face of a series of determined attacks by the employers, seafarers and waterside workers in New Zealand are also determined to renew their organisational structures. The ITF-affiliated Waterfront Workers' Union (WWU), Harbour Workers' Union (HWU) and Seafarers' Union have been holding talks on forming a single organisation for workers in the maritime sector, with the aim of achieving amalgamation by early next year.

UK unions merge into RMT

A new chapter in the history of British transport workers' unions was opened on September 10 with the merger of the ITF-affiliated National Union of Railwaymen (NUR) and National Union of Seamen (NUS). The new combined organisation, the National Union of Rail, Maritime and Transport Workers (RMT), has a membership of 125,000. The NUR's Jimmy Knapp, who was elected chairman of the ITF Railwaymen's Section at the ITF Congress in August and is a member of the Federation's Executive Board, is the new union's General Secretary. NUS leader Sam McCluskie is now the Executive Officer of the RMT.



Whale ban maintained by IWC for one year

The 42nd annual meeting of the International Whaling Commission (IWC) in Noordwijk, Netherlands 2-6 July 1990, flying in the face of their own scientific evidence, decided to continue the four-year old moratorium on whaling for one more year.

This year's annual meeting of the IWC had been billed as the most important for years because of the comprehensive assessment of whale stocks which was scheduled to be completed, which had originally been intended to mark the end of the world moratorium on commercial whaling. Other important issues to be discussed included calls for the IWC to extend its area of competence to cover small cetaceans such as pilot whales, dolphins and porpoise, and drift net fishing.

The ITF, which was represented at the meeting by Seafarers' Section Assistant Mark Dickinson, called on the IWC to continue to ensure that the ecological balance is maintained on the basis of sound scientific research in accordance with the International Convention for the Regulation of Whaling (1946). In addition the ITF pressed the IWC to take into account the livelihood of the fishermen concerned and demanded a review of the 1946 Convention together with consultation with all sides of the fishing; measures to prevent flagging out of fishing vessels to evade national regulations; the need for governments to introduce, urgently, social measures to protect redundant fishermen; support for legislation designed to remove non-whaling threats to existing stocks such as marine pollution.

The ITF and its affiliates have consistently argued that the concept of the proper management and rational utilisation of whale stocks based on scientific assessment is fully in line with the spirit of the 1946 Convention. That Convention is designed to achieve the "conservation of stocks, proper man-

agement and orderly utilisation of stocks". The moratorium was intended to conserve stocks while "proper management" was developed and various stock sizes estimated. The deadline for these twin objectives was 1990 and it had thus been expected that some whaling would then be resumed.

The Scientific Committee of the IWC reported on the progress made to date. The pro-whaling nations (Japan, Norway and Iceland) argued that on the basis of the Scientific Committee's report, stocks of Minke whales in the North Atlantic and Southern Hemisphere were sufficient for hunting to resume with quotas established at 2 per cent of maximum sustainable yield (MSY) of the stocks.

On the other hand anti-whaling nations (predominantly the UK, Australia, Netherlands, New Zealand and the USA) argued that the method of calculation of stocks and thus catch quotas was not reliable. In addition the anti-whaling nations maintain that computer models have shown that the existing management procedures adopted by the IWC in 1975 (and known as the "new management procedure" (NMP)) are not 100 per cent effective and some stocks could still be depleted to extinction.

The Scientific Committee expects to be able to recommend a "best" management procedure to the IWC at its 1991 Annual Meeting. In the meantime the anti-whaling nations insist that no quotas be set, regardless of the overwhelming scientific evidence, until the revised management procedure has been established.

Efforts by the pro-whaling nations to obtain catch quotas for the Minke whales were thwarted by the anti-whaling nations who are in the majority at the IWC. Next year there will be a predictable battle for Minke quotas and in view of the evidence of the scientific committee and in anticipa-

tion of its proposals for a "best" management procedure the odds for a resumption of the harvesting of this stock must be improving. However, as seasoned observers of the proceedings at the IWC are aware the anti-whaling nations are adept at shifting the "goal posts" to suit their cause and so frustrate the pro-whaling nations.

Drift net vessels move into the Atlantic

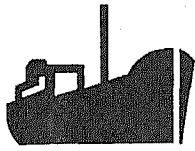
The use of large scale drift nets, in spite of the pending UN ban and severe pressure against the "wall of death" fishing methods, appears to have spread from the Pacific to the Atlantic and Caribbean.

The huge drift nets — that can stretch up to 65 kilometres and hang to a depth of 10 metres — have been condemned by the United Nations and the South Pacific Forum as "strip mining of the sea" causing wanton damage to the marine environment and indiscriminately killing all fish and marine mammals.

Taiwanese fishing vessels using the nets have been spotted in the Atlantic. Taiwan is not a UN member and its position on the January 1992 moratorium decision is unclear.

Fifteen Taiwanese drift net vessels have been spotted docked in Port of Spain, Trinidad. According to reports from marine biologists, drift netters have been operating in the Caribbean and Atlantic now for eight months. Some reports indicate that they may be active in the Indian Ocean.

Trinidadian fishermen, who have overheard the Taiwanese vessels on the radio, claim they are working in the fish-rich waters off the mouth of the Amazon, but no direct sightings have yet been made.



SEAFARERS

Multi-million dollar damages for crew cheated of ITF wages

The ITF campaign against Flag of convenience shipping scored a major victory in August with the award of nearly US\$34 million damages to 21 Filipino seafarers who were cheated of ITF wages through double book-keeping.

The seafarers had served aboard the Japanese-owned, Vanuatu flag of convenience dry bulk carrier *Pine Forest* (see ITF News May/June 1990), owned by Inui Steamship Company, part of the Mitsui OSK group.

The ship was arrested in January 1990 in Tacoma, Washington. In subsequent hearings, the owners admitted that they were paying the crew at well under the agreed ITF rate but insisted that they only signed an ITF Agreement in order to avoid "harassment" from the unions.

Judge Jack Tanner clearly did not accept this explanation, and he has awarded a world record settlement to the crew, which includes the wages they were cheated of, penalty wages, and damages for emotional distress.

The principle of punitive wages in US law, established in 1989 with the wage settlements for the *Fareast Trader* and *Pioneer Leader* crews has been reaffirmed and extended with the addition of extra damages for emotional distress.

The shipowners have sought leave to appeal, but have been told that they must post an additional bond in excess of US\$50 million in order to do so (since the penalty clock keeps ticking through any appeal). They are now appealing against the level of the bond.

The message of this ruling is clear — shipowners must stop cheating their crews of fair wages. The ruling, according to Lloyd's Ship Arrest confidential newsletter, "represents an overwhelming victory for the Interna-

tional Transport Workers' Federation in its campaign to outlaw double book-keeping and raise minimum wages for seamen."

The same publication describes Tanner's ruling as "widely and rightly interpreted as a watershed in the International Transport Workers' Federation campaign..."

In another case involving similar circumstances on another Inui ship — the *Fir Grove* — Judge Malcolm Marsh in Portland, Oregon has largely rejected the owners' demands for summary judgement, and the case continues. The owners have been very hopeful that this case, heard by a different judge, would easily be thrown out.

Meanwhile, another important legal

US Court says labour law applies in Foc case

United States equal employment opportunity legislation can apply to foreign-flag cruise ships, according to a precedent-setting judgement by the District Court in Tampa, Florida this summer. The impact of the judgement is even greater in view of the fact that the laws on equal employment opportunities form part of the USA's labour legislation.

The Equal Employment Opportunities Commission (EEOC) took Bermuda Star Line to court for refusing a woman the chance to apply for a job on board the *Veracruz 1*, which was sailing out of Miami with mainly US passengers on board. The Line admitted that the potential applicant had been turned away because she was a woman, but claimed that as the vessel was registered in Panama and the company was incorporated in the Cayman Is-

lands, the US courts had no jurisdiction over the case. principle in the ITF campaign has been upheld. Two and a half years ago the ITF intervened and arrested the *Palvia* and obtained backwages under the ITF Agreement for the crew in the USA. Part of the legal settlement was a protective order guaranteeing that there would be no harassment of the crew concerned and they would be permitted to serve out the rest of their contracts (at full rates). The ship then travelled to the People's Republic of China, where the crew were unceremoniously kicked off the ship. Following the initiation of legal action, the owners have now agreed to settle for \$450,000. This is the first time that a protective order has had to be used, and it has worked well.

The court ruled that the Line's operations in the US were more important a factor than its tenuous connections with Panama and the Cayman Islands in deciding which national legislation should govern the case. According to *Lloyd's List* newspaper, the judge said:

"It does not appear that any of (the Line's) major shareholders are Panamanians nor its port captains nor ship's captains, nor does it appear that [its] ships ever visited Panama. The fact of [Bermuda Star's] incorporation in the Caymans by itself is not an adequate basis to stifle the application of US law in difference to the law of the Caymans."

The discrimination case will now go to trial, and shipowners are understandably sweating as they await the repercussions of the judgement.

Unions blast latest EUROS plan

European Community seafarers' unions have expressed grave concern at the newest proposals from the EC Commission to create an Foc-type "Euros Register".

The Commission's latest set of proposals for a new Community shipping register would allow companies to hire up to 50 per cent of their ratings from outside the EC, at the rates and conditions obtaining in their home countries.

Although the Euros project is being presented by the Commission as a move to halt the exodus of Community shipping to Foc registers, as it is presently conceived it would merely serve as a convenient mechanism for shipowners to replace thousands of European seafarers with low-paid and badly

trained crews from outside the EC.

The Euros proposals came under fire from British seafaring unions at the Congress of the British national trade union centre TUC at the beginning of September. Tony McGregor, Deputy General Secretary of the ITF-affiliated National Union of Seamen (NUS) — now part of the new combined transport workers' union RMT (see separate story) — said that the plans "amount to setting up a flag of convenience with a European stamp of bogus respectability on it".

Meanwhile shipowners are pressing for further amendments to the Euros proposals, which would allow an even greater attack on seafarers' working conditions under the register. The Eu-

ropean Community Shipowners' Association (ECSA) has called for more relaxed provisions on hiring non-EC nationals at non-EC rates and conditions, more "flexible" manning arrangements and corporate tax concessions, in order to assist the competitive position of the European fleet.

* The European Parliament has now postponed the debate on the Euros Register that was due to take place on September 13, and has referred the matter back to its Transport Committee. The Parliament backed a motion from a British Labour Member which exposed the Euros proposals as a plan for a new Foc and as "contradictory and totally alien to all the members of European seamen's organisations."

Foc inspectors hold worldwide seminar

The annual ITF worldwide seminar of Flag of convenience Inspectors took place in the TGWU Centre, Eastbourne, England from 3-7 September.

Inspectors from ITF affiliates in Australia, Belgium, Britain, Canada, Finland, France, Germany, Italy, Japan, Malta, Mexico, Netherlands, Norway, Portugal, Spain, Sweden, and the USA attended along with representatives of ITF seafaring unions in Cyprus, India and Korea. Legal advisers from Britain and the Philippines also attended, along with Assistant General Secretary Åke Selander, Special Seafarers Section Secretary Brian Laughton, Research and Publications/Dockers' Secretary David Cockroft, a representative of the Missions to Seamen and a number of ITF Secretariat staff.

The seminar engaged in a number of practical discussions generated by different presentations that varied from the history of the ITF campaign against Foc shipping and public relations strategies to specific case histories of incidents or claims that the ITF and the Inspectors had been involved with. The Inspectors were briefed in detail on current developments in ITF policy, and taken through important interna-

tional maritime standards and guidelines that can be of use in their work.

In many sessions, the meeting broke down into smaller workshop groups that undertook more detailed deliberations of particular topics.

Perhaps the most valuable part of the seminar took place in the coffee breaks and evenings when Inspectors from every corner of the world shared their common experiences and discussed the many different national circumstances they work under. While Foc Inspectors share a common task in visiting ships, checking on conditions and seeking to implement ITF standards, the wide variation of national laws and proce-

dures can appear bewildering — when Inspectors meet and exchange view on a face to face basis, these national variations can be best explained and understood. Knowledge of the diversity of conditions is a key to helping the ITF and the individual affiliated unions in the campaign determine the best strategies for dealing with specific cases.

This, as many an inspector commented during the week, is the crucial difference between the ITF and the shipowners — while they represent many diverse, competing commercial interests, the ITF unites seafarers' and dockers' trade unions in a community of common purpose.

US crackdown on manning agents

US authorities have cracked down on unscrupulous manning agents which have been enticing foreign seafarers into the country on non-immigrant visas with the promise of jobs there.

The companies obtained the visas, which allow crews to go ashore when they reach the United States, and charged the seafarers a hefty commission for arranging them jobs on ships sailing out of the USA. In many cases these jobs simply did not exist, so that the seafarers entered the country on an illegal basis. In some instances even the ships mentioned had been invented by the manning agents. One of the companies under investigation by the Border Patrol has already been indicted and put out of business, and further arrests are expected.

Scandinavian solidarity defeats Fred Olsen and the *Black Prince*

Over a period of two months the Norwegian Fred Olsen Lines pumped millions of kronor into trying to break union-approved employment conditions in Scandinavian ferry services. The passenger ferry *Black Prince*, which ran between Gothenburg and Copenhagen, was to trigger a series of events that ended in a way no-one could have dreamed of. A united trade union movement throughout Scandinavia brought Fred Olsen to his knees. The *Black Prince* was withdrawn from operations, and two weeks later the ferry service was abandoned altogether.

When Fred Olsen Lines announced their intention at the end of last year to start a ferry service between Copenhagen and Gothenburg using the *Black Prince*, it aroused strong feelings among the Scandinavian seafaring unions.

Fred Olsen wanted to break the principle that there should be Scandinavian agreements for Scandinavian vessels in Scandinavian waters. The ship was to be crewed mainly by Filipinos paid at well under Scandinavian rates and with working hours bearing no comparison to Scandinavian standards. Fred Olsen calculated that the *Black Prince* would show that the Scandinavian seafarers' unions were defenceless.

Slave ship

It soon became clear to the unions that they could not rely on the Scandinavian politicians. The Swedish unions could not take industrial action against the *Black Prince* because of the Labour Court's ruling against dockers' international solidarity action in the *JSS Britannia* case — a principle that is set to be reversed by new labour legislation (see ITF News May/June 1990).

So the conflict assumed other forms. In March Fred Olsen Lines launched a major advertising campaign for its new "cruise line". This was immediately answered by newspaper advertisements in which the three Swedish seafaring

unions explained the philosophy behind the *Black Prince* — the exploitation of underpaid seafarers — under the headline "Slave ship as a business idea".

During the early summer months the debate about the company's business methods raged in the mass media. A range of trade unions and other organisations publicly condemned Fred Olsen Lines.

In operation

On June 9 the *Black Prince* put out from Gothenburg for the first trip of the new service. There were 600 demonstrators on the quayside — more than double the number of passengers on board. Although the company had distributed free tickets in order to fill up the first sailing, the *Black Prince* sailed half-empty. The ship's departure was delayed for two hours as the demonstrators simply sat on the bits and were finally dragged off by the police.

There had been a question mark over the first voyage up to the last minute. On June 7 the Marine Inspectorate ordered the vessel to be kept out of operation, an order that was only lifted two hours before she was due to sail.

But the intensive lobbying of the public paid off. The small number of passengers was a disaster for the company. Many cruises carried less than ten passengers — the record minimum was five. And every time the *Black Prince* put into Gothenburg it was met by demonstrators on the quayside.

Swedish boycotts

In mid-June the negotiations between Fred Olsen and the Danish Hotel and Catering Workers' Union broke down. The union received support from the Danish national trade union centre LO for its ban on new recruitment to the company, and sought solidarity action from other unions through the Nordic Transport Workers' Federation (NTF). This opened the way for the Swedish

unions to take action.

"The unions are only paper tigers", said Fred Olsen's Managing Director Tom Bringsvaerd when the strike warning was delivered, a claim he was later to regret.

At midnight on July 5 the Swedish Transport Workers' Union's (STF) and the Swedish Seafarers' Union's (SSU) action, which involved boycotting work on the vessel while it was berthed in Gothenburg, began.

Later the same day the Swedish Local Government Workers' Union began a boycott of refuse disposal and sludge removal from the ship.

Within a week the pickets and demonstrators had prevented the *Black Prince* from tying up at Gothenburg. Swimming demonstrators clad in wetsuits and pickets in small boats simply blocked the harbour approaches. The company was forced to load and unload passengers by launch.

Danish boycotts

Several actions took place in Denmark. The reconstituted Catering and Brewery Workers' Union stopped all deliveries of drinks to the ship, the General Workers' Union SiD boycotted tying-up in Copenhagen and the Graphical Workers' Union stopped the printing of advertising material for the *Black Prince*.

The demonstrations continued every day that the ship was in port, now in Copenhagen as well as in Gothenburg.

At the end of July Fred Olsen scored an unexpected victory. The Norwegian Seafarers' Union failed to get the contract on the *Black Prince* declared invalid by the Labour Court, the court deciding that the contract was valid because the vessel was a cruise ship.

But the company's celebrations only lasted until the next day, when the Swedish Marine Inspectorate decided to mount a new inspection, which resulted in a new operating ban that de-

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Cape Verdian seafarer receives £100,000 in settlement for limb loss

Jose Gomez, a Cape Verdian seafarer who lost half his leg in May 1989, has received a settlement of nearly UK£90,000 and two artificial legs with the help of the ITF and a number of affiliates.

Gomez, employed as a Steward on the Netherlands Antilles, Dutch owned Flag of convenience registered *Martini*, was handling stern ropes on deck at night without adequate lighting. His leg was caught in the ropes and he lost his foot. He was taken to hospital, where attempts to save the foot failed, and his right leg was amputated below the knee.

ITF Inspector Harry Shaw visited Gomez in hospital, and the ITF took up his case. In the first instance, the ITF made sure that Gomez received his medical treatment in the UK and

that he received immediate sick pay. A full claim for damages based on the fact that he would not be able to return to his profession as a seafarer was prepared and presented to the owners. The owners agreed to cover the cost of his medical treatment.

Eventually in June of this year, a final settlement of £87,645 was agreed with the owners, along with two artificial legs (so that Gomez has a spare). Including the hospital treatment and previously received sick pay, Gomez has received over £100,000 for his injury.

Jose Gomez, pictured here in London, wearing his artificial limb. Thanks largely to ITF help in his case, he has now returned to Cape Verde with a settlement that reasonably compensates him for his loss of livelihood.



...*Black Prince* service suspended, then cancelled

Continued from page 9

layed the ship for six hours. From then on things went downhill for the company.

First East German boycott

That same day the Swedish Commercial Workers' Union (HF) gave notice of a boycott of deliveries of provisions to the ship. This was followed the next day by notice of a boycott of drinks deliveries by the Food Workers' Union and of ticket sales in travel agencies by the Clerical Staff Union (HTF).

The following day the seafarers' section conference at the ITF Congress in Florence unanimously adopted a resolution supporting the Scandinavian unions and condemning Fred Olsen Lines. At the same time the Swedish Metal Workers' Union announced it would be boycotting repair and maintenance work on the *Black Prince*, and

the Industrial Employees' Union (SIF) said it would stop work on the processing of service and delivery orders. The next day the Danish shipping metal workers' boycott of repair work on all Fred Olsen's ferries came into force.

The last straw came in Rostock on August 5, when the ship ran into a boycott mounted by the ITF-affiliated West German transport workers' union ÖTV and the East German seafarers' union. A new chapter in international solidarity action was opened as the East Germans stopped deliveries to the ship and the collection of refuse. With the *Black Prince*'s last refuge blocked, the company decided it was time to throw in the towel.

Out of operation

On Monday August 6 Fred Olsen called a press conference and announced that the company had decided to withdraw the *Black Prince* from

service immediately. He justified this move to the Press by saying that he could no longer guarantee the passengers' safety, in view of the violent behaviour of the unions!

The *Black Prince* was withdrawn to Oslo to await a decision from the Danish courts on the legality of the industrial action there. But the company was not even prepared to wait for that. Two weeks later, on August 22, the decision to abandon the service for good was announced. The "Paper Tigers" had proved stronger than Fred Olsen. The biggest-yet joint action by Scandinavian unions showed that international trade union action is possible. The *Black Prince* will not return to Scandinavian waters: instead the company is looking to the British market for Mediterranean cruises.

By Anita Fors (SSU).

ITF seeks international action on fatigue factor in crewing safety

When the oil tanker *Exxon Valdez* ran aground in Alaska last year, with horrific consequences for wildlife and vegetation in one of the most environmentally sensitive areas of the world, the Exxon oil company and the media tried to imply that the accident came about because the ship's Master was under the influence of alcohol.

This suggestion was subsequently dismissed in court, but it emerged that Exxon had applied to the US Coast Guard for permission to reduce the crew complement from the 33 for which the vessel was designed to the 19 that were on board when she ran aground. The Masters of ships like the *Exxon Valdez* were instructed to keep overtime hours to an absolute minimum so as to give the impression that the vessels were being run as efficiently by smaller crews as they were with the normal complement.

In other words, the tanker's crew, and particularly the Master and other bridge officers, were working under severe stress and were being forced to do the work of other seafarers who had been "rationalised" in addition to their own.

The problem of fatigue at sea has rarely received anything like the serious attention it deserves from shipping companies. Shipowners' representatives have often sought to down-play the issue by objecting that there is no accepted, hard and fast definition of fatigue, and that much of the evidence for it is "anecdotal".

But now the ITF is calling on the International Labour Organisation (ILO) and International Maritime Organization (IMO) to establish an international legal framework for the control and regulation of seafarers' working hours. There should also be an international convention setting out common investigative procedures for marine surveyors and casualty investigators to take account of the working patterns of personnel involved in shipping casualties.

A submission prepared by the ITF Seafarers' Section for a meeting of the ILO/IMO Joint Committee on Training, which is being held in Geneva on September 17-21, sets out powerful arguments in favour of accepting the concept of fatigue and undertaking to eradicate it as a factor in the manning and safety of ships.

The submission calls for a broad acknowledgement of the consistently observed problem of fatigue as a personal experience causing detrimental effects on an individual's ability to carry out his work effectively, rather than spurious attempts to perfect a universal definition of the concept.

The key to eliminating fatigue is in the organisation of work, with the length of continuous periods of duty, the periods available for uninterrupted sleep, the arrangement of duty, rest and sleep within the 24 hour period, and the cumulative effect of these being the chief relevant factors.

But the interests of greater vessel safety and the welfare of seafarers conflict with the desire of shipowners and ship managers for greater "efficiency" via smaller crews, faster turn-round times in port and increased pressure on ships' crews to meet in-

creasingly tighter schedules and deadlines.

With increasingly complex technology to operate, 24 hour working in many ports and fiercer competitive conditions in the shipping industry, the pressures on seafarers are growing steadily greater. Gone are the days when a ship could lay up in port for an extra night so that the crew could get an adequate rest.

And yet, as the submission points out, although airline pilots and truck drivers have clearly defined and strictly regulated periods of duty and rest, there is no equivalent to these regulations for seafarers. Casualty investigators are not even required to take working conditions into account when a vessel is involved in an accident.

If, as seems likely, the IMO approves "one man bridge operations" (OMBO) within the auspices of the STCW Convention 1978, officers of the watch will be placed under even greater strain in the future.

As the submission concludes, "the ITF and its affiliates consider that it is time that shipowners and their organisations, and governments, got around to examining the fundamental problem of providing a civilised life at sea for their employees."

Unions fight Argentinian owners' register plans

Shipowners in Argentina are calling for a Second Shipping Register, which would threaten the wage levels and working conditions of the country's seafarers.

The shipowners complain that "outdated" legislation on collective bargaining, decent leave and overtime provisions for seafarers, and the wage levels achieved by the Argentinian maritime unions all threaten the industry's international competitiveness.

The ITF-affiliated Maritime Electrical and Electronic Trades Union points out that the shipowners are trying to boost profit levels at seafarers' expense, while it is the strength of the Argentinian currency against the US dollar that is the primary cause of the industry's competitive weakness.

Argentina's merchant fleet, which totalled 465 ships of 1.8 million grt in 1989, accounts for 0.4 per cent of the world's merchant tonnage.

USSR sea union wants to join ITF

Changes in Central and Eastern Europe have not excluded the USSR trade union movement. Following closer links with the Fish Industry Workers' Union, the ITF has also been observing closely changes in the structure and leadership of the USSR Sea and River Workers' Union, which held an Extraordinary Congress in Moscow from 15 to 17 August.

Among those observing the proceedings were ITF Assistant General Secretary Åke Selander and representatives of a range of ITF seafarers' and dockers' affiliates from Western Europe and the USA.

With the political developments taking place in the Soviet Union and the hiring of Soviet seafarers on foreign-flag ships, the Sea and River Workers' Union has begun to indicate that it is prepared to support ITF policy and join the international battle for just wages and conditions. (See *ITF News* May/June 1990 for a report of successful Soviet crew strikes in Italy and Finland which received ITF support.)

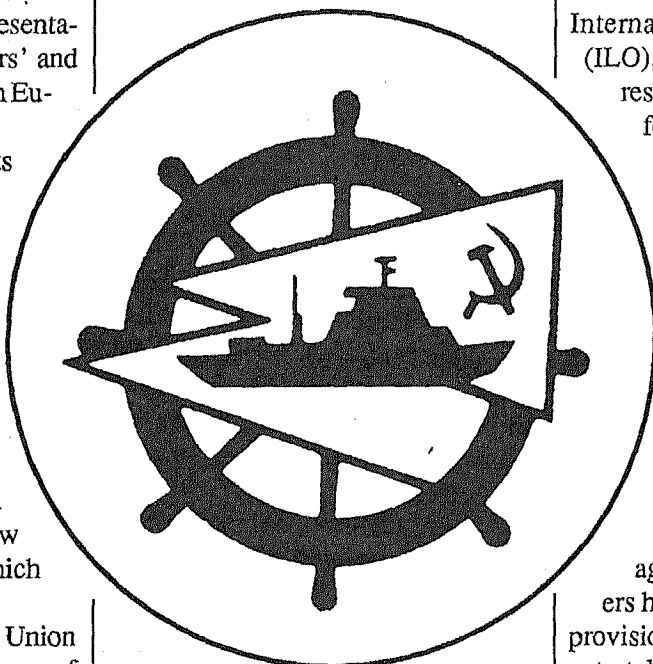
The Sea and River Workers' Union claims a total of 938,000 members, of whom around 100,000 are seafarers. Others are port workers or are employed in inland navigation.

In his address to the Congress, Sea and River Workers' President Kasimir Matskiavichus described the Soviet government's present attitude to the trade unions as "conservative and short-sighted". He complained about collusion between the government and the All-Union Central Council of Trade Unions (VZSPS) to reduce the power and influence of industrial unions, for instance by excluding union representatives from delegations to the International Maritime Organization (IMO).

The draft legislation on trade unions now under consideration by the Soviet Parliament contains provisions which would place unions under greater fi-

nancial control by the government. The Congress, objecting to the present system whereby the VZSPS allocates such funds as it thinks fit to the industrial unions, elected a delegation to the national centre's Congress in October mandated to support the winding up of the VZSPS or its reconstitution in an acceptable form.

Along with other workers, the union's members have been hit by the



decline in living standards in the USSR, and 5,000 seafarers are now unemployed. The union has asked the Merchant Marine Minister to establish a redeployment programme and, if necessary, to place unemployed seafarers on foreign flag vessels on ITF conditions, a demand which the recent crew strikes showed has not been satisfactorily met.

The Congress forestalled a move by some local committees to set up separate organisations concerned with supplying crews for FOC vessels. The leadership won majority support for maintaining a single union, which delegates decided should be renamed the Independent Federation of Water Transport Workers. Matskiavichus was re-elected union President.

In his address to the Congress, Åke

Selander outlined the changes that are taking place in the international trade union landscape. He stressed the importance of united action, particularly in view of the wish of some shipowners to use Eastern Europe and the USSR as a supply of cheap labour ripe for exploitation, and underlined the responsibilities of belonging to the ITF.

The union's leadership committed itself to upholding the employment standards laid down by the ITF and the International Labour Organisation (ILO), and the Congress passed a resolution for the union to apply for affiliation to the ITF.

* A meeting of ITF seafaring affiliates from Italy, Switzerland, Norway, Sweden and Finland with the Sea and River Workers' Union in Helsinki in late June, which was attended by Åke Selander, decided to give notice of termination of the collective agreement for Cyprus-flag, Soviet-owned vessels with manning agents Acomarit, as the employers had failed to comply with all its provisions. The ITF agreed to coordinate talks between the affiliates concerned in Western Europe and appropriate unions in Eastern Europe prior to the negotiation of a fresh collective agreement with Acomarit. In the meantime the company was urged to honour any outstanding payments to Soviet seafarers under the present agreement.

At a further meeting in London on August 30, it was agreed to set up special funds to secure payments being made to Soviet seafarers under the Acomarit agreement, in order to take account of Soviet regulations on foreign currency earnings, local taxes and social security benefits. The funds will also be used to provide benefits for other seafarers in the same Soviet shipping company who are not employed on foreign-flag vessels.

Union first aid centre opened in Bombay

Leo Barnes, General Secretary of the ITF-affiliated National Union of Seafarers of India (NUSI), opened the First Aid At Sea course in the union's new first aid training centre in Bombay on July 10. The centre, which was inaugurated by Government Nautical Adviser Capt. P.S. Barve, will help seafarers to comply with the requirements of the International Maritime Organization's Standards of Training, Certification and Watchkeeping (STCW) convention.



Former gun running ship sinks mysteriously in the South Atlantic

A ship whose crew were virtually held hostage by Lebanese militiamen earlier this year has now sunk in extremely suspicious circumstances off the Angolan coast. It may possibly have been engaged in dumping toxic waste on the edge of one of the world's richest fishing grounds.

The Cypriot Flag of Convenience general dry cargo vessel, the *Ivory K*, went down off the Angolan coast in late August. According to the Angolan news agency ANGOP the ships may have been carrying radioactive and/or toxic chemical wastes.

The ship left Rouen on August 1, bound for Mauritius. It supposedly loaded a cargo of wheat, fertiliser and farming implements. On or about August 26, she docked for a day in Pointe Noire, Congo and departed south, sinking on the 26/27 at 10°24'S 11°31'E (200 or so kilometres off the Southern coast of Angola).

The crew of 21 Chileans and four Greeks were all rescued and have been repatriated to Portugal. The crew — perhaps fearful of potential legal action in the country they loaded their hazardous cargo — requested the Angolan authorities to repatriate the crew to any European country except France.

In violation of international procedures, the Angolans say they have not

been formally notified of the wreck nor informed of the contents of the cargo. They are now investigating.

Reliable sources close to the Angolan authorities believe that it is very likely that the ship was deliberately scuttled — though the Maritime Directorate have yet to confirm whether or not the cargo was toxic. Kent Trading deny the cargo was toxic and say that the wreck was caused by a leak in the engine room.

Seafarers' trade unions have had many reports of illegal dumping of waste at sea, and rumours of scuttling frauds such as this have come to light but rarely been proven. If this was a case of deliberate sinking in order to dispose of hazardous waste inexpensively, then it represents a major maritime crime. The location of the wreck is precariously close to the Namibian fishing grounds — a major marine resource that the newly independent Namibian government is hoping to protect and develop.

The manager of the ship is Kent Trading of Piraeus — who operate the ship for a company called New Forum. Reports earlier this year indicated that Kent Trading had sold the ship. This is now clearly not the case — though the company has gone to some lengths to conceal the true ownership.

The ship — under its former name *Atlantic III* — and Kent Trading came to the ITF's attention on February 3 this year when the London Secretariat received a desperate telex from the Pakistani crew of the ship. They stated that they had been held "as literally hostages for the six months running at sea in the East Mediterranean."

The vessel was carrying a cargo of weapons (tanks, personnel carriers, rocket-launchers, small arms and explosives) bound for the Christian Lebanese forces of Samir Geagea (who was, at that time, fighting the other Christian forces of Michel Auon).

Unable to land their cargo safely, the ship drifted about with a regularly replenished supply of armed militiamen on board to keep the crew docile. The crew's pay was withheld and rations were short.

Eventually, the crew overpowered the gunmen and contacted the ITF. In consultation with the International Maritime Bureau, the ITF told the master to take the ship to Malta where Foc Inspector John Mansueto from the ITF-affiliated General Workers' Union would be able to assist the crew.

The Maltese authorities prevented the ship from entering their territorial waters, and delicate negotiations, su-

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Honduras tops the PSC substandard list

Flag of Convenience registers score heavily in the rogues' gallery of ship detentions in 1989 compiled by the Memorandum of Understanding on Port State Control Secretariat. The list, which shows the proportion of the flag state's fleet being detained by Port State Control inspectors on safety or pollution grounds, contains five Focus countries among its "Top Ten".

At the head of the list comes Honduras, exceeding the world average by over 20 per cent, closely followed by St. Vincent and the Grenadines at almost 19 per cent. Panama, which had fallen way down the world league the previous year, now ranks at number 18, although this is only slightly higher than the world average.

The government of the Flag of convenience Caribbean state of Antigua and Barbuda has become entangled in a scandal involving international arms and drug smuggling. Antiguan government middlemen appear to have been involved in smuggling Israeli arms to the Cocaine warlords of Colombia in April last year. A ship that carried Israeli arms, via Antigua, was later seized in Mexico with 2.5 tonnes of Cocaine, bound for the USA.

Rather different factors are at play in the increases taking place in the size of

the German-flag fleet. The creation of the German Second Register (GIS) which is still being challenged in the country's constitutional court by the ÖTV has given the impression of a reversal of twelve years of decline as

GmbH, a private company.

The Greek government is aiming to boost its national flag fleet by slashing tonnage taxes and making it easier for owners to hire non-Greek crews. The government has announced that taxes on vessels of 80,000 tonnes gross and over would be cut by 75 per cent, with ships between 40 and 80,000 GRT reduced by 50 per cent. Additionally, "bureaucratic procedures involved in hiring non-Greek crews" are to be simplified.

As Liberia slides further into bloody civil war, with no discernible central government, the vocal claims from the Reston, Virginia (USA) offices of the world's largest Flag of convenience register that its administration is unaffected by the state of their country are beginning to ring a little hollow. The fact that the register has survived so far without any major disruption does clearly demonstrate how little connection there is between the flag and state (and, for that matter, how little benefit Liberians receive from "their" shipping register). But certain aspects of the Liberian register's functions have been affected.

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The ITF's Flag
by Flag Roundup

more and more ships flagged out to Focus. Over the last year the total grt of West German-flag ships increased from 3.75 million to 4.03 million. The fleet is soon to be augmented by that of the German Democratic Republic as part of the process of German unification. In anticipation of this, the GDR's merchant shipping company has been transformed into Seereederei Rostock

... Toxic cargo may have been on board

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pervised by Mansueto, eventually resulted in the crew's replacement and repatriation with US\$180,000 in backpay on February 16 (see ITF News February 1990, or for a fuller account ITF Seafarers' Bulletin No. 5, 1990).

The ship then discharged its cargo in the Lebanese port of Jounieh on February 26. According to *Lloyd's List* newspaper, the ship was then sold.

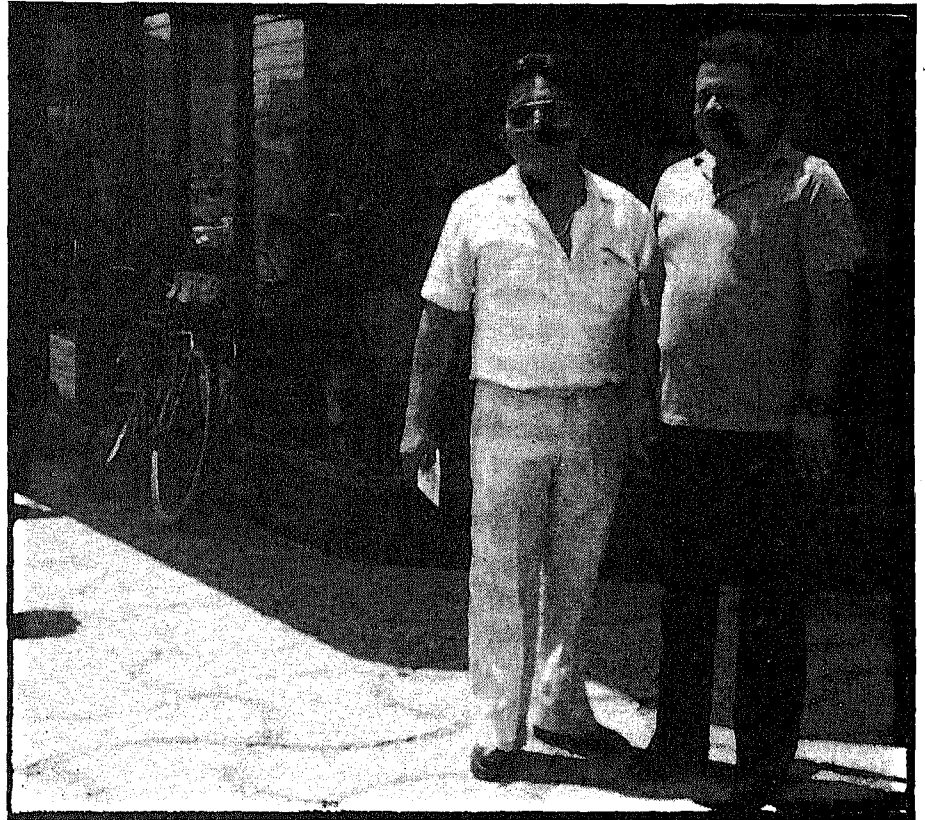
Whilst in Jounieh, the ship was renamed the *Ivory*—but remained on the Panamanian flag of convenience register. The vessel remained in Jounieh till the beginning of June. On June 12 the ship spent a day in Larnaca, Cyprus and then sailed to Piraeus. During a month long berth in Piraeus, the ship was renamed *Ivory K* and transferred to the Cyprus flag of convenience registry. The *Ivory K* arrived in Rouen,

France on July 25, and left on August 1 for her last voyage.

By changing the name twice, first to *Ivory* and then to *Ivory K*, the company ensured that initial checking of the ship's name in various maritime lists and directories would usually not reveal the fact that this was the infamous *Atlantic III* (since most listings give name, last former name and original name).

Mexican inspector aids dismissed seafarer

Enrique Lezama (on the left), a Mexican seafarer serving on board the Panama-flag vessel *Cordoba* was dismissed by the Captain for having complained to the Steward on behalf of his fellow workers. Provisions of food varied little and there wasn't enough to go round. ITF Mexican Flag of Convenience Inspector Pedro Miranda gave the case to attorney Joaquin López Olivares (on the right) who raised it with the Labour authorities in the port of Veracruz. The beneficial owner of the vessel, the shipping section of state-owned Mexicana Transportación — Transportación Marítima Mexico (TMM) — agreed to make payments for severance pay and indemnification to Lezama. TMM is increasing its use of Focs and Miranda hopes that the authorities and the Harbour Master in Veracruz will continue to support seafarers who inevitably suffer from flagging out.



... Norwegian government set to review NIS register

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Considerable difficulties are reported in the process of registering companies and recording mortgages at the moment. Rumours are rife that, if the Liberian situation does not improve, the entire register may switch its national allegiance to another flag of convenience. Short of changing a few documents and issuing new flags and repainting the port of registry names to the largest "fleet" in the world, it would be easy.

The mounting bad publicity about the Norwegian International Register's (NIS) poor safety record, substandard ships and the fact that a dwindling number of Norwegian seafarers actually work on NIS ships has even begun to worry the Norwegian Shipowners' Association (NSA) — at least for the next couple of months or so. The Norwegian government has announced the publication of a white paper in November to assess the first three years of operation of the second register. In a

move that cynics suspect may be a manoeuvre to steal the opposition's thunder and calm down critics of the register before this review, the NSA has just published what *Lloyd's List* newspaper describes as an "unusually self-critical report". The owners say that new measures should be introduced to improve standards, including stricter checks on ships older than 12 years, quality controls for management procedures, and training programmes for crews. The NSA even says that it would like to see a larger proportion of Norwegian seafarers serving on NIS ships! In an understatement of classic proportions, shipowner Rolf Westfal-Larsen, who chaired the NSA committee that produced the report, told *Lloyd's List* that "Doubts have been expressed about whether standards in Norwegian ships are good enough." The solution to all these problems? Do nothing, say the NSA, because their own internal rules are "good enough", the control systems just need to be made to work a little better.

This column has already reported that the US Trust Territory of Palau is aiming to set up a new Flag of convenience register (ITF News May/June 1990). A detailed report in a recent edition of the New York based International Ship Registry Review adds some interesting details to this move. Since ISRR often reproduces large amounts of material from ITF News, we're sure they won't mind us returning the compliment: The Palau register should be launched very soon. A Merchant Shipping Act and a Corporation Act, both drafted by Constantin Mattheos, a Greek lawyer, are in place and the register is set to roll — except for one small problem. Palau is still a colony of the USA. Independence is supposed to be granted under the "Compact of Free Association" model already in force for the Marshall Islands. Opposition in Palau to the "Compact", which guarantees certain residual (and military) rights for the USA and which would require the Palau people to revoke their nuclear

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... Positive measures maintain steady growth of Swedish national flag fleet

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free zone constitutional clauses has led to the local population failing, in numerous referenda, to accept the agreement by the required 3/4 vote. The USA refuses to grant independence until the people buckle under and accept their deal. Without independence, according to the Deputy Commissioner of Maritime Affairs in the Marshall Islands (a country that has accepted US-designed "independence" and bears the honour of being the latest addition to the ITF's designated list of Foc registers), the Palau register would be illegal. A major supporter of the register, according to ISRR, is US businessman S. G. Fassoulis, whose credentials include arms manufacturing and global toxic waste disposal. Fassoulis has said that the US Department of the Interior can review the register law and comment on it, but will not interfere. This is because Mr. Fassoulis has kept his "friends" in the right places informed. This means, in effect, that the US government will be in a position of having approved the creation of the Foc register — which begs a host of interesting questions about US jurisdiction over the register... Facts of interest to shipowners considering forking their money over to these guys: In 1983-84 Palau bought a power plant from the UK for \$17 million, which they never paid off (the US government never authorized the sale); In 1985, the plucky Palauns convinced a Japanese company to build five paved roads on the island to service a handful of vehi-

cles. The roads aren't even connected. Initial unpaid cost \$22, now accumulated debt of between \$30 and \$35 million; Palau named a Consul General in Hong Kong without authority or legal basis to do so. The Consul is rumoured to be selling Palau citizenships; and finally, Palau tried to establish diplomatic relations with Indonesia, but was stopped by the USA because they have no legal basis to do so. Definitely a register to watch out for.

Vigorous marketing and a cut in registration fees for bulk carriers have helped the Singapore register to pass the 8 million grt mark and take 15th place in the league of world merchant fleets. An eleven per cent tonnage increase over 1989 has brought the register up to 1,359 vessels.

Sweden's merchant fleet grew by ten per cent in the first six months of this year, with its cargo ships now numbering 247 and totalling 2.7 million tonnes deadweight. This continued growth represents a triumph of the Swedish maritime unions' campaign against flagging-out, and of the policy of public subsidies for the country's register.

The USSR's first "independent" shipping company Sovcomflot — who pioneered the use of Cypriot Foc ships and operate the vessels in which Soviet crews went on strike for full ITF wages (see separate story in this issue and ITF News April/May 1990) — have broken new ground by becoming the first So-

viet shipping enterprise to publish financial results. According to Novosti Infoservice, Sovcomflot is a joint stock commercial enterprise set up two years ago "which could effectively work in conditions of market relations." The main task of the concern is to earn foreign currency for the replenishment of the fleet. On January 1, 1990, the fleet consisted of 132 ships with an aggregate deadweight of two million tonnes and an average vessel age of eight years. "All these vessels have been bought with revenues from commercial operations and with foreign loans. The state has not spent a cent on them" say Novosti. Sovcomflot also controls "a number of foreign companies" which control approximately 40 ships (presumably those under Cypriot flag). The company does not deal directly with "personnel, forwarding or maintenance matters. These services are handled by the actual operators, the shipping lines, at a 5 per cent commission." Sovcomflot increased their profits last year by 15.2 per cent. For the first 18 months of their existence (July 1, 1988 to Dec 31, 1989), Sovcomflot made a net profit of US\$75 million (Roubles 46 million). The total assets of Sovcomflot are calculated at \$1.509 billion. Meanwhile, another USSR shipping operation, Baltic Shipping Company, has been granted independence from the government. BSC has a fleet of 170 vessels, and it now has authority to operate its assets on a hire/lease basis free from Ministry dictat.

OBITUARIES

Henk van Eekert, General Secretary of the Dutch national trade union centre FNV, died on August 28 at the age of 54. Having started as an official in

the Catholic Young Workers' Movement, he played a key role in the unification of the Catholic trade union centre NKV and the Social-Democratic

NVV, and served as the General Secretary of the new united centre FNV from its creation in 1975.



INLAND TRANSPORT

ILO cites Turkey for denial of rail workers' basic rights

Turkish trade unions and the ITF have emerged victorious in an argument with the Turkish government at the International Labour Organisation (ILO) over anti-union legislation. The ILO is now calling on the Turkish government to amend the laws, which deprive the country's railway workers of basic trade union freedoms.

The legislation, much of it inherited from the previous military dictatorship, was the subject of a complaint to the ILO by the ITF-affiliated Turkish railway workers' union DEMIRYOL-IS, which was backed by the ITF (see ITF News February 1990).

ITF Assistant General Secretary Graham Brothers described the decision as "a considerable censure of the Turkish government, whose explanations obviously did not impress the ILO."

The ILO's Committee on Freedom of Association found that the government's existing and proposed restrictions on the trade union rights of many railway employees are not in accord with International Labour Convention No. 98 on the Application of the Principles of the Right to Organise and to Bargain Collectively, which Turkey has ratified.

The Committee pointed out that only public servants engaged in the administration of the State are excluded from the provisions of the Convention. Therefore railway employees of all categories should be allowed to form and join trade unions and to engage in collective bargaining.

In a decision which will interest railway and public sector workers in a number of other countries with similar restrictions, the Committee stated that "workers in railway transport enterprises or other urban public rail transport — irrespective of their legal status

— are not carrying out an essential service in the sense of the term given by the Committee on Freedom of Association, and that they should therefore be able to strike to defend their interests."

The decision echoes previous statements by the ILO, which has consistently maintained the right of railway workers to take strike action, a position which accords with long-standing ITF policy. (See ITF News August 1989 for details of the ILO's ruling against the Canadian government's attempts to outlaw strikes by railway workers.)

The Committee's recommendations were approved by the ILO's Governing Body at its May-June session, and the ILO intends to keep a close watch on what steps the Turkish government takes to amend its legislation.

"We are very pleased with the outcome of this complaint so far", says Brothers, "and trust that the Turkish Government will act quickly to remove the unjustified restrictions on the employees of TCDD so that all Turkish railway workers are able to exercise their full trade union rights in accordance with international standards."

Fight for safer road rules in Europe continues

The immediate prospect of positive changes in European road haulage rules has been stalled. The best hope for improvements in these regulations now lies in the hands of the members of the European Community (EC).

There are two sets of European regulations governing the carriage of goods by road. Within the EC there are Regulations 3820/85 and 3821/85, and within the broader European framework there are the European Carriage of Goods by Road Transport (AETR) regulations.

It clearly makes sense to harmonise these two sets of rules, which are, in the ITF's view, over-complicated. The present rules are difficult to understand for operators and even harder to enforce for national administrations.

In November 1989, the European Conference of Ministers of Transport (ECMT) decided that it was necessary to begin talks about amending the ex-

isting AETR rules (see ITF News January 1990 & April 1990). In December, the French Transport Ministry made proposals to the European Community transport ministers' council for amendments to the EC Regulations. They proposed substituting the driving hours' limits for working hours' limits — a long-standing goal of European road transport unions.

ITF Assistant General Secretary Graham Brothers met with the French, who told him that their proposal had been received favourably (with the usual exception of the British authorities) and invited him to submit proposals for changes to the regulations.

After consultation with ITF European road transport affiliates, Brothers submitted a paper to the United Nations' Economic Commission for Europe (which is responsible for adminis-

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Unions welcome tanker safety training

Swedish safety experts have come up with a new initiative to help tanker drivers cope with driving hazardous loads.

The joint Occupational and Work Environment Board (TYA), comprised of unions and employers in the transport industry, is providing one-day courses to help tanker drivers appreciate the importance of speed and load distribution for the safety of their vehicles.

The course uses a purpose-designed Scania R143 400 training vehicle equipped with a three-section Motala tank. The truck is fitted with special support wheels which prevent it tipping over, and a recorder in the cab registers the pitching movements which occur during training.

Participants, who can take the course near their home area as the training vehicle tours around the country, are given a mixture of theoretical background, practical sessions in vehicle stability and evaluation of the training experience.

Companies affiliated to the TYA can send drivers on the course free of charge,

and even receive a training allowance for each individual. The drivers receive their regular wages and benefits, and are presented with a certificate on completing the course.

The training initiative has been highly

commended by the ITF-affiliated Swedish Transport Workers' Union (STF), which is anxious for its members who are involved in transporting dangerous loads to be able to practise coping with difficult driving situations.

European road safety week

The first week in October has been designated Road Safety Week by the United Nations' Economic Commission for Europe (ECE).

The move comes as the latest figures show that the number of people killed on Europe's roads each year is equivalent to the population of a medium-sized town, while those seriously injured would fill a large city.

During Road Safety Week governments in both Western and Eastern Europe will be running events designed to improve road safety and raise public awareness of the issues involved.

The ECE has called on governments to involve non-governmental organi-

sations in their campaigns. The ITF, in giving its full backing to Road Safety Week, stresses that emphasis should be given to improving the safety of the working environment of employees in road transport. The campaigns ought not simply to be directed at drivers of private cars, motorcyclists and pedestrians.

The problems of excessive working hours of professional drivers, occupational health and the need to improve the structural integrity and impact-resistance of buses and lorries are issues which the ITF is suggesting should form part of national campaign programmes for Road Safety Week.

...existing European road regulations are "over-complicated"

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tering the AETR) outlining the ITF's position.

The ECE's Principal Working Party on Road Transport held an extraordinary session from 9 to 11 July, at which Brothers and representatives from five ITF affiliates were present.

The meeting had been called by the government of Norway with the intention of making reciprocal adjustments in the AETR and the EC Regulations. The Italians, on behalf of the EC members, stated that they considered themselves bound by the terms of existing EC legislation (EC 3820/85 and 3821/85) which might be amended in the future. The ITF stated that it supported the idea of a single European regulation so long as it was based on a limitation of duty time rather than just driving time.

The Norwegians, with the support of

Sweden and Finland, then said that they would support the re-alignment of the AETR with the EC Regulations. A series of draft amendments were then drawn up — with final written comments being invited on the proposals by September 15.

"The original purpose of the meeting — to discuss the reciprocal adjustment of the AETR and of the EC Regulations — underwent modification during the course of the meeting so that emphasis was placed on aligning the AETR with EC Regulation 3820/85," said Brothers in a circular to affiliates, "This change in approach was largely influenced by the common position adopted by the EC member countries and by the conduct of the meeting by the (British) Chairman. The French representative was the only government representative who consistently argued for amendment to both sets of regulations

to control working hours, though a few others expressed in private their preference for such a course of action."

The Italians did say, however, that the EC was going to be considering changes to the existing regulations and that member countries are open to constructive initiatives.

The ITF will now have to concentrate on attempting to secure a favourable amendment of the EC Regulations, says Brothers. Affiliates in all European countries are being asked to contact their governments and try to get their support for the concept of control of duty time.

The ECE has set up a working group to receive and discuss written comments on the draft proposals for amending the AETR. The ITF is a member of this group, and has also submitted a detailed response to the draft proposals.

Workers suffer from UK bus deregulation

British bus companies, emboldened by the threat of unemployment and undercutting by new business rivals, have used deregulation legislation to carry out a hard-hitting attack on bus workers' employment conditions, according to a new study.

"Changes in Rates of Pay and Working Practices in the Bus Industry in Metropolitan Areas Since Deregulation" was prepared for the Transport and Road Research Laboratory by PM Heseltine and DT Silcock, who are researchers at the University of Newcastle upon Tyne, England. Concentrating on the effects of deregulation on companies in Britain's major cities, they gathered data from both managements and local union representatives.

Britain's Conservative government claimed that its 1985 Transport Act struck a bold blow for market freedoms by opening up bus operations to competition between private companies, in a deregulated environment where there was great pressure to cut operating costs.

This had a particular impact in areas where the abolition of the Metropolitan tier of local government had removed the previous level of public subsidies from bus services. An overall fare increase in these counties of 38 per cent during the period 1985-88 contributed to a 16.2 per cent decline in passenger journeys per annum.

A visible sign of the new conditions in many cities was the appearance of mini-bus services, which provided a new level in the employment structure of drivers in the bus companies, with new drivers often being taken on to work on mini-buses at lower wage rates than their colleagues driving larger vehicles.

Under deregulation national-level collective bargaining was replaced by local bargaining between company managements and union representatives in the newly privatised companies. Only 2 of the 26 independent operators studied by the authors recognise trade unions for the purposes of negotiation!

A major change in working conditions under deregulation has been the

replacement of the guaranteed working day of 7 hours 48 minutes by a guaranteed week of 39 hours. This allows companies to organise "flexible" working rosters that drastically cut the opportunities for employees to earn overtime pay, with weekend working no longer qualifying for overtime in many companies. Overtime had previously been the only way that many bus workers could earn a reasonable wage.

"Between April 1986 and April 1987, bus and coach drivers were the only group of workers, apart from one class of agricultural worker, to see an absolute fall in average weekly earnings in money terms, let alone after taking inflation into account," according to the report.

An overall reduction in employment in the bus industry of 8.9 per cent between 1985 and 1988 hit hardest among depot staff who suffered a 19.4 per cent reduction — bus engineering workers suffered particularly from the wave of redundancies — and among the employees of Metropolitan public companies, where there was a 26.4 per cent reduction in staff.

Among platform staff, savings were made by introducing unpaid meal

breaks, cutting signing times at the beginning and end of shifts, and reducing sick pay entitlements. Independent operators seeking to break into the market have been able to cut costs by offering only up to 18 days' annual holiday, not providing uniforms or canteen facilities, not providing company pension schemes and not employing full-time relief drivers.

The new competitive environment enabled independent operators to increase their share of bus miles in the Metropolitan areas from 3.8 per cent in 1985 to 11 per cent in 1988 — a noticeable achievement for those companies, but at enormous cost to employees' conditions of employment.

With a deterioration of the frequency and quality of bus services in many areas, fare levels that continue to rise and added congestion caused by the number of passengers being forced to use private transport, it remains to be seen whether even politicians utterly devoid of concern about bus workers' conditions will judge deregulation to have been a success.

Anyone interested in obtaining a copy of the report should contact the ITF Road Transport Workers' Section at ITF Headquarters in London.

Swaziland rail workers fight for right to organise

A bitter dispute for union recognition rights in the railway is underway in the Southern African state of Swaziland.

The ITF-affiliated Swaziland Transport Workers Union has now called a strike to demonstrate the workers' opposition to the railways' refusal to allow certain categories of worker to be members of the union.

Under Swazi law, a union must apply for recognition by an employer before it can negotiate a collective agreement. This recognition is attained if a union has 40 per cent or more of the employer's total workforce as paid up members. So long as the union is acceptably registered with the Commissioner of Labour (which the STWU is),

an employer is bound to grant recognition within 30 days of a valid union recognition application.

The union applied for recognition from the Swaziland Railway on January 16, 1989. Before they sought recognition, the union asked how many people were in the Railway's workforce. They were told it was 1,203 people — a figure that included every employee, including the Chief Executive Officer.

Despite the fact that the union easily satisfied the 40 per cent hurdle, even at the official figures, the management illegally refused to grant recognition. The union declared a dispute and went

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ITF railway information '88 now available

The latest edition of the ITF's regular Railway Information survey is now available.

"Railway Information 1988", produced by the ITF Railwaymen's Section, contains information from 17 ITF affiliates in 16 countries.

The survey provides comparative data on the length of rail networks,

maximum train operating speeds, numbers of employees, railway undertaking finances and state financing, political developments in 1987-88, working conditions on the railways, retirement ages, pay increases and noteworthy improvements in railway workers' conditions.

The survey, produced in English, French, Spanish, Swedish and German, is in the process of being mailed to all ITF affiliates organising railway workers. Researchers, journalists and other affiliates interested in receiving a copy should write to the ITF (specifying the language you require).

... Rail staff must have right to join union

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on strike for two days, on August 30 and 31 last year. The employer issued a recognition letter a day later. It took seven months and a strike to get railway management to comply with the law.

Negotiations for a collective agreement began in earnest in February 1990. Agreement was reached on all items except one vital issue—the unionisable and non-unionisable employees.

The union has members who are foremen, Assistant Managers, Supervisors, Station Masters, Inspectors, Sisters in charge (nurses) and Clerks. Railway management claims that these workers have no right to belong to, or be represented by, the union. Management have even stated that switchboard

operators, typists and messengers should also not have the right to be in the union.

The total number of people affected is only 75—but the principle involved is fundamental. Employers in Swaziland are engaged in a concerted attack on the rights of trade unions, and one of their key strategies is to divide workers by banning certain "staff" categories from being union members. The Federation of Swaziland Employers is organising and leading this campaign.

In many industries this division is intended to make the "expatriate" (foreign whites) separate in conditions and pay from the locals. In some cases local white workers claim to be expatriates to get the same benefits. All in all, it amounts to the familiar divide and con-

quer strategy.

This division does not exist within the Swaziland Railway, and the management have "jumped onto the wagon of all employers in the country, in spite of the fact Railway suffers no prejudice" says the STWU.

The union states categorically that they will not "sell" their 75 members and objects strongly to the fact that the management is "depriving them of their right to decide where and how to associate."

In the present industrial relations climate in Swaziland, mass dismissals of striking workers are commonplace. The union fears that their members may be attacked in this way for their planned action, and wants ITF affiliates to be prepared to give solidarity.



CIVIL AVIATION

Calcutta reinstatement fight continues

The fight for the reinstatement of 28 Bangladesh Biman baggage handlers in Calcutta continues. The workers, members of the ITF-affiliated All India Federation of Foreign Airlines Employees' Unions (AIFFAEU), had worked with Biman for many years. They were retrenched when Bangladesh Biman entered into a contract with Air India to handle its flights. Rather than absorbing the Biman workers, Air In-

dia are using non-union casual workers who are hired for just 10 days and then replaced.

The workers' cause has been taken up the national trade union centres and by members of the Indian Parliament. There have been numerous meetings, demonstrations and rallies in Calcutta and a protest demonstration was staged in front of Biman offices on 19th January 1990. The Indian government ig-

nored the union's protests for some time but talks with the Civil Aviation minister have now begun.

The AIFFAEU is determined to resist the trend towards contracting out—especially when it is by agreement between two public sector undertakings. If governments violate their own laws, a dangerous precedent is set which threatens the job security of all 3,000 foreign airline workers in India.

Lorenzo ousted from Eastern

In May 1990, US Judge Burton Lifland of the bankruptcy court finally stripped Frank Lorenzo of control of Eastern and appointed a trustee to run the airline. Piling on the humiliation for Lorenzo, he chose Martin Shugrue, former President of Continental who quit in February 1989 reportedly angry that Lorenzo failed to give him the chairmanship.

The appointment of a trustee is an unusual step — normally, the court prefers to let the existing management work out restructuring plans. The judge's actions are a reflection of Lorenzo's incompetence — no fewer than five successive repayment plans proposed to creditors have been overtaken by more than \$1.2 billion of losses since Lorenzo filed for bankruptcy.

The ITF-affiliated Machinists' union (IAM), glad to see the back of Lorenzo (see ITF News, May 1990), welcomed Shugrue's appointment. They were encouraged to see the quick resignations of Phil Bakes, the Lorenzo-appointed President at Eastern and of Tom Matthews who designed the labour relations policy which forced the machinists out on strike.

However, the union's hopes have been dashed — Shugrue is continuing to support the scabs and new hires. He has also delayed negotiations with the IAM, contributing to the uncertainty surrounding Eastern's future.

Eastern and 10 of its managers have been indicted on charges of faulty maintenance practices at La Guardia and Kennedy International airports in New York and Hartsfield International

in Atlanta. A US grand jury said some managers intimidated maintenance workers into falsifying records so as to make it appear that repairs and scheduled maintenance had been carried out. The goal was to minimise cancellations and delays. The charges involve work carried out from July 1985 to October 1989.

Scandinavian Airlines System has increased its stake in Continental from 9.9 to 16.8 per cent of the equity stock and 18.4 per cent of the voting stock. SAS will now be the largest single stockholder in Continental. Lorenzo will step down as chairman and chief executive to be replaced by SAS's Jan Carlzon but will remain a director of the company. SAS which already has one seat on the 15-person board, will get three.

South African hotel strike victory

ITF affiliates acted quickly recently in support of a strike by the South African Commercial Catering and Allied Workers' Union at Holiday Inn and Southern Sun hotels in South Africa.

The ITF received a request for solidarity from the International Union of Food and Allied Workers' Associations (IUF) and contacted cabin crew affiliates requesting they organise boycotts of the hotels involved in the dispute by

their members. The Vereniging van Nederlands Cabinepersoneel VKC, representing KLM flight crews, stopped using the hotels and the Gewerkschaft Öffentliche Dienste, Transport und Verkehr (ÖTV) informed the ITF that Lufthansa does not use these hotels.

The outcome of the strike was reasonably favourable. The union gained a monthly pay rise of 100 rands or 15 per cent (whichever is greater) from 1

April 1990, followed by an additional 20 rands from 1 September 1990, amounting to a minimum wage of 710 rands. Casual workers will now be allowed to join SACCAWU and the company will recognise Sharpeville Day as a paid holiday.

The IUF has asked the ITF to pass on their thanks and appreciation for the solidarity they received.

Canadians call for smoking ban on all flights

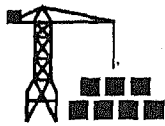
The Canadian government has written to the International Civil Aviation Organization (ICAO) asking all member countries to consider a resolution to ban smoking on international flights.

Canadian carriers are worried about losing out to competitors if they have to apply a complete smoking ban on long international flights while other carriers continue to allow smoking. Canadian Airlines is particularly worried about the impact of a smoking ban on

its Japanese business. The company estimates that it would lose 15 per cent of traffic in Japan if smoking were banned and would probably gain just 3 per cent on other routes.

Evidence concerning the dangers of passive smoking is mounting. A recent report commissioned by the United States Department of Transportation entitled *Airliner Cabin Environment: Contaminant Measurements, Health Risks, and Mitigation Options* looked

into the health risks associated with contaminants in airliner cabin, including tobacco smoke. The report found that estimated lifetime lung cancer risks attributable to exposure to tobacco smoke for non-smoking cabin crew members flying 960 hours per year on smoking flights for 20 years range from 12 to 15 premature cancer deaths per 100,000 non-smoking cabin crew members for domestic flights and from 13 to 17 premature cancer deaths per 100,000 for international flights.



DOCKERS

New Zealand harbour workers strike for national agreement

Members of the ITF-affiliated New Zealand Harbour Workers' Union (HWU) brought the country's ports to a standstill in response to the employers' attempts to prevent negotiation of a new nationwide "Award" (collective agreement) with the union.

Pilots, tug-boat crews, fork-lift drivers and other staff stopped work on September 10, after the employers rejected the results of a secret ballot of the union's members that showed a massive 98 per cent in favour of a new national Award. 96 per cent of the members said that if necessary they favoured taking strike action to achieve a new national Award.

Recently passed amendments to New Zealand's labour legislation provided for majority votes by the workforce on whether they want separate local agreements with an individual company. This device clearly failed to deliver its intended result in the case of the ports, so the employers have chosen to ignore it. The HWU is now seeking an injunction from the Labour Court to force the employers' hand.

The employers' move comes as a sequel to their attacks on the ITF-affiliated Waterfront Workers' Union (WWU), which led to a national ports strike last autumn (see *ITF News* September-December 1989).

The ITF Dockers' Section has sent messages urging the New Zealand Prime Minister and Labour Minister to ensure that the collective bargaining rights of the HWU are respected, so preventing a lengthy and damaging dispute in the country's ports.

* As *ITF News* goes to press, HWU members have been ordered to resume work by the Labour Court, on the grounds that not all the technicalities for taking strike action were observed by the union. However, the HWU has announced that this will not prevent a speedy resumption of the strike, for which it has such overwhelming support from its members.

Maltese dockers fear port reform may become attack on conditions

Maltese dockers are pressing their government for guarantees that the planned reform of the island's major port, Grand Harbour, will not adversely affect their present working conditions.

The ITF-affiliated General Workers' Union (GWU), which includes port workers among its membership, took part in the work of a joint committee making recommendations for the re-organisation of the port. The union argues that it must be represented on the new Port Authority for Grand Harbour, which the government has agreed to establish.

The reforms are taking place in the light of the development of the large freeport in Marsaxlokk, where the GWU has already been in dispute with the government over the use of registered port labour.

Dockers at Grand Harbour are wor-

ried that the conservative government, in its efforts to unify the labour system at the port and assure 24 hour operations, may be tempted to attack their

employment conditions, which have been achieved by the union through numerous difficult conflicts over the years.

New US law to safeguard longshore duties passed

In a move which effectively enshrines ITF policy into US law, loading and unloading work on foreign ships in United States ports is to be safeguarded for US longshoremen, according to new legislation now being passed by Congress.

Two Bills, one of which has already passed the House of Representatives, will ensure that foreign seafarers are not employed to load or discharge cargoes when their ships call at US ports.

The ITF-affiliated International Longshoremen's Association (ILA) has rejected claims by shipowners' organisations that the planned legislation would upset existing practices and endanger valuable cargoes. The union points out that the new laws are designed to safeguard the traditional employment of US workers in the ports industry, and to prevent a free-for-all where seafarers from overseas are induced to carry out the longshoremen's work for lower wages and working standards.

“Stofkam” campaign in Rotterdam to enforce union agreements



A radical initiative to crack down on breaches of labour agreements by employers in the port of Rotterdam has been launched by the ITF-affiliated Dutch transport workers' union Vervoersbond FNV.

As part of “Operatie Stofkam” (“Operation Toothcomb”), port workers are encouraged to report instances where firms break the general wages and conditions agreements to the union, which has provided a 24 hour telephone answering service for the purpose.

Union officials then follow up the complaints by inspecting the firms concerned, and are able to fall back on a variety of options of legal and industrial action should managements prove unwilling to honour the agreements.

The initiative has already enabled the union to intervene against companies operating excessive overtime or hiring casual labour from employment agencies.

Casual and temporary contracts in

stevedoring work are forbidden under the union-employer agreements, but some firms have been tempted to take on workers on this basis from small labour-supplying “third companies” in an effort to avoid paying the agreed wages and benefits.

In the course of its investigations the union has detected some 400 hidden vacancies in the general cargo companies, and has persuaded one major stevedoring firm to employ another 50 workers from the labour pool.

Dangerous goods database established

A group of major ports in Northern Europe are breaking new ground in the monitoring of dangerous goods shipments by means of computer.

The “Protect” scheme, which is being developed on the initiative of the Port of Rotterdam, will enable port

authorities to receive and exchange information on hazardous cargoes through a single electronic data interchange (EDI) system.

Separate items of information will no longer have to be transmitted by fax or telex and typed into each computer

system.

“Protect”, which will link Rotterdam with Hamburg, Bremen, Antwerp and Felixstowe, should be operational by the middle of next year, and could be extended to other ports if it proves successful.



PEOPLE

Anderson Mhungu retires from union and ITF board

Anderson Mhungu has retired as Assistant General Secretary of the ITF-affiliated Zimbabwe Amalgamated Railwaymen's Union (ZARU). He was awarded a Gold Badge at the ITF Congress in Florence, and received a standing ovation from delegates.

As a young man Mhungu worked as a teacher, a research assistant and a clerk with what is now the Zimbabwe Omnibus Company. He then worked as a Labour Assistant at the Department of Labour for two years, being dismissed in 1959 after allegations that he was a member of the National Congress.

Joining the Railways African Workers' Union as an Organising Secretary in 1960, he rose to the position of General Secretary of the union in 1967.

It was a period fraught with political difficulties, with Zambian and then Botswanan railway workers withdrawing from the union because of the then Rhodesia's Unilateral Declaration of Independence. However, Mhungu was to see the merger of all three Zimbabwean railway unions to form ZARU in 1987, and became Assistant General Secretary of the new union.

Mhungu served on the Executive Committee of the Southern Rhodesia Trade Union Congress, as General Secretary of the African Trade Union Congress, and was Treasurer of the Zimbabwe Congress of Trade Unions (ZCTU) for five years after the country truly became independent in 1980.

Mhungu served for ten years on the ITF's Executive Board, and was Vice President representing Africa for the



last four years. His contribution to the Federation's activities will be missed by his many friends in the ITF and its affiliated unions.

Peter Schneider has been elected President of the ITF-affiliated Commerce and Transport Workers' Union (HTV), Austria, following the retirement of **Robert Zehenthofer**.

Fukutaro Fukuhara was elected President of the ITF-affiliated Japan

Confederation of Railway Workers' Unions (JRU) at the organisation's annual Convention in June. **Mitsuharu Shibata** was elected General Secretary.

Heinz-Werner Meyer, President of the West German Union of Mine and Energy Workers, has been elected President of the country's trade union confederation DGB. He succeeds **Ernst Breit**, who has retired after eight years in the post.

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