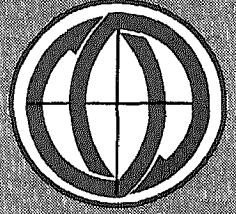


INFORMATIONS : NOTICIAS

ITF NEWS



NACHRICHTEN : NYHETER

ITF BACKS SOUTH AFRICAN STAYAWAY

Millions of South African workers stayed away from work on Monday August third on the first day of a week of protest called by the Congress of South African Trade Unions (COSATU) against the failure of President de Klerk's National Party government to agree on a rapid transition to majority rule.

The strike came after the breakdown in late July of intensive talks between the 1.3 million strong COSATU and the South African Coordinating Committee on Labour Affairs (SACCOLA), the employers' umbrella body.

In the course of these meetings industry and labour drew up a joint draft Charter for Peace, Democracy and Economic Reconstruction. The draft accord was in two parts: the first outlining business and labour's demands for a speedy transition to majority rule and the second containing a joint commitment to a day of action on August third in support of these aims.

The plan was that there should be a complete shutdown of economic activity throughout South Africa on that day to focus attention on the content of the Charter.

In the event, SACCOLA could not persuade its members to act on the agreed goals. This left COSATU and its allies with no choice but to proceed with the original plan for a rolling programme of mass action in a bid to break the constitutional deadlock.

With very little time in hand, COSATU swung into action, sending urgent messages to unions everywhere, seeking their support for the Week, in which a two-day general strike on August third and fourth was to be followed

by local strikes later in the week, as well as a full programme of marches, demonstrations and meetings.

General Secretary Harold Lewis straightaway contacted ITF affiliates telling them of COSATU's plans and asking them to publicise the Week and, where possible, to organise support action such as marches and consumer boycotts.

He backed this up by writing to South African President F. W. de Klerk urging him to respond positively to COSATU's demands for the democratic transformation of South Africa.

"Your agreement to the speedy election, by universal and equal suffrage, of a constituent assembly and your firm action against the horrific violence which blights the lives of thousands of South Africans would go far to establish your good faith," he said.

Lewis also sent messages to COSATU, as well as to the Transport and General Workers' Union (TGWU) and the South African Railway and Harbour Workers' Union (SARHWU), wishing them all possible success and assuring them of total support for their cause.

As we went to press the action was going into its second day, after a successful stayaway that had exceeded the organisers' most optimistic predictions.

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ITF offers support to Bulgarian seafarers' trade union in official recognition bid

A bitter and complex dispute which has been raging in Bulgaria during the past two months has highlighted the difficulty for democratic trade unions everywhere in achieving the right balance between trade union pluralism and trade union unity.

This dilemma, which exists in almost every country, has become particularly sensitive in many of the former Communist run states of Eastern and Central Europe, where workers were, until recently, forced to belong to monopolistic state run "unions" whether they liked it or not.

Despite the collapse of Communism, many of these old "unions" still exist. Many claim to have transformed themselves into democratic organisations, but in most cases are still trying to hang on to the assets — buildings and bank accounts — which they were allocated during the period of Communist rule. Many newly formed independent unions formed partly in reaction to old monopolistic structures feel, understandably, that they face unfair competition from well endowed ex-official structures and have been campaigning to persuade governments to let them have a share.

In Bulgaria, things have gone one step further. Rather than continue to fight over assets and representation rights, the largest newly created independent body, the Confederation of Labour (CL) "Podkrepa" (now an ICFTU affiliate) decided to make a deal with the former official union confederation, the Confederation of Independent Trade Unions of Bulgaria (CITUB). This deal involved both organisations gaining membership of a joint committee with the government called the National Council of Social Partnership (NCSP). The NCSP was authorised to reach agreements at national level, and membership of it was used by employers as the basis to recognise industry and local level unions for collective bargaining purposes. It was also intended to form the basis for an agreed distribution of

the CITUB's assets between the two confederations. This cosy arrangement would have worked well if all the unions in Bulgaria were members of one or the other confederations. Unfortunately many of them, including several which have affiliated to the ITF, are not. They viewed the NCSP arrangement as an attempt to substitute a duopoly for monopoly, effectively barring other unions both from bargaining rights and from trade union assets.

VARNA AND BOURGAS PORTS STRIKE-BOUND

On June 22 the ports of Varna and Bourgas were brought to a standstill as a result of strike action taken by the ITF-affiliated Seafarers' Trade Union (STU), which is part of a third confederation, the (confusingly named) National Trade Union (NTU) "Podkrepa". (This body was formed last year as a split from CL Podkrepa.) The strike was in support of a demand that NTU unions be given access to the government sponsored NCSP.

The STU organises the country's fishing fleet and is based in Bourgas. The strike was supported by NTU dockers both in Bourgas and in Varna, the main commercial port.

The STU, which had been accepted into affiliation by the ITF Executive Board in March, then appealed for help to the ITF.

On 25 June, ITF General Secretary Harold Lewis, having carefully consulted the two ITF seafarers' affiliates in Bulgaria (both of which expressed support for the STU demands) and having asked for comments from both confederations, issued a strong statement of support for the strike.

"The ITF fully supports its affiliates in this dispute and calls upon the Bulgarian government immediately to re-examine the rules governing membership of the NCSP to ensure that all genuine trade unions in Bulgaria are granted access to it," he said.

Lewis also wrote the same day to

Bulgarian Prime Minister Philip Dimitrov urging the government to open negotiations with the strikers. The same message was sent to CL Podkrepa and to the CITUB.

Interestingly two affiliates of CITUB, representing seafarers and other transport workers, both expressed support for the NTU's demands. CL Podkrepa's Constantin Trenchev did not, however, merely remarking that the NTU did not meet the legal criteria laid down for recognition and that the ITF had been "misled" by its affiliate.

On June 28 an agreement was signed in the Bulgarian capital Sofia between the government and NTU President Plamen Darakchiev under which the government undertook "to amend all rules of the NCSP that are contradictory to the law and international conventions" and to "instruct all local authorities and employers to treat as equal all trade unions". In addition employers were asked to drop any claims or disciplinary action against striking workers. This looked like a major breakthrough and was hailed as such by Darakchiev who described the ITF's intervention as "decisive". Unfortunately, it required the consent of the two union confederations who were already members of the NCSP and this was not forthcoming.

Indeed, the evidence points to the two NCSP members adopting an even harder line than before. According to a letter received on 10 July from another NTU affiliate, the National Trade Union of Railroad Workers, a collective agreement signed between Bulgarian Railways (BSR), CL Podkrepa and CITUB explicitly excludes members of other trade unions from benefiting from its provisions and "forbids such unions from negotiating conditions more favourable or equal to the present agreement".

As a result, the strike resumed in early July in Bourgas and was met by a mass lockout on the instructions of

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Bermuda Industrial Union beats union busters

The ITF-affiliated Bermuda Industrial Union (BIU) has won a resounding victory in the court of appeal after what started as a minor dispute at the freight company Bermuda Forwarders escalated into a national walkout and threats from government to curb the right to strike of workers in "essential services".

Trouble started brewing on June 24 when two BIU members working for the freight company Bermuda Forwarders (one a port and the other an airport worker) were suspended for refusing to handle the company's cargo because it had failed to respond to a board of inquiry recommendation that it reinstate fifteen dismissed union members.

BIU-organised transport workers immediately came out in sympathy and the strike quickly spread to take in other groups, including public service, hotel and construction workers.

There was widespread disruption to air services to and from the island, which clearly upset the authorities and on June 29 the police moved in to the airport and arrested a BIU organiser and fourteen other union pickets, including the presidents of four of the union's divisions (port workers, hospital workers, bus operators and truck drivers). They were charged with obstruction and later released.

By now, the government had had enough and decided to invoke the full weight of the law against the strikers. It sought and obtained a writ of sequestration.

Sequestration is one of the worst fates that can befall any union. It means that its bank accounts can be frozen (in their enthusiasm the court officials even froze accounts that did not belong to the BIU!) and assets seized to meet fines levied on it for continuing with its industrial action — in this case, fines of 100,000 dollars a day were imposed for each day the strike continued.

When the writ was served on July first, BIU leaders explained its implications to their members and advised them that they should comply with the terms of the court order. Many did, but a significant number felt strongly that the strike should not be called off.

As the police were known to be out in strength at the airport, the centre of the strike was switched to the docks where picket lines were set up.

Later that same day a general membership meeting was held to seek the views of the membership and as a result a one day work suspension was ordered for July second in a renewed mass protest at the suspension of fellow union members.

At a mass meeting held later on July second, BIU appointed lawyers explained that the union would be seeking a stay of execution of the Writ of Sequestration so that it could lodge an appeal with the Court of Appeals seeking its withdrawal.

Several hundred union members marched to the Supreme Court on Friday July third where they heard that the court had granted a stay of execution and leave to appeal.

On July 24 the panel of three judges announced that they were allowing the union appeal and the sequestration order was duly lifted. Legal costs were awarded against the government.

Having successfully fought off what union president Ottiwell Simmons says was a concerted attempt by the government and employers to break the union and destroy its leadership the BIU has every right to be delighted with the court decision in its favour.

When the ITF learned of the strike developments, General Secretary Harold Lewis sent a message of solidarity to the BIU expressing its concern at the government's actions.

Support and solidarity messages were received at BIU headquarters from the food and building workers' internationals, IUF and IFBWW, to which the BIU is also affiliated.

... CL Podkrepa leaders threatened with arrest

Continued from page 2

the Ministry of Transport. The Ministry was clearly not above using shady tactics to get traffic moving, at one stage telling the union that "the ITF had agreed" that ro-ro traffic should be exempted from the action. Needless to say this was a blatant lie.

According to information from strike committee chairman Toma Shalev and STU President Dimitar Damianov on 17 July, the situation in Bourgas port is chaotic and unsafe, with many vessels sailing without tugs and pilots commandeering any boats they could find to get aboard strike-breaking ships. The ITF's position meanwhile remains clear. It will sup-

port its affiliates, whether or not they belong to any national confederation, in any legitimate dispute.

Given the unusual nature of the dispute (an ITF union effectively striking against action taken by an ICFTU affiliate), the ITF has kept the ICFTU fully informed of developments throughout. Recognising that the dispute raises important issues which are relevant outside Bulgaria, ICFTU General Secretary Enzo Friso has announced an urgent study into the question of trade union assets and trade union pluralism.

****Meanwhile demonstrating the close links between politics and trade**

unionism in Bulgaria, relations between the Union of Democratic Forces (UDF) run government and CL Podkrepa seem to have taken a turn for the worse, following the withdrawal of the union confederation from the UDF's co-ordination council.

Health and postal workers in CL Podkrepa went on strike against the government on 26 June and were joined, on 15 July, by urban transport workers. Several of CL Podkrepa's buildings have been closed by the police and its leaders have been threatened with arrest. The ICFTU has protested to the government against this campaign of intimidation.

Morocco tramples on trade union rights

Growing evidence of collusion between the government of Morocco and employers in denying workers their basic union rights has led the International Confederation of Free Trade Unions (ICFTU) to lodge a formal complaint with the International Labour Organisation (ILO).

The ICFTU complaint lists a series of incidents which lend weight to the view of Moroccan unions that the authorities are not prepared to proceed against the many employers who engage in union busting and anti-worker activities.

Since 1991 scores of union activists have been arrested and many have been convicted on the basis of dubious allegations from their employers, which the authorities have accepted

at face value. It is clear that it is for their trade union activities that workers are being put on trial.

In its complaint the ICFTU cites repression in three major enterprises, one a multinational and the other two state owned undertakings.

Relations between the ICFTU-affiliated Union marocaine du Travail (UMT) and the government have worsened recently with news that two missing activists, one last seen in 1964 and the other in 1972, are being secretly detained. This information comes from recently released political prisoners who have been held in detention centres along with the two men.

A further major confrontation is likely as the UMT resists government

attempts to introduce a new Labour Code, with a strong anti-worker bias, without consulting organised labour.

UMT General Secretary Mahjoub Benseddik has said that the draft legislation is a clear attack on workers' rights and that the UMT will take whatever action is necessary to defend those rights.

“Brussels Committee” steps up co-operation with ITF

Major changes in the way transport workers are represented in the European Community as well as in the people responsible for doing it took place in Brussels on 6 and 7 July during a two day session of the Committee of Transport Workers' Unions in the European Community.

The first of the two days was devoted to a special conference, called to review the structure of the Committee, which was originally set up by ITF unions in the six member states of the EEC in 1958. While the current structure has served unions well for many years, most transport unions now accept that, in view of the massive changes taking place in the EC as a result of the single market and the Maastricht treaty, a more rational and representative EC union structure is needed. A number of principles were agreed at the meeting, including the need for the future body to work in close co-operation with the ITF and plans for a General Assembly every four years to elect officers and other governing bodies. The final details will be hammered out at a further special meeting to be held in Decem-

ber this year.

These proposals were discussed and adopted at the meeting on July seventh of the Committee's current governing body, the Co-ordinating Committee.

The meeting had also to deal with another issue which arose unexpectedly when Clive Iddon, who has been Secretary of the “Brussels Committee” since 1978, announced that he had decided to retire from office.

A long debate then followed on the procedures to be adopted to elect a successor. It concluded by the election, by a large majority, of Hugues de Villèle, currently working as a consultant to the Committee (see also People in this issue for an appreciation of Clive Iddon and an introduction to his successor Hugues de Villèle).

Rudi Schäfer, President of the Committee, paid tribute to Clive Iddon's great contribution to the advancement of transport workers' interests in the EC and said that an appropriate occasion would be organised in the near future at which all the unions concerned would be able to express their appreciation properly.

Malawian union leader back in jail

There are renewed fears for the safety of the Malawian trade union leader Chakufwa Chihana, who has again been detained by the Malawi authorities three days after a high court judge ordered that he be freed on bail.

Chihana — secretary-general of the Southern African Trade Union Coordinating Committee (SATUCC) and a leading pro-democracy campaigner — was arrested at Lilongwe airport in April and held for three months without charge in Zomba jail (see ITF News, May and June/July 1992).

When he reported to the police station in Lilongwe on July 14 to discuss the practical arrangements regarding his bail conditions he was told that he was being taken back to Zomba. He has not been seen since.

In a protest message to President Banda, ITF General Secretary Harold Lewis condemns the re-detention of Chihana in defiance of a court order.

Lewis calls on the President to release Chihana immediately and withdraw the false charges (of sedition) against him. “To continue to persecute him and to suppress the human and trade union rights for which he stands can bring nothing but disaster to your country,” the message ends.

EC toxic waste ruling adds to confusion

EC member states may not implement wholesale prohibitions on the entry of hazardous waste under existing European law, concluded the European court of Justice on July ninth.

But the court recognised that current European law does allow states to block waste imports sent by other member countries for dumping or recycling.

This contradictory judgement arises out of a case brought by the Commission after complaints by Dutch waste exporters over waste import bans issued by the Belgian region of Wallonia in 1984 and 1987. The Walloon village of Mellery — where locals suffered health problems through water pollution — was behind the Belgian bans.

The court said that the 1984 directive on notification for toxic waste shipments and the EC treaty provisions on free movement of goods meant the prohibition was wrong. Waste, the court said, constitutes "goods".

The decision has caused confusion. Member states can apparently still ban specific shipments of toxic waste on health and environmental grounds and establish limits to toxic waste imports. But no-one seems to know where these limits are set.

The court's report seems to confirm that waste falls into a special category of "good", whose circulation can be banned if such prohibition is not discriminatory, and that the Walloon action is in line with the Basle Convention, implying support for the principle that waste should be processed as near as possible to where it is generated.

Environmentalists have opposed the decision, raising concern over the transportation of radioactive waste.

BRITISH PRESIDENCY IS BAD NEWS

The British takeover of the Council of Ministers Presidency last month does not bode well for workers in the Community. Already it has been rumoured that the UK government has compiled a secret report on tactics to block progress on EC-wide social policy.

The dossier is said to describe ideas for delaying the adoption of directives on safety and health for workers by raising technical difficulties.

Britain may also press for the repeal of EC environmental legislation, it has been reported. On July eighth UK environment secretary Michael Howard announced that some environmental issues are better dealt with at national level, raising fears that the UK may try for opt-out provisions on environment legislation.

SOCIAL DIALOGUE SUMMIT SUPPORTS GROWTH STRATEGY

A Social Dialogue Summit, held in Brussels on July third to officially open the social dialogue provided for in the Maastricht treaty, is to become an annual event.

ETUC trade union leaders reiterated that the Maastricht treaties' social policy provisions are inadequate, and the UK opt-out clause is unacceptable.

However, trade union representatives declared their support for the proposed new cooperative strategy to promote growth and employment. Adopted in its first version three years ago, the strategy emphasises the need for economic planning. Employment growth is seen only as a delayed result of investment and economic balance, which must, trade unions stress, be accompanied by wage negotiations and new training schemes.

The two sides have now decided to create a new structure, the Social Dialogue Committee, to oversee future social dialogue developments. They have put in a formal request to the Maastricht signatory states to ensure that the agreements concluded by the social partners are issued as EC directives without further amendment. The social partners have also asked the Commission for its agreement to an arrangement allowing them time to negotiate agreements as alternatives to draft directives.

Mrs Papanreou, Commissioner for employment and social affairs (who is leaving the Commission soon),

stressed that the social partners must take initiatives, especially in areas like immigration or the environment.

UK CITIZENS TO LOSE OUT ON WORKING WEEK

Battles over a Community Directive limiting the working week to 48 hours ended in the customary compromise last month.

Britain secured a partial opt-out on introducing the 48-hour working week, and gets ten years to introduce the measure, whilst other Europeans will be feeling the effects within three years.

However, observers note, additional conditions written into the Directive on the organisation of working hours mean that the UK government will have to introduce statutory minimum employment rights for the first time, covering the working week, annual holidays, night shifts and minimum rest periods.

NEW FORUM FOR MARITIME INTERESTS

A new Euro-body has been created — the European Initiative for Maritime Cooperation (EIMC).

The EIMC was set up in response to Commissioner for Industrial Policy Martin Bangemann's call for greater cooperation in the field of maritime transport, and will bring shipping industry representatives, the European Parliament and scientific associations together.

It seems the EIMC's slogan will be "From Road to Sea", reflecting the view that coastal and inland waterway shipping is an ecological and economic alternative to road transport.

The EIMC aims to promote the development of ships that can be loaded from several directions at once and the increased use of computerisation in cargo-handling.

The Community's Economic and Social Committee (ECOSOC), whilst applauding this initiative, has criticised a Commission communication on maritime industries entitled "industrial policies in a competitive envi-

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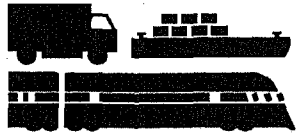
... Stop the flight to foreign flags, says ECOSOC

ronment". ECOSOC believes that employment and protection of the maritime environment are not given adequate emphasis in the document. Member states' fleets face competition from third country fleets which may benefit from state subsidies and other measures — some may employ unfair employment practices to cut

costs, says the Committee. ECOSOC called for a full set of measures that would make the proposed "Euros" register more attractive and therefore competitive, proposing a whole range of financial incentives. Regulations concerning crews should be adopted, said ECOSOC, to stop the exodus of the Community fleets to Focs.

AIR TRANSPORT AGREEMENT IS OFFICIAL

In June, EC Ministers officially adopted an air transport agreement with Norway and Sweden, thus extending Community policy to these two nations. Ministers had reached a compromise on this agreement in March.



INLAND TRANSPORT

British Rail unions reject privatisation plans

The long-awaited white paper on the future of the railways in Britain has at last been published, though it fails to spell out in precise detail the Conservative government's plans for the much-heralded privatisation of state-owned British Rail.

Rejecting calls from some of the government's own supporters for the wholesale disposal of BR assets, Transport Secretary John McGregor has decided on a programme of piecemeal privatisation that will not be completed before the end of the decade.

Under the government's proposals, which will be presented to parliament later in the year, British Rail will be restructured to own and operate track and infrastructure separately from the operation of services.

The most radical proposals concern BR's freight and parcels business, which will both be sold to the private sector. Freight dedicated track will also pass to private sector owners.

Changes to passenger services will be less drastic — they will not be sold outright, but partially contracted out under franchise, in a move that will leave BR in charge of much of the passenger railway into the next century.

Precisely how franchising will work is not stated, though the government does say that it expects a substantial number of franchised services (probably thirty to forty) to be operating eventually in a "flexible" and "pro-

gressive" programme run by a specially established Franchising Authority.

There is keen interest from Virgin Airlines and P&O European Ferries in running their own passenger rail services, as well as from a number of companies seeking to offer a low-price rail alternative to long-distance coach travel.

A number of ports, led by the east coast port of Felixstowe, are also understood to be interested in operating their own freight services.

It is envisaged that the private sector will be involved in running stations, perhaps via franchises, though the government says it is prepared to consider selling stations or making other leasing arrangements.

In the latest issue of its newspaper **Transport Review**, the rail union RMT takes issue with the government that privatising British Rail will "improve the quality of rail services by creating many new opportunities for private sector involvement".

A front page article says that the real vision of the white paper is one of confusion in that it fails to address basic and critical issues, such as is the government committed to a national rail network or is it more interested in getting out of paying high levels of subsidy, ie is privatisation just a cost-cutting exercise in another guise?

"Where is the plan for the modernisation of the railways?," asks the RMT.

According to the white paper, the new Railtrack authority with responsibility for track and infrastructure will have to find investment money from fares and charges — sending fares through the roof will lead to a contracting and deteriorating railway system with undermaintained track and antiquated signalling rather than a modern and expanding industry, says the RMT.

There is no evidence that the private sector will come up with necessary investment, rather the reverse from the experience in other countries, the RMT adds.

"Far from offering a blueprint for a better railway, we are invited to buy a ticket to chaos and closure," the RMT concludes.

By far the most serious impact of the proposed changes would be on the jobs and conditions of rail workers, who will be concerned at what the proposed changes will mean to them, both within BR and the new franchise operations.

The white paper's commitment to consultation with the unions on matters affecting employment has been welcomed by the rail unions but there will be some tough negotiations ahead as the three ITF-affiliated British rail unions (ASLEF, TSSA and RMT) seek a properly staffed railway that offers its employees decent working conditions and fair levels of remuneration.

Germany invests heavily in road and rail

The German government has revealed plans for a massive DM 493 billion (US\$334 billion) investment in the country's road and rail network in a move which surprised many observers given the recent cabinet approval of a clampdown on public spending.

Over the next eighteen years, a total of 2,400 km of new roads and 2,200 km of new rail lines are to be built.

Centrepiece of the government's transport plans is the merger of the west German Bundesbahn and the east German Reichsbahn, which takes effect on January first, 1994.

The two are to be incorporated in a single shareholding group, Deutsche Bahnen AG (DBAG), with operations being split into three independent companies responsible for passenger traffic, freight and track management. After five years, the DBAG will be dissolved and the three separate components left to run their own affairs.

On incorporation, the government will take over responsibility for the railways' debts (expected to reach DM 55 billion (US\$37.25 billion) this year) in the biggest financial reorganisation in the history of the Federal Republic, according to Transport Minister Günther Krause. The railway's debts will be frozen until 1996/7.

Major upgrading of the railways is planned, notably the complete modernisation of the entire ex-Reichsbahn network at an estimated cost of between 60 and 70 billion deutschmarks (US\$41-47.5 billion) and the completion of the 3,200 km high speed rail network at a cost not far short of DM200 billion (US\$135.5 billion).

Guided transport connections between Hamburg and Berlin will be supplemented with the granting of provisional approval for a Maglev system linking the two cities, with a possible extension to Bonn, Bremen and Cologne.

In a break with previous policy, the government says that it wants to see more road freight switched to the rails and has set itself a ten per cent target.

Aside from the construction of new roads, the road programme involves

major projects such as the construction of a road tunnel under the Elbe in Hamburg.

An extensive road rebuilding and widening programme is planned along with the construction of a thousand relief roads to bypass congested cities and towns in eastern Germany.

Five of the new road projects will be undertaken by private groups, who

are being asked to quote for and construct the roads, with the government paying by instalments. Private involvement in over twenty other projects is also under consideration.

It is still unclear how the German government intends to finance this new initiative, though it is thought likely to include road tolls and the sale of railway property.

Historic CIS rail pact signed in Minsk

An historic agreement signed in the Belarus capital of Minsk on February 14 ensures that rail services on the 145,400 km network of the former Soviet Railways (SZD) will remain intact, despite the break-up of the USSR.

Signatories to the Minsk agreement, which provides the framework for the future development of rail services in the Commonwealth of Independent States (CIS), are the heads of government of all the CIS member states.

A Council on Railway Transport will coordinate railway operations at inter-state level as well as developing joint principles governing the operation of rail services.

Under the Minsk agreement, the Council is charged with drawing up a formal statute and defining the legal basis for rail borne freight and pas-

senger transport between CIS member states, while an Executive Committee designated by the Council has been given the task of "coordinating routine activity of the railways".

The Minsk agreement takes over from the temporary arrangements made for the transition period under an accord reached by the chief executives of the CIS railways in January of this year. This dealt with operating, planning, scheduling and accounting principles and included bilateral and multilateral arrangements on a range of technical and operating matters.

Meanwhile, the Ministry of Railways of the Russian Federation set up by Presidential decree on January 20, 1992 has assumed responsibility for seventeen of the thirty-two ex-SZD regions, which formerly came under the Soviet Ministry of Railways.

Hungarian rail staff on short time

Sixty thousand Hungarian rail workers have had their working week cut by a third in a cost-saving bid by Hungarian State Railways (MAV).

The IFF-affiliated Free Trade Union of Railway Workers (Vasuti Dolgozók Szabad Szakszervezete) has complained to the MAV management that it was given very little notice of the railway's plans, which will mean a smaller pay packet for the affected workers for five weeks and save the company an estimated US\$6.25 million.

Despite its misgivings about the lack of proper consultation, both union and members recognise that MAV is close to bankruptcy and sacrifices by the workers — though they will cause real hardship — are perhaps an inevitable price if the railway company is to survive in the short term.

French truckers' road blockades lifted

Traffic throughout France ground to a standstill for nine days from 29 June as truck drivers protesting against the introduction of new driving licence regulations barricaded main roads and motorways and staged "escargot" protests, in which they drove at snail's pace three abreast on key traffic arteries.

The truck drivers were protesting against the introduction of a points licensing system under which the driving licence is credited with an initial six points and points are then deducted for each road traffic offence, according to the gravity of the offence. When all six points are lost within three years, the driving licence is suspended and the driver can only regain the licence after retaking the driving test.

Professional drivers complained that the system had been introduced without proper consultation, that it discriminated against professional drivers as compared with drivers of private vehicles and that in any case it did not address the basic problems of road safety caused by unrestrained competition for work.

The blockade was eventually lifted after government, road transport unions and employers agreed on July sixth a series of measures modifying the original decree and on the establishment of a special commission to examine the application of the system. Among the measures are several important improvements:

- * waiting time and other time at the disposal of the employer will count for 85 per cent as fully paid duty time (previously 66 per cent) and eventually for 100 per cent;

- * removal of discriminatory measures and in particular the use of tachograph records for retroactive application of sanctions;

- * provision of alternative employment while licences are under suspension;

- * establishment of the co-responsibility of the employer and/or shipper for providing drivers with legally-achievable delivery schedules;

- * financing of retraining courses and guarantee of wages during retraining;

- * strengthening of the labour inspectorate responsible for working conditions in road haulage;

- * detailed examination of the economic and social situation in road haulage and in particular of harmonisation of the conditions of competition and of sub-contracting conditions.

A three-month time limit has been set for recommendations on the necessary action to implement these

measures to be finalised. The French government and employers are well aware that by and large public opinion was sympathetic to the professional drivers.

In a message of support to our affiliate, the Fédération Nationale FO des Transports, ITF Assistant General Secretary Graham Brothers called on the French government to address the basic problems of the road transport industry, not just the symptoms of the malaise.



PEOPLE

Clive Iddon, Secretary of the Committee of Transport Workers' Unions in the European Community — the "Brussels Committee" — for the past fourteen years, has retired.

He began his trade union career with the ITF, eventually becoming Head of Administration and then Secretary to the Railwaymen's, Road Transport and Inland Navigation Sections. He left the ITF in 1973 to work for the international department of the German Railwaymen's Union. He was elected Secretary of the Brussels Committee in March 1978.

At its meeting on July seventh, the Coordinating Committee of the Brussels Committee (its governing body) paid unanimous tribute to his great skill and dedication.

The race (bordering on panic) to put a common transport policy in place before the "completion" of the internal market in the European Community by the end of 1992 has imposed enormous strains on the Brussels Committee secretariat generally and Clive Iddon in particular.

His experience and expertise, not least in his dealings with the Community bureaucracy, have been put to very effective use in defending the transport workers' position when they could easily have been engulfed by torrents of Community proposals — many of them dangerous or foolish or both.

His successor is **Hugues de Villèle**, who has been working closely with Clive Iddon over recent years. A former official on French National Railways (SNCF), he has been an active trade unionist for all his working life. The ITF's General Secretary, Harold Lewis, has assured him of the ITF's continuing support and close cooperation.

Ruud Vreeman has resigned as President of the Dutch Transport Workers' Union (Vervoersbond FNV) on being elected Vice President of the Dutch Labour Party. He has also given up his seat on the ITF Executive Board and his successor is expected to be appointed at the Board's next meeting in October.

Gordon Westrand has been elected as the new President of the Canadian division of the International Longshoremen's and Warehousemen's Union (ILWU) in succession to **Don Garcia**.

Yvette Yuk Lin Chan has been appointed as the new General Secretary of the Hong Kong Merchant Navy Officers' Guild in succession to Hugh Ng-Quinn. She replaces Ng-Quinn on the Committee of the ITF Seafarers' Section and the Fair Practices Committee.



CIVIL AVIATION

BA and USAir forge Transatlantic mega-carrier

British Airways has bought up a potential 44 per cent stake in USAir to create the world's biggest airline alliance. The combined operation will link the world's biggest international air network with the third biggest US domestic network.

Ironically BA has in the past quoted USAir as one of the US megas threatening to dominate the world, on the basis that USAir carries more passengers and has twice as many jet aircraft.

The deal involved BA paying out \$750 million. USAir's entire market capitalisation on the day before the deal was \$612m. BA will only get 21 per cent of voting rights, with four places on the board, due to current US laws on foreign ownership. The deal could involve further payments of up to \$600m.

BA have been ready to pay this price tag to gain entry to the huge US domestic market. A combined BA and USAir will be able to sell through tickets to 204 US cities compared with BA's current 19.

George Ryde, National Secretary of the Civil Air Transport Section of the ITF-affiliated Transport and General Workers' Union (TGWU), however, points out that,

"This money comes out of a BA war chest created out of the cost savings taken from the workforce over the last few years. As usual unions were given no information or consultation about the deal until it was over".

One of USAir's attractions to BA was the US carrier's record on cost cutting. USAir has shed more than 7,000 jobs in the past two years, closing maintenance facilities and withdrawing services. Last year it gained \$107m pre tax related to a pay and benefits freeze of its non contract (non union) employees. The company is currently trying to negotiate with unionised employees 20 per cent wage cuts to reduce labour costs by \$487 million. Pilots in the ITF-affiliated

Air Line Pilots' Association (ALPA) have just agreed to \$55m worth of wage concessions and cost savings in health care.

Both British and US unions fear that one result of the merger will be further job cuts. The two airlines say

they hope to make estimated \$200m-\$250m annual savings from the merger. BA is to take over USAir's few transatlantic routes. British and US unions are already planning talks for a co-ordinated union response to the deal.

BA and Lufthansa set up cheap labour airlines

On June 26, while British Airways finalised their plans to launch a global mega-carrier with USAir, BA effectively set up a new low cost European airline, British Airways Regional. The new subsidiary is to handle all its European operations out of its regional bases at Manchester and Birmingham. The strategy illustrates how mega-carriers are not only seeking to dominate aviation through world-wide alliances and mergers, but are also ready to set up low cost subsidiaries capable of competing against the cheapest (low wage) new entrant small carrier.

The setting up of the new company repeats the pattern BA has already used in Germany. When forced by German law to set up a new "German-owned" company to take over its old Internal German Service (IGS) operations, BA set up *Deutsch BA*, with a 51 per cent investment from German banks. The new airline used the opportunity to employ staff with lower labour costs than IGS and no union.

Lufthansa appears to be following a similar path. It has announced it is transferring its loss-making domestic operations to a newly created subsidiary *Lufthansa Express*. The move will involve imposing cost reductions on employees.

BA's new company does not expand the airline's European network, it simply takes short haul operations

out of the existing BA operations. It re-employs the same staff in the new company — but at reduced wages. These short haul operations act as a vital feeder for BA's intercontinental flights.

BA cabin crew at its Manchester and Birmingham bases in the United Kingdom are faced with the choice of transferring to the new company with lower pay and inferior conditions, or losing their job.

The transfer of staff into the new company entails new employment contracts including losses in pay, holiday supplements and other benefits for cabin crew in the two bases. Employees will only receive a pay increase next year if inflation is above four per cent. The starter rate for crew is \$2,000 lower than the lowest current BA rate. The union fears the staff will also be removed from the mainstream of the BA negotiating machinery.

The letter to cabin crew informing them of these imposed changes arrived on the same day that the company announced pre-tax profits of \$547m for the year to the end of March. This is an increase of \$249m on the previous year.

It also comes at the same time as the company has just given its outgoing chairman Lord King a 64 per cent pay increase from \$407,650 to \$1,283,873 in the latest financial year.

Indian aviation workers fight privatisation

The mass strike of aviation workers which brought air transport to a halt in India on June 16 (see **ITF News**, June-July 1992) is only "the first salvo" in the fight to stop the privatisation of national airlines and other parts of the public sector, according to Jagdish Lal, Convenor of the ITF-affiliated All India Co-ordination Committee of Aviation Trade Unions (AICC ATU).

The strike — part of a nation-wide protest involving mainly employees in banks, insurance and civil aviation — was actively supported by an estimated 15 million workers. The protest brought chaos to Air India and Indian Airlines flights in all major cities, as ground staff, technicians and even control tower employees stayed away from work. In Bombay, out of 40 flights, only six were announced and only two flew. Air India had to cancel two international flights and all others were delayed by several hours.

The AICC ATU say that conditions for employees in aviation and other public sector industries are under assault on two fronts. Firstly from the government's privatisation plans. Secondly, parallel to this, and along with

its desire to attract foreign investors, the government wants to reduce trade union and collective bargaining rights.

The government, while it continues to deny any intention to privatise the two main airlines Air India and Indian Airlines, has already re-organised them into commercial companies, and in the next session of parliament is introducing a bill for partial privatisation.

Trade union rights are under attack through an erosion of rights under the Industrial Dispute Act, which gives workers some protection against arbitrary dismissal. In addition the government has set up the Ray Committee which aims to control wages bargaining in the public sector under a National Wage Commission. According to Lal the government's intention is "to bring about a freeze on wages and allowances and to pass on the entire burden and economic hardship to the working people of the structural changes involved in privatisation and liberalisation".

In a call "to fight against privatisation of the civil aviation industry" the AICC ATU points out that "both the airlines have proved their economic viability and profitability, and are ac-

countable to the people of India through the Indian parliament".

The Committee warns: "Under privatisation, the national airlines will lose their national identity and will become subsidiaries of global cartels and mega-carriers...Labour cutbacks, reductions in wages, increases in working hours and workload, cross utilisation of manpower, and contract work are going to be the order of the day".

In the wake of the strike the Committee has written to Prime Minister Narashima Rao asking for urgent talks on the government's privatisation plans.

Orly catering strike ends

The dispute by staff at the Trust House Forte (THF) catering operations at Orly airport in France (see **ITF News**, June/July 1992) has been settled. The ITF-affiliated FGTE-CFDT has requested the ITF to thank all affiliates who gave their support and solidarity during the dispute.

Shannon airport workers defend stopover

Shannon airport in the west of Ireland is fighting for its life. Under threat is what is known as the Shannon stopover and the airport's designated status as Ireland's international gateway to the US and Canada.

At present all transatlantic flights in and out of Ireland must call at Shannon under a US-Ireland agreement dating back to the 1960s. Shannon airport was created out of cow pastures beside the Shannon river in the war years of the 1940s. It became the world's first duty-free airport in 1947, and later the first industrial free zone.

The airport became the focus of regional development in an impoverished part of Ireland. Considerable investments have been made there in electronics and tourism, and the stop-

over was made compulsory to ensure that economic development continued.

Workers in the region feel they are the innocent victims of the new commercial environment of global aviation, which no longer links aviation to an integrated approach to economic planning.

Certainly the wider regional development needs of the west of Ireland are of little concern to international airline companies. Without the protection of the stopover law, airlines will only operate scheduled flights into Shannon when it is profitable — that is during the busy summer tourist season.

According to William Attley, Joint General President of ITF-affiliated

Irish union SIPTU which organises many of the workers not only in the airport, but in the surrounding manufacturing plants, any attempt to overfly Shannon and the place would "cease to exist as an industrial and aviation centre, wiping out half a century of work and investment in our tourist industry".

"Given the national emergency to create employment, it is not acceptable that the only proposal before the Government at present is one which would destroy huge numbers of jobs in this region."

It is estimated that as many as 100,000 jobs depend on the stopover. SIPTU have organised four major rallies in defence of the airport in recent weeks.

Unions discuss flight and duty time limits with EC Transport Commissioner Van Miert

Representatives of unions representing flight deck and cabin crew in the European Community countries met for an informal exchange of views on Flight and Duty Time Limitation regulations with EC Transport Commissioner Karel Van Miert in Brussels on July 20.

The delegation was led by René Valladon (FO, France), the Vice-Chairman of the EC Joint Committee on Civil Aviation. He was accompanied by ITF Assistant General Secretary David Cockroft, Sebastian Roovers of the Dutch cabin crew union VKC, and representatives of pilots' unions which are members of IFALPA, Europilot and the Euro Cockpit Association (ECA), all of which have been involved at various stages in the more than two years of discussions which have already taken place on flight time.

The union representatives expressed their total opposition to the current draft regulations which have been produced by the Joint Aviation Authorities and which are due to be adopted formally by the JAA Operations Committee at the beginning of September and they asked the Commissioner to ensure that any Community rules which were drafted took full account both of safety and of social factors to ensure fair competition in the new liberalised aviation market.

Commissioner Van Miert indicated that he was still hoping to achieve a balanced solution to the problem and that he was not under any legal obligation to accept the work done by the JAA. He would, however, strongly prefer it if a joint employer-union opinion on the changes needed to make the JAA draft acceptable could be reached, since this could then be

used to influence the JAA during the period of consultation set for the beginning of 1993. He would do all he could to assist the negotiation of such an agreement.

Cabin crew injury survey findings

A survey has shown that around 77 per cent of cabin crew suffer from upper limb and neck pains. The survey conducted by the University of Sydney in co-operation with two cabin crew unions, AFAA and AICCA (now merged), is taken from 725 responses to a questionnaire. The full survey results will be published during 1992-3.

US aviation unions back jobs protection bill

In the US the ITF-affiliated Transport Workers' Union (TWU) has been backing a bill (no. S1565) which would grant airline industry employees priority hiring when international routes are sold out from under them.

The legislation was introduced by Sen. Bob Graham (Democrat) prior to the collapse of Pan Am last year. It has failed to move forward because of strong opposition by the Bush Administration and the airline industry.

The bill aims to amend the Federal Aviation Act so that any airline that has acquired a route from another carrier must hire, in order of seniority, the number of employees from the previous route holder that would be needed to "appropriately operate" the route. The Department of Transportation would be required to determine the number of employees to be hired.

Some form of legal protection of employees' jobs in the event of a merger is standard in most European countries and in other countries such

as Brazil and Argentina.

According to Michael Ozegovich, President of TWU Local 500 which formerly represented Pan Am's maintenance and fleet personnel in Miami, testifying before the Senate Aviation Subcommittee in April:

"In the case of Pan Am the work is still there, the routes are still there, the planes are still there, and so are

the passengers. The only thing still not there is us!"

Opposing the bill Assistant Secretary of Transportation Jeffrey Shane told the Committee,

"The airline labour market is working well, and there is no evidence that government intervention is needed to avoid disruptions to the national air transportation system".

First Lockerbie damages award

A US jury has found Pan Am guilty of "wilful misconduct" in a case filed by relatives of the victims killed in the Lockerbie bombing of flight 103 on December 21, 1988.

The decision made on July tenth finds Pan Am guilty of negligence by failing to detect a bomb in unaccompanied baggage entering the aircraft.

The decision was swiftly followed by a \$9.2m damages award to one of the victim's families after a three day trial in the Brooklyn federal court. The award is the first in what will certainly be a whole series of damage trials stemming from the bombing.

Although Pan Am is in bankruptcy the airline's insurers will be liable for damages awards. Individual trials have to be held for the 213 plaintiffs seeking damages. Pan Am is likely to appeal the liability judgement.

Global aviation job loss crisis deepens

According to IATA member airlines shed nearly 50,000 jobs last year with employment falling by 3.4 per cent to 1.45m people.

Iberia has lost up to US\$265m in the first half of the year. In the first quarter the carrier received an injection of Pta 120 billion. In the same period Iberia has shed 1,500 jobs — the first staff cuts in the company's history. A further 1,500 employees will leave the airline before the end of the year under early retirement and voluntary redundancy schemes.

The latest fares war in the US has already had its impact on airline performance. **Delta Airlines**, one of the big three US carriers reported a net loss of \$180.2m for the three months to end of June. The airline had a small \$19.2m profit in the same period last year. Delta now plans to cut staff by 5 per cent in 1992. The airline currently employs around 80,000 workers. It also plans to convert an unspecified number of full time jobs to part-time status. Delta blamed its losses on "competitive struggle, largely characterised by deep-discount fare promotions".

USAir, in which British Airways plans to invest \$750m, suffered increased second quarter losses of \$84.9m. The airline has also been forced to pay out a \$1.8 million settlement in a case involving (ethnic) discrimination by Piedmont Inc. which merged with USAir in 1989. Back pay of \$150,000 has been awarded for up to 92 flight attendants and \$1.65 million to as many as 42 pilots rejected for jobs at Piedmont between 1984 and 1988. The agreement also calls for pilots hired as part of the settlement to receive retroactive seniority in pay, benefits and leave status. Flight attendants will be placed on a preferential hiring list, although those hired will not receive retroactive seniority.

Lufthansa has bought a US\$19m 26.5 per cent share of the low cost Austrian airline Lauda Air. The German government has re-iterated its intention to sell off its remaining 51 per cent stake in Lufthansa "as soon as possible".

The China National Aviation Corporation (CNAC), a subsidiary of the Civil Aviation Administration of China, and another Chinese company, China Travel Service Holdings, are each taking a 5 per cent stake in **Cathay Pacific**. Another Chinese company CITIC Pacific already holds shares, making a total Beijing-controlled stake of 22.5 per cent. In Hong Kong the purchase is seen as a further safeguard of Cathay's business interests after 1997.

UAL, for two decades a loyal Boeing customer, has just placed a \$5bn aircraft order with Airbus Industrie in



Toulouse. The order was a complete surprise. The London *Financial Times* commented "the deal begs one important question: why did United suddenly decide to order \$5bn worth of Airbus aircraft after slashing in February its 1992-95 aircraft acquisition programme involving all Boeing aircraft?" One answer may be an extremely attractive financing deal, but there are other possible reasons. The *Financial Times* goes on to comment "Apart from the bargain terms offered by the European consortium, United clearly needs to earn some much needed good will in Europe by opting for Airbus rather than Boeing aircraft". France has been seeking to limit the expansion of US airlines into

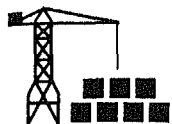
its market by renegotiating its bilateral agreement with the US. French unions are also wary that UAL's intended Paris base, employing "stateless" cabin crew (see *ITF News*, June/July 1992), also needs a little good will from the French government as unions step up their campaign against it.

In France **Air Inter** pilots and flight deck crew struck for 48 hours on 30 June and 1 July. The strike was supported by the pilots' union SNPL and the ITF-affiliated flight deck union USPNT, which together represent 80 per cent of Air Inter pilots. Air Inter pilots say 80 of their jobs are at risk as the Air France Group, which owns Air Inter, considers using aircraft belonging to Société d'Exploitation Aérospatiale (SEA) on Air Inter routes. Air Inter is currently subcontracting 15 per cent of its activities. Soon afterwards Air Inter was again threatened by strikes — this time by check in staff organised by the ITF-affiliated CFDT seeking improved working conditions and career prospects.

A 24 hour strike by **Australian** aircraft refuellers in the ITF-affiliated Transport Workers' Union hit domestic and international flights in Australia on July ninth. The strike was over award restructuring and a strike ban clause.

Mexico is following up the privatisation of its airlines with the privatisation of airports. The Airports and Auxiliary Services say one of the first airports to be sold is likely to be Tijuana on the US border. There are plans to construct a new airport that actually straddles the US-Mexico border, using facilities at Tijuana. Airport concessions for up to 20-30 years are likely to be sold. Foreign investors will be welcome.

ICAO has adopted a world-wide code of conduct for **Computer reservation systems (CRSs)**. The code is meant to prevent airlines which own CRSs gaining unfair competitive advantages in computerised airline bookings. ICAO says the code contains provisions ensuring fair access to subscribers and neutral display.



Hazardous cargo regulations often ignored

Non-compliance with dangerous goods regulations is caused by ignorance as well as by shippers who deliberately obscure the contents of shipments to avoid high transport charges.

This is an increasingly common belief in the regulation world, and is based on information such as feedback from people attending International Maritime Organization safety courses.

In autumn 1990 Belgium, the Netherlands and the former West Germany carried out surveys whose results will show that around 60 per cent of shippers do not comply with regulations, it is believed. Final figures will be published at the International Maritime Organization's sub-committee on dangerous goods in October.

Wrong labelling, inadequate documentation or improper packaging and securement have been found to be common deficiencies.

Road and rail interface, consolidation depot and port area personnel all need to be well acquainted with the relevant shipping regulations. A recent publication by the UK Health and Safety Executive and Statutory Harbour Authorities, entitled "Container Packing", is aimed to fill some of the gaps.

Although based on UK legislation,

"it is a very useful document for any other country that is concerned with the transport of dangerous goods", said Mike Compton, health and safety adviser to the British Ports Federation.

Compton said that non-compliance figures were ... "horrifying, because what is the purpose of dangerous goods transport requirements?"

Everyone in the transport chain could be at risk from non-compliance with regulations that were there to protect them, he added.

Meanwhile, the Port of Barcelona

Authority has recognised the risks associated with dangerous goods — temporarily.

In a letter to all receivers and shipper of dangerous cargoes in the port area, the port authority has stipulated that from July 15th to August 15th prior notification must be obtained by the port authority before such shipments enter the port.

Apparently this is because approximately 10,000 people are being housed in cruise ships moored in the port area for the duration of the 1992 Olympic Games.

Associated British Ports derecognises five unions

Associated British Ports (ABP) has derecognised the five unions representing its workforce. UK ITF affiliates the National Union of Rail, Maritime and Transport Workers (RMT) and the Transport and General Workers' Union (TGWU) are amongst those derecognised.

RMT have claimed that the decision has been made in the hope of deflecting claims involving three Southampton dock workers. The case is currently awaiting a September ruling by an industrial tribunal.

APB claims that the change has been made because the majority of its employees are now on personal contracts.

Turkish port workers choose new union name

By almost the closest possible margin — 109 to 107, the president of the Turkish dockworkers' union Likat-Is was defeated by the leader of the opposition group in the union at its Congress in Ankara on 10-11 July. Union President Melih Yilmaz, who had taken control of the union in 1989, was defeated by Hasan Bibir, who now takes over the presidency for the next three years.

The other members of the four man Executive Board elected at the Con-

gress are Raif Kilic (General Secretary), Hasan Yuksekbar (Financial Secretary) and Erdinc Cakir (Education/Organisation Secretary). The elections dominated debate at the two day meeting which also decided to change the union's name to Liman-Is (port workers' union).

ITF Assistant General Secretary David Cockroft, who attended the Congress together with Kees Marges of the Dutch transport union Vervoersbond FNV, addressed the

opening session. He talked about the widespread attacks by port employers and governments on dockworkers' rights worldwide and the solidarity provided to Likat-is by ITF dockers' unions in their disputes with the Limas and Toros companies. Following the Congress Cockroft held discussions with the new leadership on increasing international assistance to the union and on increasing the participation of Turkish dockers in the ITF Flag of Convenience campaign.

Port of Genoa cargo handling dispute

An agreement between Genoa port operator Bruno Musso and the Genoa port cooperative Compagnia Unica (CU), looks likely to settle a month-long dispute in the port over cargo handling by outside workers.

The dispute involved the ITF-affiliated dockers' union, FILT-CGIL. Dockers stopped the Italian vessel *Vento di Levante* discharging at Genoa's new private ro-ro terminal on successive occasions (see *ITF News*, June/July 1992).

Port workers also prevented another vessel, the *Via Ligure*, from loading at the new Voltri container terminal at the end of June.

The Voltri terminal is due to start full operations early next year — and plans to function without union recognition.

Worried about the effect of the disputes on potential Voltri users, the Italian government decided to crack down and threatened to use the police against striking dock workers. Italian Transport minister Giancarlo Tesini issued a directive in the form of a circular letter which went some way towards implementing the EC Court of Justice's decision against the CU on monopoly of port labour.

The circular stipulated that firms

should give precedence when hiring new workers to people from the CU.

Determined to protect their jobs, the unions entered into negotiations with Bruno Musso. On 16th July a one-week interim agreement was reached — allowing Musso to use the

port, with work divided equally between his own men, members of the CU and workers from the port authority.

Productivity talks followed, and hopes are now high that a proper agreement can be reached.

Tilbury dockers' case upheld

An employment tribunal upheld a previous ruling that 19 dockers at the London port of Tilbury had been unfairly dismissed because of trade union activities on July ninth.

The employers, the Port of London Authority (PLA), appealed the original ruling of a year ago, which ordered the PLA to reinstate the dockers, all trade union activists dismissed in 1989 (see *ITF News*, September 1991).

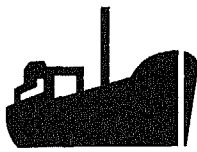
The PLA disputed the unfair dismissal ruling, questioning the reinstatement order and the calculation of compensation. The case has now been sent back to another industrial tribunal due to confusion over the calculation of a week's wage. However, it is likely that the PLA will have to pay around US\$1,400,000 (£750,000) in compensation, as well as legal costs. This is in addition to an out of court settlement of nearly two million dollars awarded to a second group of Tilbury dockers last month (see *ITF News*, June/July 1992).

The PLA is claiming that the orders for re-engagement have been overturned by the July ruling. Whilst welcoming the tribunal's vindication of the original decision, the UK Transport and General Workers' Union which represents the dockers has sought permission to appeal.



FORTHCOMING MEETINGS

2-4 September	Latin American Dockers' Conference	Vitoria, Brazil
7-11 September	Inspector's Seminar	Eastbourne
22-23 September	Offshore Steering Committee	Rotterdam
24-25 September	Sub-Committee on the Collective Agreement	Rotterdam
29 September	Asia/Pacific Road Transport Workers	Tokyo
30 September-	Road Transport Section	Yokohama,
2 October	Conference	Japan
5-7 October	Asia/Pacific Dockers' Conference	Yokohama, Japan
16 October	Rhine Shipping Committee	Strasbourg
20-21 October	Executive Board	Copenhagen
26 October	Maritime Safety Committee	Genoa
27-29 October	Seafarers' Section Conference	Genoa
10 November	Ground Staff Technical Committee	London
11-13 November	Civil Aviation Section Conference	London



SEAFARERS

ITF wins US\$80,000 compensation for injured Indonesian seafarer

An injured Indonesian seafarer will be flying back home on August sixth with his compensation claim settled thanks to the efforts of the ITF and its German Inspector Ulf Christiansen.

The story starts in Oldenburg, West Germany on January 14, 1991 when Marah Hasayangan, an Indonesian AB on the 494 grt Antigua flag coaster *MV Melly*, fell into the hold and broke both his heel bones.

On his discharge from hospital four weeks later, Hasayangan was abandoned to his fate by the *Melly's* owners—they simply stopped paying him.

In June 1991, having run out of money, he turned to ITF Inspector Ulf Christiansen in Hamburg. Christiansen arranged for him to be put up in the Hamburg seamen's mission—the cost of which was paid by the German government as a loan—and persuaded the local ship's agents to meet the costs of his medical care from the ship's insurance.

But despite regular outpatient treat-

ment, Hasayangan made only a slow recovery over the next nine months, which clearly irked the owner who was having to pay all his medical bills.

The shipowner then set out to prove that Hasayangan needed no further medical treatment for his injuries and could therefore be repatriated, when all financial responsibility for him would end.

The Hamburg representative of the ship's insurers sought a medical opinion, and by June of this year it was confirmed that Hasayangan did not need to stay in Germany for further treatment, even though he was still on crutches.

But the doctors were agreed that the seafarer had suffered a permanent injury and would be unable to continue in his profession.

On the strength of the medical opinion, the Hamburg representative made arrangements for the seafarer to fly home, actually giving him only a few

hours' notice.

But he had reckoned without the ITF, which had insisted all along that the owner had a number of bills to settle first.

The ITF demanded that the owner honour his contractual obligations and compensate the seafarer for his serious injury. He was also asked to meet the seafarer's accommodation costs.

It soon became clear that neither the owners nor their insurers were prepared to settle the claim out of court. Therefore, on 25 June 1992, the *Melly*, under its captain and owner Gerhard Adam, was arrested in Rotterdam. The arrest was lifted on July sixth after US\$80,000 had been transferred to the Rotterdam lawyer André Beker acting for Hasayangan.

Arrangements for Hasayangan's flight home were made with the help of Dutch Inspector Gert-jan Harmsen, who had also assisted during the action, liaising between Hamburg, Rotterdam and London.

GMDSS — dangerous gaps in SafetyNET

Fully six months after the Global Maritime Distress and Safety System (GMDSS) became operational the international network of coast-earth stations (CES), which was meant to relay vital weather and navigation warnings and provide Search and Rescue (SAR) details to world shipping, is still not in place.

When the system started up on February first only two out of the fifteen planned CES stations were in place.

While further stations have been added in the intervening months, it is now clear that a number will not be operational for some time, leaving large and potentially dangerous gaps in what should have been a global safety information (SafetyNET) sys-

tem.

A few national maritime administrations have made attempts to plug some of these by channelling their maritime safety information bulletins via other countries' CES stations.

An interim weather warning system is being provided by the World Meteorological Organization and the International Hydrographical Organization (IHO) is hoping to put together a comparable system for navigation warnings in due course. But SAR information remains the weakest link in the chain because of the lack of international coordination, according to the chairman of the SafetyNET panel.

Maritime unions say that the delay in providing worldwide coverage

could lead to a maritime disaster, and they will be putting pressure on the countries that have ratified the GMDSS treaty to set up CES stations immediately.

Meanwhile, the International Chamber of Shipping (ICS), which represents the owners and operators of half the world's tonnage, has complained to the International Maritime Organization (IMO), which is responsible for operating the GMDSS, about the deficiencies.

The IMO has admitted that safety services via INMARSAT should have been in place on the start up date, but says that there are now "sufficient" stations, a claim with which the world's seafarers would hardly agree.

German flag fleet dips

The German merchant fleet is going through hard times. The number of ships flying the German flag fell by 46 in the first six months of 1992, according to the latest figures, and flagging out, which had weakened in 1989 and 1990 following the introduction of the GIS, is gathering pace once again. On

accused them of "extorting money into the military bank account" (the Honduran register is the only register administered by the navy). It remains to be seen whether Honduras will remove any ships from its register for poor safety standards — they haven't yet, as far as we know. According to the latest figures the register is still growing, it has put on fifty five more ships in the past year.

Cost-savings are often a major factor influencing the flag chosen by even the world's major shipowners for their new ships. This certainly seems to be behind the decision of Hong Kong's World-Wide Shipping Agency to register the six new VLCCs currently being built for it in a South Korean yard in Panama rather than the crown colony. According to World-Wide chairman Dr Helmut Sohmen, it would cost an extra US\$31,806 per ship to meet the requirements for registry in Hong Kong, a price that World-Wide is clearly not prepared to pay.

In late July, Germany and Lithuania signed their first sea transportation treaty in Vilnius to provide the legal basis for the operation of the Baltic rail ferry between the eastern German island of Rügen and the Lithuanian port of Klaipeda, which Germany would like to preserve and expand.

It is surprising how long it takes some Focs to get round to inspecting ships under their flag. Malta is to have its own shipping inspectorate "within weeks or months", according to Shipping Minister Francis Zammit Dimech. The island recently set up a Maritime Authority, with a technical department, whose responsibility this will be — it currently has a staff of two and expects to take on another ten employees by early 1993. But the Minister says the plans are still at an early stage and the inspectorate's terms of reference have yet to be finalised. A number of other measures are envisaged to boost the flag's image.



first July, there were 342 ships of 4,351 million grt registered in Germany, down from the 388 ships of 4,608 million grt at the beginning of the year. In a reversal of previous trends, forty one German-owned ships of 393,000 grt have left the German register since the beginning of this year and sixteen out of the twenty-two newbuildings commissioned by German owners during the period are earmarked for foreign flags. As the eastern German fleet shrinks more national flag ships are being sold abroad — 52 in the past six months. In a bid to reverse the trend, Germany's Transport Minister Günther Krause has recently announced that financing aid, which is linked to a ship's age and value, will continue beyond 1992, when it was originally scheduled to be withdrawn.

Early last year, the Honduran Flag of Convenience appointed its first inspectors — not before time, given its abysmal safety record. One inspector operates out of Miami, where we are told that there has been a marked fall in Honduran flag ships using the port. The inspectors' activities don't seem to have gone down well with some ship managers — one manager has

Pay parity on Norwegian rigs

The ITF-affiliated Norwegian oil workers' union **Nopef** and rig operators are to join forces in resisting government moves to end tax concessions for workers on Norway's offshore drilling rigs and mobile accommodation units.

In return, Nopef has agreed to drop demands for a ten per cent pay increase to compensate its members for the potential loss of favourable tax treatment, which led to a one-day strike on twenty rigs and units last month.

Calling off the action, the union announced details of a settlement package agreed with the employers aimed at bringing salaries and other conditions into line with workers on fixed installations.

This includes a 3.1 per cent pay increase from July first, improved shift, holiday and alarm call duty pay from January 1, 1993, and new pension arrangements.

Employers', union and independent representatives are to produce a report on the economics of the mobile rig industry in the light of the efforts to bring about pay parity.

Port State Control — the first ten years

Owners of sub-standard ships have forfeited US\$115 million in lost revenue as a result of action taken over the first ten years of operation of the European Memorandum of Understanding on Port State Control, it was revealed at the Helsinki meeting of the Port State Control Committee which reviewed progress since the Paris memorandum was signed in 1982.

During the past decade a total of 116,000 inspections have been carried out on 87,000 ships. Nearly four thousand ships were detained over the period.

Energy crew abandoned in Chittagong

Sixteen Polish crew members of the Bahamian flag VLCC *Energy* contacted the ITF last month to say that their ship had been held in Bangladesh since discharging its cargo at the beginning of May — the last time they had been paid. The *Energy* was operated until last month by the financially troubled Stamford Tankers shipping company, whose ships the *Charger*, *Empress* and *Challenger* are well known to the ITF (see *ITF News*, April and June/July 1992). The tanker is lying off Chittagong, having been arrested by the Bangladesh Petroleum Company on the day it finished unloading. Since then, according to the crew, the ship has been arrested no less than five times — including by Eurocrewing of Piraeus, the manning agency that supplied the Polish crew via its subsidiary, Eurocrewing, Warsaw. Total claims against the *Energy* stand at several million dollars. In addition to the continuing financial problems of its former operators, the *Energy* is also beset by serious technical problems. Its ex-master had already reported that the ship was unseaworthy before it left the Persian Gulf in February for Chittagong. The problems proved so severe that the voyage, which should have taken just over a week, lasted more than a month. After being effectively abandoned for three months, the *Energy's* crew are suffering extreme hardship. The boilers have already had to be shut down once because there was no money for more diesel — the master sent an emergency message warning that the crew would have to abandon ship as they had been without power for the generators for two days. Diesel supplies to the ship were resumed but they are only enough for a couple of weeks. It is the monsoon season and the crew fear what might happen if there is a storm and the ship were to drift helplessly without engine power. Conditions on the *Energy* are rapidly deteriorating — there is little fresh water and only poor food; the ship itself is not safe — it is not gas free and the radio has broken down. It has also

come under attack from pirates, threatening the physical safety of the crew. Meanwhile, Eurocrewing of Warsaw, which has advanced the crew's wages since the beginning of this year, will be pursuing its own claim for recovery of this expenditure. As we went press a second telex had just been received from the crew apologising for not being in touch as once again the ship had been without power and that an attempt to aban-

The 9,799 grt Singapore flag *MV Laurissa* limped into the north German port of Hamburg at the beginning of July after spending several days offshore following the latest in a long series of engine breakdowns. When ITF Inspector Ulf Christiansen went on board on one of his routine inspections he found that the 24 man Chinese crew hadn't been paid any overtime since they signed on last October, the captain had kept no over-



don ship had been thwarted. It now appears that the *Energy's* effective owner, Concord Bank of Connecticut, has agreed to meet all outstanding wages until 29 July and to provision the ship. Repairs will be made to the ship, which then hopes to sail for Singapore, where the crew is supposed to be paid off. We will let you know what happens.

There is better news from the Russian crew of the Bahamas flag *Pacific Dawn*, now in New York after an eventful voyage from New Orleans (it broke down eight times en route), where ITF Inspector Spiro Varras has already obtained payment of US\$40,000 out of US\$60,000 owing to crew. Seven officers and crew have already been successfully repatriated after receiving a total payoff of US\$17,800.

time records and there were other breaches of the ITF agreement signed for the ship. He calculated that the owners owed the crew a total of US\$240,000. So far, he has succeeded in obtaining US\$50,000 as a first instalment on the money owed and the owners have promised a further sum of US\$50,000 as soon as possible. Not only were the crew not being paid properly, but living conditions on the *Laurissa* were appalling. The ship's toilets and washrooms were in a wretched state — the shower was a hose — and the galley was ramshackle, with an old and rusty stove and cooking utensils. While this was bad enough, the engine room was dilapidated and according to crew reports the engine had failed on fourteen different occasions in recent months. Christiansen said he shuddered to think what would have happened if

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Hungarian seafarers' union stands up to Mahart

The Hungarian shipping company Mahart is set on a collision course with the ITF-affiliated Hungarian Seamen's Trade Union (Magyar Tengerész Szakszervezet (MTSz)) — incidentally the first eastern European union to join the ITF shortly after it was founded in 1990.

Mahart has been applying undue and according to MTSz unlawful pressure on MTSz members to leave the company "voluntarily".

MTSz has been advising its members not to give in to Mahart's threats and inducements as jobs are hard to find and employees who quit of their own free are not entitled to unemployment benefit.

Angered by the failure of its efforts to cut the workforce, Mahart is now attempting to break the union — by refusing to negotiate with it and by urging its members to form new and presumably more compliant unions.

This message was conveyed to MTSz members in prominent ads placed by Mahart in a mass circulation daily newspaper, which told company employees that the shipping company was no longer willing to negotiate with

their elected representatives

Mahart has also announced that it intends to start legal proceedings against MTSz leaders, seeking redress for the commercial damage that it claims they have caused the company.

MTSz believes that the Mahart management would never have launched its attack on the union without the tacit support of the government and the relevant ministries. It has filed a grievance with the appropriate national authority and is now looking to the world's seafarers' unions for support.

ITF European Vice President Eike

Eulen, whose own union represents Germany's seafarers, has written to Prime Minister Jozsef Antall and the Ministers of Transportation and Privatisation, accusing Mahart of a flagrant violation of newly-restored union rights. Eulen asked all three government leaders to ensure that the Hungarian Seamen's Trade Union was allowed to represent the interests of its members.

He backed this up by sending solidarity messages to the MTSz and the Democratic League of Independent Trade Unions, the Liga, to which the MTSz is affiliated.

Germans back coastal shipping

Germany is putting together a transport plan that will include shortsea shipping for the first time.

Aiming for a balanced transport plan, the government admits that one of its major concerns in formulating the plan was the environment.

The proposals are due to go before the German parliament, and put coastal shipping in a favourable light at a time when the demand for transportation capacity is rising fast — German rail and inland waterway volumes are expected to rise by 55 and 84 per cent respectively.

Federal parliament transport spokesman Dirk Fischer said that there was a potential for an eight to ten per cent shift towards shortsea shipping nationally, and possibly a 35 per cent increase within the European Community.

... Endurance Sea crew arrest ship for wages

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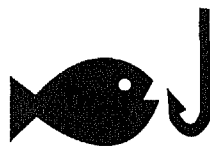
the ship had broken down while it was navigating the Elbe: "There could very easily have been a collision," he told the local evening paper, *Hamburger Abendblatt*, which carried a full report in its edition of July third. Given the many other deficiencies, which included defective fire extinguishers and broken and leaking pipes throughout the ship, and the disregard for the crew's well-being and safety (oil barrels were stored next to the ship's stores and gas cylinders were stowed on deck), it came as some surprise to Christiansen that the ship's papers were in order. When confronted with Christiansen's evidence, the ship's charterer claimed they had inspected the ship before signing the charter party and nothing was wrong with it

then. It has now ended the charter, though it was more worried about the fact the *Laurissa* was ten days late putting into Hamburg, which would lose it customers, than about its dangerous state. The local Hamburg agents too were satisfied that the ship had valid certificates, saying would you order a car off the road if it had a valid MOT? However, this was not the view of the port authorities. Alerted by Christiansen, they ordered the *Laurissa* detained until the necessary repairs had been made. Later the ship was provisionally released to allow it to sail to Poland where it is currently in dry dock undergoing a major overhaul.

The abandoned crew of the Pakistani-owned Liberian flag *Endurance Sea*

have now decided to arrest the ship, in a last ditch attempt to get the owner to meet their claims (see *ITF News*, June/July 1992). Despite repeated reminders from the ITF, the company — Terra Marine Agencies of Karachi — has not sent the crew any money or done anything to help relieve their situation as they sit holed up in the port of **Chittagong, Bangladesh**, without even the most basic provisions. The ITF is offering temporary assistance in the form of food and diesel supplies, but will not stop asking the owners to fulfil their obligations to the crew.

The ship featured in the Campaign Round-up in last month's English language edition of ITF News is the Challenger and not the Charger — apologies for the confusion.



International whaling body fails to agree quotas

Countries supporting a near-total ban on commercial whaling, and countries whose fishermen depend on the trade clashed at the 44th annual session of the International Whaling Commission (IWC), held in Glasgow during the week 29th June — 3rd July.

The 37 nations belonging to the IWC failed to find common ground over a week of bitter and sometimes ignominious debate.

Discussion centred on proposals to introduce the Revised Management Procedure (RMP) — a system devised to allocate quotas to whaling nations, that would allow the harvesting of stocks at a rate below that at which whales reproduce.

John Gummer, UK Fisheries Minister, opened the meeting with a controversial speech, calling whaling a "barbaric" practice and supporting the extension of the IWC's field of concern to cover small cetaceans (dolphins and porpoises).

Gummer said that the UK would not support a return to commercial whaling until it was satisfied that whale stocks were at a healthy level, that questions over the application of the RMP were resolved and the issue of humane killing was settled.

After a six-year moratorium, many traditional whaling nations such as Norway and Japan feel that whale stocks are sufficiently replenished to render a sustainable yield to commercial whalers.

In an opening statement, Norwegian Commissioner Jan Arvesen said that if no quotas were set by 1993, Norway would unilaterally determine its own.

Norway also announced that it intended to hunt 110 minke whales this year under the provision in the 1986 moratorium agreement which allows the killing of whales for scientific purposes.

The Norwegians want to research

whale diets — whales are voracious fish-eaters, and are taking their toll on Norwegian fishstocks. Japan currently hunts 300 animals a year under the scientific research provisions.

Following a statement from 17 non-whaling nations condemning Norway's position, further disruption was caused when Iceland left the IWC at the end of the first day.

Declaring that it would channel its efforts into the North Atlantic Marine Mammals Commission, which is not internationally recognised, Iceland denounced the efficiency of the IWC. Scientific evidence had never been properly considered, Commissioner Gudmunder Eiriksson said.

Japanese delegates were also disappointed by the level of debate and the failure to find a constructive way forward. Japan tried to persuade the IWC nations to agree to an ad hoc quota of 50 minke whales but this was defeated.

The Indian Ocean sanctuary, renewed in 1989 for three years, was extended over another ten years, but a French proposal to make the entire Antarctic a whale sanctuary was taken off the agenda because it did not have sufficient support. A working group on small cetaceans was set up.

A resolution on the RMP, supported by non-whaling nations, was passed on the final day of the meeting. The resolution considered that until final aspects of the scheme were agreed (such as the agreement of minimum data standards and the elaboration of an effective observation system) proposed catch limit quotas should not be implemented.

Whaling nations were frustrated by the sentimental attitudes displayed by those who have no interest in the whaling trade. These countries agreed to the 1986 moratorium (originally to run until 1990) on the understanding that proper whale stock management procedures would be developed. In

the absence of agreement, and given the attitude of non-whaling nations whose object seems to be to invent new obstacles at every turn, whaling nations feel they have reached stalemate.

Representatives from the ITF-affiliated All-Japan Seamen's Union (JSU), which represents fishermen as well as seafarers, were unequivocal about their position.

The real solution lay in a fair decision based on calm scientific discussions and achieved through international cooperation, said the JSU in a position paper presented to the meeting. To frivolously oppose whaling was against the spirit of the IWC, and the union was considering asking its government to ban the import of marine products and to suspend any form of economic assistance to any country that did so. The JSU is also considering supporting a Japanese withdrawal from the IWC and the establishing of a genuine international organ comprised of whaling nations.

It is ironic that the UK and the US, who emerged from the UN Rio Summit in May with their environmental reputations well besmirched, are such heavyweights in the anti-whaling campaign. It is hard not to suspect that this is a vote-winning bandwagon for these countries to jump onto — and a cheap one at that, for non-whaling nations. On the other hand, Norway and Japan have nothing to prove on the green front, having acquitted themselves respectably in Rio.

The fact is that there are now around 760,000 whales in the Antarctic and around 136,000 in the North East Atlantic and Norwegian and Barents Seas. Whilst whale stocks are sustainable (no whaling nation wants to hunt the whale to extinction) there is no reason why fishermen in traditional whaling nations should not be allowed to pursue their livelihoods.



TOURISM SERVICES

ITF tourist guides meeting decides to campaign for European-wide regulation

Tourist guides meeting in London on third July agreed a coordinated approach to campaign for professional qualification and recognition Europe-wide.

Eleven delegates representing FIET, the clerical workers' international, the IUF, the international trade secretariat for food and catering workers, and tourism unions from the ITF, FIET and the IUF in Hungary, Italy, Spain and the UK, attended the meeting.

Tourist guides (local guides in Spain) are concerned that their sphere of activity — that of interpreting specific tourist sites to visitors — is being encroached upon by increasing numbers of unqualified workers.

Tour escorts and tour managers who have a limited knowledge of local sites are being used by tour operators as a cheap option.

In many countries with a history of incoming visitors, tourist guides train extensively in order to practise their profession. In most of these countries — typically in Italy and Spain — the profession is protected.

Delegates to the meeting agreed to campaign on a number of points. Tourist/local guides were clearly defined as professionals specifically qualified to carry out guiding functions in a geographically or culturally limited area.

Taped commentaries on tours were also seen as a threat, and delegates to

the meeting defined a guided tour as a live commentary by a professionally-qualified tourist guide. The situation in the United States, where bus drivers are now giving commentaries to tourists — a clear safety risk — was denounced.

The meeting agreed that European tourist guides should be qualified at an agreed minimum level, and that the tourist guide's job should only be carried out by a person possessing that qualification.

Delegates supported proposals to campaign for direct legislation regulating the profession, and agreed that an EC recommendation should be adopted promoting the signing of regulatory agreements by national governments.

TSSA optimistic about sale of Thomas Cook

One of the oldest names in the UK travel industry is being sold to German interests.

The sale of Thomas Cook to the Westdeutsche Landesbank and German package tour operator LTU was announced on June fourth.

LTU have said that they are interested in the agency not least because of the competence of its staff.

ITF-affiliated union, the Transport Salaried Staffs' Association (TSSA), which represents Thomas Cook employees, approached the company to discuss the implications of the sale.

At a meeting on 16th June, company representatives explained to TSSA General Secretary Richard Rosser that they strongly believe that travel and tourism will grow at a higher rate than other sectors of the worldwide economy.

Company representatives clearly regarded the change in ownership as a positive development. They stated that investment in the UK was likely to continue and that there was no reason for work to be transferred away from the UK, or that LTU would try to merge Thomas Cook activities into their own operations.

The company confirmed to the TSSA that they will hold negotiations with the union on staff concessions such as share option schemes, loans and nursery places run by former proprietors Midland Bank. It will no longer be a condition of employment that Thomas Cook staff hold accounts with Midland Bank.

Rosser was optimistic about the sale.

"We have demonstrated our commitment to the future of Thomas Cook as a viable concern and we hope that this strong relationship will continue and not be affected by the change in ownership," he said.

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