



Pay rise victory for seafarers

IBF concludes final round of talks for 2015-2017 Framework Agreement

The ITF and JNG met in Indonesia between June 4-5, 2014 to conclude negotiations for the creation of the new IBF Framework Agreement. The round of negotiations initially commenced in October 2013, when both parties met in St. Petersburg, to exchange their list of demands for the negotiation.

The negotiations were particularly challenging this year, following the depression of the global shipping market, since the last agreement was negotiated in 2011. Both parties acknowledged the need to support the growth of the market, but also acknowledged the need to maintain sustainable and fair employment for the seafarers sailing on JNG vessels worldwide.

The talks concluded with a mutually agreed upon Framework Agreement, for the following three years. The main points of the agreement were:

- Salary increase of 1% in 2015, 2% in 2016 and 3.5% in 2017;
- 10% rebate for JNG members from the ITF Welfare Fund, with an additional 2.5% based on an incentive system;
- Downgrading of the Internationally Recognized Transit Corridor to an IBF Extended Risk Zone status, while maintaining all other risk areas previously agreed upon;



JSU members showed their approval by holding thumbs-up for the victory increase of 6.5% over the next three years.

- Changes to various contractual clauses; and
- Enhanced welfare support for seafarers.

Commenting on the two days

of intense negotiations, Dave Heindel, chair of the ITF Seafarers' Section, who also chaired the talks said:

"Considerable progress has

clearly been made from both parties over this round. The ITF has understood the challenges facing the JNG members in their ability to afford a pay increase, but it has been important to secure a pay increase for our members, to ensure a fair wage and conditions of employment. There have at times been differing views by both parties, but both have been able to put aside these differences to conclude the negotiations."

Speaking at the IBF meeting in Indonesia, the JNG chairman, Mr. Tsutomu Iizuka said:

"The last eight months of IBF discussions have been tough. Both sides commenced the progress at different ends of the spectrum, wishing to best represent their respective members. There has been considerable movement from each side, which has been difficult at times and has only been possible due to the mutual respect between the parties to the IBF, gained over the past 10 years."

Paddy Crumlin, president of the ITF added:

"The negotiations were understandably difficult given the market conditions, but notwithstanding that the successful conclusion is a reflection of the maturity of social dialog and engagement within this aspect of the shipping industry. In a truly international industry employing seafarers from virtually every nation, reaching a single standard of employment that is enforceable and supported by the social partners is an extraordinary achievement."

Speaking on the outcome of the new IBF Framework Agreement, the JNG Spokesperson, Giles Heimann said:

"The past few years have been particularly challenging for ship-owners. Although we have seen signs of market recovery, many owners are still facing challenging times. The JNG has worked hard to get a mutually acceptable outcome, which will aid owners to financially recover, but at the same time, will recognize the welfare of the seafarers that they employ."

(Source: ITF Seafarers)



Crew members peruse an article in a recent copy of JSU Maritime Journal. Seafarers such as these men will receive enhanced welfare support with the newly concluded IBF Framework Agreement.

‘Black Sea of Shame’ prompts union action

The International Transport Workers’ Federation (ITF) recently launched a week of action from ports on the Black Sea to combat what an updated report from the organization finds are still shocking levels of crew abuse and unseaworthy vessels which continue to operate in the area two years after the ITF and its affiliated unions in Black Sea countries launched an intensive campaign to expose the shameful conditions for merchant seamen employed in the region.

The updated report finds that the Black Sea region – or as it has been dubbed by the ITF, the Black Sea of Shame – remains one of the most dangerous places on earth to be a seafarer. This week of action was the latest step in the campaign to publicize and improve that disgraceful situation and joint teams of ITF inspectors and union activists in Bulgaria, Georgia, Romania, Russia, Turkey and Ukraine used it to inspect ships, inform seafarers of their rights, particularly under

the Maritime Labor Convention 2006 (MLC), and highlight the need for drastic action by littoral state governments. ITF Maritime Coordinator Tomas Abrahamsson commented:

“Any honest observer will find themselves appalled by the low standards in this region. The state of some of these vessels and the abominable working conditions on them almost defy description. Unions are actively battling these conditions and, even in the face of current political events, they are

focusing as usual on the interests of workers. There is, though, a crying need for genuine governmental action. There have been some encouraging detentions by port state control in Bulgaria and Russia but much more needs to be done.”

In describing the conditions in which seafarers are working in the Black Sea, the report states that since the MLC came into force, its impact has yet to be felt with the region still a haven for older vessels with inadequate insurance, operated by owners with scant re-

gard for obligations to their crew. The report acknowledges political instability and a lack of political will make it difficult to develop robust national legislation and mechanisms to ensure effective implementation of internationally accepted standards. This update collects together examples of cases that would indicate that much more work is needed before the region can shake off that ignominious “Black Sea of Shame” title. (*Source: Handy Shipping Guide*)

EU audits spawn Filipino crew conundrum

So just to clarify: The Philippines has failed an audit of its maritime training by inspectors from a European Union safety agency but its seafarers are OK to carry on working on EU-flag ships. The Asian country may, however, fail another audit and then Filipino seafarers may not be OK. Perhaps this is the right way to put it: The Philippines is in a perpetual state of being audited and no one will ever know for sure whether Filipino seafarers are EU-approved.

The news last month that the EU, after months of indecision and speculation, had decided that, while a report by the European Maritime Safety Agency (EMSA) had made it clear the Asian country did not meet the required standards, The Philippines would not be derecognized, was greeted with a mixture of relief, confusion and, in some quarters, a total lack of surprise.

The relief was felt most strongly in Manila where the government and manning agencies had, despite public expressions of confidence, been fearing the worst. Confusion was bound to have been caused among the former employers of Filipino seafarers, as the EU avoided saying it would not derecognize the Philippines.

For some, however, the news was not news. These sceptics had long ago taken the view that the EU would not and could not take such a drastic step, given the importance of Filipino seafarers not just to EU-flag, but world shipping. Their remittances – around US\$5 billion a year – are also im-

portant to the Asian country.

One recent estimate by the European Shipowners’ Association put the number of Filipino Masters and officers on EU-flag ships at 15,000. This dependence on the Philippines for a large proportion of the industry’s seagoing manpower may have given rise to the belief it was “too big to fail” but, according to one industry association, “all stakeholders” had stated this was not the case.

The EU decision has been welcomed by some as “providing the balance between an outright ban and a clean bill of health”. Others might see it as a messy compromise.

In the meantime, with inspectors peering over its shoulder, the Philippines will be working hard to sort things out, with “technical assistance” from EU member states in the form of either money or specialists in training and administration. This is already happening through either individual countries or companies but perhaps now the amount of money spent on training seafarers by the EU (and Norway) will reach the level seen by some as necessary.

The EU decision did not, of course, take place in isolation. The European bloc is in talks with the Philippine government on strengthening economic ties. Fewer restrictions on EU imports from the Asian country might see the latter smoothing the way for foreign direct investment, moves that could lead to a free trade association. It was, perhaps, coincidence too that at about the same

time the EU also lifted a ban on Filipino airline, Cebu Pacific, from flying in its skies (a similar ban on Philippines Airlines was lifted a year ago).

The EU, however, is also keen to help another Asian labor-supply country along the path to liberal, capitalist democracy. Sanctions against Myanmar have been lifted, trade between the two is expanding fast and last month talks were held on promoting bilateral investment.

Last year, in a sign of growing interest in employing Burmese seafarers, a shipmanagement company with existing offices in Singapore and Manila, opened a crewing office in Yangon, the former capital of Myanmar. Employers casting around for new or alternative crewing sources might want to check whether a country is EU-approved.

The EU maintains a list of recognized “third countries”, with the most recent in January this year including not only still-recognized Philippines and all the other major labor suppliers but also Myanmar. Georgia, newly restored after being derecognized in 2010, is also on the list.

With the EU requiring the Philippines to provide by the end of July evidence of how it has rectified the identified deficiencies and a further EMSA inspection scheduled for October, the threat of derecognition remains. The question remains how serious the threat is. “Failure to resolve any remaining issue may result in the loss of EU recognition,” the EU

said. “May”, not “will”.

A likely outcome of the continuing EU indecision is that shipowners with Filipino officers will, to remove uncertainty, move their ships out of EU flags, although they still then face the risk if their ships trade in waters and call at EU ports of restrictions and even detention.

If a ship is flagged outside the EU, employers can check either individual flags’ lists or the so-called White List maintained by the International Maritime Organization (IMO) but it would be wise to make sure whichever list is used is up-to-date. To keep White List status countries like the Philippines have to be audited to ensure compliance with the latest version of the Standards of Training, Certification and Watchkeeping (STCW).

Maybe in 20 years’ time someone will ask: “Did the EU ever get round to banning Filipino seafarers?” And the answer will come: “No, but everyone got tired of waiting, so switched to China, Burma and Vietnam.” (This, of course, assumes that in 20 years’ time ships will still require to be crewed.)

But before then in January 2017, which might seem a long way away but will be here before most people know it, all seafarers will have to be qualified and certified under the STCW 2010 amendments. These are also known as the “Manila Amendments” – a phrase which in time may come to acquire a whole new meaning. (*Source: BIMCO*)

Somali piracy falls but human cost remains

The latest annual report from Oceans Beyond Piracy (OBP) confirms the continuing fall in Somali piracy, but points to the “significant” human cost that remains – with more than 50 hostages still languishing in captivity after nearly three years. Meanwhile, increasing numbers of seafarers are being kidnapped and attacked off the West African coast.

The State of Maritime Piracy 2013, launched on May 8, is the fourth annual report by OBP, part of the USA-based One Earth Future Foundation. The study found that:

- The cost of Somali piracy has fallen nearly 50 percent since 2012 to US\$3.2 billion;
- While suppression has effectively countered Somali piracy, only 1.5 percent of cost is invested in long-term solutions ashore, and the human cost remains significant;
- Increasing numbers of seafarers are kidnapped in West Africa – with a lack of reporting and coordinated efforts by those affected; and
- In Somalia, 54 hostages have been held for an average of nearly three years, under deplorable conditions.

The report notes a decrease in the use of some more expensive anti-piracy measures to counter Somali piracy – such as increased speed and re-routing – in favor of the less expensive use of onboard armed guards. It points out that regional and local seafarers and fishermen also remain at high risk as pirates target their vessels for use in attacks.

The growing pirate attacks off West Africa involve a high degree of violence, with under-reporting of incidents and maritime crime making analysis difficult, says the study.

The State of Maritime Piracy 2013 is available at: www.oceansbeyondpiracy.org (*Source: ITF Seafarers*)

Two dockworkers rescue fallen crew at Canadian port

Two brave dockworkers dived into the cold seawaters at the Westshore Terminal, outside Vancouver, Canada to rescue a ship’s crew member who fell overboard when he was struck by a mooring line. Junnie Yubal, an able-body seafarer from the Philippines, was helping to tie up the *Grand Future* when he was caught in the line, fell and struck

the dock, and was knocked into the water in the incident on May 12.

Don Carrier and Andy Ilchuk jumped into the water to save the man, and helped him into the safety boat launched to rescue him. Yubal was taken to the hospital with broken bones and bruising, and will be kept under medical observation until he is fit enough to be repatriated home.

The two dockworkers are members of the ILWU (International Longshore and Warehouse Union) branch 514, and are described by the branch’s secretary/treasurer Frank Morena as “not ‘spring chickens’, but felt compelled to risk their lives to save a brother”.

The men also received praise from the ITF’s coordinator in Japan, Fus-

ao Otori, whose All Japan Seafarers’ Union helped to cover the *Grand Future* with a collective agreement. “I really appreciate the prompt decision of the two foremen, Don Carrier and Andy Ilchuk, to save one of our union members and jump into the water, even though they knew they were putting themselves at high risk.” (*Source: ITF Seafarers*)

VOICES from SEAFARERS



Capt. Isidro A. Domingo Jr. & Crew of MV IYO
The Maritime Labor Convention 2006 has done a lot for seafarers' welfare. Now that it has been already fully implemented, regular crew changes and monthly salaries are no longer delayed. We are grateful for the support given by the JSU and extend our praise of good faith for the job well done.



Capt. Freddie M. Alfaras & Crew of MV OCEAN COBALT
May we propose the inclusion of broadband Internet on the next amendment of the CBA and CA. This could be the best example of an upgrade to free e-mail access provided by the companies. Thanks in advance and wishing you all the best.



Capt. Saturnino C. Arawiran & Crew of MV MARION ACE
It is amazing to hear that the present ILO standard wage rate is due to be amended by 2015 & 2016. Our JSU Agreement is part of this process and wish our beloved Union will further widen its role in the implementation of this regulation. More power and good luck!



Capt. Anthony C. Belmonte & Crew of MV BULK PHILIPPINES
We are longing for effective communication that can surely connect us with our love ones. As part of the upgrade and amendments to the JSU Agreement, we are wishing for greater support in the introduction of broadband Internet.



Capt. Rene Rafanan & Crew of MV CAPE VERDE
The implementation of the MLC 2006 has greatly changed the lives of every seafarer. When we had learned the concept of the MLC 2006, stating the welfare of seafarers in general, we thought and wished the JSU would expand its role in support of successful operations.



Capt. Andrew D. Intong & Crew of MV CAPE FLORA
Free e-mail access provided by our company has dramatically given seafarers the urge to save as well as to communicate with their families on a distant shore. It is indeed a pleasure if the JSU could work for an upgrade of the system.



Capt. Moon Ik Oum & Crew of MV KEY BOUNDARY
Thanks to the initiative of the JSU staff who visited and provided my crew with the usual information about their CAs and CBAs. I appreciate the distribution of the welfare goods and wish the JSU will search and introduce new trends in improving the lives of the members.



Capt. Eric Jeffrey S. Rebogio & Crew of MV ISUZU
On behalf of the crew, we would like to take advantage of this opportunity in extending our utmost appreciation to the JSU's medical assistance to the Yolanda victims in Leyte, Philippines. All medical staff had rendered their dedication in saving the lives of the victims. With our heartfelt gratitude, thank you very much.



Capt. Rey Dominador P. Rodriguez & Crew of MV PRESTIGE ACE
As part of our recreation, we prioritize sports to build up our minds and bodies, thus to say goodbye to the stress created by the routine work. We wish the JSU can give extra attention and support to this kind of activity for its member vessels.



Capt. Levy S. Salibio & Crew of MV CAPE GREEN
The supply and demand of the Internet has grown so fast. Varied technologies were introduced to improve the system, making it cheaper and more convenient to operate. Since the operational cost of broadband Internet is going down, may we suggest the JSU support the introduction of Wi-Fi Internet on board.



Capt. Gregorio Cruz & Crew of MV ERIDANUS LEADER
We are grateful to the JSU staff for the brief meeting to give us clarification in regards to the different agreements for seafarers. Although the duration of the meeting/visitation is short, important topics like the retirement system, seafarers' welfare, etc., were clearly discussed. We are hoping the JSU would focus more on the feasibility of continuous employment of its members.



Capt. Roque Fabon delos Reyes & Crew of MV GREAT PERSEUS
There's a lot of seafarers like us wishing for a clear and better communication with their families. We urge the JSU to introduce and to provide us with a device capable of wireless connectivity through the Internet, that can be used while at port and in the open seas.

US treats foreign seafarers harshest

The United States effectively treats foreign seafarers more harshly than any other group that enters the country without breaking the law.

The general rule is that all persons who are not U.S. nationals or permanent residents must have a visa to enter the United States. Persons desiring to become U.S. citizens or permanent

residents must obtain an immigrant visa.

However, most merchant mariners do not go through the time and expense required to obtain such a visa, which means that

they are liable for a civil penalty if they go ashore for any reason.

Despite the problems, there is no lobby group in Washington for foreign seafarers. (*Source: Shiptalk*)

Pirates' modus operandi change seen in 1Q14

The Regional Cooperation Agreement on Combat Piracy and Armed Robbery against Ships in Asia (ReCAAP) has released a quarterly report, showing significant improvement of piracy incidents in Asia.

Overall, 28 incidents were reported in the first three months of 2014. Of these, 70% involved pirates or robbers operating in groups of one to six men and

only three cases reportedly having more than nine pirates involved in the attacks.

The organization noticed that the severity of the attacks have dropped over the five-year period and there has been a decline in very significant (CAT 1) and moderately significant (CAT 2) incidents. On the contrary, less significant (CAT 3) incidents and petty theft were on the rise.

Meanwhile, there was a change in the perpetrators' modus operandi as pirates/robbers became more opportunistic and avoided direct confrontation with ship crew.

Under the new modus operandi, cargoes such as scrap metals and engines spare parts were targeted more often than in the past.

The pirates also tended to board larger vessels like bulk carriers and tankers as compared to smaller

vessels such as tug boats and barges.

Even the areas of attacks have changed from the eastern waters of Singapore to the western part along the Strait of Malacca, near Pulau Nipah.

ReCAAP continued to stress constant vigilance and timely reports as the key deterrence against piracy in the region. (*Source: Fairplay*)

IAPH applauds IMO on SOLAS Regulation VI-2

The International Association of Ports and Harbors applauds the International Maritime Organization (IMO) for its adoption at the Maritime Safety Committee (MSC) 93rd session last week of the Amendment of SOLAS Regulation VI-2 regarding Mandatory Weighing of Gross Mass of Containers before loading onto ships. The committee also adopted relevant Guidelines regarding the verified gross mass of a container carrying cargo.

The amended rule requires shippers to submit verified gross weight of containers before loading onto ships. Without such document, relevant export containers shall not be loaded onto

ships. The amendment and its guidelines will be effective July 1, 2016, after due adoption by MSC 94th session in November 2014.

"IAPH welcomes adoption of this Amendment as the regulation will enhance safety of maritime container transportation," said IAPH President Grant Gilfillan, Chief Executive Officer/Director, Sydney Ports Corporation, Australia. "IAPH has been an outspoken advocate on this issue for several years now because misdeclared or incorrectly declared container weights are one of the major causes of maritime container accidents in ship navigation, road transportation and terminal operation."

Gilfillan adds: "There was only ever going to be one effective solution to this problem and that was to mandate that container weight verification occur at the point of origin, which is an issue requiring International Regulation.

"Within each global jurisdiction there will no doubt be different approaches taken to ensure weight verification. In the interests of port operators it will be the position of IAPH that weight verification should be completed before a container enters the port precinct.

"To not do so will continue to allow a significant risk to road users within the port and to terminal operators (stevedores) if

they have to handle a container with unverified weight. Expecting a terminal operator to verify the weight as part of its handling process is not a complete solution, and the IAPH will be encouraging regulators within governments or port jurisdictions to seek solutions which verify container weights as close to the point of packing as is practical."

The IAPH directly addressed this issue by adopting a resolution in 2011 at its 27th World Port Conference in Busan, South Korea, making IAPH member survey on container weighing in 2012, and issuing a joint press release with other maritime associations in 2013. (*Source: IAPH*)

ITF steps assists seafarers working on filthy, unsafe ship

The ITF has intervened to bring relief to the crew of a vessel detained in Fowey, Cornwall, England after a port inspection found filthy and unsafe conditions on board.

The United Kingdom Maritime and Coastguard Agency (MCA) detained the Turkish-owned, Panama-flagged *Munzur* after it found 14 deficiencies, including seven grounds for detention. As

well as having to live and work in filthy conditions – with no hot water or washing machines, filthy bed linen, little fresh food, unsafe electrics and a poor sanitary system – the 12 crew members had not been paid their wages owed, totaling US\$35,000, with most on pay below the International Labor Organization minimum.

The shipowner has now agreed to pay all back wages owed and

help repatriate the crew, who come from a range of countries, after the ITF threatened arrest of the vessel on behalf of the crew.

ITF inspector Darren Procter reports that the owner has now also provided food and washing machines on board, but added that the ITF will resume the arrest if the crew do not get all the wages they are due.

The ITF believes the owner is

also likely to sign an ITF agreement to ensure decent pay and conditions.

Are you having problems with getting your pay in full? If you are, this could be a sign that your company is in economic trouble. You should contact your union or the ITF directly as soon as possible to protect your wages and employment. (*Source: ITF Seafarers*)

Tokyo MOU report cites key causes for detention

Member authorities of the Tokyo MOU inspected about 70% of vessels that visited ports in Southeast Asia and the Pacific last year, according to the organization's recently released annual report for 2013.

The organization, established to oversee port state inspections in the Asia-Pacific region, said 1,395 ships under 66 flags were detained last year, an average detention rate of 4.5%. In 2012, ships under 64 flags were detained.

The top three detainable deficiencies were fire safety measures (18.4%), safety of navigation (17.1%), and life-saving appliances (12.1%). These three represented almost half of all deficiencies discovered during inspections.

Other main causes for detention included resources and personnel under the ISM code (an increasing problem), oil filtering equipment as required by MARPOL Annex I, and maintenance of the ship (ISM Code).

The Tokyo MOU's black-grey-white list indicates the performance of flags during a three-year rolling period, therefore increasing the likelihood of being inspected. A total of 15 flags reappear on the black list (poor performance) for 2013 that were included in the previous year. The grey list increased by two to 19. The white list includes 30 flags. Croatia's improved performance during the period led to its addition to the white list. (*Source: Sea-web*)

Canadian gov't raising compensation limits for oil spills

The Canadian government will remove its limit on compensation for marine oil spills and require shipowners to cover any costs beyond what is available through domestic and international spill clean-up funds.

The federal government will have to introduce legislation in Parliament to amend the Ship-Source Oil Pollution Fund (SSOPF) es-

tablished in 1990. It currently has a C\$161 million limit per event on compensation and a reserve of C\$400 million.

Transport Minister Lisa Raitt said in the event of spills, the government will pay any costs that can't be recovered from SSOPF or international spill compensation funds. It will then recover whatever amount it pays out from the ship-

ping industry.

The minister said the government would also launch a project to enable complete electronic navigation in Canadian waters as a step toward fewer shipping accidents.

Canada has not had a major tanker spill in more than 40 years when the tanker *Arrow* ran aground in Nova Scotia's Chedabucto Bay and leaked 73,000 bar-

rels of oil. There have been two smaller incidents since then on the West Coast.

Transport Canada noted the volume of cargo shipped through Canadian ports has increased 43% since 1993, cautioning that tanker spills "have the potential to cause significant damage should they occur in a sensitive area." (*Source: Sea-web*)

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