



RIGHTS BECOME REALITY

THE MARITIME LABOUR
CONVENTION COMES
INTO FORCE

KEEPING YOURSELF SAFE • CAREERS AT SEA



FOC CAMPAIGN 2012

Did you know? Container shipping

- There are around 17 million shipping containers in the world.
- The first international voyage of a container ship was in 1966.
- In an average year, a large container ship will travel three-quarters of the distance to the moon.
- A large container ship engine has about 1,000 times more power than a family car.
- On average a container ship emits around 40 times less CO₂ than a large freight aircraft and over three times less than a heavy truck.
- Container shipping is estimated to be two-and-a-half times more energy-efficient than rail and seven times more so than road.
- The world's biggest container ships can carry around 11,000 containers. If that number of containers were loaded onto a train it would need to be 44 miles (71 kilometres) long.
- Container ships have a lifespan of approximately 26 years.
- The gantry cranes used to load and unload container ships can be 430 feet (131 metres) tall and weigh up to 2,000 tons.
- All commercial containers have a BIC code (XXX-U-123456-1). The first three letters show the owner, the next letter shows the category of the container (U = freight container, J = freight-related equipment, Z = trailers or chassis), followed by a six digit serial number and a check digit.
- Every year an estimated 10,000 containers are lost at sea.

Sources: World Shipping Council and <http://containerauction.com>

59%

Fleet under FOC

11,503

ITF agreements

137

Inspectors

IN NUMBERS

1.46bn

Dead weight tonnage

48,197

No. ships in world fleet *
* of 300+ GT

257,366

Seafarers covered at any one time

£29.5m

Unpaid wages recovered

8,293

Ships inspected

£18m

Global cost of piracy

(World fleet statistics by Fairplay)



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Luca Tommasi



Welcome to Seafarers' Bulletin, in what will be a significant year for everyone working at sea.

The ILO's Maritime Labour Convention 2006 – the seafarers' bill of rights – comes into force in August. It promises to make a

real difference to the lives of all seafarers. Getting to this point has taken over 10 years' work by the ITF and its maritime unions, among others, and we are continuing to work to make sure that your interests are kept at the forefront of the changes to come.

As always the last year has brought with it many challenges for maritime workers, but the ITF family has had some big wins too.

Defending workers' rights is at the heart of what we do, but we increasingly have to fight to defend even the strongest members of our union family. Commercial interests feel threatened by strong unions and will go to great lengths to undermine them. In 2012 the leader of the Moroccan dockers' union UMT, Said Elhairech, was jailed after he mobilised his members in support of mistreated seafarers. We campaigned for months and finally secured his release. This case shows just how far some are prepared to go to weaken us, but also shows what we can achieve when we stick together.

There are many challenges ahead. We soon begin the next round of global negotiations with the shipping industry and we'll be driving to defend and improve wages and conditions for FOC crews. In the ports we are seeing yet more attempts to undermine strong unionised labour, through automation as well as privatisation and neo-liberal policies.

To win these fights we need to link arms not just in maritime, but across the whole transport sector and beyond. That's why we are focussing so much of our energy on organising workers along the supply chain. Unity is strength and the ITF is founded on solidarity between seafarers and dockers. But by looking beyond the quayside we can build even greater worker power.

Stephen Cotton

Acting general secretary



STORIES FROM THE FRONTLINE

A job at sea can be something to be proud of. But if things go wrong you need to know that there is someone you can call on. Here, ITF personnel explain how they were able to help seafarers who found themselves in trouble

MISSION NOT IMPOSSIBLE

Geoff Ablett, ITF maritime operations

Sometimes the ITF receives a communication regarding an injury or loss of life claim and, although the case might be tragic, the expectation is that there is little chance of success. The Kallisto case fell into this category.

On 29 April 2004, a Romanian oiler aged 38 went missing at sea en route from Italy to Greece, leaving behind a widow and two children. The vessel was owned by a one-ship company based in Greece, which bought up old tonnage and ran it into the ground before selling it for scrap. The company had gone out of business by the time the ITF heard about this case, so there was no-one to claim against. As a body was never recovered, the widow did not receive a death certificate until December 2010, and this was only after long court procedures in Romania.

The Romanian seafarers' union and ITF inspector Adrian Mihalcioiu had provided support and compassion during this period. But the question was where to go now, bearing in mind it was May 2011. The only avenue left was the P&I club, though this was fraught with legal difficulties.

The contract of employment was not specific regarding any amount for compensation and referred to accidents only and not "death in service". This would be an added problem and we might have had to establish that the death was the result of an accident and not suicide – which is commonly used by the other side in defence of this type of claim.

Thankfully, however, copies of all the supporting documentation, including search and rescue reports, log book entries and communications between the Kallisto and company, had been kept by the widow.

“The vessel was owned by a one-ship company based in Greece, which bought up old tonnage and ran it into the ground before selling it for scrap”

Then began nearly a year of cat-and-mouse negotiations with the P&I club. But eventually there was a breakthrough and the widow received US\$50,000 in compensation.

It may not seem that much to some, but this is what the widow said when she wrote to the ITF: “Now I can fulfill all burial customs for my husband to be a quiet soul. I pray for all the dead and missing and pray for those who had the power to help me as anyone else, the great family ITF. I can be deeply honoured to know all those who helped me. My children will have now better future, thanks to ITF.”

The Sakhalin

Sakhalin crew held out in Hong Kong for back pay

Jason Lam, ITF inspector, Hong Kong

The ITF Hong Kong office received an email from the crew of the Belize-flag bulk carrier Sakhalin on 26 February 2012 complaining of a shortage of water, food and electricity while the ship was anchored in Hong Kong waters. Yu-Sak Ming, ITF inspector, contacted the ship's agent and requested adequate necessities and fuel be supplied to the ship. He then went on board the ship to ascertain the actual situation.

The Ukrainian captain told him that the Bulgarian managing company, Interfleet, had accumulated nearly US\$200,000 in outstanding fuel fees to a Maltese bunker supplier, which had filed a claim at the Hong Kong high court, resulting in the ship's arrest. On board the ship there were 21 crew members, of which 16 were from Ukraine and five from Russia. The captain pointed out that the company had owed wages to the crew since 2011. One ordinary seaman had not received any wages since March 2011, while the other crew members had not received theirs for six or eight months. We assisted the crew to apply for the Hong Kong government's legal aid.

“The captain pointed out that the company had owed wages to the crew since 2011”

In May 2012, the Sakhalin was sold for US\$3.9 million by the Hong Kong high court and the lawyer representing the crew made claims against the proceeds.

The crew were repatriated to their home countries by the Hong Kong government on 3 May 2012. By the time the crew left Hong Kong, the total amount of back wages involved was US\$274,342.



ITF inspector Pascal Pouille with crew members stranded in France

WE ALL PULL TOGETHER

Mohamed Arrachedi, ITF inspector, Bilbao, Spain

At the end of January 2012 ITF head office received a request from the UMT, the ITF-affiliated union in Morocco, asking for assistance for seafarers working on an entire fleet of vessels.

The company, Comarit Comanav Ferry, had not paid crew salaries for the last four months. Neither had it paid for the crews' social security contributions, their medical contributions, nor their housing plans agreed with the company – risking seafarers' families being evicted from their homes. Provisions, food and electricity ran out quickly and ITF inspectors in Spain and France were soon doing their best to keep the crews supplied.

But the problem was far from just a humanitarian one: the crews were permanent staff and had been working for the company for many years – some of them more than 30 years.

Letters were sent to the company in Tangiers, Morocco; to the Moroccan embassies and consulates in Spain and France respectively, asking the state to intervene since the company, crews and the flag state were all Moroccan. We received no answer.

A press conference was organised by inspector José Ortega and myself and a UMT officer in Algeciras. Another press conference was held in Sète.

Special thanks go to our union colleagues in France who succeeded in having food, medical care and fuel delivered to the vessels, with the assistance of other parties such as the prefecture, port authority, harbour master and

the seamen's club. Lilian Torres of the FO union played a key part in what was achieved.

In parallel with these actions, seafarers in Morocco organised many protests in front of the company's headquarters and the ministry of transport. A letter from the UMT was sent to the prime minister of Morocco.

The work of the ITF union in Morocco was so successful that two of their leaders found

“Provisions, food and electricity ran out quickly and ITF inspectors in Spain and France were soon doing their best to keep the crews supplied”

themselves arrested on trumped up charges of 'endangering national security'. Huge international protests followed – see www.itfglobal.org/campaigns/free-said.cfm for the latest news on this.

A solidarity campaign was launched by the ITF in which maritime unions sent letters of protest and solidarity to the Moroccan embassies and consulates around the world.

Meanwhile, our team of inspectors, Pascal Pouille, Yves Reynaud and José Ortega, activated legal procedures with the consent of the Moroccan union. And dockers in Moroccan ports held an eight-hour strike on 11 May in solidarity with the seafarers. The case continues.

For an update, log onto: www.itfglobal.org/solidarity/solidarity-3533.cfm

“ The owners became more and more angry as they realised that there was nowhere to hide ”

Giannis M crew win owed wages after months without pay

Ruud Touwen, ITF inspector, Delfzijl, Netherlands



Success, and crew receive owed wages

On 8 August 2012 ITF inspectors received an email message from Christian Roos, inspector in the Belgian port of Zeebrugge, about a Greek-based company, Ikarian Moon, which owns four small bulk carriers trading in Europe and the Mediterranean.

The market for bulk carriers had gone down tremendously, so a combination of a financial crisis as well as some damage to machinery and collisions with other vessels had made it difficult for the company to survive.

The crew of one of the four ships, the Giannis M, contacted the Dutch ITF inspectorate, and Debbie Klein went on board in the port of Terneuzen. It became clear

that the crew – from the Philippines, Greece and Egypt – hadn't been paid for some months.

Four Filipino crew members had already finished their contracts and had been promised to be signed off in Casablanca in July, as their reliefs had already joined the ship. However, there were no funds available to pay off the crew, so they remained on board with the promise of being repatriated at the next port of call. In Terneuzen there were no funds available either.

I contacted the company and informed the owner that the money should be brought on board. All kind of excuses were made, so we decided to arrest the vessel on behalf of the crew members. The following morning we were contacted by the owner, who claimed that it was impossible to obtain US dollars – yet we had already agreed on an exchange rate for euros. Some hours later the company informed us that there was no flight available, since all were fully booked. We checked ourselves and gave various flight options.

The owners became more and more angry as they realised that there was nowhere to hide. Finally on 24 August the money was delivered on board and the four crew members received a total of



ITF inspector Debbie Klein and Giannis M crew members

US\$48,000 in cash and were signed off. This was witnessed by Debbie Klein, and the four crew were put in a hotel before flying home on the following day.

For the remaining crew, a settlement was reached that they should receive their outstanding wages in the next port, including a bonus of US\$500 each for not being paid on time.

The bailiff was instructed to lift

the arrest and the vessel left Terneuzen for Rouen, where she was visited again by our French inspector, Laure Tallonneau, on 26 August. He witnessed the payment to the remaining crew – US\$55,000 between five crew members. The Egyptian AB, who had been on board for four years, agreed to be paid US\$33,000 in Casablanca, where the vessel arrived on 1 September.

HOW LONG IS TOO LONG?

Tommy Molloy, ITF inspector, Liverpool, England

ITF inspectors often come across cases where seafarers have completed their contracted periods of employment and are having trouble convincing the operator to sign them off and repatriate them.

Usually it's a couple of months overdue, sometimes longer. But a recent case must be a contender for the record length of time spent on a vessel – in modern times at least.

I was contacted by an AB on the Irish-owned, Curacao-registered general cargoship Fingal. He was asking for help with a request he had made a month earlier to be repatriated. He had been onboard the vessel for 45 months!

The seafarer admitted that most of this time on board had been at his own request: he had two children going through university and he had decided to stay as long as he could in order to be able to pay the bills.

We managed to get the AB paid and repatriated from Liverpool. But another crew member who had already been on board for 22 months pleaded to be allowed to stay until the end of November 2012. I understand why they want to stay and earn money rather than go home for leave and then get in the queue again for another job, but as far as I am concerned it is completely irresponsible for an employer to agree to such requests for such a prolonged period of time.



➔ **“He was asking for help with a request to be repatriated. He had been onboard for 45 months”**

The Maritime Labour Convention states that a seafarer is entitled to be signed off and repatriated after a maximum period of 12 months. We have spoken with the UK's Maritime & Coastguard Agency about these cases, but there seems to be little it can do unless an obvious risk is apparent.

A longer version of this article first appeared in The Telegraph, magazine of Nautilus International.

Don't bully seafarers in my port

Mukesh Vasu,

ITF contact person, Kandla, India

The South Korean flag Blue Star had traded for many years and had earned a lot of money for the owners and provided jobs for seafarers. Eventually she was sent to scrap, but someone who wanted to be called a shipowner stepped in and bought the vessel.

The Blue Star soon encountered technical problems and the engine failed. The port authority sent the vessel to anchorage. After a few days the provisions dried up, fuel ran out and there was no communication from the owner's side. The crew started looking for help but found that there was nobody listening to them.

“The dockers, members of the ITF dockers' union, stopped working on the ship. As a result, the master allowed me on board”

Then one day some dock workers on a tug were passing by and found the seafarers were screaming for help. The dock workers informed me and I took up the

case. Provisions were arranged immediately by the local agent. The next problem was wages and repatriation. The crew did not want to work on the ship anymore. The owner and the agent were uncooperative in negotiations, but after six months of continuous pressure the crew received their wages and were repatriated.

In a separate case, the Tuvalu-flag vessel Veles came to Kandla. One of the seafarers' welfare staff went on board to provide internet service. He was told by the crew that they needed help.

When I arrived at the ship the captain did not allow me to board. I informed my general secretary and the dockers' union. The dockers, who are members of the ITF dockers' union, stopped working on the ship. As a result, the master allowed me on board. I talked with the crew and learnt that they had not been paid for two months and the female chief cook had requested repatriation for personal reasons.

I lodged a complaint with the owner, who did not respond. Then the dockers again stopped cargo handling and, after one week, the owner was forced to come to Kandla to tell me that the salaries had been paid.

I returned to the ship and found that, although the crew had received the wages, they were stricken with grief because the chief cook's fingers had been fractured. She would not say what had happened, but the second officer told me that the owner had physically abused the crew. However, they didn't want to make any more complaints and wanted simply to return home. I arranged police protection until they were repatriated.

Networking is the key to success

Matt Purcell, ITF assistant co-ordinator, Melbourne, Australia

The ITF received a very long thank you letter from a seafarer on board the Antigua-flag HC Melina for fixing crew problems while they were in Melbourne in April 2012.

The Filipino crew members were desperate to leave the vessel for personal reasons. Their contracts were well over their due dates and the Polish master exhibited a generally bad attitude towards the crew. The master claimed that the ITF were mafia!

“All areas are covered and the net becomes too strong for bad shipowners to escape from”

I was on leave when I took the call for help, so I organised one of our volunteers to attend to the vessel, who spent three days on and off following instructions from Dean Summers (ITF coordinator in Sydney) and myself, along with ITF head office. The owners kept going back on their words and even cancelled the airline tickets of the three crew members on two occasions.

Summers then played his trump card by informing the port state control of the manning deficiency caused on board by the departure of the second officer. The company had to arrange a replacement and the vessel stood idle for several days whilst waiting for the replacement crew to arrive.

This was a good lesson for the company – that if they don't do the right thing and cooperate from the start of negotiations, then they can suffer the pain of sitting idle. During all these negotiations we insisted on indemnity for the crew. As a result, no crew members were disadvantaged by the manning agency or the company.

The outcome of this case is a testament to the importance of networking, on which we place great emphasis in Australia. Networking leads to a good results in most cases as all areas are covered and the net becomes too strong for bad shipowners to escape from.

WHAT TO EXPECT FROM YOUR UNION

WE LOOK AT WHAT ITF UNIONS ARE DOING FOR THEIR MEMBERS

Joining a union gives you strength in numbers – the more members a union has, the better its chances of winning a better deal for workers. But as a member, what else should you expect from your union?

- **Membership card:** either a physical card, or electronic;
- **Union newsletter, journal or magazine:** to keep you up to date with what the union and other members are doing;
- **Contacts directory:** telephone numbers and names of union officials, so you can get assistance when you need it;
- **Representation/assistance:** in case you have a dispute with your employer or a problem relating to your employment conditions; some unions will also provide legal advice;
- **A voice at work:** over decisions affecting your working conditions and rights and a say in how the union operates.

Some unions also provide members, and sometimes their families, with other benefits.

For example:

- **Welfare and social needs:** particularly in those countries where there is no social security system or state welfare provision;
- **Training and education:** made available by many unions to provide members with education opportunities;
- **Medical and/or dental care:** for members and their families.





Members training at the NUSI academy

NUSI

The National Union of Seafarers of India (NUSI) has been serving Indian seafarers for decades. Anna Llewellyn talks to NUSI general secretary and treasurer Abdulgani Serang about the union's different initiatives and the benefits they bring to NUSI members and their families

One of NUSI's key facilities is its Maritime Academy in Goa, which conducts pre-sea and post-sea residential courses and also offers STCW training that seafarers are required to complete before sailing. The academy can accommodate 400 trainees at a time and since it opened in 1996 more than 42,000 seafarers have trained there.

Training and development is clearly an important part of what NUSI tries to offer its members and in 2010 the union decided to set up an interest-free loan scheme for ratings wishing to train to be officers. The scheme has already issued loans to over 1,100 seafarers.



NUSI Wockhardt hospital, Goa

Every month NUSI also holds a trade union training workshop for young seafarers. Serang says: "It's important that we give seafarers an insight into the workings of the union and what it does for seafarers and their families. And to make sure they know their rights." He adds: "It's not all one way traffic. NUSI officials are there to share their experiences and views with the participants, but the programme also gives us an opportunity to

hear what seafarers have to say."

Medical care

NUSI offers its members reimbursement of the cost of medical treatment. In the last three years alone the union has paid out more than US\$3 million in medical expenses for more than 3,000 seafarers and their family members.

In addition, NUSI has opened a hospital in Goa offering specialist care in cardiology, neurology, orthopaedics and joint replacement surgery. Other key specialties include internal medicine, obstetrics and gynaecology, as well as cancer treatment. It has capacity for 190 patients, including 43 in the critical care unit. So far more than 60,000 seafarers have been treated there.

Just outside Mumbai, at a hill station on the road to Pune, is the union's Lonavala Resort. This complex includes a home for retired seafarers, a holiday home and a trade union training facility.

Family values

Over the past 14 years the union has provided financial assistance to widows. Since the scheme began 3,000 widows have received financial assistance.

"At NUSI we are keen to nurture the next generation," says Serang. "In 2011, we decided to offer scholarship grants for their children." India has one of the lowest female literacy rates in Asia. For this reason, Serang says, NUSI decided to award daughters with grants that are 50 per cent higher. Almost US\$100,000 has so far been awarded, benefitting over 170 students.

SUR

Members of SUR, the Russian seafarers' union, explain what they get in return for their membership fees



< The union gym at Novorossiysk

Distributing the union's free magazine >



Alexey Gordeyev, chief officer in a Cypriot company

"When I was a cadet, I used to hear about the trade union from time to time but never thought about it. Later, in 2008, the crisis started, and with it there were strikes, demonstrations and other actions. I learned that it was the union that organised and coordinated these actions, and that it was the union that helped seafarers to get their wages paid. When I started working on ships I finally understood the importance of minimum labour standards and wages in the maritime industry. Those standards are also established due to the work of unions."

Maxim Derevenko, cadet at the Admiral Makarov State Maritime Academy

"I have not turned to the union for help as yet. However, guys from the senior classes keep telling us that it does a lot of really useful things. The union is an association of workers, and when people join, it's easier for them to solve their problems and to get better working conditions together."

Help in an emergency

On 28 August 2012, in the Gulf of Guinea, near the coast of Togo, pirates attacked the Energy Centurion (Greek flag). One of the crew members, cadet Vyacheslav Prudnikov, 20, needed medical assistance for an injured leg. In a Lomé hospital, he had to undergo an operation and follow-up surgery several months later. He comments: "When we returned to Novorossiysk we got financial aid

from the SUR. I also got my sick pay thanks to the union. SUR officers gave me advice on what I should do, where to go, and what my rights were in this case. To be honest, I started to think that I was going to end up with nothing. So I'm glad that the union is there."

Sport relief

Second mate of the Moskva Reka Yuriy Dmitriev has been visiting the SUR's sports centre in Novorossiysk for several years. "I come here to enrol in the exercise programme first thing after returning ashore," he says. "Believe me, I am in much better shape now. Exercises even helped me to quit smoking!" Yuriy's wife has also been a regular at the centre for the past six years.

Gratitude for support

Tatiana Ivaschhenko's husband, a motorman on the Uran, was a healthy man when he left for China in 2008, his ship's regular destination. He suddenly started to lose weight rapidly and Tatiana, who was a member of the same crew, stayed close to him around the clock. But within a few days this strong man, only a little more than 50 years old, died while the vessel was sailing

from Qinhuangdao to Nantong.

The Chinese death certificate said the seafarer died as a consequence of a disease, which was not specified. In a few days his body and relevant documentation were delivered to their home town of Vanino, in Khabarovsk Krai, where he was buried. Tatiana then applied to the insurance company for compensation.

The insurers played for time. First they said the death could

have resulted from some chronic disease. Then they noticed an error in translation of the death certificate. And at long last they tried to take the case to a Moscow court, even though it was clear that the widow wasn't able to cover the travel expenses.

However, Tatiana received help from the SUR. In Moscow, thanks to the defence of a union lawyer, the rights of the widow to compensation were successfully established.

AMOSUP

One of the schemes that Filipino officers' and seafarers' union AMOSUP runs is its Pilot Medium-Cost Shelter Programme. Set up in 1991, this aims to give members the chance to have their own affordable home in a safe and peaceful community.

The union has built a self-contained Seamen's Village, with more than 500 homes, a clinic, schools, a chapel and various sports and recreation facilities. Members can apply for one of the homes, which range from two-bedroom townhouses to four-bedroom detached homes. Plans are under way to develop a new village with more spacious homes to accommodate larger families.

Others union benefits include:

- Medical and dental care for members and their families – including free treatment at AMOSUP's own hospitals in Manila, Cebu, Iloilo and Davao;
- Training and education: subsidised courses for officer and ratings at AMOSUP's state-of-the-art training centre in Bataan; access to further education at the Maritime Academy of Asia and the Pacific; support with career development;
- Board and lodging at AMOSUP's seafarers' homes for members needing temporary accommodation on their way to join a ship or returning home;
- 'Slop chest': AMOSUP's own store for members, selling groceries and appliances; offers interest free credit;
- Financial benefits: death benefits and old age assistance via welfare and mutual benefit plan; long-term employer-funded investment/savings in the form of provident funds; widow/widower survivorship pension fund;
- Legal support for employment matters.

Dad-Der

Following the military's exit from Turkey's government in 1997, pro-union seafarers and academics began to organise in Turkey's maritime schools, trying to bring a younger generation of activists together. A nucleus of organisers started to plan to bring the country's 50,000 seafarers together in an effective union. With the support of the ITF, from 2001 these activists ran training programmes for workers, took up cases and claims and eventually opened a contact centre for seafarers to meet and organise in 2004. By 2006, the core of what then became Dad-Der had revolutionised union activities for Turkish seafarers.

From 2007 Dad-Der negotiated collective agreements company by company, backed up by industrial action. As strikes are illegal on Turkish merchant vessels, the activists instead termed their actions "the rightful termination of employment contracts". Tough negotiations led to 65 vessels being covered by collective agreements by January 2008; by September 2012 Dad-Der had 235 vessels covered.



Özkan Firat (right)

My name is Özkan Firat. I am 33 and a second engineer. My family is from Malatya in Eastern Anatolia. I have been a seafarer for six years, mostly on bulk carriers.

I joined Dad-Der in 2008 when I faced some serious problems, namely late payment of wages and violation of contract terms. Joining the union makes you strong. Flag of convenience shipowners take the ITF and its affiliated seafarers' unions very seriously.

In March 2009 I was working on a brand new ship of 450,000 dwt. I was seriously injured while trying to repair a balance pump, and my left hand was severed at the wrist. The same almost happened to the engineer I was working with. Our ship was 250 miles from the Canary Islands and it took four and a half hours before a helicopter finally reached the ship – it was the most difficult period of my life. It took another four hours to reach hospital and surgery took almost 18 hours.

Later, we realised that Dad-Der was aware of the situation from the beginning and was in contact with our employer. Treatment in Turkey took another year, including seven further successful operations. During this period I received one-third of my salary from the shipowner.

Once treatment ended I was offered an office job, on condition that I did not ask for any compensation for incapacity to work. The advice I received from Dad-Der was extremely useful, and thanks to my union I was not deceived by a series of proposals made by the shipowner.

Throughout the year-long judicial process, Dad-Der provided legal counselling and support. Eventually, the shipowner's lawyers realised they had no realistic chance of winning a long, expensive legal process and they offered concessions. After discussing their offer with Dad-Der and their lawyer, I decided to accept.

Union rights in Turkey

Turkey has a poor record on union rights.

- The constitution was eventually amended in 2010 to allow collective bargaining in the public sector.
- Unions must be formed by Turkish citizens.
- Turkey has ratified International Labour Organization Conventions 29, 87, 98, 100, 105, 111, 138 and 182.
- The right to strike is very limited, with a nearly three-month waiting period before a strike can be called. A lawful strike can be suspended by the government for up to 60 days for reasons of national security or public health. Penalties for joining unlawful strikes are harsh.
- All meetings and rallies must be approved by the authorities, and police must be allowed to attend and record the proceedings.
- Regulations for union activities are complex, and any infringement is monitored.
- Employers frequently dismiss workers for union membership. Police violence and detention; incidents of arson and intimidation; harassment (including labelling union leaders as terrorists); forced relocation of jobs; and prosecutions for joining union demonstrations are all common.
- In 2012 there have been two reported injuries, 143 arrests and 25 imprisonments of union activists. 197 workers have been sacked for union membership

(Source: ITUC – survey.ituc-csi.org)

INDEPENDENT EGYPTIAN SEAFARERS' UNION

The new Independent Egyptian Seafarers' Union was formed in June 2011. Union activists were committed to building a genuinely representative union for Egyptian seafarers after many had been inspired by the new, independent unions and federations that emerged during and immediately after the 25th January revolution.

With the support of ITF inspector Talaat Elseify, the union quickly established an interim committee and began to organise seafarers, despite facing a number of serious challenges. The new union not only had to

deal with a basic lack of infrastructure, it also had a new and inexperienced leadership who had to withstand constant interference from the old trade union federation.

In early 2011 the ITF Arab World regional secretary Bilal Malkawi made a series of visits to Egypt to support the new union. Shortly afterwards, other ITF representatives, including Egypt project officer Dr Samar Youssif, met to assess how the ITF could provide ongoing support to the union. It was decided that the ITF would facilitate an intensive programme of seminars for the union's

members, aimed at building basic union organisation and capacity.

Twelve months on and, despite extremely challenging circumstances, the new seafarers' union has managed to limit the influence of the old, state-sponsored federation. It has established itself as the independent and credible representative for seafarers in Egypt. During this time the union has recruited over 2,000 new members and now has a unified and committed executive operating out of its head office in Suez and Alexandria.

"The union is still developing," says spokesperson Manal Bakshish, "but we are going in the right direction. Our union still has some way to go and there are many challenges ahead, especially with what is happening in the country. But I am hopeful."



Independent Egyptian Seafarers' Union members at a workshop in Port Said

THIS MUCH I KNOW

JULIA LILIANA BECERRA, AGED 32 AND A FORMER CHIEF OFFICER, IS THE LABOUR AFFAIRS SECRETARY FOR THE CCUOMM OFFICERS' UNION OF ARGENTINA. SHE TELLS US ABOUT HER LIFE AT SEA

Julia (centre) at the ITF Congress in Mexico City in 2010, with CCUOMM president Marcos Castro (left) and CCUOMM vice president Jorge Tiravassi (right)

Nobody in my family has worked at sea. But as a young teenager I was already interested in being a seafarer. I didn't know how to go about it but I knew I didn't want to go into the military. I discussed it with my parents and close friends but none of them knew anything about careers in the merchant navy.

People tried to put me off a career at sea. I had a chance encounter with a colleague of my father's. He had been a deck officer when ELMA (Empresas de Líneas Marítimas Argentinas) was operating. Although he expressed his passion for this career, he said I would have no future given the circumstances in our country and "especially being a woman". It was 1998 and the neo-liberal government had dismantled the national fleet, opened up cabotage to flags of convenience and was ignoring collective agreements and legislation covering Argentinian seafarers.

Study grants from my trade union helped me through college. I eventually began my career as a deck officer at the Manuel Belgrano National Nautical School in 2000. My family supported me through college, but the study grants I had from my union, the CCUOMM, really made a difference.

One of the things I remember most about my first job at sea was working in extreme temperatures. It was a

ship that I had already worked on during work experience as a student, the *Río Gallegos 1*, a Japanese-built chemical tanker. Although it was well-maintained, it was old and fairly small. Loading and unloading was completely manual. So it was hard work, especially in such extreme temperatures. Mooring and weighing anchor at the ports of Río Gallegos and Ushuaia were



Julia on board the Cabo San Vicente, Panama Canal, 2005

complicated manoeuvres because of the extremely cold conditions there. Later on, I had opportunities to sail on other ships to other ports in the world. But I remember the experience of working on that first ship like it was yesterday. I discovered it is essential to work as a team on board to get the best results.

A permanent contract gives you protection. The ship I worked on did a fixed cabotage line, carrying hydrocarbon distillates from Puerto La Plata to ports in southern Argentina, such as Ushuaia and Río Gallegos. All the crew were on permanent contracts, which meant

that the company could not lay us off and had to observe Argentinian legislation and collective agreements for seafarers.

To overcome prejudices you have to work hard and be frank with your colleagues. I was the first woman to be employed on that ship on a permanent contract, so my first big challenge was to be accepted by the group. I soon felt very comfortable with the work and with

life on board. The life of a seafarer is very hard and wonderful at the same time, for both men and women. As a woman you have to overcome certain barriers, such as social prejudices, both at work and also amongst your own family and friends. But it can be done and women members of the CCUOMM have had a lot of support from our union over the years.

Being a woman on board requires extra efforts. Thanks to the work of my union, companies are not allowed to discriminate against woman seafarers. But, in some cases, old habits are difficult to break! During my first experience

on board, some crew members told me that I wouldn't have the strength to cope with the isolation and the rhythm of work. They said that I wouldn't stick it out and would end up leaving my career to have a family. They stopped me from doing certain tasks saying things like "it's a man's job". These comments made me feel down at first, but I never forgot my goal. In the beginning, I often felt that some of the crew members did not trust me. Once, during a difficult manoeuvre trying to recover an anchor, some crew members strongly suggested that I was relieved of my position at the bow of the ship. I insisted and stayed at my post, and was supported by the ship's captain. After several tough hours, we finally recovered the anchor. From that day on many things changed, especially the relationship with my colleagues.

Being a union member is a bit like being part of a crew. It is teamwork, but on a bigger scale. Being part of the union means being able to focus on pushing for improvements on a whole range of issues, including gender issues and raising men's awareness of what it means for a woman to come into this job. I'm proud that my union, the CCUOMM, has played a decisive role in securing legislation, jobs, collective agreements and national standards for Argentinian seafarers.



Wi-fi – A vital tool for seafarers

Wireless internet in ports is a major boon for visiting seafarers

“
The internet has deeply changed the way seafarers communicate and spend their shore leave
”

Speaking at the Apostleship of the Sea’s international congress in November 2012, ITF general secretary David Cockcroft said: “We need to find a new model of work with seafarers; a model that takes into account their reduced access to shore leave. At the ITF we believe that wireless internet is a vital tool for the seafarers calling in port or at anchorage, and we all need to be active in promoting shipboard communication so that seafarers are less isolated.”

The internet has deeply changed the way seafarers communicate and spend their shore leave. Jan Oltmanns, of the Duckdalben Seafarers’ Centre in Hamburg, hopes that in five years time most seafarers will have internet connection on board their ships. This will give them more time for sports, parties and excursions to the town and around. “I hope seafarers will enjoy their time on solid ground and will talk to local people. There will be new kinds of relations and friendships,” he explained.

One of a group of seafarers interviewed about this in Antwerp said: “Seafarers usually go ashore for other reasons than internet connection, but we are forced to look for communication facilities because most of us don’t have any other means on board to get in touch with our relatives.”

Requests to have the internet on board while the ship is in port have been increasing over the past five years; it is now, according to many ITF inspectors and ship visitors, the number one request by seafarers.

According to one seafarer: “The first thing I do when I’m in port off duty is turn on my computer and look for a wi-fi connection. Unfortunately, most of the time, wi-fi is locked by a password.” In a handful of ports around the world wi-fi is provided by the port authority and is available to seafarers for free. Antwerp is one of those ports.

Seafarers are asking to have more “internet

friendly ports”. Personal communication has always been very important for them. What was once accomplished with letters, and later on shore-based telephone calls, is now being done through the internet. It is a tool that educated young people expect to find anywhere in the world, so that communication at very low cost can take place with their homes, friends and loved ones.



Antwerp port chaplain Jorg Pfautsch teaching a seafarer how to connect to the port free wi-fi

This is why the ITF Seafarers’ Trust is determined that seafarers should not become second class citizens due to a lack of access to internet. Until ships can provide internet access for all seafarers, shore-based facilities need to do so, and as most seafarers cannot get off the ship in port, the internet needs to be brought to the seafarers.

If you need more information: trust@itf.org.uk

Scammers are ruthless. They don't care how poor their victims are or how desperate for a job. Given the chance they'll take money from anyone – then keep coming back for more. Here's how to avoid them

Don't get scammed

Recruitment frauds are more numerous than ever, helped along by the possibilities offered by email and the internet, and by government and legal inaction. No one is too poor or vulnerable to be targeted.

So how do you avoid becoming a victim? The best defences are scepticism, information and common sense. The golden rule is that if it looks too good to be true, it usually is

There are a number of different frauds, but what most have in common is that they usually offer guaranteed work on high wages, on cargo ships, cruise ships or oil rigs. They may say that qualifications are not required. The feature they all share is that the work will depend on a bribe or payment. Except that it won't be described that way, and may not even be mentioned until you have supposedly got the job and signed a contract. How it will be presented is as an agency or registration fee, a charge to cover the cost of a medical examination, a passport processing fee, a payment to (often) the United Kingdom Border Agency. You may be asked for money for airfares to join a ship and promised you'll get the money back when you arrive. You won't. Pay one "fee" and they'll hit you with the next: a chain of demands for last minute passport registration, or bank transfer, airport and currency commission fees. The poor victim, who has already invested heavily, will be milked for more and more, always on the promise that this is the last demand – the well-paid job and the return of their money is just around the corner.

A similar fraud is an email saying there is an immediate vacancy on a cargo ship for which you are qualified. For some time this was usually supposedly waiting for you in Port Harcourt, Nigeria. As these scams have been exposed – along with others meant to be in other countries but with a Port Harcourt bank as the address to send funds to – the scammers have mostly moved to pretending to be based in other countries. Fake London addresses are particularly common, even though the fraudsters may be thousands of miles away. Pretend passport and immigration fees will almost always be the excuse to part jobseekers from their money.

Other frauds include payment to have your job application or CV circulated to prospective employers, often with a guarantee that if you don't get a job you'll get your money back. You can usually be sure you won't get either. Also treat with caution websites that invite you to post your CV for free. Your personal details can be used for identity fraud,

especially if you are then approached by an "employer" who asks you to send your passport and seafarers' certificate or photocopies of them.

“
The golden rule is that if it looks too good to be true, it usually is
”

Stay out of trouble

So never trust unsolicited job offers. Don't trust authentic-looking websites, letterheads

and seemingly prestigious addresses. Trust yourself and your awareness that something that looks too good to be true probably is. Remember that requesting advance payments for work on ships is prohibited under international maritime conventions. So if instead you're told you need to pay airfares or registration fees, ask yourself why the people who are offering these well-paid jobs can't find that money themselves. If they were legitimate they wouldn't ask.

Look out too for the use of box numbers and false addresses and phone numbers, or for the use of the name of a real company at a different address. When searching for work, always do a Google search on any company and ship name followed by the terms "scam", "fraud" and "warning". Even if nothing negative turns up, unless you are 100 per cent sure that the company is legitimate, don't go ahead until you are certain that no money is being solicited at any point, and approach your national seafarers' trade union or the ITF for advice.

Above all remember that you shouldn't have to pay for work at sea, whatever the excuse given, and that if anything about a job looks wrong or looks like what you've read here, you should stay well away from it.

For more information on scams and recruitment dangers see www.itfseafarers.org/job_scams.cfm

I was scammed by a recruitment agency

The advert looked good. I saw it on the internet. The ship was called Spirit of Adventure.

The agency wanted around UK£3,000 (US\$4,800). It seemed like a lot of money to pay for a job, but they promised really good wages. I had already been looking for work for a long time.

I didn't have that kind of money, so I got a loan from the bank and sold my motorcycle. In total I had to make four payments to the company.

They seemed professional. They sent me an appointment letter and an employment contract and confirmed that they were contacting the UK immigration agency. But it was all a scam.

I did have some suspicions, but I was so desperate for work, I carried on with it. I hoped that it would work out and I would get a job at the end of it.

Ever since then my situation has been very bad. Financially it had a brutal effect on our family. We are struggling to pay back the loan to the bank.

I'm still sending emails to the company to try and get my money back, but I never get any reply.

I'm definitely less trusting now. My wife is always telling me to beware of job adverts, of emails, of everything.

I'm not sure what the future holds. I still haven't managed to get a job; it's really hard to find anything. At the moment I'm staying in Jakarta to see if I can find work there. It's difficult because it's a long way from where I live, from my family. I'm ready to sail, to work hard. I just really hope there is a chance for me to find something.

My advice to other seafarers is to be very careful, especially when looking for jobs on the internet. Not everything is what it seems. Don't rush into anything. You might regret it.

Yusuf Kasa - AB/Cook, Indonesia, aged 35

THE SEAFARERS' BILL OF RIGHTS

The Maritime Labour Convention is a groundbreaking new bill of rights for seafarers. We look at how unions have prepared for its implementation, how it affects contracts, crewing and wages, and what difference it will make for those working on cruise ships

August 2013 sees the coming into force of a key International Labour Organization convention providing seafarers with comprehensive rights and protection. This follows last year's ratification of the Maritime Labour Convention 2006 by the necessary 30 ILO member states.

The MLC takes its place alongside three other key IMO conventions: Safety of Life at Sea, Prevention of Pollution From Ships, and Standards of Training, Certification and Watchkeeping.

Dave Heindel, chair of the ITF seafarers' section, explained what the new convention means to those working at sea: "The MLC – the seafarers' bill of rights – is a genuine agent for real change. It has the potential to make a real difference to all seafarers, regardless of nationality or the flag of the ship on which they serve."

He added that the convention's entry into force would be the culmination of over 10 years of collective effort by the ITF and ILO social partners.

International Shipping Federation (ISF) labour affairs committee chairman Arthur Bowring also welcomed the implementation. He stated: "The labour standards which we have all agreed can be supported by governments, shipowners and seafarers giving us a uniform global framework of sound employment standards that is required by both shipowners and seafarers."



“

The seafarers' bill of rights is a genuine agent for real change

”

Getting ready on the ground

ITF inspectors have worked busily at national level to make sure that everything is in place for the MLC's coming into force.

Igor Kovalchuk, first vice president of the SUR Russian seafarers' union:

The SUR is exploring the possibility of becoming a “recognised organisation” itself as far as MLC compliance of vessels is concerned, since the SUR has a network of inspectors in practically all Russian ports. We hope that eventually all the necessary decisions will be taken and that in August 2013 we may see the first results of the implementation of the MLC. This means that all vessels calling at Russian ports will have to be inspected for compliance and

crew members will be able to make use of the on-shore complaint-handling procedure.

A new situation will emerge whereby inspections for compliance with MLC in Russian ports will be the engine for improving seafarers' labour conditions. It is hoped that this will also speed up ratification of the MLC in other countries in the Black Sea area. In any event we are convinced that the substandard shipping in the region, which is so widespread today, will substantially decrease.

Peter Lahay, ITF coordinator, Vancouver, Canada:

ITF inspectors have had excellent training and guidance on the MLC. We are ready for it and are anxious to use its provisions. We're in an ideal position to help things along. We are working with the government on how we can make sure that ITF inspectors and port state control inspectors have

mutual understanding, cooperation and respect.

Joselito Pedaria, ITF inspector, Cebu, Philippines:

We have already been in touch with the administrator of the Philippines Overseas Employment Agency, who is the go-to person of the secretary of the Department of Labor and Employment (DOLE) on all matters relating to the MLC. We want to do whatever we can to ensure that all the necessary adjustments are made so that the MLC can be implemented in the Philippines. In particular port state control may need to make some changes.

Luz Baz, ITF inspector, Vigo, Spain:

Here in Spain the ITF inspectors have been working with various agencies on MLC matters and made the most of every opportunity to discuss it with

industry representatives, such as lawyers, shipowners, crewing agents and P&I clubs.

Elsewhere:

Australia: Joint training with the Australian Maritime Authority has started and is going well. Port committees have been created around the country.

Colombia: Meetings have been held in Cartagena with the maritime authority and 120 representatives of the maritime industry. Unions have been pushing for ratification of the MLC.

Sweden: There already is a close relationship between ITF inspectors and port state control (PSC) administrations. Joint training is taking place. The ITF coordinator has been invited to do further training with PSC on ITF work.

What the MLC means for you

Employment contracts

One of the most important clauses in the MLC requires shipowners to provide seafarers with a fair, clear contract setting out the terms and conditions of employment. You must make sure you understand it, have a signed original to keep and there must always be a copy on board. The contract must be signed by you and by the shipowner or the person responsible for fulfilling the shipowners' side of the agreement so that they can be held accountable at all times.

Here's a checklist of items that must be included in your employment contract (which can be a collective bargaining agreement):

- your full name, date of birth/age and place of birth;
- shipowner's name and address;
- place and date where the contract was signed;
- your position on board;
- your wages and how they are calculated;
- amount of paid annual leave;

- conditions for termination of contract, including notice period if applicable or expiry date for a fixed term contract;
- destination port if the contract is for a specific voyage;
- health and social security benefits provided by the shipowner;
- details of your repatriation entitlements;
- reference to any applicable collective bargaining agreement;
- any other details required by national law.

Crewing agents

Under the MLC you should have access to an efficient, well-regulated system of recruitment and placement. It's the shipowner's responsibility to make sure that the agencies they use comply with the MLC's requirements.

Under the MLC, crewing agents cannot charge you directly or indirectly for a placement nor can they keep a blacklist of seafarers. Reliable crewing agents will:

- keep an up-to-date register of all their seafarer placements;
- keep up-to-date lists of ships and company contact details where their seafarers are placed;



- inform you of your rights and duties under an employment agreement and give you enough time to examine it before you sign up;
- give you a copy of the employment agreement;
- make sure their agreements comply with applicable national laws and collective bargaining agreements;
- check your qualifications for the job;
- make sure that the shipowners and companies they work with are financially secure so that you don't get stranded in a foreign port,
- have an effective complaints procedure in place;
- have insurance in case they need to compensate you for any failure to meet their obligations or those of the shipowner on whose vessel they have placed you.

Wages

Other than making reference to the International Labour Organization's (ILO's) recommended minimum wage for able seafarers, the MLC does not set out how much you should be paid. What it does do is specify when and how you should be paid.

You have the right to be paid regularly and in full at least monthly. You must be paid in accordance with your employment agreement or collective bargaining agreement.

Your employer must give you a monthly account setting out payments due and amounts paid, including wages and any additional payments and any applicable rate of exchange.

Basic pay or wages means pay for normal hours of work – normally no more than eight hours a day, 48 hours a week.

From January 2013 the ILO-recommended minimum wage for able seafarers is US\$568 per month, rising to US\$585 on 31 December 2013 (see www.itfseafarers.org/ILO for more details and updates).

If you are required to work more than your basic hours you should get paid overtime at a rate of at least 1.25 x basic rate. Overtime records should be kept by the captain and endorsed by you at least monthly. If you have to work on a specified day of rest or public holiday then you should be entitled to overtime pay or time off in lieu.

Your employer must ensure that you can send money home without unreasonable charges and at a rate of exchange that is not unfavourable to you.



“For the first time ever a clear definition is given of who is a seafarer”

What the MLC means for cruise crews

Johan Oyen, chair of the ITF cruise ship taskforce explains the difference the Maritime Labour Convention will make for cruise ship crews

The ITF believes that the MLC will have an impact on all workers of the maritime industry, but especially on those working in the cruise industry.

For the first time ever, within the MLC a clear definition is given of who is a seafarer. To quote Article 2, a seafarer is: “any person who is employed or engaged or works in any capacity on board a ship to which this convention applies”.

The concept is revolutionary because it certifies that all workers on a cruise vessel engaged in international voyages are now defined as seafarers, which is a definitive acknowledgment compared to the ambiguity of the past when, with the exception of the nautical crew,

everyone else could be unsure about the application of maritime instruments because of uncertainty as to whether they were seafarers or not.

The benefits that the MLC will bring to contractual and working life on board a cruise vessel are major. For example, the MLC requires flag states to have an effective control over manning agents or hiring parties to avoid seafarers being charged fees or costs that in fact should be limited only to professional certificates, passports and national statutory medical certificates.

It also provides seafarers with an easily-accessible process by which they can report breaches of the convention, either to flag states or to port state control officers – and it empowers the role of seafarers' organisations to assist any seafarer who might be the victim of abuse and discrimination.

Contractual medical care whilst in employment, financial security with insurance cover for seafarers, and the prevention of accidents and implementation of safety measures are all concepts contained in the MLC.



YOUR ITF GUIDE TO GETTING HELP

When you're away from home, resolving any work-related problem you might have can seem more difficult, whether it's your job, your safety or working and living conditions that's the issue. Your union, together with the ITF, is there to help.

In this eight-page pull-out, we've put together in one place a complete toolbox of ways to get help.

A MATTER OF URGENCY: DO YOU NEED HELP NOW?

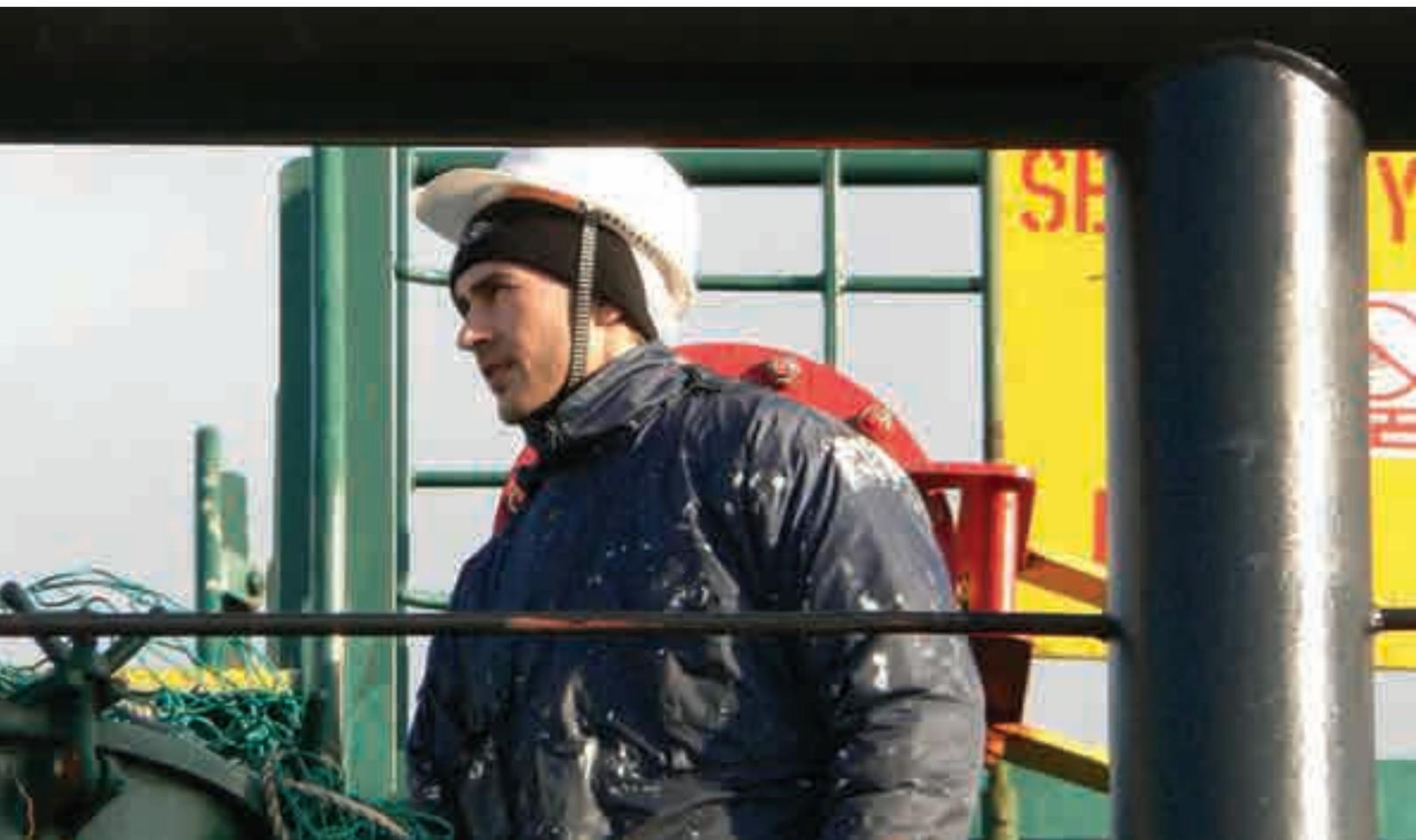
How to find a seafarers' union

Your first point of contact should be your union – if you are not a member, find out how to join one. You can check ITF-affiliated unions on www.itfseafarers.org – click the tab “Find and Inspector or Union”

How to find an Inspector

If you need help straight away, or if you're a union member having difficulty contacting your union, then get hold of an ITF Inspector. You can find details on the ITF website, or you can use the map and contact details within this pull-out guide.

Your 8-page pull-out guide



WWW.ITFSEAFARER-APPS.ORG

Download new **FREE** ITF seafarer apps for smartphones and tablets:

- ITF inspector or union: find contact details for the nearest ITF inspector, co-ordinator or union.
- Look up a ship: Check on-board conditions before you sign-up to work on a ship
- Find a seafarers' centre: seafarers' centres provide advice, someone to talk to, facilities to contact home and a place where you can relax away from the ship

HELPLINES AND NUMBERS TO CALL

The ITF now runs a 24-hour Global Support Line +44 (0)20 8253 0177.

The people answering your calls are multi-lingual and trained to deal with your issues. They will provide initial advice and refer problems and queries to the best ITF resource – an Inspector for example, or ITF head office.

In office hours, seafarers can contact +44 (0)20 7940 9287

BEFORE YOU CALL

When asking for help, always be ready with information about you, your ship and the problem you have: use our checklist to help you prepare before you make that call.

About you

- Name
- Rank
- Nationality
- Contact details – telephone and/or email

About the ship

- Name
- Flag
- IMO number
- Current location
- Number of crew and their nationalities

About the problem

- Describe the problem
- How long have you been on board
- Are all the crew experiencing the same problem?

SOMEONE TO TURN TO: GETTING ADVICE

Seafarers' centres

Seafarers' centres provide advice, someone to talk to, facilities to contact home and a place where you can relax away from the ship.

For a new way to find seafarers' centres, download the free Android phone app that the ITF Seafarers' Trust has developed: <http://www.itfseafarers.org/seafarer-apps.cfm>

Getting hired

Crewing agents

The Maritime Labour Convention says that private crewing agencies must be regulated. It prohibits: the charging of fees to seafarers for finding positions on board; the making of illegal deductions from wages; and the practice of blacklisting individuals. Shipowners must make sure the crewing agents they use meet these standards. If you have problems with agents, please contact us by email on: CrewingAlert@itf.org.uk

Before you sign a contract

ITF advice on your contract to work at sea

The best guarantee of proper conditions of employment at sea is only to sign a contract drawn up in accordance with an ITF-approved collective agreement. Failing that, here is a checklist to follow.



Don't start work on a ship without having a **written contract**.

Never sign a blank contract, or a contract that binds you to any terms and conditions that are **not specified** or that you are not familiar with.

Check if the contract you are signing refers to a **collective bargaining agreement (CBA)**. If so, make sure that you are fully aware of the terms of that CBA, and keep a copy of it along with your contract.

Make sure that the **duration of the contract** is clearly stated.

Don't sign a contract that allows for alterations to be made to the **contractual period** at the sole discretion of the shipowner. Any change to the agreed duration of the contract should be by mutual consent.

Always ensure that the contract clearly states the **basic wages** payable and make sure that the **basic working hours** are clearly defined (for example 40, 44 or 48 per week). The International Labour Organization (ILO) states that basic working hours should be a maximum of 48 per week (208 per month).

Make sure that the contract clearly stipulates how **overtime** will be paid and at what rate. There could be a flat hourly rate payable for all hours worked in excess of the basic. Or there may be a monthly fixed amount for a guaranteed number of overtime hours, in which case the rate for any hours worked beyond the guaranteed overtime should be

clearly stated. The ILO states that all overtime hours should be paid at a minimum of 1.25 x the normal hourly rate.

Make sure that the contract clearly states how many days' **paid leave** per month you will get. The ILO states that paid leave should not be less than 30 days per year (2.5 days per calendar month).

Make certain that the payments for basic wages, overtime and leave are clearly and **separately itemised** in the contract.

Check that your contract states that you are entitled to the costs of your **repatriation**. Never sign a contract that contains any clause stating that you are responsible for paying any portion of joining or repatriation expenses.

Don't sign a contract that allows the shipowner to withhold or retain any portion of your wages during the period of the contract. You should be entitled to **full payment of wages** earned at the end of each calendar month.

Be aware that an individual employment contract will not always include details of **additional benefits**. Therefore, try to obtain confirmation (preferably in the form of a written agreement or contractual entitlement) of what compensation will be payable in the event of:

- sickness or injury during the contractual period;
- death (amount payable to next of kin);
- loss of the vessel;

- loss of personal effects resulting from the loss of the vessel;
- premature termination of the contract.

Don't sign a contract that contains any clause that restricts your right to join, contact, consult with or be represented by a **trade union of your choice**.

Ensure that you are given and retain a **copy of the contract** you have signed.

Check the conditions for terminating your contract, including how much **notice** the shipowner must give you to terminate your contract.

Remember... whatever the terms and conditions, any contract/agreement that you enter into voluntarily would, in most jurisdictions, be considered **legally binding**.

To find out if your ship is covered by a ITF-approved agreement, go to itf.seafarers.org and click the tab "Look Up a Ship".

Use the new ITF Seafarer App for mobiles and tablets to look up a ship: www.itfseafarer-apps.org



**International Transport
Workers' Federation**
www.itfseafarers.org



ITF inspectors

For full contact details of ITF inspectors go to www.itfglobal.org/seafarers/msg-contacts.cfm

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**Maritime Labour
Convention, 2006
enters into force
20 August 2013
Know your rights!**



Thinking of taking industrial action?

Read this first

The ITF is committed to assisting seafarers serving on flag of convenience ships to get just wages and proper collective agreement coverage.

Sometimes seafarers have to resort to legal action in local courts. On other occasions boycott action may be taken against a ship. Different actions are right for different places. The right action in one country may very well be wrong in another.

Contact the local representative of the ITF for guidance. You will find contact email addresses and phone numbers in the centre of this bulletin. You should also seek local legal advice before you take any action.

In some countries, the law actually works against you and your fellow crew members if you

take strike action, and in such a case, the local ITF union representatives will explain this to you.

In many more countries, the key to winning a dispute is strike action. Once again, this depends on the local advice you receive. You have the legal right to strike in many countries, so long as your ship is in port and not at sea.

In any strike action it is important to remember to remain disciplined, peaceful and united. And remember, the right to strike is a basic human right guaranteed, in many countries, by the law or constitution.

Whatever you choose to do, don't forget to talk to the local ITF representatives before you take any action. Working together, we can win the battle for justice and basic rights.

Maritime accidents

There are international guidelines to ensure seafarers are treated fairly if their ship is involved in a maritime accident – whether by the shipowners, the port, the coastal state, the flag state or their own country's laws. Here are your rights if this happens to you:

- You have the right to a lawyer. Ask for one before answering any questions or making any statements, since these could be used against you in any future legal case.
- You must be able to understand what's being said – ask the authorities to stop the questioning if you don't understand. If you have difficulties because of the language being used, ask for an interpreter.
- Your company has an obligation to assist you – contact your company or, if this is difficult, your union, for advice and assistance.

More information at: www.itfglobal.org/fairtreatment

MORE INFORMATION



- Find out what your rights are
- Discover what a union can do for you
- Link up with fellow seafarers
- Download materials
- Find advice on topics including pay, jobs and safety

ITF Dockers and Seafarers pages:
www.dockers-seafarers.org

www.dockers-seafarers.org is a dedicated online space for docker and seafarer union activists to share their experiences, ideas, struggles and wins.

The ITF is focused on building union power by strengthening the links between activists on the ground. Using these pages means you can get interactive now – and have your say on the issues that matter to you. Activists can also get access to the members' area of the website to follow discussion on union strategies and tactics.

www.itfglobal.org is the ITF's wider website with links to news, campaigns and information in the global transport industry – get online and get informed about the many issues faced by other transport workers worldwide!

The ITF Seafarers site www.itfseafarers.org is an invaluable resource for seafarers, with content in Chinese, Russian, Spanish or English. As well as the resources advertised on these pages, you can:

In a number of recent cases, seafarers have been detained due to possession of illegal pornographic material, often DVDs. Whilst the sale of such material may be allowed in some countries, its possession can be illegal in others. Should such material include child pornography, you risk confiscation by customs authorities and subsequent criminal prosecution.

A WARNING:
BE CAREFUL
WHAT YOU BUY

The common good

Dockers and seafarers are stronger when they confront injustice or risks together. Here's the proof

A matter of life and death

Despite dockers being specially trained for their work, sometimes seafarers are asked to unload cargo from vessels.

The dangers of seafarers doing dockers' work are well documented

ITF coordinator for Britain and Ireland Ken Fleming sums up the approach that's needed from maritime workers: "It's a matter of life and death in some ports. Dockers and seafarers as a strong and united workforce can combat exploitation and ensure safe, decent workplaces whether on land or at sea."

An avoidable death – the case of the Eucon Leader



The Eucon Leader in Rotterdam.

On 21 January 2007, around 5.45 in the morning, a tragic accident took place on board the Eucon Leader, in which a Filipino seafarer was crushed to death by an eight-ton container.

The ship was berthed at the Rotterdam Shortsea Terminal in the Netherlands. Filipino AB Glenn Cuevas was placing the twistlocks on a container when another container was placed on top, crushing him to death.

The vessel, managed by Cyprus-based Marlow Navigation, was covered by an ITF collective agreement with a dockers' clause. This clause prevents cargo handling and lashing from being carried out by seafarers without prior agreement from the local dockers' union. This did not occur and the crew was instructed to carry out lashing of the containers on board.

Cuevas was 36 years old and left behind a wife and two children. The ITF managed to obtain compensation for the family totalling US\$200,000, which was above and beyond the level guaranteed within the contract.

Today, some six years after the incident, a legal case to determine

liability for the accident is still being fought.

Niek Stam, national secretary of the dockers' section of local ITF-affiliated union FNV Bondgenoten, said: "This was a gruesome accident. And what makes it even more terrible is that it was completely avoidable. Dock work is dangerous. Companies shouldn't be putting lives at risk by forcing seafarers to carry out lashing and securing containers when there are highly skilled dockers there to do the work."

“This was a gruesome accident. What makes it even more terrible is that it was completely avoidable”

He added: "Seafarers already suffer from stress and fatigue because of the long hours they work. Ignoring these hazards will only increase the chances of accidents like this happening again."

A family affair

ITF inspector Christian Roos reports back from the Maritime Roundtable



“The ITF itself was built on seafarers and dockers working together”

Seafarers and dock workers have always been connected, both on the job and through their union struggles. The ITF itself was built on seafarers and dockers working together.

Nowadays, we need more than ever to work together. So in September 2012 around 200 activists and leaders from ITF dockers’ and seafarers’ unions in over 50 countries came together in Casablanca, Morocco, for a “family gathering”, the first ever ITF Maritime Roundtable.

The participants discovered that many of the issues they have are joint issues. Health and safety on board ships affects dockers as well as seafarers. Cargo handling by seafarers threatens the employment of skilled dock labour, but also poses a safety risk for seafarers.

We asked unions to think about the importance of building strength by encouraging their members to be active in the union. They talked about how they can do that, through communications and other means.

They discussed industry developments, such as port automation, how these are impacting on workers and how the unions need to respond.

They looked at examples of how working together with unions further along the supply chain – beyond maritime, even outside the transport industry – could give our workers much more muscle.

Like all families we have our differences. We don’t always agree. But like most strong families, when the going gets tough we rally round, we pull together and we find a way through.

A longer version of this article was first published on the ITF inspector’s blog. See:

www.itfseafarers.org/inspectors_blog.cfm

In August 2012 the ITF launched a new website where dockers and seafarers can share interests and work together:

www.dockers-seafarers.org

Campaign of intimidation by DHL

DHL Turkey continues attempts to destroy the hard-won representation within the company of transport union Tümtis, by forcing its workers to join a newly-established union. In one development early in 2012 it was reported that a shelter built by union members, who had been on peaceful pickets for over 200 days outside DHL’s depot in Kiraç, was attacked and damaged, with union flags torn down,

including those of maritime unions.

Since April 2011, 30 workers have been dismissed for attempting to organise a union. Many of the sacked workers remain on peaceful picket lines outside DHL Turkey warehouses.

One of the union banners torn down was that presented on 23 October 2012 by senior representatives from eight maritime unions from the Black Sea, together with representatives from the Israel Officers’ Union, the French Labour Confederation and Turkish seafarers’ union Dad-Der, who met dismissed workers on the picket lines.

See: www.itfglobal.org/campaigns/respectatDHLTurkey.cfm

Looking to the future, and across borders

By Jeremy Anderson, ITF researcher



Steve Biggs and fellow dockers at Southampton Port showing solidarity

DP World is one of the world’s largest port companies, a global network terminal (GNT) operator with operations across six continents. But at DP World’s terminal in Southampton, the company looks transient compared to union convener Steve Biggs and his fellow dockers. DP World is building a state of the art facility on the River Thames at London Gateway, and Biggs and his union, Unite, fear the company might switch all its business there sooner rather than later. If that happened, DP World would no longer be an employer, it would be a competitor.

By contrast, Biggs is always thinking about the future of Southampton, making sure there is work for a new generation of dock workers.

“We managed to get some new work for the younger ones recently,” says Biggs. “There was a new DP World warehousing facility – we said we would give that work up and create new jobs.”

Although he is concerned that DP World’s new facility at London Gateway will be a threat to his members’ livelihood, Biggs is already thinking about how he can support the union there. The global scale of DP World even gives the union an advantage. It connects the power of Southampton dock workers, which has been built up over a century, to workers at a new port before it has even opened. Management, of course, would prefer that the union starts from scratch.

Biggs’ ideas don’t stop at Britain’s borders. DP World has a mega-hub in Dubai. It’s

the powerhouse of the company’s profits. It also has no union rights, or even basic protections for workers. “I’m always going on about safety in Dubai. Whenever there is a fatality, I’m always asking for a full explanation. Workers in Dubai don’t have a union yet, so we have to do anything we can to support them.

“It’s just like when there was that dispute in El Sokhna in Egypt. It was just after the Arab Spring and workers were able to organise an independent union for the first time. DP World refused to recognise the union, so we called our managing director in and told him it wasn’t good enough.”

Some companies and politicians promulgate an image that unionised dock workers are lazy, selfish, and backward. But these interests have not had it all their own way. In places like Southampton, trade unionism has endured. Steve Biggs and his union have successfully defended their port, and have brought in their own vision of how the port should be run. Working together and mutual support is the core of their way of life, one they want to share with all dock workers.

Biggs is already thinking about how he can support the union there. So far, attempts to secure access rights for Unite organisers in the new terminal have been refused by management. In response he has mobilised the ITF dockers’ section committee to put pressure on the company globally. The ITF and UNITE hope for meaningful dialogue with DP World, something the ITF is working to establish with all GNT employers.

STILL AN ATTRACTIVE CAREER FOR YOUNG PEOPLE?

Many traditional seafaring nations often experience difficulties in retaining seafaring training places. This can be as a result of a lack of investment and unfavourable comparisons with equivalent pay onshore. All this means that fewer people see seafaring as an attractive career – but not so these youngsters

Below: Christian (middle) with fellow SIU youth members at Sept-îles

Above: From left, Martyn Gray, Elizabeth Dykes, Robbie Porter and David MacDonald in 2011.

The best job I ever had

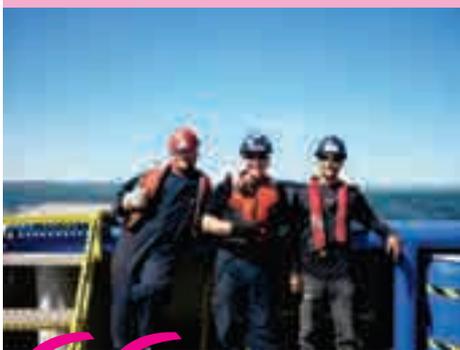
Christian (Chris) is a seaman on tugs in Sept-îles, Quebec, Canada. He says it's the best job he's ever had. The schedule is 14 days on board followed by 14 days at home. Chris is also the SIU union delegate for the three tugs that are in port and he helps the union with other divisions of the company. Yes, the weather is not always pleasant in Sept-îles – in the winter it gets windy and the temperature can go down to the minus 30s centigrade – but that's part of the job. The schedule is a major plus for family life, since when he is home he has time to spend with his wife and child. Chris stays in touch with friends and family while on board through telephone and internet services that are provided on the vessels.

Nautilus International Youth Forum

The youth forum of the UK-Dutch officers' union Nautilus International was formed following a decision taken at its 2011 conference in Rotterdam. Martyn Gray, engineering cadet with Maersk, was one of the union's young members who spoke at the conference and was elected chair of the forum at its first meeting in June 2012.

"I wanted to become a seafarer because it seems a very attractive career," he said following his election. "In my first proper engineering lecture we were all told we were being fast-tracked to become chief engineers and I want that. I want to reach the peak of a sea-going career and then I might look at the other options. There is so much open to me from this training."

Martyn is assisted in the youth forum by Elizabeth Dykes, third officer with James Fisher, who was recently awarded the Maritime & Coastguard Agency UK trainee officer of the year prize. In recalling what made her want to go to sea, Elizabeth said: "I went on a cruise when I was younger and initially thought about



“I want to reach the peak of a sea-going career”

working in children's entertainment, but I spoke to an officer and they inspired me to pursue a deck career."

The youth forum is coordinated by Nautilus International's Blossom Bell, who understands the pressures and issues faced by young seafarers during their training and early days of qualifying, having completed a cadetship and sailed as a third officer herself. She is also an ITF young workers' committee member and a young worker representative on the ITF seafarers' section committee.

Cooking for hundreds

Many young seafarers are also committed to their communities – often a difficult thing to achieve when they are away so much of the time.

In a tremendous display of community spirit and generosity, two members of the MM&P officers' union in the US joined forces with local restaurant owners in Long Beach, New York, to feed over 1,000 local residents on the Sunday after Hurricane Sandy hit the city at the end of October 2012. Many of those fed had not had a hot meal for several days.

Working out of a catering truck with a barbecue and smoker, Ryan Leo and Conor Sullivan spent five hours preparing chicken, burgers, hot dogs and ribs. "We just got behind the grill and started cooking," Sullivan said. "We cooked up everything we could."

The first batch of food was donated by local restaurants, including SwingBellies Beachside BBQ – which is owned by Sullivan's brother Sean – the Saloon, Shine's and JW Trainer's. "Then other people started bringing what they had in their refrigerators and freezers, and we cooked that, too," Sullivan said. Leo and Sullivan had spent the previous day grilling and barbecuing food on the street for hundreds of police officers, firefighters and National Guard members.

Andrew Linington, director of campaigns and communications at Nautilus International, examines the dangers of noise exposure, and what you can do to protect yourself

NOISE!

“Clinical examinations of seafarers indicated significant levels of impaired hearing”

“Pardon?” “Sorry, I didn’t quite catch that.” “Can you say it again?”

Do you struggle to make yourself heard at sea?

We all know that ships are noisy places in which to live and work. Engines, equipment, machinery, and cargo handling are among the many factors which have made the subject a substantial health and safety issue for seafarers.

There’s no shortage of evidence to show the scale of the problem. The European Agency for Safety and Health at Work says

that noise-related hearing loss is the most common professional disease seen in Europe.

And there is increasing research to show how seafarers suffer from shipboard noise. In a paper presented to the International Symposium of Maritime Health in 2009, Neeladri Misra, from the research unit of the Balaji Medical Centre in Chennai, India, said clinical examinations of seafarers had indicated significant levels of impaired hearing.

Subsequent research among seafarers revealed that:

- around 40 per cent complained of a steady deterioration in their hearing ability
- more than 50 per cent said they need to shout for others to hear them in the workplace
- 43 per cent said that they feel very uncomfortable as a result of noise from specific machinery, particularly auxiliary engines
- more than 50 per cent said they do not have sufficient breaks from exposure to noise
- around 80 per cent of engineering staff said they had never had an audiogram hearing test in their seagoing career
- more than 80 per cent said that there is no hearing conservation programme on their ships
- 74 per cent said that there is no regular evaluation of noise levels at the workplace

Researchers measured noise levels at 33 different points on three ships using sound pressure level monitoring equipment and personal dosimeter responses.

These checks found the highest mean noise levels in the machinery spaces to be around the auxiliary engine floor and the lowest to be in the engine control room, while the quietest areas onboard were found to be on the starboard side of the deck on each ship.

The data recorded by personal dosimeters worn by crew members for a single work shift showed that average noise levels in the engine rooms onboard all three ships exceeded the current International Maritime Organization code limit of 90 dBA.

Against this background, seafarers' unions are supporting moves at the International Maritime Organization (IMO) to introduce new controls over the noise levels that seafarers are exposed to at sea.

Originally developed by Denmark, the proposals reflect a growing awareness of the many dangers created by exposure to excessive noise. A number of classification societies have already taken steps to raise the bar for crew habitability and occupational safety, offering detailed guidance on ways to limit the fatigue-inducing effect and long-term health issues associated with protracted exposure to high levels of noise and vibration.

An IMO working group produced detailed proposals on the way in which new noise regulations could be implemented – including a draft IMO code on noise levels onboard ships, divided into mandatory and non-mandatory sections.

The code – which would apply to both cargo and passenger vessels – aims to provide the basis for a design standard that would protect seafarers from the risk of noise-induced hearing loss by setting limits on maximum noise levels in all spaces to which seafarers normally have access.

The proposed limit values for daily noise exposure and maximum sound pressure have

been based on those applied by Denmark – 85dBA – and are designed to ensure that seafarers do not get more than the equivalent continuous noise exposure of 80dBA in any 24-hour period. Crew entering spaces with nominal noise levels above 85dBA should be required to wear hearing protectors while in those spaces.

The maximum limits for all new-build ships of 1,600gt and above will vary from:

- 110dBA in machinery spaces
- 75dBA in machinery control rooms
- 85dBA in workshops and other work areas
- 65dBA on the bridge and chartroom
- 70dBA at listening posts, such as bridge wings and windows
- 60dBA in radio rooms
- 75dBA in galleys, serveries and pantries
- 90dBA in normally unoccupied spaces

For ships between 1,600gt and 10,000gt, the following limits would apply to accommodation spaces:

- 60dBA in cabins and hospitals
- 65dBA in mess rooms, recreation rooms and offices
- 75dBA in external recreation areas

For ships over 10,000gt, stricter limits would apply – of 55dBA for cabins and hospitals, 60dBA for mess rooms, recreation rooms and offices.

No seafarers – even those wearing hearing protectors – should be exposed to levels exceeding 120dBA and a maximum exposure limit of four continuous hours and eight hours in any 24 hour period is proposed for seafarers in spaces requiring the use of hearing protectors.

Denmark has suggested sections of the code could be applied to existing ships over 1,600gt. However, the code would not apply to such vessels as high speed craft, dredgers, pipe-laying and crane barges, mobile offshore drilling units and fishing vessels.

Shipowners have also proposed that ships engaged on short voyages should be clearly exempted from the requirements of the code. And pressure from flag states means that the proposed limits on exposure to high noise levels would be non-mandatory – on the grounds that that they would be of an operational nature and difficult to implement as mandatory requirements.

Unions have welcomed the proposed controls, but have voiced strong opposition to the idea of setting different standards for different sizes of ship – pointing out that work-based noise limits ashore do not depend on size of the factory or workplace.

Seafarer representatives have also argued that the proposed limits should be even stricter – arguing that a limit of 40dBA is more appropriate for accommodation areas, cabins and hospitals onboard as there appears to be no recognition in the code of the issue of the seafarer's ability to obtain restorative sleep.

Noise: are you at risk?

Noise-induced hearing loss can occur as a result of prolonged exposure to high noise levels – often referred to as chronic exposure or as a result of exposure to extremely high noise events, which usually occur over very short durations (micro-seconds) and this is often referred to as acute exposure.

Recent research suggests that workers exposed to high noise levels in their jobs are also suffering additionally through leisure activities such as nightclubs, music events, and the increase in use of personal music devices.

Noise levels are usually measured in dBA, a decibel scale that reflects the sensitivity of human ears to different levels and pitches of sound:

- 20dBA – a quiet room at night
- 40dBA – a quiet sitting room
- 60dBA – ordinary spoken conversation
- 80dBA – shouting
- 110dBA – a pneumatic drill nearby
- 130dBA – an aeroplane taking off 100 metres away
- 140dBA – the level at which noise causes pain for most people, although some people may find lower levels painful too

Extended exposure to sounds over 80dBA can damage your ears and you could be at risk if you can answer “yes” to any of these questions about the noise in your workplace:

- is the noise intrusive – like a busy street, a vacuum cleaner or a crowded restaurant – for most of the working day?
- do you have to raise your voice to have a normal conversation when about 2 metres apart for at least part of the day?
- do you use noisy powered tools or machinery for over half an hour a day?
- are there noises because of impacts (such as hammering or pneumatic impact tools) or explosive sources such as cartridge-operated tools or detonators?
- do you have muffled hearing at the end of the day, even if it is better by the next morning?

Symptoms and early signs of hearing loss include:

- conversation becomes difficult or impossible
- your family complains about the television being too loud
- you have trouble using the telephone
- you find it difficult to catch sounds like “t”, “d” and “s” – so you confuse similar words
- permanent tinnitus (ringing, whistling, buzzing or humming in the ears)

What can you do to reduce the risks?

- wear any hearing protection you are given when you are doing noisy work or in hearing protection areas
- wear it properly (you should be trained how to do this), and look after it
- make sure ear defenders totally cover your ears, fit tightly and there are no gaps around the seals
- practise fitting earplugs properly, clean your hands before you fit them, and don't share them

Symptoms

Most people will have experienced the immediate effects of loud noise exposure – a reduction in hearing sensitivity, called temporary threshold shift (TTS) and intense ringing in the ears, called tinnitus. These symptoms – which can follow exposure to sounds levels of 90 dB(A) and above – usually pass after a couple of hours, however.

But not only does excessive noise onboard create the risk of work-related hearing damage, it also poses big psychological and physical problems – including additional stress and fatigue.

Experts are concerned not just about the damage that can be caused by short, sharp and sudden intense noise but also about the effects of long-term exposure to low intensity noise, which is blamed for a wide range of stress-related conditions including:

- headaches, irritability and insomnia
- high blood pressure and cardiac disease
- digestive disorders
- endocrine disorders

Noise has a big effect upon sleep patterns – sometimes making it hard to fall asleep, sometimes waking people up, and dragging people from deeper to lighter sleep stages. And not much noise is needed to disrupt sleep – levels as low as 40 to 50 dBA (lower than a casual conversation) have been shown to cause difficulty in falling asleep and 70 dBA has been shown to significantly change the sleep patterns of most subjects.

The associated problem of vibration can also lead to headaches, stress and fatigue over the short-term, while longer-term exposure can result in a wide range of potentially serious physical and psychological effects.

Ten things you should know about fumigants

1. WHAT ARE FUMIGANTS?

They are highly poisonous chemicals used to kill insects and other pests, used in containers or bulk cargoes such as grain or timber. The commonest is hydrogen phosphide (phosphine). Methyl bromide has mostly been banned worldwide since 2005 as a greenhouse gas.

2. DESCRIPTION

Phosphine comes in solid form, usually tablets. It breaks down in contact with water or moisture, releasing odourless hydrogen phosphide gas. A warning additive makes its presence noticeable, although the smell may not remain while the gas stays dangerous.

3. HOW LONG DOES PHOSPHINE TAKE TO WORK?

It takes four to 14 days or even longer to kill pests effectively, especially below 15°C or in dry air. Tropical and sub-tropical climates help it work faster, as will placement using probes or tubes at different levels within the cargo, even though it is heavier than air and will sink naturally from the top of a container or hold.

4. DANGERS

Apart from being highly toxic, hydrogen phosphide gas can ignite spontaneously and cause explosions; fires should only be put out with sand, CO₂ or dry powder extinguishers.

5. SYMPTOMS OF EXPOSURE TO PHOSPHINE

Phosphine poisoning can cause nausea, vomiting, headaches, weakness, fainting, chest pain, coughs and difficulty breathing; symptoms may be mistaken for food poisoning.

6. WHAT REGULATIONS APPLY?

International Maritime Organization (IMO) recommendations cover the use of fumigants at sea.

7. SAFETY

Fumigation contractors should follow IMO recommendations precisely. Vessels should be inspected thoroughly for suitability for fumigation. The captain must ensure that fumigation is carried out safely and in line with the recommendations. Crews should know how test equipment (supplied by fumigation firms) works correctly.

8. WARNINGS

All fumigated containers should be labelled and documented as such.

9. FUMIGATED CONTAINERS

Containers present risks when opened on shore in a safe area. Check all documentation and take safety precautions when opening. At least two hours ventilation is needed to ensure fumes and residue are displaced.

10. MORE INFORMATION

See the toxic gases and vapours campaign website and downloadable handbook, Don't Get Caught by Surprise, available from www.tgav.info

HIV/AIDS

Around the world the ITF and affiliated unions are creating HIV/AIDS wellness centres or safety stops for transport workers and surrounding communities. Christine Ssebowa Ascott of the ITF education department catches up with progress



Ship visits are a good way of getting the HIV/AIDS message across



Educational materials are delivered to a ship visiting Brazil

How are seafarers' unions and welfare agencies from Mexico, Indonesia, Sri Lanka and the Ukraine raising awareness of HIV/AIDS prevention, testing and treatment?

International Seafarers' Welfare Centre, Veracruz, Mexico

UNAIDS and the seafarers' centre in Veracruz launched a joint HIV/AIDS campaign in February 2012. There was a stand outside the port's main gate for distributing condoms and information to port workers and seafarers. Other activities included an HIV conference with students of the nautical school. The message is also spread by daily ship visits.

KPI Indonesian Seafarers' Union, Bali, Indonesia

On World AIDS Day the KPI hosted a wide range of activities at the seafarers' centre in Bali. The week-long creative bazaar featured HIV-positive community members, education on the facts of HIV, prevention and testing services and safe blood donation.

National Union of Seafarers in Sri Lanka

Alongside seafarers, dock workers, maritime schools, shipping agents and the Sri Lanka Ports Authority, the National Union of Seafarers in Sri Lanka (NUSS) works closely with other unions to reach those most at risk from HIV. With technical support from the International Labour Organization and the ITF, NUSS ran a series of workshops, which included participation by people living with HIV. Testing was a key point where stigma and discrimination prevented access to information and services. The NUSS is working with shipping companies, and some have signed agreements to ensure that people living with HIV are not discriminated against.

Marine Transport Workers' Trade Union of Ukraine

The union has worked closely with the German GIZ development agency to prevent HIV/AIDS among members and in the maritime industry. Leaflets and condoms are distributed among seafarers, port workers and workers at educational institutions. Local campaigns have also been held. For example, the union ran an information campaign in Kerch city centre. People could take tests and receive condoms and leaflets, which were also distributed among young seafarers at Ilchichevsk Marine School.



The Flaminia after the accident

Fire on the Flaminia

Johnny Rosen was an eyewitness on board the containership Flaminia, which suffered a lethal fire and explosion while off the coast of England



In July 2012 Johnny Rosen was a passenger on the Mediterranean Shipping Company containership Flaminia, which was sailing eastbound across the Atlantic from the USA to Belgium at a steady 13 knots, fully loaded with 3,000 containers.

Then, on 12 July he was awakened at first light by the smell of something burning. Soon he saw wispy brown smoke curling up forward of the 10-story superstructure from somewhere between the stacks of 3,000 containers.

Half an hour later the public address system sounded the warning: "There is a small fire in number four. Everybody must go to muster stations!"

Rosen, one of two passengers, and the crew went to the muster station and awaited orders. Meanwhile the chief mate and a half-dozen crew members had dragged fire hoses and extinguishing equipment forward towards cargo hold number seven. Then there was a deafening explosion that rattled the 100,000-ton container ship and blasted a dozen containers sky-high and over the side of the ship.

The lifeboat was launched, saving Rosen and others, but the chief mate suffered third-degree burns. One crew member was missing and three others had suffered burns, one of whom died from his injuries two months later.

Help came in the form of a 300,000 ton supertanker, the DS Crown, which suddenly appeared and hove to half a mile from the Flaminia. The DS Crown had intercepted a distress call, and was only 50 miles away at the time, cruising towards Falmouth, England.

The survivors were eventually taken on board. "The crew of the DS Crown were amazingly attentive to the needs of the Flaminia survivors," says Rosen. "All showed sincere concern and compassion and welcomed us aboard."

Now home in Phoenix, Arizona, Johnny Rosen reckons that the main lesson from the Flaminia is the need for human vigilance: "Once those tried-and-trusted navigation aids called eyeballs are no longer considered the seafarers' first line of defence, then any ship where complacency has replaced alertness is in extreme peril at all times, and no amount of technology will save it from accidents and failures attributable to human error and human frailty."

Port automation and casualisation affect both seafarers and dockers alike

The changing face of

The maritime industry has seen huge developments over the past 50 years. The non-stop growth of containerisation has increased demand for goods. It has opened up new markets and led to the building of progressively bigger vessels. There is more trade activity at sea than ever before and the state of shipping is widely seen as an accurate barometer of the world economy at large.

At the same time, shipping has become dominated by multinationals, with around 30 container lines now operating in the global market place. Unlike in many other sectors, the bounce-back from the global financial crisis of 2008 has been relatively swift and, whilst growth remains slow in Europe, emerging markets in Africa, Latin America and India have become a focal point for shipping companies. Route patterns are changing and there is an emphasis on increasing profit through reduced turnaround times and stopovers.

Arguably one of the most significant developments for maritime workers in recent years is the development of technology that makes the introduction of automation in ports a realistic option for many port operators. Both seafarers and dockers are widely impacted by automated operations, whether they work in the port directly or call at ports that have been partly or fully automated – or where there is the potential for this to happen.

The impact of automation on seafarers and dockers can best be explained by the workers themselves. At Port Botany in

Australia attempts were made in 2012 by port operator Patricks to sack half the workforce in favour of automation.

The announcement of the plans came shortly after the end of negotiations with the Maritime Union of Australia (MUA), raising an important issue over the involvement of unions in discussions on automation in ports. The ITF isn't arbitrarily against automation, but rather believes strongly that its implementation needs to be managed with worker safety and the first-hand experiences of workers in mind, and that safe Manning levels must remain.

Automation isn't an alternative to well-trained crews and, as pointed out by Mick Doleman, deputy national secretary of the MUA, during the latest dispute at Port Botany, the use of automation leading to higher productivity is not a foregone conclusion.

"The technology Patricks is introducing is unproductive and very expensive," he says. "This will not lift productivity, and will become a millstone around shareholders' necks. In Brisbane, where this technology is used, target box rates are lower than elsewhere in the country. This proves that this move is about ideology, not productivity."

Seafarers whose vessels would dock in automated ports may arrive to find only a handful of workers there. Crews report feeling that the lack of communication with dock workers potentially puts health and safety at risk and means there is more chance that

seafarers will be expected to do lashing and unlash work, a situation which the ITF is campaigning to put a stop to.

A further industry development that impacts on worker health and safety is the trend towards casualisation of port workforces.

In the port of Auckland, seafarers from the Maritime Union of New Zealand (MUNZ) are only too aware of the ongoing dispute on the dockside over the negotiation of a new collective agreement. The union wants stipulations on job security in the face of mass contracting-out – which can lead to untrained workers or seafarers being expected to take on docker-specific tasks such as lashing and unlash.

MUNZ insists that seafarers do not want to work with non-union wharfies, citing health and safety concerns: "We believe that workers should have good wages and conditions, security of employment, a safe working environment and an opportunity to have a career path as we build our skills."

It is clear that profit-driven industry practices can strongly affect maritime unions and their members, with working conditions and job security constantly under threat. It is also clear that unions will not roll over when it comes to these developments and will strive harder than ever to protect the conditions of their members. Unions want workers themselves to play a large role in decision-making on issues such as automation and the use of casual workers.

“Both seafarers and dockers are widely impacted by automated operations, whether they work in the port directly or call at ports that have been partly or fully automated”

Right: An AGV transports containers from vessel to container stack.

Below: Container stacks at terminal.



the maritime sector

Perspectives: automated terminals

What do automated terminals mean for seafarers?

Raymund (AB, 32, Filipino), Eduard (AB, 34, Filipino) and Joel (chef, 43, Filipino) all work on a vessel that calls every five or six days at the automated terminal in Rotterdam, where they spoke to ITF inspector Aswin Noordermeer

Raymund: "It's different visiting the automated port. There are very few people around. The only contact we have with dock workers is with the foreman via VHF radio."

Eduard: "In a manned port there is good verbal communication."

Raymund: "It's safer. If you've got good communication, it's safer for the cargo and the people involved."

Eduard: "Yeah, I feel safer when there are dockers around."

Joel: "And it's easier for ITF to visit the ship in a port where there are dockers."

Eduard: "In the automated port we have to do more lashing and unlashing, because there are no dockworkers around to do it. It means more shifting and makes our job harder."

Raymund: "If more ports become automated it will be tougher for seafarers having to do this extra work, especially for those working on ships with smaller crews."

Martin Verbeek is a crane operator at the ECT terminal in Rotterdam. A vice chair of the works council and chair of the ARBO/VGWM (labour law, safety, health, welfare and environment) committee, he talks about his experiences with the introduction of automation in Rotterdam

About 20 years ago there were nine port workers working in one crane team. Now there are three workers. We don't know how this will end with the developments that are going on at present.

When you enter an automated terminal it looks like a ghost terminal; you don't see many people. In the past, when you came onto the terminal you would see your colleagues. Nowadays working on an automated terminal can be very lonely.

In my view a manned terminal is more productive than an automated terminal, because an automated terminal is more susceptible to breakdowns. When an automated guided vehicle (AGV) has a problem and stops, the AGV behind it will also stop. On a manned terminal, if a truck stops or breaks down, the truck behind it will go round it, so there is no stagnation.



WHO NEEDS A LAWYER?

Before you reach for the phone to call a lawyer read on, says Roy Paul, assistant administrative officer of the ITF Seafarers' Trust and programme manager of the MPHRP

“When you are distressed, no compensation is going to bring back a loved one. Understandably, you don't know who to trust or who to turn to”

The Maritime Piracy Humanitarian Response Programme (MPHRP) exists to help and support seafarers and their families who have been affected by piracy. In a number of recent cases we have seen “ambulance chasing” lawyers become involved with the survivors of pirate attacks and hostage takings. It is easy to understand how this happens: the lawyers are there and appear to offer instant solutions to the seafarers' problems. They are quick to mention the high pay-outs and compensation they can achieve. They fail, of course, to point out that it may take five to 10 years to achieve such pay-outs – and they are very rarely at the level promised.

If seafarers and their families are entitled to compensation and outstanding wages, then they are covered by their contracts and should approach the MPHRP, the employment authorities, their union or the ITF for assistance. In piracy cases there are usually doubled wages for sailing in the piracy area, while compensation for loss of personal effects and all injury and death benefits are also doubled. The time of a seafarer victim's coming home, or the moment when a wife is told her husband has been killed, is a terrible time. The survivors are vulnerable, and it is at this moment that the lawyers will offer easy assistance.

When you are distressed, no compensation is going to bring back a loved one. Understandably, you don't know who to trust or who to turn to. Certainly you may not want to trust the people bringing you the bad news. So, signing an agreement to be represented by a lawyer may

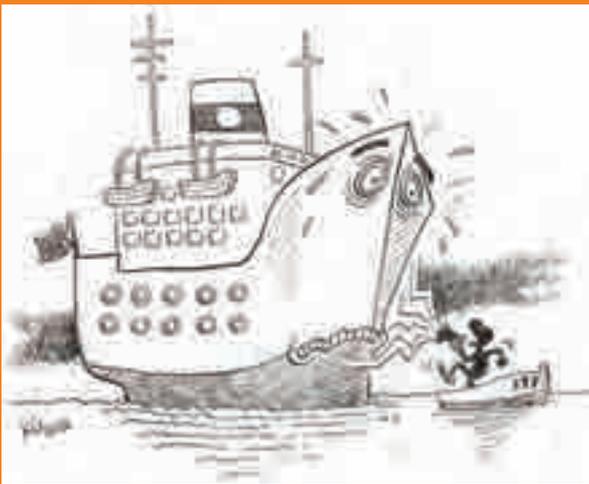


seem a good option. But it is important to understand the consequences. A 20 per cent fee doesn't seem a lot, until you realise later on that a US\$98,000 death benefit claim in a piracy situation becomes \$196,000 – and that the 20 per cent fee for the lawyer is \$39,600.

Frequently, after the case has been dragged through the courts for five to 10 years, there is an out-of-court settlement for much less money. If families change their minds and want to settle the case lawyers may then double their fee to 40 per cent and write to dissuade anyone who tries to assist the families to settle their claims earlier. The MPHRP is committed, with our industry partners, to working with seafarers and their families to help protect them from this sort of profiteering out of their misery. We will assist them to receive the payments and compensation they are entitled to free of any charge or percentage.

For more information about how the MPHRP exists to help seafarers and their families who are affected by piracy, see www.mphrp.org

The flag of convenience campaign – we’ve come a long way



Kemal Ulker, 2012



Seaman's Chronicle, 1896

The ITF's Anna Llewellyn looks back at the evolution of the ITF's flag of convenience campaign, which was born out of solidarity between seafarers and dockers

Shipowners have always changed flags to hide their identity, but it wasn't until the 1920s that they began to really explore the benefits of using foreign registries. United America Line was the first company to escape domestic controls. By flagging its ships in Panama it avoided US prohibition laws and was able to allow alcohol and gambling on board its vessels.

Soon other shipowners began to flag out their vessels and by 1933 ITF concern about the effect on seafarers was growing. The practice of flagging-out “put at risk the employment and working conditions of seafarers, and created unfair competition for other ship owners”.

By the end of the Second World War the number of flag of convenience (FOC) ships was rising sharply as shipowners realised that FOC registries gave them a

“Shipowners realised that FOCs gave them a competitive advantage, with lower or no taxes, lighter safety regulations and the freedom to employ cheap foreign crews and avoid trade unions”

competitive advantage, with lower or no taxes, lighter safety regulations and the freedom to employ cheap foreign crews and avoid trade unions.

Birth of a joint campaign

In 1948 ITF maritime unions took decisive action and announced a boycott of FOC ships. A committee of seafarer and docker unions was formed and the boycott took place in 1949.

During the 1950s the number of flag of convenience ships continued to grow, and more countries began to open their registries to foreign owners. A second international boycott – the “PanLibHonCo” boycott – took place in 1958, targeting vessels registered in Panama, Liberia, Honduras and Costa Rica. In the four days of boycott between 200 and 300 ships were stopped, most by dockers’ unions in the US.

a surge in the number of flag of convenience registries, more vessels were flagged out and more shipowners looked to employ cheaper crews, particularly from Asia and later, following the fall of the Berlin Wall, from Eastern Europe. At the same time there were concerted attacks on trade union rights and many ITF dock worker unions were challenged in the courts for taking boycott action.

produce the Seafarers’ Bulletin, as a way of communicating directly with flag of convenience crews about the campaign and what ITF unions were doing to protect them.

Seafarers became more aware of the campaign and more crews began to take action themselves, either to secure ITF minimum standards on board or to force shipowners to pay back-owed wages and comply with other employer obligations.

Seafarers’ Bulletin

Seafarers’ Bulletin is produced in 9 languages (Arabic, Chinese, English, German, Indonesian, Japanese, Russian, Spanish, Turkish) and has a readership of over 250,000.

It is distributed on board vessels by ITF inspectors, circulated by missions and other seafarer welfare organisations, and is also mailed direct to individual subscribers. Available online in PDF format, it can be downloaded – or a copy can be requested – from www.itfglobal.org/infocentre/pubs.cfm/detail/28686.



- The ITF has produced a new short film to explain the flag of convenience campaign. Go to YouTube and search on “Fighting for better seas” to view it.
- We’ve also published a new leaflet about the campaign. Download it here www.itfglobal.org/infocentre/pubs.cfm/detail/36477#
- Also, don’t forget we have a new website – www.dockers-seafarers.org – aimed at ITF docker and seafarer union activists.

Spreading the word

On the 50th anniversary of the flag of convenience campaign, in 1998, the ITF bought and renovated a tween-decked cargo vessel and converted it into an exhibition ship to raise awareness about the plight of seafarers on flags of convenience. Named the Global Mariner and crewed with a unionised multinational crew, the ship did an 18-month tour of the world, visiting 86 ports in 51 different countries. More than 750,000 people visited the exhibition and in many cases understood for the first time what life could be like for seafarers working in the flag of convenience system.

Dockers fight back

In the same year, the ITF witnessed an unprecedented and calculated assault on one of its most powerful docker unions, the Maritime Union of Australia (MUA), by port employer Patricks, supported by the then right-wing government of Australia. The dispute was a turning-point for ITF maritime unions. If a union as strong as the MUA could be attacked so boldly, any of them could be vulnerable. The MUA had always been quick to show solidarity with other unions, but now it was their turn to rally around their Australian comrades. International solidarity played its part in the MUA’s success in fending off the attack on its members.

In 2003, with dockers’ unions around the world still under attack, and global terminal operators dominating the industry, the ITF decided to initiate the ports of convenience campaign, aimed at securing minimum standards for dock workers.

Strength in unity

In the early 1970s the ITF’s flag of convenience campaign really came into its own. In 1971 several powerful ITF dock worker unions pledged their commitment to the campaign. Later that year the ITF “standard agreement” was introduced, establishing minimum acceptable standards for seafarers on flag of convenience ships, and the first ITF inspectors were appointed. Within two years ITF unions had signed 420 agreements and secured more than US\$3 million in owed wages for seafarers.

The ITF’s campaign had to adapt. The ITF “total crew cost agreement” was developed, for use by those shipowners willing to sign voluntarily with ITF unions. The ITF inspectorate grew steadily, improving ITF access to flag of convenience ships and ensuring greater protection for seafarers.

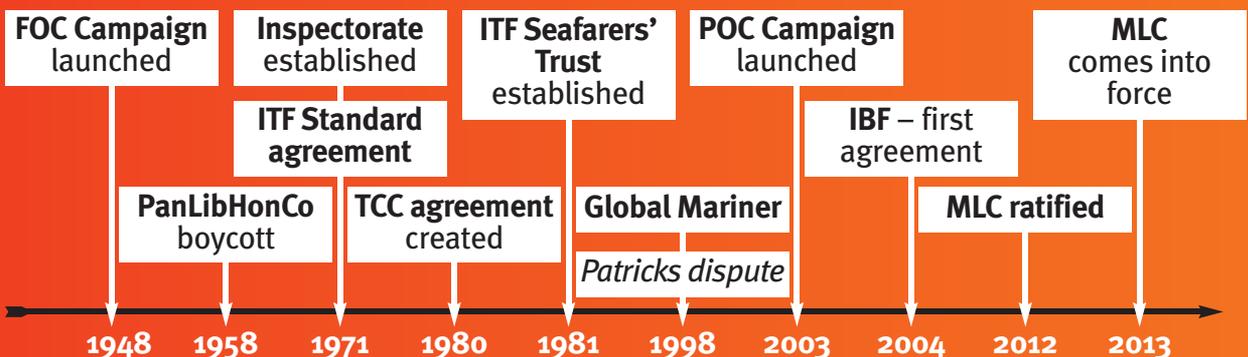
With seafarers’ welfare needing funding, in 1981 the ITF set up the ITF Seafarer’s Trust, a UK-registered charity aimed at improving welfare services for seafarers.

In the late 80s the ITF also began to

Changing times

During the 1970s and 1980s there was

**WE’VE
COME
A LONG
WAY**



New era of partnership

It was in 2003 that the ITF entered a new era of industrial relations with the shipping industry. The International Bargaining Forum was established, bringing together ITF unions and shipping employers represented by the International Maritime Employers' Council. For the first time ship operators negotiated with the ITF to set terms and conditions for seafarers on their ships. This was the first – and is still the only – genuinely negotiated global collective bargaining agreement in the world and was a major milestone in the flag of convenience campaign.

Bill of rights

Another turning point in the flag of convenience campaign arrives this year, 2013, with the International Labour Organization's 2006 Maritime Labour Convention (MLC) coming into force in August. This breakthrough comes after more than a decade of work to bring together and build on the existing international instruments in one "Bill of Rights" for seafarers. The ITF played a key role in the process, pressing governments and the shipping industry for tighter protection for seafarers. (For more on the MLC, see pages 16 to 18.)

Forward together

The ITF is bringing workers from different industries together to create greater power and leverage along the entire transport supply chain. ITF organising projects are underway in the global delivery sector, which spans several modes of transport. And the ITF is working with other global unions beyond the transport sector, collaborating with unions in the oil and gas industries on offshore projects, and with unions representing employees in food production on fisheries work. Whatever the future holds for transport workers and for the flag of convenience campaign, one thing is certain; unity and solidarity will be the key, as they always have been.

THE BLACK SEA OF SHAME

Ural Çağırıcı, chair of Turkish Marine Employees' Solidarity Association Dad-Der, explains why maritime unions in the Black Sea have decided to take a stand against substandard shipping



Kemal Ulker, 2012

Competition in the Black Sea shipping market is intense. The thousands of ancient vessels over 30 years old keep freight rates depressed, and there is heavy downward pressure on employment standards to the lowest, cheapest levels possible.

Fake shipping companies abound, as do fake insurance companies and fake paperwork. When it comes to port state control officers, they simply don't have the capacity to handle that amount of hard work. To avoid getting into serious trouble, they prepare their own visiting lists, which usually consist of the best vessels in their port and very rarely include the worst.

Currently every vessel is registered to separate offshore companies in order to enable the shipowner to disappear conveniently easily, while leaving his or her other vessels unaffected. This particularly happens when a vessel runs aground, sinks or is involved in an expensive environmental accident. The vessels themselves are worth very

little. Most of them risk abandonment when the date of expiry comes around for the ship's certificates.

Seafarers are accustomed to keeping on sailing, applying tender loving care to worn-out engines. They are used to delayed wages and surviving on poor food. In most cases there's no social security, not even any P&I coverage, since there is no sense in a club including rust-buckets in its pool at an affordable price.

Another problem is river vessels; as rivers freeze in winter they head for the Black Sea. Although it's dangerous and they are not permitted to sail on open waters, they somehow manage to ply their trade, causing freight rates to drop to even lower levels.

“The vicious circle of low freight rates and a substandard industry must change. The solution must be to apply international rules”

The vicious circle of low freight rates and a substandard industry must change. The solution must be to apply international rules to the vessels.

The ITF is calling on all administrations in the region to do their job and take their responsibilities seriously. States should not allow vessels to sail into their waters without proper guarantees. Port state control officers in each port must carry out thorough vessel inspections in line with international standards.

ITF WEST AFRICA NETWORK

An ITF project growing in West Africa

When maritime unions called for flag of convenience campaign activities to be boosted in West Africa, the ITF decided to establish a network of trained contacts who could provide assistance to seafarers calling at West African ports.

The contacts were identified from several ITF unions in the region and, following a training programme, an ITF presence was established in Dakar (Senegal), Abidjan and San Pedro (Ivory Coast), Lome (Togo), and Cotonou (Benin). Following the latest round of training in Dakar in November 2012, contacts have been added in Guinea Conakry and Guinea Bissau.

Between them, the contacts have carried out more than 300 ship visits. They board the vessels to assist specific seafarers in difficulty, but they also carry out routine visits to check there are no

problems on board.

The results speak for themselves: the contacts have assisted crews who have been abandoned, seafarers with contractual difficulties, and others who suspect that their wages are not being paid correctly.

ITF project leader Katie Higginbottom explains: "West Africa could have been considered an ITF 'blind spot'. But this is no longer the case. Extending our network of contacts means we can be even more effective and ensure seafarers are not forgotten, wherever they are in the world."

For details of the ITF contacts in West Africa: see the Your ITF guide to getting help, page 4. Go to www.itfseafarers.org/find_inspector.cfm and (click on the relevant country). Download the free app at www.itfseafarers.org/seafarer-apps.cfm

“Extending our network means we can be even more effective and ensure seafarers are not forgotten, wherever they are in the world”



Cesar Louis Keita

“My name is Cesar Louis Keita, I am an ITF contact from the SNTMM union in Dakar Port. Most of the problems of seafarers who arrive in Dakar are regarding unpaid wages or abandonment due to financial problems – especially on flag of

convenience vessels. In cases of abandonment, it is as if the owners don't care and they just run off and leave the seafarers at the mercy of anyone. My task is to be there for seafarers in these cases. They are often so demoralised, I try and comfort them and keep them motivated to continue, and just be someone they can talk to.”



Sergey Eledinov (centre)

“I am Sergey Eledinov, ITF contact in Dakar, union member of seafarers' union SAGMS. The problems of seafarers

are the same in Dakar as in Mumbai and in St Petersburg. There are no proper structures in place to help seafarers in difficulty. Especially when it comes to getting information. The crew often cannot find people to help them when they have problems, for example with legislation. ITF contacts are there to help and support them.”



Protection for the vulnerable

Fishers are among the world's most exploited workers. But, as Alvira Khan-Gordon reports, union organisation and a new ILO convention are paving the way for tackling abuse

Fishing is a global industry worth US\$85 billion per year. But its workers are among the most abused employees in the world.

This is what one member of a foreign charter crew told the authors of groundbreaking research into the experiences of migrant fishers based in New Zealand: "I feel that I have no value – I am exploited like an animal, because I worked for 18 hours but would only be paid for six hours. Why do they treat us like this?"

Migrant workers from the Philippines, Ghana, Egypt and Indonesia work in every ocean in the world, but whether they are in New Zealand or European waters, they are a world away from the employment protections afforded workers of those nations.

Research has repeatedly found that many fishers pay agencies up front to gain jobs. Their passports are often taken from them when a contract is signed and, once on board, they are at the mercy of captain and crew. Officers may set brutal working regimes, withhold food and money and physically and sexually abuse them. Unprotected and vulnerable in foreign seas and ports, workers can find themselves unable to seek help without risking their safety further.

In 2007 the International Labour Organization sought to address the glaring needs of those working in the fishing industry by adopting Convention 188. This convention aims to close the loopholes that allow worker abuse in the fishing industry. It sets minimum requirements on working hours and pay, conditions of employment, repatriation and medical cover for those employed, irrespective of nationality.

Since the ILO adopted Convention 188, the ITF and its affiliated unions have been working towards having its recommendations brought into force globally. For this to happen it has to be ratified by at least 10 member states.



“I feel that I have no value. Why do they treat us like this?”

The Papua New Guinea project has shown what can be achieved



Papua New Guinea United Kingdom New Zealand

Papua New Guinea is attracting much new investment from multinationals because of its high fish stocks; its newly unionised workers are engaging in collective bargaining.

The ITF first started working with the country's fishers in 2011, providing information and education in union-organising techniques and strategies.

"We now have over 5,000 workers who have signed up to the union as they understand that this is the first step to bargaining for change and improvements with employers," says Liz Blackshaw. She is the programme leader of the joint From Catcher to Counter campaign run by the ITF and the IUF Global Union Federation, which represents food industry workers.

In Blackshaw's experience, union representation is already starting to give Papua New Guinea's workers tangible gains.

"In one bargaining meeting with a company, they agreed to implement the new minimum wage as soon as it was agreed [with no time delay], to review deductions made for corporate uniforms from wages and to conduct a safety assessment and implement recommendations in one of the most dangerous work stations I have ever seen," she says.

In the United Kingdom (UK), migrant fishers fall into a legislative no-man's land because of their visa status. Most are given transit visas that allow them to join a specific vessel on the basis that they will leave the UK for another port. However, most migrant workers join vessels not listed on their visas and work within the UK, unrecorded and unprotected.

"They're here illegally and they're not covered by the law. The best they can hope for is that the UK Border Agency will arrange their repatriation after they have been exploited by the owners," says ITF coordinator for Britain and Ireland Ken Fleming.

The uncertain status of the workers makes it easier for unscrupulous boat owners to exploit them. They are often made to work 20 hours per day with no breaks for months at a time and can have their wages halved overnight without any legal recourse.

"The ITF must lobby the various government departments to have legislation changed, so that strict penalties act as a deterrent to bringing illegals in for the purpose of exploitation," says Fleming.

In New Zealand, maritime unions and human rights groups have successfully petitioned the government to offer migrant fishers from any part of the world the same protection and employment rights as every other New Zealand worker.

The changes came in the wake of a damning 2011 report on the labour conditions on board foreign charter vessels operating in New Zealand's waters.

Written by Dr Christina Stringer and Glenn Simmons of the University of Auckland, the report caused a political storm with its gruesome accounts of the brutality and slave labour conditions endured by the migrant fishers.

The government was forced to launch a ministerial inquiry. And in May 2012, it announced that from 2016 no foreign vessels would be permitted in its waters. Foreign-owned vessels will therefore have to fly the New Zealand flag while within its waters and this will confer the country's labour laws and legal protections on crew members.

Jon Whitlow, secretary of the ITF fisheries section, described the move by New Zealand as "welcome, right and overdue". He added: "Scandal has followed scandal in this area in recent years. We congratulate the Maritime Union of New Zealand and all those who pushed for this reform."

ILO Convention 188

The ILO Work in Fishing Convention 2007 aims to ensure that fishers worldwide have access to decent working and living conditions.

Among its main provisions are:

- responsibilities of fishing vessel owners and skippers
- minimum wage provisions
- minimum rest periods
- minimum crewing levels

- signed employment agreements
- social security provision and medical cover
- adequate accommodation and food
- right to repatriation when contract ends

In order to come into force, the convention must be ratified by 10 ILO member states and at least eight of these must have a coastline. By the end of 2012 two such states had agreed ratification: Argentina and Bosnia-Herzegovina.



INTERNATIONAL TRANSPORT WORKERS' FEDERATION

The International Transport Workers' Federation (ITF) is a truly global organisation. It is a federation of around 700 transport trade unions in some 150 countries, representing over 4.5 million workers. Founded in 1896, it is organised in eight industrial sections: seafarers, railways, road transport, civil aviation, ports, inland navigation, fisheries and tourism services. The ITF represents transport workers at world level and promotes their interests. It is committed to building strong trade unionism and to defending human and trade union rights. The ITF is one of nine global union federations allied with the International Trade Union Confederation (ITUC).



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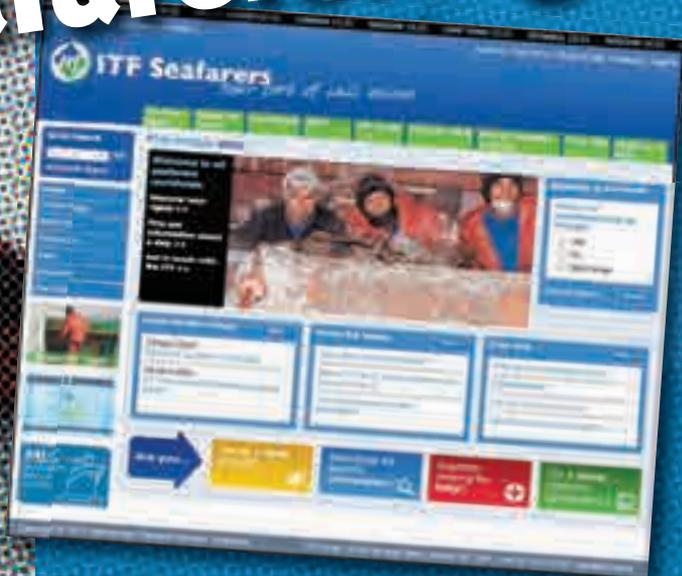
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- * Get information on your ship
- * Learn where to get help in a crisis
- * Discover what a union can do for you
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