

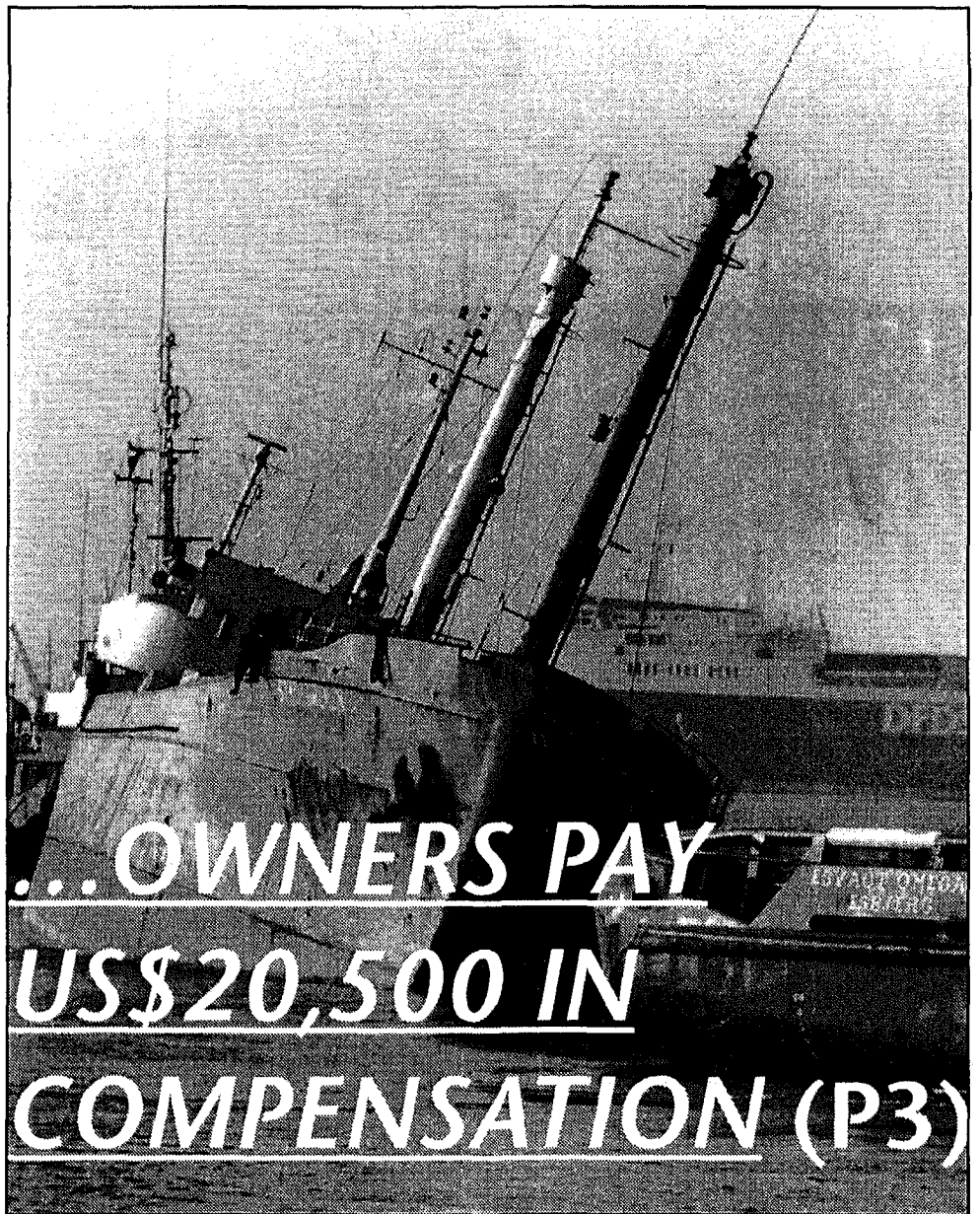


NEWS

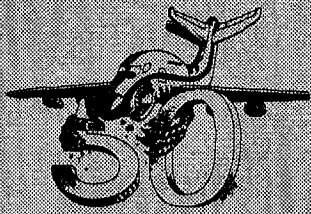
Nyheter • Noticias • 情報
Nachrichten • Informations

#1/January-February 1995

Seafarers forced to handle cargo:



**...OWNERS PAY
US\$20,500 IN
COMPENSATION (P3)**



They called it the
"ITF amendment"
and it consisted of
one word —
"labour"

ICAO report pp 15-18



On December 27th,
police gathered in
the middle of the
night, intending to
remove the
strikers...

Croatian unions win
rail strike pp 7-8

Southern African body agrees to consult ITF

Affiliates in Southern Africa will benefit from an agreement between the ITF and the Southern African Transport and Communications Commission (SATCC) — one of the agencies of the Southern African Development Community (SADC).

Both unions and SATCC agree that for the transport industry this means developing and upgrading cross-border transport operations, through the development of integrated transport policy in the region, through compatible national legislation, and through harmonised safety, training and technical standards and regulations.

These points are outlined in a memorandum of understanding signed in Maputo on 28th November after a meeting between SATCC officials, ITF African Representative Ben Roxy Udogwu, Brother Lovemore Shana (ITF Southern Africa Coordinating Committee Secretary and General Secretary of the Zimbabwe Amalgamated Railwaymen's Union — ZARU) and Sister Alphonsina Mojaki, General Secretary of the Lesotho Transport, Telecommunications, Electrical and Allied Workers' Union.

The delegation had been mandated to approach SATCC by the ITF's Border-Crossing Conference held in Manzini, Swaziland on 3-5 October 1994 (see ITF News #7, November 1994).

SADC SHIFTS FOCUS

SADC replaced its forerunner, SADCC, in August 1992, when its ten southern African member countries signed a treaty with the aim of promoting economic integration towards a fully developed common market.

When SADCC was founded in July 1979, its members aimed to reduce their dependence on South Africa for rail and air links and port facilities, imports of raw materials and manufactured goods, and the supply of electric power. The states recognised that "without the establishment of an adequate regional transport and communications system, other areas of cooperation become impossible".

Now, following the collapse of its apartheid system and the holding of democratic elections, South Africa has joined SADC.

POLICY-MAKING TO INCLUDE UNIONS

The organisation was changing, the ITF delegation heard. SADCC structures had been government-led; now SADC's sphere was opening out to allow a wider range of input.

In transport, SATCC is to hold a series of regional workshops on the different sectors, designed to develop new policy measures. These will be followed by national workshops. Trade unions, employers and consumers/interest groups will be represented, together with gov-

ernments.

Both sides agreed that the ITF Southern Africa Coordinating Committee be represented at SATCC working group and policy development meetings.

SATCC agreed to provide support and advice on securing financial assistance to allow this participation. The ITF Coordinating Committee undertook to invite SATCC to relevant ITF meetings.

MANZINI RESOLUTIONS ADDRESSED

The ITF delegates stressed the need for SATCC to adopt policies in line with the conclusions of the Border-Crossing Conference to ensure the ratification by member states of international conventions, such as ILO Convention No. 153 on hours of work and rest periods in road transport.

ITF participation in a SATCC working group meeting in Lusaka, Zambia, in February 1995, on road infrastructure, traffic and transport was discussed.

The ITF delegation later met trade union leaders from Mozambique's road and rail industries.

Komi Dackey released

Komi Dackey, General Secretary of the Togolese ITF-affiliated union Syndicat des Travailleurs de L'Aviation Civile, de la Météorologie et de l'ASECNA et de la SALT — (STAMAS), was released in December 1994 under a general amnesty. He had been detained since January 11th for trade union activities.

Fears for the trade unionist's safety rose late in 1994, as during the evening of 9-10 November Dackey was transferred from his cell in the police station to a civilian prison in Kara.

Despite news that circulated as early as March 1994, saying that Dackey was due to be freed, his release subsequently failed to materialise.

The ITF's African Regional Conference, held in Nigeria in May last year, agreed that the ITF, with assistance from the ICFTU, should help to find legal representation for Dackey.

Affiliates also showed their solidarity with Dackey by contributing to a collection held during the ITF's 37th Congress in August 1994, which raised £695 (approximately US\$1,000); this was made up to £1,000 by the ITF and forwarded to Dackey's family.

"Everybody here thanks the ITF for its strong intervention on this matter, and, through the ITF, we would also like to thank the other organisations which supported us," said Kokou Fantognon, ITF Coordinator for Francophone Africa.

Action against crew cargo handling

Compensation was paid to seafarers and dockers in a Danish port after a ship's master ordered crew to handle cargo in violation of the ITF-approved agreement covering his vessel.

The Maltese-registered *Stadt Bremen* arrived in the port of Esbjerg, Denmark on November fifth, en route to the British port of Grimsby, from Riga, Latvia, with a cargo of timber.

Due to engine failure, the ship had been unable to navigate, the weather had caused the cargo to shift and the vessel was listing 21 degrees.

Not surprisingly, four Polish crew called ITF Danish Foc Coordinator John Jacobsen two days later to express concerns for their own safety. The ship's ballast tanks were holed, they said, and they wanted to be repatriated.

In addition, they had not been paid for more than a month.

Jacobsen found that the *Stadt Bremen* was covered by an ITF-approved agreement, and, having met with dockers from the Specialarbejderforbundet i Danmark (SiD) union, approached the Master the next day.

"I requested the four Polish crew to prepare a statement of what was owed to them. However, while I was still on board the vessel, the Master ordered the crew to move the cargo in the bottom section of the cargo holds, the crew refused at first, and the Master said they would be fired on the spot if they did refuse," Jacobsen reported.

He told the crew to follow orders and contacted the dockers' union representative; at the same time he informed the master that he was in breach of the cargo-handling clause in the ITF-agreement covering the seafarers on the ship.

This clause says that crews can not be forced to carry out cargo handling and other work tradi-



The crew of the *Stadt Bremen* celebrate with ITF Danish coordinator John Jacobsen — the owner tried to force them to handle cargo (in violation of ITF policy) and paid dearly.

tionally done by dockers. Even if crew volunteer to do the work, it is forbidden under the clause unless the dockers' union involved agrees, and then the seafarers must be properly paid.

Jacobsen told the master he was claiming two months basic wages in compensation for the breach of agreement, in addition to repatriation at the owners' expense.

The SiD dockers started a compensation case through the labour courts, claiming breach of agreement for 9-10 dockers.

After several hours negotiation the following day, the company agreed to pay the seafarers US\$20,500 in cash, plus repatriation expenses. The men received their cash on November 11th and departed.

Meanwhile, the vessel was detained by Port State Control inspectors, repairs having been ordered to its ballast tanks. It was scheduled to leave Esbjerg, without its cargo, for a repair yard.

Jailed Indonesian unionists have sentences increased!

The Indonesian government has demonstrated again its blatant disregard for human and trade union rights. Following a farcical show trial that resulted in the jailing of a number of prominent independent trade unionists (see ITF News #8, December 1994), the jailed trade unionists have had their prison sentences increased upon appeal!

Independent trade unionist leader Muchtar Pakpahan had his original three year sentence increased to four years on January 16th and Amosi Telambanua also had his sentence increased from 15 months to three years.

Both men, leaders of the SBSI Independent Trade Union, were "found guilty" for their in-

volvement in strike action in April 1994. The trials were generally seen as a complete farce by the international community — defence lawyers resigned in protest and important court documents were withheld from the defence.

ITF General Secretary David Cockroft has written to Indonesian President General Suharto denouncing the imprisonment. Affiliates and interested individuals are invited to send or fax their letters to General Suharto, President of the Indonesian Republic, c/o Ministry of Foreign Affairs, Menteri Luar Negeri, Jalan Taman Pejambon, Jakarta, Indonesia, fax no: +62 21 345 0517.

Summit of the Americas shapes hemispheric free trade area

Thirty-four American nations gathering in Miami in January for a "Summit of the Americas" determined to create a hemispheric free trade zone.

The countries agreed to harmonise national customs rules, product testing and certification procedures as a first step toward an all-American free trade zone. The agenda so closely matches the structure of the North American Free Trade Agreement (NAFTA) that it will effectively settle the question of NAFTA enlargement.

Member nations agreed to build on existing arrangements. To this end, the Organization of American States' (OAS) special committee on trade — the lead group in formulating the work programmes — will examine existing free-trade pacts in the Americas in an attempt to draw up a basis on which the 34 nations can move towards near-complete hemispheric free trade (Cuba was not considered welcome at the summit, nor in the following free trade talks).

2005 is the date set for the completion of negotiations, but no date has yet been set for final implementation.

The trade action programme of this hemispheric free trade zone promises to "work to secure the observance and promotion of worker rights". Other sections of the action programme, though, take environmental issues into consideration but ignore workers' rights.

An official from the US national centre AFL-CIO said "it appears that the summit will pay lip service at best to worker interests".

CHILE: "CLOSER THAN EVER" TO JOINING NAFTA

Canada and Mexico are ready to agree to Chile's joining NAFTA, but the US is not yet prepared to begin the process of adding a fourth country to the American free trade agreement.

First, the US needs to settle its own internal dispute over the links between trade, environment and labour policies: Congress is divided on the issue of whether "social clauses" should be linked to any new free trade deals.

It is clear that the three existing parties need to define rules for expanding their trade pact.

US DOT facing cutbacks

When the conservatives, who took control of the US Congress in last autumn's mid-term elections, took office in January they vowed to slash the size of the federal government.

The Department of Transportation (DOT) will remain operative but undergo sweeping changes,

likely to lead to privatisation of transport regulation and services. The government intends to privatise the nation's air traffic control system and the federally-owned rail company, Amtrak. The DOT will, however, hold on to its aviation, rail and highway safety responsibilities.

New Mexican president presents ambitious privatisation agenda

"We now have an unprecedented opportunity to achieve the economic growth our population needs," new Mexican President Ernesto Zedillo said, on taking up office in December 1994.

"A necessary condition for promoting economic growth is to ensure that each year we make sufficient investments in our infrastructure. We shall build and upgrade the highways, ports, telecommunications, and other public works that Mexico needs in rural areas and cities alike," he added.

But Zedillo has also named some well-known privatisers to his cabinet. Guillermo Ortiz, head of the communications and transport agency, was closely linked to the Mexican rail company privatisation, expected to go ahead early in the Zedillo term.

Jaime Corredor Esnaola now heads the country's airport system. Under the Salinas regime, Corredor dismantled the country's old port administration; prior to this, Corredor was a top figure in Mexican bank privatisation.

Rural Canadians concerned over rail privatisation

"Rural areas have the most to fear from changes to CN Rail," insisted the Saskatchewan Association of Rural Municipalities before a federal task force exploring options for the future of the Canadian government-owned rail company.

The organisation supports CN privatisation, which it hopes will make the railway more efficient.

But at the same time, it is concerned that an increasingly profit-driven CN might cut branch lines, and that rural governments will have to pay for roads to replace them.

Kobe quake hits workers hard



Affiliates in Japan have asked *ITF News* to pass on their thanks to all those who expressed moral and material support for Japanese workers following the disastrous earthquake which hit the Kobe area in the early morning of 17th January, killing around 5,000 people.

The quake is estimated to have caused at least US\$20 billion damage. Extensive work will have to be carried out to transport infrastructure; repairs to Kobe port — Japan's biggest — were

officially estimated at US\$9 billion alone.

10,000 buildings around Kobe and nearby Osaka were shattered, and roads and railway lines were badly buckled.

ITF General Secretary David Cockroft sent messages of support to Japanese affiliates and to the dockers' union, whose members were badly affected by the quake.

"The earthquake in Kobe and Osaka has saddened us all," he said.

First-ever all sector transport seminar in Sri Lanka

Twenty-three active trade unionists from Sri Lankan unions organising rail, road, aviation, fisheries and port workers took part in a two-day seminar in Colombo last December — the first national educational initiative bringing together workers in all these transport sectors.

Organised by the Friedrich Ebert Foundation (FES) in collaboration with the ITF and held on 8 and 9 December in the Sri Lanka Foundation Institute, the seminar — entitled Transport Workers in Sri Lanka — was opened by ITF Educational and Field Activities Coordinator Mahendra Sharma, who also lectured on ITF activities on behalf of transport workers.

After a keynote speech from Transport and Energy Adviser John Diandas the seminar broke

up into separate groups which drew up reports on the structure of the different transport sectors, employment levels and extent of union organisation, current problems of transport workers and possible solutions.

Problem areas identified included medical facilities in the docks, promotion of airport authority personnel, and recruitment policies and duty time limits at Air Lanka.

It was agreed that two follow-up seminars should be held in 1995 to build on the cooperation and to strengthen links between Sri Lankan transport workers' unions and the ITF. A separate seminar is also planned for women transport workers.

ITF union donations for history fund...so far...

ITF affiliates have responded generously to the appeal for donations to the ITF centenary fund — following an appeal letter by ITF General Secretary David Cockroft in November. The following ITF unions have donated to the fund:

SUMAC (Burkina Faso): 20,000 Central African Francs
ASLEF (GB): £500
NUMAST (GB): £120
Gewerkschaft ÖTV (Germany): DM50,000
Vervoersbond FNV (Netherlands): 37,500 Dutch Guilders
Norsk Sjømannsforbund (Norway): NOK 10,000
Transport Corporation Employees' Union (Mauritius): £100
Sindicato Nacional do Pessoal de Vôo da Aviação Civil (Portugal): US\$1,000
Swedish Seafarers' Union (SSU): SEK25,000

The Swedish Seafarers' Union's donation is matched by a similar amount that has been put aside for national commemoration of the ITF centenary and the Dutch FNV Vervoersbond have, in addition to the 37,500 Guilders given to the ITF fund, put aside an additional 37,500 Guilders for a special "Edo Fimmen tribute" — they have invited the ITF and other organisations to join them staging a special commemoration of ITF General Secretary Edo Fimmen (1924 to 1943) which could include the publication of a biography in Dutch, the holding of a rank and file transport workers' conference in Rotterdam to coincide with the showing of the ITF exhibition and the possible commissioning of a statue or plaque. These contributions represent a significant demonstration of support from ITF affiliates for the centenary project. More contributions have been promised and will certainly arrive as the ITF intends to continue to list the contributions it receives.

Caribbean transport unions discuss future structures

Caribbean affiliates are ultimately prepared to participate in the development of an Inter-american structure, if a specific Caribbean identity is retained and respected at all levels at the ITF.

These were the conclusions of a meeting of ITF Caribbean affiliates, attended by ITF Education Officer and Dockers' Section Secretary, Kees Marges, held in Barbados on January first.

The purpose of the meeting was to discuss ITF structures and activities in the Caribbean; it was attended by participants from ITF-affiliated unions in Antigua, Barbados, Bermuda, Dominica, Grenada, Guyana, St. Lucia and Trinidad and Tobago.

ICFTU President Leroy Trotman, the Secretary/Treasurer of the Caribbean Congress of Labour CCL, and Baldwin Spencer of the ITF-affiliated Antigua Workers' Union, and Presi-

dent of the Caribbean Maritime and Aviation Council (CMAC), also participated.

The meeting followed an Evaluation Seminar for the Caribbean Dock Workers' Education Project (see separate article).

Caribbean affiliates believed that whilst CMAC may no longer reflect the needs of affiliates in the region, a specific Caribbean maritime structure needed to be established. Seafarers' and dockers' affiliates were concerned that their problems may not be properly addressed if they were discussed in conjunction with land-based transport modes.

In addition to requesting more information from the Secretariat regarding sub-regional structures, affiliates were worried that Caribbean cultural and language considerations should be taken into account in any potential regional structure.



INLAND TRANSPORT

Croatian rail strike victory

Croatian railway workers won an important victory over both government and employers after 20 days of action in a December 1994 dispute over wages and conditions.

The conflict, which began on December 8, 1994, arose when the unions presented a ten-point list of demands, stressing that the government had yet to honour any of the terms of their October 1993 agreement.

In addition, said unions, safety and working conditions on the railway were threatened due to the corrupt use of funds earmarked for the railways. These funds should be accounted for, and those responsible, punished the unions said.

They also demanded the establishing of a social dialogue, where unions would be equally represented.

A BACKGROUND OF STRIFE

Croatian trade unions were established following the collapse of the former Yugoslavia. The new trade unions are developing at an impressive rate. Four years ago there were 24 trade unions within the Croatian railway; today, there are only four. The strike itself was a breakthrough, because it was the first time that the rail unions stood united in a common struggle.

But the government has plans to reform the country's labour law, which if passed, will restrict fundamental trade union rights: the right to organise, the right to collective bargaining, and the right to strike.

These proposed changes, together with a desire to show solidarity with the railway workers, led Croatia's three large trade union confederations to call a two-hour general strike on December 16th.

FULL CONTROL

According to Croatian law, transport workers are bound to maintain a minimum level services during a strike.

In the rail dispute, management pegged the minimum level of operations at 85 per cent of normal traffic, threatening to fire workers if this level were not maintained.

But the union strikers defined their own minimum services at 25 per cent. They were in full control of the strike and the railway infrastructure. The national oil company, the defence department and other customers were forced to turn to the strike committee for their transport needs.



The ITF delegation in discussions with Zoran Duric from the Croatian rail union — Asbjørn Wahl (left) and ITF Inspector Ali Memon.

In support of the striking Croatian railway workers, the ITF sent a delegation to Croatia, composed of Asbjørn Wahl of the ITF's Inland Transport Sections, and Flag of convenience Inspector Ali Memon.

Memon and Wahl visited striking workers at the main railway station in Zagreb, and found them to be in good spirits, determined to continue the conflict.

ITF-affiliated unions organised a press conference at which the Croatian newspapers were well represented, together with the public and private radio and television stations. It was the first time that the state-owned television had attended a press conference since the beginning of the strike. The station broadcast the press conference, but entirely without the real voices of the speakers.

SALARIES RETAINED AND MILITARY RULES IMPOSED

When the rail management retained salaries for the period from when the strike began, workers answered by paralysing all civil transports, carrying out only military transport.

But on December 23rd, the government placed the railway under militarily imposed working duty; a strategy that was bravely resisted.

INTERNATIONAL AND LOCAL SOLIDARITY

The strikers met daily at their workplaces to check which transports were going through — these meetings also established and maintained the collective strength of solidarity between them.

Such solidarity also extended to the public — a poll in a Croatian newspaper showed that the strike had support from large numbers of people. International solidarity was also important.

Continued on page 8

...Important victory for young movement



A Croatian satirical cartoon showing the country's leaders praying for the "crucifixion" of the striking unions — their prayers went unanswered!!!

Continued from page 7

The ITF sent a delegation to Croatia and asked railway affiliates to lend moral as well as financial support to the strikers, and at the same time to send letters of support to the government in Croatia.

A request from the ITF to meet with the Croatian transport minister, however, was not granted.

DEAL IS REACHED

On December 27th, police gathered in the middle of the night, intending to remove striking workers from Zagreb's station, but had to leave without having completed their task.

After this, the government started negotiations with the strikers. An agreement was concluded and the strike was quickly called off; an important victory for the four Croatian rail unions, which represent around 85 per cent of the approximately 20,000 railway workers, and an impressive show of international solidarity.

Although the wage increase agreed was just below Croatian inflation, the outcome of the strike is nonetheless an important victory for the young Croatian trade union organisation, which stood its ground against threats and pressure from the government.

In addition, the contract concluded gives important concessions to the workers.

The agreement includes provisions for a guaranteed increase in funds to the railway, strengthening of safety and improvement of working conditions, a five per cent wage increase, a one-time payment to workers at the conclusion of the strike, and pay for the duration of the strike.

Redundancies stopped by rail strike

Rail union representatives will now be consulted on the restructuring of Hungarian Railways (MAV) thanks to the determination of members of the Hungarian Free Trade Union of Railway Workers (VDSzSz) who began a 36-hour national rail strike at 22.00 on 12 December.

The union's refusal to yield when a short warning strike on 8 December failed to produce a positive response from the railway management has also won it victory on several other key demands.

MAV has agreed to involve the rail unions at local level in decision-making on future staff numbers after the union expressed serious concern that plans for 3,000 job losses were to be decided centrally.

In a further important concession MAV has entered into a commitment to renegotiate the

collective agreement before the end of March and has promised that whatever changes are made incomes will be fully protected. Significantly, it has also agreed that rail workers should receive pay increases for 1995 of fourteen per cent on average, a welcome improvement on an earlier management offer of only six per cent at a time of high inflation.

The VDSzSz has asked the ITF Secretariat to thank all rail affiliates who joined the ITF in sending messages to the authorities backing the union's stand. According to VDSzSz President István Gaskó it was this strong international support together with local support from other Hungarian transport unions (especially the Budapest bus drivers who staged a token sympathy stoppage) that was instrumental in securing a successful outcome.

Dutch inter-city coach drivers strike against privatisation moves

The inter-city coach drivers within the ITF-affiliated Dutch Vervoersbond FNV commenced strike action on 19 January, protesting at the employers' proposals to make public transport more "flexible" — towards their goal of bringing down the costs of public transport — as the government prepares to privatise currently state-run companies.

The public transport sector which runs the inter-city coaches, which serve the rural areas in the Netherlands, and which provide services between major cities, and also service within smaller cities, is still a state-owned enterprise, with regional public owned companies organised within one national "mother company" (Streekvervoer Nederland) which employs nearly 15,000 workers, 70 per cent of which are organised in the Vervoersbond FNV and the Vervoersbond CNV. Both unions are promoting the strike, in solidarity.

The Dutch government wants, however, to privatise the public transport sector, and even the major cities with their own city-owned public transport are being forced to privatise.

An American private interest, owned by a former Dutchman, has taken the opportunity to buy a city public transport company in the city of Groningen, in the north of the Netherlands, and from this company, he is planning to take over yet another city's public transport. And even other foreign interests are expected to buy into the public transport sector as the occasion permits.

In the shadow of proposed flexibilisation and plans for privatisation, negotiations for a new collective agreement failed after ten rounds of talks, which included two final offers from Streekvervoer Nederland, which is clearly using privatisation and the infiltration of foreign companies into the sector, to frustrate the negotiations.

The final offer, which affects salaries and other working conditions, would in fact result in a 5 per cent decrease in social costs, as well as a worsening of working hours and the loss of 500 jobs.

As a result of a request from ITF Executive Board Member, and Vervoersbond FNV chief negotiator and action leader, Dilia van der Heem, Kees Marges (ITF Education Officer/Dockers' Section Secretary) approached the ACOD, Belgium, on behalf of the Inland Transport Sections, asking them to prevent Belgian buses from taking over Dutch border-crossing routes during the strike, and a message of support was sent to the Vervoersbond FNV.

On 18 January, the Vervoersbond CNV signed an agreement, accepting the previously opposed conditions offered by the employer, who then on January 24 took the Vervoersbond FNV to court to try and get a decision to end the strike. In the past, Dutch judges have not allowed for continuous strikes, if they found the disparity to be too great between the difficulties suffered by the general public because of the strike, and the union's aims for that strike; thus the courts have on occasion mandated a maximum two day strike limit.

As it was, the court allowed the strike to go on — as a matter of principle — but advised the Vervoersbond FNV to take into consideration the interests of the general public, and refrain from striking at least during peak hours, which, in real terms, meant that the buses had to operate before 10:00, and after 15:00.

This "third party" argument is commonly used in the Netherlands in an attempt to prevent strikes, but just as a third party is involved in all strikes, so is each strike accompanied by a third party attempt to have it blocked in the courts; and in many cases, the so-called third parties are guided and even paid by the employers, themselves directly involved in the strike.

The ITF Secretariat has recommended that the Vervoersbond FNV verify whether the strike restriction imposed by the court is in accordance with ILO Convention 98. Especially in light of the fact that according to a decision by the ILO Committee on Freedom of Association, a strike can only be prohibited in so-called "essential services"; but the ILO has already determined that "workers in railway transport enterprises or other urban public rail transport — irrespective of their legal status — are not carrying out an essential service ... and should therefore be able to strike to defend their interests".

The Committee does not, however, exclude the possibility that a minimum service might be established in these enterprises to maintain activities strictly essential for the safety of machinery and equipment, and for the prevention of accidents, with the participation of the workers' organisations concerned, saying in essence that "only workers performing essential services in the strict sense of the term may be deprived of the right to strike".

The Vervoersbond FNV is investigating this possibility, as well as the possibility of an appeal in the Netherlands, while the strike goes on, although non-union workers and members of the Vervoersbond CNV are continuing to work.

Structural adjustment in African rail

African governments should consult with organised labour before introducing structural adjustment programmes and where the adoption of these programmes involves a reduction in state subsidies they should work closely with the unions in seeking to minimise the adverse effects on employment of railway restructuring.

This was the main conclusion of the ITF Structural Adjustment Seminar for African Railway Workers' Trade Unions held in Nairobi from 5 to 7 December 1994 and attended by twenty-two

African rail trade unionists from eleven countries.

The ITF was represented at the seminar by Assistant General Secretary Graham Brothers, African Regional Secretary Ben Roxy Udogwu and African Railwaymen's Committee Chairman S Mabheka.

Introducing the key agenda item, Jon Mclin, of the International Labour Organisation's Industrial Activities Branch, said that the ILO, while recognising the need for economic adjustment programmes to put developing nations on course for sustainable growth, had always insisted on the avoidance of heavy social costs — a viewpoint that was now increasingly being accepted by the major international aid agencies.

The seminar received reports on employment prospects within African rail companies before drawing up its conclusions.

These emphasised that where the distribution of rail jobs is likely to be substantially affected by railway restructuring, rail companies, with financial backing from the loan agencies, should introduce retraining and reskilling programmes enabling surplus staff to move to other jobs in the sector.

In circumstances where actual job losses were unavoidable, African governments should provide funds for the retraining of displaced rail workers for jobs in other economic sectors.

Rail unions and railway management should jointly negotiate the conditions under which retrenchment takes place, the participants concluded, a process in which African governments should be closely involved.



Participants at the ITF Structural Adjustment Seminar for African Railway Workers' Trade Unions held in Nairobi.

Uganda rail dispute ruling "soon"

A decision is awaited shortly from a Committee of Investigation which is currently looking into a serious dispute between the Uganda Railways Corporation and the Uganda Railway Workers' Union over the 1992 pay award.

Angered by the rail management's move to delay implementation of an Industrial Court decision given in October in the union's favour by lodging an appeal with the High Court, the union staged a six-day strike from 23 to 28 November.

As the result of intervention by the Ugandan government and the National Organisation of Trade Unions an agreement was reached that there should be an immediate official inquiry and that strikers would not be victimised.

However, these promises were not kept. By mid-December there were no signs of an inquiry and the railway management had retaliated by cancelling the check-off system and refusing to hand over union subscriptions for October and November.

Alerted by its affiliate, the ITF sent messages to President Museveni and the Transport Minister asking them to use their good offices to ensure that the railway management respected the conditions under which railway workers resumed their duties following the strike.

Following the ITF's intervention, the Ugandan authorities acted positively and a Committee of Investigation was duly set up.

French victory on drivers' working hours

In 1983 French researcher Patrick Hamelin demonstrated to French employers — who did want to admit it — that long distance drivers worked more than 60 hours per week.

In 1987 the ITF published a study by F. van Ouwkerk (University of Groningen, the Netherlands) comprising similar studies in Europe and North America.

For road transport unions the reduction of working time is first priority.

In July 1992 lorries blocked French roads and paralysed the country. The drivers protested against the new "point system". During this protest the deplorable social conditions of drivers were highlighted.

On 6 July 1992 the French government, employers and trade unions signed an agreement to carry out a detailed study on "the economic and social situation of road transport for goods" and to enter into negotiations about the duration of the working week.

Countless meetings have led to more than 50 economic and social measures — summarised under the title "progress contract".

On 23 November last year, the employers' organisations and the two ITF-affiliated unions, FGTE-CFDT and Fédération Nationale 'FO' des Transports, signed this important agreement on the remuneration and reduction of working time.

In future time spent working for an employer,

together with waiting time will be paid at 100 per cent. This represents a major acknowledgment of long standing ITF policy that seeks to define drivers' hours in terms of duty hours (i.e. total hours worked) as opposed to driving hours (which only includes hours spent behind the wheel). This is a significant victory for road transport unions.

The working week will not be allowed — under any circumstance — to be more than 60 hours and from 1 January 1997 56 hours. During a month working time is fixed at 240 hours and then 230 hours.

The agreement foresees stages of 220 and 200 hours according to the evolution of European legislation. The French Transport Minister — who from January onwards will chair the European Council of Ministers — has sent his European colleagues a Memo on "a European progress initiative" on the harmonisation of working time for road drivers. The Minister intends to argue for 200 hours working time from 1 January 1999.

The objective of the signatories to this agreement at the moment applies only to long distance drivers, but also aims to lower the working time of 60 hours to 50 hours minimum.

Another agreement foresees minimum training of four weeks for newly qualified lorry drivers and a reduction of 3 days every five years for all lorry drivers.

Japanese rail suit settled

The threat of ruin from a crippling suit for damages that has been hanging over the Japanese National Railway Workers' Union (KOKURO) for the past eighteen years was finally lifted on 24 December 1994 when an out of court settlement was reached shortly before judgement was due in one of Japan's longest-running legal cases.

Under the settlement, the Japanese National Railways (JNR) Settlement Corporation — the body charged with responsibility for matters arising out of the winding up of the state-owned railway company — formally withdrew a claim for damages against KOKURO dating from an eight-day strike in 1975. The JNR residuary body had been seeking compensation of Yen 20.2 billion (US\$200 million) for lost revenue.

Court action against the Nippon National Railway Motive Power Union (DORO), the second union involved in the 1975 strike and originally also party to the suit, was dropped by

the JNR in 1987, leaving KOKURO, an implacable opponent of rail privatisation, as the sole defendant in the case.

The signing of the agreement, brokered with the help of government ministers, represents a clear victory for KOKURO on an important point of principle — defence of the right to strike, the issue at the heart of the 1975 stoppage.

Resolutions expressing strong backing for KOKURO's stand were adopted by the ITF Dublin Congress in 1977 and again at the 1983 Madrid Congress. Rail unions worldwide have also sent many protest letters to the Japanese government and the JNR management over the years urging withdrawal of the suit.

KOKURO President Toshimitsu Nagata said a settlement would never have been reached without this strong international support and has asked us to pass on his thanks to affiliates.



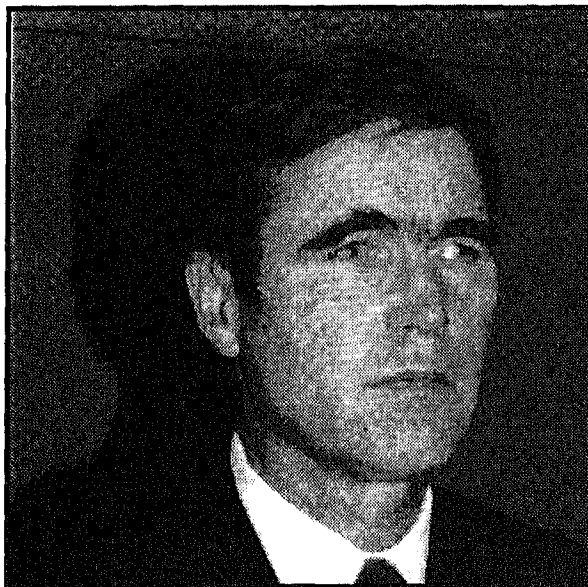
PEOPLE

The ITF wishes a long and happy retirement to its long-serving Norwegian Foc Coordinator **Øystein Ringvold**, of the Norwegian Seafarers' Union, for many years one of the mainstays of the flag of convenience campaign in Scandinavia. For close on twenty years Øystein has given unstintingly of his time and his very considerable energies in helping secure a measure of social justice for seafarers serving on Foc ships. His connection with the NSU goes back even further to 1951 and so he can look back with pride on a union career spanning well over forty years during which time he has made a major contribution to improving the conditions of both Norwegian and foreign seafarers. **Birger Pedersen** takes over from Øystein as the new ITF Coordinator. Pedersen has sailed for thirty-five years as a ship's steward and has been a trade union activist for many years in Tønsberg. He was working on a North Sea supply ship when he took up a job at NSU headquarters in Oslo in 1993, with responsibility for the offshore fleet. Although officially retired, Øystein is staying on as adviser to Birger Pedersen for the next six months.

The ITF Inspectorate in Spain continues to expand with the appointment of **David Echevarrieta Azpiazu** as the new Inspector working out of the southern port city of Algeciras. Echevarrieta, who comes from the Spanish Transport and Telecommunications Workers' Federation FETT-UGT and is a former radio officer, took up his duties at the beginning of this year.

Peter LaHay is to stay on as the ITF Inspector on the Canadian west coast despite recent major changes in the trade union line up in Canada. LaHay comes from Local 400 — effectively the seafarers' division — of the Canadian Brotherhood of Railway, Transport and General Workers which has recently merged with the Canadian Area of the International Longshoremen's and Warehousemen's Union to give a powerful maritime trade union presence on Canada's west coast. (The CBRT as a whole has merged with the Canadian Auto Workers.) The only change — he is still working out of Vancouver, where the ILWU Canadian area has its headquarters — is that he now represents the ILWU Local 400 Marine Section.

Ray Familathe has resigned as the ITF Inspector in the US west coast port city of San Francisco after moving to Los Angeles.



New ICFTU Acting General Secretary Bill Jordan

Wulf Steinworth joined the ITF staff on 1 January to work in the Seafarers' Section. Wulf was previously head of the seafarers' and fishermen's section of the German Public Service and Transport Workers' Union (ÖTV) in Hamburg.

Enzo Friso has retired as General Secretary of the International Confederation of Free Trade Unions after a trade union career spanning nearly fifty years. An Italian and one of the founders of the Italian trade union confederation CISL, Friso was appointed ICFTU Assistant General Secretary in March 1984 and General Secretary in March 1992. Under Friso the ICFTU has championed the rights of trade unions in the developing world and as a result one third of the ICFTU's membership now comes from these countries. **Bill Jordan** is the new (Acting) General Secretary. The first Briton to head the ICFTU, Jordan is President of the Amalgamated Engineering and Electrical Union (AEEU) and of the European Metalworkers' Federation.

René Bleser retires as General Secretary of the Luxembourg Federation of Railway, Transport and General Workers (FNCTTFEL) this coming May. **Guy Greivelding**, previously FNCTTFEL Assistant General Secretary, was elected as the new General Secretary at the union's 1994 Congress and **Roland Schreiner** Assistant General Secretary. In recognition of his services René Bleser has been given the title of Honorary General Secretary.

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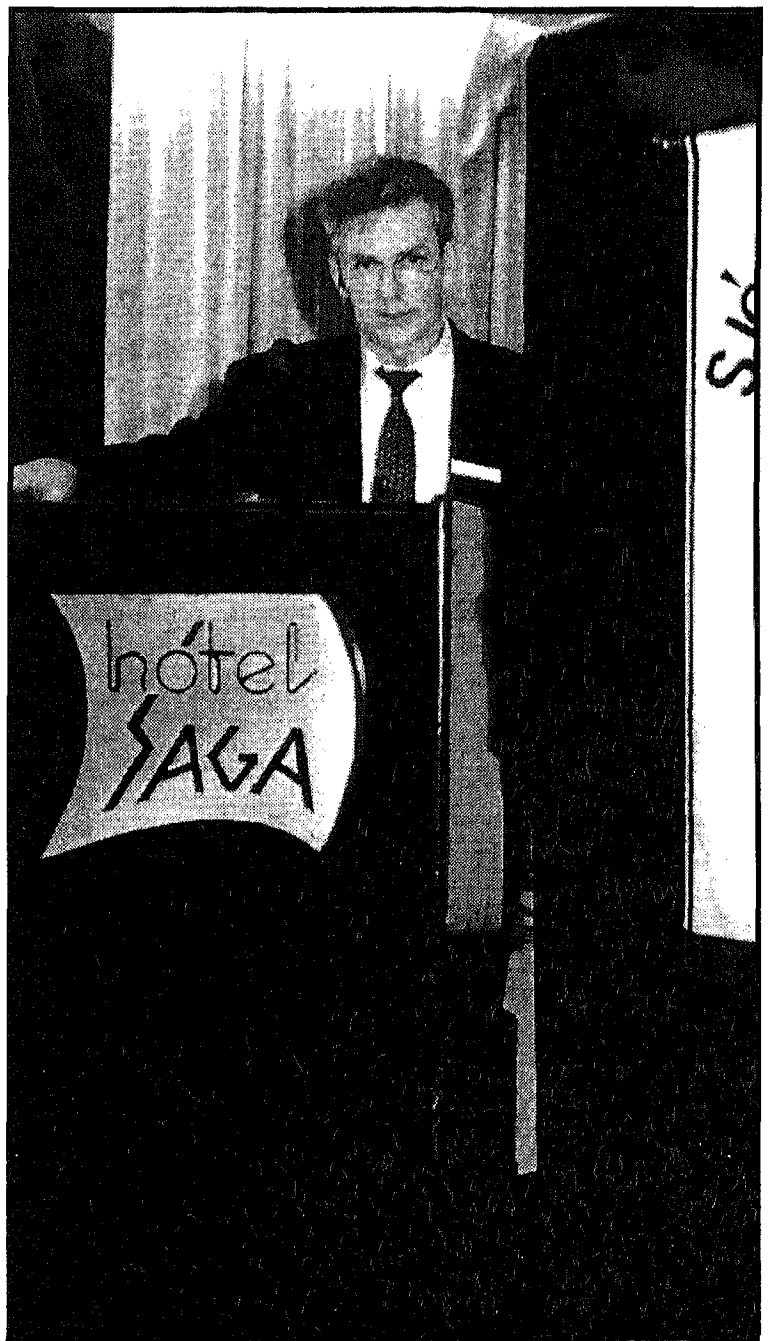
Bent Jørgensen has been elected as Vice President of the Danish Engineer Officers' Union in succession to **Erik Skovmand**.

Shoshiro Nakanishi was re-elected President of the All-Japan Seamen's Union at the JSU's 55th annual congress in Tokyo last November.

Delegates attending the first conference of the Estonian Transport Workers' Trade Union Federation on 30 November elected **Eiki Nestor** as President and **Vahur Soikmets** as Vice President. Soikmets has now taken over as the federation's acting president following Nestor's appointment as Minister of Regional Policy in the Estonian government.

Last autumn saw the retirement of leading Swiss trade unionist **Walter Renschler**. The 49th Congress of the Swiss Trade Union Confederation (SGB) meeting in Montreux paid a warm tribute to their outgoing President at the beginning of November, while at the end of the same month Renschler took his leave as General Secretary of the Swiss Public Service Workers' Union (VPOD) after exactly twenty years in the post. Renschler was also a long-serving Vice President of the Swiss Public Service Workers' Federation (the Föderativverband), bowing out of this position too at the end of the year. For the first time in its long history the Swiss national centre now has a joint presidency, shared between **Vasco Pedrina** and **Christianne Brunner**, who were elected as co-presidents at the Montreux Congress. Swiss rail union leader **Charly Pasche** was also re-elected as an SGB Vice President at the same Congress. New VPOD General Secretary is **Doris Schüepp**, who is also a newly elected SGB Vice President.

Óskar Vigfússon, President of the Icelandic Seafarers' Union for the past eighteen years, retired last November. But he has not completely cut his ties with his union, and is remaining as a local branch secretary. Vigfússon has been an active member of the ITF Fishermen's Section for many years, serving on its Committee since the mid-70s. He is succeeded by **Sævar Gunnarsson**, Vigfússon's deputy on the Section Committee.



New Icelandic seafarers' President **Sævar Gunnarsson**.

The following top officials were elected at the 22nd General Congress of the Turkish Civil Aviation Union HAVA-Is held in January: General President **Atilay Ayçin**, Vice President **Namik Sezgin** and General Secretary **Mustafa Yagci**.

OBITUARIES

Jorge Luciani, former President of the Argentinian Engineer Officers' Union, died on 8 August, at the age of 59. Luciani, who gave many years of devoted service to the trade union movement

in his native Argentina, retired from the presidency in 1990. He was a member of the Committee of the ITF Seafarers' Section throughout the 1980s.

Transport telematics: the "third transport revolution"

Transport telematics is the integration of telecommunications and information technology in the transport sector, in such a way that it will influence and change all aspects of transport.

Transport telematics uses "basic" technology, such as telephones, radio channels, computers, satellites, etc, which are hooked up to national and international computer networks.

FUTURISTIC TRANSPORT FICTION?

Most of the necessary technology has already been, or is being, developed. The real "missing links" are financing, coordination and standardisation of systems, together with the establishment of regulations and legal standards.

Recently, telematic interests in Japan, the USA and Europe have begun to promote the so-called "third transport revolution" (the expansion of rail being the first revolution, and the wide use of cars being the second).

CONFERENCE ZEAL

These groups organised the first world conference on this subject in Paris in December 1994. The conference was attended by 1,700 delegates from industrial concerns, public officials, transport users, and experts.

The ITF was represented by Asbjørn Wahl of the Secretariat. "The hundreds of speakers and multitude of seminars at the conference illustrated the sense of urgency that prevails," said Wahl.

THE USE OF ELECTRONICS ON THE ROAD

Road transport has been specifically targeted for the introduction of telematics. The optimum use of existing roads, and thus more efficient transport, greater security and decreased pollution are predicted advantages.

Transport telematics are being seen as a means of getting at the root of road transport's problems. Given the increases in transport demands that are forecast, it is clear that the alternative is a massive expansion of the already existing road network.

THREE-TIER TECHNOLOGY

Telematics in road transport entails the implementation of new technology on three different levels: vehicles, infrastructure, and transport coordination.

- *Vehicles* would be able to collect information on themselves, exchange information with equipment in and on the road, and communicate with traffic centrals and customers. Freight vehicles and containers would be equipped with programmable, electronically-readable tags.

- *Highway equipment* would survey road and traffic conditions, send information to, and receive input from vehicles, control their weight and safety while they are on the road, and communicate with traffic centrals. Remote contact would be via cables at the side of the road. Communication with vehicles would be by means of electronic sender/receivers positioned at the roadside, remote controlled road signs and sensors in the road.

- All the information received from the vehicles, the infrastructure and other sources, such as parking places, public databases, etc., would be *centrally analysed and sent out to motorists*. Messages could contain information on traffic jams, alternative routes, access to parking, projected driving time, etc.

"AUTO-PILOT"

The aim of transport telematics is to develop a road traffic system, that offers complete automated driving. The goal is to develop a system by which accidents can be prevented. Some systems already exist whereby pre-programmed radio messages warn drivers when their vehicles are too far off the road, or too close to the vehicle ahead of them. This system will be developed to the point of being automatically connected to the steering wheel and brakes, instead of just sending out a warning.

MASSIVE INVESTMENT

The US, Japan and Europe are currently racing towards developing this new technology. Millions of dollars are being funnelled into research, development and testing of pilot projects, and we are currently on the threshold of large scale use of such systems.

AND THE WORKERS?

Such developments will severely affect working conditions and work organisation, and change the nature of some transport work and of qualifications within the sector, among drivers as well as administrative personnel.

Employment will be affected — growing more slowly as transport demands increase. The new technology will also create problems for workers because of the ease with which the employer can monitor the individual driving employee. But it should also create better and more interesting jobs, as some pilot projects have already shown.

This will depend to a great extent on how the technology is developed and implemented. Trade union organisations are going to have to focus hard on this issue. We, as trade unions, need to start acting now.

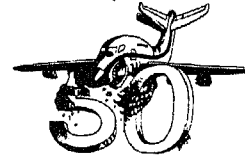


CIVIL AVIATION

Fifty years after Chicago:

A report by Civil Aviation Section Secretary, Stuart Howard, on the ICAO Conference

- ICAO looks at the future for international regulation
- US launches "open skies" offensive
- ITF insists on labour rights



ICAO conference debates the future

The 50th anniversary of the Chicago Convention has re-focused attention on the international regulatory system for the world's air services.

Last November in Chicago at a meeting held to commemorate the anniversary the US Secretary of Transportation Federico Peña announced a US policy statement, which demanded dropping all restrictions on airlines (charter, cargo or scheduled) to fly to any destination, to operate any capacity or frequency, to set any price. All government subsidies should be dropped, ground handling should be full liberalised; restrictions on foreign investment should be lifted and privatisation should be encouraged.

The statement was accompanied by an immediate plan for spreading the gospel of "open skies" and free markets in aviation. The US government has targeted nine European countries: Austria, Belgium, Denmark, Finland, Iceland, Sweden, Norway, Switzerland and Luxembourg for signing into "open skies" agreements. This is an attempt to pre-empt and undermine a common approach among countries within the EU (only Iceland, Norway and Switzerland are not EU members) on aviation external (international) relations.

The US Statement came immediately before the worldwide conference on International Air Transport Regulation: Present and Future organised by ICAO in Montréal on November 23-December 6. This conference immediately led into the 7 December anniversary day of the signing of the Chicago Convention.

The ICAO conference was far more representative with 183 ICAO member states represented.

However, since the conference was held as a discussion outside the regular proceedings of ICAO its conclusions could in no way bind member states.

The theme of the conference was whether the current system of bilateral aviation agreements should give way to a more liberal system or even

global "open skies".

So what did the conference conclude?

In two weeks of discussions with over a hundred working papers put forward, the debate could be reduced to three basic positions.

The first position was that put forward by the United States demanding that the current regulatory system be completely dismantled and replaced by "global open skies". This view dismisses any kind of middle option, regarding liberalisation-with-safeguards as a nonsensical contradiction.

However, there are major weaknesses in the US position which will not make it easy to pursue its strategy. Even pro-liberalisation allies such as the EU find it hard to swallow the proposition put forward in Peña's paper that the way forward for air transport is the export of the US hub and spoke system to the rest of the world, or that US domestic deregulation is a rational model for the rest of the world to follow.

As Avmark Aviation Economist put it: "while the rest of the world rejoices at having escaped the blood bath of US deregulation, the US proposes to visit it upon the world as an inevitable step to attaining a worldwide consumer-friendly aviation system."

Moreover, the pro-consumer veneer used to justify the US pursuit of worldwide liberalisation wears increasingly thin as US goals become increasingly seen as a strategy for the benefit of US aviation industry and US economic interests.

It was the Japanese who pointed out that the promoters of liberalisation appear to do so from scarcely concealed protectionist motives.

They noted that the Clinton Commission promotes its proposals as being for the benefit of US airlines which it says are vital for the US economy, and that the European Commission identifies a European air transport industry as

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...ICAO's evolving regulation strategy

Continued from page 15

vital to European economic welfare.

One African state noted that the US representative had just spoken strongly against regulatory safeguards because of the need for "equality of opportunity" between airlines. He then pointed out that a single US airline UAL has more aircraft in its fleet than the entire African fleets combined.

The second position taken was that which proposed retaining the current system. This did not oppose bilateral "open skies" agreements, but it did not accept a global "open skies" system. It insisted that individual countries must retain air sovereignty through bilateral agreements. This position was taken by the large majority of representatives present, including Japan, Australia and most of the developing countries.

The third position put forward the belief that worldwide liberalisation is an inevitable process. It therefore focused on how transitional measures could be adopted to safeguard the interests of individual countries (in particular developing countries). It also offered certain permanent safeguards or a code of conduct to ensure fair competition. This was the position put forward by the Group of Experts who have been used as consultants by ICAO. It was also supported by the member states of the European Union.

It was the second of these three positions which carried the overwhelming support of the conference.

Yet a vote for the status quo (especially a non-binding one) must not lead to political inertia. While the refusal of most countries to abandon

national sovereignty and regulatory controls is to be very much welcomed, this voting triumph while making clear the feelings of the majority of ICAO members carries with it a false sense of security.

Votes unfortunately do not determine economic realities. There was an atmosphere in the conference which had the air of the man who refuses to believe his house is burning down because the key is in his pocket.

To look at the conference divisions in another way the countries which already carry the vast majority of the world's air traffic (the US and the EU) and have the aviation economic muscle, are all in favour of some form of liberalisation (albeit in different versions) of the present system.

It is this disparity between the majority of sovereign states who wish to retain the present bilateral system, and those states who are in the transnational economic driving seat in world aviation which still needs to be addressed.

Unilateral bullying by the US government (including barely concealed threats to ICAO's funding) will not work, especially while its arguments are so weak, and offer little more than upheaval or extinction to the rest of the world. Nevertheless the US can still benefit from the predominance of pro-liberalisation ideology in most industrialised countries.

ICAO retains the moral political authority in world aviation, although only just. Indeed it took some skilful and judicious chairing by Vijay Poonosamay of Mauritius, at some sensitive moments in the debates, to preserve that authority during the conference.

ICAO must retain its initiative and build on the Conference.

United States still seeking "Mastery of the skies"

The current US policy pushing for a worldwide free market in aviation with "global open skies" barely differs from the position it was taking in 1943 before the Chicago Convention.

The slogan at that time was "Freedom of the skies", in imitation of the so-called "freedom of the seas" promoted by the British empire. Indeed the United States clearly sought the kind of domination of aviation in the post war world that imperial Britain's navy had maintained for its sea trade before the war.

The May-June 1943 issue of ITF News noted that "American Airlines Incorporated has started an advertising campaign sponsoring the idea of 'mastery of the air' for the United States". It quoted the president of American Airlines as pointing out the need for US air dominance to be established before the war was even over: "Especially let us face immediately the need for the United States already to be dominant in the air when our allies shall sit round the peace table with us."

This "mastery of the air" was prevented after each nation insisted on sovereignty over their air space. Economic regulation was established through bilateral air agreements and a special United Nations body set up to oversee world aviation affairs.

The ITF noted in the pre-United Nations days of 1943:

"Voices are being heard in the labour movement in favour of the setting up of world authorities. Certainly the suggestion of a World Aviation Authority for Civil Aviation can hardly be regarded as utopian nowadays: indeed, technological advance in aviation and the development of social relations elevate it to the rank of a prime necessity."

If the US government position has barely changed, neither has that of the ITF. We still oppose the "mastery of the skies" that global "open skies" would bring. We still believe that aviation should regulate its affairs through the world authority of ICAO.

Labour takes its rightful place

It became known as the "ITF Amendment" and it consisted of one word: labour.

It was with the insertion of this word that 183 member states of ICAO unanimously agreed that labour must be recognised as one of the important stakeholders of the aviation industry, and that the interests of labour should be considered in the economic regulation of international air transport.

Given that in all the pre-conference documentation there was a complete absence of any mention of labour or any discussion of the impact of liberalisation on employees, clearly some ground was made up by the ITF in fighting for a recognition of labour interests during the conference discussions.

Twenty-two ITF unions attended at least part of the two week long ICAO Conference (some attending the entire proceedings) adding to the ITF's presence and lobbying hard amongst member state representatives.

The ITF, who had observer status, produced a submission to the conference (Working Paper 43) and was called to speak to its document on several occasions throughout the conference proceedings. Speeches by Section Secretary Stuart Howard made a clear impact on the conference. He condemned "liberalisation lemmings" who were ready to dive over the cliff of deregulation simply because that was where they were told everyone else was headed. He condemned those who attacked state aid as anti-competitive and then turned to the employees to provide new investment in the airlines, through wage concessions.

He put forward concrete proposals for improving training and safety through personnel licensing and for harmonised minimum standards in the industry.

The attention of the conference was particularly engaged on the ITF contribution concerning the dangers of "flags of convenience" entering civil aviation when it was pointed out that in the maritime industry the ITF already enforced industry minimum standards with its own network of inspectors arresting ships in port.

The conference conclusions do not have binding force on any member states, but their political importance should not be underestimated.

Stuart Howard notes that: "The conference has no power to force any government to do anything, but it sets an important part of the political climate. At a time when deregulation and the free market seem to be unchallengable, and when so-called consumer interest has been used to push aside all other considerations, here

we gained a common agreement that it is right to give consideration to the impact on labour of market access arrangements and other aspects of international air agreements.

"However, recognition of labour can only be a first step. It is noticeable that the current US policy also says that the impact on employees must be considered. But this comes after US employees remained steadfastly invisible to the government during 14 devastating years of domestic deregulation. It seems that US employees only become visible to the US government after it has gone as far as it can with deregulation at home and now seeks to export this devastation to the rest of the world.

"The real lesson to be learned from the US is that after 14 years of deregulation unions are still there.

"We have to ensure that employees are given proper consideration and protection at the starting point of any changes in the international regulatory system. The ITF is pleased that at least labour has gained visibility within the discussions on the future of the Chicago system. We need more, however, than 'consideration'. We shall continue to raise the need for a set of enforceable safeguards for minimum labour standards in aviation."

The conference conclusions included the following:

On Future Regulatory Content, Objectives:

There was broad support on the basic objectives presented by the Secretariat,in using such objectives, the interests of all States should be safeguarded and the interests of all stakeholders, including users and labour, should be carefully reflected.

On Future Regulatory Content — Market Access :

Future market access arrangements should take into account the need to promote safe and efficient air carrier operations, the social and economic policies of States and the

interests of all stakeholders in air transport, including users, airports, distribution intermediaries and labour.

The conclusion on Future Regulatory Content — Safeguards refers to the need to have safeguards against flags of convenience and "social dumping".

The ITF interventions ensured that in the most important forum on the future of regulation in international air transport, labour is securely on the agenda.

As Vijay Poonoosamay the chair of the Conference put it, after the passing of the ITF Amendment: "Labour now takes its rightful place".



Civil Aviation Section Secretary Stuart Howard and Vijay Poonosamay chair of the ICAO Conference begin the cutting of the ITF birthday cake commemorating the 50th anniversary of the Chicago Convention, inside the foyer of the ICAO headquarters. The cake and a giant birthday card bearing the slogan "Challenging Deregulation of the Skies" was formally presented to Dr Fuller, the head of ICAO External Relations, on December 2, the ITF's International Campaign Day for Civil Aviation. Government representatives attending the conference each received a slice of birthday cake and an ITF "Challenging Deregulation of the Skies" Chicago Convention birthday card containing the message that the ITF seeks an aviation system "which protects passengers with strict rules on aviation safety; which provides a good quality public service; and which protects workers with decent minimum working conditions and employee rights. We denounce the efforts of global mega-carriers to tear apart the Chicago Convention and replace it with global 'open skies'. International air agreements must include social safeguards which should be enforced through an ICAO Code of Conduct".

Civil aviation and GATS

The Uruguay Round of trade negotiations launched in 1986 was the most ambitious and comprehensive attempt by the General Agreement on Tariffs and Trade (GATT) and the General Agreement on Tariffs and Services (GATS) to liberalise world trade and services.

GATS has sought to establish a new liberal world regime for most services, and would certainly like to include air transport.

However, air traffic rights are excluded from GATS and will not come under the authority of the new World Trade Organisation.

ICAO is retaining its role as the world authority competent to deal with international air transport.

Three aspects of civil aviation, however, do come under the GATS provisions. These are:

- aircraft repair and maintenance (though not line maintenance)
- the selling and marketing of air transport
- computer reservation systems

There is now, therefore, the situation of two world bodies operating two different regulatory regimes on these three aspects of the aviation industry. This is complicated further by the fact

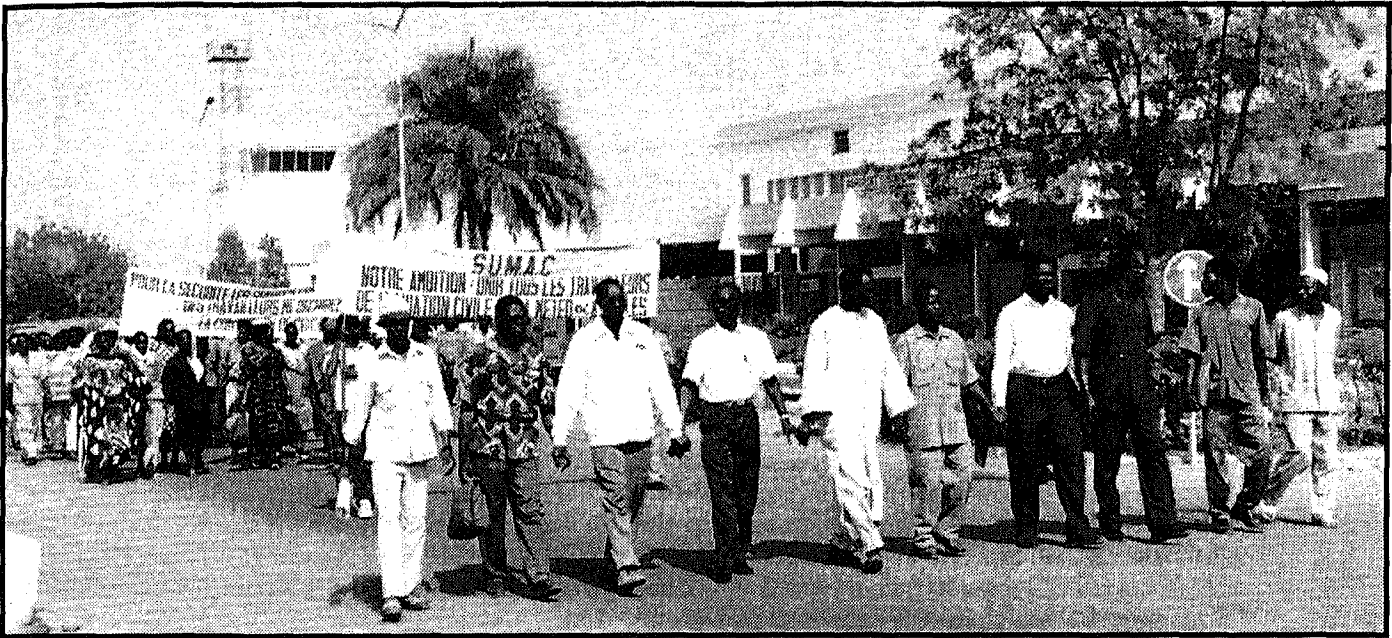
that the two organisations do not have identical memberships and quite a large number of states are not members of GATS.

Moreover, GATS has kept open its options for eventually expanding into other areas of civil aviation, including traffic rights. According to the ICAO Secretariat:

"If ICAO develops arrangements for international air transport which gain wide acceptance and use among States there will be less inclination on the part of parties to expand GATS coverage of air transport services. However, if future regulatory arrangements in this area are not developed by ICAO or those developed by ICAO do not gain wide acceptance and use among States there will be growing pressure to include more air transport services under the GATS."

Clearly ICAO and GATS need to co-operate with each other as much as possible. Such co-operation, however, must amount to more than GATS holding a gun to the head of ICAO with the message of "liberalise international air services or we shall do it for you".

Unions mark aviation campaign day



The ITF declared December Second, 1994 as International Campaign Day for Civil Aviation. ITF affiliates around the world sent delegations to their governments, held press conferences, rallies and marches. In Burkina Faso aviation unions organised a rally and march challenging deregulation of the skies (above). In Australia unions took the ITF message to passengers with a leaflet and newspaper adverts focusing on the threat posed by deregulation to aviation safety.

Burkina Faso union day of action

The ITF-affiliated civil aviation union SUMAC, of Burkina Faso, marked the ITF's International Trade Union Campaign Day for Civil Aviation on December 2nd 1994 with a demonstration through the streets of Ouagadougou, an open letter to the Minister of Transport and a major seminar on globalisation in aviation.

Linking the three activities was the concern of SUMAC that deregulation and "open skies" would bring the death of small airlines in developing countries which would be unable to compete with the megacarriers. Nazi Kabore, General Secretary of SUMAC, emphasised during the seminar, that in the moves towards globalisation "deregulation threatens the public service role of aviation, it undermines national sover-

eignty, and also threatens safety. Nor are workers' rights taken into account". The seminar discussed the importance of challenging moves towards global deregulation, a point highlighted in the union's open letter to the Minister of Transport, which called for the maintenance of the Chicago Convention which sets the framework for air transport regulation, and argued for no loss of national sovereignty over civil aviation matters.

The week of activities culminated with a demonstration through the streets of Ouagadougou on December 2nd, coinciding with the leafleting of incoming and outgoing passengers at the airport, and the launch of a special issue of the union's journal focusing on deregulation.

European Commission snubs consultation on ground handling

The credibility of European Commission consultation procedures in civil aviation took a severe blow when the Commission snubbed the Joint Committee for Civil Aviation and produced a draft Directive on the liberalisation of ground handling. This was despite the fact that the Joint Committee had some months previously formally called into play the procedures for consultation under the Social Protocol of the Maastricht Treaty.

In March 1994 aviation unions from all over the European Union marched on the Commission's buildings in protest against the proposed measures of liberalisation. A delegation to the Commission was promised full consultation.

The Joint Committee for Civil Aviation met in plenary session in Brussels on 14 December. One of the major items on the agenda was a discussion on the proposed draft Directive on

Continued on page 20

Asia/Pacific civil aviation unions meet to develop common strategy

More than 50 delegates representing 26 trade unions in 16 countries attended the Civil Aviation Asia/Pacific Regional Committee meeting in Fiji on 26 and 27 January 1995. With the Asia/Pacific Region continuing to be the fastest growing region worldwide in terms of civil aviation traffic, it was gratifying that the meeting in Fiji was the largest ever such gathering of civil aviation unions in the region.

The meeting, which was chaired by Hideo Kato of the Japanese Confederation of Aviation Labour, was formally opened by Harold Powell, Minister for Civil Aviation and Tourism in the Government of Fiji, who welcomed the ITF's role in defending international regulation of the industry. In his opening remarks, Powell in particular praised the ITF's constructive role in raising labour issues at the International Civil Aviation Organization Worldwide Conference on International Air Transportation which had recently taken place in Montréal. The ITF Secretariat was represented by Asia/Pacific Regional Secretary Shigeru Wada, and by Shane Enright of the Civil Aviation Section.

The threat posed by deregulation and continued financial instability in the industry was aptly highlighted in many of the country reports presented by delegates. The meeting heard an update on the serious dispute between the ITF affiliate PALEA and Philippine Airlines, and delegates warmly applauded as plaques of thanks were presented to the Secretariat for their support. Mario Santos, president of PALEA, empha-

sised that the future of the 43 sacked trade unionists now awaits a ruling from the Philippines Department of Labour. The meeting heard a report from Vanuatu on the dismissal of twelve trade unionists, members of the ITF-affiliated Nasonal Union blong ol Leba, who were the founder members of a civil aviation union in their country. The union is trying to raise the matter judicially, but has experienced problems in getting their chosen lawyer accredited by the Law Council of Vanuatu. An update from the National Airline Employees' Association (NAEA), a Papua New Guinea affiliate, on the major dispute in Air Niugini, was not hopeful. Following a legal appeal by the company concerning the dismissal of 132 members of the NAEA and the PNG Flight Attendants' Association (PNGFAA) in 1992, the dismissals were upheld, and the PNGFAA has as result become non-operational and subsequently deregistered by the Department of Labour and Employment.

In the context of these disputes, and major problems facing other affiliates, building global solidarity was a key focus for discussion. The meeting also approved resolutions on PALEA, on Vanuatu, on subcontracting in Bangladesh, on deregulation and open skies, and on safety and labour standards. The conclusions adopted by the meeting reaffirmed affiliates' commitment to challenge deregulation, and pledged the fullest possible support for solidarity actions called by the ITF.

...Ground handling liberalisation directive

Continued from page 19

ground handling. Yet members of the Committee came into the meeting carrying the morning's newspapers which carried news reports that the Commission had just published the draft Directive. A hastily summoned representative of DG VII could only explain that publication of the draft Directive had been considered a matter of great urgency.

Technical legal reasons were given to explain that the Committee could not as it thought insist on the right to be consulted. The Commission maintained that unless a Directive contains specifically social measures in the text then the Commission does not have to consult the social partners.

The unions point out that it is the very absence of any social provisions in such texts which is liable to create the most urgent cases requiring

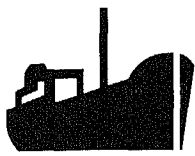
consultation.

Under the current interpretation the Commission is able to propose sweeping changes (as in the ground handling Directive) which will have a major impact on the conditions of employees without any obligation to consult with unions.

The Commission's actions hit at the whole *raison d'être* of the Joint Committee, which has now written to the Commission demanding an explanation.

The unions are now left with simply having to lobby the European Parliament and Council of Ministers with their position on this Directive.

The term of René Valladon (F.O. France) as chair of the Joint Committee for Civil Aviation has ended. Karl Neumeister of the Association of European Airlines was voted as the new chair. The employers and employees alternate the chair of the Committee. René Valladon is now vice chair.



SEAFARERS

Conference agrees improved standards for seafarers

Important proposals for improvements in labour standards for seafarers were made at a meeting of the Maritime section of the International Labour Organisation late last year. Representatives of government, labour and shipowners from thirty maritime nations met together with ten non-government organisations, including the ITF, for ten days in Geneva. Recommendations made by the meeting are to be further discussed and finalised at a Maritime Session of the ILO to be held in early 1996.

The ILO has over the years adopted 36 Conventions and 26 Recommendations dealing specifically with labour standards for seafarers. The November/December meeting deliberated on five of these. These were Recommendations and Conventions relating to hours of work and manning; labour inspection; the recruitment and placing of seafarers; and other minimum standards.

HOURS OF WORK

It was agreed to recommend to the 1996 Conference that the standard normal working hours for seafarers should be based on an eight hour day with one day of rest per week. Maximum

hours of work should not exceed 14 hours in any 24 hour period, and 72 hours per week. It was also agreed that minimum hours of rest should not be less than 10 hours in any 24 hour period. It was recommended that ILO Convention No. 109 should be amended to this effect. The introduction of maximum hours of work is a major breakthrough, as previously the Convention set no limits to hours worked. Convention No. 109 as it stands refers only to ordinary hours, and thereafter overtime.

LABOUR INSPECTION

The existing ILO Recommendation No. 28 states that maritime nations should ensure that they have an inspectorate which inspects the living and working conditions of seafarers on board national flag ships. The meeting agreed to propose that certain aspects of the Recommendation should become a binding Convention. It was proposed that the Convention should cover the annual inspection of all ships registered in the ratifying country. It further proposed that inspectors be empowered to board any ship

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ILO minimum wage for seafarers goes up to \$385

The "ILO Minimum" wage for seafarers has been increased to US\$385 a month for an Able Seaman's basic.

International Labour Organisation Recommendation No. 109 on wages and working conditions is the sole ILO instrument that sets a minimum wage — and a unique "bipartite" body the "Joint Maritime Commission" (JMC) sits from time to time to review the wage rate, originally set by the ILO in 1958.

Everything else that the ILO does is "tripartite" — governments, employers and unions meeting together except for the JMC which is composed solely of seafarer and shipowner representatives.

The first-ever meeting of the JMC was held in 1921, shortly after the 1919 creation of the ILO. At this meeting, the ITF fought hard for the introduction of the "eight hour day" — the

battle for working hours rules at sea continues today (see main story).

This JMC met in December immediately after the ILO Labour Standards meeting, and agreed an increase of 8 per cent on the minimum monthly wage for able seamen, to be effective from 1st January 1995. This brings the minimum to \$385 per month, from the previous \$356. The ITF has calculated that based on a forty hour week, and working 103 hours overtime in a month, an able seaman would be entitled to payment of \$893.71.

The ITF says that the ILO Minimum should apply to crews working on genuine national flag ships. Flags of Convenience must pay the higher ITF rates. ITF affiliates are presently debating whether ILO or ITF rates should apply to non domiciled crews working on national flag ships.

...ILO labour standards meeting

Continued from page 21

registered in the territory, and to prohibit it from leaving port if the conditions on board constitute a danger to the health or safety of seafarers. It was proposed that some aspects of the existing Recommendation, should remain in Recommendation form, namely the organisation and the duties of the inspectorate.

RECRUITMENT AND PLACING OF SEAFARERS

The existing ILO Convention No. 9, which has been ratified by 37 countries, makes provision for the obligation of ratifying states to establish a system of free public employment offices for seafarers. Where commercial employment agencies currently exist, it makes provision for their temporary continuation under government licence and supervision pending their abolition. Whilst the Convention prohibiting fee paying agencies for seafarers has been in existence since 1920, the reality has been that the countries which ratified the Convention have not included the most important countries which provide seafarers for employment in ships flying the flags of other countries. In certain parts of the world fee paying agencies have actually been on the increase.

The meeting concluded that the Convention should remain in existence with one significant amendment. It was proposed that privately run employment agencies would be permitted, but only under a system of licensing and certification. And under no circumstances can seafarers themselves be charged a fee for employment placement. It is hoped that if the 1996 Maritime Session adopts the proposal, more countries will ratify the Convention. It was also proposed by

the meeting that the Convention be supplemented by a Recommendation which will set out the responsibilities of the competent licensing authority, as well as set out recommendations for greater international cooperation on harmonisation of seafarers' recruitment policies and manpower planning.

MINIMUM STANDARDS

The existing ILO Convention No. 147 on Minimum Standards for merchant shipping requires ratifying nations to exercise effective control over ships registered in their territory as regards safety standards (including competency, hours of work, and manning); social security measures prescribed by national laws; and shipboard conditions of employment prescribed by law. It also requires a ratifying nation to ensure that proper procedures exist for lodging and investigating complaints made by seafarers of its own nationality (both on board national flag ships and on board foreign ships), and also to ensure that any complaints made by foreign seafarers on foreign ships are reported to the country in which the ship is registered. On the basis of these provisions a ratifying state may inspect any foreign ship calling at its ports, regardless of whether the flag state has ratified the Convention.

The December meeting proposed that a "Protocol" should be added to the Convention, which would list six specific Maritime Conventions, reference to which could provide the basis for ship inspection and/or detention. This would effectively broaden the scope and powers of port state authorities. The existing Conventions proposed for inclusion in the Protocol are those on identity documents; accommodation; workers' representation; annual leave; health protection and medical care; and repatriation. Employers and government representatives at the meeting did not agree to include the existing Conventions on discrimination or on social security in the Protocol. This proposal of the labour representatives will be further debated at the 1996 Maritime Session. It was proposed that a state ratifying the Convention could choose whether or not to ratify the Protocol.

All of the above proposals will be the subject of further debate at the 1996 Maritime Session. It is of course possible that some governments or employers will have changed their minds by then. The ITF via its affiliates will therefore be monitoring the stance of governments and employers closely before then, as it may be necessary to engage in lobbying and campaigning in order to get the proposals finally accepted.

However there is one area where finality was reached with regard to an immediate change in the minimum standards of seafarers—on wages.

The ITF Seafarers' Bulletin is now available in English, French, Spanish, Russian and Tagalog (Filipino). The Bulletin (No. 9), published in English in December, now has a total worldwide circulation of almost 250,000. Further language versions in German, Swedish, Polish, Croatian, Greek, Japanese, Chinese and Korean will be available shortly. Affiliates requiring copies for their own use or distribution to seafarers should contact the ITF Communications Department. The publication is free of charge.

ITF campaign steering group targets second registers

The ITF Flag of convenience Campaign Steering Group which met in London from 18th to 20th of January has endorsed a plan to move towards the establishment of an "ITF blacklist" and has called upon ITF affiliates to take industrial action against second register ships whose pay rates are below ITF minimum standards for Flag of convenience vessels.

This new body — which was established by the recent ITF Congress review of the Flag of convenience campaign — is another symbol of the growing commitment within the ITF to strengthening and broadening the scope of the Flag of convenience campaign.

The 12 delegates attending the inaugural meeting of the Campaign Steering Group have asked the ITF Secretariat to draw up practical proposals for the creation of an ITF blacklist which will be presented to the forthcoming meeting of the ITF Fair Practices Committee (FPC) in June (the FPC is the joint committee of ITF seafarers' and dockers' unions which directs the ITF Flag of convenience campaign).

The blacklist proposal is a response to the continuing victimisation and harassment of seafarers by manning agents and certain shipowners. Following suitable procedures that will be designed to allow companies an opportunity to rectify their unacceptable behaviour, unrepentant companies will be placed on an ITF blacklist. ITF Inspectors and affiliates active in the cam-

paign will be asked to specifically target vessels connected with companies on the blacklist and charterers, owners and managers will be advised that companies on the blacklist are not normally accepted for coverage by ITF agreements.

Following the adoption of the ITF "Geneva policy" at last year's ITF Congress, ITF affiliates have decided that seafarers working on second register vessels must be paid in line with the ITF benchmark of US\$1,100 per month for an Able Seaman. The campaign steering group adopted a recommendation on the implementation of this policy which states that all second register vessels which do not meet the ITF benchmark should be open to action by ITF affiliates in the same way as Flag of convenience vessels without an ITF approved agreement with effect from 1 January 1995. Existing ITF policy treats any second register vessel not beneficially owned in the flag state as a Flag of convenience.

Part of the agreed strategy involves a restatement of the importance of dockworkers' unions in the campaign and the group re-affirmed the ITF's commitment to supporting strong and independent trade unions in the world's ports. The group also endorsed the ITF's strategy to increase and extend campaign activities throughout the world with an immediate emphasis on the North Sea ports of Holland, Belgium and Germany and in Japan.

Court ruling on German second register

The Federal Constitutional Court in Karlsruhe gave its ruling on 10 January 1995 on the complaint submitted by the German Public Service and Transport Workers' Union ÖTV that the law of 23 March 1989 establishing the second German register breached the German Constitution (the Basic Law) in a number of important respects.

In particular, it had argued that the conditions of foreign seafarers employed on ships entered in the second register conflicted with the principle of the right to equal pay for equal work.

However, the Court ruled that owners of GIS ships may continue to employ part of their foreign crews on local conditions as the lower wages helped create the conditions that would enable ships to be operated under the German flag.

The difference in the rates of pay of German and foreign seafarers on GIS ships did not imply

discriminatory treatment that would be contrary to the German Constitution, the court ruled, arguing that seafarers spend most of their income in their home countries where living costs were considerably lower.

The court conceded that the law setting up the GIS did infringe the rights of the German unions but ruled that this was acceptable given the special conditions of international merchant shipping.

However, the court did accept that a regulation stipulating that pay agreements negotiated by German unions are only applicable to members domiciled abroad by special agreement was unconstitutional.

This means in effect that all ÖTV members regardless of whether they live in Germany or abroad will now have the right to the benefits

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ITF gains influence within the IMO

The International Maritime Organization, with its headquarters in London, is part of the United Nations setup. Government representatives of maritime nations meet regularly in various specialist IMO committees, and annually at a general conference. The ITF has participant observer status within the IMO, and has increasingly exercised its influence on international maritime policies. Recently the ITF has participated in some major developments at the IMO.

FERRY SAFETY

The *Estonia* ro-ro passenger ferry disaster in which over 900 people died galvanised the IMO to look urgently into the safety of ro-ro passenger ferries. The IMO Maritime Safety Committee in December last year set up a panel of experts to undertake a thorough review of ferry safety, with a focus on both constructional and operational aspects. A Steering Committee, with the ITF as a member, was established to supervise the work of the panel of experts. Depending on the recommendations of the panel of experts and the Steering Committee, it has been agreed within the IMO that urgent procedures will be established to amend any existing mandatory maritime instruments that were found to be lacking.

The training of seafarers has been recognised by the Steering Committee as being a priority in ensuring ferry safety. Other terms of reference for investigation by the panel of experts include stability, water trapped on the ro-ro deck, crisis management, and so on.

In order to reinforce the work of the panel of experts, affiliates have been asked by the ITF Seafarers' Section to hold their own national and regional discussions on ferry safety and to provide input into their national administrations responsible for ferry safety.

SEAFARERS AND PORT SECURITY

The murder of seven Italian seafarers in the port of Algiers in June last year, combined with

increasing incidents of piracy worldwide, caused the ITF to raise the question of violence against ships' crews in the IMO Maritime Safety Committee. It was agreed in the Committee that piracy and armed robbery against ships and their crews (both in port and at sea) should be a regular agenda item, and that the Secretary-General of the IMO should explore ways in which the IMO can maintain pressure against violent acts. Such pressure could include bringing details of incidents to the attention of governments of countries where such acts have occurred.

Seafarer affiliates have been asked to report all acts of violence against seafarers. Such information will be communicated to the Secretary-General of the IMO in order to step up the pressure against violence.

TRAINING AND CERTIFICATION

The IMO Convention on Standards of Training, Certification and Watchkeeping (STCW) is one of the most important instruments of the IMO. However a number of national administrations and the shipowners would like to delete some important elements of the Convention. They have been trying to delete the requirement that a marine engineer should have at least three years approved education and training, and that he should also have at least six months seagoing service in the engine department before qualifying. The ITF has vigorously opposed any change in the requirements on the grounds that safety of life at sea would be compromised. In recent years there have been a growing number of maritime casualties caused by mechanical failures and/or engine fires, and the ITF has argued that a reduction in the training and certification requirements for engineering officers will only further exacerbate this growing trend.

ITF seafarer affiliates have been asked by the Seafarers' Section to lobby their national administration to ensure that the IMO does not reduce the requirements for training of engineers.

...German second register scrutinised in courts

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laid down in ÖTV agreements.

The ÖTV has criticised the judgement pointing out that it deprives German seafarers of any real professional future.

In a press release, ITF President Eike Eulen said that the court had largely accepted the arguments of the government and the German shipowners' association that the second register law had been framed so as to halt the decline of the

German merchant fleet. But this had simply not happened, Eulen said, the number of ships under the German flag had continued to fall. In 1990, there were 1,064 ships under the German flag, and only 821 today.

Instead what was needed, Eulen added, were positive measures to stop flagging out.

The ÖTV is currently considering the implications of the constitutional court's judgement which will be discussed at the next meeting of its Executive Board.

Rotten food and poor pay

The case of the Japanese controlled, Filipino flag *Prince*, which was dealt with by both ITF German inspector Ali Memon and ITF Dutch inspector Gert-jan Harmsen at the beginning of this year has focused attention on the dubious activities of Filipino "trade union lawyer" Romeo Occeña. The Filipino bareboat chartered vessel (because of its foreign control considered by the ITF as a Flag of convenience) is controlled by the Nissan car company. The vessel called first in Germany and then in Amsterdam, the Netherlands. The crew had a listing of complaints starting with the fact that wages were very low (an A.B.'s basic was only US\$335), conditions were poor, food supplies were inadequate and rotten. When the vessel called in Germany, ITF inspector Ali Memon demanded that an ITF standard agreement for the unorganised crew be signed. Memon then received, on the 7th of January, a fax from Romeo Occeña on headed paper which had the telephone number and address of the Philippine Seafarers' Union (PSU). The letter stated that "we wish to inform you that the MV *Prince* which you threatened, intimidated and attempted to place under boycott or jurisdiction while at Bremen and further threatening the crew and vessel manned by Filipino crew are all covered by a collective bargaining agreement and the crew have no complaints". The letter went on to state that for the sake of "international brotherhood and solidarity we request you to honour the law and rates of our members and desist from disturbing, intervening them in the lawful exercise of their rights and do not force them to sign membership with your union". Memon was surprised by this fax and its use of the plural we which appeared to be from the Philippine Seafarers' Union. Occeña used to work for the PSU, but now that the union is a member of the ITF he has left. Memon wrote back to Occeña stating that the letter was wrong — for example, the crew obviously did have complaints and none of them seemed to be aware of the fact that they were members of any union. "For your information the crew members on the vessel confirmed that they are not members of any Philippine union," said Memon. Memon then received a letter from Ricardo Patalinjug, the Vice-President of the PSU, completely disassociating the ITF-affiliated union from Occeña's statement. The letter states that Occeña split his relations from the PSU in July last year and the union is not privy to his activities but believes that he is acting as counsel for some manning agents in Manila. He would appear to have taken some PSU stationery with him when he left his job. "He is no longer connected with us. But we do care about his unauthorised use of our phone and fax num-



The food store on the *Prince*.

bers," said Patalinjug. An ITF standard agreement for the vessel was signed in Amsterdam and the crew have been paid an outstanding sum of US\$2,019.34 in a backpay settlement. A new cook has been engaged and the kitchen has been substantially cleaned up.

Thank you from crew

The Filipino crew of the Liberian flag *Flying Star* whose vessel signed an ITF standard agreement in Bremen following the intervention of the ITF German office also received a substantial backpay settlement. In their letter of thanks the crew state "we want to thank you for helping us to be paid the right settlement on board. We do appreciate very much the effort and time you spent for us. It is really very nice to have such an international organisation. May God bless you

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...US\$750,000 for *Kronos* relatives

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all, wishing you all luck and more power to the ITF. Respectfully yours, the crew of the *Flying Star*."

Polish *Kronos* settlement

The family of 19 Polish seafarers who died at sea when the Bahamian flag bulk carrier MV *Kronos* was lost in the Bay of Biscay on February 27, 1989 have finally received US\$750,000 in compensation. ITF-affiliated National Maritime Section "Solidarnosc" were contacted for assistance in 1990 by two of the widows after they had received very little compensation after the tragedy. Although the ITF received power of attorney from four of the widows, settlement of compensation was extremely difficult as the owners had disappeared. The union's executive board decided to support all the widows' and children's claims and after long and difficult work by lawyers in Szczecin, and London, the claim was successfully settled.

The crew on board the Romanian flag MV *Leresti* have been guaranteed two months back pay by shipowner *Oscar Maritime Limited* after intervention by the ITF-affiliated Federation of Korean Seafarers' Unions (FKSU). On December 8, 1994, ITF Inspector Gim Sang Gi visited the

vessel in the port of Incheon after receiving a complaint that the crew had not been paid for two months. After discussions with the Master and crew, the Master demanded that the crew be paid before they set sail. It was later agreed that the shipowner would pay all outstanding wages in the next port of Singapore.

Stranded in Banjul

Nine Nigerian seafarers have been left stranded in the Gambian port of Banjul for nine months with little food and hardly any drinking water. The crew who were contracted by Leonil Alfa Marine Services Limited to work on its vessel M.T.L. *Leona III*, were being paid far less than they had been promised — US\$225.00 instead of US\$856.00. The crew complained on several occasions but were told by fax message that they should continue working and if they did not like the salary they should leave the vessel and pay the cost of their repatriation. They later contacted the ITF, and Saul Njie of the ITF-affiliated Dockworkers' Union has calculated back pay for the crew totalling US\$43,367.48. The crew are now living in appalling conditions without any light on board the vessel.

The Filipino crew of the MV *Fortune* received the largest backpay award in Australian history (US\$525,313) in an action last year.

Canadian union exposes minister as Foc owner

Members of the ITF-affiliated Canadian International Longshoremen's and Warehousemen's Union (ILWU) Marine Local 400 located in Vancouver, British Columbia have gone as far as publicly airing the dirty laundry of the Canadian Finance Minister in their efforts to protest Flag of convenience shipping.

On February 3 they organised a protest rally at the Vancouver Ship Yards, to show their discontent with a forthcoming budget proposed by the government, and to register objection to the fact that the Canadian finance minister directly supports Flag of Convenience shipping.

According to the ITF Inspector in Vancouver, Peter Lahay, 150 people participated in the rally, where prominent provincial labour figures turned out in support, to speak (including Tommy McGrath, first ITF inspector in Vancouver), and it was well covered by the local press. "We made the front page of the number one paper in Vancouver," Lahay boasted of the union's efforts.

In a press release announcing the demonstration, union officials claimed that: "Paul Martin Jr., Minister of Finance, evades paying taxes to the Canadian government on profits made by Canada Steamship Lines (CSL) and its offshore

subsidiary companies."

Martin is the beneficial owner of CSL, but while in office, he cannot officially preside over his business, the running of which he has for the time being turned over to a blind trust.

Union officials continue to expose the hypocritical attitude of the Minister, by stating that he "has registered some of his vessels in the Bahamas, using cheap labour and substandard conditions to evade paying taxes to the Canadian government".

The protest was arranged around the visit to the port of Vancouver of a CSL vessel, which was built with a nine per cent government subsidy, but which was crewed entirely by non-Canadians, excepting the Master, which prompted the union to emphasise that: "Canadian mariners should be crewing this vessel to Canadian standards."

In addition to protesting the counter productive practices of the Canadian Finance Minister, the protesters also rallied against a forthcoming budget, scheduled to go into effect at the beginning of March, a budget which would cut substantial social programmes, as well as increasing taxes.

Partial resolution of Zim conflict

A dispute between Zim Navigation and the Israeli Sea Officers' Union (ISOU), which dates from 1993, went some way towards being resolved in February.

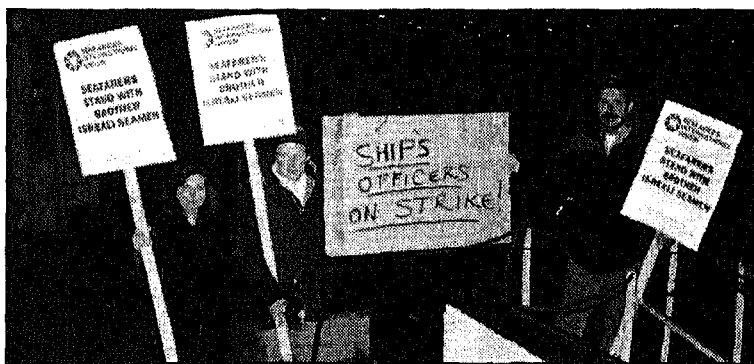
Following strikes over recent months by members of the ITF-affiliated Israeli Sea Officers' Union (ISOU), terms for the 1993/4 collective bargaining agreement were concluded at the beginning of the month. The 1995 settlement is still outstanding.

Talks are to be held over the next two months in an attempt to establish a dialogue on pay, conditions and the continued employment of Israelis. Zim has been threatening for some time to flag out and employ foreign crews.

SOLIDARITY WITH THE ISOU

ISOU industrial action was supported by ITF affiliates in many cases, including in US and Japanese ports.

Strikers on board the *Zim Canada* were supported by members of the ITF-affiliated All-Japan Seamen's Union (JSU) in Yokohama on



November 17th 1994; the ten-hour strike caused a delay of almost two days.

Prior to the action in Yokohama, union members on board the *Zim Miami* had been supported by the ITF-affiliated Seafarers' International Union (SIU) when they struck for 12 hours in Baltimore, US, in October.

Strikers on board the *Zim Keelung* were also supported by the SIU in Port Elisabeth, New Jersey, on November 19th and 20th.

ITF trust endows seafarers' health and safety research centre

The ITF Seafarers' Trust received the blessing on January 10 from an international conference attended by 55 participants representing welfare organisations, shipowners, national research institutions, and ITF affiliates, to establish an international maritime safety and occupational health research centre. UK£1.5 million has been allocated by the Trust for the project.

The Conference, which was opened by William O'Neil the International Maritime Organization (IMO) Secretary-General, was the result of a collaboration between the ITF and the Department of Maritime Studies and International Transport in the University of Wales and was held at the University of Wales. Speakers included representatives from the International Labour Organisation (ILO), the International Maritime Organization (IMO), the World Health Organization (WHO), the International Christian Maritime Association (ICMA) and the International Shipping Federation (ISF).

The Conference was convened to determine whether there was a need for an international research centre and to provide an opportunity for participants to offer advice on what its role and function should be. Overwhelming support for the venture was expressed by those who participated and some guidance was offered on areas of potential research.

The Conference also endorsed the institute's mandate which will include the right to:

- conduct, manage and commission research in the fields of maritime safety and occupational health with particular reference to their impact upon the interests of seafarers employed in the international maritime community;
- collect systematically statistical and other information on matters related to maritime safety and the occupational health of seafarers; and
- disseminate research findings and other information through reports, monographs and other public media.

Determined that the centre should not only be independent but should be clearly recognised as such, the ITF envisages that advice on the nature of the research work undertaken by the centre will be provided by an advisory committee whose membership will be drawn from the broad spectrum of the international maritime industry. The IMO, WHO and the ILO have all been invited to participate together with ICMA and the ISF.

David Cockroft, ITF General Secretary, said:

"Our objective is the establishment of a centre of excellence for the ultimate benefit of all those who collectively make up the international maritime community and all those who have an interest in protecting and promoting the safety and health of all seafarers. We look forward to collaborating further with the University of Wales on this exciting project."

ITF makes formal complaint concerning oppression of Chinese seafarers

The ITF has complained to the International Labour Organisation (ILO) Committee on Freedom of Association concerning the oppression of Chinese seafarers serving on foreign flag ships by the Government of the People's Republic of China (PRC).

"We have long witnessed the abuse and intimidation of these seafarers as a direct result of their having accepted assistance from the ITF and its affiliates to improve their wages and working conditions — it is a situation the ITF is not prepared to tolerate," said ITF General Secretary David Cockroft.

Accurate data on the available number of Chinese seafarers is difficult to come by although a recent article in a Chinese newspaper indicated that up to 250,000 were available for

hire by foreign shipowners. The ITF estimates that there are currently about 20,000 Chinese seafarers working on foreign flag ships.

The ITF has provided the ILO with a number of case histories that clearly demonstrate that the allegations are well founded. The report details three separate cases that the ITF has been involved with which demonstrate that the Chinese government is engaged in a conscious effort to deny the basic human and trade union rights of its citizens who work on foreign flag ships.

The ITF has formally requested the ILO Committee on Freedom of Association to take steps to secure the observance by the Chinese government of the basic right of freedom of association as guaranteed by the ILO Constitution.

Norwegian officers' unions merge

An important new chapter in Norwegian maritime union history has begun with the formal launch on first January this year of the Maritime Officers' Association.

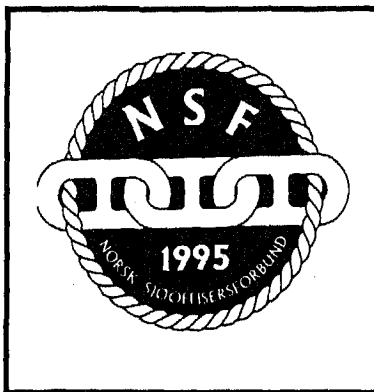
Formed out of a merger of the two unions organising ships' masters and navigating officers, the new union has already drawn up an action programme focusing on conditions of employment of Norwegian ships' officers and maritime safety standards, decided at a busy inaugural meeting in Oslo on ninth December.

The leadership team is headed as President by Asbjørn Furnes, (previously President of the Mates' Association). Vice President is Odd Nergård Skaug, a North Sea

oil platform chief, who was formerly a member of the Masters' Union executive. General Secretary is Arne H Hansen, who has held the corresponding post at the mates' association since 1985 and Assistant General Secretary is Tore Gjestrum (formerly masters' union General Secretary).

With the coming together of these two long-established organisations (the masters' union was founded in 1889 and the mates' association in 1910), Norwegian seafarers are now grouped in three

unions: for ratings, ships' engineers and maritime officers.



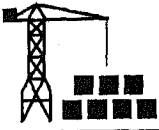
Leaked report on *Derbyshire*

A leaked memorandum from the UK Marine Accident Investigation Branch (MAIB) to the Department of Transport seems to indicate that technical experts have accepted the ITF's recommendations for a further expedition to complete the survey undertaken by the ITF in May 1994 into the mysterious sinking of the British flag MV *Derbyshire* in the Philippine Sea. The memo also implies that the re-opening of the Formal Investigation into the circumstance of the vessel's loss held 1987 has also been accepted. Campaigners now eagerly await the Secretary of State's recommendations.

Those affiliates that have been following the

ITF's campaign to highlight the appalling safety record of the bulk carrier industry will be concerned to know that 1994 proved to be one of the worst on record — 147 seafarers lost their lives in 19 bulk carrier sinkings. Over 50% of these losses were due to structural failure.

The industry is predicting even greater losses in years to come as the majority of those bulk carriers now trading were built using high tensile steel. This allowed reduced plate thickness without loss of strength but as the ships approach the end of their working lives corrosion reduces plate thickness even further leaving the ships susceptible to structural failure.



DOCKERS

Union busting activities by Indian port operator

An aggressive attack on workers plus a lock out of 400 port workers employed by *Natvar Parikh Industries Ltd.* in India's Jawaharal Nehru Port (JNP), near Bombay, moved dockers in both JNP and Bombay ports to threaten a boycott of all container operations at the end of last year.

Natvar Parikh Industries Ltd. employees, members of the ITF-affiliated Transport and Dock Workers' Union, were participating in a trade union rally in December, following the successful conclusion of negotiations for the company's bulk cargo handling workers.

The company — which has a reputation for being anti-labour — disrupted the rally, employ-

ing hired hands to attack photographers. Exit gates at the rally ground were closed and workers were assaulted with torches.

Union leaders managed to retain control of the situation to prevent violence spreading, although "the police were conspicuous by their absence".

Although the union received an apology from the company a few days later together with an assurance that such incidents would not occur again, Natvar Parikh Industries' action in subsequently locking out 400 newly-organised workers, not from the bulk cargo sector, belied its true attitude to the union.

ITF and Norwegians fight non-union port plans in Sola

Norwegian transport workers launched an all-out defence of union jobs after employers in the port of Sola on Norway's western coast refused to enter into a collective agreement with the ITF-affiliated Norsk Transportarbeiderforbund (NTF).

Instead, port companies Sola Havn A/S and Stavanger Havnelager A/S have contracted out the work. Sola Havn A/S announced to the press that it would award the dock work tender to the cheapest bidder.

The NTF termed this "social dumping and union-busting".

Sola Port is a newly-constructed port, which opens for traffic at the beginning of February 1995.

Although the port has been built with public funds, its operations have been handed over to an operating company *Sola Havn A/S Stavanger Havnelager A/S*.

This company is already party to a collective agreement with dockers in Stavanger port.

Dockers' Section Secretary Kees Marges wrote to the two port companies to protest at their refusal to enter into negotiations; seafarers' and dockers' affiliates were also asked to forward letters condemning the companies' actions.

As we go to press, the Norwegians were awaiting a decision on the legality of taking boycott action.

They asked the ITF to convey their "very heartfelt thanks so far to all affiliated unions that sent statements of support".

Indian national wages agreement : a significant union advance

A new national wage agreement for Indian port and dock workers, signifying an overall 20 per cent wage increase, was finally signed in Bombay on December sixth.

The agreement, between major port authorities and five port workers' federations, follows a Memorandum of Understanding in July; the final settlement could not be concluded at that time due to governmental refusal to liberalise pension benefits, allowing an independent scheme for the workers.

The increase is effective from January 1993 and ends a two-year wage struggle by the All-India Ports and Dock Workers' Federation.

It affects 100,000 workers and was reached without strike action.

Polish dockers visit Danish ports

A group of Polish dockers who carried out their first ITF boycott last year, visited Denmark at the beginning of November 1994.

The dockers, who were from the ITF-affiliated Solidarity union, were invited by ITF Inspectors John Jacobsen and Kjaarten Gudmundsson after they met each other during the boycott of the Cyprus-registered *Iolcos Glory* in the port of Gdynia in September (see ITF News #6, September/October 1994)

The Polish delegation included five shop stewards and three union officials; Jacek Cegielski, Vice President of the Solidarity Maritime Section, Kazimierz Waldowski, Vice President of the Solidarity Dockers' Section, and union treasurer Bozena Wrzesinska.

"One of the reasons that we invited them to Denmark was to show them the Danish ports of Copenhagen, Fredericia (the port where the *Iolcos Glory* escaped from) Århus and Ålborg and to meet the Dockers in each port" said Jacobsen.

Over the four-day stay, from October 31st to November third, the Danes paid special attention to showing their visitors the dockers' union offices in each port and explaining how the union, the Specialarbejderforbundet i Danmark (SiD), worked.

Jacobsen also gave detailed explanations of the legal basis for Danish boycotts.

"We feel that the visit to Denmark was very important for the Solidarity Dockers' section members who participated because they had the opportunity to see the Danish union system in each port and to meet the Dockers themselves and to see the equipment used in the various ports for loading and discharging," Jacobsen explained.

"Likewise the response from the Danish SiD union officials and docks was enormous; they felt they had created a bridge to Poland and they are planning to send representatives from each port to Poland for a visit" he added.

Caribbean dockers meet and evaluate ITF education scheme

An Evaluation Seminar concluding the ITF's Caribbean Dock Workers' Education Programme was held in Trinidad on 9th-13th January and was attended by 23 port trade unionists from the region.

The seminar was chaired by the Trinidad and

Tobago Seamen and Waterfront Workers' Trade Union's President, Francis Mungroo.

The programme, whose purpose was to help Caribbean officials and shop stewards to defend the jobs and working conditions of their port worker members in the face of the rapid changes in the port industry, had been supported by the Norwegian trade union centre, LO.

"The programme has contributed to a much closer relationship between the Caribbean port workers' unions..." said ITF Dockers' Section Secretary, Kees Marges.

"The knowledge of each other's problems and ways how to overcome many of those problems has helped unions to solve many of the problems in their own countries."

The project had made unions aware of the influence of the regional employers' body, the Caribbean Shipping Association, and of developments in the different countries. Unions were keen to foster international links in the Caribbean area and internationally, Marges reported.

Aware of the importance of information exchange, participants resolved to look at structuring information systems across the islands.

Specialised training for organisers and educators, and a series of seminars on specific topics were proposed as further education priorities.

Maltese port paralysed by GWU strike

Members of the ITF-affiliated General Workers' Union of Malta took strike action in January in a dispute over union recognition at the island's Freeport.

Work stopped in the Freeport over several two-hours periods during the day and night shifts on January 10th and 11th to pressure the company to recognise the union as the representative of workers in the port's engineering department.



TOURISM SERVICES

HERE victorious after bitter strike

The members of the ITF-affiliated Hotel Employees' & Restaurant Employees' Union (HERE), Local 2, in San Francisco, California were, in mid-December, able to disband their picket line outside the Mark Hopkins Inter-Continental Hotel (see ITF News #7, November 1994) and go back to work, ending the longest and most bitter hotel strike in San Francisco in 50 years.

Dedicated to their struggle to protect and improve the quality of life for hotel workers throughout the city, HERE members and their supporters maintained a round-the-clock picket line, whose picketers endured rain, wind and cold for two and one half months. This daunting picket line was a key element of a highly successful boycott begun by the union on October 6, the day contract talks failed, and workers walked off their jobs. The effect of the boycott is witnessed by the fact that several large groups, such as Hewlett Packard, IBM, AT&T and the National Association for the Advancement of Colored People (NAACP, an important US civil rights organisation) cancelled scheduled events at the Mark Hopkins Hotel when they were informed of the ongoing strike.

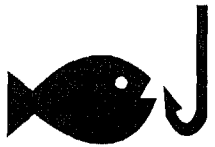
After an extended period of stalled negotiations, the mayor of San Francisco intervened, together with a panel of mediators, whose help

brought the union and hotel management together on a contract deal, which in several aspects, is superior even to the already "sterling" contract concluded between the union and 16 other "Class A" hotels in the city.

The new contract contains a successorship clause, which guarantees that workers keep their jobs in the event that the hotel is sold. This makes the Mark Hopkins only the second hotel in the city to maintain such a contract provision; the first being Parc 55 (also earlier involved in a drawn-out conflict with the union).

The strike is estimated to have cost the hotel more than US\$ one million in lost revenues, attributed mostly to the boycott. HERE Local 2 President, Mike Casey, reported that the month of October was a record month for hotel business all over the city, and the Mark Hopkins suffered tremendously because of the boycott:

"We are very pleased and proud. It was a difficult struggle to win a just and fair contract," Casey said. "We went out to uphold dignity and job security and we came back with an agreement that maintains the city-wide standard and provides us with real job security. This tremendous settlement can only be attributed to the courage, solidarity and tenacity of the strikers."



FISHERIES

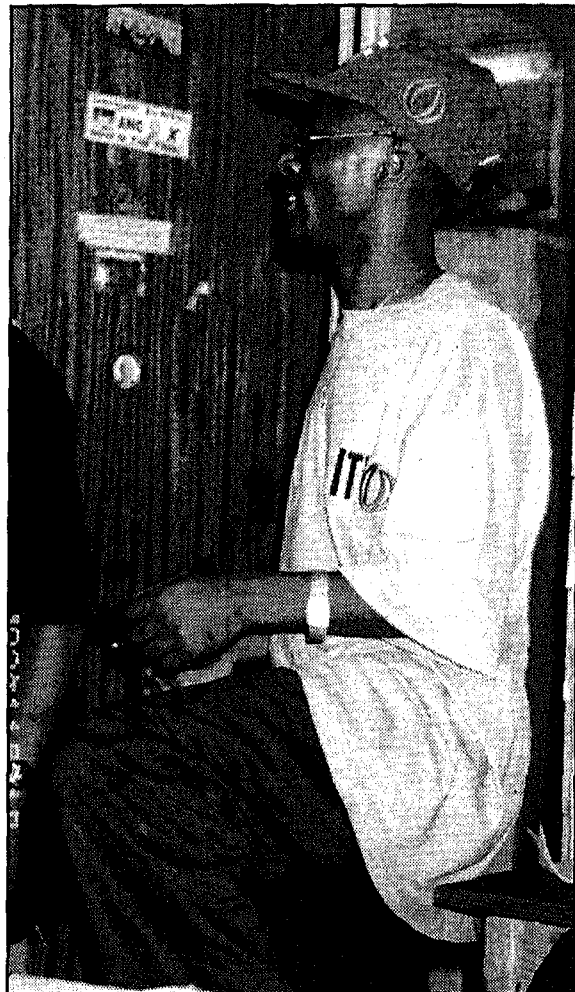
ITF to carry out industry crisis survey

The fishing industry is in crisis in many parts of the world. In many countries it is characterised by over fishing, conflicts about country fishing rights, quota conflicts, pollution, and price fluctuations. High crew casualty rates exist worldwide. For example off the coast of Alaska alone in 1993 forty five fishing boats and their crews were lost.

In an attempt to develop a strategy to redress

some of these problems, the Fishermen's Section of the ITF will soon be surveying all its Fishing affiliates to determine the exact nature of the crisis country by country. The results of the survey will be published in a special "Fisheries Bulletin", and used by the ITF Fishermen's Section as the basis of discussion amongst affiliates in developing international and national responses to the crisis.

ITF T-Shirts and baseball caps now available



The ITF is pleased to announce the availability of two different T-shirts and (red) baseball cap (as illustrated). The garments, produced in India by union labour, are available to affiliates at a price of UK£5 (or equivalent) per T-shirt and UK£2.50 per cap. One size (extra large) only is available. To order the items, affiliates should write to the ITF enclosing a cheque or postal order for the equivalent currency, indicating their selection of grey or black T-shirts and baseball caps. Please note that the availability of these items is limited and since this is the first time that the ITF has produced such items, we really have no idea of how quickly they may run out. Furthermore the ITF will mail the requested items by ordinary airmail, but can make no promises as to whether or not local value added tax or customs dues will be charged.

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