

Nat'l meet held in quake-hit Tohoku

JSU addresses various issues, drafts proposals, next budget

The All Japan Seamen's Union (JSU) held its 72nd Annual National Assembly in Hachinohe, Aomori prefecture on Nov. 8-10, 2011. The meeting is held annually to discuss and agree on action policies to be implemented in the following fiscal year. The decisions from the current three-day meeting are to affect the union's 67th year.

Aomori prefecture is in the Tohoku region, which was damaged heavily by the Great East Japan Earthquake that struck on March 11, 2011, while the city of Hachinohe laid in the path of the ruthless tsunami triggered by the massive tremor.

The national assembly attendees were treated to a dance performance by children from one of the elementary schools in the city, which is still trying to recuperate fully from the disaster. The traditional dance called *Okiage Ondo*, was presented as an invocation for the quick and complete recovery in their hometown.

The JSU's many invited guests from various Japanese industries, who having watched closely the union's response to the natural disasters, gave praises for its post-quake response. Further, labor unions in Japan and abroad that maintain close relations



JSU President Yoji Fujisawa, joined by other union leaders, speaks to the audience at the 72nd Annual National Assembly in Hachinohe, Aomori prefecture on Nov. 8-10, 2011.

with the JSU sent telegrams congratulating it for its actions. The messages, including those from the Associated Marine Officers and Seamen's Union of the Philippines and the Philippine Seafarer's Union, among others, were read aloud at the convention.

During the plenary session on the first day of the national assembly, discussions were held on JSU's activities in fiscal 2010, or its 66th year. In respect to an action policy bill that governs all activities of the JSU, regional representatives made proposals on which they then exchanged

opinions. They also made several other proposals to resolve their respective regional problems. They included proposals to alter the reform of the taxation system for seafarers, to reform the communication system between vessels and overland bases, to eliminate policies favoring overland transport, to stabilize fuel prices and to maintain ferry and other passenger services.

On the second day, meetings discussed oceangoing, fishery and domestic issues, with members exchanging views on the different challenges facing these sectors.

During the oceangoing session, questions were raised, for example, on the subject of the piracy, efforts to improve communication between ships and land facilities (eliminating the so-called "digital divide"), public relations activities to promote learning at nautical colleges (securing and developing Japanese mariners for oceangoing services), the Asian Sea-

farers' Summit, projects to train seafarers advanced in China and Vietnam, and training centers in South Korea.

In particular, the session focused on piracy. Questions broached the subject regarding the definitions of "rejecting sailing", "rejecting assignments to work onboard ships" and other terms, as well as the coverage of "high-risk areas" and "extended risk zones".

These question and answer sessions led to deepened mutual understanding between the JSU and the representatives. The oceangoing session began at 9:30 a.m., and after holding long and detailed discussions, members agreed on action policies before adjourning at 3 p.m.

On the last day, there was deliberation on reports from the section meetings and a draft of the JSU budget. Also, the chairman of the committee on discussing resolution proposals announced which resolutions were handled and revised during the national assembly.

JSU President Yoji Fujisawa gave his closing address and the meeting came to an end.



The assembly was entertained by local school children who performed a traditional dance called *Okiage Ondo*, as a form of prayer for the quick recovery of the region.

ITF moves to protect against hazardous reefers

The ITF is taking action to protect the health and safety of port workers and seafarers as concern continues over potentially dangerous reefer containers.

Some 900 refrigerated units were withdrawn by Maersk last month after three fatalities were linked to maintenance work carried out on containers in Vietnam.

Although as yet unconfirmed,

it's thought that some reefers may have been topped up with contaminated gas causing them to be potentially explosive under certain conditions.

ITF affiliates across dockers, seafarers and road and rail sections, have been informed of the potential risk attached to these units and are being advised to follow up with their local health and safety authorities.

ITF dockers' section secretary Frank Leys said: "We are pleased to see that big shipping lines like Maersk have reacted quickly to this situation and we would join our U.S. affiliate, the International Longshore and Warehouse Union, in urging any companies or organisations who haven't already taken steps to alleviate this risk, to follow suit now."

Seafarers' section secretary Jon

Whitlow added: "We are extremely concerned for the welfare of those workers on ships who may be unaware that a defective container is being carried on board."

"Whilst of course the explosion of a container ashore is a tragic event, we think that a similar explosion on board a vessel could have potentially catastrophic effects on workers, ships and the environment."

Additionally, inland transport section secretary Mac Urata commented: "This is not just an issue for seafarers and dockers, workers right across the supply chain are potentially at risk. We are looking now for a swift and thorough investigation into how these tragedies came about and information on what happens next to ensure workers' safety." (Source: ITF Seafarers)

Time to make move on MLC

The Maritime Labor Convention (MLC) 2006 enters into force 12 months after 30 countries representing 33% of the world's fleet have ratified the Convention. The status today is that 20 countries representing 55% of the world's fleet have ratified it. The International Labor Organization (ILO) is still optimistic that the 10 remaining ratifications will be received by the end of this year or in early 2012.

When the Convention enters into force, all ships of 500 gross tons and above in international trade will need to hold a valid MLC Certificate and a corresponding Declaration of Maritime Labor Compliance (DMLC).

All other ships will need to be inspected, but there are no MLC certification requirements for such ships.

The number of ships to be inspected is estimated by Lloyd's Academy to be around 65,000. No doubt this will generate a long queue of ships to be certified within the limited time period. In order to avoid such a certification rush, some Administrations are introducing a voluntary certification scheme prior to the entry into force of the Convention.

This is currently the case with Marshall Islands and Liberia, which have published their DMLC Part I (and through that their national legislation implementing the MLC 2006) and in which they encourage such a voluntary certification scheme. Each owner has to apply the relevant Administration for a ship specific DMLC Part I, before they can prepare their DMLC Part II and proceed with the certification process.

Even though many shipowners may already have some of the MLC requirements in place through their ISM systems, some issues still need to be addressed and implemented in order to achieve full compliance with the Convention's and flag states' specific requirements. It should also be kept in mind that some of these issues, like Collective Bargaining Agreements, Seafarers' Employment Agreements, clarifying specific requirements for special ships, clarifying the definition of a seafarer, and ensuring crewing agents operate in compliance with the Convention may be time-consuming tasks and should be properly planned for in order to be in compliance before the Convention enters into force. (Source: Safety4sea)

Manila confab attends to welfare challenges

A National Tripartite Consultative Conference on Seafarers' Welfare was recently conducted in Manila in order to validate previously gathered data from focus group discussions and in-depth interviews with the tripartite sectors of the maritime industry.

Held at the AMOSUP Convention Hall, AMOSUP Seamen's Center, Intramuros, Manila, the conference was attended by 49 participants from the tripartite groups of the government, employers and seafarers.

The activity culminated the data gathering activities for the study Challenges Facing the Welfare of Filipino Seafarers—An Analysis of Current Welfare Services vis-à-vis Seafarers' Needs, a collaborative undertaking among the Overseas Workers' Welfare Administration (OWWA), Associated Marine Officers' and Seamen's Union of the Philippines and the National Maritime Polytechnic (NMP).

NMP Executive Director Atty. Josephus B. Jimenez informed that the output of the Conference will be processed, analyzed and will then form part of the report of the study. The completed research is due by end of December 2011.

Undersecretary Danilo P. Cruz of the Department of Labor and Employment (DOLE) in his Key-note Address commended the agencies involved.

"I would like to congratulate the OWWA, NMP and AMOSUP for this collaborative research, and express my thanks to the participants from the government, employers and seafarers who have provided inputs for the study. With these, it is hoped that the welfare services and programs would be enhanced to be truly responsive to the current and future needs of seafarers," USec Cruz said.

Three (3) resource speakers pre-

sented priority areas for welfare services from the particular viewpoint of their respective sector. An interactive session ensued right after the presentations.

Mr. Alexander Querol, Senior Vice-President and Chief Operating Officer of Magsaysay Maritime Corporation, one of the Philippines' leading human resource company and recipient of the Philippine Overseas Employment Administration (POEA) Award of Excellence, spoke for the employers' sector.

Deputy Administrator Josefino I. Torres, of the Overseas Workers' Welfare Administration, represented the government sector.

For seafarers, Second Engineer Arvin Ivan G. Peralta of the MST Marine Services Inc. and an alumnus of the Maritime Academy of Asia and the Pacific, discussed the welfare needs of marine officers and ratings.

Executive Director Jimenez in

his closing message said, "With the increasing number of seafarers being held captive by pirates, the impending enforcement of the Maritime Labor Convention, not to mention the problems of recruiting and retaining seafarers, the issue on welfare has increasingly become a serious concern in the maritime industry. Working on ships should not make seafarers less human, nor justify the neglect and inhumane practices onboard and ashore that reduce them to commodities or caricatures. They are people with values, vulnerabilities, needs and aspirations."

He underscored that "for a sector who has greatly contributed to the country's economic survival, the least that the government owes its seafarers is the entitlement to better welfare services and programs protecting their rights and well-being." (Source: Shiptalk)

IMSN develops multi-layered anti-piracy system

With seafarers' safety and lives at risk, along with the billions of dollars maritime piracy costs the global economy every year, International Maritime Security Network (IMSN) has developed a solution to combat piracy with its Triton Shield Anti-Piracy System (APS).

The multi-layered defense package is designed to detect, deter and defend against piracy on the high seas by incorporating training, education, technological deterrents and security.

After five years of research and testing, the final phase of testing for the Triton Shield APS will be completed by the end of March on a voyage from Jacksonville, Fla., to San Juan, Puerto Rico, aboard a Horizon Lines vessel.

A representative from the International Merchant Marine Registry of Belize (IMMARBE) will observe and evaluate the Triton Shield APS and Anti-Piracy course aboard the Horizon Lines vessel.

The voyage will test IMSN's early-detection cameras, ballistic armor for safe rooms, and upgrades to the Triton Shield wall-of-water device.

In addition, IMMARBE will observe crew training and a security team's role aboard the vessel. "While there is little credible threat of pirates in the Caribbean

waters, the Horizon Lines vessel will allow testing of all processes and training of crew members at sea," said Capt. Timothy D. Nease (ret.), co-founder and CEO of IMSN.

He added that this initial testing is imperative in preparation for another voyage on a different carrier scheduled through the high-risk waters off Africa in April. The world's largest ship registry, PMA, has certified the Triton Shield APS based on a demonstration conducted in Panama last September.

IMSN also presented its Anti-Piracy course, which PMA is currently evaluating for certification. "The Panama Maritime Authority's support for an anti-piracy system is very significant for the maritime industry," said Nease. IMSN's Triton Shield APS provides layered security beginning with an innovative camera system to detect any watercraft that enters a one-mile radius of the IMSN-equipped vessel.

Additionally, the Triton Shield water system discharges a powerful wall of water alongside of the ship, which can run continuously on vessels transiting through high-risk waters. The wall of water makes it extremely difficult for pirates to scale the hull of the ship, and can flood small boats within minutes.

The wall of water can further be enhanced with environmentally safe irritants making it even more challenging for pirates to ever board a commercial vessel.

"Our team at IMSN has been researching ways to make the system more affordable and transferable between ships," said Nease.

"This is a very practical solution for ship owners with multiple vessels. We're also seeking designs applicable to yachts and expect to introduce customizable solutions this summer," he continued.

According to IMSN, early detection of maritime piracy allows for proper use of force continuum with various methods of deterrence to harden the target and warn pirates off before the need for direct engagement and defense.

The IMSN Anti-Piracy Defense Course, designed for officers and crews, provides concepts related to anti-piracy laws and the needed practical training for activities such as watch-keeping, lock down procedures, anti-piracy drills, hand-to-hand defensive tactics, as well as contingency plans for issues such as surviving a hostage attack or movement of prisoners.

IMSN has the only certified Anti-Piracy course available online or on DVD. (Source: Shiptalk)

Seafarers' Trust donations reach over \$14 million

The latest donations made to the charity arm of the ITF, the Seafarers' Trust, have been revealed bringing the total for 2011 to GBP9 million, or a little over US\$14 million.

The most recent round of donations amount to GBP6.5 million, which will be used to provide funding for five different projects for the welfare of seafarers.

A sum of GBP5 million has been allocated to Seafarers' Rights International (SRI) for a five-year program for continuing work on advancing the legal rights of seafarers.

Among other projects to gain funding is the Maritime Piracy Humanitarian Response Program, which was officially launched in London in September. MPPHRP is set to receive GBP750,000 over three years as part of its GBP3.3 million program to address the problems facing seafarers and their families affected by piracy.

"In spite of very difficult conditions within the maritime industry, the Trust sees the importance of supporting good projects for major expenditure when the opportunities are there to benefit seafarers," the Trust said. (Source: ITF Seafarers)



Season’s Greetings from JSU President Yoji Fujisawa

MERRY CHRISTMAS
& HAPPY NEW YEAR!

Members of the All Japan Seamen’s Union (JSU) must have spent Christmas and the New Year with many thoughts on their minds. I pray that you and your families will remain healthy throughout this year.

In 2011, many parts of the world were hit hard by natural disasters, and the

global community was sucked under by major forces, such as political upheavals and financial crises. We were also impacted here in Japan catastrophically by the Great East Japan Earthquake.

The shipping industry is no exception in that it too is faced with a very critical situation brought on by huge forces.

Because the world is in such a difficult state of affairs, I would like the JSU to carry on international labor

campaigns even more aggressively and promote other activities to protect the dignity of seafarers and their labor in partnership with other labor unions in the Asia-Pacific region as well as other members of the International Transport Workers’ Federation.

I hope you will join together and work hard with us so that seafarers can enjoy a brilliant future 100 years from now.

VOICES from SEAFARERS



M/V SOUTHERN HIGHWAY

We the crewmembers of Southern Highway would like to express our gratitude to the JSU for negotiating the implementation of broadband connection on JSU vessels instead of free e-mail access. Merry Christmas.



Officers & Crew
M/V ETERNAL ACE

We’re happy to receive souvenirs from the JSU. We also request the JSU to continue its support to non-domiciled members especially in implementing of broadband onboard. Wishing all seafarers Merry Christmas and a Happy New Year.



Capt. Ildefonso C. Cuachon & Crew
M/V CRESTA BLUE

Many thanks to the JSU staff for visiting our ship. We are happy and thankful for the information about the increase of salary. We are looking forward to seeing you again. Merry Christmas and a Happy New Year.



Capt. Floro V. Lora Jr. & Crew
M/V GREAT PERSEUS

May Almighty God bless the JSU and all the seafarers and people behind this organization. We’re so delighted for the increase in our wages. A message to all: “A heart that is open to appreciate every blessing should always be bigger than the eyes that could see what is missing.” Merry Christmas to all.



Officers and Crew
M/V POSITIVE PASSION

Merry Christmas and a Happy New Year to our fellow seafarers. We wish and hope for long lasting support of the JSU in improving its members’ working conditions and welfare. Wishing you all the best in the years to come and more power.



Officers & Crew
M/V BALTIC HIGHWAY

We express our most profound and long-lasting gratitude to the All Japan Seamen’s

Union for the untiring support of its members. Wishing you a Joyful Christmas and Prosperous New Year.



Capt. Rene D. Villaverde & Crew
M/V YM PEOPLE

We are very thankful for the effort and support that the JSU gives us. The visitation and information provided by the JSU are well appreciated. Merry Christmas and a Happy New Year!



Capt. Mario A. Astrera & Crew
M/V SHIN NICHIGO

We thank the JSU’s Filipino staff for their regular ship visits and hoping that this kind of JSU activity will continue in order to update us with the latest information. Merry Christmas and a Prosperous New Year.



Capt. Danny B. Torrano & Crew
M/V KYOWA ORCHID

We hope that the company will provide us access to the Internet. We give thanks to the Lord for our good health and to our loved ones. Merry Christmas and a Happy New Year to all!

California judge awards \$250K to whistleblower

A judge in California has awarded US\$250,000 to an oiler who blew the whistle on violations of U.S. pollution laws by his ship's chief engineer.

U.S. District Court Judge James Ware of California's northern district made the award yesterday after ordering Panamanian shipowner Dianik Bross Shipping to pay a \$500,000 fine for using a 'magic pipe' to bypass pollution control equipment.

U.S. MARPOL regulations allow whistleblowers to receive an award of up to one-half of fines collected under the statute.

The fine and award resulted from an Aug. 10 Coast Guard inspection of *Kostas N* while the 1982-built, 35,971-dwt bulker was docked at Oakland. The oiler gave inspectors who had gone aboard a note alleging pollution violations, leading to an expanded MARPOL examination, court documents said.

The examination revealed that engineer Vassili Samoilenko used a hose to bypass the ship's oily water separator, allowing illegal amounts of oily water to be discharged into San Francisco Bay.

Samoilenko, 54, pleaded guilty to two counts of obstructing justice, arising from falsifying the ship's oil record book. He was sentenced to more than three months of community confinement "and will be returning immediately" to Estonia, his home, court documents stated.

Dianik Bross was also ordered to pay \$150,000 for community service projects. (Source: *Fairplay*)

Armed guards spark headache for insurers

Allowing armed guards on merchant vessels will create insurance confusion, according to the International Group of P&I Clubs in London.

The Group's secretary Andrew Bardot told *Fairplay* that fighting pirates with guards will present challenges for P&I underwriters: "The use of armed guards raises a raft of issues from liability point of view – such as if crew come under crossfire and someone is hurt, liabilities if a pirate is shot and a complicated matrix of international law if an incident happens in the territorial waters of a country."

The shipping and insurance industries have recently backed away from their stance against the use of armed guards, moving to a middle ground as pirate activities have increased.

"We do not advise for or against it [the use of armed guards], this is something each owner must decide individually," Bardot said.

He added: "Stakes are rising and this is a very profitable commercial activity, which also includes lawyers, insurance security companies etc." (Source: *Fairplay*)

Six Gulf PSC bodies toughen entry restrictions

The Port State Control (PSC) authorities of six GCC states, including the Sultanate, which come under the Riyadh Memorandum of Understanding (R-MoU), have taken initiatives to prevent substandard vessels from visiting their ports.

"Our aim is to ensure effective PSC regime in the R-MoU region, through cooperation and harmonisation of PSC activities to eliminate substandard shipping. This is necessary to promote maritime safety, protect marine environ-

ment and safeguard working and living conditions on board," said Hamoud S. Al Maskry, Director of the Secretariat and Information Center of the Riyadh MoU.

He was speaking to Oman Tribune on the sidelines of a two-day training programme for port state control officers (PSCOs) of member countries of the Gulf region on ship hull inspection and ways to handle damages.

"Regular inspections are carried out by marine inspectors to ensure that cargo, passenger ships and ships carrying livestock

are seaworthy and comply with international conventions and the national regulations of member authorities. Efforts are taken to prevent substandard vessels from visiting ports," he said. "The MoU is to achieve safe, secure and efficient shipping in the maritime jurisdictions in the Gulf region. It is one of several regional pacts on PSC signed by maritime authorities under the auspices of the International Maritime Organization," he said.

Al Maskry said the training program, organized by the

Riyadh MoU on PSC in association with *Lloyd's Register* at Rotana Hotel, is being attended by 18 PSCOs from Gulf states.

"We want to update PSC officers with the latest resolutions and techniques on safety of ships," Al Maskry said. "Various programs are being planned in 2012."

The Riyadh MoU on PSC in the Gulf Region was set up by Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and UAE in 2004. Iran, Iraq and Yemen will join soon, he added. (Source: *Shiptalk*)

Philippines re-elected to UN's IMO Council in Category 'C'

The Philippines has been re-elected to the Council of the International Maritime Organization (IMO) under Category "C".

Ambassador Enrique Manalo, Philippine Permanent Representative in London, said the re-election of the Philippines demonstrated the high-regard of the 170-member UN organization.

It also recognized the country's status as the primary provider of

seafarers around the globe.

The Philippines was first elected to the IMO Council in 1997 and has since been re-elected under Category "C" where 20 governments representing all major geographical areas of the world have special interests in maritime transport and navigation.

Elected together with the Philippines were Australia, the Bahamas, Belgium, Chile, Cyprus, Den-

mark, Egypt, Indonesia, Jamaica, Kenya, Liberia, Malaysia, Malta, Mexico, Morocco, Singapore, South Africa, Thailand, and Turkey.

Ten governments are elected each under Category "A" and "B." States with high interest in international shipping services like Greece, Japan and the United States were elected under Category "A" while those with largest

interest in international seaborne trade like Germany, Brazil and France were elected under Category "B."

IMO is a UN specialized agency responsible for ensuring maritime safety and security and protecting the marine environment. The Council is the Executive Organ of IMO and is responsible for supervising the work of the Organization. (Source: *Shiptalk*)

Maritime skills to become more vital in future

These are dangerous times for the global economy and particularly so for those who make their living from sea trade. With half the world drowning in debt and the other half husbanding most of the money, it does not bode well for any speedy return to fiscal normality.

The shipping industry has in the past shown its considerable resilience to difficult economic circumstances, with a ship being so much more flexible than a fixed asset on land. However, it does not get any easier, with the increasing specialisation of ships, to see them gainfully employed when particular sectors are suffering from overcapacity and further declining demand.

There are limited opportunities for instance, to employ a 15,000TEU containership if its original purpose is denied it, while a car-carrier fleet becomes a liability when nobody is buying new cars. Life was so much easier when there were dry cargo tweendeckers and tankers that divided up the world trade between them.

Nonetheless, this present situation is such a difficult one to call, as it is so different to all the

downturns of the past.

During the 1970s and 1980s, when the anchorages were full of laid-up vessels and shipbuilders saw the grass growing on their launching ways, there was no equivalent to the extraordinary development of China, India and Brazil, which between them can play a major role in any global recovery.

Some say that China will suffer because of the shrinking ability of its customers overseas who cannot afford its goods, but there remains an extraordinary domestic appetite, as this vast country spreads its development from the coastal provinces into the interior.

There is an internal dynamic in all three of these huge countries, which hopefully will influence world trade, even if the best we can hope for from troubled Europe and the United States is a few points better than the economics of stagnation. Nonetheless, the crisis reminds us of the interconnectivity of the whole globe and the importance of trade for getting the economies moving again, and indirectly, of the role of economical, efficient shipping in facilitating this recovery.

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We can extrapolate these ideas to underline the importance of marine technology in this vital task, with maritime expertise increasingly important in so many important areas that will keep the world on track. Think of how many activities are employing, if not seamanship itself, skills that are maritime-related and depend on expertise afloat.

Consider our growing dependence upon offshore oil and gas, the sea skills that are employed in winning energy from deeper and more exposed waters.

Think about the technology involved in working offshore in stormy waters in shuttle tankers, FPSOs and the bewildering number of service craft that are employed in the offshore arena. Consider too the growing importance of offshore wind energy and other sustainable developments, largely dependent upon sea skills.

It is this maritime expertise that will continue to be important as we go forward into this uncertain economic future. We can, in any rate, depend on this. (Source: *Shiptalk*)

Solar-powered vessel makes brief stop at Sri Lanka

The world's largest solar powered vessel is set to arrive into Sri Lanka.

This Swiss vessel named *Planet-Solar* is on a world tour to mark the first solar boat expedition. This vessel arrived at the Colombo harbour on Nov. 16 for a brief stop-over.

Environment Minister Anura Priyadarshana Yapa expressed his cooperation observed that the use of green energy is a timely initiative to reduce carbon emission resulting from fuel burning. *Planet-Solar* has a crew of six men. Its tour will take it across the Atlantic Ocean, the Panama Canal, the Pacific Ocean, the Indian Ocean and finally the Suez Canal, before returning the Mediterranean.

The surface area of the solar panel in the vessel is 537 square meters. It started navigation on Sept. 27 last year and is to complete the tour in May 2012. (Source: *Shiptalk*)

Court weighs cost liability in piracy diversion

A court battle is being fought out in London with piracy at its core – and the key question of who has to pay for diversions being argued.

According to a report in *Lloyd's List*, Pacific Basin and Bulkhandling Handymax are in a dispute over who foots the bill for diversion round the Cape of Good Hope motivated by fear of piracy in the Gulf of Aden.

It seems the case may now be remitted to the arbitrators for reconsideration, after an initial decision holding that the alternative route, "did not constitute a deviation".

The case is important as it wrestles with the true dilemma of piracy and its knock on effects on trade. Does for instance a "one-in-300" risk of attack from pirates

constitute a war risk? Lawyers for the defendants, argued that this represents a serious risk that the vessel would be exposed to piracy.

Both sides are seeking a favourable interpretation of the "Conwartime 1993" clause, which permits masters to refuse to travel through any area perceived to represent a war risk. (Source: *Shiptalk*)

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