



# Seafarers' Bulletin

English | no.34/2020

International Transport Workers' Federation

A large, bold, black letter 'B' is positioned in the upper left quadrant of the cover. It is set against a background of a red-tinted photograph of a large oil tanker ship at sea. The ship's hull is visible, and the water is a deep red color. The overall image has a distressed, scratched texture.

**SPOTLIGHT ON**

**BLUMENTHAL**

**ABUSES**

In this issue:

**Criminalisation: your rights**

**Networks boost help for seafarers**

**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 18.5 million transport workers from nearly 670 affiliates in 150 countries, including more than 910,000 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 143 inspectors and contacts working in ports worldwide.

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# Welcome



**Welcome to the Seafarers' bulletin, the magazine to help the community of seafarers, fishers and dockers be more aware of your labour rights and where to turn for help when you're in trouble.**

We outline the historic new international law on violence and harassment at work, which should make the working environment safer and less stressful for all maritime workers.

Our cover story is the ITF's targeted campaign against German shipowner Blumenthal, a serial abuser of seafarers' rights, and how the use of social media helped us amplify our actions against the company.

We look at the risks seafarers face of being scapegoated for criminal investigation when your ship is involved in an accident or contraband is discovered onboard. We share the dreadful experience of Ukrainian Captain Gennadiy Gavrylov and advise on what to do if you face criminal charges.

Life at sea highlights successes by our inspectors, unions and others in winning improved conditions on board, recovering owed wages and helping abandoned seafarers be repatriated.

I'm pleased to introduce our newest inspectors and tell you about our expanding regional contact networks, which are boosting our ability to reach new ports and handle the increased calls for help we receive. And there's some good news in our Arab World and Iran region.

Seafarers' high risk of poor mental health features in the pages on health and wellbeing and the ITF Seafarers' Trust, alongside efforts by the ITF and unions to bring change to the industry.

We interview Lena Dyring from the Norwegian Seafarers' Union, and a cadet shares her experience as a first-timer on board.

Learn how to avoid recruitment scams and get advice on contracts in our eight-page pullout, which also shows how to contact ITF inspectors.

You are stronger in an ITF union. Please join us.

**Stephen Cotton**  
ITF general secretary

# The ITF FOC campaign in numbers (2019)

## ITF inspections

(at time of going to press)

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



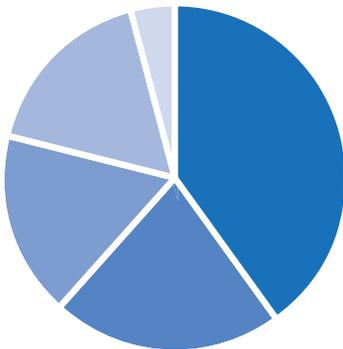
## Total backpay recovered

(at time of going to press)



## Top five problems by type found during ITF inspections

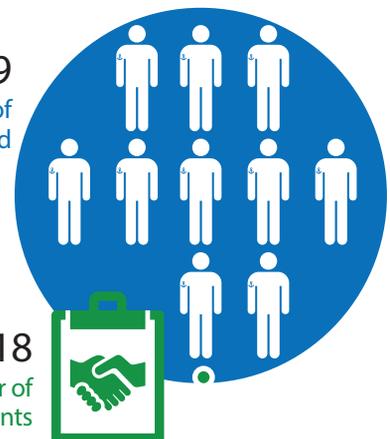
(at time of going to press)



## Vessels and seafarers covered by ITF agreements

(at time of going to press)

**311,489**  
Total number of  
Seafarers covered



**12,818**  
Total number of  
agreements



# Stories from the frontline



**“We are going home after 13 months. Thanks to ITF and special thanks to Mohamed Arrachedi and Captain Majed (ITF contact in Sfax port) for your assistance. We are going home with our wages. Thank you very much.”**

**Qaaswa seafarer** before flying home

## Qaaswa crew repatriated after 13-month ordeal

The repatriation of the Qaaswa crew members after being marooned for 13 months is the latest development in one of the most notorious cases of abandonment he has seen, says Mohamed Arrachedi, ITF inspector and coordinator of the Arab World and Iran contact network

After being abandoned off Sfax port, Tunisia without wages, food or fuel, the crew on board the Qaaswa finally flew home on May 31, 2019.

The 12 seafarers – from India, Bangladesh, Pakistan and Myanmar – each went home with thousands of dollars in unpaid wages for the eight months they were owed, totalling USD130,952.

The repatriation was only possible because of the collaboration and support during these long, difficult months of ITF affiliate the Federation Nationale des Transports/UGTT and the UAE Federal Transport Authority.

In the last three years, this was the third crew on board the UAE-flagged tanker that the ITF has successfully helped to repatriate after they were abandoned at sea by Alco Shipping Services. While the crew and their families have suffered, Alco Shipping Services has acted with impunity.

Alco Shipping Services' practices have no place in a modern maritime industry. No seafarer should have to endure such terrible experiences. The abandonment of seafarers is a cancer of the maritime industry that all actors in the industry must work together to eradicate. ■

# ITF targets Blumenthal over persistent exploitation of seafarers

Johann M K Blumenthal from Hamburg is an old and traditional German company. Sadly, says Sven Hemme, ITF inspector, it is known for another tradition, being anti-union and treating its seafarers like slaves. Here he reveals the ITF's targeted campaign, which he led, against this persistent labour rights abuser

Blumenthal has 30 flag of convenience (FOC) ships – 19 flagged in Liberia, 11 in the Cayman Islands. Its charter party clauses routinely forbid collective bargaining agreements and often contain clauses preventing charterers from using its vessels in ports and countries with a strong ITF presence.

When ITF inspectors are about to board its vessels Blumenthal 'asks' its crews to sign statements saying how happy they are and that they want no contact with the ITF or its unions. In some cases, these statements threaten legal action against union intervention.

This psychological pressure creates a climate of fear for seafarers on board, fear of not getting a new employment contract, fear of other threats against themselves or even their families.

The ITF has dealt with numerous cases on Blumenthal ships. The ITF inspectorate's targeted campaign of action against the company followed the detention in March 2019 of the Liberian-registered bulk carrier Anna-Elisabeth in Australia after the crew complained of insufficient food, delayed and withheld wages, bullying on board and the denial of shore leave.



As the campaign developed, we discovered more damning proof that such mistreatment and intimidation of seafarers was systemic across Blumenthal's global fleet.

Take the Liberian-flagged Lita. In May 2019, while the ship was in anchorage close to Brazilian waters, the crew had contacted the ITF to report that they were forced to collect rainwater with tarpaulins in order to ensure adequate water supplies.

On 1 July 2019, alerted by a seafarer's complaint, the Belgian port state control (PSC) boarded the Lita and discovered 35 deficiencies in security and working conditions. These included serious violations like non-functioning emergency lighting; unusable life-saving appliances; inadequate fire protection training for the crew; and general issues with safety regulations and procedures on board. The inspectors also discovered a series of structural problems, including rusty, unsafe and damaged doors. Proper maintenance of ship equipment is just as important as the proper treatment of seafarers – a failure in either can lead to serious accidents. The Lita was detained by the PSC and only released eight days later. However, a

follow-up inspection on August 23 in Antwerp, Belgium found nine deficiencies remaining.

The campaign has seen ITF inspectors and contacts inspecting and auditing the company's fleet in ports all over the world to ensure the welfare of their crews. They have been checking that crews are paid properly, adequately fed and have all their rights upheld. Safeguarding the rights of seafarers working on Blumenthal ships is our number one priority.

It has also involved protests at gangways, lobbying of stakeholders and the innovative use of social media, including LinkedIn, to amplify the actions. We had more than half a million hits on Facebook posts attacking the company's bad management, with many in the industry monitoring the conversation.

A call for whistleblowers across ITF social media channels led to current and ex-Blumenthal seafarers revealing distressing reports of intimidation, threats and abusive treatment including forced overtime, withholding of wages and discrimination based on nationality.

There have been disruptions to Blumenthal's fleet around the world and many charterers are becoming more reluctant to use the company's vessels. Maersk, which time charters Blumenthal's container vessel Tiger, has not renewed its charter after a 14-year relationship.

The Liberian flag has also responded – for example, by making Blumenthal issue new and compliant SEAs and increasing the minimum manning levels for all of their Blumenthal ships after the ITF publicised the dangerously low crew sizes. There have also been improvements to food stores and access to free fresh water.

**“Seafarers have described atrocious stories of exploitation and discrimination on Blumenthal vessels, practices that have no place in the maritime industry. This systemic abuse of seafarers’ most fundamental rights is the dreadful reality of many flag of convenience ships run by unscrupulous operators like Blumenthal.”**

Jacqueline Smith, ITF maritime coordinator

However, despite the impact of our campaign and the fact that the industry is keeping a closer eye on the company, Blumenthal still refuses to enter into negotiations for collective bargaining agreements with the German union ver.di and other ITF-affiliated unions. We are still waiting for a positive response to our invitation to Blumenthal's president Matthias-K Reith to work cooperatively with the ITF to raise standards for workers across its FOC fleet. We reminded him that responsible charterers are selecting ITF-certified ships when deciding on vessels to charter and that the unregulated FOC system which allows exploitation and abuse of seafarers is a risk that they aren't willing to take.

It appears that Blumenthal refuses to be part of the change, to improve the maritime industry and ensure the rights, freedoms and working conditions of seafarers. The ITF will continue to be vigilant and keep up the pressure on this unscrupulous operator. ■

[seafsupport@itf.org.uk](mailto:seafsupport@itf.org.uk)



## Inspection delivers big improvements for April Dream crew



**A follow-up inspection found that the vessel owner had rectified most of its previous deficiencies, reports ITF inspector Milko Kronja**

As the Moldova-flagged April Dream was loading timber cargo in Bakar, Croatia in March 2019, the ITF boarded to check if deficiencies it had previously identified had been corrected.

The complaints to the ITF had included delayed wages, insufficient food and the refusal to allow a doctor to visit the 43-year-old vessel.

This second inspection revealed that owner Concordia Maritime and managers Blue Bay Investments Ltd, both from the Marshalls Islands, had cooperated with the port state control to remedy some of the deficiencies. We found refrigerators full of food, enough for two months for the 13 crew members. Cabins were in good order and the washing machines were operating. The crew was generally in good health and a dental visit for surgery was agreed.

The back wages for January had been paid and the master claimed that the company had already prepared the wages for February (although he could not provide proof of this). The ship was no longer in breach of MLC provisions in relation to wage payments.

Monthly wages on the April Dream are below the ILO minimum but for now we can only issue a warning to the owner, because respecting the ILO minimum basic wage is only treated as a recommendation by the Maritime Labour Convention.

During individual interviews with the crew, the mainly Syrian and Egyptian seafarers expressed satisfaction with conditions on board. ■

[www.itfseafarers.org](http://www.itfseafarers.org) #ITFseafarers



## Australia bans bulk carriers for seafarer rights breaches

ITF inspections led to two bulk carriers being banned from Australian ports in one day for breaching the most basic seafarers' rights, reports ITF inspector Sarah Maguire



**“The operator of the Fortune Genius has acted in a dishonest and predatory fashion towards its seafarers while the operator of the Xing Jing Hai has demonstrated a systemic failure to ensure its seafarers are paid properly.”**

AMSA (Australia state port control)

The Fortune Genius in Gladstone and the Xing Jing Hai in Brisbane were banned by the Australian Maritime Safety Authority (AMSA) for 12 months and 18 months respectively on 13 September 2019 for failing to pay crew their wages in full and on time, a gross breach of the Maritime Labour Convention (MLC).

The ITF boarded the Panama-flagged Fortune Genius as soon as it docked in Gladstone on September 5, 2019 after crew members reported that they were owed tens of thousands of dollars in unpaid wages.

The vessel is owned by the China-based Marine Fortune Union Company and managed by subsidiary New Fortune Genius Management Limited. It had been chartered by Korean company Five Ocean Corporation to transport coal from Gladstone to Taean, South Korea.

On board were eight crew members from Myanmar who had each been deliberately underpaid between USD8,000 and USD10,000 between April and August.

The men told us that they had been bullied and forced into working excessive hours for which they weren't paid. They asked for assistance with being repatriated to Myanmar because they were worried about their safety if they remained on board.

We also located fraudulent documentation, including two sets of wage accounts, which had been used to conceal the wage theft and breaches of the MLC.

State port control AMSA immediately acted on our findings and detained the vessel.

The seafarers were sent home on 13 September 2019, with USD69,987.72 in cash between them. For each man, we had secured two months' full unpaid salary, the shortfall in their salaries for the previous three months and a further two months' basic wages, in line with the collective bargaining agreement with the ITF's Hong Kong affiliates.

We found a similar story of deliberate non-payment on the Xing Jing Hai. The crew had been paid late for the months of May and June, while wages for July and August amounting to over USD103,070 were still outstanding. The seafarers chose to stay on board and confirmed that payment had been made 24 hours after the ITF's inspection.

The operator, Dalian Ocean Prosperity International Ship Management, had previously been warned over unpaid wages on a sistership, the Xing Ning Hai, in Tasmania. ■



## ITF builds cases against Taiwanese FOC vessels

**ITF national coordinator Dean Summers and assistant coordinator Matt Purcell condemn the consistent breaches to ITF agreements across the Taiwanese fleet of flag of convenience (FOC) ships**

**“We believe that Wisdom’s vessels are providing false receipts for wages sent home. Recently provided Telex information for eight vessels heightened our suspicions that Wisdom, like its sister company SW Shipping, is paying only half of the ITF agreement wage requirements.”**

In early 2019, the ITF served a USD3 million back pay claim against Taiwanese firm SW Shipping. This included withheld wages from their Burmese crew and the differential between the ITF TCC agreement and the company’s low wage scale. Later in the year, the sister company, Wisdom Maritime, appears to have become an even larger problem.

Wisdom has 130 bulk ships engaged in the world’s bulk market trading on FOC flags. Matt Purcell has been coordinating an international effort to expose the systematic abuse of seafarers through the underpayment of wages to Chinese, Burmese and Vietnamese seafarers.

We believe that Wisdom’s vessels are providing false receipts for wages sent home. Recently provided Telex information for eight vessels heightened our suspicions that Wisdom, like its sister company SW Shipping, is paying only half of the ITF agreement wage requirements.

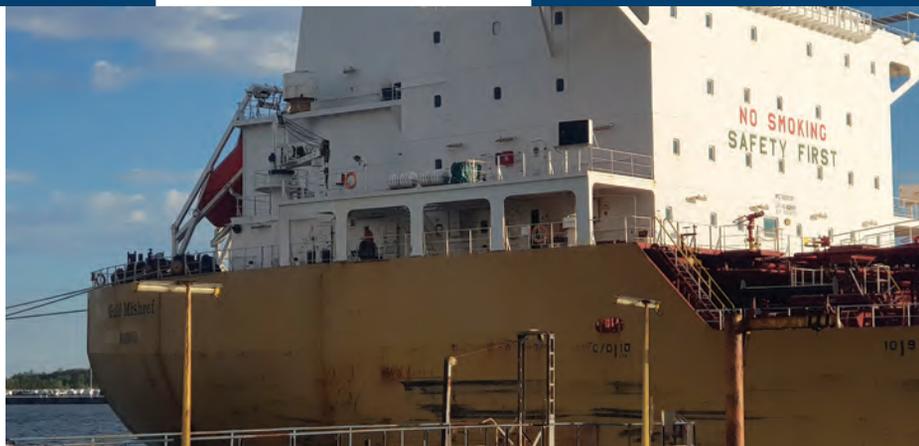
In a dramatic example of Wisdom’s tyranny, a young seafarer was taken off his ship in Barcelona and sent back to China on suspicion of speaking to the ITF.

It was reported to the ITF that company representatives met him at Shanghai airport and took him to the police station, where he was allegedly beaten and detained.

The next day the seafarer’s sister contacted the ITF stating that he had no problem with the company, that all wages had been paid up and he did not want Wisdom to be further investigated. Since then, the ITF has confirmed that the seafarer is no longer detained and there have been no reports of further threats to his welfare.

By sheer coincidence, two Wisdom ships were boarded in Melbourne and Newcastle and evidence was collected supporting our claim of wage theft. In Melbourne, local agents tried to stop Matt from boarding and it was only after a long stand-off and the support of the Victorian branch of the Maritime Union of Australia (MUA) that he was able to board the ship.

At this stage we are building a case against both Wisdom and SW Shipping and will seek to demonstrate to the Australian authorities why these ships should not only be detained but should be banned from Australian ports. ■



## Inspectors give chase to Gulf Mishref

Nine ITF inspectors in several ports were involved in pursuing the Gulf Mishref for seven months in 2019 over its multiple failures to pay wages on time. Juan Villalon-Jones, ITF inspector in Chile, tells the story

The Liberian-flagged Gulf Mishref oil tanker was first detained on 5 May in Veracruz, Mexico by inspector Enrique Lozano. Salaries had been delayed for two months and most of the seafarers' contracts had expired. The management company in Dubai, Gulf Nav, paid USD176,998 in owed wages to the Indian crew and promised to pay four Ukrainians once they arrived home. The vessel was released and sailed to Panama.

On 25 June, inspector Luis Fruto asked port state control (PSC) in Balboa, Panama to board the Gulf Mishref over new complaints about unpaid wages to crew members whose contracts had expired. The vessel was detained. Eventually the company paid USD5,000 in owed wages but it refused to pay the four Ukrainians, who remained in Mexico. The vessel sailed to Houston, USA where on 4 August inspector Shwe Tun Aung had to intervene over further owed wages and won USD145,542 in back pay.

On 2 October, the Gulf Mishref arrived in Le Havre, France. Several crew members claimed that the company had again failed to pay their wages. Following two PSC inspections, the vessel was detained for deficiencies under both the International Maritime Organization and

the Maritime Labour Convention. When ITF inspector Corine Archambaud (pictured above) boarded, she checked the wages accounts and the seafarers' employment agreements (SEAs) and interviewed the 20-strong crew. She discovered that the August and September wages were unpaid, wages for two ranks were below the International Labour Organization minimum and the SEAs contained incorrect leave calculations. She sent ITF wages claims for each crew members to the PSC and the company.

After long negotiations, the company agreed to pay back pay of USD103,550 into the seafarers' bank accounts and to make the outstanding USD2,207 payment for leave in cash at its next destination, Antwerp, Belgium.

The ship was released from Le Havre and inspector Marc Van-Noten witnessed the payment in Antwerp, got the SEAs rectified and had the ordinary seaman (OS) and messman rates raised to the ILO minimum.

I put in a new complaint about this repeated behaviour to PSC in France, asking them to inform PSC Antwerp. I notified the company and the flag state and made a complaint to the ILO. During the ship's next port of call

in Rotterdam, Netherlands, on 14 October, inspectors Gijs Mol and Koen Keehnen used this evidence to persuade Gulf Nav to pay the USD7,655 owed to the four Ukrainians. When the seafarers notified us that they had received the money, we thought the case was resolved and I cancelled the MLC complaint to the International Labour Organization and Liberia.

But no. The Amsterdam immigration police boarded the Gulf Mishref at night and five SEAs could not be found. With seafarers panicking, Gijs went on board and told the company to allow the seafarers to involve the police.

The Gulf Mishref headed for Paldiski, Estonia. The messman called inspector Jaanus Kuiv to say that his contract had expired, and the company was about to repatriate him without paying the correct ILO rates, and that none of the crew had been paid for October. I re-contacted Liberia and the French PSC, requesting a new complaint, while Jaanus gave the company notice of warning. The company paid the messman and OS the money owed to them (USD2,100 and USD1,900 respectively) but in mid-November the ITF was still fighting for the October wages. ■

### Problems with pay?

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. Contact your union, an ITF inspector or the ITF at [seafsupport@itf.org.uk](mailto:seafsupport@itf.org.uk) as soon as possible to protect your wages and employment.

Think you've been abandoned? Read the advice on page 18.



## Union win helps cadet finances

Croatian cadets are celebrating having more money in their pockets, says Neven Melvan, general secretary of the Seafarers' Union of Croatia (SUC), thanks to the efforts of his union and its social partners

Formerly, cadets had to pay their own pension and health insurance contributions.

Now, following a SUC initiative, the Croatian government agreed that cadets will be co-financed by the government for their salaries and obligatory contributions. In 2019 the cadets who had already paid their contributions will be reimbursed.

This is a big step forward to making the industry more attractive for young seafarers. It comes at the same time as the introduction of a new maritime law that excludes cadets from having to pay tax in future.

These successes underscore the importance for the SUC of social dialogue in the Croatian shipping industry. It is a priority for us. We

were pleased that during his mission to Croatia in April 2019, ITF general secretary Stephen Cotton met with the SUC, the Croatian Ship Manning Association (CROSMA) and the Mare Nostrum Shipowner Association to discuss how to safeguard seafarers' working conditions.

Together we are working on improving the quality of the training system to make sure our members' full potential is realised. To achieve this, the SUC started free training for young seafarers who need to take an exam to gain their certificate as Officer in Charge of Navigational Watch for vessels of 500 GT or more. We also organised a Union Week seminar with the ITF to raise awareness about seafarers' rights and maritime conventions. ■

# Mediterranean ‘sea of convenience’ will push up standards

## Seafarers’ union reaches out to other workers

**Palitha Athukorale, president of the National Union of Seafarers Sri Lanka (NUSS), explains why his union has stepped up its organising of seafarers along with vulnerable transport workers in other sectors**

Since 2018 we have been organising informal dockworkers and fishers, contract logistics workers and, most recently, self-employed taxi drivers, as well as seafarers.

And the reason for reaching out to these other workers? Other unions didn’t want to organise them because it’s extremely difficult to reach these workers. There is no check-off facility and the contractors employing many of the workers are highly politically connected. We mobilised to help with the issues they were facing in the workplace.

For example, we intervened in two cases of accidents involving contract workers in a port terminal. One worker was killed but both the terminal owner and the contractor denied responsibility or assistance to the family. Through our efforts the family won the highest ever compensation package in the country for a contract worker fatality. In the other case,

where the worker lost a leg, we persuaded the company to pay for a high-quality prosthetic leg from Europe, and it also agreed to set up a small business for the man. As a result of our assistance, all contract workers in the terminal joined our union.

This policy has seen the NUSS add around 7,600 new members – around 1,600 of them women – including 150 seafarers, 900 dockers and 550 fishers. This is a hugely substantial increase in Sri Lanka. It brings to 14,800 the total number of seafarers the union has in membership.

Joining the NUSS has already made a big difference for these workers, including improved safety equipment for dockers, employers agreeing to pay national minimum and sector minimum wages and workplace benefits, such as sick pay and paid leave. ■



## ITF Croatia coordinator Romano Peric explains why the ITF is declaring the Mediterranean a 'sea of convenience'

The Mediterranean is an enclosed sea, where three continents and 24 countries meet, and where numerous ports with high maritime traffic co-exist. Many of the ships trading there are substandard national flag ships, over 30 years of age, up to 6,000 GRT (gross registered tonnage), poorly maintained and dangerous to the environment.

Seafarers on those ships often do not have the necessary STCW certificates and their wages are irregular and far below the International Labour Organization minimum wage. In many cases, seafarers serve on board for more than 12 months, with no proper employment contracts, not covered by any national or ITF-recognised collective bargaining agreement and with no chance of being repatriated.

The conditions on board these vessels are often appalling. Seafarers live in poor and unhygienic accommodation and are not provided with a proper supply of quality food or drinking water. They are often at risk of being criminalised because, either without their knowledge or under threat, they take part in illegal migrant transport or their ships carry forbidden or undeclared cargo. We cannot allow seafarers to live and work on such substandard and dangerous vessels.

That is why my union, the Seafarers' Union of Croatia, called on the ITF at its Congress in 2018 to declare the Mediterranean a 'sea of convenience'. This means that the ITF inspectorate, together with all the Mediterranean unions, will send an

unambiguous message to bad owners and charterers about what we want in ports: clear and fair conditions for seafarers, safer and environmentally compliant vessels, and to raise awareness of seafarers' rights.

As the first step in this significant initiative, the ITF's fair practices committee met in late 2019 and agreed to make four of the worst-offending national flag states their target by naming them flags of convenience – the Cook Islands, Palau, Sierra Leone and Togo. This will make it easier for inspectors to board their vessels.

An ITF meeting in early 2020 in Tangier, Morocco will get the campaign underway. ■

## Raising union awareness amongst seafarers

The Union Awareness concept was conceived in 2017 to educate and organise seafarers who are active on behalf of their colleagues but who are not union members.

They are invited to participate in seminars run by the ITF and its affiliated unions to broaden their understanding of seafarers' rights and to learn more about the benefits of being part of a global trade union family.

The seminars provide education in health and wellbeing, building awareness of trade unions,

collective bargaining, the Maritime Labour Convention and the range of support offered by the ITF to the world's seafarers.

The pilot seminar was delivered in Yangon, Myanmar in January 2017, where more than 400 seafarers attended over the four days and over 300 joined the ITF-affiliated union

the Independent Federation of Myanmar Seafarers (IFOMS).

Since then, the ITF and its unions have delivered six more seminars, in Bangladesh, Sri Lanka and Ukraine, to more than 1,500 seafarers. ■



# Help and protection for criminalised seafarers

Criminalisation is one of the most serious problems facing seafarers today. Seafarers are at risk of being scapegoated and denied their legal rights if their vessel is involved in a maritime accident or a pollution infringement. *Seafarers' bulletin* explains your rights and offers advice on where to turn for help if you are criminalised

## Fighting for fair treatment

When seafarers face criminal charges they are regularly denied access to resources which should be provided and which help them defend themselves, reports Steve Yandell, ITF seafarers' section senior assistant

Unfair treatment of seafarers leads to negative consequences for the industry. Seafarers become reluctant to participate in accident enquires for fear of unfair charges being pursued against them. Seafarers also complain of a lack of legal representation and interpretation services when involved in investigations.

Under legislation in certain countries, seafarers are required to cooperate with accident investigations into maritime accidents. The information is privileged and anonymous, so there is no fear of the testimony being passed on and eventually used by prosecutors. The ITF believes that this approach should be adopted for use by all countries. Seafarers should feel able to provide evidence to

investigations for the purposes of improving safety, but without fear of any criminal consequences.

The **Code for International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident** (contained within SOLAS) sets out certain safeguards that should apply to seafarers when they are required to provide evidence. These are that the evidence should be provided at the earliest opportunity, and that the seafarer should be allowed to return to their ship, or be repatriated, as soon as possible.

In addition, the seafarer needs to be informed of the nature and basis of the marine safety

investigation. This means being allowed access to legal advice so that they are aware of:

- any potential risk of incriminating themselves in any subsequent proceedings which might follow an investigation;
- their right not to self-incriminate and to remain silent; and
- any necessary protections that need to be provided to the seafarer to prevent their evidence to the marine safety investigation from being subsequently used against them.

These particular provisions are mandatory. A separate information sheet on the Code is provided in the ITF seafarers' section toolkit.

# Shocking cases of seafarer criminalisation

## Captain Gennadiy Gavrylov



Captain Gennadiy Gavrylov, a Ukrainian national, was master of the *Avant Garde*, a floating armoury operated by a company with links to the Sri Lankan government and military.

He was arrested in 2016 when the vessel returned to Sri Lanka for class inspections and the authorities alleged that there were too many weapons on board.

While the investigation was carried out, Captain Gavrylov

was detained in prison for almost one year before being released on bail in 2017. He waited another two years, prevented from returning home to see his family, before the Sri Lankan authorities laid any charges.

The ITF believes that Captain Gavrylov is innocent of any charges and that his rights under the ICCPR (International Covenant on Civil and Political Rights) to face trial without undue delay have been breached.

## Master of the LR2 Poseidon

The master of the LR2 Poseidon was detained by the Turkish authorities at the start of March 2019. During his detention, he had to share a cell with inmates who had been convicted of serious crimes, endured a lack of amenities and was only allowed to call his family for

10 minutes each week. In addition, he was not allowed to wear clothing required by his religion and was given food which was not in keeping with his religious beliefs.

ITF Hong Kong inspector Jason Lam worked on his behalf and the ITF Hong Kong office made representations to the Turkish authorities. The master was released in October 2019 and the company were arranging his travel back home.

## Crew of the Seaman Guard Ohio

The crew of the Seaman Guard Ohio anti-piracy vessel also served time in prison before they were acquitted of charges relating to weapons found on board when their ship was seized by the Indian Coastguard in October 2013. The ITF supported an appeal

against their sentence on two grounds: if the vessel was not in international waters, it was on 'innocent passage'; and the crew should not have been deemed to be responsible for the weapons.

## Hebei Spirit

One of the most prominent cases of criminalisation occurred in South Korea following an oil spill from the Hebei Spirit in December 2007. Two Indian seafarers who had been employed on the ship were detained in jail despite protests from the ITF and the wider shipping industry. The men were in jail for several months and were only finally released following a concerted campaign by the ITF, supported by the shipowner and the seafarers' home government.

The **Guidelines on the Fair Treatment of Seafarers in the Event of a Maritime Accident** were jointly agreed by the International Maritime Organization (IMO) and the International Labour Organization (ILO) in 2006. The guidelines represent the internationally accepted standard for the fair treatment of seafarers by investigating authorities but are not mandatory. Unfortunately, these guidelines have not been adequately observed and are limited in scope. The full details of the guidelines are included in the toolkit.

As a result of extensive work by the ITF in the IMO, the IMO legal committee has made the criminalisation of seafarers part of its work programme and it now seeks to

promote the fair treatment guidelines as widely as possible.

The ITF commissioned Seafarers Rights International (SRI) to carry out major surveys of seafarers. These have revealed the extent of unfair treatment experienced by seafarers who are facing criminal charges. SRI also undertook an extensive survey of IMO member states which found that while some confirmed that they had implemented the guidelines, others indicated that model legislation or IMO information would assist them when interpreting the guidelines and passing them into national law.

The IMO legal committee requested that countries host regional and national

workshops on the subject, which SRI has helped to facilitate, most recently in the Philippines.

It is essential that national governments observe the IMO/ILO fair treatment guidelines. Accidents and pollution at sea can arise as a result of circumstances that are beyond the seafarers' control. But if there is a media storm, the ship's crew can be the easiest target for public authorities seeking to demonstrate they are taking action. Seafarers have the right to undertake their work without fear of unfair treatment, unjustified detention and denial of their human rights. ■

# What to do if you face criminal charges

**If you face investigation, detention or criminal charges by local authorities, international law says you must be treated fairly, regardless of the circumstances and the guilt or innocence of those involved. ITF senior legal assistant Jonathan Warring offers some important advice**

**Know your basic rights** – and insist on them being observed. The International Covenant on Civil and Political Rights (ICCPR) details the rights that should be afforded to all people when arrested, detained and tried by any state.

The Joint IMO/ILO Guidelines on fair treatment of seafarers in the event of a maritime accident provide specific advice to seafarers, shipowners, flag states and port states on how to ensure seafarers are treated fairly during any investigation and that any detention by public authorities is no longer than absolutely necessary.

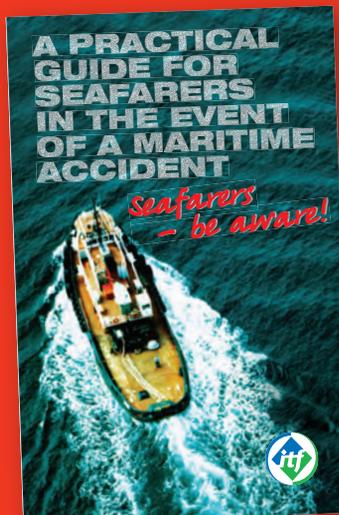
**Seek help from people or organisations who can assist you** – such as your employer or shipowner, union officials, local ITF inspector, local consul or embassy for your home state or the flag state, family, any local seafarers' mission or seafarers' centre

**Cooperate and give truthful information.** You have the right not to incriminate yourself, so you do not have to give any information that may indicate that you are at fault or have committed an offence. To exercise this right, you should answer questions with 'no comment' or silence.

**Ask for an interpreter if the investigating authorities are using a language you are not familiar with** and have not provided one. It is your right to refuse to sign documents which have not been translated into a language you understand.

**Legal representation.** If you are arrested by the police, or detained by state authorities, you should be allowed legal representation. You may be able to get free representation, or, in some circumstances, you could ask your employer to provide a lawyer. You should be allowed to speak to your lawyer on a confidential basis. ■

## MORE SOURCES OF INFORMATION AND ADVICE



**The ITF criminalisation toolkit (it tells you your rights and contains the Joint IMO/ILO Guidelines).**  
<http://bit.ly/39QFprb>

**Seafarers' Rights International (for information about your legal rights).**  
<http://bit.ly/2tLff8j>

**The ICCPR.**  
[www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx)

# How well is MLC working for seafarers?

**Is the Maritime Labour Convention (MLC) really making a difference to seafarers' lives? The ITF is determined to find out and Seafarers' Rights International (SRI) director Deirdre Fitzpatrick describes how her team is helping**

The MLC has dominated maritime labour discussions for over a decade now. Created to provide a level playing field, support the quality shipowner and set minimum standards, it was concluded in 2006 and has been in force since 2013. So far, 94 countries have ratified it, representing 91 percent of the world fleet by deadweight tonnage.

The MLC is a living instrument, changing in line with developing standards and the priorities elsewhere in the maritime industry. It has been amended three times to bring further protections for seafarers: in 2014 (dealing with financial security in cases of abandonment and contractual compensation in the event of the death or long-term disability of seafarers); in 2016 (dealing with bullying and harassment in the workplace); and in 2018 (providing for

pay of seafarers held hostage as a result of piracy or armed robbery).

The MLC is roundly applauded for modernising the international experience by regulating decent living and working conditions for seafarers. But how well is it really working?

To answer this question, the ITF has commissioned SRI to conduct independent research into the effectiveness of the MLC and how well it is being implemented and enforced around the world. We will examine the role of stakeholders, including flag states, port states, shipowners and ship managers; and we will seek the views of masters and seafarers.

An important stakeholder is the ITF inspectorate. Inspectors visit ships around

the world on a daily basis and are uniquely able to report on how the MLC is working in practice. In 2020, ITF inspectors will carry out a dedicated inspection campaign to report on whether ships visiting their ports are in compliance with the MLC, and if seafarers on board the vessels have any complaints concerning the MLC. These results will be fed into the other results of the project.

The overall assessment of the MLC's effectiveness will be of use to governments, employers, workers and all stakeholders concerned with seafarers' rights and protection. It will encourage them to ensure that the MLC remains relevant and supported by the maritime industry. ■

**YOU MUST BE VIGILANT WHEN THE SHIPOWNER:**

- fails to cover the cost of your repatriation;
- has left you without the necessary maintenance and support; or
- has otherwise unilaterally severed their ties with you, including failure to pay contractual wages for a period of at least two months.

**If any of the above occur, you must approach the insurance provider straight away.**

# Act fast if you are abandoned

**If you think you may be abandoned, act fast. It's crucial that you make your complaint and contact the insurer as soon as possible. Otherwise, warns Fabrizio Barcellona, ITF seafarers section assistant secretary, you could lose out financially**

Financial security to protect abandoned seafarers is compulsory for all vessels flying a flag that has ratified the MLC or is trading in ports where the MLC applies.

Shipowners must have a form of insurance, directly accessible to crews, with sufficient funds to provide timely financial assistance to seafarers who have been abandoned. This means an end to being left for months with no food, no wages and no way to get home.

Manning agents and seafarers should check that a vessel has valid abandonment insurance before signing on. And you should think twice before signing a contract if the certification cannot be confirmed.

The certificate of financial security must be conspicuously displayed on board in English. It is called 'Certificate of Insurance or Other Financial Security in Respect of Seafarer Repatriation Costs and Liabilities as Required under Regulation 2.5, Standard A2.5.2 of the Maritime Labour Convention 2006 as Amended'.

Check that the certification is still valid by looking up your vessel on the website of the P&I club or insurer named on the certificate.

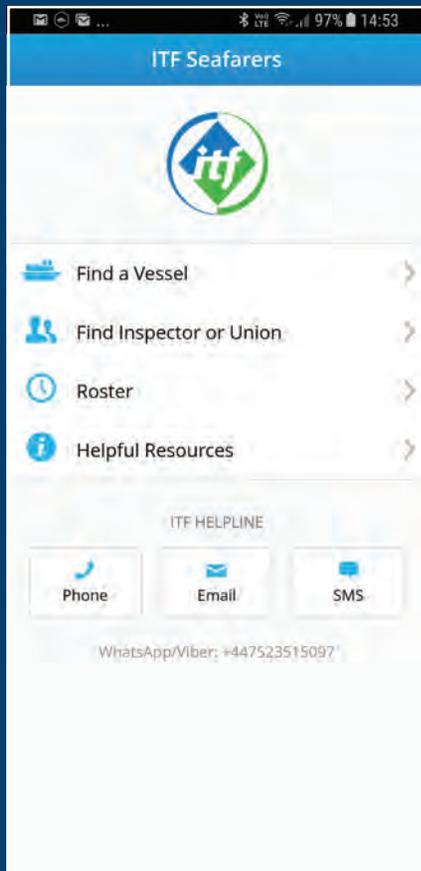
If you think you are at risk of abandonment or haven't been paid for two months or more and want to be repatriated, act quickly. Make a complaint and directly contact the insurer, or ask the ITF to apply on your behalf.

The insurance will cover you for up to four months' outstanding wages and other entitlements as per your employment agreement or collective bargaining agreement. That's why it's important not to leave it too late. If you wait six months to apply, you'll only get four months' back-pay.

The financial security must also cover all reasonable expenses, including:

- adequate food;
- clothing where necessary;
- accommodation;
- drinking water;
- essential fuel for survival on board;
- any necessary medical care; and
- repatriation costs ('appropriate and expeditious' travel, normally by air, and all reasonable journey costs, such as food, accommodation and transport of personal effects). ■

# YOUR ITF GUIDE TO GETTING HELP



[www.facebook.com/  
itfseafarerssupport](https://www.facebook.com/itfseafarerssupport)

## How to find a maritime union or 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](http://www.itfseafarers.org) – click the tab Find an Inspector or Union.

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

- Find contact details for the nearest ITF inspector, co-ordinator or union
- Look up a ship and check conditions on board before you sign on
- 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

SMS +44 7984356573

WhatsApp/Viber +44 7523515097

Email [seafsupport@itf.org.uk](mailto:seafsupport@itf.org.uk)

## Before you contact the ITF

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 Shoreleave app at:

[www.itfseafarers.org/seafarer-apps.cfm](http://www.itfseafarers.org/seafarer-apps.cfm)

Available on   

## Getting hired Crewing agents

The Maritime Labour Convention, 2006 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.

## 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](http://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](http://www.itfseafarers.org/seafarer-apps.cfm)

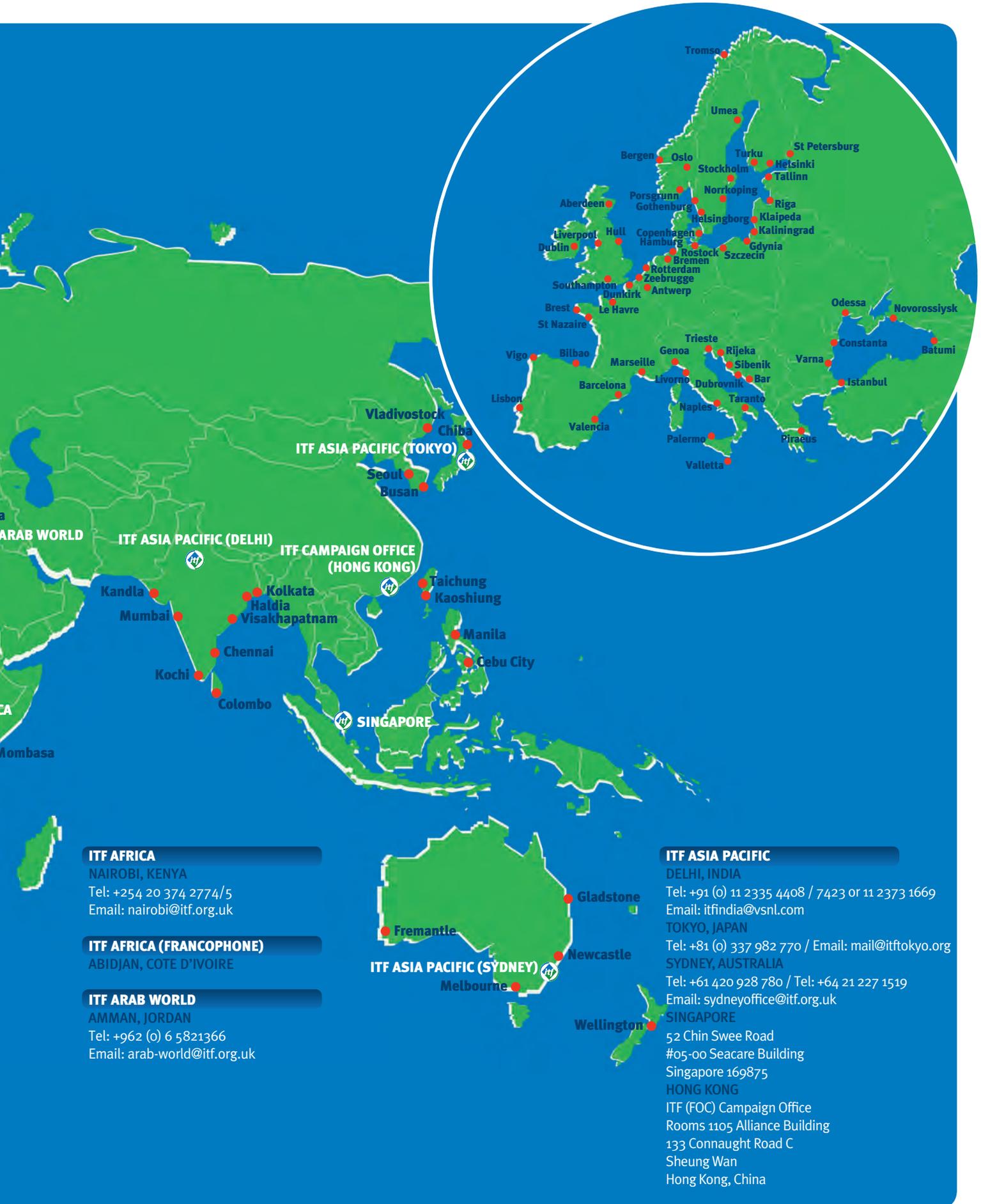
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# Helping seafarers around the world



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# Standing up for your rights

## 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](http://www.itfseafarers.org/your_legal_rights.cfm)

# Seafarer alert: beware scams!

**Beware any great job offer that comes out of the blue because it might be a scam, warns ITF seafarers' section assistant secretary Fabrizio Barcellona**

Treat with extreme caution any unsolicited job offer by email. Think before you act. Was it from a well-known shipping or cruise company? Are the wages fantastic? Then it's a scam.

The same advice applies to vacancies that appear on Facebook. Ask yourself: why would a shipping or cruise ship company use this person and Facebook to recruit people?

Recruitment fraud targeting seafarers – and particularly those looking for jobs in the cruise industry – have increased enormously. The fraudsters set up a website, typically using a genuine company name and logo, then spread the word by direct emails, adverts, free listings and, increasingly, social media.

Once you accept the fake job offer, they'll ask for a 'one-off' fee. Maybe towards the cost of transport to the ship, a visa fee, an administration cost. This is definitely a

scam because visa fees should be paid by the shipowner, and requesting agency fees from a seafarer to obtain any position on board is illegal under the Maritime Labour Convention.

Don't pay the scammers anything. They'll keep coming back for more.

You're at risk even if you start to take up an offer but refuse to pay that first fee. The scammers will probably have asked for information – date of birth, home address, a scan of your passport – that they can use for identity theft. If you've provided your bank account details, notify your bank immediately, or your account will be emptied.

#### **What can you do?**

Walk away. Don't provide personal details. If you've paid anything, stop now.

Check out any job offer. If it came by email

and was unsolicited, delete it immediately and warn your friends.

Beware job offers on what pretend to be shipping or recruitment company websites and of fake jobs on real websites, especially those that have free-to-post job listings and adverts.

**If you're looking for work, visit the websites of renowned cruise lines and big-name shipping companies. Look for warnings on the site and contact the official headquarters if you're in any doubt.** Cruise operators' official websites normally offer a dedicated section with on shore and onboard vacancies where you can send your CV – and many operators run free recruitment events.

**If you're in doubt, email the ITF at [jobscam@itf.org.uk](mailto:jobscam@itf.org.uk) for advice.**

## Common signs of scams

- **Any unsolicited job offer**
- **Any request for money**
- **Any request for bank details**
- **Any request for scans of documents such as passport or qualifications**
- **A mobile telephone number, especially if it's the main contact for a supposed office**
- **An international dialling code that doesn't look right. For example, +234 is Nigeria**
- **Email addresses that do not include the company name – they will never be from a free provider such as gmail, globomail, Yahoo**
- **Email addresses with a country domain that differs from the office's supposed location**
- **Misspelt and ungrammatical messages**

# Historic new law to tackle violence at work

The first international law on violence and harassment at work is a major breakthrough for seafarers and other transport workers and comes after years of campaigning by the ITF and global unions. *Seafarers' bulletin* reports

The new law was adopted in June 2019 by the International Labour Organization (ILO). It takes the form of Convention 190 (a legally binding international treaty) and Recommendation 206 (non-binding guidelines on how the convention can be applied).

This new ILO standard identifies the right of everyone to a world of work free from violence and harassment, and it applies to all sectors. Transport is particularly recognised.

This law makes it clear that the world of work is bigger than the workplace. It covers incidents that occur in the course of work, related to work or arising out of work. This includes incidents which happen in places where a worker uses sanitary facilities, and when the worker is commuting to and from work. This is really important for all transport workers – men and women.

In a very significant step, it also recognises

the effects of domestic violence and the need to reduce the impact of domestic violence in the world of work and outlines a number of measures that could be taken.

Violence and harassment, particularly for women, can prevent workers from accessing jobs and progressing their careers. The new law will help to remove those barriers. It provides a strong foundation to ensure that employment is based on safe and decent work, where no worker is left unprotected.

The ITF and its affiliates are now campaigning hard for governments around the world to ratify and implement the new law so that its ambition is turned into reality for workers on the ground, at sea and in the air.

**Women and men seafarers, dockers and fishers can get involved in this campaign – just email [women@itf.org.uk](mailto:women@itf.org.uk) to find out more. ■**

**“This historic new global standard must mean action to end and prevent violence and harassment in the world of work...The lives of ITF union members, and in particular women transport workers, will be improved as a direct result.”**

Diana Holland, chair of the ITF women transport workers' committee



## Championing opportunities for seafaring women

**Seafarers' bulletin asks Lena Dyring, director of cruise operations for the Norwegian Seafarers' Union, about her life in maritime**

### Why did you choose a career in maritime?

I have always been fascinated by the maritime industry, as it has very high visibility and a lot of tradition here in Norway. However, I started work in the hotel industry shore-side and then stumbled into maritime by chance when I moved to Miami in 2004 and met Johan Øyen, the NSU cruise industry and overall labour rights legend. I started working for the NSU and have never looked back.

### What interests you most in your present job at the NSU?

Labour rights are crucial to achieve equality for working people, and for women in particular. I am lucky enough to have a position where I

can influence this in my own tiny way. For this I am forever grateful, it makes it meaningful to wake up and go to work every day. I also get to work in an international environment in an industry that is ever changing and evolving. My job combines my two loves – the maritime and hospitality industries.

I travel a lot – mainly for cruise line negotiations, ship visits and speaking engagements. As cruise team coordinator, I visit our representatives in Norway, Puerto Rico and Indonesia. They handle most of the ship visits, grievances and cruise seminar administration.

### You're also the ITF seafarers' section's women's representative – what does that involve?

Through this role, I get to be the spokesperson for women seafarers all over the world in the ITF's top decision-making bodies. It also provides a unique opportunity to speak about women's challenges and opportunities within the maritime community and contribute to positive change for women in this industry.

### What are the biggest challenges facing women seafarers today?

There are still a few challenges for women seafarers. Just the fact that women only comprise 1-2 percent of total seafarers is a challenge in itself, as it may cause some women to be more hesitant about seeking a career at sea. Also, traditional notions that seafaring is not for women are still rampant. In some parts of the world, women graduates from maritime colleges have a very hard time finding meaningful employment, even if they have better results than their male counterparts. Sexual harassment, or even the fear of becoming a victim of sexual harassment, also holds women back.

But I want to stress that there has been a lot of positive change in recent years. There has been an increased focus on attracting women to seafaring and in keeping them there once they have joined. We see greater efforts to create a more gender balanced workforce and a good working environment on board. This creates a better workplace for both men and women. ■

# ITF supports seafarers in danger zones

**Steve Yandell, ITF seafarers' section senior assistant, outlines the ITF's efforts to minimise risks to seafarers serving on vessels in areas of piracy or conflict**

When piracy or armed robbery happen at sea, seafarers are on the frontline, at risk of being injured, assaulted, taken hostage or killed.

Attacks have increased dramatically, affecting thousands of seafarers and their families.

In the Gulf of Guinea, piracy and armed robbery have been long-standing problems. In the first nine months of 2019, this region, off the coasts of Nigeria, Guinea, Togo, Benin and Cameroon, accounted for 86 percent of piracy incidents in which crew members were taken hostage.

However, this terrible crime affects other parts of the world. The Singapore Straits has witnessed many attacks in recent years, particularly affecting Indonesia, Malaysia and the Philippines. South America has become the latest region to see an increase, with several incidents of violent armed theft against ships at anchor reported in 2019. Only constant vigilance and heavily armed patrols from international naval ships have prevented a recurrence of the multiple attacks that occurred around the Gulf of Aden a few years ago.

Ships' crews can go through a terrifying ordeal when encountering piracy firsthand, and will experience anxiety when entering a known piracy hotspot.

In the early hours of 4 November 2019 armed assailants boarded the Elka Aristotle, a Greek tanker, when it was at anchorage off Lome in Togo. Four members of the 24 crew were on board and were kidnapped: two Filipinos, one Greek and one Georgian. The Togolese navy reported that armed guards had tried to fight off the attackers but one was shot and wounded.

This was the second piracy incident in three days, after the Norwegian JJ Ugland bulk carrier was boarded and nine crew members were abducted off the coast of Benin.



In June 2019, the ITF, Baltic and International Maritime Council, International Chamber of Shipping and Oil Companies International Marine Forum brought together governments, experts and industry stakeholders to address the human and economic impact of piracy and armed robbery in the Gulf of Guinea and discuss possible solutions to the current crisis.

### Protecting seafarers in conflict zones

The ITF led industry calls for calm in the conflict in the Strait of Hormuz around the Gulf of Oman, following the seizure of the Stena Impero on 19 July 2019. It ensured that the area was declared a war-like 'Temporary Extended Risk' zone, meaning that seafarers attacked in the area would receive a bonus, and double death and disability compensation should the worst occur.

In such conflicts, the ITF works with the shipping industry to lead calls for a diplomatic solution, for seafarers to be allowed to continue working unharmed and for all states to assist in seeking the release of any captured seafarers. ■

# ITF inspectors on your side

ITF inspectors operate around the globe fighting for and protecting seafarers' rights. *Seafarers' bulletin* introduces the Spanish team and the newest inspectors and, overleaf, reveals how inspectors are reaching into new ports and countries

## Meet the newest inspectors



### Jose A Claudio Baez

(San Juan, Puerto Rico) was a longshoreman and checker (directing the loading and unloading of ships) and is president of committee elections in his union, Local 1740. Being an inspector means he can defend seafarers' rights and see them treated with respect. Jose is keen to help seafarers have a place to relax during their free time, with free wi-fi to communicate with their families.



### Catherine Haizel

(Ghana) worked at sea for 15 years before retiring and becoming a lecturer at the regional maritime university. As inspector, she mainly covers the two ports of Tema and Takoradi. Catherine wants improved working conditions for seafarers and to get ships calling at Ghana's ports to operate under a collective bargaining agreement.



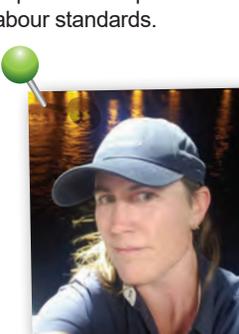
### Hassen Mellis

(Algiers, Algeria) was a seafarer for 27 years, finally as chief officer on board Algerian liquified natural gas carriers. A member throughout of the FNTT/UGTA union, he has been active in the ITF since 2017. Hassen sees being an inspector as an "honourable challenge" and will do his best to help seafarers in difficulties and ensure that shipowners respect national and international labour standards.



### Hamid Rachik

(Casablanca, Morocco) was a deck officer and chief mate during 12 years on board Moroccan and Russian vessels. He then worked as manager of a container terminal in Casablanca port and is the first deputy general secretary of the dockers' and seafarers' section of the Moroccan workers' union UMT. Hamid wants to use his experience and knowledge to help seafarers win decent, safe and respectable working conditions.



### Sam Levens

(San Francisco, USA) brings to the ITF a wealth of experience – including 14 years as a deckhand on the San Francisco Bay ferry system and labour organising and activism with the International Longshore and Warehouse Union and local community-based organisations. Sam is excited to have a greater impact on seafarers' rights worldwide and to build solidarity with community groups and labour unions throughout northern California.

# Spotlight on the Spanish team

The five-strong Spanish inspectorate team is one of the ITF's largest, delivering support and assistance to seafarers along almost 8,000 km of Spain's coastline. Based in large ports, each inspector also has responsibility for other ports.

Spain's strategic position – at the crossroads of the Mediterranean, Atlantic, African coast and North Sea routes – means the team helps seafarers from many nationalities and deals with extreme cases of abandonment.

The inspectors are employed by Spain's three ITF-affiliated unions (FeSMC-UGT, CCOO and ELA). They work strongly as a team and have built up an important network of maritime contacts, which allows them to cooperate well with port state control to resolve difficult cases.



**Luz Baz**, team coordinator (based in Vigo, covers north west Spain). She qualified as a lawyer and as a deck officer before being appointed ITF inspector in 2006. She thinks her job is "one of the best in the world" as it combines her knowledge, experience and passion to defend seafarers' and fishers' rights.



**Marc Martí** (based in Barcelona, covers Catalonia and the Balears Island). He became a port agent aged 20 and was a CCOO union representative for eight years. This exposure to the exploitation and vulnerability of seafarers led him to join the inspectorate in 2019.



**Mohamed Arrachedi** (based in Bilbao, covers north Spain). He joined the ITF in 2001 as an inspector. His language skills and experience of dealing with different cultures have benefited seafarers and the team. Since January 2018, Mohamed has been developing the ITF Arab World & Iran network and coordinating the contacts in that region.



**Juan García** (based in Valencia, covers Spain's 776 km-long east Mediterranean coast). His experience as a crew member and master for 16 years taught him about the difficulties of life at sea. He joined the ITF in 2010 and has since handled nearly 900 inspections and cases.



**Gonzalo Galán** (based in Las Palmas, covers the complex Canary Islands). An inspector since 2014, he is also one of the ITF inspectors dedicated to fisheries and has been coordinating fishing vessel cases globally during 2019.

## ITF expanding inspectorate networks

In countries and ports where there are no ITF inspectors – for reasons of geography, politics or capacity – seafarers are particularly vulnerable.

Few inspectors were able to operate in the Arab World, which has some of the most extreme cases of exploitation. So, in January 2017 the ITF established a structure of union contacts in the region to boost the ITF's capacity to support seafarers in trouble by handling and coordinating seafarers' calls for help.

The success of the network encouraged the ITF to take a similar approach elsewhere. In April 2019, unions launched the Latin America and Caribbean network, and the Asia Pacific network was launched later the same year. In West Africa the network has been operating since 2011 but was re-modelled in 2018.

The networks also work to ensure that shipowners are complying with their obligations to provide decent pay and onboard working and living conditions.

The contacts nominated by ITF-affiliated unions participate in a two-day training course on seafarers' labour rights under the Maritime Labour Convention (MLC), ITF agreements and the flag of convenience (FOC) system, and the role of the ITF inspectorate in protecting seafarers' working and living conditions.

### Latin America & Caribbean network

Across Latin America seafarers and dockers have been subject to attacks on their rights to safe and decent work. The 23-strong network defends the rights of exploited international seafarers, protects seafarers working in the domestic trade and dockers doing the heavy lifting on the shoreside. It assists seafarers on board at ports with no inspectorate presence and aims to cover specific ports where dockers' issues are high on the agenda for the ITF and unions in the region. As with the Arab World network, it also assists with organising and intelligence gathering for ITF maritime campaigns.



**Contact the Latin America & Caribbean network coordinator:**

**Juan Villalon-Jones (Chile)**

**Tel:** +56 9 9250 9565

**Email:** villalon\_juan@itf.org.uk

*(Antigua & Barbuda, Barbados, Chile, Colombia, Costa Rica, Dominica, El Salvador, Guatemala, Guyana, Nicaragua, Peru, St Lucia, Trinidad & Tobago, Uruguay, USA - San Diego, Venezuela)*

### Asia Pacific network

This network of eight contacts aims to provide local assistance to seafarers working on sea-going vessels. In February 2019, it began contacting unions in countries where there are no ITF inspectors to seek support in developing the contact network. By October 2019, eight countries had agreed to join and the ITF successfully trained the nominated contacts the same month.



**Contact the Asia Pacific network coordinator:**

**Jason Lam (Hong Kong)**

**Tel:** +852 9735 3579

**Email:** lam\_jason@itf.org.uk

*(Bangladesh, Cambodia, Malaysia, Myanmar, Pakistan, Papua New Guinea, Solomon Islands, Thailand)*

### West Africa network

The 10-strong network aims to improve the skills and knowledge of the contacts, the quality of ship visit reporting and our relationships with local authorities covered by the MLC. It also lobbies governments in the region to ratify the MLC. Most of its ship visits take place in five of the six countries with contacts, with the majority taking place in Ivory Coast. In 2018 we carried out over 80 ship visits, in the first half of 2019 we conducted

over 45. We intend to step up the number of visits further as we have serious labour problems on FOC vessels in our ports.



**Contact the West Africa network coordinator:**

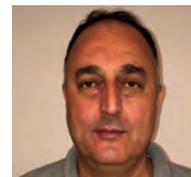
**Luiz de Lima (Brazil)**

**Tel:** +55 96455 7094

**Email:** delima\_luiz@itf.org.uk

*(Benin, Cote d'Ivoire, Ghana, Guinea Bissau, Senegal, Togo)*

### Arab World & Iran network



**Contact the Arab World & Iran network coordinator:**

**Mohamed Arrachedi (Spain)**

**Tel:** +34 629 419 007

**Email:** arrachedi\_mohamed@itf.org.uk

*(Algeria, Bahrain, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Sudan, Tunisia, United Arab Emirates, and Yemen)*

Read the latest news from the Arab World and Iran network on pages 28-29.



# Seafarers are always ready for change

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**Seafarers have long proved themselves good at adapting to change. So, claims Jihyeon Gina Kim, the ITF's International Maritime Organization liaison assistant, there will always be a role for experienced seafarers in a maritime industry shaped by advanced technology and digitalisation**

For more than 200 years, the maritime industry has experienced many changes, including the introduction of automation. The change from sail to steam, steam to diesel, coal to oil, oil to new blended fuels; and the introduction of radar, Electronic Chart Display, Information System (ECDIS) and electronic certificates.

And throughout these changes, seafarers have been there 24/7.

Automation has required crew to carry out new technical and operational tasks with the support of machinery, and to make appropriate decisions at all times. It has demanded that seafarers adapt to different circumstances with proper and timely competences and qualifications.

Throughout, seafarers have been at risk of accident, sometimes even losing their lives. And too often, seafarers have been blamed for events outside their control and criminalised. But seafarers have endured and shown the world what they are capable of.

So what about now? The talk is of Shipping 4.0 or Maritime Industry 4.0, all about digitalisation and advanced technologies. Perhaps we are more familiar with the terms unmanned or autonomous ships. Whether it is about no humans or some humans, automation and digitalisation started more than half a century ago.

The ambitions now are to reduce pollution through the use of clean fuel; protect lives at sea; reduce administrative burdens; make ships and cargoes more secure with highly encrypted data exchange systems; and minimising ships' turnaround and cargo handling time at ports for the satisfaction of customers.

The industry predicts that seaborne trade will increase because of its economic and environmental merits and that, with the increasing connectivity among different transport sectors in the supply chain, it will have to play new roles. More personnel on board or ashore will be needed, with new qualifications and competences to ensure they

are more able to adapt to highly advanced and dynamic operational situations.

However, despite all this, there will always be a need for seafarers' authentic nautical knowledge, skills, competence, experience and expertise. Technological development is not about removing the human element from the maritime industry; it is about enhancing safety. Seagoing experience will always be regarded as an attractive, outstanding qualification which will open doors in the maritime industry and allow seafarers to pursue lifelong career paths.

I think we need answers for the following questions about autonomous ships. Will the remote controllers be properly educated seafarers? Would shipowners see it as cost effective to exclude maintenance crew on board and carry out the work on shore? Can we trust the current cyber security level?

But overall, I believe that technology must and will be utilised in the right way because seafarers will always be here. ■

# Investing in seafarers' wellbeing

*Seafarers' bulletin* looks at how the ITF and its unions are trying to create greater openness and awareness about sensitive subjects like mental and sexual health so that the maritime industry takes seafarer wellbeing more seriously

## ITF urges seafarer training to include wellbeing

To ensure young seafarers are better able to look after their mental and sexual health, the ITF has produced a new wellbeing module for maritime education institutions. Dr Syed Asif Altaf, ITF global wellbeing and HIV/AIDS program coordinator, explains



Research shows that there is a high level of stress and depression among seafarers of all ages, nationalities and ranks. (Read more on page 34.)

There are fewer studies on cadets' vulnerability to stress and depression but some of the secondary data is very alarming. Of the crew deaths notified to the UK P&I Club in 2015, some 40 percent were cadets. Isolation and the impact of social media were cited as factors in some of the cases.

In response, the ITF wants all young seafarers setting out on their maritime career to be better able to deal with stress on board and ashore. Behaviour change experts argue that there is more possibility of long-lasting impact if mental health issues are tackled early on.

# Hotline offers help to stressed seafarers

To help seafarers maintain their wellbeing, the Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP) has launched a 24/7 hotline for members experiencing mental health problems on board. Camille Simbulan, AMOSUP's special projects head and coordinator for women and youth, tells us more

Seafarers know that being away at sea and separated from family for a long time can affect their emotions and mental health. Research by the ITF and others has shown that stress, depression and anxiety cause real difficulties for seafarers and that good mental health is crucial to work performance and general wellbeing.

That's why AMOSUP decided to set up its hotline in 2019, to enable seafarers to share their concerns. Under the supervision of lead psychologist Dr Rommel Papa, trained mental health responders answer seafarers' calls and classify each according to severity: calls that need an emergency response or evacuation from the vessel; calls that need mental health support or follow-up; and calls that need motivational interviewing – 'mood boosters'.

The service is based at AMOSUP's Seamen's Hospital in Manila, making it easy for responders to refer seafarers when necessary to resident psychology or psychiatry experts.

Dr Papa stresses that seafarers of every rank and status call the hotline. The service has already handled some urgent and emergency cases, which were usually caused by personal problems.

One patient reported a family problem that resulted in depression and even suicidal thoughts. The seafarer was eventually evacuated due to acute brief psychosis and depression that led to self-inflicted harm. Another seafarer reported feelings of discomfort, weakness, nightmares and chest pains. The responder prescribed a medication and ordered the seafarer's disembarkation to the nearest port for further medical evaluation.

Dr Papa explains, "Correct information is essential to promote understanding among seafarers that mental health disorders, just like physical disorders, can be treated. Medical support is everywhere."

The mental health hotline is the newest feature of AMOSUP's TELEHEALTH service, begun in 2016 to allow hospital consultations for emergency medical problems. It also helps ship officers to diagnose and treat ill or injured crew onboard or at offshore facilities where shore-based care is not possible.

The Seamen's Hospital also offers psychological appointments for trauma counseling and stress debriefing for women seafarers who have experienced bullying and harassment on board. ■

Dr Papa recommends **SUPPORT** to seafarers experiencing problems affecting their mental state:

**Seek help if necessary**  
**Understand the situation from multiple points of view**  
**Productivity is key**  
**Prayer, reflection, contemplation or any form of meditation to clear the mind**  
**Offer help to someone in need**  
**Respect your sense of self and value quality time alone**  
**Talk to a mental health professional**

You can contact the **Mental Health Hotline** at any time of day or night on its two phone lines **(+632) 241-9465** and **(+632) 241-9463** and via the internet.

**"When I was a student at maritime school there was no awareness education on wellbeing issues. Now we are very happy to work with the ITF to introduce the wellbeing module in the curriculum to help future seafarers understand the human side of the seafaring job. It will give them knowledge and skills to be healthy and happy."**

Aung Kyaw Linn, general secretary,  
Independent Federation of  
Myanmar Seafarers (IFOMS)

We are working in several seafarer-supply countries, including India, Philippines, Ukraine, Myanmar, Sri Lanka, Chile and Mexico, to introduce a module on wellbeing at sea into the curriculum of all maritime institutes.

Working with others in the industry, we have developed training modules which are specially tailored to each country's national laws and cultural sensitivities. The ITF carries out training of trainers (TOT) so that we can be certain that every student in every maritime training institution develops the knowledge, skills and attitudes to manage their stress when they go on board ships as trainees or cadets and throughout their seafaring careers.

The module also ensures that young seafarers receive good education and a proper

understanding about vulnerability to HIV/AIDS and other sexually transmitted infections. Seafarers are highly mobile workers, almost exclusively men of sexually active age, who are away from their spouses or partners for extended periods. Young seafarers, including cadets, can be exposed to risky sexual behaviour or practice due to peer pressure or the influence of senior colleagues.

Traditionally, maritime training has been primarily focused on the practical issues of seafaring, about getting ships from point A to point B in the quickest, safest way. We need to make sure that the human side of being a seafarer is also a priority. ■

# Stronger support for seafarers in Arab World and Iran

**Mohamed Arrachedi – the ITF’s Arab World and Iran contact network lead – gives an update on developments in the region and highlights two successes in the face of shipowner impunity and a lack of cooperation from flag states**

## Boosting support for abandonment cases

**There has been a big rise in the number of cases handled by the network.**

In 2017, it handled 79 cases and collected over USD600,000 in owed wages. In 2018, there were more than 100 cases, with nearly USD2,000,000 in claims for owed wages. At the end of October 2019, the number of cases handled stood at 85 and the owed wages collected was USD3,768,616.

A large proportion of these cases involve abandonment, which is notoriously prevalent in Arab World ports.

In response to the increased caseload, the ITF ran seminars in Morocco and Lebanon in 2019 to ensure that all its contacts in the region fully understand the Maritime Labour Convention and learn the skills required to provide quality assistance to seafarers, particularly when dealing with complex abandonment cases. The seminars also explain the benefits of collective bargaining for ITF-affiliated unions who organise seafarers. ■

## Syria ship inspection a first for ITF

A delegation of Syrian and Lebanese union officials boarded the Syrian-flagged *Lady Caroline* at the Port of Latakia, the first time the ITF had secured a ship visit in Syria.



In response to a call for help in June 2019, Nasser Nazzal, president of the Lebanese Seaman's Syndicate and the new ITF contact in Lebanon, and Samir Haydar, president of the Seafarers Syndicate of Syria, boarded the ro-ro passenger ship to visit the stranded crew. They delivered financial assistance for the seafarers to buy food, water, phone cards and basic provisions.

The vessel was arrested in court and the 13 seafarers, from Syria, India, Egypt and Turkey, launched a legal claim for their owed wages. The six Indian crew asked the ITF to help them be repatriated.

Nasser Nazzal put in a huge amount of time and effort to help. He travelled to Syria, visited the ship and dealt with every detail of the administration and logistics involved in getting the men repatriated on humanitarian grounds. The unions' help and funding from the ITF enabled the men to fly home from Damascus airport on 2 October. ■

## Authorities ignore case of modern slavery

In one of the most notorious cases the ITF has come across in the region, three Pakistani crew members were abandoned for nearly two years on the Iranian-flagged *Borhan 3*, in a clear case of modern slavery.



The men were recruited in Pakistan and joined the vessel in 2017. They received no wages and were abandoned on board for 22 months in Bushehr port, Iran. They lived in miserable conditions on board, with no support at all from the company, the flag state or the port authorities. By the time the ITF received the crew's call for help, their contracts had long expired. The seafarers were extremely distressed and their families were struggling financially. They had no idea when they would get paid or could go home.

It appeared that the shipowner, Borhan Darya Kish, was pursuing a deliberate strategy to drive the men to desperation so that they would drop their financial claims and ask only for repatriation. That's what the vessel's previous crew had done.

The ITF and our contacts in Iran kept trying to contact the shipowner and the flag and port states. There was no response. We were shocked by how the company acted with impunity and at the lack of responsibility and cooperation from the Iranian flag state, maritime authorities and the Pakistan Embassy in Iran.

Despite this, the ITF and Alireza Moradi, our contact from the Iranian Merchant Mariners Syndicate, battled on and managed to secure both the seafarers' repatriation home on 27 and 29 September 2019 and USD16,112 in owed wages. ■

## Cooperation to support seafarers in Saudi ports

The ITF and the Kingdom of Saudi Arabia have committed to work closer together to support seafarers calling in Saudi Arabian ports.

The significant move came at a meeting in London on 21 October 2019 between the IMO (International Maritime Organization) Permanent Representative of the Kingdom of Saudi Arabia, Essam Alamari,

Steve Trowsdale (ITF inspectorate coordinator) and me.

The meeting discussed a number of issues including current requests to support seafarers in Saudi ports, greater collaboration between the ITF and the Saudi maritime authorities and the ratification of the Maritime Labour Convention (MLC) 2006. This closer working relationship quickly produced a positive outcome with the successful repatriation of five seafarers with their entitled wages from the vessel MKN 205 in Dammam port.

(Read about the ITF's new regional contact networks on page 22.) ■

# Perspective of a first-time cadet

**Full steam ahead, cadets! That's the message Dorotea Samaržija wants to pass on following her first experience on board as a deck cadet**



Being a woman, I had never thought I would be given the opportunity to live my dream and sail as a cadet.

But while studying nautical engineering after graduating from the Faculty of Maritime Studies in Rijeka, Croatia in 2017 with a bachelor's degree and the title of nautical engineer, I was given the opportunity to become a cadet. It was a major crossroads in my life – to continue my studies or seize the chance to make my greatest desire come true. I decided on cadet training to put into practice all that I had learned in theory.

When I joined the ship in September 2018, I felt excitement and happiness but I was also overwhelmed by sadness at knowing that for a few months I would be miles away from my home and my loved ones. During my first days on board, I made a big effort to orientate myself and I soon became more comfortable with the new environment.

I worked with officers from India and mainly Filipino crew members. I am so grateful to them for pointing out my mistakes, for generously giving their time and effort to direct me to do my job consistently and well. I tried to learn as much as possible about my future job from the officer I was standing watch with.

I had the opportunity to pass through a cofferdam and try my hand at deck work. In addition to navigation and bridge work, I spent time in the engine room, learned ballast and cargo jobs and kept the logbook. We voyaged between ports in India, China, South Korea, Singapore and the Malacca Strait, where I witnessed navigation in the heavily congested maritime traffic.

During my time off, I visited the gym, watched movies and contacted my family and friends through social networks. I also used the time to revise and consolidate what I had learned throughout the week.

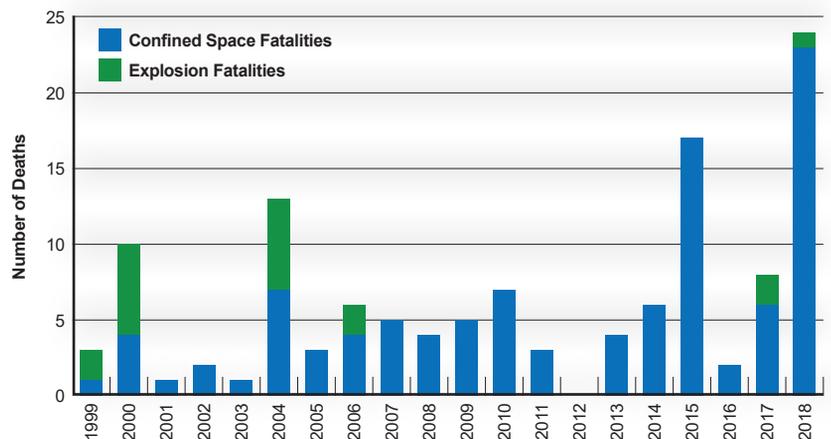
My four-and-a-half months on board passed fast. When the day came to disembark, I felt sad about leaving my first ship and the now-familiar working environment. However, the nostalgia for the ship quickly faded in the sea of feelings for the loved ones I would soon be with.

I am pleased that I had a chance to experience so much in practice, that my first voyage lived up to my expectations and that I want to continue my career as a seafarer.

My message to future male and female cadets is that, regardless of prejudice from others, anything is possible if your desire is strong enough. So, "full steam ahead, cadets!". ■

# Shocking rise in maritime deaths in confined spaces

Workers need a minimum of two things from the air in their workplace: that it's safe to breathe and that it doesn't explode and kill them. But, says Peter Lahay, ITF Canada national coordinator, deaths in confined spaces is a hazard long familiar to the shipping industry



Confined space fatalities 1999-2018. Source Vistrato Limited 2018.

In the past 20 years, 145 maritime workers have lost their lives working in confined spaces.

And a shocking spike between January 2018 and April 2019 saw 28 people – 16 dockers and 12 seafarers – die from asphyxiation or explosions in confined spaces, or from falls after passing out due to bad air.

This massive rise in fatalities shows the callousness of those running the shipping industry today. Companies that choose to save a dollar rather than train and equip workers to labour safely in confined spaces or invest in an onboard safety culture in which workers can take the time they need to vent cargo holds, ensure sufficient good air or question a risk.

Maritime workers may not be fully aware of

the varied dangers posed by forest products, coal, iron ore, grains, gases and other cargo.

It is not enough for a worker to rely on opening the hatches for 30 minutes and hope for the best, or to try and protect themselves on their own. It is not enough for workers to take all available precautions but sometimes still be caught without sufficient protection by pockets of gas and lack of oxygen. And it is absolutely not enough that workers are left to cope with an inhumane industry by risking their own lives to save their fallen colleagues.

Shipowners have a duty of care for their crew and for dockers employed to carry out their cargo operations. The International Maritime Organization (IMO) provides international guidance and requirements concerning the carriage of bulk cargo worldwide – this

includes identifying and grouping cargoes based on hazard, guidelines for safe handling and procedures for testing.

Education and procedures are not optional. The negligence of shipowners who disregard standard procedures and cost workers their lives must be met with a punishment proportionate to the lives lost.

The ITF is working with the industry at the IMO to ensure that the regulations governing confined space are strong enough to protect all maritime workers. We continue to fight against operators who routinely force workers to choose between risking their lives or their jobs. We also back calls from our affiliated unions for industrial manslaughter laws for employers who deliberately risk workers' lives. ■



# Thai fishers' union continues building strength

**The first union for fishers in Thailand is ambitious for change in the industry. Jon Hartough, ITF Thailand project lead, showcases the FRN's remarkable achievements in its first two years**

Fishers working in Thailand suffer some of the worst abuses in the global industry.

To stand up for their rights, in 2017 fishers formed their own trade union – the Fishers Rights Network (FRN).

Since then, the Thai government has reacted to global scrutiny: it has overhauled how the industry is monitored and inspected, ratified the international fishers' convention (ILO C188), and strengthened national law, including increasing the penalties for infringing fishers' rights. But the majority of fishers in Thailand are still vulnerable to abuse and exploitation.

Without enforceable rights at the workplace and the strength that comes from being represented by a union, labour rights violations and the mistreatment of fishers will continue. That is why the ITF continues its support for migrant fishers organising the FRN and is excited about the significant progress that has been made in Thailand.

More than 1,200 FRN fishers have signed a C188 petition, calling for the Thai government to pass its fisheries act and take the actions necessary to ensure that C188 provisions are fully implemented and effectively enforced through legislation and regulations. In November 2019, in the presence of the EU delegation in Thailand, they presented the petition to top government officials from the Thai navy, labour department, Command Center to Combat Illegal Fishing (CCCIF) and the Department of Labor Protection and Welfare (DLPW).

In its other work, FRN organisers and staff conduct first aid outreach and education covering CPR, medical treatment, and general health and safety on board. To date, it has trained over 400 fishers in emergency medical response and effective use of medicine and has distributed hundreds of first aid kits to boats in Songkhla, Ranong, Pattani, Trat, Kura Buri, Phang Nga and Rayong.

FRN continues to work closely with the

International Labour Organization (ILO) on its Ship to Shore Rights project in Thailand, which aims to prevent and reduce unacceptable forms of work in the Thai fishing and seafood processing sectors. This involves FRN in organising fishers in Trat, Songkhla and Ranong and representing fishers at important coordination meetings throughout the country.

Recently, FRN has been assisting the US-based Solidarity Center (AFL-CIO) in implementing its project 'Advancing Internationally Recognized Migrant Worker Rights Along the Andaman Coastal Provinces'.

The FRN has also trained fishers in Ranong, Phang Nga and Kura Buri in labour rights, collective bargaining and health education.

In 2018, the ITF negotiated a Vessel Code of Conduct with Thai Union, the world's largest tuna company. FRN will continue in 2020 to train all Thai Union suppliers on the code,



## ITF keeps up pressure on Ireland fishers' scandal

The ITF still has the Irish government in its sights to ensure the effective implementation of agreed measures to protect migrant fishers, reports Jonathan Warring, senior legal assistant

including its collective bargaining and freedom of association provisions. This is an exciting organising and education opportunity for fishers supplying Thai Union, and will enhance efforts to get health and safety agreements throughout the supply chain.

At a regional level, FRN is taking a leading role in the ILO SEA Fisheries Forum, working closely with the ITF and its affiliates the PSU (Pilipino Seafarers Union), KPI (Indonesia) and the Independent Federation of Myanmar Seafarers (IFOMS) to strengthen regional coordination and boost national efforts to combat trafficking and forced labour in the fisheries sector.

FRN has also been working with the ILO, the Myanmar government and IFOMS to deliver pre-departure training for Burmese fishers leaving for work in Thailand, educating them about the union and their labour rights and protections under Thai law. ■

In May 2018, the ITF was left with no option but to launch legal proceedings against the Minister for Justice and Equality in Ireland, following the discovery of more than 15 potential victims of human trafficking working in the Irish fishing industry.

This followed more than a decade of work by the ITF coordinator for the UK and Ireland, Ken Fleming, collecting evidence of systemic abuse and exploitation of migrant fishers in the country.

ITF investigations concluded that the Atypical Working Scheme for non-EEA fishers, a scheme that had been introduced to improve conditions and help protect migrant fishers, was in fact having the opposite effect. It was effectively tying a fisher to one employer, who was then able to exploit a position of power over those working on their vessels, and various state bodies were failing in their obligation to police the scheme.

The minister refused invitations to work with the ITF to resolve issues with the scheme, even following the launch of legal proceedings. The ITF pursued the matter to the High Court where the state fiercely defended the scheme, leading to significant delays in the hearing of the case.

In April 2019, the ITF and the relevant government agencies entered into mediation discussions, with the aim of agreeing significant safeguards for migrant fishers in Ireland without further delay. After two days, the ITF managed to secure an agreement

with the Irish government to introduce a suite of measures to protect migrant fishers from conditions of modern slavery and human trafficking.

A major government concession was the assurance that non-European fishers will no longer be tied to the sponsoring employer registered through the scheme. The fisher will be entitled to leave without the employer's permission and with time to seek alternative employment, without the threat of immediate deportation.

Other commitments included providing contracts and information about rights in both the fisher's native language and English; and a pledge to turn into Irish law an EU directive on maximum hours of work, minimum hours of rest and manning requirements aboard commercial fishing vessels by 15 November 2019.

The US State Department's Trafficking in Persons Report of June 2019 maintained its criticism of the Irish state and, for the second year in a row, designated it a Tier 2 state, due to its failure to reach minimum standards for the elimination of trafficking.

At the end of October 2019, the ITF had seen little evidence of the Irish state taking the implementation of agreed measures seriously or any meaningful change for fishers. The ITF continues to monitor the situation closely and to push for proper engagement from the government agencies responsible. ■

**“Migrant fishers in Thailand have taken charge of building their own independent democratic union and are standing up for their rights. It's been a struggle, but with ITF assistance the Fishers' Rights Network (FRN) has become a fighting force for change in the Thai fishing industry and in the region. We're excited to see the progress that's been made, and we have much more work to do together to achieve justice for fishers throughout the region.”**

Johnny Hansen, chair, ITF fisheries section

**Follow the progress of the Fishers' Rights Network at [www.justiceforfishers.org](http://www.justiceforfishers.org)**

# Seafarer depression rates higher than other workers

**New research shows that seafarers have much higher rates of depression than other working populations, a finding that is both shocking and depressingly familiar, says Katie Higginbottom, head of the ITF Seafarers' Trust**

The Trust commissioned the research by Yale University on seafarers' mental health, looking at causes of depression, anxiety and suicidal thoughts and seeking to identify ways to reduce the risks.

The study analysed 1,572 responses from seafarers across the maritime industry. It found that:

- a quarter suffered from moderate to severe depression,
- seventeen percent had anxiety,
- twenty percent had considered self-harm or suicide for at least several days in the two weeks before completing the survey, and
- young seafarers and women seafarers are most at risk.

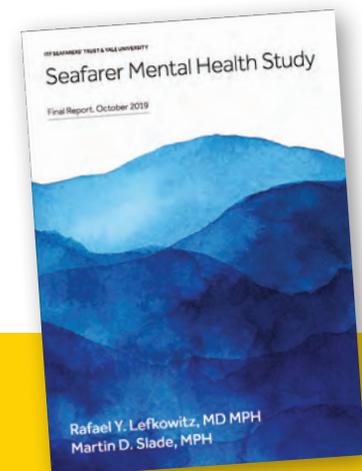
Significantly, seafarers with depression or anxiety were at least twice as likely to have had injuries and/or illnesses during the preceding 12 months. Poor mental health also has a dramatic impact on injuries and illness, which in turn affects lives and ship operations.

The report reveals that the risk is greater when seafarers work for badly managed companies that don't look after their crew, where they are

subjected to violence at work and when they have low job satisfaction. Overwhelmingly, seafarers with high levels of depression and anxiety also felt inadequately trained for the tasks they had to perform and unable to influence decisions. These are issues common to many workers and workplaces and can be tackled.

But several factors increase the particular risks for seafarers. Seafarers are largely invisible to the rest of the world. They experience isolation on board, periods of extreme fatigue and have responsibility for a large and valuable asset, one that can cause an environmental disaster resulting in massive fines and criminal liability. The lack of permanent contracts, combined with a ready pool of labour and over-supply of vessels, leads to competition at the expense of the human beings working at sea. And maritime laws and employer responsibility remain opaque, in spite of the Maritime Labour Convention.

Mental health seems like a very personal matter, but in reality, the issues are universal: lack of control, lack of care and support and lack of power to change things for the better. ■



#### THE YALE REPORT RECOMMENDS:

- **The maritime industry should incorporate strategies to support mental health where resources are limited, focusing particularly on higher-risk seafarers, higher-risk environments and higher-risk periods (such as the last days at home, the first days of a voyage, and during contract extensions)**
- **Maritime training institutes should address seafarers' mental health issues**
- **Companies should increase support for cadets and new recruits, and ensure they have appropriate training programmes in place for seafarers**
- **The maritime industry should strive to destigmatise mental health matters and foster an inclusive, supportive environment in the workplace**

# Trust grant to improve seafarer telemedicine service

**Luca Tommasi, Seafarers' Trust grants manager, explains why the Trust is investing in developing telemedicine software**

The International Labour Organization and the International Maritime Organization say that seafarers should have access to the same level of medical care on board as do people ashore. But this is difficult in practice.

The lack of onboard medical staff, the limited medical knowledge of onboard personnel and inadequate medical supplies combine to disadvantage seafarers. The crew often try to solve minor health issues on their own, seeking the advice of a Telemedical Maritime Assistance Service (TMAS) ashore in more severe cases.

A lot of time is wasted in phone calls and emails between the ship and TMAS in order to create a clear picture of the patient's medical situation. Without the right information, giving a correct diagnosis is extremely difficult and can put seafarers' lives in danger.

To help improve this, the ITF Seafarers' Trust has given a grant to CIRM (Centro

Internazionale Radio Medico), the largest TMAS service used by seafarers, handling almost 6,000 medical cases a year. The money will fund the development of software that will guide the designated medical person on board to provide the right information to TMAS doctors.

Mining the CIRM case data for the past 20 years will provide the software with an invaluable amount of information. The software will process this data according to the symptoms recorded by the seafarer and create a pathway which will guide them to provide a complete account. This will then be sent in a single file, with photographs, to TMAS doctors.

The end result will be a more reliable medical file explaining the situation in greater detail, quicker communication from ship to shore and a more accurate diagnosis. This will eventually improve the quality of medical service provided remotely to ships. ■



## SHORE LEAVE APP

**The Trust's Shore Leave app aims to help crew members make the most of their limited free time in port. It provides contact details for seafarers' centres while offline and for the 24/7 ISWAN Seafarers Help service. The free App is available for Android and iPhone – find out more at [www.seafarerstrust.org/apps](http://www.seafarerstrust.org/apps).**

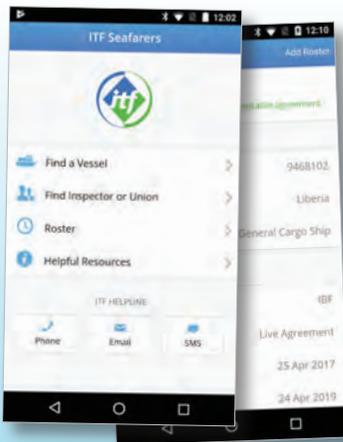
**The Seafarers' Trust is the charitable arm of the ITF – find out more at [www.seafarerstrust.org](http://www.seafarerstrust.org)**



# Seafarers – make the ITF your daily port of call for information and advice

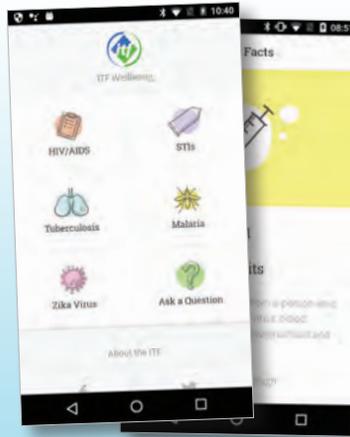
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Download them from your **app store**, at <http://bit.ly/36SaOrz> or from **Google Play**, at <http://bit.ly/36HTYex>



### ITF Seafarers

- Check out your ship
- Learn what a union can do for you
- Discover where to get help in a crisis
- Get in touch with the ITF
- Find an ITF inspector or ITF maritime union



### ITF Wellbeing

Worried about stress, HIV/AIDS, sexually transmitted infections (STIs), tuberculosis (TB), malaria or the Zika virus?

**Find all the latest information and advice:**

- Symptoms • Transmission • Treatment
- Prevention • Common misconceptions about the disease



### ITF Global

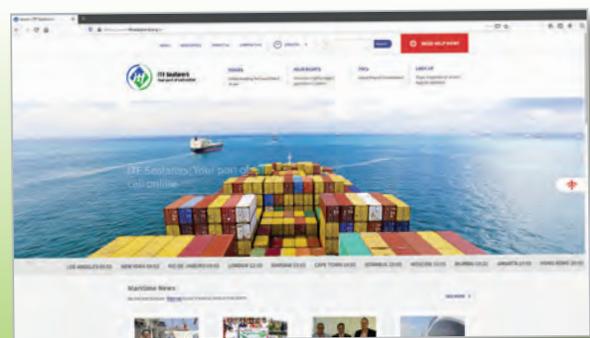
- Follow the latest ITF and union news
- Keep up with our campaigns
- Find out more about the ITF and its unions

## ITF websites



### [www.itfseafarers.org](http://www.itfseafarers.org)

Find out about your rights and how ITF inspectors provide assistance at sea and in port at our dedicated and revamped website for seafarers.



### [www.itfglobal.org](http://www.itfglobal.org)

Follow all the latest developments affecting workers and their ITF unions at the new ITF Global website.

## ITF social media

**Keep up to date about life at sea on social media: Keep up with the ITF and union news using @ITFSeafarersSupport on Twitter and at [www.facebook.com/ITFseafarerssupport](http://www.facebook.com/ITFseafarerssupport)**