

JSU decides on action policies

Nat'l Assembly calls for cabotage regs, change shifts under COVID-19 crisis, others

Requests made at year-end to Kaiji Shinko Renmei, MLIT, and other ministries and political parties

Outline of requests: Mr. Yasumi Morita submits to the MAFF important requests to construct newbuildings to replace existing fishing vessels, manage fishery resources, eliminate illegal fishing, secure and foster successors to fishing boat crew members, promote whaling and address COVID-19 (i.e., allowing crew members to smoothly go on board ships and come ashore).

The All Japan Seamen's Union (JSU) on Dec. 23, 2020 submitted to governmental ministries and political parties the policy challenges it had come up with at the 81st annual national assembly it had convened earlier. The action was made by Mr. Yasumi Morita, president of the JSU; other members of the union's Central Executive Board Committee; and shop stewards from employers.

The JSU agreed on new action policies at its 81st annual national assembly. The policy challenges set in accordance with the action policies were filed with Kaiji Shinko Renmei, an association of Diet members who promote maritime affairs; the Ministry of Land, Infrastructure, Transport and Tourism (MLIT); the Ministry of Agriculture, Forestry and Fisheries (MAFF); the Ministry of Defense (MOD), the Ministry of Internal Affairs and Communications (MIC); the Ministry of Education, Culture, Sports, Science and Technology (MEXT); the Liberal Democratic Party (LDP) and Komeito. More specifically, a written document containing all relevant requests was handed over (jointly with Zenkoku Kaiyu Fujinkai, an organization of family members of those who work at sea) to the representatives of these ministries and political parties. The JSU also gave detailed explanations on each of the requests.

Submission of requests

When the requests were made with Kaiji Shinko Renmei, the governmental organizations and the political parties, Mr. Morita led a delegation of other JSU executives and shop stewards. The policy challenges facing shipping and seafarers were submitted to the representatives of Kaiji Shinko Renmei, the governmental ministries and the parties. A document of requests was handed over for the policy challenges that JSU had formulated according to the decisions it made at its annual national assembly. The union gave lectures in detail on each of the requests. To help its members who are on duty at sea, the JSU indicated the requests were made desperately by such on-site workers and their families.

Kaiji Shinko Renmei

Mr. Morita handed over a document of

requests for the various policy challenges facing shipping and seafarers to Mr. Seishiro Eto, head of Kaiji Shinko Renmei. Major requests that JSU made were to maintain the regulations on cabotage, designate Marine Day on a regularly set day and smoothly replace seafarers with others under the ongoing COVID-19 crisis. At a time when the novel coronavirus outbreak is having a growing impact, crew members cannot be replaced easily—on board oceangoing and deep-sea fishing boats, in particular—due to entry and movement restrictions made by governments. In some case, they are forced to stay on board vessels for a very long period of time, ending up becoming ill mentally and/or physically. Their rights are being violated, too. The union also wanted Kaiji Shinko Renmei to promote efforts to secure and cultivate seafarer successors, develop information and communication infrastructure and ensure the safety of seamen and ship operations.

MLIT

The JSU made several important requests to the MLIT, asking the ministry to maintain the cabotage regulations, for example. The union also wanted the government of Japan to take the initiative in promoting efforts to secure and raise seafarers. The MLIT was also asked to enhance public relations activities on maritime affairs to make the general public more knowledgeable about the ocean, introduce a system to help seafarers change places with others smoothly and give support to ferries and passenger crafts.

Mr. Hideo Onishi, MLIT state minister, demonstrated the basic recognition that Japan cannot exist as a maritime nation without shipping. Having said that, he added that it is necessary to construct a framework to gain all-out cooperation to encourage the general public to know more about the sea and fix Marine Day on July 20. As for actions against piracy, the Japan Coast Guard (JCG) will continue to work hard, he said.

Mr. Shinichiro Otsubo, director-general of the MLIT's Maritime Bureau, commented on the practical efforts the ministry is making to accommodate JSU's requests. The MLIT is now working on programs to help Japanese citizens better understand the importance of the sea more, including public relations activities through social network services.

MAFF

To the MAFF, the JSU has demanded that actions be taken to construct newbuildings

JSU meets with Kaiji Shinko Renmei leader Seishiro Eto



Mr. Yasumi Morita, President of JSU (second from left) hands over requests to Mr. Seishiro Eto, head of Kaiji Shinko Renmei (third from right). From left: Mr. Hiroyuki Tachikawa, director-general of the JSU's Policy Bureau; Mr. Yasumi Morita, president of the JSU; Mr. Seishiro Eto, head of Kaiji Shinko Renmei; Mr. Kohei Ooi, a shop steward from Tokai Kisen; and Mr. Fumiyo Abe, a shop steward from Nippon Yusen Kaisha.

JSU meets with MLIT State Minister Hideo Onishi



Mr. Yasumi Morita, President of JSU (third from left) hands over requests to Mr. Hideo Onishi, MLIT state minister (third from right). From left: Mr. Hiroyuki Tachikawa, director-general of the JSU's Policy Bureau; Mr. Fumiyo Abe, a shop steward from Nippon Yusen Kaisha; Mr. Yasumi Morita, president of the JSU; Mr. Hideo Onishi, MLIT state minister; Mr. Seishiro Eto, head of Kaiji Shinko Renmei; and Mr. Kohei Ooi, a shop steward from Tokai Kisen.

JSU meets with MAFF Minister Kotaro Nogami



Mr. Yasumi Morita, President of JSU (third from left) hands over requests to Mr. Kotaro Nogami MAFF minister (third from right). From left: Mr. Hiroyuki Tachikawa, director-general of the JSU's Policy Bureau; Mr. Shintaro Takeda, a shop steward from Kyodo Senpaku; Mr. Yasumi Morita, president of the JSU; Mr. Kotaro Nogami, MAFF minister; Mr. Seishiro Eto, a member of the House of Representatives; and Mr. Kenji Takahashi, director-general of the JSU's Fisheries Affairs Bureau.

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RP top court condemns sexual harassment at sea

Ruling on the case of a Filipino seafarer, the Supreme Court said it is high time to recognize the risk of sexual harassment faced by male sailors.

The SC made the pronouncement in a July 8 decision partly granting the petition of a male seafarer who was sexually harassed by the chief officer while he was employed aboard a ship in 2014.

"The Supreme Court held it was high-time to correct the society's notion that women are the weaker sex and the only victims of sexual harassment because this is discriminatory against men who have suffered the same plight," the SC Public Information Office said.

"Sexual harassment is not an issue of gender but an issue of power," it added.

In the ruling, the court's Third Division ordered ship management company Anglo-Eastern and its crew management arm in the Philippines to pay the petitioner US\$1,389.20 (P66791.21) for the unexpired portion of his contract. The court also reinstated the award of P100,000 in moral damages, P50,000 in exemplary damages, and attorney's fees worth 10% of the total monetary award.

The petitioner, who was hired as a messman, had accused the chief officer of demanding that he perform sexual acts on him on two occasions. Two co-workers cor-

roborated his account when he filed a complaint, according to the SC PIO.

The chief officer threatened to kill the messman when he learned about the complaint, the SC PIO said. When the messman was repatriated in July 2014, the company physician found that he was sexually harassed and physically abused by the chief officer.

He was diagnosed with post-traumatic stress disorder four months later.

The seafarer filed a labor complaint in the Philippines. The Labor Arbiter granted him moral and exemplary damages but said he could not claim disability benefits because he failed to meet report-

rial requirements. The National Labor Relations Commission, on appeal, deleted the award for damages.

The seafarer also lost in the Court of Appeals, prompting him to take his case to the SC.

The SC PIO said the court recognized the petitioner "suffered some form of injury" but did not grant him disability benefits due to a lack of evidence that he was "permanently and totally disabled."

Saying the case is unique because a mental health condition is involved, the SC explained that the petitioner "should not be blamed for belatedly seeking medical help considering his dire financial condition is a factor."

"The Court said that it recognized that it takes time for victims of sexual harassment to come forward, especially so if the victim is a male due to several factors like stigma, sense of loss of masculinity, and fear of being perceived as homosexual," the SC PIO said.

"The Court also held that we must change the notion that injuries refer to only the physical kind, as they can come in many forms like emotional or psychological. It is high-time that we recognize sexual harassment on board vessels as a risk faced by our seafarers," it added.

A copy of the decision was not immediately available. (Source: GMA News)

UN agency finds governments in breach of int'l law

In a landmark ruling the International Labor Organization (ILO) has found that governments have breached seafarers' rights and failed to comply with several provisions of the Maritime Labour Convention (MLC) 2006 during the Covid-19 pandemic, including Article I(2) on the duty to cooperate.

The UN agency has called on states to recognise seafarers as key workers "without delay".

In the first ruling of its kind, the committee of 20 jurists found that governments have failed abjectly to protect the minimum standards for the protection of seafarers' rights, as set out in international law under the MLC. This includes basic rights such as access to healthcare, repatriation, annual leave and shore leave.

The finding follows submissions made by the International Transport Workers' Federation

(ITF) and of the International Chamber of Shipping (ICS). The findings have been sent to national governments. Currently just 46 UN member nations recognise seafarers as key workers. More than 800,000 seafarers have been hit by the crew change crisis this year – whether stuck at sea, or sitting at home and out of pocket.

Responding to the ILO ruling, ITF general secretary Stephen

Cotton and ICS secretary general Guy Platten issued a joint statement, noting: "This ruling clearly sets out that it is both legally and morally wrong for countries to continue to expect seafarers to work indefinitely, supplying the world with food, medicine and vital supplies, while depriving them of their fundamental rights as seafarers, as workers, and as humans."

Cotton and Platten went on

to say: "Once again a roadmap has been laid out for how to resolve this humanitarian crisis and return to a normally functioning crew change system that the world's supply chains can rely on. It's up to governments to get on with implementing that roadmap and urgently prioritise seafarers as key workers for Covid-19 vaccines as a clear demonstration of compliance with this finding." (Source: Splash)

Rapid COVID tests answer for smooth crew change

The crew change crisis continues to build with Covid-19 being a moving target. Latest mutations of the virus have now travelled from UK, South Africa and Brazil to the USA, as well as other countries. Progress has certainly been made by the latest initiative of The Neptune Declaration and is a positive collaborative step amongst stakeholders to bring forth the issues faced by our seafarers. Nonetheless, some of the protocols suggested in the declaration are still not airtight.

One of the primary factors in combatting the COVID pandemic is the ability to identify carriers of the virus. With many exhibiting no signs of infection, timing is critical. What is needed for an industry where scheduling is in-

herently important, the ability to immediately clear a crew or port workers as COVID free is paramount.

Take for instance the 72-hour PCR test done before boarding the aircraft or the need to transport crew members to "clinics" to get tested or the lack of testing done at quarantine hotels. What about instances where crew can get infected on the plane, at the airport, in the agent's car, at the clinic, at the hotel or during their final transit to the vessel? How does the gangway crew know for certain that the person entering the vessel is indeed Covid19 free? Does the Master of the vessel have the certainty that the pilot who brought the vessel alongside was free of Covid19, despite fur-

nishing a 72-hour old certificate? Most importantly, have viral mutations been identified by the testing method in use?

"Gold standard best practices" that insist on the existing 72-hour pre-testing requirements before boarding a vessel or airplane have massive security gaps in them. One needs to be tested just prior to boarding to be effective, not three days without supervision. And even these requirements are different around the world, providing a patchwork of more gaps that give the virus plenty of opportunities to spread. The ONLY way to beat this virus is to break its chain of infection, as was successfully demonstrated by New Zealand and Singapore and some smaller islands. Tests should be non-invasive, at

the point of entry and exit of a vessel, giving instant results, allowing for appropriate isolation action, within minutes and not after a gap of hours or days.

But there is a solution. We need to be able to test everyone who enters or exits a vessel with a highly accurate, non-invasive test kit that gives results within 3-15 minutes with 100% specificity and zero false negatives. This provides much higher confidence to port jurisdictions about control of Covid19 onboard and helps in easing crew movement restrictions. After all, this is a crisis of confidence, not just protocol.

Vaccines have been developed, but there is still a long way to go for the world population to be vaccinated—and realistically,

with little certainty that we will be able to vaccinate everyone. There is also uncertainty on the longevity, effectiveness or known after-effects of any of the vaccines. Therefore, it is likely that the maritime industry will have to live with Covid19 for another 9-12 months at the least. In short, now is NOT the time for us to relax our guard, even though some vaccines have been developed and are being rolled out.

Testing still needs to continue aggressively, and with major improvements such as those offered by the Rapid Antigen Test Kit. Lab work that takes hours or days to get results is far too long, and the process cumbersome. We need instant results now. (Source: SPLASH)

NGO report cites lives continued to be lost in Bangladesh shipbreaking

At least five workers have lost their lives while dismantling out of service ships at shipbreaking facilities in Bangladesh in the final quarter of 2020, the latest quarterly report from the NGO Shipbreaking Platform shows.

Two workers fell to their deaths while dismantling two different vessels.

In one of the cases, local sources reported that the cutting process was happening at a very fast pace

since the workers were under pressure to quickly finish the job.

Two additional men died after falling sick at Janata Steel and Mother Steel shipbreaking yards, however, the cause of their deaths remains unclear.

Finally, a 35-year old man lost his life after being hit by a large iron piece at Khawja shipbreaking yard in Chattogram, Bangladesh. In 2020, at least four accidents were reported at shipbreaking

yards owned by Kabir Steel group.

The NGO Shipbreaking Platform publishes quarterly reports denouncing dirty and dangerous practices, such as the dumping of end-of-life vessels on the beaches of developing countries.

The platform has been very critical of the unsafe ship-breaking methods at yards in South Asia as they continue to cause toxic waste being released on the beaches causing maritime pollution.

Poor work safety practices are often cited as the main cause of the incidents that occur at shipbreaking yards in South Asia.

Almost one-third of the ships sold to South Asia in Q3 changed flag to the registries of Comoros, Gabon, Palau and St. Kitts and Nevis just weeks before hitting the beach.

As explained, these flags are not typically used during the operational life of ships and offer 'last voyage

registration' discounts. They are particularly popular with the middlemen scrap-dealers that purchase vessels cash from ship owners, and are grey- and black-listed due to their poor implementation of international maritime law.

The reflagging is often used to circumvent EU rules on breaking ships at facilities that are safe and environmentally sound, which often means they are more expensive. (Source: World Maritime News)

On-board Exercises

Actress **Kaoru Yumi** presents the **Nishino Breathing Method**

無辺

Muhen—Imagine that energy that is generated from the **Tanden (lower abdomen)**—a very important part of the human body—circles around and extends peripherally.

While feeling the warmth and presence of the **Tanden (lower abdomen)** through the palm, turn the head gently and comfortably. In doing **Muhen**, you can inhale and exhale naturally. Fully relax your neck and shoulders. **Muhen** can alleviate tension in your shoulders and help clear your head.



1. Stand in a relaxed position with your feet shoulder-width apart. Position your hands on your lower abdomen.

While exhaling through your mouth, turn your head counter-clockwise slowly. Make a full turn as shown in 3 through 9.

3.

6.



4.

7.

2. While inhaling through your nose, rotate your head up to your upper right. Keep paying attention to your lower abdomen so as not to raise or put a strain on your shoulders.



5.

8.



9. Try to finish exhaling when completing the circular motion of head.

11. Breathe out through your mouth. Rotate your head clockwise slowly. Do a few set of actions as shown in 2 through 11.



10. Breathe in through your nose. Slowly turn your head up this time to your upper left.

12. Raise your head slowly to return to your starting position.



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VOICES from SEAFARERS

**Officers and crew of MV SUNRISE DRAGON**

Health is wealth. One of our safety measures in evading infection from any disease is exercise. At the start of this year and all through the years, may we ask everybody to stay safe and healthy.

**Officers and crew of MV ZAMPA BLUE**

Happy New Year to all! We wish you all the best of health and safety of environment.

**Officers and crew of MV ATLANTIC ISLAND**

Greetings of prosperous New Year and we wish each and everyone good health and safety all through the years. Happy New Year!!!

**Officers and crew of MV MELODIA**

Clear and strong signal of the internet had connected us to our families throughout the holidays. Information about their safety from the pandemic had eased our anxieties and thus we're convinced to stay on board till the end of our contracts. Greetings to all with a happy new year!!

**Officers and crew of MV MARTORELL**

We came up to the conclusion of wishing the covid-19 virus to disappear so that we could live in a safe wide world. On this special occasion, let us applaud ourselves with a happy new year!!

**Officers and crew of MV YM SUMMIT**

Happy New Year to our fellow seafarers out there. Always stay safe and God bless us all.

Gulf of Guinea the new Somalia as kidnappings soar

The International Chamber of Commerce's International Maritime Bureau (IMB)'s annual piracy report recorded an increase of piracy and armed robbery incidents in 2020 with the Gulf of Guinea the clear hotspot as kidnappings off West Africa approach Somalia levels from a decade ago.

In 2020, IMB's Piracy Reporting Centre (PRC) received 195 incidents of piracy and armed robbery against ships worldwide, in comparison to 162 in 2019. The incidents included three hijacked vessels, 11 vessels fired upon, 20 attempted attacks, and 161 vessels boarded. The rise is attributed to an increase of piracy and armed robbery reported within the Gulf of Guinea as well as

increased armed robbery activity in the Singapore Straits.

Globally, 135 crew were kidnapped from their vessels in 2020, with the Gulf of Guinea accounting for over 95% of crew numbers kidnapped. A record 130 crew members were kidnapped in 22 separate incidents. Since 2019, the Gulf of Guinea has experienced an unprecedented rise in the number of multiple crew kidnappings. In the last quarter of 2019 alone, the Gulf of Guinea recorded 39 crew kidnapped in two separate incidents.

Incidents in the Gulf of Guinea are particularly dangerous as over 80% of attackers were armed with guns, according to the latest IMB figures. All three vessel hijackings

and nine of the 11 vessels fired upon in 2020 related to this region. Crew kidnappings were reported in 25% of vessel attacks in the Gulf of Guinea – more than any other region in the world. Once kidnapped, crew are removed from their vessel and can be held on shore until their release is negotiated. The furthest crew kidnapping in 2020 occurred almost 200 nautical miles (NM) from land with the average kidnapping incident taking place over 60 NM from land, according to IMB.

The rise in kidnapping incidents further away from shorelines demonstrates the increasing capabilities of pirates in the Gulf of Guinea. Given these developments, IMB advises vessels in the region to remain at least

250 NM from the coast at all times, or until the vessel can transit to commence cargo operations at a berth or safe anchorage.

Security consultants Dryad Global, in a recent report, noted that the shift in West African maritime criminal modus operandi and growing concern about maritime security in the Gulf of Guinea has prompted international efforts to boost regional naval capacity, including recent procurements of maritime-patrolling equipment by Angola, Cameroon, Republic of Congo, Nigeria and Senegal, among others.

Active criminal syndicates continue to trawl the seas off West Africa in the opening two weeks of 2021 looking for easy ransom targets. (Source: *Splash*)

Action Policies: Gov't agrees to cooperate

Continued from Page 4

to replace existing fishing vessels, manage fishery resources, eliminate illegal fishing, secure and foster successors of fishing vessel crew members, promote whaling and address the novel coronavirus outbreak (i.e., allowing crew members to smoothly go on board ships and come ashore).

The JSU suggested that the ministry give guidance not to sell

to overseas buyers the ships that operators have constructed under the government of Japan's program to produce lucrative fishing, simply because they are in a business slump. In response, Mr. Kotaro Nogami, MAFF minister, said that he will have his ministry conduct relevant research and discuss what to do. Currently, the construction of new ships to crack down on illegal fishing activities is on the table, he indicated, adding

the ministry will deal appropriately with illegal fishing to ensure the safety of crew members and reassure them. To secure and develop future fishing boat crew members, the minister said that a project has been included in a budget draft for fiscal 2021.

Mr. Hideaki Yamaguchi, director-general of the Fisheries Agency, a unit under the MAFF, said that to add more species to the ongoing commercial whaling,

it is necessary for relevant parties to conduct scientific research and arm themselves fully with knowledge to vie with international public opinions. To ban ships constructed under the aforementioned governmental program from being sold to overseas buyers and to how crewmembers go onboard ships and come ashore during the COVID-19 crisis, the agency intends to conduct research, the director-general said.

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