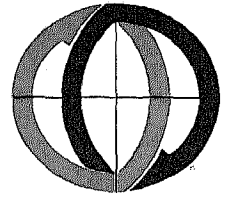




# NEWS



Nyheter • Noticias • 情報  
Nachrichten • Informations

#2/March 1995

## New ITF Indian office opened



sub-  
standard  
SHIPS

"Never in my thirty years as a seafarer did I see ships in such an awful state"

ITF sub-standard shipping exhibition at IMO HQ (page 9)



ITF Posters (page 12)

The ITF's new sub-office in New Delhi was formally opened on February third. Two hundred guests attended the opening ceremony, including representatives of the ITF's Indian affiliates. Other ITs who have regional representatives in India were also present at the gathering. ITF General Secretary David Cockroft and Asia/Pacific Regional Secretary Shigi Wada attended from the Secretariat.

The new office will act as the permanent base for Mahendra Sharma, who is the ITF's Education and Field Activities Coordinator for the Asia/Pacific Region.

The address of the new office is:

12D College Lane  
New Delhi 110001  
Telephone: +91 11 335 4408  
Fax: +91 11 335 4407

# ITF Asia/Pacific unions discuss future structures

The annual ITF Asia/Pacific Regional Committee meeting was held on 9 and 10 February in Bombay, India. More than 70 delegates and advisers from 18 countries in the region attended the meeting which was hosted by the Indian affiliates and the ITF Delhi Office.

In preparing the meeting, regional secretary Shigi Wada had designated some countries to present information about their current situation. Amongst them was the latest report from the Burmese delegate regarding the plight of its seafarers. The delegates were pleased to learn that after the ILO condemnation of the Rangoon military junta last November, there has been a major reduction in the harassment of Burmese seafarers by the government (see separate story).

Another positive development was reported by the Japanese National Railway Workers' Union KOKURO; on 24 December, an out of court settlement was reached in the damage suit filed against their 8 day "strike for the right to strike" of 1975 (see ITF News #1, January/February 1995).

On the other hand, the PALEA aviation dispute in the Philippines still awaits a final court decision on the legality of their strike actions in order to reinstate the sacked union officers. Arrests and imprisonment of activists in Malaysia and Indonesia were also reported.

An unprecedented issue of debate was the

ITF's relations with Chinese workers and their representatives. Delegates spoke both for and against establishing contacts and relations with the PRC but no firm conclusion was adopted.

Regarding the relocation of the Asia/Pacific regional office, the meeting heard from General Secretary David Cockroft some terms which had been agreed by the Ad Hoc Review Committee meeting held in conjunction with the APRC. Further consultation with the relevant affiliates and countries is needed before the Executive Board makes any final decision. Upgrading and expansion of the recently opened Delhi Office was also proposed.

The APRC adopted resolutions on the regional office and Burma. The latter welcomed the positive progress made as a result of the recent ILO decision and pledged to continue its fight for the restoration of democratic and trade union rights in Burma. Resolutions on PALEA and Vanuatu adopted at the ITF Asia/Pacific Civil Aviation Regional Committee meeting in Fiji in January were also endorsed as well as the conclusions adopted at the Asia/Pacific Women's Seminar held in Bangkok in June 1994.

At the close of the meeting, S. Nakanishi (All-Japan Seamen's Union) was unanimously re-elected as Chairman and M. Fleming (Australian Maritime Officers' Union) was re-elected as Vice Chairman.

## Freed Togo leader Dackey thanks ITF for solidarity

In a letter addressed to ITF General Secretary David Cockroft, Komi Dackey, General Secretary of the Togolese ITF-affiliated union Syndicat des Travailleurs de l'Aviation Civile, de la Météorologie et de l'ASCENA et de la SALT — (STAMAS), who was released in December 1994 (see ITF News #1, January/February 1995), expressed his thanks by saying: "words are failing me to tell you how much I was and still am,

comforted by your determination to fight against the violation of human and trade union rights. Through you, I would like to say how grateful I am to all my friends (known and unknown) for their fight in support of the freedom of mankind and for their extraordinary mobilisation. Their action helped me to keep my spirits up whilst I was behind bars in Lomé and Kara."

# Growing group of US ITF affiliates demonstrate renewed strength

The United States affiliates of the ITF held their annual meeting, on 16 February, in Bal Harbour, Florida (in conjunction with the winter meeting of the US trade union confederation, the AFL-CIO).

Jack Otero, former ITF Executive Board member, and current US Department of Labor Undersecretary for International Affairs, greeted the group, speaking of the need to stop the conservative wild fire which is currently destroying all protective structures in the US, and urging continued support for the current administration, noting that the alternative could be much worse.

Then ITF General Secretary David Cockroft addressed the union leaders, noting that the size of the group has grown every year, as has the mutual understanding and level of co-operation between the ITF and its US affiliates, which are, more than ever before, participating more actively through the ITF, in the effort to promote international trade union solidarity.

He delivered a post congress report, mentioning the ongoing work of developing a future strategy for the ITF, as put forward in "Transport Workers Beyond 2000". And he mentioned the upcoming centenary of the ITF, hopefully to be marked by an extraordinary, centennial congress in London, next year, where the focus will be looking to the future, through the past, with a view of renewing and improving the ITF, based on the strength of sectional, and also the further development of inter-sectional work.

In mentioning the forthcoming Executive Board meeting in March, the relevant topic of

the developing ITF regional structure brought to light the meeting of the Latin American regional committee, which was established at an ITF Regional Conference last year in Costa Rica. The committee, which is the first of its kind, will have the task of fixing the shape of the ITF Latin American regional structure. Cockroft stressed the importance of a strong ITF presence in Latin America and the importance of its structure and work for US affiliates, in light of the North American Free Trade Agreement, and other quickly developing free trade agreements in the area.

"It is important to recognise the common destiny of US and Latin American trade unions," he said.

The aim is to work towards an inter-American regional structure, but whatever the final structure will be, it is vital that the ITF be present in the region before any more regional free-trade agreements are concluded, or expanded, because it is easier to have a positive influence on such trade pacts before, rather than trying to fix them, or fight their adverse effects, once they are in place.

Following the general session of the North American affiliates caucus, there was a special meeting of the maritime affiliates, to discuss the ITF Flag of Convenience Campaign in the United States. According to General Secretary David Cockroft, in line with the more aggressive policy being adopted by the Secretariat in regard to the campaign, there is now a need to re-evaluate the inspectorate worldwide, and major changes will be in order.

## US unions set common legislative agenda for labour

Members of the Transportation Trade Department (TTD) of the US trade union confederation, the AFL-CIO, meeting in mid-February in Bal Harbour, Florida, set up a legislative agenda which stresses trying to save current legislation from destructive conservative hands, and specific measures include winning adequate federal funding for transport programmes as well as preserving labour standards.

Members passed a resolution calling for the retention of the Interstate Commerce Commission, a government agency which deals with a number of transport regulatory issues. Should the agency nonetheless be axed, the Department urged that its labour oversight and enforcement duties be sent to the Department of Labor, as opposed to the Department of Transportation.

The TTD also lent strong support for the

struggling US passenger rail service, Amtrak, urging lawmakers not to cut its funding: "To single out this essential mode of transportation and imply that it should somehow survive without public support defies logical and ignores economic reality.

"It would destroy an essential link of the nation's transportation system, eliminate 25,000 good jobs and turn back the clock to the 1960's when passenger rail in this country was on the brink of permanent extinction."

The unions voted to "aggressively educate key lawmakers and policy-makers" about the critically important role that maintaining a healthy passenger rail service plays in the nation's transportation system.

Additionally, the TTD will work to deter the

Continued on page 4

# Privatisation wild fire raging in the Americas

## Private port near Canal

The International Finance Corporation, a World Bank agency will mobilise funds for the construction and operation of the first major private sector container and roll-on, roll-off transshipment port in the Caribbean. The port, which will have an annual capacity of about 600,000 20-foot equivalent container units, will be located on the Manzanillo Bay, near the Atlantic Coast entrance to the Panama Canal.

## Canadian prime minister promotes free trade

Canadian prime minister Jean Chrétien completed an 11-day tour in Latin America and the Caribbean, in a bid to establish Canada as broker of the new Americas trade agreement designed to link the northern and southern hemispheres by the year 2005. Chrétien, and the 170 business executives who accompanied him on the tour, expected some US\$300 million worth of business deals to be signed during the tour. Chrétien is the first leader to act upon last December's Summit of the Americas, travelling and establishing talks, to not only bring Chile into the NAFTA, but to sort out how the five different regional trade pacts in South America will fit into an all-Americas pact. Brazil would like to see its Mercosur trade pact with Argentina, Uruguay and Paraguay as the foundation for a South American free-trade group, which would later join NAFTA.

Although Chile is the priority next inclusion in the NAFTA, Canada is supporting Trinidad and Tobago's bid to join the pact, declaring that the Caribbean nation has a good chance of being accepted. Canada is not, however, willing to support NAFTA membership for Central American nations, who have asked Chrétien for special support in lobbying especially the US that their countries need special assistance in order to make the transition into a projected Americas hemispheric free-trade zone by the year 2005.

## ...US transport unions meeting

Continued from page 3

US Congress from corporatising or privatising the structure of the Federal Aviation Administration, and the Air Traffic Control System; diligently fight Capital Hill conservatives in their attempts to undo vital labour protection; seek the implementation of a new maritime operating subsidy plan, in a effort to keep US ships on the national register; and even urge lawmakers to continue with strong transit investments.

## Privatisation spreading

The Brazilian legislature recently adopted measures paving the way for increased privatisation of previously state-run transport enterprises, giving the government of president Fernando Henrique Cardoso the means of attracting critical private investments for the country's deteriorated infrastructure. Port services will be opened through competitive bids to private concessions.

A private consortium consisting of the New York based Anacostia & Pacific Co. (A&P) and its Chilean partner, Cruz Blanca, have acquired the controlling interest in the Fepasa railway. This is the second major overseas venture for A&P, which runs eight regional and short-line railroads in the US, and which in 1992 gathered a consortium that acquired Nuevo Central Argentina, a 3,000 mile Argentine rail line.

The Chilean government is seeking investment for its infrastructure, but maintains that it will treat privatisation on a case-by-case basis: "In many cases, we can't sell the facilities, but we can privatise the operations," said Chile's undersecretary of transportation. He also stated his next concern to be the privatisation of Chile's passenger rail system, and attracting private investment for several Chilean ports. And although the undersecretary said he'd like to see the airports privatised, the government does not currently have any such plans.

Colombia, on the other hand, will be relinquishing into private hands the control of operations for four of its major airports.

## Mexican president changes plans for railway

Right up until he took office on 1 December 1994, the newly-elected Mexican president, Ernesto Zedillo Ponce de Leon denied that Ferrocarriles Nacionales de México (FNM) would be privatised, but was quick to change his mind following the collapse of his nation's currency that followed an unexpected devaluation of the peso on 20 December. Seemingly desperate for foreign capital, and looking to boost the country's export capabilities, the Legislature, in February, amended the constitution, removing the railroad from industries reserved for state control. The government has yet to put forward details concerning the extent of the privatisation plans, but hopes are that the railroad will not be sold off piecemeal. Areas currently under study include: different route structures, tracks, track maintenance and new construction, as well as if there will be concessions of existing high density lanes, or openings to private Mexican railroads operating on FNM track.



# INLAND TRANSPORT

## Dutch coach drivers suspend strike

The strike of inter-city coach drivers organised in the Dutch Transport Workers' Union (Vervoersbond FNV) was finally called off on 15 February (see ITF News #1, January/February 1995).

The FNV had suspended the strike on the weekend of 28/29 January to allow negotiations to be held with the state-owned enterprise Streekvervoer Nederland — the company to which the various regional public owned companies belong — but after fifteen hours of talks it became clear that the employers had nothing to put on the table beyond their original offer.

Industrial action was resumed and several attempts at mediation were made before a settlement was reached.

On 14 February the FNV agreed to a proposal

from the mediators that the January 18 agreement with the Vervoersbond CNV — the other union originally promoting the strike — should be respected, but with a number of changes to the employers' original proposals. These had been aimed at making public transport more "flexible" and bringing down operating costs in the runup to privatisation.

Under the new agreement there will be no increase in maximum daily working hours (the employers wanted to raise the present limit of 8 1/2 hours to 9 hours) or cuts in drivers' rest breaks. Child care arrangements, which the employers had been seeking to abolish, also remain unchanged. However, the rest period between periods of duty on successive days has been reduced to 11 hours.

## ITF Serbian sanctions plan adopted

The ITF's position on inland navigation craft on the Danube crossing Serbia was upheld by a United Nations Economic Commission for Europe (UN ECE) Inland Transport Committee meeting held in Geneva in January 1995.

The ITF's Assistant General Secretary Graham Brothers proposed changes to the UN Sanctions regime against Serbia and Montenegro to allow genuine freight and passenger transit traffic along the Danube without damaging the sanctions themselves.

### UN SENTINELS PROPOSED

Brothers proposed that UN monitors should accompany each vessel to check cargoes and papers during the voyage.

At present, vessels are required to obtain UN clearance before a voyage commences and delays can be considerable.

The ITF proposal was supported by all speakers and the Committee endorsed the ITF proposal and asked the Economic Commission for Europe to discuss the question again with a view to mitigating the problem.

### VISAS TOO SLOW, WORKERS SAY

The ITF's other main proposal, submitted jointly with the employers' body, the IRU, was a motion on improving visa-issuing to international drivers.

Goods and passenger road transport drivers from central and eastern European countries are experiencing up to two month delays in obtaining visas for journeys to western European countries.

In other cases, only single-entry visas have been issued. For journeys involving the crossing

of several countries the process is slow and complicated.

The ITF/IRU proposal proposed the introduction of multi-entry visas valid for a standard one year, and the possibility of single-entry visas issued at border crossings in exceptional circumstances.

### WORKERS AND EMPLOYERS OFFER CO-OPERATION

Both the ITF and IRU offered to help to establish lists of professional international drivers.

The meeting decided to invite governments to look at simplifying visa procedures for professional drivers.

## NZ Rail ferry officers maintain duty safety standards

The ITF-affiliated New Zealand Merchant Service Guild has won their battle with New Zealand Rail Limited (NZ Rail) to restrict the number of hours worked by its members on the Rail ferries.

The Guild was seeking compliance with the collective employment contract which provides for 12 hours maximum duty time per day for watchkeepers.

NZ Rail has agreed to employ extra officers on the ferries to reduce the hours of duty for watchkeepers. They have advertised for Deck Officers and agreed to promote five officers to the position of Master.

John McLeod, the Guild's Secretary, said "Our strong stand on safety during the dispute was justified but it took the threat of litigation against NZ Rail for them to recognise that fatigue is a serious problem. We have visited the ferries and seen the frightening effects of the 24 hour operation...a disaster was waiting to happen. This overdue move by NZ Rail to fix the problem, is a weight off our shoulders."

# Canadian rail dispute heads for strike

Canadian railway contract talks are stalled, and most of the 32,000 unionised workers at CN North America, CP Rail System and Via Rail (a passenger service) have been without a contract since 31 December 1993.

A federal conciliation commissioner, who has held inconclusive mediation talks with the parties involved, submitted, at the end of January, a report to Human Resources Minister, Lloyd Axworthy, who will in turn release a report based on the conciliator's evaluation. A strike or lockout would be legal seven days after the minister releases the report, although that deadline has been pushed forward due to a scheduled visit to the Canada by US President Bill Clinton.

The unions involved are the ITF-affiliated Canadian Auto Workers' Union (which earlier this year merged with the Canadian Brotherhood of Railway, Transport and General Workers, to become the biggest union in the railway sector, with 20,000 members), and the Brotherhood of Maintenance of Way Employees.

The unions are reluctant to go out on a full blown strike, only to "invite government legislation" which would halt the strike. The Canadian government is becoming notorious for its

interference in labour disputes, having put legislative stops to previous rail strikes, as well as to a strike last year in the Port of Vancouver, British Columbia.

The most important disputed issue remains long-standing employment security provisions which are unique in North America, under which laid-off rail employees with more than eight years of service are guaranteed the equivalent of a full salary until they either retire, or find another job. Management is seeking to do away with this provision.

What management calls trade prohibitive working rules are also a matter of difficulty in the talks, in which they are seeking greater labour "flexibility".

The unions have met to plan strike strategies, and Gary Fane, CAW national organising director is hoping for a collective action: "If there is no collective agreement, we will start rotating strikes with one railway," said Fane. Shutting both railways down at the same time would surely bring down government intervention, so, barring a last minute agreement, rotating strikes could start affecting the Canadian railways as early as the beginning of March.

## European ministers ask "Why do we need railways?"

Rail privatisation and access to the rail network were the main topics under discussion at a seminar entitled "Why do we need railways?" held by the European Conference of Ministers of Transport (ECMT) in Paris on 19 and 20 January 1995.

Leading the ITF delegation were Railwaymen's Section Chairman Jimmy Knapp and Asbjørn Wahl of the ITF Inland Transport Sections. Representatives of nine other ITF European railwaymen's affiliates were among the 200 participants.

The negative effect on quality of services and safety standards of the British government's plans for the fragmentation and privatisation of British Rail were emphasised by Jimmy Knapp in the main seminar session.

In his speech, which met with a positive response, Knapp also raised the implications for future funding and whether a privatised railway was capable of meeting the needs of manufacturing industry.

Asbjørn Wahl widened the discussions to take in the organisational split of infrastructure and operations, the unequal conditions of competition and the financial difficulties affecting the sector.

What was needed, Wahl stressed, was a European consensus on future railway policy. He put forward a four-point plan for the creation of a sound railway industry based on:

- an end to the separation of infrastructure and operations
- harmonisation of conditions of competition between the different transport modes
- a solution of the economic crisis facing European railways
- the modernisation and restructuring of the railways of Europe

The overall mood of the seminar deliberations was very much in line with ITF thinking. Not a single speaker was in favour of splitting infrastructure from operations or complete privatisation. Indeed, several speakers insisted that privatisation was not the answer to the railways' problems.

This view was echoed by Michel Walrave, Secretary-General of the International Union of Railways (UIC) who urged the Central and Eastern European countries to wait and see what happens in western Europe before embarking on privatisation or splitting up their railway undertakings.

# Turkish drivers suffer severe attacks by government

The ITF has received news from Turkey that a road transport company, Ekspres Kargo, has dismissed more than 210 workers for being members of our affiliate TÜMTIS despite the guarantees afforded by the Turkish constitution and the Trade Unions Act (No. 2821). These dismissals have taken place under very serious circumstances, with the support of the Turkish police. Massive detentions, beatings and torture of trade unionists whilst under police custody have been reported.

On 25 January 1995 ITF sources alleged that the Turkish police attacked the sacked workers as they were waiting outside the company's premises detaining up to 126 TÜMTIS members (39 in Istanbul and 87 in Izmir). Two of their number, Gül Cemal Erdost and Fethi Öner, were detained for 30 hours despite denials from the authorities that they were even being held. Ekspres Kargo are also reported to have resorted to the use of hired thugs to intimidate the sacked workers and a number have been injured. On 6 February two workers were admitted to hospital with knife wounds and several others have received beatings whilst in police custody.

This action by Ekspres Kargo is prima facie a breach of ILO conventions 87 and 98 on freedom of association and the right to organise and bargain collectively — a matter which the ITF treats with the utmost seriousness. In recent months the ITF has witnessed an alarming increase in the number of trade union rights violations in Turkey linked, we believe, to the Turkish government's privatisation and de-regulation policies. Public sector workers, including those in transport, have been in the firing line as they resist attacks on their working and living conditions. The ITF has associated itself with a complaint to the ILO Committee on Freedom of Association submitted by the Turkish trade union federation TÜRK-İS. The ITF has also had cause to write to the ILO concerning the imprisonment of the President of HAVA-IS, Atılay

Ayçin, who was recently sentenced to 20 months imprisonment for making an anti-government speech at a human rights conference three years ago. HAVA-IS is also locked into a bitter dispute with the Turkish national airline — THY (see separate story).

The ITF has written to, amongst others, the Turkish President and Prime Minister condemning the victimisation of TÜMTIS members by the management of Ekspres Kargo. The ITF

---

***In recent months the ITF has witnessed an alarming increase in the number of trade union rights violations in Turkey linked, we believe, to the Turkish government's privatisation and de-regulation policies***

---

urged the government to intervene in the dispute and secure a negotiated settlement which takes into account the basic right of workers to belong to a trade union. Unless positive action is taken by the Turkish government, the ITF will not hesitate in taking all possible actions including approaches to the International Labour Organisation, the European Union, the International Monetary Fund and World Bank which may affect Turkey's economic interests. Affiliates and interested individuals are invited to send protest messages to the Turkish President, Suleyman Demirel, fax no. : + 90-312-433-6809 and the management of Ekspres Kargo, fax no. + 90-212-538-63-93 or 535-81-75.

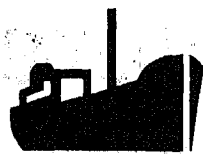
---

## OBITUARIES

---

Eugen Loderer, President of the International Metalworkers' Federation (IMF) from 1974 to 1983 and former President of the German Met-

alworkers' Union IG Metall, died on 9 February, at the age of 74.



# SEAFARERS

## Burmese junta relaxes anti-union actions against seafarers

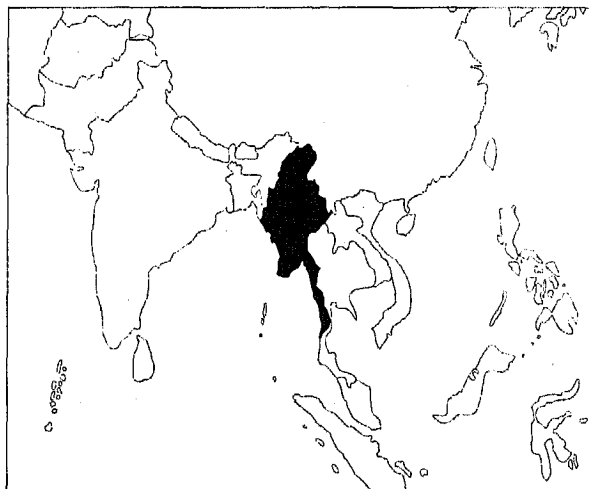
Major reductions in the harassment of Burmese seafarers by the country's military junta have taken place thanks to pressure applied by the ITF and the International Labour Organisation (ILO). This was the welcome, and to many surprising, news given by Seafarers' Union of Burma (SUB) Secretary Phone Myint Swe to the ITF's Asia/Pacific Seafarers' Regional Committee meeting which took place in Bombay, India on 7 and 8 February.

The meeting heard from the SUB, which operates in exile as a result of the anti-union policy of the SLORC military regime in Rangoon, that the government has now cancelled many of the repressive measures which were condemned by the Governing Body of the ILO in November 1994 following a detailed complaint submitted by the ITF (see ITF News #8, December 1994).

Information from seafarers coming out of Rangoon into Thailand indicates that seafarers are no longer forced to sign written affidavits promising that they will not contact the ITF or its affiliated unions in other countries in order to defend their interests. Criminal charges and jail sentences imposed upon those seafarers previously involved have now been lifted as have other administrative punishments including the confiscation of the seafarers' property, homes and land.

The crew members of the *Angelic Faith*, a ship which featured heavily in the ITF complaint, have now informed the SUB that the unpaid portion of their home allotments for service on the vessel has now been returned to them. According to Phone Myint Swe there are still several examples of harassment which have not yet been ended, for example, the government's refusal to give seamen's books back to crew members involved in ITF action so that they can get new jobs at sea and the refusal to permit court action to secure backwage entitlements. "Nevertheless this action really shows how much the Burmese government has been affected by the pressure of the ITF," he adds. The SUB office will shortly move to Manila where, with support from the ITF, it will continue operations until such time as it can operate freely in Burma.

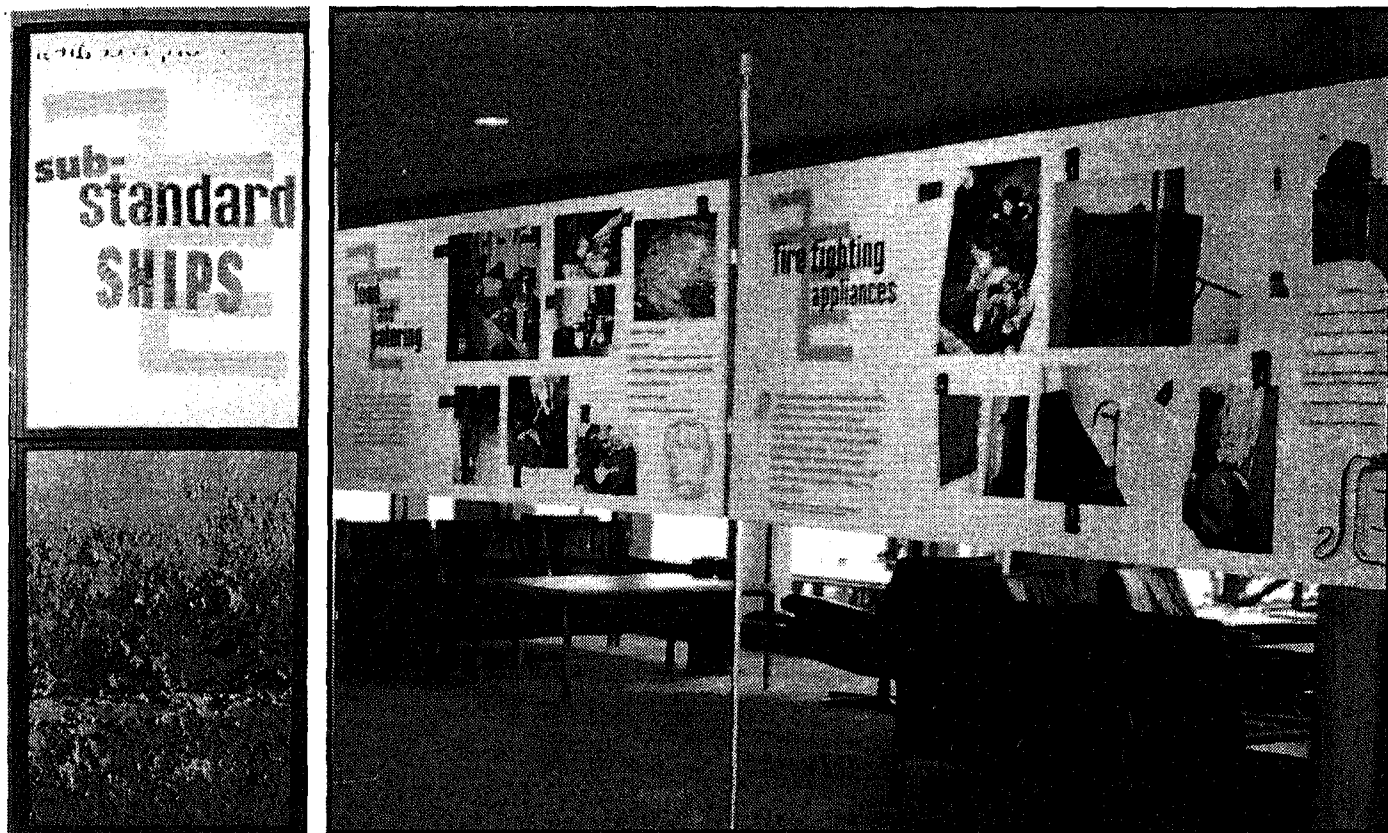
The two day seafarers' meeting, the first to be chaired by All-Japan Seamen's Union President S Nakanishi, also took a number of important decisions relating to the ITF Flag of convenience



campaign and ITF policy. It endorsed the view already taken by the ITF's Campaign Steering Committee that the time is now ripe for a major intensification of the Foc campaign in the Asia/Pacific region and asked the ITF Secretariat to make available the necessary resources for an expansion in the size of the ITF inspectorate in the region. The meeting also agreed to establish a small steering committee which will supervise ITF seafarers' activities in the region between meetings of the Committee as well as acting as a consultative body to provide a better co-ordinated input by Asia/Pacific unions into the ITF's decision-making process. It also welcomed the ITF's proposal to hold a regular dialogue with shipowners and managers who operate with ITF approved agreements.

The meeting, which was attended by seafarers' unions from Australia, Burma, Fiji, Hong Kong, India, Indonesia, Japan, Korea, New Zealand, Papua New Guinea, Philippines, Singapore, Sri Lanka and Taiwan, also called on governments in the region to give a higher priority to developing the new regional Port State Control machinery with attention being given to social as well as maritime safety aspects, recommended the convening of a regional ITF seminar on Maritime Safety and Health, and adopted a comprehensive work programme for the next twelve months including the growing problem of piracy and violence against seafarers, representation of fishermen, flags of convenience in the offshore industry and cruise ship problems.





"Never in my thirty years as a seafarer did I see ships in such an awful state." This comment summed up delegates' reaction to the ITF's sponsored photographic exhibition on sub-standard shipping that was unveiled in the International Maritime Organization (IMO) London offices. The exhibition, which was organised by the ITF with the participation of a number of national maritime authorities and regional port state organisations, also included a strongly worded introduction from IMO Secretary-General William O'Neil which urged delegates to examine the examples of sub-standard shipping reproduced in the exhibition and act to eliminate these kind of ships from the world's seas. The exhibition was held in the IMO London headquarters from the 20 to 24 of February and is now available to ITF affiliates for exhibition in their own country. As a consequence of the interest generated by the exhibition, it was proposed, and agreed by the IMO meeting, that maritime administrations could send in other photographs to the IMO Secretariat, for exhibition during subsequent meetings (and this was formally noted in the meeting report). The exhibition was entirely produced on (Macintosh) computers and hence the entire display can be provided on disk for suitable output or the exhibition can always be shipped. Affiliates or individuals interested in showing the exhibition should contact the ITF Communications Department.

## French government appoints mediator in four month long ferry workers' strike

Striking French ferry workers forced their government to concede an important principle on February 23rd when the authorities decided to appoint a mediator in the 4-month long dispute with British owned operator Meridian Ferries.

The workers, mostly members of the ITF-affiliated Fédération Générale des Transports et de l'Équipement — CFDT, were supported in their action by non-affiliated CGT seafarers.

The dispute centred around the employment on low-level wages of Polish seafarers on two of the Meridian ro-ro ferries, the Bahamas-registered vessels *Spirit of Independence* and *Spirit of Boulogne*, serving the Boulogne-Folkestone route.

The unions stepped up their action after Meridian refused to negotiate their claim to replace Polish and Romanian seafarers on inferior conditions with British and French crews.

French seafarers had earlier rejected an offer to

employ them on British terms and conditions. Although British seafarers' wages are lower than their French colleagues', the sticking point for the workers was losing their right to French social security benefits.

The unions declared a general strike of French seafarers on 21st, 22nd and 23rd February. Channel ports were paralysed, ferry passengers stranded and harbours blocked.

The main aim of the action was to pressurise the French government to intervene in the dispute. Whilst the French transport ministry had shown some sympathy for the unions' position, Prime Minister Balladur had resisted intervention.

The official appointment, then, of top civil servant and ex-seafarer Hamon as ombudsman in the dispute was welcomed enthusiastically by the CFDT.

## Universal Bahamas settlement

At the end of 1994 the Greek owned Bahamas flag *Universal Bahamas* arrived in Helsingborg in southern Sweden. ITF Inspector Olle Borgström went on board and established that the ship did not have an ITF approved agreement and that the crewmembers — twenty Poles, a Ukrainian and a Greek — were on very low rates of pay. The Greek owner Enterprises Shipping at first refused to sign an ITF agreement but had a change of heart when unloading of the ship was halted. An ITF standard agreement was signed and a US\$42,000 backpay settlement concluded for the crew.

## US\$48,651 for Flying Star crew

The Liberian flag *Flying Star* arrived in Sweden at the beginning of January. The Filipino crew phoned the Swedish Seafarers' Union to complain that the Norwegian managers Utkilens Rederi AB were refusing to implement the ITF agreement that the German union ÖTV had signed for the ship in October 1994. ITF inspectors visited the *Flying Star*, first in Helsingborg and then in Gothenburg. According to ITF Coordinator Thomas Abrahamsson: "Direct negotiations with the owner soon led to a settlement and the ten crewmembers received a total of US\$48,651 in backpay. There was excellent cooperation with the *Flying Star* crew throughout. A rumour that the ITF was planning to inspect the ship was enough for the charterer, Statoil, to refuse to take the ship in to the quay," Abrahamsson added.

## Topaz cases come to court

The former chief engineer on the Antigua flag *Topaz* has won his case against the Brunsbüttel shipping company Sprante Schiffahrt. The judge presiding over the court hearing on 10 February accepted the engineer's lawyer's argument that there was a direct connection between Sprante Schiffahrt, the German company that hired the chief engineer, and the Cypriot company Hibiscus Marine Management, the company whose name appeared on his contract of employment. Sprante must now pay the chief engineer US\$8,500 in backpay. What had convinced the court — an earlier hearing had failed to establish that Sprante was the employer — were documents presented to the hearing with the Cypriot company's letterhead, the company stamp and signed by Horst Mussehl. Mussehl is Sprante's managing director and it was Mussehl who personally interviewed the chief engineer in Brunsbüttel in 1991 and assigned him to the *Topaz*. On 21 February, Horst Mussehl was in court to answer two separate cases being brought against Sprante, one involving a German officer formerly on the *Topaz*, who is claiming US\$20,000, and the other three Polish ex-*Topaz*

crewmembers, who are owed a total of US\$15,000. In court Mussehl strongly contested liability, insisting all the contracts of employment had been concluded with the Cyprus company. "I merely referred seafarers who came to me for jobs to Cyprus," said Mussehl. The hearing ended without a decision and will be resumed in March. ITF Hamburg Inspector Ulf Christiansen has been closely involved with the case for a number of months. Mussehl even visited Christiansen at the ITF Hamburg office in November and admitted that two of the three Polish seafarers had correct claims. Interviewed on 27 February about the court case, Christiansen said it was significant that Mussehl has not contested the right of the courts in Germany to jurisdiction. There is one good piece of news on the Sprante front. Siegfried Genutt, first engineer on the *St George* — another Sprante ship — has received his backpay of US\$5,439.66 after turning to Ulf Christiansen for help. Genutt's December salary arrived unannounced in his account a week ago. He is still owed repatriation expenses.

## Prince crew thank Ali Memon

The crew of the *Prince*, who received assistance from the ITF in Germany and Holland (see ITF News #1, January/February 1995) have written to the ITF to express their personal thanks for the assistance they have received. They personally thanked ITF Bremen Inspector Ali Memon for "the good help and close supervision you have done for us".

## Hamburg dockers and ITF Inspector help a Croatian

During a visit on 1 February 1995 on board a ship in the port of Hamburg, ITF German Inspector Ulf Christiansen received a call from Eurokai senior shop steward Adolf Schubel concerning a Croatian seafarer on board the Hong Kong flagged *MV Canmar Spirit*.

During discussions with the seafarer — who had worked as an Able Seaman for six and a half months — it emerged that the Split (Croatia) based shipowner did not want to replace him although he had already completed his six months contract. Further to this, he had already informed the shipowner one month previously that he wished to be replaced once he had fulfilled his contract due to family problems (the shipowner intended to keep him on board for another month). It also emerged that the shipowner had illegally deducted a part of his wages in case the seafarer left the ship before fulfilling his contract!

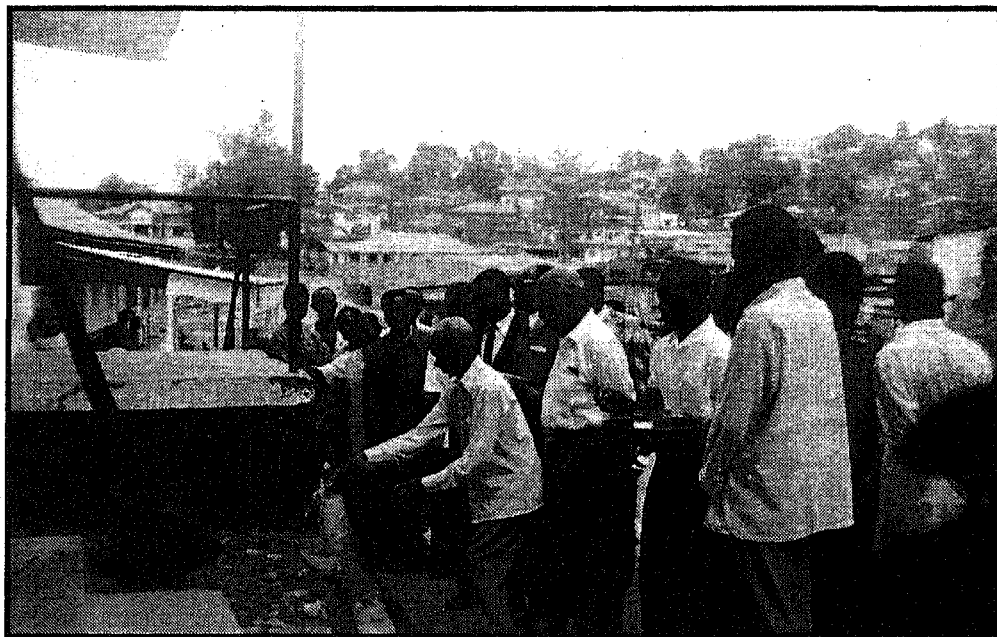
After discussions with the Croatian master — who in the meantime arrived at the Eurokai works council office — and telephone discussions with the manager of the shipowner in Split

Continued on page 11

The sons and daughters of Zairean seafarers gathered together at the end of last year to celebrate the 12th anniversary of the founding of the FIMAZA Association — the Sons and Daughters of Zairean seafarers — an organisation dedicated to defending the interests of Zairean seafarers. The organisation prepares cultural events, provides for contact between seafarers' relatives and attempts to fight for the political and social interests of seafarers when they are working abroad.

During the 12th anniversary celebrations from the 7th to 9th of October, the Association presented a series of gifts to the parents of Zairean seafarers and also made a

wreath for a war memorial that commemorates the Zaireans who lost their lives at sea in the Second World War. Most of the Zairean owned fleet has been laid up or sold and few Zaireans work on Zairean owned ships. Belgian shipowners have recently begun to look towards Zaire as a source of labour and according to the Zairean seafarers' union (Pool des Marins Zaïrois), the Belgian shipowners have said that they wish to recruit 600 Zairean seafarers.



## ...Foc campaign news

Continued from page 10

the following results were achieved only a few hours before the ship left port: the Croatian seafarer was paid the remaining wages for the last month and the illegally deducted wages amounting to US\$1,664.22 in the presence of Ulf Christiansen and the Eurokai shop stewards. The seafarer was able to leave the ship the same evening and flew home the next day at the expense of the shipowner.

This case was a further success against Flag of convenience shipowners and achieved as a result of the close co-operation between dockers and an ITF inspector. The shipowner's quick change of heart was probably due to the fact that dockers got involved and he feared possible delays during the loading of cargo.

This case is one of many examples where the four German inspectors — working out of Bremen, Hamburg and Rostock — were able to help seafarers. In 1994 alone the German inspectors obtained around DM1.55 million in backwages for seafarers (ships arriving in German ports only). But the German inspectors do not only fight for backwages' payments for seafarers, they also ensure that Foc shipowners sign ITF agreements so that seafarers are paid according to ITF rates and are not fobbed off with low pay. In 1994 German inspectors concluded 175 ITF agreements with Foc shipowners.

## Adriatic crews abandoned

The ITF continues to attempt to assist a huge number of crews on ships owned by Adriatic Tankers. This year alone, the ITF has been

contacted by crews on 39 vessels all regarding non-payment of wages and failure to provide provisions. There are presently crews on 20 vessels owned by Adriatic waiting to be paid and repatriated from Budapest with others in hotels in Holland, Greece and Singapore. Some of these crews have been waiting in hotels for two or three months. The ITF is in virtual daily contact with the management of Adriatic in order to try and sort out the many ongoing problems. Not only Adriatic crews, but agents, clients and other business people connected with these ships are also having problems with payment. Following publicity in the maritime press about the plight of Adriatic, many agents and chandlers are now demanding cash upfront from Adriatic before providing any services. A number of Adriatic ships have been arrested by ships' chandlers and the company apparently owes the oil companies a large amount of money. In many cases, after lengthy ITF intervention crews receive some payment, but for every case that is solved another two seem to appear.

## Taxiarchis sold

The Greek cargo ship *Taxiarchis* which was arrested by the US Coast Guard on 27 June 1994, in Newport, USA, has now been sold (see ITF News #8, December 1994).

The vessel has been purchased by Greek businessman, Alexios Tembeluis, owner of Piraeus, Greece based Fairload Shipping Company — who later said that his decision to purchase the vessel was strictly business and nothing to do with the crew's plight.

The crew who are desperate to return home to their families will be paid backpay amounting to around US\$100,000.

# North Sea Ferries workers meet to consider establishment of pan-European works council

Workers' representatives from the British-Dutch company "North Sea Ferries" met in Rotterdam on 6-7 February 1995 to evaluate the possibilities of establishing a European Works Council for the company in accordance with the corresponding EU Directive. This directive was adopted by the European Council on 22 September 1994 (Council Directive 94/45/EC).

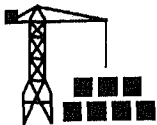
Crew members, dockers and union representatives from the UK, Netherlands and Belgium had a good mixture of information-input and discussion in this well prepared and organised meeting. The implications of the Directive, the UK opt-out, and the possibility of exclusion of crews were discussed as well as the way to a European Works Council for "North Sea Fer-

ries". The Dutch side has had works councils for quite a while but the British management is still opposed to this so far unknown instrument of information and consultation between management and employees' representatives. Obviously companies with experience of works councils like Stena Line are more positive to the idea of European Works Councils and have already established them.

The aim for the near future and the next meeting of the group is to inform the management about the possibilities the new instrument offers to improve safety and output and to develop a company identity by mutual information and consultation as stipulated in this European Directive.



Two full colour posters have been produced by the ITF and are available to affiliates free of charge. The posters (illustrated here) are full colour, European A2 size (420mm x 297mm) — the first is based on the photo melage produced for the cover of issue no. 9 of the Seafarers' Bulletin (which is now available) and depicts a series of scenes from the ITF Flag of convenience campaign. The second poster is a reproduction of a 1930s Italian language anti-Fascist poster produced by the ITF. Affiliates should write to the ITF Communications Department requesting copies of these posters.



# DOCKERS

## Amsterdam strike against CTA

A one day strike on Thursday, 2 February, staged by the ITF-affiliated Dutch Transport Workers' Union (FNV), over plans by Combined Terminals Amsterdam (CTA) to reduce labour costs, has resulted in a proposal to create a working group.

The group is to be made up of representatives from the FNV and the employers' body Scheepvaart Vereniging Noord (SVN) with the aim of solving the problems which have plagued the port of Amsterdam over the years.

CTA, which is majority owned by Nedlloyd,

filed for protection from its creditors earlier this month when it could not meet its financial obligations. The company has been told by administrators that the only way it can survive is if it makes huge cuts in the number of workers it employs.

An earlier reorganisation proposal by CTA would have resulted in the loss of 113 jobs. This was blocked by the FNV as it would have involved forced dismissals, infringing a 1993 ban on compulsory layoffs covering all the sea ports in the Netherlands.

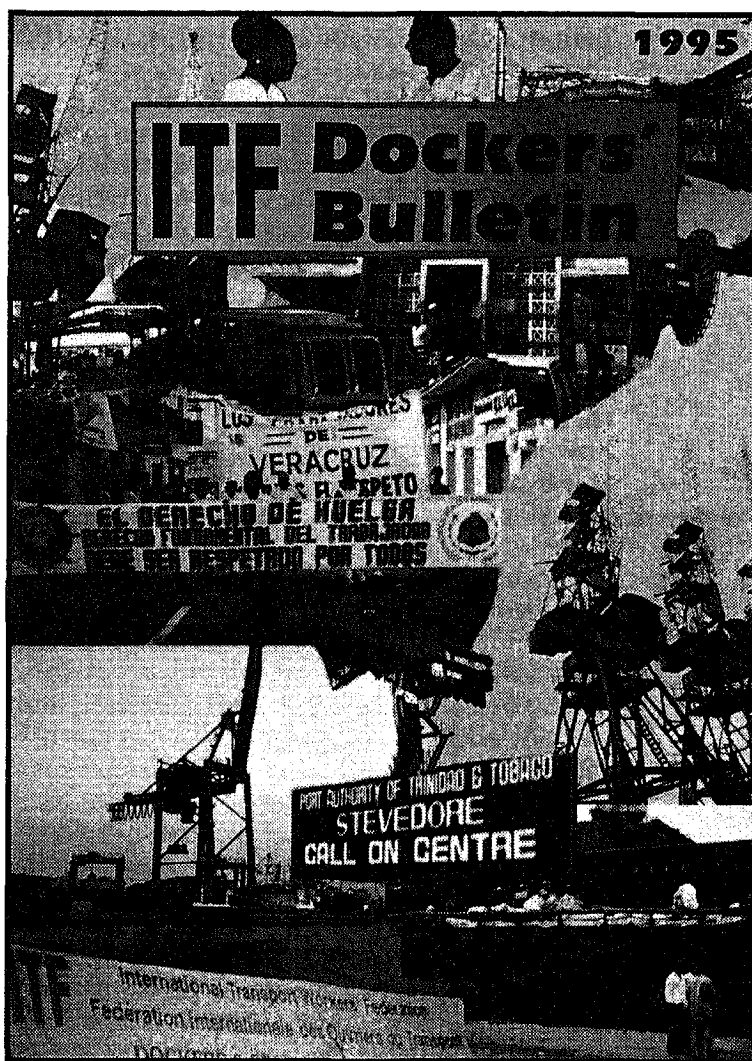
## Los Angeles port plans job cuts

In late January, the port of Los Angeles, one of the most successful in the country, accepted a business plan recommending its staff be cut by 35 per cent, and a new focus placed on improved employee productivity.

Toted as the "brutal economic reality facing the port industry" (*Journal of Commerce*), ports are struggling for greater productivity — and profits — or in some cases for survival, moving away from their traditional focus of job generator and promoter of regional economic development. In all cases, there will be job losses, and the ports blame it on the fact that they are under pressure to make money.

Oddly enough, at the same time that the port of LA cites a need to cut staffing to remain competitive, the fact is that cargo volume in the port is so high that: "work is going through the roof," according to the president of the local dockworker's union, the ITF-affiliated International Longshoremen's and Warehousemen's Union (ILWU), and increasing numbers of casuals are being promoted to longshore workers, but still there are proposals to make the hiring ongoing — and not only in LA, but up the entire west coast. New hires should be added also for safety reasons, as current longshore workers are working double shifts, and suffering from fatigue.

The International Longshoremen's Association (ILA), the US-East Coast ITF dockers' affiliate, has agreed to the need of re-evaluating their "guaranteed annual income" (GAI), conceding that it threatens the ports' competitiveness, but that the issue can only be dealt with during contract talks.



The latest edition of the ITF's Dockers' Bulletin is now available in English. The bulletin contains the latest version of the comprehensive ITF wages and working conditions survey, along with feature articles on developments in the port industry. Copies are available from the ITF Dockers' Section free of charge to affiliates.



---

# CIVIL AVIATION

---

## ITF to fight unsafe European duty time limitation rules

The ITF has condemned the Joint Aviation Authorities (JAA) rules for flight and duty times, which are to be published on March 28, as inadequate and unsafe, and is to launch a vigorous campaign to draw public attention to the way in which safety is being sacrificed for commercial interest.

A strong resolution is to be put to the Civil Aviation Section Committee meeting taking place in Sydney on March 8-9 which it is expected will receive overwhelming support.

The JAA rules are meant to protect air crews with maximum duty hours and minimum rest periods against fatigue levels which would put flight safety at risk.

Air crews operating between time zones are particularly at risk from disturbed sleep patterns and being constantly expected to work out of synchronisation with the circadian rhythms of the body.

European countries have national rules providing regulations for pilots, and with few exceptions for cabin crew.

The JAA rules will mean a substantial lowering of statutory safety standards for a number of these countries, such as Britain. It is not clear how these countries will justify how they are able to accept going below what they previously agreed was the minimum level of safety required.

In other countries where nation regulations have been weaker, safe duty times have in fact been implemented through union agreements with airlines ensuring that flights operated to more stringent limits. However, competition has put all such arrangements at severe risk. Airlines are increasingly abandoning collective agreements and are flying to the legal limits.

What is most damning, and most cause for alarm for both passengers and crews, is the condemnation of the rules by the leading safety experts in this field. For some time the authoritative British Royal Airforce Institute for Aviation Medicine has raised serious questions about the adequacy of the rules. Other aviation medicine experts have added their criticisms, including the JAA's own scientific adviser (see opposite).

In its final letter to the JAA within the consultation process, Section Secretary Stuart Howard

wrote:

"The proposals remain wholly inadequate and unsafe, and lacking the minimum standards necessary to protect against crew fatigue. The final text appears to be derived too much from the commercial and political compromises pressured by airlines and certain member states, and far too little from safety considerations. We are concerned that the adoption of these rules will have potentially grave consequences for the safety of airline passengers and crew. If the draft is adopted in its present state our organisation will actively and publicly condemn and oppose these rules and we shall urge our affiliates to do the same."

The ITF along with the pilots' organisations (IFALPA, ECA and Europilote) has spent five years trying to influence discussions within the JAA for improvements in its proposals for harmonised rules within Europe. The ITF has strongly supported the principle of harmonisation.

However, this must take place within adequate safety standards.

The presence of the ITF meant that a strong and representative cabin crew voice was heard during these discussions. Without this presence the rules would certainly have been even worse.

However, the employees were only ever able to make recommendations. During the long and drawn out period of consultation the pattern became very clear. The views of employees were consistently ignored, while the JAA appeared ever-attentive to the concerns of the airlines.

The JAA rules will now enter a process of scrutiny by the European Commission which intends to introduce a set of harmonised FTL rules by April 1, 1997.

However, individual JAA member states are free to begin to implement these rules immediately. The British CAA has already indicated that it will start an immediate phase-in of some elements of the JAA rules.

During the consultation process the ITF and the pilots' organisations co-ordinated their responses and approach to the JAA proposals. This co-operation and co-ordination will continue in the campaign that must now be launched against the JAA rules.

# Safety experts condemn JAA rules

The European Transport Safety Committee has condemned the JAA rules on flight and duty times as unsafe, and of wilfully ignoring the scientific advice available to it.

At an air safety symposium held in Brussels on November 30, 1994, the European Transport

Safety Council (ETSC) estimated that there could be as much as a twenty fold increase in deaths from civil aviation accidents in the next twenty years as air movements and passenger traffic double, unless more effective safety rules are enforced.

The ETSC particularly identified air crew duty times as being one of the most important aspects of air safety. Dr. H. M. Wegmann of the respected DLR-Institute of Aerospace Medicine complained that in the later stages of the discussions within the JAA, scientific research had been totally neglected. According to Wegmann: "Medical advice has largely been ignored in drawing up the new flight time proposals. They are still unsatisfactory in many respects from a medical and aviation safety point of view."

The symposium concluded, among other things, that:

- There is an urgent need to harmonise national rules, and to create a common framework to ensure high standards of safety throughout the European Union.

- There is an international scientific consensus which would allow for the formulation of essential and reasonable standards to prevent excessive fatigue from adversely affecting flight safety.

- Existing and proposed flight and duty time regulations do not sufficiently recognise this international scientific consensus.

Wegmann has recently conducted the most authoritative study yet into air crew fatigue in a paper published by NASA.

Dr. Wegmann is also the JAA's own medical adviser.

## Turkish strike

Ground staff in the Turkish state-owned ground services company Havas went on strike on February 24. Cabin crew in Turkish Airlines had also planned to strike but the Turkish government enforced a legal delay on their strike which the union is having to challenge in the courts.

Both ground staff and cabin crew are represented by ITF-affiliated Hava-Is.

The disputes are over the way in which the government is conducting the privatisation of Turkish Airlines and Havas.

The government and local management refuse to discuss with the union any arrangements to provide job security and protection of conditions. The unions are also demanding a pay rise to counter the high Turkish rate of inflation.

The government is trying to break the ground staff strike by getting the ground staff of local airlines such as Istanbul Airlines to do this work.

The union says that this transfer of work involves breaking a number of national aviation safety rules concerning minimum staff required and standards of tools and equipment.

The ITF has called on affiliates to give support to Hava-Is.



## PEOPLE

**Kaj Hansen** retired as President of the Danish Salaried Employees' Union (Dansk Funktionærforbund) at the end of February. Hansen joined the Funktionærforbund in April 1977 as a union secretary, becoming Vice President a year later and President in 1992.

**Andreas Hasle** is the new Vice President of the Danish Railwaymen's Association. Hasle has worked for the Danish State Railways (DSB) since 1981, most recently as a traffic controller. He succeeds **Ulla Raun Jensen**, Vice President for the past two years, who is leaving to become head of personnel at the DSB travel agency.

**Tony Lennon** has been elected President of the International Secretariat for Arts, Mass Media and Entertainment Trade Unions/International Federation of Audiovisual Workers (ISETU/

FISTAV). He takes over from **Walter Bacher**, ISETU/FISTAV's founding President, who has been appointed to the Austrian Public Broadcasting Company ORF.

**Herbert Mai** was elected as the new President of the German Public Service and Transport Workers' Union (ÖTV) at the union's Extraordinary Congress held on 13 February. Mai has worked as a full-time official of the ÖTV in the state of Hesse since 1971, first as youth secretary and from 1980 as Vice Chairman and since 1982 as Chairman. He is also vice chairman of the Board of Directors of Frankfurt Airport and of Lufthansa Service. Mai takes over from **Monika Wulf-Mathies**, who left the union last November after she was appointed European Union Commissioner for Regional Policy.



# UK delegation meets Bulgarian ambassador for talks about stranded fish factory crew

A high level delegation of trade union officials including Jimmy Knapp, General Secretary, ITF-affiliated National Union of Rail, Maritime and Transport Workers (RMT) and ITF Executive Board member;

**They went on strike over unpaid wages in January and they are demanding that they be paid three years' outstanding wages before leaving the vessel and are seeking assurances from the Bulgarian authorities that no retaliatory action will be taken against them on their return to Bulgaria.**

representatives of the ITF; Michael Walsh, International Secretary of the British Trades Union Congress (TUC); Joan Walley, opposition Shipping spokesperson; and crewmembers of the fishing vessel *Rotalia*, paid a visit to the Bulgarian Embassy in London, on 20 February 1995, with the hope of settling the long running dispute, onboard the vessel in Lerwick harbour, Shetlands.

The vessel which was declared unseaworthy by Shetland Island authorities is owned by shipping company Okeanski

Ribolov Limited, who have been in receivership for 18 months.

The 31 crewmembers have been left stranded by their government without food and pay. They went on strike over unpaid wages in January and they are demanding that they be paid three years' outstanding wages before leaving the vessel and are seeking assurances from the Bulgarian authorities that no retaliatory action will be taken against them on their return to Bulgaria.

The Ambassador has guaranteed that no criminal procedures will be taken against the crew and that all due payments will be met entirely, subject to the crew's return to Bulgaria.

The Shetland Trade Council has called for a boycott of all Bulgarian products on the island and will address the issue at a conference scheduled to be held on 8 March 1995, if an agreement is not reached before then. The Bulgarian Ambassador made it clear that boycott measures against Bulgaria would only result in a popular outrage against the crew back in Bulgaria, as the country was already facing difficult economic times.

A final agreement could not be reached at the meeting and it was agreed that further negotiations were needed in order to find a solution.

**General Secretary: David Cockroft**

**Communications Secretary: Richard Flint**

**133-135 GREAT SUFFOLK STREET, LONDON, ENGLAND SE1 1PD**

International Transport Workers' Federation \* Federación Internacional de los

Trabajadores del Transporte \* Internationale Transportarbeiter-Föderation \*

Fédération Internationale des Ouvriers du Transport \*

Internationella Transportarbetarefederationen \* 國際運輸勞連

Telephone: +44-71-403 2733

Fax: +44-71-357 7871

Telex: (051) 8811397 ITF LDN G

Internet: ITF@GEO2.GEONET.DE