



ASEAN and the Poor Seafarers The price of additional maritime security

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WE READ a lot about maritime security these days – the vulnerability of ships and ports to terrorist attack, the possibility of a weapon of mass destruction being transported by sea container, and so on. But we rarely read about the role of seafarers in ensuring security and the price they pay for additional security. These are the people who in the words of Psalm 106 “go down to the sea in ships and do business in great waters”. Despite the impressive array of new security regulations both national and international, it is ultimately they who ensure that ships are safe and securely operated.

Seafarer Working Conditions and Security

The lot of international seafarers is not a happy one these days. They have always worked long hours, in all weathers, and sometimes with poor living conditions. Now following the tighter security measures introduced after 9/11, they face additional strictures and hardship. They are often denied shore leave, and entry to a country to join or leave a ship. They can face criminal charges for pollution and ship safety offences, and suffer a lack of fair treatment in the event of a maritime accident or abandonment by a ship owner. It is not surprising that in many countries around the world, it is becoming increasingly difficult to attract young people into the seafaring profession.

This manning shortage, as ship owners scrape around to find properly trained and experienced crews, could in the long run pose a greater threat to the safety and security of shipping than any threat from terrorism. Paradoxically the shortage is occurring at a time when there are increased concerns about the human factor as a cause of maritime accidents and of the need for increased standards of competence among seafarers.

The ship owners’ search for lower costs has driven down the size of ships’ crews. As a consequence, crew fatigue has become a worrying factor in maintaining adequate standards of safety and security in the shipping industry. A recent report by the Norwegian classification society, Det Norske Veritas, found that growing incompetence among crews, possibly brought on by new and under experienced recruits, poor retention and overwork, could be the reason for an increase in the frequency of serious maritime accidents in the last few years.

Seafarers are now not allowed ashore in US ports to make phone calls. Due to the costs of satellite communications, the crews of most merchant ships do not have access to email while their ships are at sea. For communications with family and friends, they still rely mainly on “snail mail” letters and public telephones when in port. Additionally, they may not be permitted ashore for medical treatment. And experienced seafarers are being refused US visas for no apparent reason, except perhaps due to their Islamic names. This effectively puts an

end to their seafaring career. Incidents have also occurred in US ports where crewmembers have been arrested and placed in custody for going on to the wharf to collect provisions or to check the ship's draft marks prior to sailing.

Mistreatment of Seafarers

As a result of stricter security measures in ports around the world, these recent developments have of late given rise to major concerns about the mistreatment of seafarers. Although most ship owners act responsibly, the failure of many flag states and the international regulatory system to adequately implement and enforce international labour standards has exposed many seafarers to exploitation and abuse.

The report on ship safety by the International Commission on Shipping (ICONS) in 2000 was entitled *Ships, Slaves and Competition*. 'Ships' referred to the operations of international shipping, some 85 to 90 per cent of which is quality shipping in full conformance with international safety requirements. 'Slaves' referred to the tens of thousands of seafarers from developing countries who are exploited, abused and ill-treated in the pursuit of lower freight rates. 'Competition' referred to the unequal struggle between quality ships that comply with international standards and the sub-standard ships that do not. This report was a damning indictment of some parts of the international shipping industry, particularly the fishing and cruise sectors. Especially disturbing is the fact that the beneficiaries of seafarer suffering include some of the wealthiest individuals and corporations on earth.

A follow-up report by ICONS in 2005 found that while some progress had been made with new regulations on labour standards, the impact of new security regulations following 9/11 had reduced the status of seafarers even further. A particularly worrying trend was the misuse of the International Ship and Port Facility Security (ISPS) Code to deny access to welfare personnel, including union representatives and port chaplains.

Recent Regulatory Developments

New international instruments on seafarer rights and conditions of work include the Maritime Labour Convention 2006 developed by the International Labour Organization (ILO) in conjunction with the International Maritime Organization (IMO), and the Guidelines on Fair Treatment of Seafarers in the Event of a Maritime Accident recently adopted by the IMO and ILO. The Maritime Labour Convention establishes an international enforcement and compliance system for seafarer labour and social conditions based on inspection and certification. It includes matters such as minimum working standards, accommodation, medical care, recreational facilities, food and social security protection. While the intent of the Convention is admirable, unfortunately it has only been ratified so far by Liberia.

The Guidelines on Fair Treatment of Seafarers recognise the special circumstances of the international seafarer. Their objective is to ensure that seafarers are treated fairly following a maritime accident and during any investigation and detention by public authorities, and that they are detained no longer than necessary.

An Issue for ASEAN?

These issues are important for ASEAN and beg for a regional approach. Some Southeast Asian countries, particularly Singapore and Malaysia, are key international ship owning nations. The Philippines, Indonesia and Myanmar are major providers of seafarers to the international shipping industry.

In 2006, the global deployment of Philippine seafarers rose to over 260,000 – constituting about one-fifth of total global seafaring employment, and an increase of 4.9 percent from 2005. The money these Filipino seamen sent home in 2006 rose by 16.4 per cent in 2006 to over half a billion US dollars – a major injection of funds into the Philippine economy.

Some moves are being taken within ASEAN but more could be done. The Asian Shipowners' Forum has strongly supported the new Maritime Labour Convention. The Singapore Maritime Officers' Union is a strong proponent of the need for seafarers to be given a proper career path and better conditions of service as part of a shipping industry campaign to recruit more and retain existing seafarers. Singapore has also reviewed its safe manning system to take account of increased workloads imposed by the ISPS Code and other new security regulations.

For as long as mariners have gone to sea, shore leave has been an important right. While not the stated intention of the ISPS Code and other new security regulations, their implementation has paved the way for increased restriction on seafarers, diminished their civil liberties, and inadvertently facilitated their further isolation from the community at large, as well as decreasing the attractiveness of seafaring as a rewarding career. ASEAN is well placed to develop a regional approach to assist in restoring the balance between security, safety and the need for competent and contented crews to man the world's merchant shipping fleet. The time may have come for such an approach to be put in place.

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