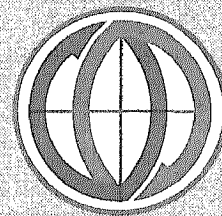


INFORMATIONS : NOTICIAS

ITF NEWS



NACHRICHTEN : NYHETER

THE CONTINUING SCANDAL OF BULK CARRIER LOSSES

The maritime community appears — at last — to have recognised that the continuing loss of bulk carriers is a very serious crisis.

Between 1975 and 1990, 279 bulk and combination carriers totalling 6 million grt were lost — an average of 17 vessels per year.

Between January 1990 and August 1991, 21 vessels have been lost and a further 15 involved in serious structural accidents. Nearly 300 seafarers have died in these casualties.

In 1990, the total bulk and combination carrier fleet represented just seven per cent of the world's ships, but accounted for 57 per cent of the casualties.

The bulker fleet is older than the rest, as well. In 1990, 34 per cent of the world's bulk shipping was over 15 years old (double the 17 per cent average for the rest of the world's ships). 86 per cent of the recent bulker casualties (according to the Institute of London Underwriters) were over 15 years old, and 14 per cent were between 10 and 15 years old.

The ITF considers this level of losses to be a scandal. The relative lack of publicity about these casualties outside the maritime press brutally underlines the media's hypocrisy — because the lives lost were professional seafarers' and many (but not all) were crews from developing countries, and because bulk carrier losses do not cause massive pollution

scars as tankers do, the loss of human life is somehow of less news value.

SEAFARERS BEWARE

Until the real causes of these casualties are understood and remedial action is taken, seafarers serving on bulk carriers must be extremely careful. It may also be the case that the structural problems causing these losses are manifesting themselves first in the ageing bulk fleet, but will later hit tankers and other vessels.

The International Association of Classification Societies has set up a working party to examine the causes of the bulk carrier losses (see **ITF News**, September 1991), the dry cargo shipowners' association Intercargo is hosting an international expert seminar on bulk carrier losses this month in Hong Kong, the British Nautical Institute is about to publish a book on bulk carriers, the Joint Hull Committee (supported by Lloyd's insurance syndicates and the Institute of London Underwriters) is "considering what can be done about bulk carrier losses", and the Australian government has announced an investigation into the problems of bulk carriers which have been lost after loading at Australian ports.

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CRISIS IN LATIN AMERICAN PORTS (10-11)

... Bulker casualties are an "emergency situation"

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The ITF has long advocated concerted international action on this continuing tragedy. In the March 1991 meeting of the International Maritime Organization's Maritime Safety Committee, the ITF proposed, as part of the work programme under discussion, that the IMO begin an investigation into the high losses of bulk carriers:

"The ICFTU [under whose name the ITF participates as an observer in IMO matters] urges the Organization to undertake a detailed investigation into the reasons for the unacceptably high losses of bulk carriers and that this investigation should examine possible links between such losses, any risks posed by the carriage of certain cargoes, whether existing design and construction rules are adequate including those applicable to very long bulk carriers, and whether the risks are greater because of the increasing age of the world bulk fleet."

The meeting has agreed that the Ship Design and Equipment sub-committee will look into the issue in cooperation with two other IMO sub-committees.

Why has the maritime community finally started to pay attention to this extremely serious issue? *Lloyd's List* newspaper, in a "special investigation" (*Vanishing Bulk*—September 17) gives one important reason in explaining what kind of ship was usually lost:

"She was most likely a ship that was in poor condition, on the fringes of sub-standard, heavily wasted and operated by a third party management... Small wonder that the pressure for something to be done about this attrition was somewhat muted."

CAPE SIZE LOSSES

According to *Lloyd's List*, it was the increasing number of large capesize bulkers getting into trouble from the beginning of 1990 that set alarm bells ringing:

"These gigantic ships carried with them an aura of invulnerability—it was inconceivable that ships of such dimension could just disappear..."

But they did.

In March 1990, the 1967-built capesize oil/ore carrier *Alexandre-P*, with a crew of 24, left Dampier, Western Australia with a cargo of iron ore and was never seen again. The Australian authorities found two burned corpses, a wrecked liferaft and some debris. Weather conditions were fine.

A few months later, the 170,000 dwt *Algarrobo* left the Chilean ore port of Huasco bound for Japan. It disappeared without a trace in fine weather conditions.

A month later, the 155,000 dwt *Pasithea* vanished off Kagoshima.

These three ships were all elderly, but not so with the nine year old, 145,000 dwt *Mineral Diamond*—which disappeared in April this year. Like the *Derbyshire* (which was lost in September 1980), this was a well-managed and properly maintained vessel.

The Master of the *Manila Transporter* deserves special credit here. He abandoned the 115,00 dwt ore carrier in the Indian Ocean in August after the No. 3 hold developed holes in both sides. The ship then sank.

SEVEN SECONDS TO SINK

These ships sink very, very quickly. The 123,000 dwt *Gallant Dragon* was brought into sheltered waters in October 1990 out of Tubarão in Brazil with a cargo of iron ore. The ship was ordered to be scuttled, and the Master reports that it took exactly seven seconds to sink!

If a bulk carrier is damaged at sea, abandoning ship is the only option. Iron ore cargo cannot be transferred at sea (as a VLCC or tanker's can), and the threat to the lives of the crew could not be clearer.

HIGH SPEED LOADING

Another 25 lives were lost on the 72,000 dwt *Melete*, which disappeared in August after loading at Dampier. Two crewmembers were rescued by a French warship in the Indian Ocean. The weather was bad and a distress call was made.

Questions have been raised about

the speed of loading at Dampier (which has high-capacity shiploaders) which may be responsible for weakening vessel structure. Many observers suspect that hull failure (catastrophic and sudden breaking of the ships) may be the root cause of the losses.

If this is so, the high-speed loading may exaggerate existing structural defects—but other circumstances may also cause the same thing to happen.

In fact, the *Melete* reported a crack in number one hold before it left Dampier—she was instructed to make repairs at Mauritius, but sank before getting there. Clearly, no bulk carrier should be allowed to sail in such circumstances.

The large number of bulk carriers lost after loading in Australia has prompted the Federal government to undertake a three month study of bulk carrier losses.

WHAT IS TO BE DONE?

As an editorial in *Lloyd's List* stated:

"Somehow, somewhere, there has to be a recognition that this is an emergency situation and appropriate action must be taken. And short of demanding that all bulkers are laid up pending a full structural inspection, at the very least this sector of shipping must be slowed down, with safety as the principle priority. Elderly capesizes should not be permitted to load another heavy ore cargo until they have been physically inspected.

"The inspections must be thorough, with proper access to vulnerable parts, not some surveyor standing on the tank top peering at a dust covered hold corner 80 feet above."

Once ships are at sea, the advice is also to slow down:

"Watching the speed and motion carefully, to avoid the hull being strained in any way. Perhaps this will mean slower passages; perhaps it will mean that ships have to stick to longer fine weather routes—anyway no nonsense should be accepted from charterers about attempts to penalise the owners for their safety consciousness."

Union assistance for seafarers and families hurt by Serb-Croat conflict

With the international community seemingly powerless to stop it, what used to be Yugoslavia appears to be inevitably sliding towards a tragic, bloody and pointless civil war.

Repeated ceasefire agreements which call for the Yugoslav Federal army to return to its barracks appear to have had no effect, and Croatian and Serbian forces are engaged in increasingly ferocious battles for territory.

According to the Croatian Seafarers' and Dockers' Union, an organisation with which the ITF has had friendly relations for more than a year and which has submitted a request for ITF affiliation, the war which is going on is not an ethnic conflict:

"Serbian and Croatian have lived together on this territory for hundreds of years till now and have to live on," says union President Vladimir Svalina in a message sent to the ITF.

The union is based in the northern Croatian port of Rijeka, some way from the main area of fighting, and, together with the Seafarers' and Dockers' Union of Slovenia, has been organising hostel places for the flood of refugees, already more than 5000, reaching Rijeka from the war zone, although the critical financial position of the unions has now forced them to concentrate attention on the wives and children of seafarers.

The union is running a special information service for members, and they hope soon to have 5-10 minute slots on land radio to continuously update their members.

The union has visited vessels in the port of Ploce (which was attacked by the Federal navy) and is rendering assistance to seafarers there.

A union appeal has been issued to all seafarers on board Navy vessels

not to fire on merchant ships and to support the efforts for peace and discussion.

Daily contact is maintained with seafarers in war zone ports and "we are doing our best to help them as much as we can," says Svalina.

A seafarers' Medical Centre is also being established in Rijeka — local hospitals are overcrowded and the union is involving the local church in organising medical relief for seafarers.

According to another Croatian union official, who has been writing regularly to the ITF for more than a year, the purpose of the war is neither ethnic nor to capture territory. It is "a war for the last Communist fortress in Europe:

"Please help in any way you can to my people," the letter concludes "to people who lived 50 years in one

unhuman system. Help — not to slam in our faces the hardly opened door of democracy."

Another serious twist was given to the worsening situation in late September with the decision by the Yugoslav navy to blockade all the ports along the Croatian coast, including Rijeka. This action, which threatens the peaceful movement of merchant shipping and puts seafarers' lives at risk, demonstrates clearly that the war now raging in Croatia and threatening also to engulf the neighbouring republic of Bosnia-Herzegovina will have implications far outside Yugoslavia's borders.

"We hope that the dialogue can start and in this dialogue we see our chance to obtain our freedom, democracy and peace, all what we need to continue our work," say the union.

Paraguayan government victimises union leader

The International Confederation of Free Trade Unions (ICFTU) reacted strongly to the arrest of a Paraguayan trade union leader outside his home on September fourth.

Báez was sentenced to 20 days' imprisonment on "disciplinary grounds", but was released on September 11th after a splendid display of international solidarity.

The ICFTU asked for messages of protest to be sent to the President of Paraguay demanding the immediate release of Víctor Báez Mosqueira, leader of the Central Unitaria de Trabajadores (CUT).

The US AFL-CIO sent a delegation to the Paraguayan government shortly after Báez's detention.

In a letter to the Supreme Court of Justice, the ITF-affiliated US Transportation-Communications Interna-

tional Union (TCU) also filed its protest.

"The TCU believes that this outrage is a violation of human rights principles and we join the Paraguayan union movement in protesting against this injustice," it said.

This was the most recent in a series of infringements of trade union rights. A few days before the incident the government had attacked the CUT, attempting to prevent its first Congress meeting. When it failed, the government then tried to invalidate the decisions taken by the 400 conference delegates, who rejected the attack on their trade union's autonomy. The government's motive was to block the CUT's participation in elections for a National Constituent Assembly.

African workers fight for freedom

Many of Africa's authoritarian regimes are crumbling in the face of popular opposition and mass action — with the trade union movement often playing a central role in demanding multi-party democracy and full respect for human rights.

With the ending of the cold war, and with the example of the anti-apartheid opposition in South Africa as an inspiration of the potential for mass action, Africans are taking to the streets to topple the old, corrupt dictatorships.

Trade unions are often the only mass organisations outside the ruling party that can serve as a channel for action — African workers are suffering from economic “adjustment” programmes imposed by the International Monetary Fund and embraced by the ruling elites. The argument that one-party states are a special necessity for Africa rings hollow when the state uses its repressive machinery to suppress discussion on economic restructuring.

Democracy movements have already made their mark in Benin, Congo, Niger and Zambia. Zimbabwe has dropped plans to adopt a one-party system, and Ghana's leader Jerry Rawlings has announced a referendum next February on a new multi-party constitution and the legalisation of opposition parties.

One model used in many West African states has been the national convention — similar to the French National Assembly of 1789 — which can challenge government rule and adopt a new constitution.

A convention is now underway in Togo, consisting of over 1,000 delegates from civic, religious and political associations.

Since convening at the beginning of July, the convention has adopted a new electoral calendar, chopping two years off the term of office of Togo's military ruler, General Eyadema, and has begun preparations for an interim government to

supervise the country in the run-up to next year's elections.

Eyadema was forced into accepting the convention after a wave of mass demonstrations in April, in which 20 people were killed.

But Eyadema decided, at the end of August, to dismiss the convention. He ordered its suspension and surrounded the meeting with troops. But the convention refused to be dissolved, defying Eyadema by electing prominent human rights activist Kokou Koffigou as Prime Minister.

Koffigou, a lawyer, is head of the Togo Bar Association and President of the Togo Human Rights League.

The army did not act against the convention, and despite a tense 24 hours when telephone lines were

Korean credit cut by USA...

The United States government has suspended finance, insurance and loan guarantees for US companies investing in South Korea because of the government's suppression of trade union rights.

The United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), along with human rights organisations, had petitioned the appropriate US government agency — the Overseas Private Investment Corporation (OPIC) — asking it to halt its activities in South Korea after the government had jailed more than 500 trade unionists and forcibly intervened to break strikes.

“This decision sends a strong message to the Roh Tae Woo government that its outrageous attack on trade unions can have a negative effect on trade and investment activity for Korea,” UAW President Owen Bieber said following the OPIC decision.

“I would hope that President Roh would react by opening his jails and allowing the hundreds of imprisoned trade unionists to return to their families and their fellow workers,”

cut and Togo's borders sealed, relative calm was restored.

* A representative of the International Confederation of Free Trade Unions (ICFTU) was detained without explanation by the Gabon authorities at Libreville airport on August 29. Jean Oulatar, who works in the ICFTU Education Department, was in Gabon to meet with the leaders of the Gabon Confederation of Free Trade Unions (CGSL) — recently formed from a split in the official COSGYA federation (the only union centre permitted by Gabonese law). ICFTU General Secretary John Vanderveken sent a protest to the President of Gabon (Omar Bongo) about the arbitrary and unwarranted arrest of Oulatar.

Bieber added.

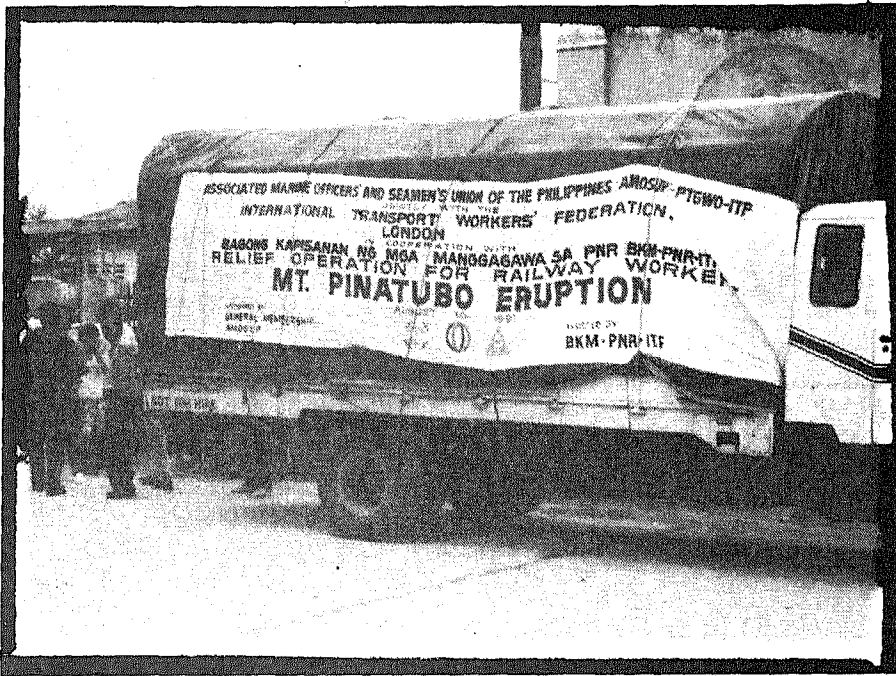
Under the Foreign Assistance Act of 1961, OPIC is prohibited from operating programmes in any country that is not taking steps to implement internationally recognised worker rights.

OPIC had last examined the status of workers' rights in South Korea in 1989 when the government was considering major improvements in labour law. The agency concluded on this occasion that while the government had a mixed record on union rights the new laws, once implemented, would significantly improve the right to freedom of association, organisation and collective bargaining of South Korean workers. It therefore found that as Korea was taking active steps to comply with the worker rights criteria of US law no further action was called for on its part.

By the time of the 1990/1 review, however, the picture had changed drastically. At a hearing in November 1990, the UAW supported its case for termination of US invest-

Continued on page 5

Philippino unions aid volcano victims



In a splendid display of inter-union solidarity, two of the ITF's affiliates in the Philippines — one old, one new — have joined forces in order to bring vital emergency relief parcels to railway workers in the Pampanga region whose homes and livelihoods were destroyed in the violent eruption of Mount Pinatubo in June.

Our photo shows the truck which was used to transport the goods from the Philippine capital Manila to the relief distribution centre in San Fernando, where food and clothing were handed out to delighted rail workers on August tenth.

The relief mission was coordinated by Greg Oca, President of the Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP), and leading officials of the union that represents the employees of the Philippine National Railways (Bagong Kapisanan ng mga Manggagawa sa Philippine National Railways BKM-PNR), which joined the ITF only last year.

The affected railway workers, together with their wives and children, gathered at the distribution centre where union officials helped unload the relief truck. Top officials from both unions were present in force, including Oca himself, and AMOSUP Vice President Leonilo Mansueto as well as BKM President Edgar Bilaygor, General Secretary Ernesto Capuz, Ms Lucy Calixto (BKM Treasurer) and local district president Narciso Hebula, who was of course among those most closely affected by the disaster.

...for workers' rights violations

Continued from page 4

ment in South Korea by citing serious union rights abuses which indicated that the government was failing to meet the requirements of US law.

These included:

- * government intervention in collective bargaining disputes to break strikes, including military operations against workers
- * the denial of the right to freedom of association by declaring new labour unions and federations illegal and arresting workers belonging to those organisations
- * the vetoing by President Roh Tae Woo of labour law reforms enacted by the Korean Assembly that would have modified the ban on so-called "third party intervention" in labour disputes, lifted the prohibition on union involvement in electoral politics and 'legalised some public sector unions
- * the failure of the Korean government to investigate and halt attacks on workers by private goon squads that continually disrupt union activity
- * the denial of the right to strike to

workers in export processing zones

* the failure to meet the "acceptable conditions of work" standard because of soaring level of workplace fatalities.

Two prominent US human rights groups also joined the UAW in urging no new investment in South Korea.

Close examination of the union and other evidence, reinforced by its consultations with the US Labor and State Departments and its own independent research, led OPIC to conclude that no significant progress had been made since 1989.

A key factor influencing OPIC's decision was the government's overturning of the 1989 progressive labour laws after they had been adopted by the National Assembly which had stripped away legal safeguards on freedom of association, organisation and collective bargaining. OPIC also cited new government regulations brought in during 1989 which had further curtailed already restricted union rights and the detention of union and strike leaders on questionable legal grounds as further reasons for its decision.



CIVIL AVIATION

Tanzania, Uganda and Zambia launch joint airline

In what is supposed to be one of the first practical attempts to implement the 1988 Yamoussoukro Declaration on **African** civil aviation, the governments of Tanzania, Uganda and Zambia have agreed in principle to establish a joint airline. Africa Joint Air Services (AJAS) will begin operations in mid-1992 if plans agreed by the aviation ministers of the three countries in April this year are realised. The three national carriers will lease aircraft and crews from AJAS to operate either their own individual services or joint services between two of the three countries.

The presidents of the five **Andean** countries — Bolivia, Colombia, Ecuador, Peru and Venezuela signed an agreement in May to establish an open skies aviation liberalisation regime by 1993. The nine national airlines concerned will try to form consortia to compete with foreign carriers. Meanwhile, Spanish carrier Iberia continues in its ambitions to buy up as much of Latin America's airline industry as possible. Its latest move is an offer of US\$145 million for a 60 per cent stake in the Venezuelan carrier Viasa. The offer, which was made in partnership with Venezuela's largest bank, is reported to have been successful. The government will retain a 20 per cent stake in the airline, with the balance of shares being held by its employees.

Plans by the **Australian** government to sell off 49 per cent of the shares in both the international carrier Qantas and the state owned domestic air-

line Australian have attracted a long queue of potential bidders. Interest in Qantas has so far been expressed by US based North West Airlines (itself 20 per cent owned by KLM) and Singapore Airlines. New private sector carrier Compass Airlines as well as Air New Zealand have expressed an interest in buying into Australian.

The **Greek** government, one of Europe's least enthusiastic when it comes to aviation liberalisation, has agreed to allow independent charter carriers to compete with the state owned national carrier Olympic Airlines. More than 20 private sector companies are reportedly interested in competing for scheduled services.

Clearly taking a more robust attitude to liberalisation than many other European countries, the **Italian** government has just renewed Alitalia's near monopoly on both domestic and international routes. A new 10 year agreement gives the airline access to 272 routes, with an option on a further 200 new routes expected to become available in the period up to 1995. Alitalia is also reported to be negotiating to buy a 27 per cent stake in Air Europe SpA, a subsidiary of the bankrupt International Leisure Group of the UK.

The **Spanish** government has revealed plans to end Iberia's domestic monopoly, in a move which is clearly designed to make life difficult for foreign airlines seeking to enter the lucrative Spanish domes-

tic market once EC liberalisation rules are in place. Details have not yet been published, but up to 75 per cent of domestic routes, totalling 12.3 million passengers per year, will be opened up to multiple designation.

Thai Airways International is going ahead with a partial privatisation as well as a fleet renewal and expansion programme. The government has approved the sale of 15 per cent of the airline which has been listed on the Thai stock exchange for the first time. No decision has yet been made on what limits may apply to the proportion of shares which can be held by foreign buyers.

PanAm, still operating under bankruptcy protection rules, has sold its remaining European routes and East Coast shuttle to Delta. Delta will pay \$416 million for the Detroit and Miami-Gatwick routes and Panam's Frankfurt hub and will inject a further \$305 million working capital into the ailing airline, taking 45 per cent of its equity — the rest is held by its creditors.

737 crash was Indian Airlines not Air India

A mistake slipped into the last edition of ITF News. The heading of the article on page 14 refers to a crash involving an *Air India* B 737. The aircraft which crashed belonged to Indian Airlines, as the article itself makes clear. We apologise for this mistake and regret any embarrassment we may have caused to Air India.

Bangladesh Biman strikers open snack bar



The round-the-clock sit-in by Bangladesh Biman baggage handlers at Calcutta Airport who lost their jobs over two years ago to non-union casual workers (see *ITF News*, September 1990 and April 1991) has now passed 500 days without any sign of the men being reinstated.

Their hopes were raised in March

of this year when the airline's new managing director met ITF Asia/Pacific Regional Secretary Mo Hoda and the men's local union representative to discuss the plight of the 28 retrenched workers. But he has failed to follow up the sympathy he showed at that meeting with action to get them their jobs back.

With the support of their local union, the men have now opened a snacks counter in front of the terminal building at Calcutta airport. The snack bar has proved very popular with travellers, enabling the local union to earn money to support the men's families at the same time as giving publicity to their case.

Unions to campaign against Thai International

The struggle of Delhi employees of Thai International against the anti-union policies of the airline intensified in July and August as more and more Indian aviation unions declared their support for the workers dismissed by the company (see *ITF News*, January and June/July 1991).

A meeting held in New Delhi by

the All India Co-ordination Committee of Aviation Trade Unions (AICCATTU) in July heard detailed reports by Jagdish Lal, AICCATTU convener, on the activities undertaken worldwide by ITF affiliates in support of the Thai employees.

Despite strong protests from all over the world, the management of

Thai International has so far refused to budge from their hard line position and the meeting decided to support a campaign of direct industrial action against the operations of Thai International in order to secure the reinstatement of the 22 employees who had been victimised and dismissed by the company.



INLAND TRANSPORT

Drivers' aid during border blockades

Advance roadside warning signs and emergency radio announcements are among the measures that the ITF would like to see introduced to prevent international truck drivers from getting caught up in frontier blockades.

Major border crossings should also provide permanent basic facilities for those drivers who would still get held up at frontier posts as the result of actions by other groups of workers.

These proposals are included in an 11-point plan submitted by the ITF to the Principal Working Party on Road Transport of the UN Economic Commission for Europe for discussion at its mid-November meeting.

Union officials in border areas already give practical help to stranded drivers, but there are limits to their resources and the ITF and its road transport affiliates have been stressing the important role of governments in this area.

The ITF paper argues that as many vehicles as possible should be diverted from frontier crossings where blockades are in progress.

This could be done by erecting multilingual emergency roadside signs, broadcasting frequent messages in the appropriate languages on designated radio wavelengths and via the Citizen's Band radio network, which is very popular with drivers. Advance warnings, if relayed promptly, would alert drivers to trouble ahead in sufficient time for them to possibly even switch to an alternative route.

However, the warning system could never be one hundred percent effective, and so the ITF paper calls on the public authorities to provide a range of facilities in designated emergency parking areas offering stranded drivers at least minimum

conditions of comfort and decency.

Basic services should include food, drinking water, and toilet and washing (including showering) arrangements, as well as heated shelters in winter as drivers cannot be expected to sit in their cabs with their engines running to keep warm.

Telephones should be provided so that drivers can call their companies and families. (The 'phones should preferably not be coin-operated, as drivers would soon run out of loose change if held up for any length of time.) Drivers also need to be able to change money and re-

ceive cash advances when they run out of funds.

The ITF proposes that these facilities should be set up at locations where communications networks and toilet and washing facilities already exist.

The ITF believes that a full range of basic facilities should be permanently available at all major frontier crossings. It therefore welcomes the decision of the Italian government to allocate 300 million lire (US\$250,000) for construction of services at the Brenner, Tarvisio and Mont Blanc frontier crossings.

Danish rail union celebrates 100th anniversary

The ITF sends warm congratulations to the Danish Railwaymen's Association (Dansk Jernbaneforeningen) which celebrated its 100th anniversary on September first. The association is rightly proud of the high level of union organisation among the wide range of railway workers it represents.

To mark the centenary, historian Steen Ousager was commissioned to write the first history of the union. Published to coincide with the anniversary date and entitled *Gold Braid on the Tracks (Guldsnore på sporet)*, the book in fact covers one hundred and fifty years back to the start of the railways in Denmark and their acquisition by the Danish state in the mid-1800s. It is no mere chronological account of events but develops a number of topics which are examined in the light of developments on the railways and in Danish society. The history deals in depth with changes in the working conditions of the association's members over the past hundred years and relationships between the association and other Danish rail unions and rail union groupings. Each union member has been given a free copy.



Private toll roads planned for Hungary

Hungary could have a network of first class modern motorways before the end of the century if there is a positive response to the invitation that went out in September for foreign companies to bid for concessions to finance, build and operate its first toll roads.

Companies that have been advising the Hungarian government are expected to show keen interest in the adverts placed in the official journal of the European Commission. Leading bidders are likely to include Italstat, Italy's and Europe's biggest toll road operator; Transroute, which represents a number of French toll road companies; and the giant US engineering group Bechtel.

In the first instance, bids are being invited for the M1 motorway which would connect Budapest with the Austrian and Czech borders. Building costs are estimated at Forint 11.8 billion (US\$160m), rising to double that figure after allowing for interest charges and inflation. Successful

bidders would be granted a concession to run the motorway for between 20 to 50 years after which the road would be returned to the state.

Other motorways in the Hungarian road building programme which could be financed privately include the M7 which would run south west from Budapest to the northern Yugoslav border; the M5, south east to the borders with Yugoslavia and Romania; and the M3, opening up the east of the country towards the Soviet Union. The route of the M7 would bypass the pretty villages along the southern shore of Lake Balaton, Europe's biggest freshwater lake, where heavy lorries already compete with the area's busy holiday traffic.

Hungary's role as a key transit nation at the very heart of Europe will be greatly enhanced by the new road network.

The M5 motorway would form one of the links in the spine of a projected 10,000 km Trans-Euro-

pean North-South Motorway (TEM) running from the port of Gdansk on Poland's Baltic coast through the former eastern bloc nations to the Black Sea and onwards eastwards to the Soviet Union. Offshoots would run westwards via the new M7 motorway (through Yugoslavia) to Italy, as well as to Greece and Turkey.

The Hungarian government will need to make some fine judgments if its plans are to have the success they deserve.

The main problem it will face will be to set the tolls high enough to satisfy both investors and lenders without penalising the country's emerging businesses and its domestic economy.

The other former eastern bloc nations will be looking anxiously to see how it solves this tricky problem before deciding to take similar steps to raise the finance they too will need to renew their own crumbling road networks.



PEOPLE

Max Baehring has been elected President of the Danish Metal Workers' Union ("Metal") in succession to **Georg Poulsen** who retired at the union's 47th Congress in September after thirteen years heading one of Denmark's most influential unions. Baehring has been Metal's Vice President since 1980 and was previously its education secretary.

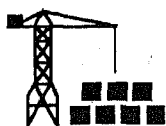
Andy Dodds retired in August as Senior Assistant General Secretary of the British National Union of Rail, Maritime and Transport Workers (RMT). A Scot, who joined the railways after three years in the mines, Dodds has worked at Unity House — the former NUR headquarters in London — for the past thirty years. During this time his

negotiating and administrative skills have been put to good use in a variety of posts — as Divisional Organiser, Headquarters Officer, and Assistant and Senior Assistant General Secretary.

Philip J Jennings was elected General Secretary of the International Federation of Commercial, Clerical, Professional and Technical Employees (FIET) at the 22nd FIET World Congress in San Francisco in August. Jennings had been Acting General Secretary of FIET since mid-1989 when he took over from Heribert Maier on the latter's appointment as Deputy Director-General of the International Labour Office. The Congress also elected

Jochen Richert of the German Trade Union Confederation (DGB) as FIET's new President in succession to **Bengt Lloyd** of Sweden. Especially noteworthy was the election of **Maj-Len Remahl** (Finland) as second Vice President — the first time that a woman has been elected to such high office in FIET.

K Ramamurthy has resigned as Vice President of the International Federation of Plantation, Agricultural and Allied Workers (IFPAAW) on being appointed State Minister for Labour in the Indian government. First Deputy Vice President **Rajah Seneviratne** of Sri Lanka becomes Acting Vice President until IFPAAW's next Congress.



DOCKERS

Privatisation crisis in Latin American ports

Hard-hitting government moves to privatise transport throughout Latin America have been drastically affecting portworkers in the region.

The ITF has received reports from affiliates in Argentina, Brazil, Mexico, Peru and Uruguay of privatisation plans being implemented at breakneck speed.

The methods used have not been low-key, with police and armed forces being used in some cases to keep organised workers out of the ports.

These government policies are an attempt to satisfy the International Monetary Fund (IMF) and the World Bank. The IMF's approval of badly needed loans is conditional on the implementation of policies that the IMF thinks will restore balance of payments stability.

All over the world, developing countries have been implementing Structural Adjustment Programmes.

The programmes vary in nature from country to country, but have many common features: devaluation of the national currency, wage cuts, removal of price subsidies and price controls (particularly on agricultural products), and cuts in public spending.

Social policies and large scale public enterprises do not figure in such plans. The questions of poverty, unemployment and equity are not addressed.

Mainstream economists increasingly question the legitimacy of policies that provide short-term solutions to deep-rooted problems of development, sacrificing decent working and living conditions in order to service the interests of international banking.

PERUVIAN UNIONS IN LEGAL BATTLE

How are these policies affecting the portworkers in Latin America?

In Peru the unions have been engaged in a legal battle with the government since their first attempt to privatise the ports in September 1990. A series of government decrees declared a "period of reorganisation" of the ports industry, the main feature of the plan being the casualisation of port labour. The reforms were to be carried out in the name of "efficiency" but the real intention was to smash the portworkers' unions. More than 4,500 organised portworkers were left without jobs, whilst the inexperienced and unqualified workers employed on a casual basis were paid a third of the normal wages.

Unemployment and hunger amongst the poorest sections of the population meant there was no shortage of cheap labour.

In February 1991, the situation deteriorated. The ITF-affiliated Federación Nacional de Trabajadores Marítimos y Portuarios del Peru (FEMAPOR), supported by another affiliate, Federación de Trabajadores Marítimos Portuarios y Afines del Puerto de Chimbote (FEMAPOA), had taken their case to the high court, and won on the basis that the government was violating the Peruvian Constitution, ILO Conventions 87 and 98 on freedom of association, and legally recognised collective agreements. The government appealed against the decision.

On February 15th the government struck out again at the portworkers. Decree no. 045 PCM was issued, declaring a State of Emergency in the Lima district, and instituting military control of the ports.

The police and the armed forces were used against workers trying to defend their jobs, resulting in arrests and in two cases of shootings.

The press were also restricted in

their reporting of the events, whilst government propaganda against the portworkers was becoming widespread. The government said that the portworkers were hindering the Programme of Economic Stabilisation — the Peruvian version of Structural Adjustment.

In letters to the ITF, Luis Negreiros, President of FEMAPOR, stressed how desperate the situation was becoming:

"In view of the imminence of trade union repression and the danger for individual trade union leaders as well as the threat to the existence of the unions in our sector, we ask you to intensify international trade union pressure in the hope of achieving the immediate demilitarisation of the ports and the abolition of the...(September)...decrees."

INTERNATIONAL PROTEST OVER GOVERNMENT MEASURES

The ITF contacted the International Confederation of Free Trade Unions (ICFTU), the Freedom of Association Branch of the International Labour Organisation (ILO), and wrote a letter of protest to Alberto Fujimori, President of Peru.

By May the situation was beginning to look brighter for the portworkers, as FEMAPOR's own complaint to the ILO Freedom of Association Branch over violation of Conventions 87 and 98 had resulted in the ILO approaching the government of Peru for an explanation, whilst FEMAPOR had won their battle in the Callao Supreme Court. The court ordered the government to suspend the September decrees.

On July 20th the Ministers of Labour and Transport met the President and agreed to respect the court's decision.

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...Continent-wide violations of trade union rights

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Ironically for the portworkers, their hopes of conciliation had already been dashed.

On July sixth the government had issued a Legislative Decree reinforcing the substance of the September decrees, based on a forced interpretation of existing legislation which promotes employment in the private sector (but guarantees employment stability and workers' rights).

In August two further decrees were issued, promoting casualisation of port labour, and dismantling existing port authorities without replacement.

FEMAPOR condemns this recent development as a "hoax", and as blatant misuse of the legal system.

The unions will continue their battle by pressurising Peruvian parliamentarians to support a bill on reconstruction of employment in the maritime sector.

UNIONS CLOSED IN MEXICO

In Mexico, similar tactics have been used to close down portworkers' unions. The Mexican government took over the port of Veracruz in the early morning of the first of June 1991, using 300 armed policemen.

A requisition administrator was named, and the portworkers' unions were ordered to hand in their registration documents. Organised workers were not allowed into the port area, and each of the four unions operating in Veracruz port was forced to resign its position in the port, and to dissolve itself.

Union property was seized, and some union leaders were harassed by the police in their homes. Organised portworkers were paid off in an arbitrary fashion.

The government's reasoning behind the takeover was to improve productivity. An ITF-affiliated union, the Unión de Estibadores y Jornaleros del Puerto de Veracruz was accused of stealing cargo in the

port (a charge which the government eventually had to drop due to lack of evidence).

The takeover lasted 45 days, and three new yellow "unions" were formed. Each "union" was to be controlled by one of the new private companies that had been set up.

The portworkers' jobs were advertised, and the names of applicants were entered along with those of existing casual labourers in a highly publicised and bizarre "lottery" in which schoolgirls drew the names of those who would get a job. New wages were imposed which did not take into account seniority or experience.

Unfortunately for the government, despite the huge amount of propaganda used to promote the changes, there is apparently considerable discontent already amongst the new workforce.

Nearly 800 workers were taken on for each new company — a number far in excess of the needs of the port, and there is not daily work for everyone.

A month after the introduction of the new system, there had been no noticeable difference in productivity, and cargo pilfering continues.

The ITF has written to the Mexican President Carlos Salinas de Gortari protesting against these measures, which violate ILO Conventions 87, 137 and 145.

BRAZILIAN PRIVATISATION PROPOSED

On 17th September 1991, the Brazilian government announced "emergency measures", including amendments to the Constitution, privatisation of all public enterprises, (regardless of whether they are financially healthy or not), an increase in the retirement age, reduction in old age pensions, and involvement of the private sector in social provision.

A bill is currently being discussed in the Brazilian parliament which would privatise and deregulate the

ports industry. Despite a parliamentary commission's condemnation of the proposed law as anti-constitutional, the government is trying to push the legislation through to bring it into force by the end of the year.

Brazilian dockers stopped work for three days last month to protest about the proposed law, and against the attempts to exclude organised workers from private terminals.

ARGENTINA AND URUGUAY AFFECTED

The Brazilian unions are liaising with portworkers' unions in Argentina over a similar situation faced by dockers in that country. A bilateral meeting is planned.

Uruguayan portworkers are also protesting against the planned restructuring and privatisation of their ports industry (see **ITF News**, September 1991).

Whilst the international monetary system continues to encourage these kinds of extreme policies there will be no improvement in living standards for Latin American workers. Yet Peru and Brazil have recently been granted further credits and debt rescheduling by the IMF on the strength of their "stabilisation programmes".

There is no doubt that some of the IMF policies are inevitable if Latin American economies are to develop towards self-sufficiency, but the international trade union movement has reservations about the Structural Adjustment Programmes currently in place. Inequality and injustice have made it very difficult to build the broad national support needed for the success of the programmes.

The participation of free, independent and democratic trade unions is essential to national consensus. This vital condition is not met where trade union rights such as freedom of association and the right to organise and bargain collectively are not protected.



SEAFARERS

Victory for Chilean seafarers' union in first strike for 23 years

Chilean seafarers in ports all over the world have successfully carried out an historic strike.

Disagreement broke out between Southern Shipmanagement (Chile) Ltd. and the officers' union, Sindicato Oficiales Southship in Valparaíso at the end of August, when the company failed to agree a series of benefits demanded by the union.

Southern Shipmanagement employ seafarers on ten ships belonging to Chilean companies Sociedad Anonima de Navegación Petrolera (SONAP) and Compania Sud-Americana de Vapores (CSAV).

In the first Chilean officers' strike in 23 years, 96 per cent of union members voted in favour of stopping work.

They wanted salary increases, shorter periods of service, longer rest periods, war zone insurance, and other basic conditions such as free repatriation of deceased seafarers.

In a letter to the ITF, the President of Sindicato Oficiales Southship, Hector Azua Almeida, requested solidarity from ITF-affiliated unions. The ITF also received a letter of support from the Federación de Tripulantes de Chile (FETRICH) who have applied to affiliate to the ITF.

The strike was called on September third. ITF-affiliated unions in Portugal, Spain, Brazil and the United States assisted Chilean crews, and although after six days Southern Shipmanagement tried to replace the Chilean officers with strike-breakers from India and Pakistan, unions in those countries were quickly contacted to alert their mem-

bers to the situation. The ITF also informed the company supplying the crews, Wallem Shipmanagement in Hong Kong, of ITF support for the strike.

After two weeks the company offered a settlement of 80 per cent of the union's demands in a package which improved working conditions and introduced social benefits. On September 17th a union meeting accepted the offer. Almeida was

pleased with the outcome:

"164 union members participated in this action. We are very grateful to the ITF; they've done their bit," he said.

The settlement gave increased dollar allowances for seafarers on international routes, one month's holiday bonus, and a US\$ 500 settlement for all strikers, as well as war zone insurance and transport costs in case of death.

DB29 sinking: ITF demands Panamanian inquiry

The ITF has demanded that the Panamanian government hold a full public enquiry into the sinking of Derrick Barge 29 (DB29) on August 15 in a typhoon in the South China Sea.

More than 30 crew lost their lives in the tragedy — including four divers who were in a decompression chamber at the time of the incident. 162 crew were rescued.

In a letter to the Panamanian register, ITF Assistant General Secretary Åke Selander says that there are a number of questions that need to be answered about the incident:

"Why did the Master not proceed to the designated safe anchorage when the typhoon warning was first received? And why were no measures taken, or appropriate facilities provided, to ensure that divers undergoing decompression could be evacuated in an emergency situation? Given the operational area of DB29, and the time of year, surely the operators could have anticipated

severe weather conditions developing?"

Selander was asked to contact the Panamanian authorities by the ITF Offshore Small Working Party meeting, held on 16-17 September in Europoort, Netherlands.

The six member committee also discussed revisions to the ITF Standard Collective Agreement for Maritime Mobile Offshore Units. Following the recommendations of the British enquiry into the Piper Alpha disaster, the meeting suggested that Standby Vessel manning in the agreement should be increased to conform to these recommendations.

In a review of the ITF Offshore Safety and Training Programme, the working party made a number of recommendations for modifications.

The working party also discussed the flag of convenience campaign in the offshore industry — Foc flags are proliferating in the industry and an intensification of the ITF campaign was called for.

US court backs seafarers in *Spiliada* appeal

An important legal precedent which could be of significant importance to flag of convenience seafarers was established in the US Appeal Court in August.

In a case supported by the ITF, former crew members of the Liberian flag *Spiliada* appealed against a decision by a Louisiana court that the seamen could not bring a case for underpayment of wages, including penalty wages, because they had signed a document in the Philippines "releasing" the shipowner from any further obligations in return for a modest payment.

The crew members had argued that they had signed the releases under enormous pressure from the owners and without the benefit of advice from either the US attorney (Jerry Dodson) or the Philippine attorney (Pompeyo Nolasco) who were assisting them. As part of the "settlement" the owner had said he would delete the phrase "Due ITF" as the reason for discharge in the men's seamen's books.

The crew members claimed that they had been pressurised and threatened with blacklisting to sign the document and that its contents had not been properly explained to them. Despite these arguments the trial judge had decided that their claim was not submitted in good faith and that a full hearing of their claim could not therefore go ahead.

This reasoning was rejected by the Fifth Circuit Court of Appeals which reversed the lower court's decision so opening the way for a proper trial of the backwages and penalty wages claims.

The importance of the case goes well beyond the five Filipino seafarers concerned. The Court made it clear that whenever there was doubt about whether an agreement signed by a seafarer had been made willingly or under coercion, the seafarer should be given the benefit of that doubt. The judgement in the case made the reasons for this quite clear:

"Historically, seamen have enjoyed a special status in our judicial system," it says. "They enjoy this status because they occupy a unique position. A seaman isolated on a ship on the high seas is often vulnerable to the exploitation of his employer. Moreover, there exists a great inequality in bargaining position between large shipowners and unsophisticated seamen. Shipowners generally control the availability and terms of employment."

For this reason, the Court concludes the US Congress had enacted special wage protection for seamen and had extended that protection to seamen on board foreign flag vessels. Both the Congress and the Supreme Court had already recognised that this could result in seamen sign-

ing releases against their better interests. As the Appeal Court said in its conclusions:

"Federal courts must remain vigilant in protecting the rights of seamen, whether foreign or domestic, in their relations with their employer... Where, as here, the shipowner blatantly circumvents the seamen's retained counsel to negotiate with the seamen personally and further to provide an attorney of the shipowner's own choosing purportedly to assist the seamen, the court need not give great deference to the validity of the settlement."

Shipowners who try to blackmail seafarers into abandoning justified wage claims should beware. The US Courts will not be impressed by such tactics.

Australian Minister condemns "deathtrap" foreign flag ships

The majority of foreign flag ships inspected in port by the Australian government are detained for serious defects.

This staggering statistic was revealed by Shipping Minister Bob Collins in early September, speaking to a conference of the Metal Trade Industry Association.

The Australian Maritime Safety Authority (AMSA) carries out Port State Control inspections. In the past year, according to Collins, 60 per cent of all foreign flag ships inspected by AMSA were detained because of inadequate safety equipment or structural deficiencies. In the same period, more than 100 seafarers have lost their lives in casualties occurring in Australian waters.

"I have been appalled with the reports AMSA have given me," said Collins.

Many of these ships, says Collins, are "deathtraps" with "sweated labour" crews.

"We have had ships detained in Australia where not a single person on board the ship knew how to operate the equipment," he said, "and in one case where they did not know how to shut the engines off on the ship; someone just started the engines in the home port and they were still running when they came here".

In another case, one Captain was in charge of three bulk ore carriers:

"They follow each other around and when they come to a port they anchor outside the port and the captain individually takes each one of the ships in, and then they follow each other home again," he said.

Collins stated that these "scandalous and horrendous stories" happen "on a daily basis".

These cases prove the need to maintain reservation for Australian coastal cargoes to Australian flag ships, Collins said — opposing the right-wing opposition's proposals to eliminate cabotage in shipping.

Estonian shipping register launched

The **Argentinian** government has relaxed its flag regulations, making it far easier for shipowners to re-register under Flags of convenience. President Carlos Menem issued a series of shipping decrees in mid-September that amount to a drastic deregulation of the industry. Compulsory domestic insurance for Argentinian flagships has also been scrapped. The decrees appear to be linked to Menem's desire to sell off the state shipping company ELMA — the measures are intended to make the concern more attractive to foreign interests. ELMA operates 30 multipurpose general cargo vessels, all crewed by Argentinian seafarers. As we go to press, reports from Argentinian affiliates indicate that the entire ELMA fleet is now set to be flagged out to Panama.

The **Cyprus** government — reeling from the seemingly constant criticisms of their shoddy Flag of convenience operation — has decided to try and improve their image. The best way of doing this would be to shut down the register and create a genuine Cyprus flag catering solely for real Cyprus shipowners. Instead, they appear to be planning to increase the number of bureaucrats enjoying a nice living from the Foc operation — from the present 50 to 100 or 150. Other plans are apparently underway to create a separate corporate entity for the register which will still be 100 per cent owned by the government — but, by being separate, it will be free of certain restrictions covering government departments — and free, also, from the scrutiny of the Cyprus Parliament (where embarrassing questions

have been asked about the activities of the register with the world's worst safety record).

The Republic of **Estonia** has nationalised the Estonian Shipping Com-



The ITF's Flag by Flag Roundup

pany, renamed many of the ships and established an Estonian shipping register. The 46 vessels based in Tallinn have been renamed to honour Estonian public figures and place names. The first vessel to fly the Estonian flag for 50 years was the *Transestonia*, a ro-ro ferry which left Tallinn for Helsinki and Rostock on Saturday August 31 as part of a new, regular freight service. The Head of the Estonian Maritime Board Nathan Tonnisson told the Estonian News Agency that "It was an historic moment—I noticed tears in some old seamen's eyes."

The **Faroe Islands** are considering setting up a second register along the lines of Denmark's DIS and Norway's NIS. To be known as the Føroya altjoda skipaskraseting

(FAS) the register will offer tax concessions to owners. The shipowners' association — Reidarafelagid fyr farmaskip (which has eight members employing 300 seafarers on 12 vessels) — have said that the new register's rules will be agreed in advance with the seafarers' unions. Most of the people in the Faroe Islands (a self-governing part of Denmark which, like Greenland, is not part of the European Community) work in the fishing industry — and are members of ITF-affiliated unions. In fact, the Faroes can boast of having the highest percentage of its population in the ITF of any country in the world. The FAS proposal does not include the Faroes' 233 fishing vessels.

The **Greek** government has unveiled plans to make the national flag "more attractive" to owners. The package involves a restructuring of Greek shipping corporation law, a discount on tonnage taxes and registration fees and the modernisation of the national seafarers' training scheme. These measures come twelve months after the first package of incentives, which appears to have halted the decline of the Greek fleet — through reduced crewing and a 75 per cent cut in taxes.

The **Indian** government is acting to reduce the number of Indian seafarers working on foreign flag ships. Indian Minister for surface transport Jagdish Tytler told Parliament in September that the issue of continuous discharge certificates (CDCs) (discharge books) has now been restricted to officers who have served first on an Indian flag ship. At the same time, income tax cuts

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...Croatian and Slovenian ships leave Yugoslav register

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have been announced for seafarers on Indian flag ships. Wages on board Indian flag ships went up by nearly 50 per cent earlier this year, and the ITF-affiliated NUSI ratings' union secured a 225 Rupee monthly bonus for seafarers serving in foreign waters effective from July.

The independent Republic of **Latvia** has nationalised the Latvian Shipping Company. A decree from the republic's Supreme National Council announced that the company was "now the property of the Republic of Latvia and is totally independent of the Soviet Ministry of Merchant Marine (Morflot)". Ironically, this scuppers the previous Soviet plan for privatisation of Latvian Shipping. The plan, opposed by the Latvian government, would have given the majority of shares to the company's employees, with Morflot and the Latvian Republic having minority holdings. The 90 vessels of 1.1 million dwt will soon be flying the flag of a new Latvian registry. The ITF has received a fax message from the President of the Water Transport Trade Unions of Latvia, previously part of the ex-USSR Seafarers' Federation (which was accepted into ITF membership pending completion of formalities last March). The Latvian seafarers wish to become ITF affiliates in their own right, along with the Confederation of Transport Workers of Latvia (formed in July, including all sectors of transport).

The **Panamanian** Flag of convenience claims to have recorded a net gain of 184 vessels of 3.1 grt in the first seven months of 1991. 127 of these, nearly 35 per cent of grt, are newbuildings.

It's hard to keep up with the pace of change in the **Union of Sovereign**

Republics (as what is left of the USSR is now called). The independent Baltic states have nationalised their shipping industries and ports, Estonia has established a shipping register and Latvia and Lithuania will follow suit soon. Acting USSR Shipping Minister Gennady Gerasimchuk announced in September that the all-union Ministry of Merchant Marine (Morflot) will now be wound up and replaced by two organisations. One is a maritime department within the transport ministry of the Russian Republic (except for the Baltic shipping companies and the large Black Sea Shipping Company in the Ukraine, the rest of USSR shipping is based in the Russian Federation). The other body will be a union-wide co-ordinating committee for the shipping industry — a sort of maritime administration. The Republics will delegate matters of common interest such as safety, training, pollution control and salvage to the co-ordinating body. According to Gerasimchuk, it will take six months to establish the new body — and he claims that the Baltic states have agreed to join it. Because of the centralised history of the shipping industry, all vessels in the former Morflot are heavily tied into the cargo needs of the entire Union. Local cargoes only account for one per cent of the freight carried by the Latvian fleet, for example. Gerasimchuk also believes that the new structure should reflect the fact that the fleet was built up through finance from all the Republics — whether the newly independent republics will agree with him on this point remains to be seen.

The political crisis in **Yugoslavia**, and the failure of the international community to recognise the independence of **Croatia** and **Slovenia**, is forcing shipowners to register former Yugoslav flag ships under

Flags of convenience. According to *Lloyd's List* newspaper, 28 Slovenian-owned vessels are set to transfer to the Panamanian flag. The dry cargo vessels, ranging from 5,600 grt to 27,000 grt, will add 400,000 tonnes to the Panamanian register. Croatian shipping — by far the largest part of the Yugoslav flag — is also flagging out. According to President Vladimir Svalina of the Seafarers and Dockers' Union of Croatia: "this is an unacceptable situation having vessels flag out under Foc flags. We hope in future there will be a Croatian shipping register". The union says that, in mid-September, nine vessels owned by Splitska Plovidba, ten Losinjska Plovidba and 11 Jadranska Slobodna vessels were all registered under the Saint Vincent and Grenadines Foc. A further three Jadranska Slobodna ships have joined the Maltese Foc. The union expects another five shipowners to join the reflagging very soon. Over 160 ships appear likely to leave the Yugoslav flag within the next month. The Croatian union has approached the shipowners and the government with certain conditions under which they will accept the temporary flagging out of Croatian ships. The conditions are that: 1) The flagging out is temporary and all vessels will be brought back under a Croatian National Register as soon as it is established; 2) The beneficial ownership of the vessels must remain in Croatia and no ship may be sold without Croatian government approval; 3) All ships must remain Croatian crewed and governed by the conditions of Croatian maritime law; 4) Wages should be regulated between the union and owners on the basis of the existing collective agreement. The union has now obtained verbal agreement from a number of shipowners to this agreement. Discussions are now underway in the ITF Secretariat on how these ships will be treated under ITF Foc policy.

Chaplain criticises Canadian Coast Guard

A port chaplain has charged the Canadian Coast Guard with unprofessional conduct and a failure to carry out their ship safety inspection duties adequately.

Reverend David Craig, from the Halifax Missions to Seamen, received a letter in June from the crew of the Panamanian Flag of convenience vessel, the *Gortene* — which had been towed into Halifax.

The vessel was on a voyage from Newfoundland to Chile when a serious cargo shift disabled the ship and she was towed to Halifax.

Craig contacted Peter Lim, Ship Safety Inspector with the Canadian Coast Guard. The Canadian Coast Guard is responsible for enforcing ILO Convention 147 (which obliges ratifying states to enforce minimum safety measures on vessels calling in their ports). The Canadian government also has a formal co-operation agreement with the European Port State Control authorities.

The crew identified a large number of serious defects:

They told Craig that the lifeboats wouldn't launch, the firehoses were defective, the emergency fresh water supply didn't work, the electrical insulation was faulty, the fuel tank breather was broken, engine spares were inadequate (and there weren't enough tools to fix anything), the engine was defective, the radio was broken, the radar and satellite navigation equipment were bust, and the food supplies were inadequate and of poor quality.

Craig asked Lim to investigate the ship and "satisfy the crew that it is up to International Navigation Regulations before it leaves Halifax port".

Some of the repairs were done while the vessel was in port, but at no time did the Coast Guard detain the vessel. She left Halifax on July sixth.

Many of the problems reported by the crew were not rectified.

The ship still had inadequate tools

to repair any breakdown.

Spare parts were almost non-existent. The vessel sailed with serious exhaust leaks in the engine room "causing sickness, irritated eyes, inflamed throats and breathing problems with those who had to work in this unhealthy environment," said Craig.

Had the ship been officially detained, the crew would have had the right to sign off and be repatriated. The engine room crew signed off in Halifax anyway (but were penalised) and the remaining crew's contracts were prematurely terminated when they arrived in Chile.

"I find it appalling and unacceptable that this crew was subjected to this type of treatment because of the apparent unprofessional attitude and decisions of the Ship Safety Inspector. The crew have said that they feel as if they have been discriminated against by the Canadian

Coast Guard," said Craig.

Other ships have been detained in Halifax for less serious defects, charges Craig. In many cases, the reason for the detention appears to have been "top secret" — the crew haven't been told why their ship is being held.

In a letter of protest to the Canadian government, Craig states:

"It is unfortunate that I have to write this letter but it is time that the Seafarers on Foc vessels are given a fair chance in Canadian ports by the Canadian Government Officials. I hope that you will look into this most serious matter so that it is not repeated in the future."

The *Gortene* took 21 days to limp to the Panama Canal — passing through on July 28. She arrived in Valparaiso on August 13, where "generator trouble" was reported. She has subsequently sailed for an unknown destination.

The ultimate crewing cut — scientist advocates the robot ghost ship

Messing about in boats has come to have another meaning for Dr Roland Burns of the Polytechnic of the South West (Plymouth, UK).

Funded by European industry, mechanical engineer Dr. Burns has built a computer controlled four-metre replica of a car ferry which has autonomously navigated the south Devon coastline. Impressive, but what does Dr. Burns hope to achieve with such an exercise?

Unfortunately, it's not quite as harmless as it sounds. The car ferry's big sister is the 10,000 tonne *Shiva Merchant*, a crewless ore carrier from Japan. The ghost ship has just finished two days of testing in dangerous waters south-west of Japan, and apparently passed with fly-

ing colours.

It doesn't take much shipping know-how to guess at the motivation behind these and other projects. With no crew to pay shipowners are imagining a cheap and trouble-free leap into the twenty-first century.

But it is astonishing to read Dr. Burn's claim that safety is the second rationale behind the research. His justification being that 80 per cent of collisions and accidents at sea are caused by human error. Perhaps he's never heard of computer error?

Jokes aside, has anyone thought about the implications for vessel security? What a boon for piracy on the high seas! P and I clubs and insurance brokers, beware...

US Court affirms jurisdiction over foreign flag cruise ships

Two cruise companies have suffered legal defeat in the United States over the question of jurisdiction.

Bermuda Star Lines, a Cayman Islands corporation operating the Panamanian flag ship *Veracruz I* was accused of sexual discrimination by the US Equal Employment Opportunity Commission (EEOC) in 1985 after a Tampa woman was told that she could not apply for a job as Wiper or Ordinary Seaman as these jobs were only for men.

Company lawyers argued that flag state law should be applied, but now the EEOC's argument, that US leg-

islation must apply as the line operated in the United States, has been vindicated.

The US District Court in Tampa upheld an earlier judgement and has told Bermuda Star Lines that it must refrain from discriminatory practice in all recruitment, appointment, promotion and personnel matters.

Kloster Cruise Ltd. also claimed that the EEOC lacked jurisdiction over two cases of discrimination.

An assistant cruise director on the Bahamian-registered *Norway* was sacked after becoming pregnant, and a bar manager on the same ship

claimed that he was forced to resign due to racial discrimination.

Kloster refused to comply with two EEOC subpoenas demanding company records, on the grounds that it is a Bermudan company with a Bahamian-registered ship.

The US District Court in Miami concurred, but the decision has now been overturned by the US Court of Appeal.

Challenges to the supremacy of flag state law such as these could have wide ramifications for Flag of convenience shipping.

Costa Cruise Lines to flag out ships

The Italian Costa Cruise Lines intends to flag out six ships, possibly to the Liberian flag.

Costa has employed non-Italian catering staff on its ships since 1978, but with this latest move now intends to employ 20 per cent fewer Italians. According to Paolo Cavanna, spokesman for Costa Crociere in Genoa, this will result in "substantial savings" for the company.

Costa already has two ships under the Panamanian flag, the *Daphne* and the *Danae*, soon to be transferred to Prestige Cruises, a new Italian-Soviet line. The ships affected by the latest flagging out will be the *Costa-Riviera*, *Carla-Costa* and *Costa-Marina*, as well as three ships still under construction, the *Costa-Classica*, *Costa-Romantica* and *Costa-Allegra*.

Company officials at Costa Cruise

Lines in Miami had no comment on how the reflagging of the fleet will affect customer services.

But recent disasters on such vessels have underlined the importance of crew training and of crew ability to communicate with passengers in an emergency.

Costa is still awaiting the go-ahead from the Italian government for its flagging out, but expects to get approval.

Brazilian pirates rob Korean crew in Rio

The ITF has received shocking reports of incidents of piracy in Rio de Janeiro during July this year.

ITF Foc Inspectors in Rio were told by the Masters of the Liberian-flagged *Good Faith* and the Panamanian-flagged ship *London Pride* that their vessels had been ransacked by pirates whilst at anchor.

At 3:50 on the first of July eleven armed men boarded the *London Pride* and attacked the Korean crew.

"They took three seamen captive,

and went into the Captain's, Chief Engineer's and Bosun's rooms and onto the bridge. They stole US\$ 5,953.00 of the ship's money, US\$ 200 from the Chief Engineer, five walkie talkies and a watch," said the Master.

The armed robbers also took an electric calculator, binoculars and various articles of the crew's clothing after rounding up all the crew in one room. They then escaped in a small boat.

It is disturbing that incidents like these are becoming increasingly widespread. As in this case, crew's lives are often threatened, and it is usually their possessions that the pirates steal.

Valuable projects such as the International Maritime Organization's incident reporting system deserve support, but more action by the international community is urgently needed if the problem is to be properly addressed.

Burmese crew get backpay in Hamburg

The Burmese crew of the Panamanian flag M/V *Tama Star* hadn't been paid for two months. ITF Foc Inspector Ulf Christiansen found out when he visited the ship in the north German port of Hamburg last June. The ship's Japanese owners had signed an ITF agreement with the All-Japan Seamen's Union (JSU) in April 1990 and had renewed it a year later but were not abiding by its terms. The most recent wage accounts on the ship were for the month of March — none had been drawn up for either April or May — and even these were defective as no overtime record had been kept. There were also other irregularities — although there were 16 Burmese on board there were only eight ITF crew contracts. Christiansen put in a pay claim for US\$25,905.63, which was met two weeks later — even so, the owners challenged the ITF formula for calculating overtime pay in the absence of overtime records and it was only after the ITF had called in the JSU that they agreed to pay up in full. Christiansen then drew up a second claim amounting to \$37,245.59 for ex-crew members who had been on the ship since April 1990. This was also met in full, bringing the total obtained for past and present crew members of the *Tama Star* to US\$63,151.22.

The Sri Lankan crew of the Greek-owned, Cyprus-flag *Pace* were not being paid according to the Greek national collective agreement. They contacted the ITF, and the vessel was visited when it arrived in Bremen, Germany in early August by ITF Foc Inspector Hans Kreitlow. Kreitlow met with the ship's captain, who arranged a meeting with a representative of the owner. After negotiations, the owners offered US\$43,000 to the nine Sri Lankan crew, which was accepted. The money was received on Monday August 12 — the owners then said that the settlement included all of

August's wages and the crew's balance. This wasn't the case, and Kreitlow succeeded in obtaining a further \$7,297 for the crew. The nine Sri Lankans were then repatriated at the owner's expense to Colombo, Sri Lanka and a new, Egyptian crew were engaged. The vessel left Bremen on August 15 bound for France.

FOC CAMPAIGN NEWS

The epic saga of Pakistan-based Gokal/Gulf East Shipmanagement's economic collapse in the wake of the BCCI fiasco (see **ITF News**, August and September 1991) continues. The crew of the Liberian flag *Java*, anchored off Singapore, have been paid off and repatriated — to be fair to what's left of Gulf East, they do appear to settle eventually with crews after much pressure, many fax messages and desperate pleas. The problem seems to be that for every settlement, more ships emerge with the same problem. In some cases the crews themselves are clearly close to a breakdown. The Liberian flag *Carnival*, which has now moved from anchorage to the Chinese port of Chiwan (see **ITF News**, September 1991) eventually received US\$3,000 for emergency provisions. The Master of the vessel, in a message to the ITF, described the situation on board as "volcanic...I have never been humiliated and disgraced like this in 19 years of command". At first the Master feared that the crew were going to kill him — but the situation calmed down. Then the ITF received a call from a crewmember saying that the crew were going to commit mass suicide. This particular crewmember has now been repatriated and paid off, and the ITF has

urged the crew to try and remain calm. The ITF has asked the company to make emergency allotment payments to the crew's families. The ITF has also been contacted by the crew of the Liberian flag *Confidence Sea*, presently at Abidjan, Ivory Coast. The crew haven't been paid, are running out of provisions, the ship is undermanned and is covered by a valid ITF Agreement. The company have responded to the ITF complaint by placing emergency provisions on board. According to the Liberian authorities, in a telex sent to the ITF on September 18, the *Confidence Sea* has now been sold and the new owner will settle the backwages. The crew of the Bahamas flag *Medstar* (Pakistani and Maldivian, as are virtually all Gokal crews) joined the vessel in July in Karachi. The ship made one voyage and is now laid up in Madras Roads, India. The crew have never received any pay. The vessel has been arrested by the local agents. The company offered to pay the crew in BCCI travellers cheques, but they wisely refused the offer! And then, to round off this month's list, there's the Liberian flag *Halron*, stuck in Douala, Cameroun. The vessel arrived in Douala on August third and discharged a cargo of rice by the 19th. Then the local agent arrested the vessel for non-payment of fees. No wages have been paid — and as in all these cases, it's the families back home who suffer from receiving no allotments — "Our families have reached a critical condition that is a level of starvation" the crew told the ITF. The crew have now told the owners that they are on strike until they receive their wages. Provisions are running out, and the crew say that safety equipment certificates have expired. According to the Liberian authorities "the operators are desperately seeking cargo to relieve situation and to ensure back wages and care of crew". More (no doubt) next month.

ITF Flag of convenience Inspectors' seminar

The annual seminar of ITF Flag of convenience Inspectors took place from 2-6 September in Eastbourne, England.

Forty seven Inspectors and union officials from 31 unions in 23 countries attended, along with legal representatives and two observers from the Missions to Seamen.

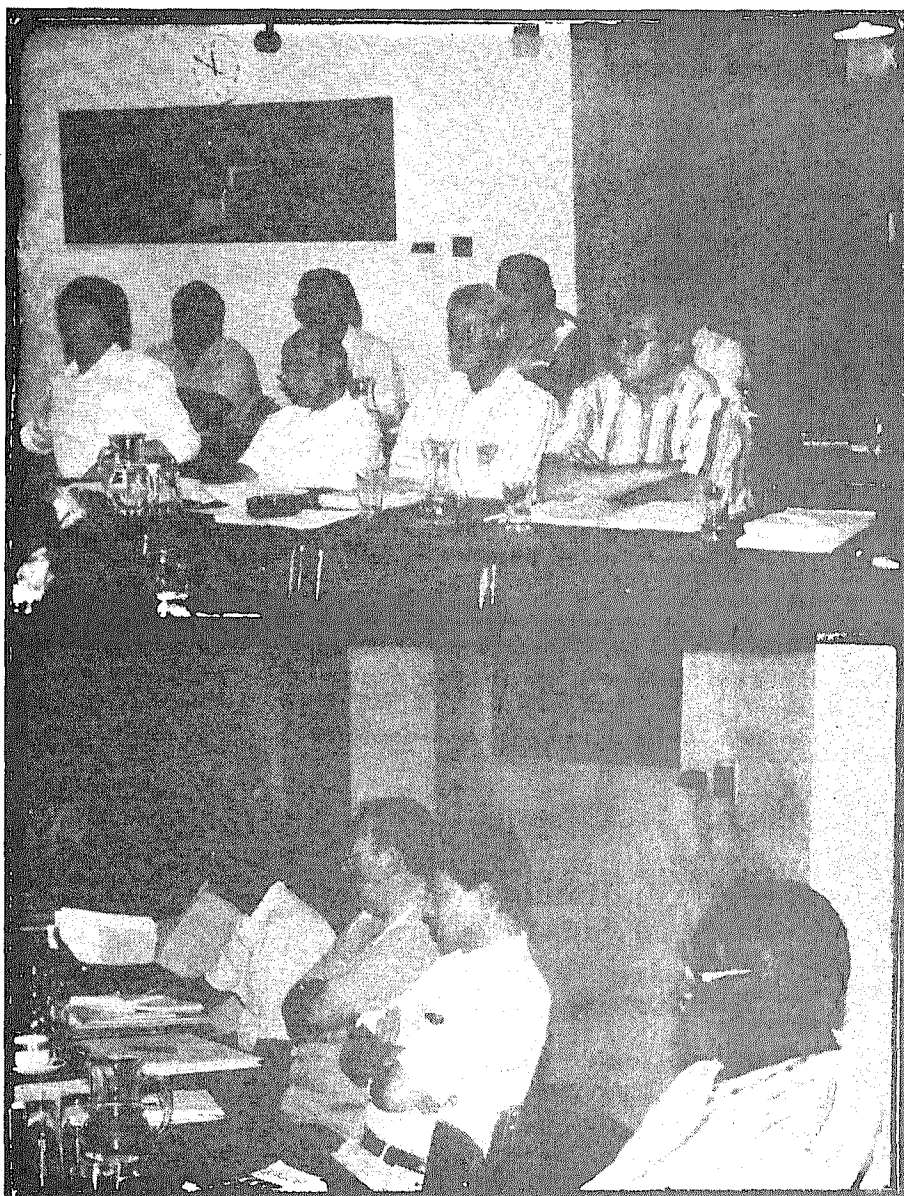
Delegates from Poland and Croatia were warmly welcomed as practical proof of the recent expansion of the ITF Foc campaign.

The ITF Secretariat was represented by Assistant General Secretary Åke Selander, Special Seafarers' Section Secretary Brian Laughton, Research and Publications/Dockers' Secretary David Cockcroft and a number of staff from the Seafarers, Finance and Publications departments.

Unlike most ITF meetings which are decision making, the annual ITF Foc Inspectors' Seminar is an educational gathering which provides a chance for the Inspectors to be briefed on ITF policy, and for the men and women who are on the front line of the ITF Foc campaign to share experiences and provide advice to each other and to the ITF Secretariat.

Briefing sessions on ITF policy, campaign finances and the press and publications side of the campaign were held, but the bulk of the seminar was conducted in workshop groups that examined various questions in detail.

The workshops devoted considerable time to a line by line evaluation of the nearly final draft of the ITF Foc Inspectors' manual — following this detailed editing process, the final product should be available shortly. Additionally, the seminar viewed a nearly final cut of the Inspectors' Training Video, which is designed to parallel the manual as an educational aid for Inspectors.



Zulfikar Master charged

The Cyprus government has laid criminal charges against the Master of a vessel that rammed and sunk a British fishing vessel in April.

The Cyprus registered *Zulfikar* collided with the *Wilhelmina J* in the English Channel on 10 April 1991 (see ITF News, April 1991) killing all six fishermen. The *Zulfikar* didn't even stop and offer assistance.

The case generated an unusually high level of media coverage in Britain, where it was accurately pointed out that the Cyprus Flag of convenience has an appalling safety record, and has hardly ever held a formal enquiry into anything.

The Cyprus government has decided that the master and crew of the *Zulfikar* were not responsible in any way for the collision (a rather unusual conclusion) but they have decided to charge Indian Master Vishwas Yeshwant Patwardhan with failing to render assistance to the *Wilhelmina J* and her crew and abandoning the scene of the accident. The maximum possible sentence for these offences is two years in jail.

OBITUARIES

Former President of the Danish Railwaymen's Association, **Gunnar Kragballe**, has died at the age of 68. After heading the secretariat and editing the union newspaper during the sixties, Kragballe was elected to the top post in 1969 but returned to work on the railways a year later, becoming Director of Personnel in 1982. He was appointed the DSB's Deputy Director General in 1986 — a post he held until last year.

Morris Paladino, a distinguished US trade union leader and staunch defender of the cause of international

trade unionism, died on July second, aged 71. In a remarkable union career spanning over fifty years Paladino made a very significant contribution to the trade union movement in his native America but he will probably be best remembered for the energy and enthusiasm he brought to fostering the emergence of strong trade unions in the developing world. A period in the Inter-American Regional Organisation (ORIT) of the ICFTU in the early sixties, when he helped build up the unions in Latin America, was followed by nearly four years as

Assistant General Secretary of the International Confederation of Free Trade Unions, when he was able to extend these activities to a far wider field. He resigned from the ICFTU in 1970 to return to the United States as Executive Director of the Asian-American Free Labour Institute (AAFLI), a post which he held for the next fifteen years. Under his leadership, the AAFLI extended its programmes to include thirty countries in the Asian region. Paladino had many friends in the international labour movement who are saddened by the news of his death.



FORTHCOMING MEETINGS

8-9 October	Channel Tunnel	Paris
9-10 October	Railwaymen's Section Transport Policy Sub-Committee	Paris
15 October	Management Committee	London
15-16 October	Executive Board	London
5-7 November	Latin American Inland Navigation Conference	Porto Alegre, Brazil
20 November	European Dockers' Regional Committee	London
3-5 December	Latin American Road Transport Conference	Mar del Plata, Argentina

GENERAL SECRETARY : **HAROLD LEWIS**

PUBLICATIONS OFFICER : **DAVID COCKROFT**

International Transport Workers' Federation

Federación Internacional de los Trabajadores del Transporte

Internationale Transportarbeiter-Föderation

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