



Seafarers' Bulletin

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International Transport Workers' Federation



Myanmar's new seafarers' union off to flying start

In this issue:

Why cargo handling is best left to dockers

Challenges for seafarers in the migrant crisis

Cabotage under attack

Your pullout guide to getting help



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The International Transport Workers' Federation (ITF) is an international trade union federation of transport trade unions, representing around 4.5 million transport workers in 700 unions in some 150 countries, including nearly 260,000 seafarers. It is organised in eight industrial sections: seafarers, fishers, inland navigation, dockers, railways, road transport, civil aviation and tourism services. It represents transport workers at world level and promotes their interests through global campaigning and solidarity. The ITF has 144 inspectors and contacts working in ports worldwide.

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Cover photo: Stephen James Tantuan

Welcome



We're delighted to introduce you to one of our newest unions – IFOMS in Myanmar. In 2014 the ITF started supporting a group of local seafarers who were developing an independent and democratic maritime trade union there. We couldn't have anticipated how inspiring this would be in a country with such a difficult history and challenging present. Already, IFOMS has attracted masses of members and, as you will see inside, won many notable victories on their behalf.

On a sombre note, global conflicts this year have had an increasingly significant impact on the maritime industry. We've watched with horror the tragic migration crisis, as individuals and families have been forced to flee their homes in Syria and elsewhere and make the hugely hazardous journey across the Mediterranean. We highlight the courageous – and often unrecognised – role seafarers have played in the rescue efforts.

Our focus on health and wellbeing looks at the findings of our survey of seafarers on HIV/AIDS and our research into the top health concerns for women seafarers. We'll use these findings as we work with our unions to meet your needs. We recommend the latest guidance on eliminating workplace bullying and harassment, which we published with the International Chamber of Shipping.

Although we applaud the positive impact of the Maritime Labour Convention, 2006 (MLC), as you can see in 'Stories from the frontline' and elsewhere, our inspectors and unions have a continuing role to play in winning justice for seafarers around the world. Working closely with port authorities, welfare organisations and others they secure owed back pay, tackle poor working conditions on board and help abandoned seafarers be repatriated.

Our 2015 intake of new inspectors have impressed us with their enthusiasm and commitment to supporting you in your struggles. Meet the new class of former ratings, masters, officers, dockers, shipbuilders and union activists who are now part of our global network of 144 inspectors and contacts who fight alongside you – and the nearly 260,000 seafarers the ITF represents – for better conditions at work.

There's also our usual pullout guide packed with advice and information about how to get help when you need it.

So if you're not convinced already, we expect that all these stories will remind you of the collective power that being active in a union offers. Make sure you don't stand alone.

Steve Cotton
ITF general secretary

The ITF FOC campaign in numbers

ITF inspections

(2015)

Total number of vessels inspected broken down into number without problems and number with problems.



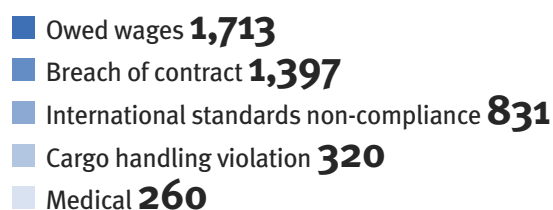
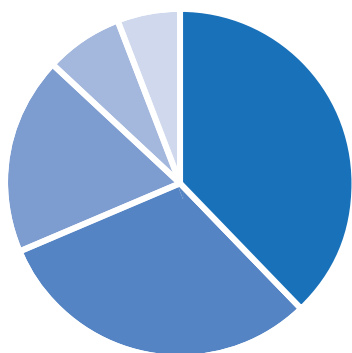
Total backpay recovered

(2015)



Top five problems by type found during ITF inspections

(2014)

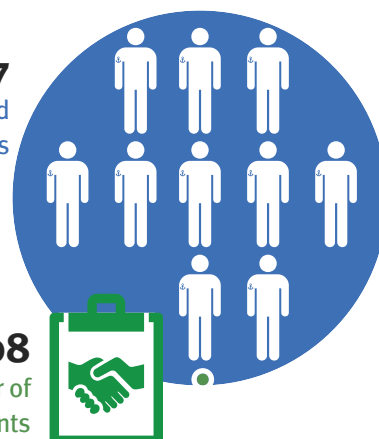


Vessels and seafarers covered by ITF agreements

(at time of going to press)

258,457
Positions covered by agreements

11,108
Total number of ITF agreements



Stories from the frontline

Dockers' demands win FOC ITF agreement

Dockers in the Danish port of Esbjerg successfully fought for ITF agreements on FOC ships, reports Morten Bach, ITF inspector, Denmark



As the Red Cedar came into port in Esbjerg to load wind turbines, the dockers demanded that the German ship owner sign an agreement with the ITF.

The Marshall Island-flagged Red Cedar is owned by MACS Maritime Carrier Shipping GmbH & Co, which is known for its reluctance to sign ITF agreements. But as the company had another four flag of convenience (FOC) ships contracted to carry windmill parts out of Esbjerg later in 2015, the dockers' action ramped up the pressure on the owner.

It led to an urgent meeting on board – while the ship was still being loaded – between three people representing the shipping company from

Hamburg; Frede Nielsen, the dockers' shop steward in Esbjerg; representatives from stevedoring company Bluewater; and me.

Negotiations were difficult but eventually a good agreement was reached with Bluewater Stevedores. It guarantees that no ship sailing under a flag of convenience without a valid ITF agreement will be loaded or unloaded in Esbjerg.

This is a major victory for Esbjerg's dockers, who were willing to use their power, both to demonstrate international solidarity with seafarers who crew FOC ships and to ensure that they received decent wages and working conditions. They and Frede Nielsen are owed special thanks. ■

“No ship sailing under a flag of convenience without a valid ITF agreement will be loaded or unloaded in Esbjerg”

Inspection stops seafarers lashing

Grzegorz Daleki, ITF inspector in Gdansk, Poland, discovered seafarers being used to do dockers' jobs



Many serious health and safety violations were exposed during an inspection of the Katharina Schepers by the ITF and two leaders of Poland's NSZZ Solidarność dockers' union.

The Cyprus-flagged container ship, which is operated by Unifeeder, was berthed at Gdansk Container Terminal when we boarded.

Among the issues we uncovered was that the gangway was not properly secured – a threat to the lives of seafarers, dockers and others, both on board and

on the quayside. The NSZZ immediately stopped the dockers' cargo operation until this was rectified.

We then discovered that seafarers did the container lashing. This was in breach of the dockers' clause in the vessel's ITF agreement, which had been signed with Nautilus International.

Enough was enough! The NSZZ demanded that all lashing by seafarers should stop immediately and that the operation be completed by professional dockers, trained to do the job safely. The next day, the dockers' gang was increased by three qualified workers.

Our inspection ensured safe conditions during mooring and passage through our port, and the vessel sailed safely to its next destination. ■

Strike on board!

Kim Hye Kyung, ITF co-ordinator in Korea, describes the successful case of the Believe

The 14-strong crew of the Believe had had enough. They'd been pursuing wages owed since August totalling USD84,000 but seemed to be getting nowhere. So in mid-November 2015 they took industrial action, by refusing to open the hatch cover.

When the second officer contacted the ITF, we informed the port state control (PSC) officer. Together we inspected the ship, which was in Ulsan port, Korea. This confirmed that the men were owed their wages for August, September and October, and that the owner had threatened them with police arrest. The crew were very relieved when we assured them he could not do this.

The ship's owner, New Marine Technologies Group in Vladivostok, told us the August wages had just been paid and blamed the crew for taking their action. We explained the legal position and informed him that we had contacted the local dockers' union. We also warned that the PSC would inspect the ship the following Monday and would arrest it for breach of MLC 2006, if the wages remained unpaid.

This got the owner worried and he promised to pay the men once the Believe arrived in Vladivostok. The crew feared that they would be fired then, so we encouraged them to contact the ITF inspector or the Seafarers' Union of Russia (SUR) if they had any trouble.

Fortunately, they did receive their back pay and the case was closed. ■

Abandoned Romanian crew repatriated

Adrian Mihalcioiu, ITF inspector in Romania, reports on a fast win for seafarers abandoned in Tunisia

We took a desperate call from a seafarer on board the Asirat in Tunisia in September 2015.

He said the vessel had been abandoned in early August, following its arrest in Gabes port. The 20-strong Romanian crew had not been paid since July. Conditions on board were dreadful – no air conditioning (while temperatures outside were above 40 degrees

Celsius) or water, hardly any food, no medicine for sick crew members and no diesel. My subsequent visit to the ship confirmed this.

Some relatives had approached the Romanian Naval Authority (RNA), so they, the Romanian Seafarers' Union (SLN) and the ITF began legal proceedings against the crewing agent. Under a law introduced in 1997 – thanks to strong SLN lobbying – all Romanian crewing agents must be insured against the abandonment of seafarers and ensure that they are either found alternative placements or repatriated.

The ITF and SLN persuaded the ship operator to ask the Moldova flag authority to issue a

Chance encounter leads to proper medical treatment

Matt Purcell, ITF assistant co-ordinator, Australia, describes how a chance encounter ensured that a Filipino seafarer received vital medical treatment



It is indeed a small world, as 2nd engineer Bernardo recently discovered to his advantage when he was taken ill while working on the Japanese-owned Sunny Smile.

He had an appointment with the heart specialist at Hunter Hospital in Newcastle, Australia, because he needed surgery.

new safe manning certificate with a reduced number of crew during the ship's detention; and to provide the crew with food, water and fuel. The Romanian consul visited the vessel and mediated with the port authority to allow the rest of the crew to be repatriated.

By the end of September, each crew member received their owed wages, proper medical treatment was provided and the seafarers were repatriated. ■

Bernardo told the consultant that the managers of his vessel were trying to fly him home for the operation. Judging that this may prove catastrophic to his patient, the specialist decided to act.

It turned out that consultant Bruce Bastion was also treating Peter Morris – a Labor government minister in the 1980s and co-author of the ITF-commissioned Ships of shame report. He immediately contacted Morris, who in turn contacted me straightaway. The ball had started rolling.

With the help of Fusao Ohori, the ITF co-ordinator in Japan, the ship managers finally agreed to allow Bernardo to receive treatment in Australia. And when they tried to send him back to Manila soon after the operation, we once again refused. Bernardo was properly cared for and eventually able to fly home with his wife in the comfort of business class.

This case shows that the co-operation and networking between affiliate inspectors and ITF co-ordinators – plus some helpful media publicity – can be most effective in the face of some of the stiff opposition we encounter. ■



Big backpay win for Lithuanian crew

New ITF inspector Barbara Shipley describes her first vessel arrest and the determined joint effort which won the Venta crew nearly USD250,000 in back pay

We would not have won this long, hard case without the help of the Coast Guard, the local maritime ministries, the Lithuanian Seamen's Union and many others.

The Venta was just one of the Lithuanian Shipping Company's (Lisco) vessels detained due to debt, and had been in the Texas courts in April 2015.

Our involvement began when we were contacted by a seamen's centre in Philadelphia on behalf of the Venta's 20-person Lithuanian and Russian crew, on 9 July. We heard that the captain was rationing food, threatening violence and over-working the crew, and that the men had been without pay for over three months. Lisco reportedly pressured some of the seafarers' families in Lithuania to drop the case, once the ITF was involved.

My mentor, Ricky Esopa, ITF co-ordinator from the Seafarers' International Union of North America, and I secured an

attorney for the crew. Meanwhile, the seamen's centre contacted the Lithuanian church and ambassador to ask for food donations, and we co-ordinated their delivery. ITF inspector Andrey Chernov, from the Lithuanian Seaman's Union, talked to the crew, translated letters and carried out paper work each day. The crew's spirits were lifted by all this support.

Instead of simply offloading the cargo in Philadelphia and leaving the crew to fight Lisco for pay and repatriation, cargo owner Salzgitte Mannesmann International worked with us, eventually spending more than USD1.5 million to make the ship seaworthy, even paying for the fuel to get it out of Canada.

In Philadelphia, the crew received most of the USD241,000 owed to them before the ship sailed for Trois Rivières, where, on 9 September, SIU Canada ITF inspector Vince Giannopoulos witnessed their final payment. Two days later, the seafarers headed home. ■



Courageous crew wins battle

It was a 30-month battle but the courage of the Ocean Trader crew paid off, explains ITF inspector Aswin Noordermeer

In 2012, Sweden boycotted the Ocean Trader because it had entered the country without an ITF-approved agreement.

On boarding the vessel, ITF inspector Haakan Andre and Frederik Bradd discovered that some of the Filipino crew were being paid less than the minimum International Labour Organization wage scale. He successfully negotiated with the

company so that the master and crew were given new employment contracts which met ITF agreement standards.

But in February 2013, the crew texted me to say that the company was trying to force them to sign a new contract, with lower wages, and asked for the ITF's help.

I visited the Ocean Trader when it berthed in Rotterdam, only to

discover that all the employment contracts signed in Sweden had been destroyed, and that the crew now had a new contract, with lower wages. Once I'd explained their rights, 11 Filipino crew members signed an authorisation form to arrest the vessel. However, the next day seven withdrew their authorisation.

We were very concerned, so we contacted a local law firm,

Wybenga Advocaten, which promptly arrested the vessel on behalf of the crew. The ship's company argued that the ITF in Sweden had acted illegally but the Dutch court judge decided differently.

In October, after two-and-a-half years, the four Filipino seafarers finally won a settlement of their owed wages from the company. ■

Successful use of MLC and PSC co-operation on detaining vessels

The Black Sea and Azov Sea regions are known more for their substandard shipping than compliance with international standards, but ITF inspector Olga Ananina describes some recent successes achieved by co-operating with port state control (PSC) and using the Maritime Labour Convention 2006 (MLC)



The marine administration in the Black Sea-Azov Sea region requires seafarers in trouble to apply for assistance directly to the harbour master. This is not always easy for crew to do on their own, so we normally prepare the letter for them and take it on board, if the vessel is in our port, or mail it, if the ship is at sea.

Once the harbour master has detained the vessel, we then negotiate with the shipowner over the payment of outstanding wages. We send the relevant information to the harbour master, and also have to provide confirmation that the union is not making any separate claim from the shipowner. When the outstanding wages have been paid, PSC lifts the detention in relation to the MLC.

Since 2013, we have managed to detain 10 vessels in the Black Sea and won the

payment of wages totalling USD335,000 in cases that have so far been settled. The biggest back payment was USD201,000, from the owner of the Liberian-flagged Hermann Schoening in December 2013.

While we successfully co-operate with the PSC in the ports of Temryuk, Taman, Kavkaz and Eysk in the Azov Sea, it is more problematic getting a ship detained for MLC violations in ports such as Rostov, which are in the Paris MOU area. This is largely because of the consequences for vessels detained, as three detentions can result in a ban from the whole region. As most of the vessels are involved in the valuable trade of scrap with Turkey, the marine administration may fear economic damage to the ports. In this case, vessels usually need to be detained because of technical deficiencies, as well as unpaid wages. ■

New union great news for Myanmar seafarers

Building a strong union

IFOMS is one of the latest unions to join the ITF family and is already achieving great things for its members. Lee Cash, ITF maritime union development programme co-ordinator, describes how it all began

In 2014 the ITF began working with a group of local seafarers to examine how we could assist in developing an independent and democratic maritime trade union in Myanmar.

We already knew the individuals who were intent on forming the Independent Federation of Myanmar Seafarers (IFOMS). Some had helped the ITF settle claims on behalf of local seafarers, while others were known to ITF inspectors because of their involvement in onboard collective actions in support of their colleagues.

As Myanmar slowly emerged from decades of dictatorship, the opposition to a democratic,

Myanmar seafarers at last have a democratic and effective labour union to represent their interests, and a credible and dynamic representative at the very heart of the ITF.

independent and member-led union for seafarers was immense. The founding members of IFOMS faced serious and persistent challenges from the start. Corrupt local agents and brokers tried unsuccessfully to infiltrate the group, then they threatened local seafarers with blacklisting if they joined the union. So-called 'unions' controlled by crewing agents tried everything in their power to block IFOMS' registration.

The leaders of the fledgling union refused to be intimidated. Their example inspired many local seafarers to stand together with IFOMS, flocking to the union's office to learn more about IFOMS and how they could help spread the message.

Continued >

Building a strong union
continued

IFOMS quickly developed a reputation for competence and pursued claims on behalf of members diligently and with vigour. It swiftly secured hundreds of thousands of dollars for members and their families in backpay and compensation claims. IFOMS' work was praised by the families and friends of seafarers on social media and by word of mouth.

It soon became clear that IFOMS was the only serious and credible union that would stand together with Myanmar seafarers. As members flooded in, pressure on the government to legally recognise IFOMS became overwhelming and in March 2015 the union was formally registered.

From the outset, ITF unions – the Japanese Seamen's Union, Indonesian seafarers union (KPI), Maritime Union of Australia, Seafarers' International Union, Singapore Organisation of Seamen and ver.di – rallied around IFOMS and provided invaluable support.

They all attended the IFOMS inaugural congress, where ITF general secretary Steve Cotton declared that as the country was undergoing a transition to a more democratic form of government, the example of IFOMS "will have an impact far beyond the confines of its growing membership base".

Straight after the congress, the ITF's network of inspectors

"I'm proud to have IFOMS in the ITF family. IFOMS has already demonstrated excellently its capacity to represent its members and win results but it will have an impact far beyond the confines of its growing membership base. It is the best possible example to workers in Myanmar on how to build a strong, democratic and effective labour organisation, and I urge all Myanmar seafarers to get behind and support the union."

Steve Cotton, ITF general secretary

worked with IFOMS to raise awareness of the union among serving seafarers and organised hundreds of new members into the union.

The commitment, passion and

courage demonstrated by IFOMS' elected officials and activists have impressed everyone who has visited the union's offices or taken part in its education programmes. ■

IFOMS' achievements at a glance (as at end December 2015)

Total cases 56
Settled cases 42
Ongoing cases 14

Total backpay won:
USD2,474,697.53

Total injury and death in service compensation won: **USD1,079,596**

ITF inspectorate IFOMS campaign

The IFOMS campaign ran in 2015 from 20 April to 31 May, to promote the union and recruit as many members as possible.

It targeted 100 vessels which had mainly Myanmar crew, had updated their crew lists within the previous year, and were trading in areas with ITF inspectors.

During the six-week campaign, ITF inspectors worldwide carried out 91 visits to the target vessels, in 24 countries. They met 1,019 Myanmar seafarers

face-to-face, telling them about IFOMS, handing out the union's pamphlets and membership application forms, and showing them where to find IFOMS on YouTube, Facebook and its website.

Among the abuses they found were seafarers paying USD3,000 and upwards for jobs

and handing over property deeds, and penalty clauses up to USD20,000.

As a result of the campaign, many more Myanmar seafarers were made aware of their union rights and 478 signed up with IFOMS. ■

Case study**Justice won for widow of disappeared Myanmar seafarer**

What is certain is that 3rd engineer Zaw Lynn Aung tragically disappeared at sea on 10 October 2013 while working aboard the Panama-flagged Paiwan Wisdom. The circumstances, however, remain shrouded in mystery. His distraught widow turned to IFOMS for help.

The sequence of events accepted by the P&I club representing shipowner Wisdom Marine Lines was based solely on the account of the chief engineer, who claimed that he had suffered a sudden, unprovoked violent knife attack by Aung. No explanation for this could be found and there was no indication of a history of animosity between the two individuals; nor were there any witnesses to either the alleged attack or Aung's disappearance.

The P&I club claimed that Aung had committed suicide. It tried to use this and the alleged attack as grounds for ruling null and void

shipowner obligations under the ITF agreement covering the ship. Its lawyer advised that the company should not pay more than USD20,000 in compensation, and that indeed USD5,000 would be a good starting point for negotiations.

John Wood, the ITF/FOC campaign advisor, protested forcefully in writing to the P&I president and CEO. He said that it was just as likely that Aung had been killed in the fight and his body disposed of. But in any case, he asserted, the Paiwan Wisdom was covered by a legally binding CBA with the ITF-affiliated National Chinese Seaman's Union (NCSU) and that there were no exclusions to the terms and conditions of that agreement, which covered loss of life/death in service. He reminded them that the death in service benefits under the agreement were in 2014 USD95,949 to the nominated beneficiary and USD18,631 to each dependent child (up to a maximum of four) under the age of 19.

Thankfully for Aung's grieving widow and three-year-old daughter, IFOMS' intervention and the assistance of the ITF resulted in the claim eventually being settled in full.



A tale of two brothers

Katie Higginbottom, ITF maritime projects and campaigns leader, reveals the fascinating stories of brothers Shwe Tun Aung and Aung Kyaw Linn, which lie at the heart of the birth of IFOMS

Shwe Tun Aung left Myanmar in 1995 to work at sea. Soon afterwards, he was working on a ship with other Burmese crew who hadn't been paid for eight months. They were afraid, but eventually called the ITF for help when they landed in Brazil.

While in port, the Myanmar ambassador came to visit, but not to offer any support; instead, the crew were intimidated and Shwe was threatened with imprisonment. Eventually, with the ITF's intervention, the crew were paid.

When Radio Free Asia broadcast the story, Shwe was blacklisted. He couldn't get a job because he now had a reputation as a troublemaker. However, he was offered a contract as an able seaman on the ITF's Global Mariner

educational ship.

Meanwhile, Shwe's younger brother Aung Kyaw Linn had left his studies and gone to sea as a cadet. Shwe decided to support Linn to move to Bangkok to return to studying.

When the Global Mariner sank following a collision in August 2000, Shwe had a problem. He had to get a new passport but if he returned to Myanmar he would be immediately imprisoned because of his labour activism. His application for asylum in Brazil was rejected but he was granted a six-month extension to stay, during which time he found work on a ship bound for the United States.

On arrival in America, Shwe spent a month in an immigration centre. The Seafarers'

International Union hired an immigration lawyer for him and he was eventually granted asylum. He was then appointed ITF inspector in Houston, where he developed a fierce reputation for tenacity in recovering wages owed to seafarers.

By now, Linn had returned to Myanmar and was occasionally helping Shwe to handle cases relating to Myanmar seafarers and their families – having been at sea himself, he felt a close connection to them.

In 2012 Shwe returned to Myanmar as part of an ITF mission to relocate back to the country the Seafarers' Union of Burma (SUB), which had been operating in exile in Thailand. Linn, who had provided invaluable support to both Shwe and the ITF's FOC campaign advisor in Indonesia, John

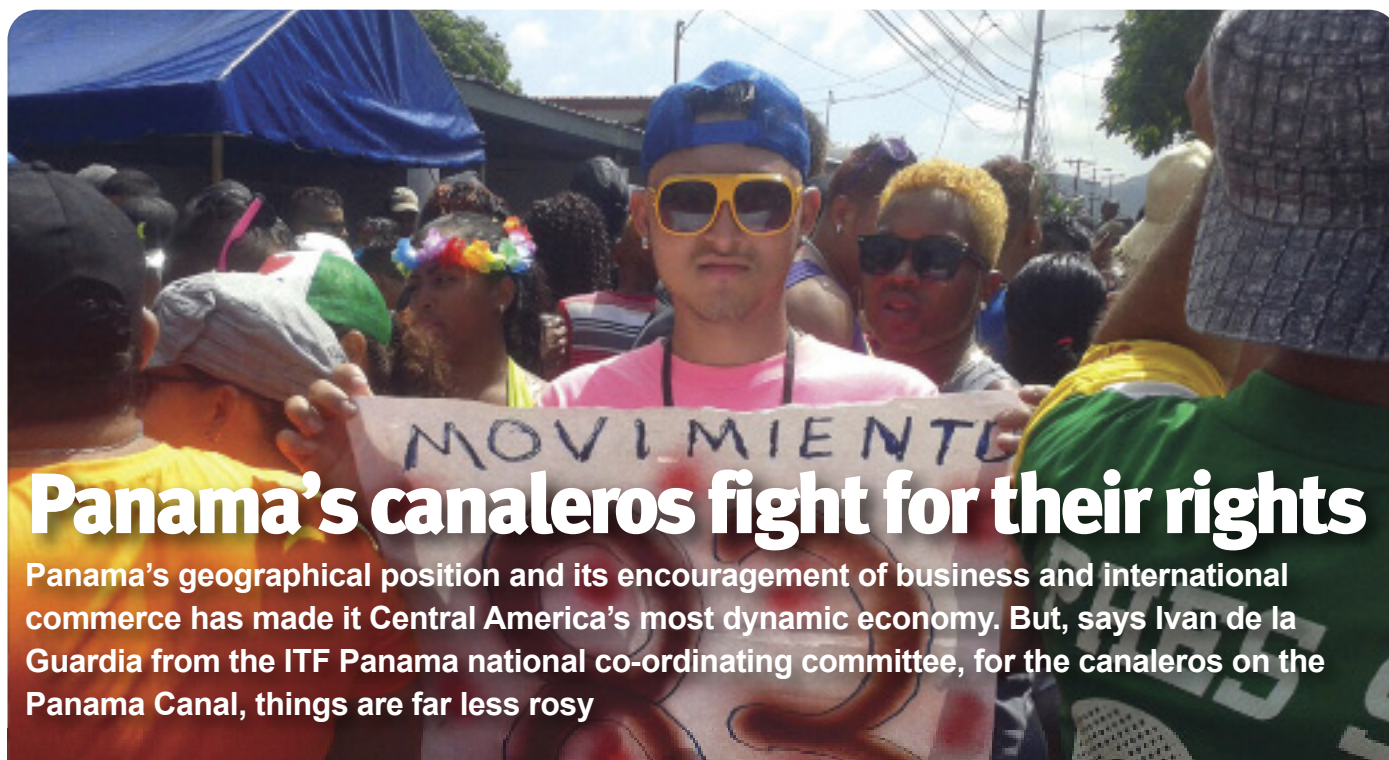
Wood, was on hand to assist the ITF delegation. It was a happy reunion for the brothers, who hadn't seen each other for over 10 years.

When serious problems with the SUB soon emerged, work began to organise a new union of Myanmar seafarers. IFOMS was registered in 2014 and at its first congress in March 2015 around 100 seafarers elected their executive board, with Linn as the general secretary.

Linn says: "I never thought I'd be head of the union. I was eager to help seafarers and their families because I know their situation in Myanmar. The government ignores their rights. Now I hope all Myanmar seafarers can benefit from international regulation and have equal rights and salaries." ■



To download a membership application form or find out more about IFOMS, visit their website at www.ifoms.org/ or find them on Facebook at www.facebook.com/ifoms.



Panama's canaleros fight for their rights

Panama's geographical position and its encouragement of business and international commerce has made it Central America's most dynamic economy. But, says Ivan de la Guardia from the ITF Panama national co-ordinating committee, for the canaleros on the Panama Canal, things are far less rosy



Recent governments have made the country's labour laws, especially within the Panama Canal, very restrictive, disregarding rights and guarantees and squeezing all they can from workers. Panama Canal unions are even denied the right to strike.

ITF affiliates from all sectors in Panama work together to fight this, including five in the Panama Canal area (ACP). They are grateful for the support they also get from the wider international union family.

The ACP administration takes a very heavy-handed approach to the canal workers – known as canaleros – and their unions. For example, in November/December 2015, one union general secretary was put under an arbitrary process of investigation because he was invited to a public radio station to talk about the lack of training for his members.

Unfortunately, the Labour Relations Board (LRB) – which has five members appointed by the Panama president – have lately been partial to the ACP's approach as three new

members with this inclination have been designated in the last two years. This means it is not unusual for the ACP administration to take a leading role in disciplinary proceedings and the arbitration process over collective agreements. Unsurprisingly, disputes are therefore frequent and end up at the LRB. Over 90 percent of LRB decisions in favour of the workers are challenged by the ACP administration in the supreme court, where the process can last for years.

More technically-oriented unions representing engineers, pilots and captains are very concerned by the administration's lack of training and clear operating procedures for the new canal. They claim that a group of 'friendly workers' are drafting processes while they lack the knowledge, intention or capacity to train others. The administration simply ignores warnings by captains and pilots of a potential maritime disaster if it continues to act irresponsibly.

Unions are frustrated that the government ignores its pleas to intervene because it relies so heavily on the cash the canal

brings in, currently a billion US dollars a year and set to rise if projections for the new canal are true.

Questions are being raised about the inadequacy of the canal's 11-strong board of directors and its silence over dubious decisions concerning the operation of the canal.

The public media – which receives USD20 million a year from the ACP administration – suppresses union news or comments while being a strong mouthpiece for administration campaigns.

The success of the logistics hub in Panama is built with the sweat and blood of workers. Yet the workers – whose salaries stagnate while their workloads become more demanding – will not share in the canal's bright future, while the money goes to millionaire business people and politicians.

The country and all peripheral services and industries depend on the canal, as there is not much else in Panama, and unions will continue to fight for workers' rights and conditions there. ■

The country and all peripheral services and industries depend on the canal, and unions will continue to fight for workers' rights and conditions there.



ILO 185 and shore leave

The ITF believes the international convention on the seafarers' identity document will bring even more benefits to seafarers' lives and hopes that countries will soon sign up to it. ITF seafarers' section assistant secretary Fabrizio Barcellona explains

Convention 185, as it is usually known, is meant to provide seafarers with a secure, internationally accepted document to ease free transit and shore leave.

You might ask why a seafarers' identity document (SID) is necessary, when it is so similar to a passport. Well, just as the crew of an airplane have facilitated entry into their destination country, so too should seafarers. It is essential that seafarers are able to join or leave a ship at short notice to enjoy shore leave after a period on board.

Convention 185, as it is usually known, is meant to provide seafarers with a secure, internationally accepted document to ease free transit and shore leave. The document would be easily checked by officials in entry countries and provide confirmation of a seafarer's identity without breaking privacy legislation.

But today, only a limited number

of countries have ratified convention 185. And those which have are faced with a number of obstacles. For the seafarers' identity document to become reality, these problems need to be resolved.

First, we have to agree to an international focal point for the storage of the database, so that government officials can verify a seafarer's identity. Second, we need a unified system of biometric recognition which is widely compatible for use by immigration officials. And third, we have to convince sceptical countries that the identity document is valid, secure and reliable.

We're gradually getting there. The ITF, other seafarers' organisations and shipowners' organisations have been working closely with the International

Labour Organization to ensure that we keep it on the agenda of governments. In 2015, the ILO brought us all together in Geneva to provide expert advice on how to make the SID happen.

As Seafarers' Bulletin goes to press, we hope that our recommendations for amendments to the convention will next be discussed – and agreed – in February 2016. If they are, the ILO will be able to provide member states with a revised format for the seafarers' identity document which will prompt wider ratification of convention 185 and be accepted by border control officials.

This would facilitate entry into a country to join or leave a ship and access shore facilities for all seafarers whose countries have ratified the convention. ■

Seafarers commended for role in rescuing migrants

The world witnessed dreadful scenes of drownings, deaths and rescue efforts in 2015, as desperate individuals and families fled their homes in dangerously overcrowded and unseaworthy vessels, often arranged by people smugglers. Many seafarers played a courageous – and often unrecognised – role in the search and rescue operations in the Mediterranean, saving thousands of lives. Seafarers' Bulletin casts a spotlight on this work and the impact it has on those involved

Seafarers crucial to rescue operations

The role of merchant ships and seafarers is crucial in search and rescue operations, says Rear Admiral Cristiano Aliperta, Italian alternate permanent representative to the International Maritime Organization (IMO) and admiral of the Italian Coast Guard

We need a joint international effort to tackle this complex issue and reduce the problem. In March 2015 the IMO secretary general brought together all the UN agencies involved to explore how to do this, and since then, I believe the international approach has changed. The European Union, in particular, has acknowledged that the problem is not just in Italy but the whole of Europe.

I cannot stress enough just how crucial the role of merchant ships and seafarers is in search and rescue (SAR) activities. The 1,400 ships from different flags diverted from the beginning of 2014 to the end of November 2015 by the Italian Maritime Rescue Coordination Centre played a fantastic role during the SAR operations in the southern Mediterranean.

The role of these crews and vessels often goes unseen and I want more people to know about it. Despite being unprepared to deal with such large numbers of people to be rescued, the shipmasters, their crews, and the vessel owners have always responded with great professionalism and heartfelt human charity.

Clauses in international conventions such as

Solas and the Hamburg convention declare it is mandatory to rescue human lives at sea. Yet, this impulse is in the very DNA of seafarers, and this is what is most important. As soon as you begin your life at sea, you know that the first and most important lesson you learn is that you must rescue people in distress, in any case and without prejudice.

I was personally involved once in a rescue effort near the island of Lampedusa. As I was being interviewed by Al Jazeera television on board an Italian Coast Guard patrol boat, we got the alert that some 350 people were on a small vessel in distress. On arrival it took a few hours to rescue the passengers and get them to the island but thankfully we succeeded. There were 40 women among the passengers and they were not only relieved to be safe but astonished by the blonde hair of our lieutenant. As they touched her hair, I was struck by the simple humanity of the situation – it is impossible for me to describe how deep my feelings were.

I'll never forget just how close to death those desperate people came in their bid for freedom, nor the dedication and courage of the seafarers who rescued them. ■

In 2014, the International Chamber of Shipping (ICS) stated that the rescue of all persons in distress at sea – including illegal migrants – is an obligation under international maritime law, as well as being a long established humanitarian duty.

In the same year, according to the Italian Coast Guard, seafarers aboard 800 merchant ships rescued 40,000 migrants in the Mediterranean.

In the first half of 2015 alone, the International Chamber of Shipping reports, merchant ships and their civilian crews assisted in the rescue of over 50,000 people in the Mediterranean. This led the global shipping industry, represented by international shipowners' associations and seafarers' unions, to update its guidelines on large scale rescue operations at sea in July 2015. Yet tragically, the International Organization for Migration (IOM) states that '2015 was the deadliest year on record for migrants and refugees crossing the Mediterranean trying to reach Europe', with 3,771 deaths recorded.

A seafarer's story

Roger Harris, director of the International Seafarers' Welfare and Assistance Network (ISWAN), shares this seafarer's account of how he helped to save the lives of 211 migrants off Libya's coast

"It was Sunday, and we were relaxing after our duties, when all of sudden there was a call on VHF from the Italian navy for rescue. In no time we all got prepared and proceeded", John Paul (not his real name) told ISWAN.

"We all had an equal hand in the rescue operation. The gangway was prepared and

lowered, the pilot ladder was lowered and the lifeboats were made ready, the crane was prepared and the first aid team was ready with water and provisions... to energise them. The bridge team was in charge of the operation. I was involved in putting out the net, and with the help of that we were able to get alongside [their raft]."

The operation deeply affected him. "For me, it was the first encounter with life and death", he said. "What extremes a person can go to [in order to] survive. They were all young people who wanted to just survive. They were thirsty, hungry and praying under the hot and dry sun to be rescued. I thank God that he gave us the opportunity to do something,

and not to complain for unnecessary reasons. I'm being more mature now."

John Paul said that his crew was well trained for rescue operation procedures and their teamwork was vital to the operation's success. Sadly, however, three people had died on the raft before the seafarers reached them. ■

Meet your new

The ITF welcomed 13 new inspectors in 2015 to its team of 144 inspectors and contacts worldwide. This team visits vessels to police existing agreements, report on working conditions and help crews secure their rights

The new intake joined the rest of the inspectors in Panama in October 2015 to discuss the future work of the team. From now on, inspectors will be more involved in campaigns, like the IFOMS campaign on page 9, to support ITF unions to win new members and assist existing members. They will also focus more on the ports of convenience campaign and its strong links with the flags of convenience campaign, in order to build greater solidarity between seafarers and dockers

Here we introduce you to your new inspectors as they embark on their new roles



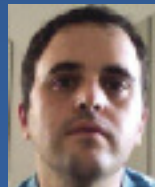
Corine Archambaud (Le Havre, France) sailed as a first officer and cook under many flags

of convenience and foreign shipowners, during which time she became the union national secretary representing isolated seafarers sailing under foreign flags.



Grzegorz Daleki (Gdynia, Poland) was a seafarer and a union officer for Solidarność and believes

his experience of "ruthless port managers and unscrupulous shipowners" will be of great value as an inspector.



Gonzalo Galan (Las Palmas, Canary Islands) was brought up on the maritime tales of his father, a now-

retired seafarer and inherited his interest in social justice from his parents. He has been active in the Spanish anti-globalisation movement.



Joachim Mel Djedje-Li (Abidjan, Ivory Coast) was a deck officer for 12 years. His many union

roles include general secretary of the Ivorian Merchant Seafarers' union, ITF port welfare committee chair, member of the ITF seafarers' committee and steering group member of the fair practices committee. He also sat on the ILO tripartite committee that worked on the MLC, 2006.



Heikki Karla (Finland), Heikki Karla is from a seafaring background. He worked as

a first officer and has also studied computer science. He has strongly held views that shipowners must show respect for seafarers'

"Many seafarers live in fear of FOC shipping companies and only dare to speak up when conditions and treatment become unbearable. I expect to be a voice for these seafarers and be part of the team helping to ensure that they return home with money in their pocket and a happy ending to a sad story."

Sarah Maguire

inspectors



Yngve Lorentsen (*Tromsø, Norway*) was a seafarer for over 12 years, and also served a year as a UN soldier in Lebanon. He left the sea to find a job which gave him more time with his family.



Vladimir Miladinov (*Bulgaria*) has worked in his trade union for nine years, and brings to the maritime sector his experience of organising and recruiting new members in road and logistics campaigns.



Karl Risser (*Halifax, Canada*) was born into a family of shipbuilders in Halifax. He was soon working with his father in the shipyard and quickly became active in the local union. He was only 28 when he was elected union president.



Barbara Shipley (*mid-Atlantic region, United States*) sailed as ordinary seaman, able bodied seaman and bosun from 2002 to 2014 on container, research and other vessels.

“The role of inspector is more challenging than I’d thought. The ship is only in port for a very limited amount of time and the issues have to be resolved there and then, requiring great attention to detail within the tight timeframe of an inspection.” Mickey Whelan



Sarah Maguire (*Australia*) is a fourth-generation seafarer and has worked at sea since the age of 18. She has been an active trade unionist, including as chair of the Maritime Union of Australia women’s and youth committees.



Gijs Mol (*Netherlands*) is the newest 2015 inspector. From the age of 16 he worked as a long distance lorry driver, switching in 2007 to become a docker with the Maersk Norfolk Line. He joined the FNV Havens, trained to be a shop steward and got on the works council.



Mario Sarac (*Croatia*) progressed from cadet to master during 14 years working on container vessels. As a master, he was involved in implementing the MLC and protecting seafarers’ rights in high-risk piracy areas. His work in the Seafarers’ Union of Croatia inspired him to become an inspector.

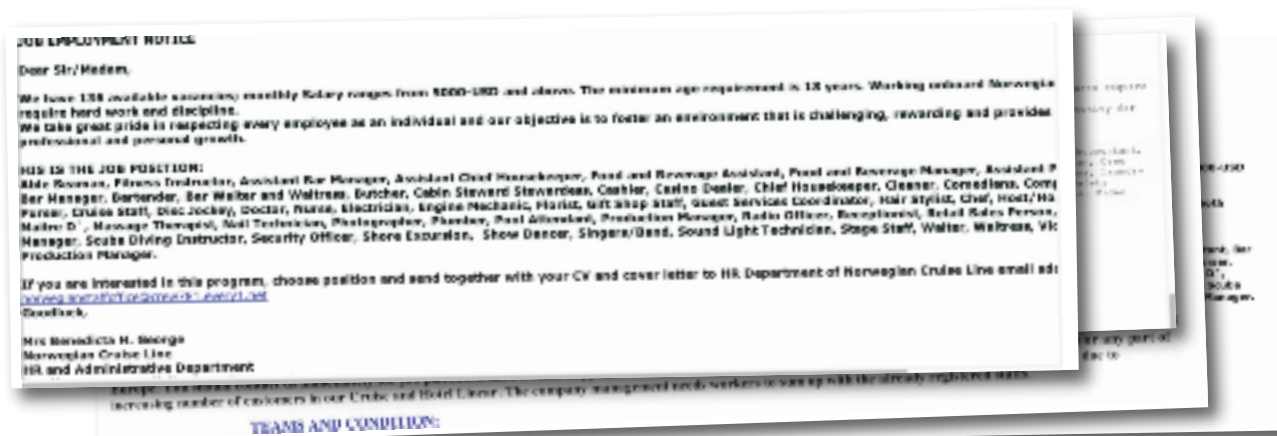


Mickey Whelan (*ports of Ireland*), Mickey Whelan has been a union organiser and representative for 16 years. He worked for the carpenters’ union in New York City for five of them before returning to Ireland where he joined the general union, SIPTU, to look after the interests of ports, docks and harbour workers. ■

“Seafarers can only get decent pay and conditions through effective collective bargaining which respects human rights and takes into account the nature of work at sea. The problems I see on board underline the need for spreading information and getting seafarers to demand what belongs to them, without fear of losing their jobs.” Heikki Karla

It's not you they want ... it's your money

The ITF is constantly discovering and being made aware of recruitment scams, and tries to protect potential victims by publicising them. The scammers have great jobs to offer, delivered direct to your email address but, warns ITF press and editorial manager Sam Dawson, if you accept, they'll take you for everything you own



Have you been offered a well-paid job on a cruise liner recently, out of the blue, no experience required?

If you have, it's a scam. And if you fall for it, ruthless fraudsters will extort every cent you own – and any you can borrow.

Scamming is low cost and low risk, as scammers rarely get prosecuted in their home countries. As fast as we can expose a false 'company', the criminals behind it just change the name.

These criminals are now

targeting would-be cruise crews, especially in the on-board hospitality trades. They use different names, fake locations and new methods. The latest tactic is to directly email offers of cruise jobs, usually using the name of a genuine company.

Previous warnings about advance fee scams mean that now the criminals won't mention any kind of charge up-front. Instead, they wait until they've reeled you in before they suddenly ask for the inevitable 'one-off' fee – an unexpected passport charge, a registration

fee to the visa processing office, an administrative payment.

Pay it and they've got you. Other demands will come, always with a warning that if you don't make one last contribution you'll lose what you've already paid.

So, always be sceptical: of companies claiming to be based at a reputable address in the UK, USA or Australia (they won't be); of supposed job offers on what appear to be shipping or recruitment company websites; and of fake jobs on real, but free-to-use, websites (never post your CV on these; some

fraudsters run a nice sideline in identity theft).

Always remember that anyone guaranteeing a job onboard but requiring payment is a scammer, since the Maritime Labour Convention states that seafarers should not have to pay any agency fees to obtain employment. This goes for all positions, whether in the deck and engine or the hotel and catering departments.

Trust your gut instinct. If a job offer or advert looks too good to be true – then it usually is. So ignore it. ■

Where to go for advice

Run the company name through Google, adding the word 'scam', then 'fraud', then 'warning'

News of the latest scams

www.itfseafarers.org/maritime_news.cfm

Warning signs to look out for

www.scam-job-emails.tk

www.scammers-and-scam-websites.tk

www.fraudwatchers.org

List of known scams (but remember they constantly change names)

www.cruiselinesjobs.com/cruise-ship-jobs-scam

Suspicious telephone numbers

www.scammertelephonenumber.blogspot.co.uk

ITF look up a ship app

www.itfseafarers.org/seafarer-apps.cfm

Six common signs of a scam

- Any request for money at any time, no matter what it's for
- Any request for your bank details – they'll empty your account
- Any request to provide photocopies of personal documents such as a passport or qualifications
- Telephone numbers beginning 70: it's an international redirect number disguised to look as though it's in Britain. Drop +447024021763 into Google to see how many scams it has appeared in
- Email addresses where the country domain is different from the country the office is supposedly located in
- Recently set-up websites that look like those of reputable companies. Find the real one, look for warnings on it and contact the real headquarters if you're in any doubt.

Your eight-page pullout guide

YOUR ITF GUIDE TO GETTING HELP



How to find a seafarers' union or an ITF inspector

Your first point of contact should be your union – if you are not a member, find out how to join one. If you need help straight away, or if you're a union member having difficulty getting hold of your union, contact an ITF inspector – all contact details can be found in this guide.

You can check ITF-affiliated unions on www.itfseafarers.org – click the tab Find an Inspector or Union.

If you have a mobile phone or tablet download your FREE app ITF Seafarers now at www.itfseafarers.org/seafarer-apps.cfm

- Find contact details for the nearest ITF inspector, coordinator or union
- Look up a ship and check conditions on board before you sign on
- Contact the ITF Helpline directly
- Check that your hours of rest are in line with regulations

Download a free QR code on your SmartPhone and then scan this code.



Available on



How to contact the ITF

The ITF runs a 24 hour global support line. The people answering your calls are multilingual 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 you can contact ITF London on **+44 (0) 20 7940 9287**
ITF Helpline (24 hours):
+44 (0) 20 7940 9280
SMS Textline **+44 (0) 7950 081459**
Email help@itf.org.uk

Before you call

Have the relevant information ready using the following checklist:

About you

- Name
- Position on board
- Nationality
- Contact details

About the ship

- Name
- Flag
- IMO number
- Current location
- Number of crew and nationality

About the problem

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

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.

To find a seafarers' centre near you download the FREE app Shoreleave at:

www.itfseafarers.org/seafarer-apps.cfm

Available on

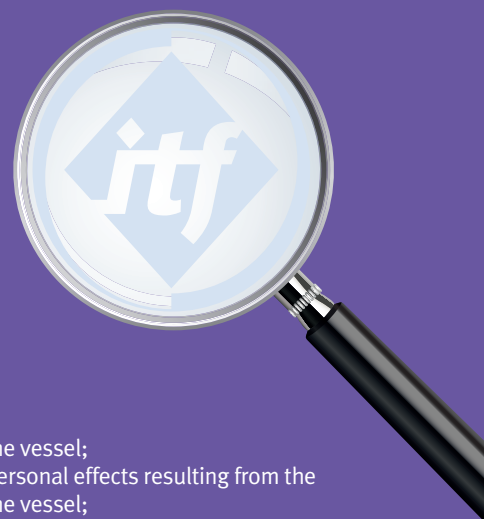


Getting hired Crewing agents

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 to only 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.itfseafarers.org/seafarer-apps.cfm

ITF inspectors listings

3

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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

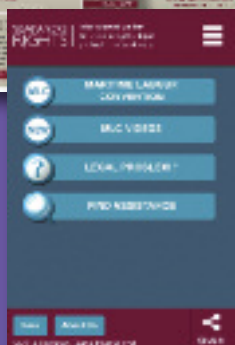
There are international guidelines to ensure seafarers are treated fairly if their ship is involved in a maritime accident – whether by the shipowners, the port, the coastal state, the flag state or their own country's laws. Here are your rights if this happens to you:

- 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 and/or union for advice and assistance.**

More information at: www.itfseafarers.org/your_legal_rights.cfm

Winning better legal protection for seafarers

In September 2010, Seafarers' Rights International (SRI) was formed to improve legal protection for seafarers worldwide through pioneering research, education and training. International lawyer and SRI founder Deirdre Fitzpatrick describes the difference it has made so far



Advancing seafarers' rights is always going to be a tough challenge.

The very nature of our maritime industry adds a complexity that many other industries don't have. It is on the whole highly deregulated and seafarers voyage daily into different states, regions and foreign jurisdictions, where regulations can differ wildly. Add to that the mix of owners, managers, charterers, suppliers, manning agents and crews, and responsibilities can soon become very blurred. Maritime labour law is also complicated, spanning different legal disciplines, and seafarers' legal problems can range from abandonment to piracy.

It is this very complexity that brought about the formation of SRI, set up with backing from the ITF Seafarers' Trust, to promote and advance seafarers'

rights within a more standardised international framework, and at regional and national levels.

Our research uncovers deep issues for seafarers, where their rights need to be promoted and advanced in this fast-changing industry. An increasingly important aspect of our work is running awareness campaigns with like-minded organisations to fuel change in regulation, law and political strategy within the maritime industry to improve seafarers' rights and make the industry more efficient.

One of our first projects was on criminalisation. We carried out a major survey in 2011-12, which revealed that most of the 3,480 seafarers who responded feared being criminalised. We published the findings and presented them to the International Maritime

Organization (IMO) and, as a result, work is now underway to implement rights to protect seafarers against criminalisation at the national level. We also produced a film to raise awareness and to educate seafarers on how best to respond if they risk facing criminal charges.

Our online resources – the SRI website, legal database and app – contain a wealth of essential information for seafarers, their representatives, students, and those who support and assist seafarers. Between them, they feature a growing library of publications, legal guides, fact files, education and research covering essential subjects, such as abandonment, criminal law, death and injuries, human rights, and the Maritime Labour Convention 2006. We've worked hard to ensure that seafarers and those

representing them have access to this information whenever they need answers.

And, if you ever need legal help, go to the app and you can find SRI's unique network of lawyers worldwide who have expertise in seafarers' rights.

One of our most recent projects was to support the launch in 2015 of a groundbreaking new book, *Fishers and plunderers* – theft, slavery and violence at sea, which focuses on the plight of fishers in the 21st century.

We will continue to promote this and other essential issues in 2016 in order to raise industry standards for workers at sea.

To access SRI's website, legal database and network of lawyers, and to download the SRI app, visit www.seafarersrights.org. ■

Putting seafarers' health and wellbeing first



A BROADER VISION OF SEAFARER WELLBEING:
**SURVEY OF ITF MARITIME AFFILIATES
ON HIV/AIDS, HEALTH AND
WELLBEING**



Seafarers call for wider health support

A new ITF survey reveals that seafarers want unions' work on HIV and AIDS to also look at their wider health and wellbeing. Dr Asif Altaf, ITF global HIV/AIDS and wellbeing programme co-ordinator, gives a snapshot of the findings

Seafarers often have higher rates of HIV than the general population – they are away from home for long periods, frequent port areas where there are often many sex workers and may find it hard to access health information and medical services. Generally, they also know less about how HIV is transmitted and how to avoid the risks.

As part of the ITF's global drive to build knowledge about HIV/AIDS in all the major seafarer supply countries, we researched seafarers' needs and concerns. For the first time, we included questions on general health and wellbeing

We were pleased that 806 people responded, 46 of them women. They included 615 individual officers and ratings from the

Continued >

Seafarers call for wider health support *continued*

selected countries of India, Madagascar, the Philippines and Ukraine, and 191 other seafarers in the ITF network.

In addition, 34 unions in 30 countries in all regions responded to a separate survey. They indicated strong concern about their members' health, the services available to them and the risks they may face.

The survey showed that many of you worry about HIV and need more correct information about HIV risks – for example, many seafarers from some countries would be afraid to work with someone who has HIV, despite that person being fit for work.

Worrying HIV/AIDS myths persist, despite over three decades of education by unions, health organisations and governments. For example, 41

percent of respondents from the Philippines think AIDS can be cured; while in one seafarer supply country, 46 percent believed the virus could be spread in food and drink.

We also found vastly varying attitudes to condom use. In the Philippines, 72 percent believed that condoms were effective – which they are – but in India only 17 percent did. But India had by far the highest percentage – 96 percent – of those who agreed that you should use a condom unless you're sure your partner doesn't have HIV or another sexually transmitted disease.

These findings were at odds with actual behaviour reported. For instance, only 41 percent of Filipino seafarers said they had used a condom the last time they had sex with a non-regular

partner, compared with 88 percent of Indian seafarers.

It appears you get most of your health and HIV information from newspapers, magazines and TV but unions, particularly in Ukraine and India, and seafarers' centres, particularly in the Philippines, came next.

Turning to your wider concerns, many of you worry about weight, lack of exercise and alcohol use.

Most respondents said the long separation from home and family was a problem. Many said they often or sometimes felt anxious and depressed on board. In responses from one seafarer supply country, 75 percent said they knew workmates who were depressed. And, shockingly, between six and 41 percent, depending on country, knew

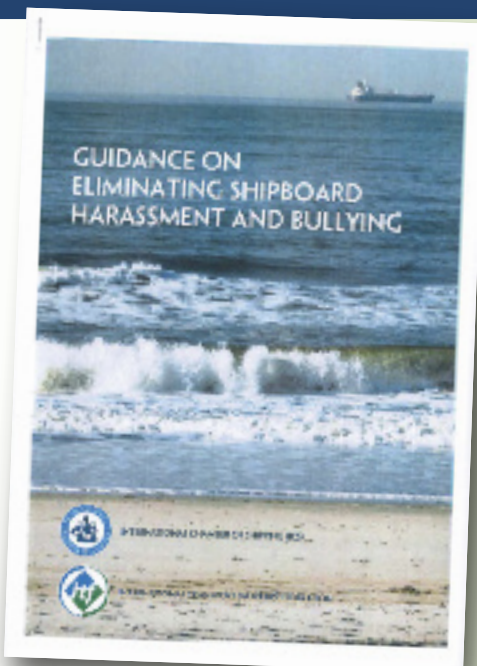
friends with suicidal tendencies.

The ITF will now develop a comprehensive HIV/AIDS, health and wellbeing programme tailored to your needs to enable its affiliates to address issues such as stigma and discrimination around HIV, as well as important topics like depression and obesity. We will consider, for example, setting up a pre-departure training programme for interested seafarers, as many seafarers were strongly in favour of the idea of peer educators/counsellors.

You can take a look at the full report – A broader vision of seafarer wellbeing: survey of ITF maritime affiliates on HIV/AIDS, health and wellbeing – at www.itfglobal.org/media/819789/hiv_survey.pdf ■

Banishing bullying on board

The ITF and International Chamber of Shipping (ICS) have produced a guide to end harassment and bullying on board by helping seafarers report such behaviour. Natalie Shaw, ICS employment affairs director, explains more



If you or your colleagues have experienced harassment and bullying on board, you will fully recognise the serious consequences there can be for seafarers' physical and emotional health. It can be a reason why a seafarer becomes less motivated or may be ill more frequently – and this in turn can affect the operation of the entire team.

It can also be bad for companies, leading to deteriorating working conditions and potential organisational, economic and legal consequences.

That's why the ICS and ITF have jointly produced guidance for seafarers on how to deal

The ICS/ITF guidelines apply principles regarding harassment and bullying in a global context. They have been endorsed by the director general of the International Labour Organization, who noted that 'under the MLC, 2006, each member state is required to satisfy itself that the provisions of the its law and regulations respect the fundamental right to the elimination of discrimination in respect of employment and occupation'.

with such situations. It actively encourages individuals who are either directly affected or who witness such incidents to report

Joint pain and stress top women seafarers' health problems

Women seafarers say that joint pain and stress are their two biggest health challenges, according to a survey by leading union and welfare organisations. Caitlin Vaughan from the International Seafarers' Welfare and Assistance Network (ISWAN) reports

“This report illustrates the need for a better understanding as to how we can improve conditions on board to attract more women to sea. We particularly welcome the fact that the survey points to relatively inexpensive and easily instituted improvements that can help make that change possible: confidentiality, a focus on stress, better health information.”

Jacqueline Smith, ITF maritime co-ordinator

Joint and back pain, and stress, depression and anxiety are the two main health concerns for women seafarers, according to the 595 women seafarers from 54 countries we surveyed.

In the online survey, nearly half identified joint and back pain while 43 percent selected stress/depression/anxiety. Women working on cruise ships most often identified joint/back pain; this might reflect the higher proportion of ratings from the sector who responded and who had physically demanding jobs which involved carrying heavy objects, often for long distances.

But across both the cruise and the cargo/tanker sectors, women seafarers put stress/depression/anxiety top of their health concerns. And three-quarters of them thought those health problems were connected to their work.

Nearly 40 percent of the women surveyed said that they did not have access to a sanitary bin on board; this was particularly true for those working on tankers. Other concerns were weight and obesity and heavy or painful periods.

The survey revealed that the biggest issue preventing women seafarers' access to healthcare while at sea was lack of confidentiality – again, this was particularly the case among those working on tankers. But half felt that they had no difficulties in accessing healthcare, either at sea or in port.

And over half the respondents would welcome routine wellness checks.

An estimated 1-2 percent of the world's 1.25m seafarers are women, serving on some 87,000 ships, mostly in the cruise sector. The survey shows that we can make improvements to your working lives easily, such as ensuring confidentiality, focusing more on concerns over stress and providing better health information.

The survey report authors recommended wide consultation to find out more and called for some relatively straightforward and inexpensive responses. These include producing specific information for women seafarers on joint and back pain, mental health, nutrition and gynaecological complaints; introducing sanitary bins for women on all vessels; and making female sanitary products more available onboard and in port shops worldwide.

The report was based on the Women Seafarers' Health and Welfare survey, a joint initiative by the ITF, ISWAN, the International Maritime Health Association (IMHA) and the Seafarers Hospital Society (SHS).

To read or download the report of the survey, go to www.itfglobal.org/media/1152793/women-seafarers-health-and-welfare-survey-.pdf ■

them to the company without delay. The seafarer making the complaint will be supported for highlighting the problem, as long as their claim is not brought maliciously.

Harassment and bullying can take a wide variety of forms. Simple verbal aggression, ill-treatment, cyber-bullying and sexual discrimination can be as harmful as forms of physical aggression which cause serious injuries. Someone behaving in an aggressive way may do it through their body language, intimidation or by displaying contempt or disdain towards you.

The physical effects are usually fairly easy to identify – perhaps by bruises, cuts or other external

injuries – but the emotional effects of harassment and bullying are often much harder to prove, and a bully may deny or distort your account of events.

As your ship is often your home for weeks or months at a time, harassment and bullying can be of concern, given the shipboard living and working environment – the isolation, the size and proximity of cabins, and the necessity of remaining in the workplace during rest periods.

You can find a copy of the Guidance on eliminating shipboard harassment and bullying at www.itfglobal.org/media/1279810/harassment-guide.pdf ■

safety
first

Health and safety committees on board

Twenty years' seafaring experience drives Darren Procter, ITF inspector, southern England, to share his views on the importance of shipboard health and safety committees

Come home safely, Daddy

We all know that life at sea poses many dangers. The physical, ergonomic, chemical, biological, psychological and social elements of the maritime working environment can lead to occupational accidents, injuries and diseases.

Seafarers are unique because our workplace is also our home. We face demanding working conditions, isolation, long hours of work and high levels of stress and fatigue. In general, though, we fear complaining about unsafe practices in case we are replaced or blacklisted.

While most seafarers applauded the introduction of the MLC, I still see a blindingly obvious void on most vessels I inspect. Health and safety committees are a standard requirement and must be held on board every vessel with five or more crew, yet they are not being carried out effectively on board most vessels. Too often, they are treated as a tick-box exercise because of the ever-increasing number of tasks seafarers have to do, with minimal input from crew and little company information on health and safety matters.

Shipboard health and safety committees are there to ensure that a vessel's crew work together to promote safety awareness, assess the risks on board and produce a positive safety culture at sea and in port.

Having a functional onboard safety committee can be easily achieved, benefits all seafarers, and can be improved on most, if not all, vessels. Whether you are a cook or a captain, you can

have a positive impact on board your vessel by taking an interest in your own health, safety and welfare and that of your fellow crew members to maximise contractual protection for you and every future seafarer who sails on your vessel.

Take a look at the best practice box on this page. Are these things happening on your vessel? If not, they should be.

Everyone in the maritime industry has an obligation and responsibility to strive for improving and implementing health and safety – that includes ITF inspectors, the shipowner, flag state, classification societies who are issuing MLC certificates without properly checking the documentations and practices on board, port state control (as part of their inspections), and seafarers.

Seafarers and their representatives around the world have fought tirelessly for, and defended, the fundamental right of seafarers to work in a safe and secure workplace that complies with safety standards.

As inspectors, we will continue to strive for improvements on every vessel we inspect. But it needs us all to work together to ensure that every seafarer, irrespective of nationality or rank, who goes up a gangway returns home safely to their family without injury.

With so many rogue operators in the maritime industry, it will be a continuous journey to get best practice on board every vessel. But if every seafarer makes just a small contribution on their vessel, we will see a positive impact. ■

Best practice guidelines say that a health and safety committee on board a vessel should:

- have an appointed or elected crew representative on board (not the safety officer);
- co-operate with the master and shipowner to implement the company safety policy and programme. The committee should provide seafarers with a forum to influence health, safety and welfare matters;
- take part in the planning, management and co-ordination of safe and healthy working conditions on board. The committee should take all preventive measures important to seafarers' occupational health and safety (OHS), including mental wellbeing, and provide advice to resolve safety and health problems;
- take part in the investigation, identification and analysis of occupational accidents, injuries and diseases;
- propose, and participate in the implementation of, measures to prevent any recurrence, in consultation with the master;
- keep up-to-date on health and safety provisions for the protection of seafarers;
- contribute to defining principles for appropriate and necessary training and instructions specific to onboard working conditions;
- continuously inspect the observance of safety procedures;
- co-operate with any relevant OHS service;
- make representations and recommendations on behalf of the crew through the master to the shipowner; and
- discuss and take appropriate action over any OHS matter affecting the crew, and evaluate appropriate protective and safety equipment, including lifesaving equipment.

What's the MLC doing for you?

The Maritime Labour Convention, 2006 has been in force for three years. Seafarers' Bulletin looks at how much of a difference it is making to seafarers and what further benefits are to come



“I have personally worked with crews on cases where we were able to get the necessary leverage over a company by using some of the protection offered by the convention. It covers very important and frequently reported issues — such as the details required in a seafarer’s contract, and the details regarding a seafarer’s entitlement to repatriation.”

Vince Giannopoulos, ITF inspector, Canada

MLC: making a difference?

ITF maritime project and campaigns leader Katie Higginbottom reflects on inspectors' experiences of using the MLC

The picture is mixed on whether there's been a measurable improvement in conditions for seafarers since the MLC came into force.

On the one hand, ITF inspectors' reports show that the same old problems recur – non-payment of wages, breaches of employment agreements and substandard conditions on board. Panama, by far the biggest flag state and the second to ratify the MLC, has the largest number of problems. This would suggest that they still haven't got enough resources in place to deal with the number of vessels flying their flag.

And there are still plenty of opportunistic shipowners with a hand-to-mouth approach to the finances. This means if someone in the chain delays a payment, the whole operation falls apart, leaving no safety net for the crew. The MLC is supposed to put these operations out of business but it needs a consistently diligent approach to enforcement to work as it should.

Shipowners who claim there's no need for an ITF agreement on board MLC-certified ships show a wilful or fundamental misunderstanding of the difference between the purpose of the MLC and a collective bargaining agreement. The MLC comes from the International Labour Organization, where governments, employers and workers all have a voice. It is a compromise they agree to safeguard the basic rights of seafarers but in a way that is both flexible enough for widespread ratification and that prevents unfair competition between shipowners.

Shipowners who want to

eliminate the ITF from the picture are the ones that see an opportunity to undercut their business rivals. They're usually the same bosses who patronise their workers by saying 'you don't need to be organised because we're good employers'. The ones that say this never are.

On the other hand, there are many important positives from the MLC.

There's now much more co-operation between ITF inspectors and port state control and flag state representatives tasked with enforcing the convention. ITF inspectors are recognised as the experts when it comes to wages and agreements and in most cases all parties see the mutual benefits of working together.

There's also a growing awareness among seafarers that they can speak out and claim their rights under the convention. The MLC gives them, and the ITF inspectors representing them, an internationally recognised legal basis for demanding decent conditions.

A really big step forward for seafarers is the amendments expanding the convention's coverage of financial security in the case of abandonment and claims for death and long-term disability. They were agreed in June 2014 and are expected to come into force in early 2017.

Flag states will be required to have in place either insurance or some sort of fund that is directly accessible to seafarers if they're abandoned by a shipowner or company. If the seafarers are not repatriated, have no provisions on board or the owner has severed ties and

not paid wages for two months, the insurance will kick in. It will cover the costs of repatriation, essential needs such as food, water, and fuel, and up to four months' outstanding wages. It should make it much harder for rogue companies to walk away from their responsibilities and it will force flag states to be more vigilant about who they accept on their registers.

The new measures regarding shipowner liability in the treatment of contractual claims aim to eliminate pressure on seafarers to accept less than their due. They should alleviate hardship by requiring interim payments where a process of assessment is necessary. As with the abandonment requirements, seafarers (or their families) will be able to make direct claims, and ships will have to make all the contact details readily available on board.

It's essential now that seafarers themselves take full advantage of the MLC by becoming expert in their own entitlements and claiming them.

For up to date information on MLC developments see: www.ilo.org/global/standards/maritime-labour-convention

Download the ITF's MLC guide for seafarers at www.itfseafarers.org/files/seeals/odocs/40281/Seafarers-bill-of-rights.pdf ■

Impact for India's seafarers

Abdulgani Serang, general secretary-cum-treasurer of the National Union of Seafarers of India (NUSI), looks at what the MLC and convention 185 will mean to the nation's seafarers when they enter into force in India this year

India is a major maritime country and an important maritime labour supplier, and some 125,000 serving Indian national seafarers stand to benefit from the MLC.

Ships will need to hold a maritime labour certificate and Indian flag merchant vessels of 500 gross tonnage or more, engaged in international voyages, will be issued the certificate following an inspection. And all foreign flag vessels entering India's territorial waters are subject to inspection to ensure that seafarers' rights are protected.

In accordance with MLC standards A4.5 (2) and (10), the Indian Maritime Administration (IMA) has specified three forms of social security for seafarers which apply for births, injuries or deaths on or after 21 August 2014.

Women seafarers will receive £250 for up to two births which occur within 60 months from the date of sign-off from their last ship. Indian seafarers who become permanently unfit for the profession because of an injury within 12 months after being signed off their last vessel will receive £1,000. And the eligible beneficiary of a deceased Indian seafarer will also receive £1,000, provided the seafarer died within 12 months of sign-off.

These welfare schemes are administered by the Seafarers Welfare Fund Society, which NUSI participates in, under the aegis of the Indian Maritime Administration (IMA). ■

Protecting national seafarers' jobs at home

Over the last decade, we've seen the rise in the power and influence of global businesses that can choose their jurisdiction according to favourable tax regimes, cheap labour and minimal regulation. Just think flags of convenience... That's the reason we fully support nations that take legal measures to retain their national shipping for reasons that go beyond the bottom line for shareholders

Cabotage – the system of reserving a nation's domestic maritime commerce for its own citizens, to ensure the retention of skilled workers and decent jobs for the future of the industry – is in place in some form in 47 countries. But it is under threat from shipowners and their allies, who are chasing big profits at the expense of national jobs. Seafarers' Bulletin examines why cabotage is crucial to three countries

Protecting America's economy and security

The USA's freight cabotage law is vital to the country's economy and security, and maritime unions will continue to fight for it, explains Jordan P Biscardo, communications director of the Seafarers International Union

The Jones Act – the USA's freight cabotage law – is a crucial source of important jobs, and enjoys a rare level of overwhelmingly bipartisan political support in the United States. It is also strongly supported by American military leaders.

According to an independent study by the respected firm PricewaterhouseCoopers, the Jones Act helps maintain almost 500,000 American jobs, both aboard vessels and in related shore-side positions. These jobs and associated commerce annually contribute billions of

dollars to the US economy.

Many of those jobs are vital to homeland and national security. America would lose much of its shipbuilding capability without the domestic fleet, and it would also lose a significant percentage of its mariner pool.

While few vessels engaged in domestic commerce are mobilised for military support missions, the men and women sailing in the Jones Act trade remain available for such duty. In fact, it's common for a civilian mariner to ship out aboard a coastwise tanker, for example,

and then later in the year take a job aboard a roll-on/roll-off ship carrying military cargo. Also, many of the ships sailing domestically are militarily useful and could be utilised in a crisis.

America cannot afford to lose any more of its pool of shipboard personnel. It is already at a critical point, and any weakening of its maritime cabotage law would severely compromise the nation's safety. The head of the US maritime administration has pointed out that it takes extensive training to enter and remain in the industry; when people leave it, they rarely resume sailing.

Despite its wide support, the Jones Act regularly comes under attack from foreign-flag shipowners looking to break into the market. Critics call the law protectionist and outdated, even though dozens of other countries around the world maintain maritime cabotage laws.

The Jones Act is sound policy both from an economic and security standpoint. America's maritime labour unions and other supporters constantly promote cabotage and will continue to stand up for this essential law. ■

Protecting Canada's maritime jobs

To protect seafarers' jobs, Canada has adopted similar cabotage laws to its US neighbour, says James Given, president of the Seafarers International Union of Canada

Canada is a maritime nation: three of the world's oceans border our coastline, which is the longest in the world at 244,000 km.

As a maritime nation with a population of 35.7 million people, Canada plays an important role in international trade and commerce in times of both peace and war.

Its most important maritime union, the SIU of Canada, is affiliated to the Seafarers International Union of North America. We are proud that our members have the reputation of being amongst the best trained seafarers in the world.

Access to Canadian and American industries operating around the Great Lakes is facilitated by the Saint Lawrence River, which runs from Minnesota to the Atlantic Ocean. Its elevation at the head of the Great Lakes is 653 feet above sea level and navigation

is made possible by a network of locks of the St Lawrence Seaway Authority, administered by representatives of the American and Canadian governments.

Sharing the administration and operation of the St Lawrence Seaway with the United States, Canada has adopted several maritime and labour laws that have similar objectives to American laws.

This applies to cabotage, too, as we need to regulate maritime commerce in Canadian waters and between Canadian ports, and protect Canadian seafarers' employment. We've adopted the Coasting Trade Act, which requires that all goods transported by water between Canadian ports be carried on Canadian-flagged vessels and crewed by Canadian citizens.

Exceptions, if no suitable vessel is available, must be granted by Transport Canada. ■

Ivory Coast unions fight for seafarers

Joachim Mel Djedje-Li of the Syndicat des Marins Ivoiriens au Commerce (SYMICOM) says Ivory Coast unions have a fight on their hands

Previously, cabotage navigation and towing between Ivory Coast ports could be reserved for the country's ships but could also be granted to another state's ships, where there was a reciprocal arrangement and where customs legislation was not contravened.

In 1968, a new law – 68-406 – strengthened our cabotage for navigation and towing between two ports in the Ivory Coast by restricting the activities to the country's ships and stating that an exemption could only be granted by the Minister of Public Works and Transport.

That remains the position today but some ships are allowed to navigate our coast without the enforcement of these laws and regulations – the Kiribati-flagged Cavally, which provides the cabotage between the ports of Abidjan and San Pedro, and the supply boats of various flags, such as Vanuatu, Malaysia and Belize, which operate on offshore sites.

My union is concerned with the employment of locals on these vessels. The Ivory Coast's maritime authority has responded by asking all relevant ship operators to respect the established rules.

Unfortunately, some shipowners use the legislation of the flag they fly to try to oppose the laws of the Ivory Coast, most notably two shipowners in the offshore sector – US-based Tidewater and Singapore-based Emas. As a result, it is really hard for local crews to get jobs on those vessels, particularly for officers. The exception is the Cavally, where it is estimated that over 75 percent of the crew is Ivorian; only the engineers are foreign seafarers.

SYMICOM and other seafarers' trade unions continue to raise these issues with the maritime authority in order to achieve the full implementation of our laws and regulations to protect our seafarers' national jobs. ■

Online voices: communications at sea

The ITF Seafarers' Trust is making it easier for you to communicate – assistant administrator Henry Norman explains what changes you can expect to see

In today's world of fibre optic broadband, 4G mobile networks and app innovation, we have all come to expect super-speedy delivery of our online communications and messages.

But life at sea and in ports presents challenges – seafarers face unique circumstances which limit their ability to access the online services we all take for granted.

When smartphones aboard ships are now as common as lifejackets, the Trust believes communication is a wellbeing issue of quite sizeable proportions, and that intervention is necessary.

You have told us, in our own and others' surveys, that improved internet access should

be a clear priority. The Trust has worked consistently to improve itself and is now looking to implement a range of projects which expand our outlook and reinvigorate our mission. We have listened to you and have now made improved internet coverage a major priority.

We are currently piloting our brand new mobile Wi-Fi project, which aims to improve connectivity aboard ships while they are in port. Every time an ITF inspector boards a vessel, they will carry a device capable of turning the mess room into a free Wi-Fi zone.

Inspectors will be able to apply to join the initiative and report back to us, so that we can assess how effective it is. We believe it will bring a noticeable improvement on vessels which

currently do not have internet available.

Shore Leave 2.0 is the latest version of our highly successful offline app. Its new features give you the ability to leave a review of seafarer centres you have visited, and provide the contact details for Seafarers' Help. Even with the best satellite communication systems available, Wi-Fi availability will remain a problem. Once downloaded, however, offline apps such as Shore Leave offer a reliable information service.

Perhaps our boldest plan for the future, however, concerns our unmanned seafarers' centres initiative. While such centres already exist, we want to establish them globally, targeting the remotest ports, which lack existing services for

you. These centres will enable you to access the internet in ports on tablet consoles.

This project is a short-term fix, until Wi-Fi is eventually provided throughout the port. But in the meantime, these centres will benefit those of you who struggle to get in contact with your families, including seafarers with short turnaround times.

The Trust will continue to change. Our ways of operating have become more professional and our mission is more focused upon the issues you face today and tomorrow. Communication at sea is one priority in a wide range of funding and project ambitions. We look forward to working with ITF unions, the missions and others involved in seafarer wellbeing to secure that change. ■

Our brand new mobile wi-fi project aims to improve connectivity aboard ships while they are in port

SEAFARERS APP VISUALIZATION

CITY APPS





Power in our ports: successful UK pilot of industrial hubs programme

Working together across sectors isn't a new concept for the trade union movement – seafarers' and dockers' unions have been supporting each other for centuries to achieve better working conditions and rates of pay. But, explains ITF's ports of convenience communications officer, Gemma Walker, the ITF industrial hubs programme is focused on formalising that support and extending it further, to capitalise on the collective strength of workers

A typical port-based supply chain



Seafarers

Around 90% of goods travel by sea at some point in their journey from production to consumption. Seafarers man the vessels bringing goods into the port hub.



Dockers

Dockers unload and load containers from vessels when they arrive in the port hub.



Road transport

Goods containers are loaded onto trucks for transportation to other parts of the port hub (which could cover hundreds of acres) or to an outside warehouse.



Warehouse

Containers are unloaded and goods prepped by warehouse workers for distribution or storage. The warehouse might be within the port hub itself or linked to it by the road transport workers driving the trucks.

As workers and as union members we can't afford to stay in our own sectors and ignore what's going on with the people over the fence.

The basic principle behind the programme is that there are geographical locations where workers from across a range of sectors all meet because the supply chain feeds in to these strategic hubs. So, it makes sense to organise the workers around the hub location rather than to keep them exclusively separated by sector.

In theory, any strategic location could be an industrial hub: a school or a hospital or an industrial estate. But during the pilot stage of the programme the locations have been UK ports, including Felixstowe, the Humber and Grangemouth.

Let's look more closely at the port of Grangemouth in Scotland. As much as 30 percent of the Gross Domestic Product (GDP) of Scotland moves through this one location. That's 150,000 containers a year carrying nine

million tonnes of food, building materials, oils and chemicals. On that site there are a huge range of workers from different industries. Seafarers, dockers, truck drivers, refinery and petrochemical workers, oil tanker drivers, workers from warehousing, food and drink, manufacturing, cleaners, caterers – the list goes on.

Using the hubs model, those groups of workers would support one another so that they have collective strength to exert influence over decisions made by employers there. Individually each group has power, but together that power becomes much greater.

Paula Brennan from the road transport sector of Unite the Union in Ireland took part in industrial hubs training in Grangemouth in October 2015. She said: "As workers and as union members we can't afford to stay in our own sectors and ignore what's going on with the people over the fence. Our industrial neighbours might be facing similar issues to us or be able to support us and we just don't realise.

"Employers are huge global multinationals with operations and investments across the world, so we have to be the same. We have to break down

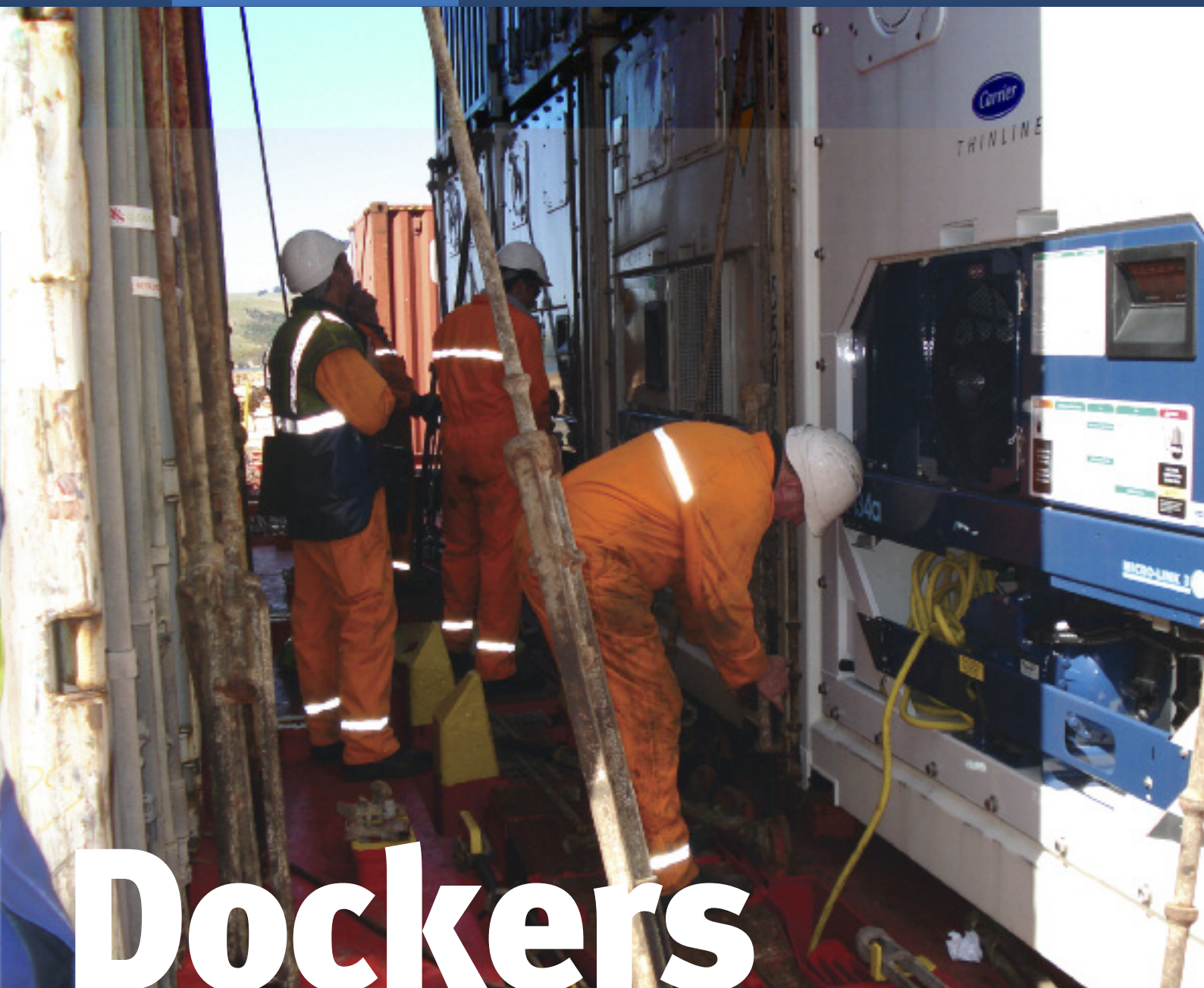
the sectoral and geographical barriers and be a coherent global trade union movement. That's what we're doing with the industrial hubs programme."

Representatives from Norwegian union Industri Energi, Irish affiliate SIPTU (Services, Industrial, Professional and Technical Union) and the United Steelworkers of America attended the workshops, which were run in partnership with ITF UK affiliate Unite the Union, which is piloting the programme.

There are plans to develop future projects in other ITF regions, including the Arab World.

You can find out more about the industrial hubs programme at www.itfhubs.org and follow developments on social media #OurHubs.

Hear directly from activists involved in industrial hubs training in the industrial hubs film at www.youtube.com/watch?v=ptaWuRR8tRU ■



Dockers

ITF assistant secretary, dockers' section, Nigel Venes reports on why unions are co-ordinating campaigns to stop seafarers doing dockers' jobs

reclaim lashing

“It’s not uncommon to meet seafarers who have already been working long shifts and are then instructed to undertake extra work handling cargo to save the shipowners a few dollars, but creating all manner of safety abuses and risks”, says Darren Procter, an ITF inspector in the United Kingdom.

Dockers are trained to handle cargo; seafarers are not. It’s specialised work that needs the highest standards of safety.

One of the most frequent accidents occurs when loads topple over or swing out, due to unstable loading. This can cause massive injuries to the people involved in the operation or in the vicinity. This is why workers have to be properly trained and equipped to handle the machinery and to be aware of the risks.

If a load falls, it can cause a serious crush injury – which can result in the amputation of limbs or even death. A swinging load can result in extreme blunt force trauma to the head or other part of the body that causes serious injuries.

This is just one of the reasons why the ITF and its sister organisation the European Transport Workers’ Federation

(ETF) are co-ordinating campaigns with European dockers’ unions to tackle this issue.

Despite the clear direction contained in ITF agreements (see box), we know that many vessels arrive in European ports with seafarers undertaking lashing duties without having secured the agreement of the ITF dockers’ union.

That’s why the ITF and ETF have got together to investigate frequent offenders and to ensure dockers are engaged to perform all cargo handling duties.

The group is looking at the issue from industrial, political and legal perspectives. You can expect increased interest from ITF inspectors addressing cargo handling issues and a focus on potential risks to health and safety.

We’re working to bring together the many groups of workers involved in this work to ensure that we send out the loudest and strongest message to those employers who try to abuse the agreements that ITF have with shipping lines.

The objective is to build the campaign initially within Europe, but then to expand it to a global audience on a region-by-region

basis. A number of European unions have taken a lead on this issue, including ver.di in Germany, Unite in the UK, and transport unions in Sweden, Norway and Finland. The ITF and ETF are co-ordinating this work and inviting more unions to participate and build the campaign.

Our message to seafarers is clear. Please do not do dockers’ work. If you’re asked to touch cargo – ask to see a copy of a written agreement from an ITF union before agreeing to do it.

Thomas Abrahamsson, joint vice-chair of the ITF seafarers’ section and a member of the group, says: “This problem is just as important for seafarers as it is for dockers. Seafarers should not be pressed into undertaking dockers’ work, the volume of work they already have to undertake on a vessel on a day-to-day basis is more

than enough without having employers trying to take the cheapest option by adding in dockers’ duties.”

Dockers and seafarers have traditionally respected the skills and experience of each other, and supported each other to improve working conditions. Dockers’ unions have played a big role in helping seafarers’ unions to secure wins. But right now, dockers’ unions need your help and solidarity.

If your vessel is covered by an ITF agreement you are protected from undertaking cargo handling, including lashing and unlashings cargo, before and after the vessel arrives at port. Besides being dangerous, cargo handling will mean longer working hours and more fatigue.

“All of our affiliates agree that moving cargo on and off the vessel is historically and traditionally the work of dockers but we are seeing increasing numbers of shippers trying to force over-worked seafarers to take on these duties”, says Torben Seebold, vice-chair of the ITF dockers’ section. “We are simply not prepared to tolerate this. We expect shipping lines to adhere to the terms of the agreements they sign with us.” ■

ITF agreements say:

‘Neither ships’ crews nor anyone else on board whether in permanent or temporary employment by the Company shall carry out cargo handling and other work traditionally or historically done by dock workers without the prior agreement of the ITF Dockers Union or ITF Unions concerned and provided that the individual seafarers volunteer to carry out such duties, for which they should be adequately compensated. For the purpose of this clause “cargo handling” may include but is not limited to: loading, unloading, stowing, unstowing, pouring, trimming, classifying, sizing, stacking, unstacking as well as composing and decomposing unit loads; and also services in relation with cargo or goods, such as tallying, weighing, measuring, cubing, checking, receiving, guarding, delivering, sampling and sealing, lashing and unlashings.’

Spotlight on exploitation of fishers

The problems of slavery, people smuggling and exploitation in fishing are well known but remain shockingly rife. In fact, the more we find out, the worse the picture becomes. Fishers working on vessels in deep sea are far away from government or other authorities, so particularly vulnerable to abuse. *Seafarers' Bulletin* examines some recent cases and looks at the latest efforts to combat the exploitation

Slave boats tracked to Papua New Guinea fishing grounds

A year-long investigation by the Associated Press news agency uncovered a brutal trafficking ring that was sending seafood caught by slaves around the Indonesian island of Benjina to Thailand and then into the supply chains of major United States food sellers and pet food companies



Journalists revealed fishermen being held in a cage, over 60 buried under fake names in a company graveyard, and others trapped for years with no way to return home.

They were poor migrants from Myanmar, Cambodia and Laos tricked by false promises of jobs in Thailand. Instead, their passports and identification cards were taken, they were

pushed onto boats and told they would have to fish for three years and owed nearly USD600 for their documents.

The report prompted the rescue and repatriation in April 2015 of over 800 men, and seven people were charged with human trafficking. But 34 trawlers fled the slave island before the authorities arrived, with as many as 20 men on board each one.



Photo: Chris Kelly

ITF prompts action over migrant abuse in Irish fishing

ITF UK and Ireland co-ordinator Ken Fleming describes the latest developments in the Irish fishing industry

The ITF first sounded the alarm about conditions for migrants in the Irish fishing fleet in 2008 but the government and industry appeared to turn a blind eye. We'd previously worked with journalists at The Guardian newspaper in the United Kingdom to expose slavery in the Thai prawn fishing industry, so we got in touch with them again.

During their year-long investigation, the journalists uncovered undocumented African and Asian migrant workers being illegally used as cheap labour on Irish fishing trawlers in the prawn and whitefish sector. The fishers described a catalogue of abuses, including being confined to vessels unless given permission by their skippers to go on land, and being paid less than half the Irish minimum wage that would apply if they were legally employed. The fishers also spoke of extreme sleep deprivation, having to work for days and nights on end with only a few hours' sleep and with no rest days.

The scandal created by The Guardian's exposé on 2 November 2015 caused the Irish government to immediately set up a high-level task force, which took evidence from the ITF and others in the industry. In its published report on 14 December, the task force recommended a new system to end the exploitation of migrant workers. This included specific work permits for the recruitment of non-European Economic Area fishers, and making

employers responsible for ensuring that all workers have a valid employment contract, legally certified and in line with national and EU employment rights legislation.

We welcome these recommendations but have warned the government that without effective inspection and enforcement these permits will be worthless. We're also concerned that most of the agencies charged with enforcing the new proposals are the same agencies that presided over the old regime. We have to get it right this time.

You can read The Guardian exposé at www.theguardian.com/global-development/2015/nov/02/revealed-trafficked-migrant-workers-abused-in-irish-fishing-industry and the Irish government task force report at www.agriculture.gov.ie/media/migration/publications/2015/TaskForceReport141215.pdf ■

The AP used witness accounts, satellite photos and public records to locate some of the missing vessels in a narrow strait in western Papua New Guinea towards the end of 2015. The authorities searched the fishing grounds by air and some vessels were stopped. Eight fishers were rescued from the Thai-owned Blissful Reefer and are being returned home, and the vessel was the first to be arrested on grounds of slavery in the country.

As the boats hid, Indonesian investigators discovered that their operator, Pusaka Benjina Resources, was a venture between seafood industry tycoons and businessmen from Thailand and Indonesia. Financial records revealed it had a lucrative business with a shipping company, Silver Sea

Fishery Co, and that slave fishers were loading their cargo on Benjina onto Silver Sea ships heading for Thailand.

In late December 2015, satellite photographs helped the AP catch the Silver Sea 2 in the act of doing business with the trawlers. It remains to be seen whether the men will be rescued.

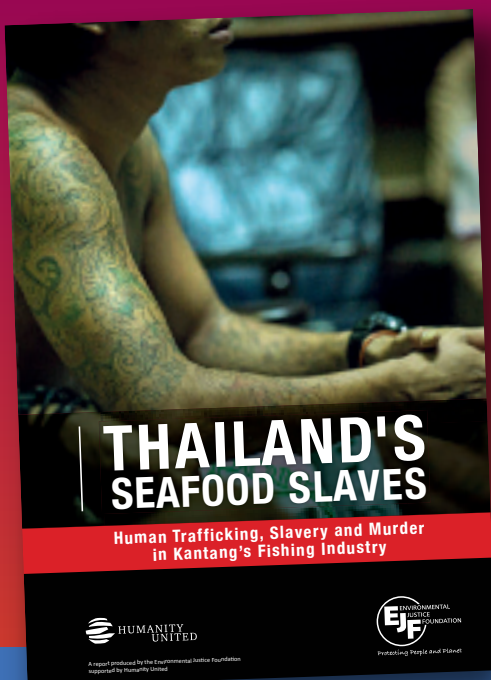
Read more about this story at www.bigstory.ap.org/article/43d910ad09784c6ab019013bc1e2d348/ap-investigation-prompts-new-round-slave-rescues and www.telegraph.co.uk/news/worldnews/australiaandthepacific/papuanewguinea/11765597/Slave-boats-tracked-by-satellite-to-Papua-New-Guinea-fishing-grounds.html ■

Targeting ports to tackle human trafficking

Ports are transit points for potential victims of trafficking for forced labour and sexual exploitation and therefore need concerted targeting to tackle people smuggling and human trafficking in the fishing and maritime sectors, says the Apostleship of the Sea (AoS).

Its global network is asking governments, flag states, port authorities and coast guards to increase checks on fishing vessels in port and strictly implement existing international regulations and conventions on fishers' human and labour rights.

COATNET – an ecumenical network of organisations working with Christian churches to combat human trafficking and to assist trafficked people – will also engage with seafood companies, non-governmental organisations and consumers to ensure seafood companies choose suppliers who do not use forced labour and whose contracts contain guidelines and policies against human trafficking.



Pressure builds for Thailand fisheries action

Last year, *Seafarers' Bulletin* reported on a newspaper exposé of slavery in the industry. Shockingly, but perhaps not surprisingly, abuses continue to abound.

Thailand's seafood slaves, a report published by the Environmental Justice Foundation (EJF) in November 2015, highlighted public and private sector failures to combat human trafficking, forced labour and debt bondage in fishing. In Kantang, the EJF uncovered IUU fishing, modern slavery, torture and murder still plaguing the fishing operations of companies previously investigated in 2013. Its submission of detailed evidence to the Thai authorities resulted in 12 fishers being rescued from Boonlarp Fishing boats in late October and Boonlarp's owner and seven associates being arrested in November.

When the ITF visited Songkhla Port it found workers held to long contracts and often made to work without pay or medical assistance. Seafarers were forced to work without protective clothing and to live in cramped and dangerous conditions – including tiny sleeping areas above the engine, with no protection from the fumes, and an open flame next to the engine the only cooking facility.

Nichola Smith, ITF/IUF fisheries programme assistant, says pressure is now growing on Thailand to end these abuses. "Our trip will lead to a more in-depth ITF investigation to gather hard evidence on a larger scale. We can then move towards bringing about systemic change in the industry and forcing it to meet its responsibilities to the workers who provide the profits."

Find out more at www.ejfoundation.org/500.shtml ■



Raw deal for Russian fishers

It may not be human trafficking or slavery, but the problems facing Russian fishers are relentless, reports Petr Osichansky, ITF inspector in Vladivostok

There are three reasons why life for Russian fishers is so difficult: the structure of wages, the use of foreign flags and the widespread practice of poaching.

Under their employment contracts, Russian fishers often earn a miserable pittance in wages, which are supplemented by a share of the proceeds. This share depends on the size and sale price of the catch, and Russian owners can have contractual relations with foreign partners who invest in the business and who buy the catch at lower than market prices. In the event of a dispute over wages, the murky relationships and unclear documentation make successful claims virtually impossible.

This already complicated situation is made worse by cases on foreign-flagged vessels, where the owner is not registered in the Russian Federation and contracts of employment are signed on behalf of recruitment agencies elsewhere, with no licence to operate in the business. In these cases, neither the company nor the agency has liability under Russian legislation, making any protections over the rightful payment of wages null and void.

It's even worse for fishers recruited to work on vessels engaged in poaching, as they rarely see their wages. If the vessel is arrested, the true owner usually disappears, leaving the crew abandoned and in trouble.

In the last five years a number of measures have been put in place to combat illegal, unreported and unregulated (IUU) fishing. In 2010 Russia signed up to the United Nations Food & Agriculture Organisation (UN FAO) agreement on port state measures to prevent, deter and eliminate IUU fishing, which requires flag states to control cargo and aims to protect the revenue of legal fishers.

A number of bilateral agreements have also been signed between the Russian Federation and Japan, North and South Korea, China and Cambodia to try to block the channels of illegal trade. These measures have effectively displaced most of the FOC poaching fleet from Russia's exclusive economic zone (EEZ) but it is feared that the companies concerned are simply seeking new sources of illegal plunder and alternative channels to the black market.

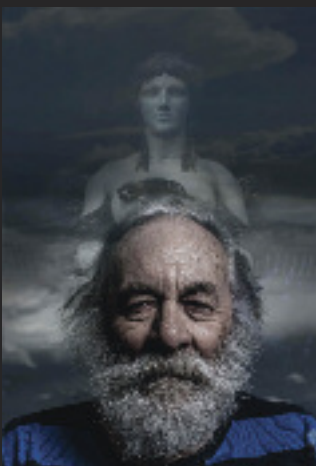
There clearly needs to be a lot more monitoring and co-operation with maritime authorities in the Asia-Pacific region to ensure that fishers' conditions are protected, alongside those of their catch.

My message to Russian fishers is simple: read your employment contracts carefully, make sure you understand the rules of the jurisdiction where you work, and avoid having anything to do with IUU fishing, where you are just as likely to be exploited as the unprotected fish stocks you catch. ■



Making invisible stories visible

These stunning photographs of seafarers are part of the Blue Angel arts project run by the BIG hART company in Australia.



Blue Angel is dedicated to bringing stories of the sea and the waterside to audiences around the globe, through touring shows, exhibitions, documentaries, media and social media, to draw attention to the invisible experience of seafarers worldwide and the exploitation they so often face.

Painted portraits and photographs of seafarers alongside their compelling life stories bring to life an often invisible world to outsiders. The project has been developed directly with seafarers from

countries including the Netherlands, the Philippines, Australia, China and the UK.

Four of Australia's best artists have created 23 paintings of seafarers' faces, while three photographers have captured powerful portraits of seafarers aboard the now-decommissioned crew of the British Loyalty. These photographs went viral, seen by hundreds of thousands of people worldwide, and one recently won one of Australia's most prestigious portraiture awards.

This project is part of BIG hART's longer-term work with the maritime industry to look at fair and ethical shipping.

The project is always looking for important stories, particularly those of female seafarers, international seafarers, and seafarers' wives, husbands and families. It also seeks seafarers who are skilled in marine crafts or who have creative pursuits. If you want to share your story or be involved, visit the website at www.blueangel.bighart.org. ■



Seafarers – one click for information and advice online

www.itfseafarers.org

**Available in Chinese,
English, Russian
and Spanish**



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