SWJMC/2016/7

International
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Geneva

Subcommittee on Wages of Seafarers of the Joint Maritime Commission

Final report: Updating of the minimum monthly basic pay or wage figure for able seafarers: Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187); Maritime Labour Convention, 2006, Guideline B2.2.4 – Minimum monthly basic pay or wage figure for able seafarers

(Geneva, 6–7 April 2016)

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Contents

Introduction

1. The Joint Maritime Commission's Subcommittee on Wages of Seafarers met in Geneva from 6 to 7 April 2016 in accordance with a decision taken by the Governing Body of the International Labour Office at its 323rd Session (March 2015).

Composition of the Subcommittee

2. The Subcommittee was attended by six Shipowner representatives and their nine advisers, and six Seafarer representatives and their 15 advisers. A list of participants is appended (see Appendix IV).

3. In keeping with the practice followed since 2003, the Subcommittee did not have a Chairperson.

4. The elected Vice-Chairpersons and spokespersons were:

Shipowners: Mr Dirk Max Johns (Shipowner member, Germany)

Seafarers: Mr Henrik Berlau (Seafarer member, Denmark)

5. The Secretary-General of the Subcommittee was Ms A. Van Leur (Director, Sectoral Policies Department).

Opening and general discussions

6. The Secretary-General welcomed the participants and recalled that the mandate of the Subcommittee was to discuss the updating of the minimum monthly basic wage figure for able seafarers referred to in the Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187), and in the Maritime Labour Convention, 2006 (MLC, 2006), and to make the appropriate recommendation which would be submitted to the Governing Body of the ILO.

7. The Shipowner spokesperson thanked the Office for convening the meeting and made an opening statement (see Appendix I).

8. The Seafarer spokesperson also thanked the Office and made an opening statement on behalf of the Seafarers (see Appendix II).

9. Representatives of the Office introduced the report SWJMC/2016(Rev.) [1] which contained calculations using the methodology adopted by the Joint Maritime Commission in 1991. The report drew upon the latest information available to the Office at the time the report was prepared. These calculations were provided as a guide and were based on the resolution concerning the ILO minimum monthly basic wage figure for the able seafarer, adopted by the Subcommittee on Wages of Seafarers of the Joint Maritime Commission from February 2014.

[1] http://www.ilo.org/sector/Resources/publications/WCMS_457510/lang--en/index.htm.

10. The Shipowners and Seafarers held both private group meetings and joint negotiations before returning to plenary.

11. Following bipartite negotiations, the Subcommittee did not reach agreement to increase the ILO minimum monthly basic wage figure for an able seafarer. The current figure of US$614 would therefore prevail.

12. The Seafarer spokesperson stated that the Subcommittee meetings had been unusually challenging. He regretted that the joint negotiations were not able to achieve an increase of the ILO minimum monthly basic wage figure. He expressed disappointment as his group had hoped that an increase could be agreed upon.

13. The Shipowner spokesperson stated that numerous rounds of Subcommittee negotiations had brought an overall constructive result. He clarified that the lack of an increase of the ILO minimum monthly basic wage figure did not translate into a decrease of seafarer purchasing power.

Adoption of the resolution

14. A draft resolution was prepared by a small bipartite informal group consisting of Subcommittee participants, based on the joint negotiations.

15. The Subcommittee reviewed the draft resolution. After introducing minor editorial modifications, the Subcommittee adopted the resolution as amended. The final text is found at Appendix III of this report.

Closing statements

16. The Shipowner spokesperson expressed satisfaction and reaffirmed his group's commitment to the process. He thanked the participants and the Office for their commitment and support throughout the discussions. He concluded by acknowledging Mr H. Berlau's contributions in past Subcommittee sessions. On behalf of the Shipowners' group, he thanked him for many years of partnership, which he attributed, in part, to his able leadership and to his continuity in the role of Seafarer spokesperson. This had contributed to the success of previous Subcommittee negotiations.

17. The Seafarer spokesperson thanked the Office and agreed with the Shipowner spokesperson about the relevance of this process to the maritime industry and that the Subcommittee's work should be continued. He attributed the success of the industry to this advanced level of social dialogue. Other sectors should be replicating this type of negotiations. In thanking the Shipowner spokesperson for his kind words, he expressed confidence that upon his retirement solid negotiators would carry forward the Subcommittee's work in the coming years.

18. The Seafarer secretary expressed the Seafarers' group deep appreciation to Mr H. Berlau's commitment and work since 2001. He thanked him for his resolute and determined way, and wished him the best in the future.

19. The Secretary-General commended the commitment of both groups to the JMC process throughout a particularly challenging Subcommittee meeting. On behalf of the Director-General, she thanked all the participants for their time and effort. Following the announcement of the retirement of the Seafarer spokesperson, she added her thanks to him for his leadership over many years, and she closed the meeting.

Appendix I

Shipowner spokesperson opening statement

Madam Chair,

May I start by thanking you and the Office for all the preparations made to convene this session of the Joint Maritime Committee Subcommittee for the review of the ILO minimum wage. We all agreed to meet again at this time when we last sat together in February 2014 and it has fallen on me today to speak on behalf of the Shipowners' group to explain the current and expected challenges facing our industry now and in the next few years.

However, before getting to the expected vast challenges of our industry, I would like to start on a different note. We should remind ourselves of the considerable achievement the social partners of the shipping industry have reached under the guidance of the ILO. We need to be grateful to those that have sat at this table before us. The shipping industry is the only industry with a global minimum wage. Jointly, we have improved the fate of seafarers significantly. No other industry can claim this on a global level. We are the living proof that social advancement does not harm the industry if applied globally. Unfortunately, we often forget to see that we have moved further in industrial relations than anyone else. Both sides, Shipowners and Seafarers and their representatives started on a journey of trust. I believe it has paid off for all sides. Even if we may struggle over the next few days, we should never lose sight of the big picture.

Today, we are experiencing a global economy that is showing new signs of weakness.

The recent ILO "World Employment and Social Outlook – Trends 2016" report states:

> The world economy was estimated to have expanded by 3.1 per cent in 2015, over half a percentage point less than projected a year earlier. If current policy responses are maintained, the outlook for continued economic weakening pose significant challenges to enterprises and workers. Indeed, over the next two years, the world economy is projected to grow by only around 3 per cent – significantly less than before the global crisis. The latest IMF estimates suggest that the global economy will grow by 3.1 per cent in 2015 and 3.6 per cent in 2016. This is considerably lower than the pre-crisis growth record and what was predicted by the IMF one year ago. The weakening world economy is being driven by the slowdown in emerging and developing economies.

China is facing a pronounced slowdown in growth. This, alongside other factors, has contributed to a steep decline in commodity prices, particularly those related to energy. This situation has, in turn, affected large emerging economy commodity exporters, such as Brazil and the Russian Federation, which have entered into a recession. The benefits accruing to net commodity importers have been insufficient to offset the decline affecting exporters.

As a group, the emerging and developing economies have experienced growth levels above the global average, with projections close to 4 per cent for 2015, whereas growth for these economies reached 4.6 per cent in 2014 and 5 per cent in 2013. The slowdown is due to several long-standing drivers, notably a decline in long-term capital investment, population ageing, rising inequality and weakening productivity gains. As China has reduced demand for imports, commodity prices have declined to levels comparable to the early 2000s with significant repercussions for the global economy. This has weighed heavily on commodity exporters – including both developed, for example Australia and Canada, and emerging and developing economies such as the Arab States, Brazil, Chile, Indonesia, the Russian Federation, and the Bolivarian Republic of Venezuela. In contrast, net commodity importers, for example the EU, India, Thailand, Turkey and the US, have seen a decline in prices, which was insufficient to offset the global slowdown. Emerging economies have been driving the increased need for transportation. With the Russian Federation, Brazil and China now being forced to engage their economic brakes for a variety of reasons, shipping is facing a slowdown in demand.

According to the IMF, China's move away from reliance on investment and export-led economic growth contributes majorly to the global slowdown. The Chinese Government recently announced a new growth target for the economy of 6.5 per cent, on average, over the next five years, half a percentage point below the previous target. Growth in the industrial sector has slowed. Chinese imports have also fallen, with global repercussions for countries reliant on exports to China. A percentage point drop in China's GDP growth would lower growth in the rest of Asia by about

0.3 percentage points. Europe is also heavily reliant on exports to China, its second largest market outside the United States.

Another sign of changing economic realities is the relationship between global growth and global trade. We were used to the comforting logic that global trade typically expanded twice as fast as the global economy. Unfortunately, this was not a law of nature. It was a formula of the good old days. Global trade since the financial crisis and the adjustments of the last eight years is now growing in line with, or at a lower rate, than global growth.

Growth in global trade and investment has remained subdued. After expanding at 6 per cent per annum, from 1990 to 2011, trade growth decelerated to only 2.7 per cent per year from 2012 to 2014. The sharpest decline in trade growth was observed in emerging and developing countries where it fell from 9.4 per cent to 4.9 per cent per year in 2012 to 2014. For developed economies, the decline was from 5.2 per cent to 1.9 per cent per annum. As global value chains approach maturity, lower trade elasticity to GDP growth may partly reflect decreasing benefits from further international production fragmentation. This argument is backed up by recent trends of increased substitution of domestic inputs for foreign inputs in China and stabilizing manufacturing imports in the United States. In other words, we may be lucky if the trade will continue to grow at the same speed as GDP.

The latest macroeconomic forecasts suggest that GDP growth will remain subdued for the next two years, continuing the trend which has seen medium-term growth projections continue to be revised downwards since 2011. Actual GDP is close to 2 per cent below potential output. Moreover the output gap may widen further over the next few years largely attributable to a host of self-reinforcing factors including:

- the decline in long-term capital investment;
- a slowdown in working-age population growth;
- weak total factor productivity growth.

In line with the IMF, the UK Office of Budget Responsibility (OBR) recently revised down growth in the world economy and world trade. In their words, the outlook is “materially weaker”. Around the globe, they note that monetary policy – instead of normalizing this year as expected – has been further loosened.

Likewise the national banks of Japan, Sweden, Denmark, Switzerland, and the European Central Bank all have reverted to unprecedented negative interest rates. The OBR had thought that the “drag from the financial crisis” on productivity would have eased by now, but the latest data shows it has not. Indeed the OBR acknowledged that this revision is, in their words, a “highly uncertain” judgement call. This view has become the global consensus, even among optimistic economists.

The macroeconomic framework has significant consequences for the workforce.

The outlook is for global unemployment to increase by a further 3.4 million over the next two years. To put this in perspective, this equals the entire workforce of Austria or Singapore or twice the labour force of Croatia. The global economic slowdown that occurred in 2015 is likely to have a delayed impact on labour markets in 2016, resulting in a rise in unemployment levels, particularly in emerging economies. Indeed, emerging economies are expected to see an increase in unemployment of 2.4 million in 2016. This largely reflects the worsening labour market outlook in emerging Asian economies, Latin America and commodity-producing economies such as the Arab States and Africa.

Let me focus our view now on the shipping industry.

UNCTAD’s Review of Maritime Transport covers key developments affecting international seaborne trade, shipping, the world fleet, ports, freight markets, and transport-related regulatory and legal frameworks. It reports that maritime transport is the backbone of international trade and the global economy with around 85 per cent of global trade by volume and over 70 per cent of global trade by value carried by sea and handled by ports worldwide. These shares are even higher for most developing countries.

UNCTAD reminded us, in the first place, that world merchandise trade increased in 2014 by 2.3 per cent; down from 2.6 per cent in 2013 and below pre-crisis levels. Accordingly, preliminary UNCTAD estimates indicate that global seaborne shipments have increased by 3.4 per cent in 2014, which is the same rate as in 2013. Additions to volumes exceeded 300 million tons taking the total to 9.84 billion tons. Thus, we still speak of expanding trade.

The world fleet grew by 3.5 per cent during the 12 months to 1 January 2015, the lowest annual growth rate in over a decade. In total, at the start of the year, the world's commercial fleet comprised 89,464 vessels, with a total tonnage of 1.75 billion dwt. For the first time since the peak of the shipbuilding cycle, the average age of the world fleet increased slightly during 2014. Given the delivery of fewer new builds, combined with reduced scrapping activity, newer tonnage no longer compensated for the natural ageing of the fleet. Shipowners are adapting to the new realities.

Container freight rates remained volatile throughout 2014 although with different trends in individual trades and on individual trade lanes. We know the unfortunate trend in 2015. After a good start, the rates have fallen to unprecedented lows. Charter rates have been constantly depressed. The tanker market witnessed an equally volatile freight rate environment in 2014 and early 2015, with some positive notes in the second half of the year.

The dry bulk market freight rates faced another extremely challenging year influenced by the surplus capacity that still exists and the uncertainties in demand projections. By the end of 2015, daily rates were even worse than in 2009.

Two out of the three major sub-markets of our industry are operating at losses. Neither the container nor the bulk markets can claim any signs of recovery in 2016 or even 2017. In both, we see hundreds of ships in lay-up. Many of the smaller markets like Offshore, Breakbulk or MPP are equally in great difficulties with significant numbers of ships in lay-up.

Developments in the regulatory sphere have required the industry to continue to innovate and invest in new technologies, systems and equipment. Such investment is extremely costly but essential if we are to ensure safe and efficient shipping moving forward.

For all our interests, it is important that the shipping industry remains resilient and that whatever the challenge, however strong the headwinds, we maintain our course to ensure a stable industry for the future. We face a real challenge now. Financial markets are turbulent, productivity growth across the West is too low and the outlook for the global economy is weak. This makes for a dangerous cocktail of risks.

But one that our industry must handle provided we act now so we do not pay later. We are not immune to slowdowns and shocks, nor as an industry, are we powerless. We have a choice – we can choose to add to the risks and uncertainty, or we can be a force for stability. We choose to put stability first to solve this problem for the long term.

What does the economic data mean for the people who are literally driving our industry, the seafarers? The 2015 *BIMCO ICS Manpower Report* has arrived at a particularly interesting and uncertain time for the global economy and world trade, as well as for the shipping industry.

Throughout the last century, the industry has seen a general trend of growing trade volumes, with increasing industrialization and the liberalization of national economies fuelling free trade and a growing demand for consumer products. Advances in technology have also made international shipping an increasingly efficient and safe method of transportation. However, after decades of almost continuous growth, the financial crisis of 2008 precipitated a global recession, with world seaborne trade dropping by nearly 4 per cent in 2009.

The effects of depressed commodity prices described earlier and an oversupply of tonnage are specific issues the industry has faced over the last few years, leading to changes in operations and trading patterns, the lay-up of vessels and the redundancies of some personnel, including seafarers. With regard to the world merchant fleet, the last five years have seen such trends as the emergence of so-called "mega-ships", and indications that liquefied natural gas (LNG) and other fuels may play a role in the propulsion of ships in the future. Global shipbuilding output has declined since the peak output in 2010 but the reduced output has still exceeded the number of ships withdrawn from the world fleet for recycling. As a consequence, since the 2010 report, the world merchant fleet has increased by around 10 per cent, from 62,239 ships at the start of 2010 to 68,723 ships by mid-2015. Among the main shipping sectors, the bulk carrier fleet stands out as it expanded by 38 per cent, mainly due to the approximately 1,000 ships delivered per year from 2010 to 2012. The international fleet of crude oil tankers increased by 17 per cent over the same period, while the container ship fleet saw an increase of 10 per cent.

Basically, the growth of the fleet was welcome news for the labour market as it meant significantly more qualified jobs. In the last 15 years, the demand for seafarers has increased by 50 per cent.

We need to place ourselves in the described realities. We need to fix our wage costs to fit the figures; we cannot fix the figures to fit the wages.

The IMF warned us this month that the global economy is “at a delicate juncture” and faces a growing “risk of economic derailment”. We need, as an industry, to be adequately prepared for whatever challenges may lie ahead. We can ignore the latest information and spend more than the industry can afford. That is precisely the mistake that we made in previous downturns or we can live in the world as it is, and cut our cloth accordingly.

The Shipowners’ group believes we must act now. We have to balance the level of wages with the maximum number of seafarers we can employ on our ships. We need to act wisely now, so we do not pay later.

In light of all the above, we acknowledge that we are here to consider the minimum wage level for an able seafarer and, to that end, account must be taken of the figures derived in the Office report. The figure of US$539 has the same purchasing power now as the figure of US$614 arrived at the last meeting of the JMC subcommittee in 2014.

We would also like to stress that we have both agreed that the purpose of the ILO minimum wage for an able seafarer is to have a safety net to ensure seafarers can sufficiently support themselves in a global economy and we believe that the figures presented in the ILO report clearly demonstrate this. We cannot stress enough the real difficulties our member shipping companies are having in being able to stay in business at the current time and the difficult challenges ahead if they are to remain so. Let us have a constructive and pragmatic discussion over the next couple of days in order to ensure that the true safety net is maintained.

Thank you Madam Chair.

Appendix II

Seafarer spokesperson opening statement

Good morning all.

Ladies and gentlemen,

Let me start by thanking the Governing Body for convening this meeting, and the Office – you, Ms Alette Van Leur and you team – for preparing the logistics, calculations and other arrangements for this meeting.

Also we greet the Shipowners' group and hope we will be able to find a solution to the task put in front of us.

Upgrading the minimum wage for an able seafarer (AB) is a task for this Subcommittee, and we have a shared responsibility, as social partners, to do that. That was also reaffirmed by the 2014 resolution – we have no disagreement there – we have a task and a role to play.

There are many eyes upon us these days, analysts, bankers, shippers, governments, shipyards, shipowners, but one in particular has our interest – that is the AB – and we do not want to disappoint him.

We have previously agreed that updating the minimum wage shall be for the protection of the seafarer and contribute to their decent work.

We are here to honour our responsibility and we can, once again, surprise the world by setting a new standard in agreeing on a solution for our industry. We have done it before, we can do it again.

This time we are faced with the situation where the formula goes against us, a situation that the other side of the table is more familiar with than us and, may I say, have been able to ignore.

Not that I am questioning the wisdom in our agreed formula, but I merely say that there is more to this world than consumer prices and exchange rates, and we remind all that with respect to the resolution from 2014 we noted that the figure agreed did not always match the figure indicated by the formula, since the process took into account other factors.

We expect we are in for some hard talks for the next couple of days but I hope we can agree that seafarers are important to the shipping industry, and are not to blame for exchanges rates or inflations.

Life for seafarers has not been easy since we last met. Many seafarers find they are dispensable, and their lives have been turned upside down when they lost their jobs due to decisions they have no influence on.

One day they are a happy seafarer, the next morning they are to be found in the line of unemployed colleagues. Not necessarily because their vessel is no longer in service, but because circumstances in business of a vessel changes, consolidations between partners, new alliances, reformation of trade conferences, etc., and in a more and more complex world where the distance between shipowners and their crew has been stretched, and many shipowners do not know their crew, and seafarers do not know their shipowner.

Working in the maritime industry often does not allow for long-term employment and that makes it difficult to save up for rapidly coming changes and bad times often to follow. In our view, such impairment should be reflected in setting wages.

As we have pointed out in previous meetings, seafarers nowadays come predominantly from labour-supplying countries, they often have to spend their small earnings in far-away expensive countries. There are no discounts to be found for seafarers enjoying shore leave, going to a cinema or having a meal.

As stated earlier, our endeavours did not always match the figure indicated by the formula since the process took other factors into account. I have mentioned a few.

Like you, we can also see the next lighthouse. We can see that major shipping players are competing, that is the nature of the market. We can see that there is a trust in the future and that shipowners have placed huge orders for new buildings, expecting the economy to recover and leading to a greater demand for sea transport. We also hope so, but we call on decency and remind everyone that competition must not be at the expense of the standards of working conditions of seafarers. The present oversupply of tonnage is a consequence of business decisions which have nothing to do with seafarers, but are the result of decisions of shipowners.

We are aware that, in other circles, CBAs have been concluded worldwide in the maritime industry for the period we are here to discuss.

We do believe that the situation in the maritime industry calls for an upward revision of the minimum wage.

We hope to achieve a decent upward revision of the minimum basic wage figure for an able seafarer for the period from 1 January 2017 to 1 January 2019, and we look forward to having the next meeting during the first half of 2018.

Let us build on optimism and ensure that we reach a conclusion that once again will strike the world.

I thank you for your attention.

Appendix III

Resolution

Resolution concerning the ILO minimum monthly basic pay or wage for able seafarers

The Subcommittee on Wages of Seafarers of the Joint Maritime Commission,

Having met in Geneva from 6 to 7 April 2016,

Having considered the report prepared by the International Labour Office on the updating of the minimum monthly basic wage figure for able seafarers,

Having noted that the Subcommittee on Wages of Seafarers, at its meeting from 26 to 27 February 2014, agreed the minimum monthly basic wage figure of US$592 as of 1 January 2015 and US$614 as of 1 January 2016,

Recalling the Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187), in particular Paragraph 10, and the Maritime Labour Convention, 2006, Guideline B2.2 and in particular, Guideline B2.2.4,

Noting that the Recommendation and Convention state that the number of normal hours per week covered by the minimum monthly basic wage figure should not exceed 48 hours per week,

Noting that the agreed sum achieved at previous meetings has not always matched the figure indicated by the formula since the process took into account other factors,

Reaffirming that the main aim of the minimum monthly basic wage figure for the able seafarer as agreed by the Joint Maritime Commission Subcommittee is to provide an international safety net for the protection of seafarers and to contribute to their decent work,

Reaffirming support for the role of the Joint Maritime Commission and believing that its role and importance as the agenda-setting mechanism for the maritime industry remains relevant,

Recalling the resolution concerning the ILO minimum wage for able seamen, adopted at the 26th Session of the Joint Maritime Commission (October 1991) (JMC 26),

1. Affirms that the current mechanism, including the formula, as provided for in the resolution concerning the ILO minimum wage for able seamen, adopted at JMC 26, needs to be maintained until such time as an alternative is agreed;
2. Notes that there was no agreement to increase the ILO minimum monthly basic wage figure for an able seafarer and that the current figure of US$614 will prevail;
3. Agrees that the figure of US$614 as of 1 January 2017 should be used as the basis for recalculation purposes;
4. Acknowledges that the agreed minimum monthly basic wage figure in no way prejudices collective bargaining or the adoption of higher levels in other international wage-setting mechanisms; and
5. Invites the Governing Body to convene a meeting of the Subcommittee in the first half of 2018 for the purpose of updating the minimum monthly basic wage figure to take effect as of 1 January 2019 and every two years thereafter, and to request the Subcommittee to report directly to the Governing Body.

List of participants
Liste des participants
Lista de participantes

Shipowner representatives
Représentants des gouvernements
Representantes de los gobiernos

Mr Arthur BOWRING, Hong Kong Shipowners’ Association (HKSOA), Hong Kong, China.

Mr Ian CLOKE, Policy Manager, UK Chamber of Shipping, London, United Kingdom.

Dr Dirk Max JOHNS, Managing Director, Verband Deutscher Reeder, Hamburg, Germany.

Dr Erwin MEIJNDERS, Member of the Board, Royal Association of Netherlands Shipowners (KVNR), Rotterdam, Netherlands.

Mr Pal TANGEN, Director, Norwegian Shipowners’ Association, Oslo, Norway.

Capt. Toshihiro TANAKA, Managing Director, the Japanese Shipowners’ Association, Tokyo, Japan.

Shipowners’ advisers
Conseillers techniques des armateurs
Consejeros técnicos de los armadores

Mr Tim CLARK, Manager, the Japanese Shipowners’ Association, London, United Kingdom.

Mr Francesco GARGIULO, Chief Executive Officer, International Maritime Employers’ Council Ltd (IMEC), London, United Kingdom.

Mr Peter HINCHLIFFE, Secretary-General, International Chamber of Shipping (ICS), London, United Kingdom.

Mr Stewart INGLIS, Senior Adviser, International Chamber of Shipping (ICS), London, United Kingdom.

Mr Adam LEWIS, Manager, Training and Operations, International Maritime Employers’ Council Ltd (IMEC), London, United Kingdom.

Ms Hilde PEETERS, Social Affairs, Royal Belgian Shipowners’ Association, Antwerp, Belgium.

Ms Natalie SHAW, Director, Employment Affairs, International Chamber of Shipping (ICS), London, United Kingdom.

Mr Albert N. VYGOVSKY, Managing Director, North-Western Shipping Company, Saint Petersburg, Russian Federation.

Seafarer representatives
Représentants des gens de mer
Representantes de la gente de mar

Mr Henrik BERLAU, Secretary, Transport Section, United Federation of Danish Workers, Copenhagen, Denmark.

Mr John CHALAS, General Secretary, Pan-Hellenic Seamen’s Federation (PNO), Piraeus, Greece.

Capt. Remo DI FIORE, FIT–CISL ITF International Department, ITF Executive Board, Rome, Italy.

Mr Severino Almeida FILHO, Primeiro Presidente, SINDMAR Sindicato Nacional dos Oficiais da Marinha Mercante, Rio de Janeiro, Brazil.

Mr Yasumi MORITA, President, All-Japan Seamen’s Union, an affiliate of the International Transport Workers’ Federation (ITF), Tokyo, Japan.

Atty Jesus P. SALE, JR, Vice-President for Internal Affairs, Associated Marine Officers’ and Seamen’s Union of the Philippines (PTGWO–ITF), Manila, Philippines.

Seafarers’ advisers
Conseillers techniques des gens de mer
Consejeros técnicos de la gente de mar

Mr Predrag BRAZZODURO, General Secretary, Master Mariner, Seafarers’ Union of Croatia, Rijeka, Croatia.

Capt. T.T. CHUNG, Master Mariner, General Secretary, Merchant Navy Officers’ Guild, Hong Kong, China.

Mr Oleg GRYGORIUK, First Vice-Chair, Maritime Transport Workers Union of Ukraine (MTWTU), Odessa, Ukraine.

Mr Kam Soon HUAT, General Secretary, Singapore Organisation of Seamen, Singapore.

Mr Hijlke HYLKEMA, Senior Policy Adviser, Nautilus International, Rotterdam, Netherlands.

Mr Nopadol KAEWSUWAN, Managing Director, Golden Ship Supply Co., Ltd, Bangkok, Thailand.

Mr Shigeru KAKUCHI, Conference Interpreter, Simul International Inc., Tokyo, Japan.

Mr Konstantin MAKAROV, ITF FOC Policy/IBF Adviser, Moscow, Russian Federation.

Ms Sascha MEIJER, Senior National Secretary, Nautilus International, Rotterdam, Netherlands.

Mr Ake SELANDER, Executive Director, International Organization of Masters, Mates & Pilots, Maryland, United States.

Ms Keiko SHINOZAKI, Conference Interpreter, Simul International, Inc., Tokyo, Japan.

Mr Kam Yuem TING, Honorary Consultant, Amalgamated Union of Seafarers, Hong Kong, China.

Mr Agis TSELENTIS, Pan-Hellenic Seamen’s Federation (PNO), Piraeus, Greece.

Mr Hiroyuki WATANABE, Director, Oceangoing Seafarers Department, International Affairs Bureau, All Japan Seamen’s Union, an affiliate of the International Transport Workers’ Federation (ITF), Tokyo, Japan.

Mr Jon WHITLOW, International Transport Workers’ Federation, London, United Kingdom.