

# Agreement reached at IBF on labor aboard FOC ships

## Able seamen to receive wage increases over three years starting next year

An agreement was reached on Oct. 26 at regional negotiations of the International Bargaining Forum (IBF) to revise the labor agreement for international seafarers who work on-board flag-of-convenience (FOC) ships, the All-Japan Seamen's Union (JSU) has announced.

The new three-year agreement will take effect from Jan. 1, 2012 through Dec. 31, 2014. For able (AB) seamen, wages will increase \$20 in 2012, \$22 in 2013 and \$30 in 2014.

It is the first time in five years that AB seamen's wages are seeing an increase.



JSU President Yoji Fujisawa gestures while speaking at a press conference following negotiations of the International Bargaining Forum.

Take-home wages for seamen are linked with the IBF tariff rates, but the rates have been left unchanged for the past four years due to overcapacity and other reasons.

"[The IBF tariff rates] have remained unchanged, as there is a fear that wage hikes could even decrease job opportunities for

Asian seamen," JSU President Yoji Fujisawa said at a joint press conference on Oct. 27.

"However, the union strongly demanded wage increases, as seamen's wages had not gone up for a long time," he said.

The new agreement will cover the three years, during which period it will not be altered.

## Uniform response: Somalia fishermen to dress their part

Local fishermen in Somalia will now wear uniforms to differentiate them from the pirates, according to officials from Puntland, a semi-autonomous region of Somalia known for piracy.

Fishermen in Caluula, Mareero, Qandalla and Bargaal told *Somalia Report* that people are afraid to go fishing because of the threat from pirates who steal their boats, motors, and fuel as well as concerns that international navies may mistake them for pirates.

To remedy this, Puntland officers have initiated a program to identify legitimate fishermen by issuing uniforms and ID cards.

"We know that pirate activities in the region have caused fear among local fishermen, so we need to help them. We will issue them with uniforms and ID cards. First we will register all local fishermen in Puntland. We have already begun in Bosaso and all coastal lands in Bari region," Dr. Mohamed Farah Aadan, Puntland's minister responsible for fishing, told *Somalia Report*. "We will inform our coast guards and international warships that there will be a clear difference between the pirates and fishermen," he added. (Source: *Shiptalk*)

# As trade recovers, demand for qualified seafarers surges

## Nautilus general sec'y says owners realized there's no new sources of low-cost labor

Shipping will once again be forced to turn to first world crews once world trade recovers from its current difficulties, the leader of Nautilus International has told members at the union's conference.

Speaking in Amsterdam, general secretary Mark Dickinson argued that shipowners have realized that they have run out of new sources of low-cost labor and will have to make good the long-term decline in recruitment and training in traditional maritime nations.

"It's clear even to the owners that the slump in seaborne

trade during the past couple of years has failed to stem the demand for suitably qualified and motivated personnel," he said.

"When the upturn arrives, there will undoubtedly be further serious questions about the industry's ability to find sufficient high-quality seafarers to serve on increasingly technically advanced tonnage and to meet the increasingly strict regulatory requirements imposed upon shipping."

Seafarers face unique professional challenges, including the need to spend long periods away from home, the inherent dangers of working in an often

hostile environment, changes in technology that have resulted in radical advances in ship design, operation and equipment, and a huge knock-on impact on working practices and crewing levels.

However, progress towards ratification of the Maritime Labour Convention has been pitifully slow, and inaction on the issue of seafarer identification documentation appalling, Dickinson charged.

"The regulator consistently fails the seafarer. Whether it's permitting ridiculous working hours that would never be tolerated in any other trans-

port sector, or failing to fully and transparently investigate disturbing deaths at sea such as the members on board the cattle carrier *Danny F2*, there are far too many cases where justice drops through the legislative loopholes created by multiple jurisdictions."

Piracy was also rapidly running out of control and copycat attacks are worryingly spreading to other parts of Africa, he added. No other industry would tolerate the number of attacks and degree of risk faced by its key workers.

"Shipowners and flag states have a duty of care to the sea-

farers who serve on their ships and it is a damning indictment that many of the world's biggest registers have dismally failed to contribute to the multinational counterpiracy efforts," he said.

Dickinson insisted that seafarers must be recruited properly, well trained throughout their career, given decent pay and working conditions and reasonable working hours, access to good recreation and welfare facilities at sea and in port, and provided with a career path that encourages them to stay in the industry. (Source: *Lloyd's List*)



# Brazil lifts restrictions on RP crew

The UK P&I Club issued a bulletin regarding restrictions adopted by Brazil lifted on Philippine crew.

The Brazilian government have acquiesced to pleas to relax immigration controls affecting Philippine crewmen under the ILO C108 & C185 regulations adopted by Brazil earlier this year.

The position of the Brazilian government to suspend the ability for foreign seafarers not in possession of a passport or seaman's discharge book from a country, which has ratified ILO C 108 or C185, to go ashore or to disembark.

This had consequences to a vessel's ability to affect crew changes in Brazil.

However, it has been reported to the Club that the port of Santos has received instruction from the General Coordination of the Immigration Affairs in Brasilia that such an imposition against Philippine seafarers has been revoked in all Brazilian ports.

The result of this is that, Philippine seafarers holding a seaman's book or valid passport will

be allowed to sign in/out or come ashore.

Presently this only applies in the port of Santos but it is expected that similar instructions have been sent to the other Brazilian ports and therefore restrictions have been lifted there also. This ruling applies only to Philippine seafarers. (Source: The UK P&I Club)

# ITF sec'y acknowledges seafarers' challenges

Jon Whitlow, who is ITF seafarers' section secretary, said that seafarers have many negatives they must face while on board, including piracy, criminalization, fatigue, denial of shore leave, visas, ISPS and lack of communication facilities.

He said that the real issue is to respect seafarers, and although seafarers and the human element are often discussed, there are usually very few action points and even less implementation.

Even though the ITF had not undertaken a survey on the impact of piracy on recruitment and retention of seafarers, piracy was having an important impact on their morale. The number of attacks and degree of risk faced by crews would not be tolerated in another industry.

Whitlow also said that shipowners and the flag state have a duty of care to the seafarers who serve on their ships and that most of the big flag states

have not made the contribution they should have to combating piracy.

Criminalization of seafarers was also a major concern among seafarers. The International Labor Organization's Maritime Labor Convention promised to raise the bar and hopefully eliminate some unacceptable practices, but it is not a panacea.

Whitlow said that he hoped the minimum standard established under the MLC would be

enforced and the major challenge was to ensure ships had social communication services for crew.

He said that the next generation is physiologically attached to the internet and the social communication sites. This is the reason why it is important to make this available on ships. Also, social communication should be a mandatory requirement in order to attract and retain the next generation of seafarers. (Source: Safety4sea)

## Groups call on Philippine gov't to ratify labor deal

Different seafarer groups have called on the Philippine national government for the immediate ratification of the Maritime Labor Convention (MLC) of 2006 which, they believe, would help ensure the safety of more than 250,000 Filipino seafarers worldwide.

The call was made by different maritime organizations whose members, together with their families, marched on T. Kalaw Avenue in Ermita, Manila, as part of the celebration of the 16th International Seafarers' Week and the World Maritime Day and in commemorating the death of Filipino seafarers who perished in different maritime accidents and tragedies last year.

Philippine Coast Guard spokesman Lt. Cmdr. Algier Ricafrente said that 7,000 seafarers and their families joined in their annual Memorial Rights at Sea as well as the kick-off parade of the annual celebration of International Seafarers' Week.

Maritime Lawyer Dennis Gorecho of the Apostolate of the Sea (AOS) said abuses and unfair labor practices committed against seafarers can be stopped only if the MLC will be ratified immediately.

The unfair labor practices, according to Gorecho, usually happen aboard different ships, especially the flag-of-convenience vessels.

"It is now incumbent upon the Philippine government to ratify the MLC of 2006 in order that it will be one of the 30 ratifying countries required for the convention to take effect," Gorecho said. (Source: Shiptalk)

## Program to assist seafarers, families affected by piracy

A new program set to help seafarers and their families cope with the physical and mental trauma caused by torture and abuse at the hands of pirates was launched in London recently.

The Maritime Piracy Humanitarian Response Programme (MPHRP), funded by the ITF Seafarers' Trust and The TK Foundation, is chaired by Peter Swift, formerly managing director of shipping industry body Intertanko.

The program speaks for an alliance of shipowners, trade unions, managers, manning agents, insurers and welfare associations representing the entire shipping industry, from crews to owners.

It aims to help seafarers who

have been or may be subject to pirate attack.

Pirates now regularly treat hostage seafarers with extreme violence to pressure families and employers to expedite their ransom demands. This can include phoning family members and forcing the seafarer to plead for their life while they are being abused and threatened with death, and filming and posting this online for relatives to see.

Peter Swift, MPHRP chair, explained: "Piracy is reaching an all-time high: in the number of incidents, in the vast ransoms demanded and, most of all, in the extreme violence used.

"The treatment meted out to the victims now frequently crosses the line from savagery into torture," he said.

Roy Paul, of the ITF Seafarers' Trust, and MPHRP programme manager, added: "Until now, there has been little coordinated help for those who are suffering. Now that will change. With the help of those in the industry who want to do their best for those involved, we intend to build up a network of first responders and get psychosocial help for affected crews."

He concluded: "We have already been listening to seafarers and recording their experiences. Those will lay the foundation for new guides for seafarers, families and employers, for training in their use, and for building the networks of human and medical help that are now desperately needed." (Source: ITF Seafarers)

## Maritime Day highlights piracy, seafarers rights

World Maritime Day was celebrated by the maritime community worldwide on Sept. 29.

The International Maritime Organization (IMO) chose "Piracy: orchestrating the response" as the theme, "to highlight and reflect upon the efforts made to meet the challenges of modern-day piracy".

In London, the event was marked by the launch of a new cross-industry program to support seafarers and their families affected by piracy, Maritime Piracy: a Humanitarian Response. See above story or <http://www.itf-global.org/news-online/index.cfm/newsdetail/6455>

In his message, IMO secretary-general Efthimios E Mitropoulos said that "no effort should be spared" to rid the seas of piracy. As well as preventative action by shipping companies, governments

needed to deploy the military and other resources needed to deal with the problem, he said.

In the Philippines, National Maritime Week, including World Maritime Day, was marked by calls on the government to ratify the Maritime Labour Convention—the international "seafarers' bill of rights" that sets out minimum standards and fair working conditions for seafarers worldwide.

The call was made in a march through Manila by 7,000 seafarers and their families at the start of the week.

Archbishop Antonio Maria Veglio, president of the Vatican's Pontifical Council for the Pastoral Care of Migrants and Itinerant People, said in a statement that the law was crucial to the country as Filipinos made up about 20 percent of the world's seafarers. (Source: ITF Seafarers)

## ITF urges charter ban approach to combat piracy

No vessels from any flag state that refuses military security coverage should be chartered, the chief of the International Transport Workers' Federation (ITF) has told a piracy conference.

David Cockcroft, general secretary of the ITF, also told the ICS/ISF shipping conference at its recent gathering in London: "No flag state that does not agree to detain and prosecute pirates should even be considered."

In outlining proposals to address piracy and reduce hijackings, he cited Antigua & Barbuda as one flag state that does not allow armed guards on its ships but added: "There are many others."

Cockcroft welcomed Liberia's declaration to the IMO that its laws now give it jurisdiction over

## Race: piracy's elephant in the room?

Spyros Polemis of the ICS is accusing shipping of using seafarers from non-Western countries as cannon fodder despite the threat of piracy.

In remarks to be delivered at Maritime Cyprus conference, starting today in Limassol, the International Chamber of Shipping chairman is to say: "One can only conclude from the current response of many governments that those thousands of seafarers that have so far been captured have simply had the wrong nationality."

Further, the ICS said Polemis will allege: "If seafarers were all Americans or Europeans, the governments' attitude might have been different."

He will also condemn as a "failure" the escalating use of armed guards: "Despite acknowledging their use, they do not represent a long-term solution and signify a failure by the international community to find an effective solution to the situation — and on the part of governments with significant military forces — to ensure the security of maritime trade, on which the whole world depends."

He will point out, "Governments don't like it when we say this, but the reality is that they have ceded control of the Indian Ocean to the pirates."

Only a "relatively small number of navy ships are available to police Somalia's waters and the entire Indian Ocean", he said — a situation Spyros will call "really unacceptable".

The ICS chief wants a significant increase in military forces in the region, possibly including a blockade of the Somali coast and actions against pirate mother ships. (Source: Fairplay)

pirate suspects, prosecution and incarceration.

"Provided this means action, not words, it is an important step forward. But it has to be adopted by all flag states," Cockcroft cautioned.

Although the ITF shares "the many misgivings expressed about private security guards on ships, and we remain opposed to arming crews, we recognise that private guards will be used", he told delegates.

Cockcroft admitted to Fairplay that his proposals contradicted some ITF official policy, but added that "most of our members support" armed guards. And he expressed concern that the World Food Program had recently chartered an Antigua & Barbuda-flagged ship, which could therefore not carry guards. (Source: Fairplay)



VOICES *from* SEAFARERS



**Officers & Crew of  
M/V BRIGHT STREAM**

We thank the JSU for its strong support for its members and for the regular ship visitations that help us to understand our rights and the benefits of being a JSU special member.



**Officers & Crew of  
M/V ONOZURU MARU**

We fully understand the importance being a member of this union. We strongly request that free email access be provided onboard and JSU membership ID cards be delivered to us soon.



**Capt. Teogenes V. Duques & Crew of  
M/V SUICAI**

We are so impressed in how the JSU staff replied to our inquiries, for example, the special membership contributions. Now we understand the importance of being a union member, where we are protected and assured of our benefits in accordance with our CBA. Please be reminded that we have no free email access and are hoping to get it immediately.



**Officers & Crew of  
M/V TOKIWA GLORY**

How grateful we are in knowing the importance of being a union member. Your explanations are very clear. We are hoping that the JSU will continue its mandate in protecting the welfare and rights of the seafarers regardless of nationality.



**Capt. Romeo A. Alberto & Crew of  
M/V STAR FLOWER**

Thank you Filipino JSU staff for visiting our ship. We appreciate very much your explanation on the differences between the various types of JSU agreements. Also, we thank the JSU for establishing some projects in the Philippines for the benefits of its members. We are happy that our contributions are being returned to us thru projects, and we will continue to support our union.



**Officers & Crew of  
M/V SHIN YO**

We are very happy about having received the information on the increase in our meal allow-

ance. Thank you for the caps and reading materials. We are looking forward to seeing you again when we return to Japan.



**Officers & Crew of  
M/V CAPE HOPE**

Many thanks for the dissemination of information through your publications and explanations. Visiting us onboard is very encouraging and it shows us that the JSU cares. More power and blessings.



**Officers & Crew of  
M/V QUEZON BRIDGE**

Thanks to the JSU staff visits, our knowledge regarding our present agreement has been broadened. The staff had answered all our questions.



**Officers & Crew of  
M/V FUJITRANS WORLD**

We hope that the JSU will be able to negotiate an increase in our wages, especially for the ratings. Also, please negotiate for broadband coverage for all JSU-member vessels. Thanks for the gifts, reading materials and your regular visits.



## M&A projected to proliferate in private marine security sector

According an expert observer, we can expect to soon see a spate of mergers and acquisitions in the private maritime security industry.

Mark Hankey, managing director of Flag Victor believes that companies will need to consolidate and merge over the coming years as the market matures and becomes more professional.

As commercial maritime companies rely upon the services of private security companies there is a new future ahead, and one which will see the military continuing to do their best despite being under-resourced and overstretched, while politicians and a whole host of nongovernment organizations press on with initiatives to bring calm to war torn Somalia.

While these efforts continue, Hankey believes that shipowners are becoming more aware and responsive to the threat. With maritime security companies forced to experience closures and mergers over the coming years as sustainable business models are pursued. (Source: *Shiptalk*)

## Taiwan to ban single-hull tankers

Taiwan has warned that foreign-flag, single-hulled tankers would be barred from its ports within a year.

The transport & communications ministry said recently that its decision had to do with environmental concerns, noting: "Water pollution can quickly occur after accidents involving single-hull tankers."

The announcement was timed to give single-hull tanker operators a year to prepare.

The IMO has a 2015 deadline for completing the phase-out of single-hull tankers.

Domestic single-hull tankers operate only on Taiwan's inland waterways and at industrial ports, noted the ministry, which noted: "Safety is an immediate concern for our commercial ports that cater to international trade."

The United States, Europe, China, South Korea and Singapore have already banned single-hull tankers from entering their ports. (Source: *Fairplay*)

## Naval support against piracy expected to fall

While NATO's anti-piracy chief warns of renewed attacks and an post-Monsoon upsurge, *Lloyd's List* has flagged the growing concerns that austerity policies and other commitments will see naval vessels

removed from region.

It was reported that the number of naval assets tackling piracy in the Gulf of Aden and the Indian Ocean is set to drop sharply by the beginning of 2012.

As big reductions in military budgets bite and as continuing

tensions in the Middle East see some warships pulled away from counterpiracy work close there are real concerns that the naval presence will be sufficient. Military sources have admitted that the existing assets were under strain, but have been quick to reject the

suggestions of drastic cuts.

However, this flies in the face of presentations given earlier in the year when it was stated that there would indeed be a planned decrease in overall naval security presence this winter. (Source: *Fairplay*)

## EC still mulling Philippines certification under STCW rules

The European Commission (EC) has told *Fairplay* it is still weighing the issue of whether the Philippines should remain certified under the STCW Convention & Code.

But Manila has expressed confidence that it has satisfied EC concerns about its seafarer training in time to avoid de-recognition from the International Convention on Standards of Training, Certification & Watchkeep-

ing for Seafarers.

Philippines labor and employment secretary Rosalinda Dimapilis-Baldoz said Manila had sent its response to the EC via its embassy in Brussels on August 26.

She did not challenge the EC's original assertions of deficiencies in the Philippines training system and said the EC report had sparked "serious and prompt attention" from Manila's Mari-

time Training Council.

She said these issues touched on monitoring of maritime education and training institutions, quality control, seafarer certification requirements, onboard training, implementation of managerial courses and maritime training institutions' equipment and facilities.

She added that the council was also working to ensure that the Philippines complied with the

recent Manila amendments to the STCW Convention & Code.

"With these, we are confident that the EU will continue to recognize our system of education, training and certification and thereby ensure the employment of Filipino seafarers on board their ships," she said.

But an EC representative told *Fairplay* that it had fixed no date for reaching a decision on the Philippines. (Source: *Fairplay*)

## NOAA study gives support to regulation of GHG emissions

A study by the U.S. federal agency focused on the oceans and the atmosphere National Oceanic & Atmospheric Administration (NOAA) has bolstered the push for regulations to cut emissions.

The recently released NOAA study was based on tests last year using the 9,038-TEU, 115,993-dwt, 2008-built boxship *Margrethe Maersk*. Switching from bunker to low-sulfur fuel and slowing the ship were found to cut air emissions by up to 90 percent.

However, the report also

found that changes in the emissions of pollutants, caused by the change in fuel—some with a warming effect and others with a cooling effect—probably ended up producing net warming effects.

The test was conducted off the coast of California, where a state law in place since 2009 requires ships to switch to cleaner fuel as they approach within 24 miles, and where vessel operators can participate in a voluntary speed reduction program.

The project was funded by the

NOAA and the California Air Resources Board, with tests conducted in close collaboration with Maersk Line.

The researchers found emission cuts "even where none were expected, meaning even greater reductions in air pollution, and associated respiratory health effects in humans, than regulators originally estimated", the U.S. government agency said.

The results could have broad implications, given that the IMO will require emissions cuts starting in 2012, and Emissions Con-

trol Areas in Europe and North America will require operators to cut sulfur emissions 10 percent by 2015.

"It's important to know that the imposed regulations have the expected impacts," said Daniel Lack, a chemist with NOAA's Earth System Research Laboratory and the Cooperative Institute for Research in Environmental Sciences, which conducted the test.

"The regulators want to know, the shipping companies want to know, and so do the people." (Source: *Fairplay*)

## Bill would bill non-US flag ships for piracy protection assistance

A U.S. legislation would be seeking repayment of costs incurred by the U.S. Navy in protecting non-U.S.-flag ships from pirates.

The measure, recently introduced by New Jersey Republican Frank LoBiondo in the House of Representatives, would seek these payments directly from non-U.S. governments.

The Piracy Suppression Act of 2011 would determine the cost to

the United States for each action taken to protect, defend or deter a pirate attack, and also seek to impose the death penalty or life imprisonment for anyone convicted of the crime.

It would enable the United States to "seek reimbursement for such cost from the country under the laws of which the vessel for which protection or defence was provided is documented, which shall be credited back to the

appropriations charged for such cost".

A Capitol Hill insider has told *Fairplay* that no particular pirate attack had sparked the proposal. "It's more a concern that [the United States] is out there fighting piracy against ships that choose to flag in countries besides the United States," the source said.

The bill seeks to assure that the United States is covered for those expenses in the future, the source

explained.

Reimbursement could be waived, the proposal states, if within 180 days of the action taken the country in question contributes military forces to Combined Task Force 151, a multinational force established in 2009 that combats piracy off Somalia.

Reimbursement could also be waived if the country assists in the prosecution or detention of pirates. (Source: *Fairplay*)

## Denmark to allow 40% captains from outside EU

Changes to key Danish maritime laws means that up to 40 percent of captains on Danish-flagged vessels can now be non-EU nationals.

Danish shipowners have welcomed the amendments that were passed in June this year.

"We've been lobbying to get this for the last year. It offers us further flexibility to man our ships with qualified seafarers from the global labour market," Jan Fritz Hansen, VP of the Danish Shipowners' Association, told *Fairplay*.

Danish ships can now use crew members from anywhere in the

world "so long as their papers are in order", and this includes captains.

"Before, it was stipulated that the captain should be an EU citizen. Now, it's too early to see any major effects, but with this change, up to 40 percent of captains can be from outside the EU," Fritz Hansen said.

Seafarers will benefit under the new order. Danish seafarers will be able to work abroad then "bring their competencies back to the Danish maritime cluster," he said.

And financial advantages include a 30 percent reduction in tax pay-

ments from seafarers who serve on ships above 500 gross tons.

In addition, a special pool has been created to improve seafarer welfare, which is mostly paid into by ship owners and will amount to just under than 1 million euro (1.4 million U.S. dollars) per year, Fritz Hansen said.

Separately, he said that shipowners are still lobbying for a "more flexible system in relation to the piracy challenge" and expects to have relevant changes in place "during the coming months". (Source: *Fairplay*)

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