

INTERNATIONAL TRANSPORT WORKERS' FEDERATION

The International Transport Workers' Federation (ITF) is an international trade union federation of transport unions representing 4.5 million transport workers in 153 countries. Founded in 1896, it is organised in eight industrial sections: seafarers, railways, road transport, civil aviation, ports, inland navigation, fisheries and tourism services. It represents transport workers at world level and promotes their interests through global campaigning and solidarity. The ITF is one of 10 Global Union Federations allied to the International Trade Union Confederation (ITUC) and part of the Global Unions group.

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Introduction

For some time concern has been growing about the frequency of serious accidents and the repeated appeals from seafarers in difficulty on vessels trading in the Black Sea area. Black Sea trade is characterised by older, smaller ships, often trading beyond their expected economic life in circumstances that can undermine safe and secure employment practices.

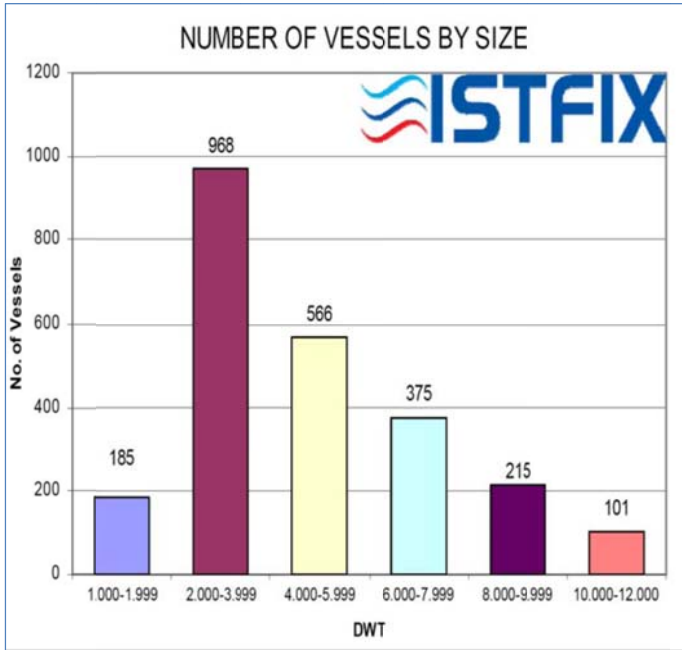
In anticipation of the entry into force of the ILO Maritime Labour Convention, 2006 (MLC), seafarers' unions from the Black Sea area affiliated to the International Transport Workers' Federation (ITF) have begun a study of the current situation and practices found in the region. The intention is to unveil the extremes of substandard operations and concerns over the limitations of current regulation in the region.

The ITF has five inspectors working from ports on the Black Sea in Turkey, Romania, Russia, Ukraine and Georgia. Their job is to protect and enhance the conditions of employment of seafarers, to confront examples of substandard shipping and to seek ITF acceptable standards on all ships irrespective of flag. They are constantly engaged in assisting seafarers who have been variously abandoned, unpaid, left injured without recourse to adequate insurance and otherwise maltreated by shipowners and crewing agents who appear to have scant regard for decent human and employment rights. This report seeks to shed some light on the challenges faced by Black Sea seafarers and the unions that represent them. It is intended as a wake-up call to maritime stakeholders in the region and an invitation to eliminate the practices that result in the ignominious title of 'Black Sea of Shame'.

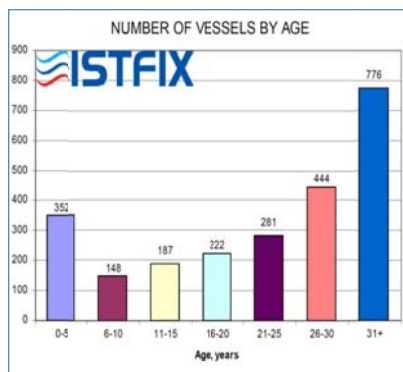
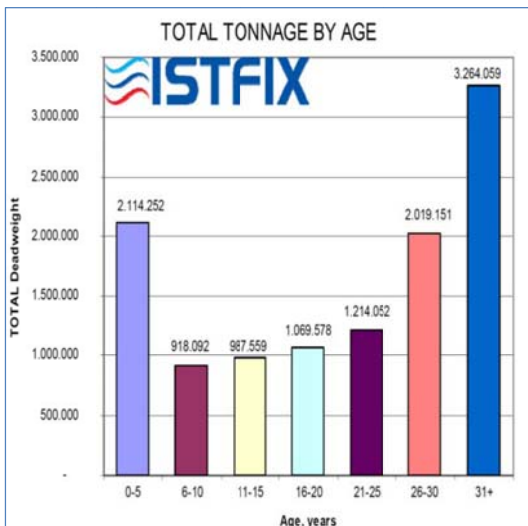


Maritime Trade in the Black Sea Area

There are approximately 2,400 active vessels of between 2,000-12,000 dwt with a capacity of 11.5 million dwt. Vessels are a mix of general cargo ships, bulk carriers, cement carriers, river-sea and multipurpose vessels. Close to 1,000 of the total are in the category of 2,000-4,000 dwt. Companies mainly employ crew from the Black Sea region: Russian, Ukrainian and Turkish crew predominate, followed by seafarers from Georgia and Azerbaijan.



Trade in the Black Sea area is dominated by vessels over 20 years of age, with some 800 vessels over 30 years of age. Of 2,400 vessels fewer than 500 are 10 years old or newer.

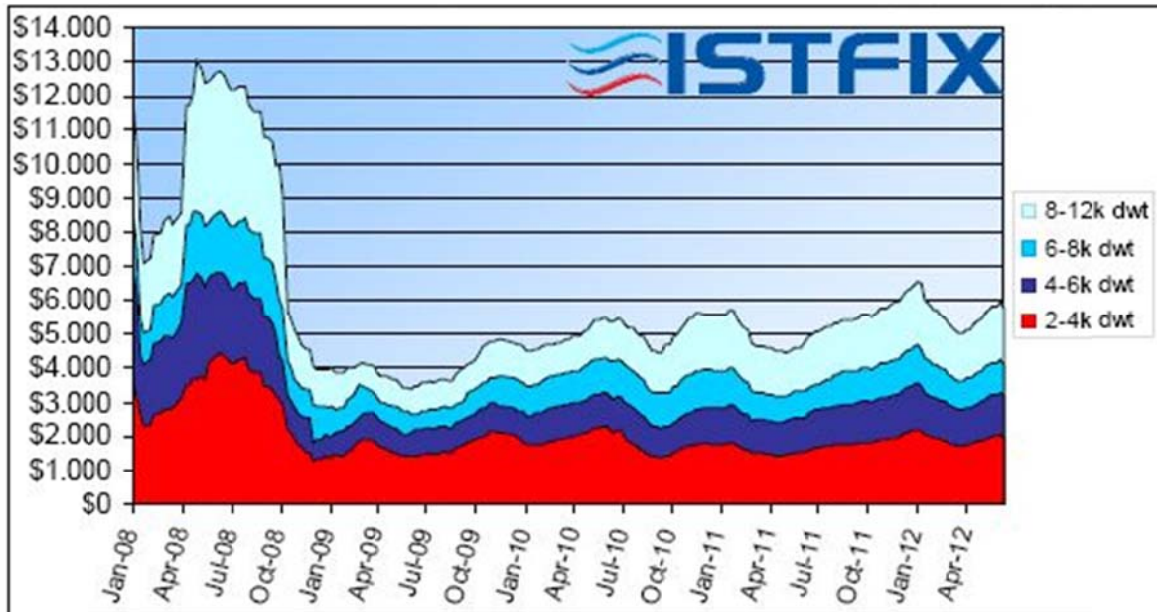


Predominant flags in the region are Turkey (2nd Register), Russia, Georgia, Malta, Panama, St Vincent & Grenadines, Belize, Moldova, Slovenia and Cambodia. A significant number of vessels are sea-river vessels classified under the Russian River Register.

The most frequently transported cargoes are scrap metal, steels, pig iron, coal, grains, cement and fertilisers. In addition there is passenger trade between Northern Turkey and ports in Russia and Ukraine and tanker trade from Russia and Romania to Turkey and Israel.

One of the best paying freights from the region is UN funded aid cargo (grain) to Africa.

Freight agreements are traditionally per tonne with time charters a rarity.



With margins tight, shipowners must ensure that their vessels are operational for a significant proportion of days in a month to avoid trading in deficit. The table below gives an estimated example of potential income versus costs for different sizes of vessel based on discussions between unions and owners. This example is based on 2 coal shipments of 10 days voyage each and 10 day lay-up over a month. If demand drops, the economics of the business quickly cease to be viable and seafarers and creditors go unpaid.

DWT	Income	Crew Cost	Bunkers	Port & Other	Profit (USD)
2,000-4,000	66,000	20,000	37,800	5,000	3,200
4,000-6,000	110,000	25,000	73,500	7,000	4,500
6,000-8,000	154,000	28,000	105,000	7,000	14,000
8,000-12,000	220,000	35,000	147,000	10,000	28,000

Charts © ISTFIX

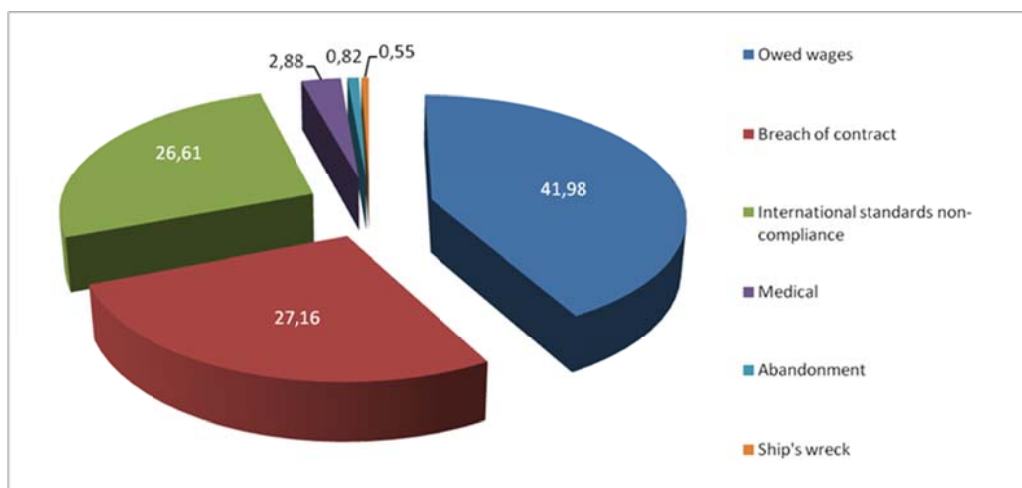
Accidents, incidents & loss of life

Although the Black Sea is an enclosed body of water and weather conditions are usually not as severe as in more northerly waters, major storms and heavy seas can occur which, combined with the technical condition and age of the vessels found in the region, can lead to serious accidents and fatalities. Collisions, groundings, explosions and fire as well as damage caused by weather conditions (storms and ice) have led to a significant number of deaths, injuries and missing crewmembers. Data collated by ITF inspectors since January 2010 until the present date indicates that a minimum of 25 seafarers have been recorded dead or missing due to accidents at sea, a further 4 have suffered injuries. This is not presented as a complete list, and further fatalities may remain unrecorded.

Date	Vessel	Flag	IMO No	Location	Incident	Injury/loss
19.01.2010	m/v Orcun C	MLD	7709344	Bosporus	Ran aground and broke up	
02.02.2010	m/v Athena	VCT	8878764	Dnepro-Bugsky	Ice caused a hole in Eng. room	
08.05.2010	m/v Seren Ayanoglu	TUR	7505774	Dnepro-Bugsky	Ran aground	
01.09.2010	m/v Medy	TUR	7711660	Romanian cost	Sank	
16.09.2010	m/v Super Servant 4	CUR	8025343	Istanbul	Collision with Meziyet Ana	
11.10.2010	m/v Vasiliy	MNG	8884945	Kerch strait	Sank	1 dead, 3 missing, 1 injured
08.11.2010	m/v Eren	KNA	8857760	Belgorod-Dnestrovskiy	Ran aground	
29.11.2010	m/v Karim 1	SLE	7038537	Cape Emine, Bourgas	Collision with Dutch tanker Alessandro DP	5 missing
03.12.2010	m/v Nikolay Bauman	KHM	7420675	Izmail	Ran aground	
17.12.2010	m/v Ibrahim Y	KHM	7712054	Crimea	Grounded after dragging anchor	
08.01.2011	Tug Bulbash		-	Crimea	Man overboard	1 drowned
28.01.2011	m/v Bosna	MLD	8405373	Constanta	Fire	
07.02.2011	m/v Grigoriy Petrovsky	UKR	7011096	Poti	Sank due to storm	
16.10.2011	Tug Ukan Odessa	UKR	-	Illyichevsk	Fire	
23.12.2011	m/v Gokay K	TUR	8604773	Kerch strait	Ran aground	
27.12.2011	m/v Credo	MLD	7115957	Kherson	Fire	1 injured
28.01.2012	m/v Seba M	LBN	7511199	Mariupol	Ran aground	
31.01.2012	m/v Vera	KHM	8826254	near Eregli town	Sank	11 missing
03.02.2012	m/v Reina	COM	7364546	Evpatoria	Fire	

05.02.2012	m/v Ivan Vikulov	MLT	8862038	Mariupol	Explosion	
07.02.2012	m/v Shah Deniz	MLT	9420617	Gelenzhik	Collision with Chinese Djuda	
07.02.2012	m/v Alaca-1	PAN	8872277	near Berdyansk	Stuck in ice, damaged	
11.02.2012	Volgo-Balt 239	RUS	8230534	Kerch strait	Stuck in ice	1 injured – frost-bitten
12.02.2012	m/v St.Filip	COM		Eregli	Water ingress	
13.02.2012	m/v Besiktash	TNZ	8841498	Sochi	Thrown on shore, broken in 2	2 missing
19.02.2012	m/v Orel-1	UKR	8853570	Kerch strait	Stuck in ice, leakage	
20.02.2012	m/v Armarin 3	TUR	-	Sinop	Ran aground due to storm	
20.03.2012	m/v Zeycan Ana	MLT	9564994	Tuzla	Man overboard	1 missing
11.04.2012	m/v Skylark	UKR	7223443	Kherson	Ran aground	
16.04.2012	ЯЗП 08-17	UKR	-	Azov Sea	fire	
23.04.2012	m/v Credit 4	TUR	7397476	Crimea	Main Engine	
28.04.2012	m/v Melissa K	MLD	7030987	Tuapse	Collision	
15.05.2012	m/v Auguste Piccard			Kherson	Fire	
16.05.2012	m/v Avant			Kherson	Man overboard	1 missing
12.06.2012	m/v Rybolov-1	UKR		Sevastopol	Explosion	1 dead, 1 injured

The pie chart below shows in percentages the most frequently encountered problems in the Black Sea in cases handled by ITF inspectors from the region from 01 January 2010 until 31 May 2012. The largest segment is 'owed wages' which equates to over 300 cases. Whilst 'abandonment' appears to be relatively infrequent, this can be due to cases being initially reported, for example, as wage claims that subsequently develop into abandonment situations.



Case Studies

The case studies below are a representative sample of the many problems dealt with by ITF affiliates and inspectors in the Black Sea region. They are intended to provide an insight into the conditions frequently encountered, and should not be read as an exhaustive list.

Total ship losses, fatalities and seafarers lost at sea

Name: **Vera**

IMO: 8826254

Flag: Cambodia

Class: Russian River Register

Type: General Cargo

Year of Build: 1977

Registered Owner: Vera Shipping SA, St Kitts & Nevis

Beneficial Owner: Turkish

01 February 2012 in poor weather conditions the M/V Vera sank off the coast of Turkey. Of a crew of 11 members, 10 Ukrainian and 1 Georgian, only three were rescued. Five bodies were recovered leaving three unaccounted for. As the ship was registered as a one-ship company with no P&I cover, the grieving families were left with no recourse for compensation for their loss.

Name: **Vasiliy**

IMO: 8884945

Flag: Mongolia

Class: Russian River Register

Type: General Cargo

Year of Build: 1988

Registered Owner: Sea Trans-Service Co., British Virgin Islands

Beneficial Owner: Russian

11 October 2010 en route from Ukraine to Georgia, the vessel Vasiliy broke in two and sank off the coast of Kerch. Of the 12 Russian and Ukrainian crew, 1 Russian and 1 Ukrainian died, 2 Russians remain missing. To this date no compensation has been paid to the seafarers and their families.

Name: **Ogan Bey**

IMO: 7106932

Flag: Panama

Class: Unknown

Type: General Cargo

Year of Build: 1971

Registered Owner: Avangard International Ltd, St Kitts & Nevis

Beneficial Owner: Turkish

13 December 2009 the Ogan Bey sank costing the lives of 4 seafarers. Of a crew of 16, only 12 were rescued. The vessel was sailing with a cargo of coal from Tuapse in Russia to Karabiga, Turkey. When the vessel began to list the Captain requested tugboat assistance to enter the port of Ereğli and then issued a mayday call. Several vessels in the area made ready to assist the troubled vessel but were unable to reach it before it sank. A Turkish tanker, the SU-B managed to rescue three of the crew; the coast guard, who were far from the site, arrived on the scene some hours later. As with the Vera, the company was registered as a one ship entity with no P&I insurance and no possibility for families to pursue claims in compensation for the loss of life.

Name: **Besiktash**

IMO: 8841498

Flag: Tanzania

Class: Unknown

Type: General Cargo

Year of Build: 1988

Registered Owner: Marine Traders Inc, Marshall Islands

Beneficial Owner: Turkish

In the early morning of 13 February 2011, in heavy storms the Besiktash broke in two off the coast of Sochi. Of the crew of twelve, two remain missing. Again the absence of P&I cover made compensation for loss of life impossible.



M/V Besiktash

Name: **Rezzak**

IMO: 8115057

Flag: Panama

Class: NKK

Type: General Cargo

Year of Build: 1982

Registered Owner: 2D Shipping Inc, Marshall Islands

Beneficial Owner: Turkish

The vessel Rezzak was carrying iron from Russia to Turkey with a crew of 25 Indian seafarers on board. On 18 February 2008, off the coast of Samsun, the vessel sank; its loss was noticed only when it failed to arrive in port. Indian newspapers speculated that the sinking was caused intentionally by the owner in order to claim against P&I insurance.

Repeated cases of unpaid wages

Name: **Enigmagas**

IMO: 7909839

Flag: Panama

Class: Bureau Veritas

Type: LPG Tanker

Year of Build: 1981

Registered Owner: Venus Star Trading Inc., Cayman Islands

Beneficial Owner: Russian

In early December 2011 seafarers from the LPG tanker, Enigmagas applied to the ITF for assistance, they had not been paid since the previous August. The vessel was anchored off Kerch and at that time the outstanding unpaid wages amounted to US\$170,000. The company claimed financial difficulties and urged the crew to continue to the next port of call where they said they would pay. The crew, having lost faith in the word of the company, refused to sail. On 13 December when the vessel came alongside, the crew were forcibly thrown off the vessel by private security together with the company's lawyers. No assistance was given to the crew who have since had difficulty finding employment following their attempted stand against the company.

Four months later, The ITF was contacted by the new crew of Enigmagas with a further claim of unpaid wages. The vessel had loaded in Ukraine and was sailing for Izmir. Entering the Aliaga anchorage the crew declared a strike. The union advised the Harbour Master and Port State Control of the situation and attempted negotiations with the owner. On 03 April the owner advised that wages would be paid in cash, but on 09 April the owner's lawyer advised that whilst they would pay the wages they would repatriate only four of the 14 crew and the rest would have to remain on board. This proposal was rejected by the crew. On 10 April the union provided fresh water and provisions on board and a legal process was set in motion. At this point it became apparent that the vessel was under arrest by the bunker supplier. It appears there were discussions between a ship breaker and the owner to sell the vessel for scrap, but no progress was made due to the poor conditions. On 04 May Port State Control attended the vessel and noted that bunker supplies were

running dangerously low. The crew were compelled to make use of a generator due to the lack of bunkers and as result the tanker began to leak, a fact which was noted by the Harbour Master. The latter, in spite of the evident dangers to the crew, compelled them to stay on board. The union continued to supply food and continued efforts to negotiate with the owner who offered to pay just over half of the outstanding unpaid wages. Again the offer was rejected by an increasingly anxious crew enduring unsafe conditions, inadequate food supplies confined on board without pay. At the time of writing, the case remained unresolved.



Crew of the Enigmagas

Name: **Muezzinoglu**

IMO: 7721964

Flag: Turkey

Class: Turk Loydu

Type: General Cargo

Year of Build: 1982

Registered Owner: Beserler Denizcilik, Turkey

Beneficial Owner: Turkish

In February 2012, not for the first time, seafarers from the Turkish flagged general cargo vessel Muezzinoglu applied to the unions for assistance in recovering unpaid wages. A seafarer with 54 years of maritime experience was interviewed and asked to explain his grievance: *"I worked there one year and 10 days. I have never seen them pay us on time. They paid sometimes half the wages, sometimes less than that. This is wrong, not fair. They pay, but when? They pay after 2-3 months! My family is hungry. My wife calls me several times. We beg for our money."* He continues *"We had a contract. According to this contract, they should pay the wage in 15 days. But three to four months pass, there is no pay. That is impudence. We are fed up with it!"*

Name: **Solvita**

IMO: 7633612

Flag: Antigua & Barbuda

Class: Unknown

Type: General Cargo

Year of Build: 1977

Registered Owner: Capricorn Shipping Co. Ltd., St Vincent & Grenadine Islands

Beneficial Owner: Ukrainian

At the end of 2009 nine crew members from the Solvita applied to the unions for assistance. The vessel was carrying steel plate; the crew had not been paid for 2-4 months and went on strike in Diliskelesi, Turkey. The cargo owner applied to the local court and the vessel was forbidden to sail. The vessel was arrested for unpaid wages, and the union supplied food to the crew. The owner refused to repatriate the seafarers as the vessel was not trading. *"If we don't get money, we cannot do anything"* he claimed. The cook was taken ill and finally the crew left the vessel and were lodged in a local hotel but had no visas for travelling. The case seemed locked in bureaucracy and the disputes of commercial interests. Finally the crew were repatriated in February 2012, but the legal process and auction continues and the vessel has twice come close to sinking at anchorage.



Seafarers finally leave the Solvita

Name: **Capital Vega**

IMO: 7366025

Flag: Moldova

Class: Bulgarski Koraben Registar

Type: General Cargo

Year of Build: 1976

Registered Owner: Capital Shipping Ltd., Marshall Islands

Beneficial Owner: Turkish

On 10 December 2010 in Samsun port 11 crew members from the Capital Vega made a claim for 3-6 months unpaid wages. The vessel was arrested. A number of seafarers went on hunger strike in protest over their unpaid wages. The consequences for seafarers of non-payment or delays in payment were expressed by the Azerbaijani Engineer: *"I have not been paid for 6 months. I was preparing for marriage but now I cannot even go home. We have trouble on board because we do not have money. I have to look after my mother who lives in Azerbaijan. She is old and suffering because I cannot send money to her."* Eventually the union met repatriation costs and some seafarers were able to return home; they live in the vain hope that the shipowner will pay the outstanding wages.

Abandonment

Name: **Nemo**

IMO: 8505642

Flag: Antigua & Barbuda

Class: Russian Marine Register (disclassified)

Type: General Cargo

Year of Build: 1987

Registered Owner: United Marine Management, Estonia

Beneficial Owner: Estonian

On 10 December the crew of the Nemo anchored at Eskihisar contacted the unions with wage claims from 2-8 months. The union provided food and water and the vessel was arrested on behalf of the crew on 11 January 2011. As is often the case with abandonment, the crew was unwilling to leave the vessel before receiving the wages owed to them. A lengthy period ensued with the union paying regular visits, providing subsistence and applying to local authorities to supply water.

On 28 December the seafarers applied for repatriation through the Ukrainian consulate. The consulate advised them to abandon the vessel due to concerns over their physical and mental health. The crew, weakened by their ordeal had lost about 20kg in weight. That day the Captain was taken ill and hospitalised. Police refused to allow the crew to stay in a hotel, they were instead illegally detained for 9 days, along with the Captain after his discharge from hospital. Under intolerable strain, the Captain went on hungerstrike to urge the authorities to find a solution.

The crew were eventually repatriated to Ukraine on 06 January 2012. On 21 January 2012 the vessel was sold and the seafarers finally received their entitlements.

Name: **Boushkin**

IMO: 8942929

Flag: Sierra Leone

Class: Unknown

Type: General Cargo

Year of Build: 1971

Registered Owner: Persus Shipping SA, Seychelles

Beneficial Owner: Russian

Three Russian and eight Ukrainian crew from the Boushkin asked for assistance in claiming 4 months unpaid wages. They were on the verge of exhausting their food and fuel supplies; the vessel had been abandoned. The union assisted with provisioning and in the legal process. The vessel was arrested against a claim of USD 221,000. Then the auction process began. During this period nine seafarers were successfully repatriated but the sea police required a skeleton crew to remain on board. The ship remained unsold through 2 auctions, leaving the stranded Ukrainian seafarers to subsist in squalid conditions on board for more than eight months before they were finally repatriated.



Washing dishes on the Boushkin

1. High frequency of accidents, groundings and sinking of vessels in the Black Sea

There would appear to be a high frequency of accidents, groundings and sinking of vessels in the Black Sea. In addition to poor weather conditions and geographical features, this is likely to be due to the proliferation of older vessels operating with substandard conditions. There would appear to be a lack of investment and poor maintenance due to a flawed economic model that does not sustain minimum safety measures. Furthermore the use of river-sea vessels that may not be equipped to deal with the often harsh conditions of the Black Sea, particularly during Winter months, adds to the high level of casualties.

2. Flag of convenience (FOC) system and lack of P&I cover/insurance

When accidents do occur there is a recurrent theme of a lack of P&I cover. This combined with ownership structures limited to single vessels registered under brass plate companies in such jurisdictions as the Cayman Islands, Marshall Islands, St. Vincent & Grenadines and St Kitts & Nevis, results in the impossibility of pursuing compensation for loss of life. In the absence of a link between ownership and flag, a characteristic of the FOC system, there are limited possibilities to exert effective regulation of the industry. The tragedies are multiplied as families are left destitute in the wake of such casualties.

3. Entrenched non-payment or delayed payment of wages

The practice of non-payment or delayed payment of wages is an entrenched feature of the Black Sea maritime industry. Once again the economic model fails to sustain decent living and working conditions. It seems acceptable behaviour on the part of shipowners to manage shortfalls in cash flow by neglecting to pay wages. This shows a total disrespect for basic human rights. In such circumstances the employment relationship is utterly dysfunctional and results in seafarers being forced to go on strike, enter into legal claims or, in some cases, take more extreme measures such as hunger strikes.

4. Seafarers' difficulties in exercising their rights

It would appear that the labour market in the Black Sea is dominated by seafarers either at the beginning or towards the end of their careers. Seafarers can feel that they have no choice but to accept conditions that would be unthinkable ashore or in other regions of the world. In addition there is strong evidence to suggest that crewing agents in the region make extensive use of blacklisting to intimidate crew and discourage them from making complaints. It is to be hoped that when the Maritime Labour Convention, 2006 comes into force, seafarers will have more protections that will enable them to exercise their rights to decent living and working conditions on board, including the regular (at least monthly) payment of wages and the abolition of the practice of blacklisting.

5. Severe impact of a substandard industry on seafarers and their families

While some efforts have been made to improve standards in the region through the Black Sea MOU on Port State Control, signed in April 2000, there is still a long way to go in terms of the elimination of substandard shipping and the protection of seafarers whose working conditions are sometimes close to that of modern day slavery.

The severe impact of a substandard industry on seafarers and their families cannot be underestimated. The intentional non-payment of wages amounts to a situation of bonded labour and should be unthinkable in the 21st Century. The subsequent insecurity for family life is contradictory to international human rights conventions. On an individual level, such working conditions are deleterious to the physical and mental well-being of seafarers. As the entry into force of the Maritime Labour Convention, 2006 comes ever closer, the situation in the 'Black Sea of Shame' can no longer be tolerated.

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