



# Fair across the sea!

For better human working conditions and environmental protection standards in maritime transport!

version 2018



About 90 percent of international cargo is transported across the sea. Without shipping, global trade could hardly exist. Maritime transport has become the key element in globalization. The big ports are the global hubs, where goods – usually in containers – are transferred and distributed to every place on the globe. The worldwide net of transport logistics is carried out on about 50.000 merchant vessels.

On board these ships the working situation is a down-scaled reflection of what globalization is doing to the human being and environment. Here you can find an international division of labour under extreme conditions. Mostly crews from developing countries and emerging nations are employed to manage and serve high priced technology ships and immense cargo value in order to bring them to their various destinations. These structural parameters of world trade implicate working and living conditions, which are not fair.



Unfair and unequal payment, poor or even inhumane working conditions, environmental pollution – all this is unknown by the general public. But it are these conditions that enable the extreme low costs of transportation, that characterize this unjust global trade system usually referred to as “globalization”.

A striking example of this injustice are the so-called “flags of convenience” (FOC). The [International Transport Workers' Federation \(ITF\)](#) counts 35 national flags as FOC at present.

Every ship is subject to the national laws of it's flag state. However, ship owners may register their ships wherever it suits them best.



Flags of convenience offer such advantages as a deliberate acceptance of social dumping and non-regulated working conditions. This system is objectionable because the maritime administration of the flag of convenience state often does not manage and control the ships in its registry itself but allows private companies to carry out these sovereign tasks. You can obtain a Liberian flag at Vienna, Virginia state, USA, or a flag of Antigua and Barbuda at Oldenburg, Germany. Once the ship has been reflagged, the original home country's union wages and working conditions do not apply any more. Even the minimum standards set by the [International Labor Organization \(ILO\)](#) or the ITF are often undercut. About 56 percent of the global cargo is transported on FOC vessels. Their crews mostly come from countries of the global South-East (India, Pakistan, Philippines) or from European low-wage countries (Latvia, Ukraine, Croatia etc.). They usually work fixed-term contracts of mostly nine months, and have neither holidays nor days of rest, no health protection, no paid-leave.

Their wages often are arbitrary. In many cases they do not receive their stipulated wages. Out of fear of losing their jobs, these seafarers often endure inhumane living and working conditions on board as well as repressions.

Maritime transport creates effects on the environment, which are disastrous: Many of these ships run on fuels that are considered to be hazardous waste on land and their emissions could endanger the good health of the crew, passengers and people living near these ports and shipping lanes, the environment and last not least the climate. Up till today vessels are still entitled to dump their wastes

and fuel oil mixtures overboard, with the exception of a few restricted marine zones.

Decommissioned ships are mostly shipwrecked in Pakistan, India or Bangladesh. Therefore, shipbreaking – as documented e.g. by the NGO [Shipbreaking Platform](#) – is usually a low-wage unqualified migrant labour process, often including the work of children as assistance. Hazardous materials on these ships are also released into the environment unhindered.

It is high time to include maritime transport into the agenda for a fair and sustainable global economy. The daily lives of 1.2 million seafarers must not be ignored. “Fair Across the Sea” – an alliance of labour and civil society organizations – makes the following demands on policy makers and corporations:

1. International law requires ships to run under the flag of the country where the beneficial owner is seated. This norm must become legally binding within all countries.
2. As long as there are FOC, each vessel must have a collective agreement with the seafarers' union of its flag country. Vessels running under a flag of convenience must have a collective agreement with the ITF. The ITF agreement shall constitute the minimum standard not to be undercut by any vessel navigating international waters.
3. [Port state control](#), (inspection of foreign ships by port state authorities) shall be increased and intensified, to push back flags of convenience and poor working conditions.
4. In order to facilitate a greater participation of the global South-Eastern countries in the global maritime trade, the United Na-





tions Conference on Trade and Development (UNCTAD) many years ago proposed a fixed distribution of cargo volume: 40 percent on vessels of the exporting country, 40 percent on vessels of the importing country, 20 percent on vessels of other countries. This 40-40-20 UNCTAD code ought to be politically revived and implemented as an instrument of global fairness.

5. For all crewmembers and other staff working on board ships and for workers in ports the principle of equality – equal pay for equal work – must be obtained.

6. The transport route of every product must be transparent and publicly disclosed, either by labelling or in another appropriate form.

7. All countries participating in maritime trade must also provide adequate capacities of national education and training and an adequate share of national employment on their ships in order to maintain their maritime know-how.

8. The ever-increasing scale of vessels, driven by cost-cutting and predatory competition, endanger the coast and river ecosystems that these vessels are passing. Ships must comply with the existing access routes to ports, not the other way around.

9. In order to minimize the negative impacts of maritime trade on climate and ocean pollution, all ships must run on high-grade or alternative fuels and use non-polluting propulsion systems and also the emissions must be reduced according to the technical standards as legally defined.

10. The German Government must take legal action to enforce a complete ban of oil fuel disposal at sea. Every global port, especially every EU port, must provide a comprehensive and obligatory system

of waste disposal for all arriving vessels. All vessels must be required to carry appropriate temporary storage of maritime wastes.

11. Shipbreaking must occur to international standards which are environmental and socially acceptable. Germany must ratify the 2009 [Hong Kong International Convention](#) and must transact relating EU-law (see glossary). Germany must commit itself to support recycling-facilities and oblige shipowners to use them.

12. Shipping companies are asked to review their policies and practices regarding the selling and recycling of end-of-life vessels. Trading companies must integrate safe and clean ship recycling in their corporate social responsibility plans.

13. Ships must be constructed in such a way that enables environmental-compatible and socially responsible usage, dismantling and recycling.

14. Fair Trade, public procurement and state-owned enterprises must act as role models. They shall only have their products transported by shipping companies, port enterprises and logistic companies that do not make use of irregular employment, temporary work, low-wage onboard or onshore labor and that pay collectively agreed wages.

Fair across the sea request those, who are political and economically responsible, also to achieve a fairness of maritime transport. Only a broad civil alliance can cause the necessary force to screen and change FOC's and the working conditions on vessels.



## GLOSSARY:

The **International, Transport Workers' Federation (ITF)** is a global union federation of transport workers' trade unions, founded in 1896. In 2017 the ITF had 677 member organizations in 149 countries, representing a combined membership of 16.5 million transport workers in the seafaring, port, road, rail and aviation sectors. In Germany, Ver.di (Vereinte Dienstleistungsgewerkschaft) is member of the ITF.

<http://www.itfglobal.org/h>

The **European Transport Workers' Federation (ETF)** is the federation of syndicates of workers in the European transport sector and is affiliated to the European Trade Union Confederation. The ETF is the regional organization of the International Transport Workers' Federation and was founded in 1999, with headquarters in Bruxelles. It represents workers in the transport, fisheries and tourism sectors. In addition to its clear focus as a lobby organization, the ETF is a recognized social partner in the European legislative process.

<http://www.etf-europe.org/>

In January 2015, the ETF proposed a manifest to reflag all ships of European ship-owners into EU national first registers.

<http://www.etf-europe.org/policypapers.cfm> (first document)

The **International, Labour Organization (ILO)** is a United Nations agency dealing with labour problems, particularly international labour standards, social protection, and work opportunities for all. The ILO has 187 member states: 186 of the 193 UN member states plus the Cook Islands are members of the ILO.

<http://www.ilo.org>

**Port state contro., (PSC)** is an internationally agreed regime for the inspection by PSC inspectors of foreign ships in ports other those of the flag state. PSC officers are required to investigate compliance with the requirements of international conventions. Inspections can involve checking that the vessel is manned and operated in compliance with applicable international laws; and verifying the competencies of the ships' masters and officers, and the ship's condition and equipment.

<https://www.parismou.org/>

By the **Hong Kong International, Convention** the International Maritime Organization (IMO) agreed 2009 upon global improvements on environmentally friendly recycling of ships as well as better working conditions for workers at ship-scrapyards.

[https://kurzlink.de/hk-conv\\_2009](https://kurzlink.de/hk-conv_2009)

The **EU-Regulation No. 1257/2013** on ship recycling calls for rapid ratification of the Hong Kong Convention, but at the same time a separate regulation has been agreed upon, until it is entry into force.

[https://kurzlink.de/eu-vo\\_1257-2013\\_en](https://kurzlink.de/eu-vo_1257-2013_en)

The **Shipbreaking Platform** is a non-governmental organization founded in 2005 and is based in Brussels. It dedicates itself to the environmental, labour and humanitarian issues of the scrapping business, including statistics.

<http://www.shipbreakingplatform.org/>

You are invited to contact us, if you want to help us or become active yourself. If you want to know more, please call for background material. Your proposals are welcome as well as questions on our proposals. Let us change things.

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