

# Report of the CG on IMO-NGO issue to the 5<sup>th</sup> ASEF

2 December 2011

Busan, Korea

Bin OKAMURA

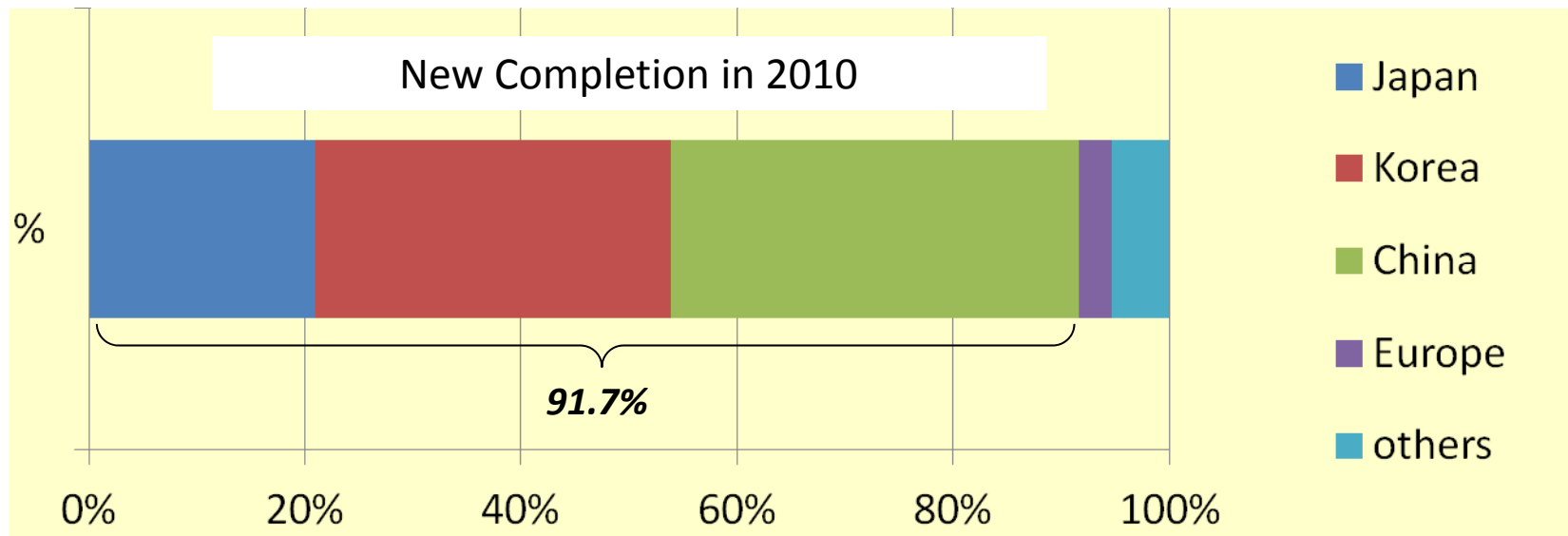
Coordinator, CG on IMO-NGO issue

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# Background (1)

- **More than 90% of new ships of the world is built by Asian Shipbuilders.**



# Background (2)

- Various IMO Conventions & Guidelines have made **serious impacts** on Shipbuilding industry.
- Asian shipbuilders should pay attention to the IMO more and more.

SOLAS

MARPOL

Load Line

Ballast Water Management

Ship Recycling

Anti Fouling System

etc.

# Background (3)

## **78 NGOs in IMO at present**

- However, many of them from shipping, machinery, paintings, ports, university etc.

## **2 of 78 are representing Shipbuilding Industry; CESA and SYBAss**

- CESA is a community of shipbuilders' associations in Europe
- SYBAss is related to building of large & luxury yachts (A Taiwanese builder is a member, while all others are from Europe, USA or Oceania)

✓ **No proper NGOs in IMO relating to building of cargo ships (Oil tankers, Bulk carriers, Container ships, etc.)**

✓ **Asian shipbuilders, which build more than 90% of world new ships should go to IMO**

# Resolutions

## **Resolution 1(1) on the 'FRAMEWORK OF ASEF'**

adopted on 16 November 2007

at the 1<sup>st</sup> ASEF in Tokyo, Japan

## **Paragraph V (Future challenges) of the resolution**

**The Forum will explore the possibility of establishing an NGO with IMO- Consultative status.**

# Resolutions

## **Resolution 2(1) on the 'ESTABLISHMENT OF ASEF'**

adopted on 13 November 2008

at the 2nd ASEF in Changwon, Korea

## **Paragraph V (Future challenges) of the resolution**

**ASEF will explore the establishment of NGO with  
IMO-Consultative status**

# Establishment of the CG

- Consensus at the 4<sup>th</sup> ASEF

At 4<sup>th</sup> ASEF Kyoto in 2010, it was **agreed to establish Correspondence Group** in order to discuss specific issues continuously.



CG on IMO-NGO issue



# Activity of the CG

**CG for Asian Shipbuilders' study of the way to obtain IMO-NGO status  
(TOR of the CG on IMO-NGO issue)**

## **Structure of CG**

Coordinator(Japan)

Mr. Bin OKAMURA;

Former deputy director of Marine Environment Division of IMO secretariat  
(Mr. Akira ISHIHARA from JSTRA serves as a secretary)

## **Membership**

Members are from Shipbuilders' / Shiprepairers' associations, or representative Shipyard(s) / Repairshipyard(s) in case Shipbuilders' / Shiprepairers' associations do not exist, of Asian countries which express their intentions to participate in, and those who are nominated by a member.

# Activity of the CG

**CG for Asian Shipbuilders' study of the way to obtain IMO-NGO status  
(TOR of the CG on IMO-NGO issue)**

**Subjects of study regarding IMO's provisions on NGOs and existing NGOs**

CG will conduct study on following items and report its outcome to 5<sup>th</sup> ASEF.

*Study regarding IMO's provisions on NGOs in consultative status with IMO*

(1) Responsibilities, privileges, advantages and disadvantages of NGO in consultative status with IMO, and conditions for obtaining and maintaining the status

# Activity of the CG

## **CG for Asian Shipbuilders' study of the way to obtain IMO-NGO status (TOR of the CG on IMO-NGO issue)**

### **Subjects of study regarding IMO's provisions on NGOs and existing NGOs**

Study regarding existing NGOs such as CESA, IACS, ICS, BIMCO, etc.

- (2) Listing up of existing NGOs in consultative status with IMO (79 NGOs)
- (3) Activities in IMO etc. (regular and irregular activities)
- (4) Member eligibility, approval of accession and withdrawal, and dismissal procedure
- (5) Structure of the organization, staffs and secretariat
- (6) Method of electing chairman, secretary general, secretariat etc. in charge of IMO related affairs and their terms of office
- (7) Method of decision making, revision of organization codes, approval of budget etc.
- (8) Countries where headquarters / branches (e.g.: Representative office in London) should be located (registered), and regulations, tax system
- (9) Required operating cost (project cost, administrative cost, employment cost, etc.)
- (10) Method of calculating each country's share of contributions to the operating cost

# Activity of the CG

**CG for Asian Shipbuilders' study of the way to obtain IMO-NGO status  
(TOR of the CG on IMO-NGO issue)**

**Imaging of a structure of an organization representing Shipbuilding / Shiprepairing industry in Asia as an IMO-NGO**

A structural plan or plans (i.e., alternatives, if necessary) are to be prepared to image the most desirable structure of ASEF that will act as an IMO-NGO in case an agreement is reached by the member countries of ASEF about pursuing NGO status.

(Note) Scope of the CG is just studying IMO-NGO status, and any decision-making is out of the scope of the CG.

# Activity of the CG

## Members of the CG(as of 2 December 2011)

- 21 members
- From 8 countries
  - China
  - India
  - Indonesia
  - Japan
  - Korea
  - Malaysia
  - Sri Lanka
  - Vietnam

## Member List of the CG

Name	Email address	Job title	Organization/Company	Country
Bin OKAMURA	okamura@hakuyohin.or.jp	Technical Advisor	The Ship Equipment Inspection Society of Japan	Japan (Coordinator)
Akira ISHIHARA	ishihara@jstra.jp	Manager	Japan Ship Technology Research Association	Japan (Secretary)
Yanqing Li	lyq@shipol.com.cn	Vice Director	China Shipbuilding Information Center	China
Mr. Xinnan Qian		Deputy Secretary General	CANSI	China
Prashant R.GOVIL	saindia2006@yahoo.co.in	Advisor	Shipyards Association of India	India
Sjarifuddin Thahir	sjaifuddin@klasifikasiindonesia.com	External Affair	PT. Biro Klasifikasi Indonesia	Indonesia
Wing Wirjawan	w_wirjawan@yahoo.com iperindo@indo.net.id	Expert of IPERINDO	Indonesia Shipbuilding and Offshore Industries Association (IPERINDO)	Indonesia
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Nguyen Quoc ANH	nqanh@vinashin.com.vn	Vice President	Vietnam Shipbuilding Industry Group (VINASHIN)	Vietnam
Le Minh DUC	lmduc@vinashin.com.vn	Head of Science & Technology Dept.	Vietnam Shipbuilding Industry Group (VINASHIN)	Vietnam

# Activity of the CG

- Face-to face meeting
  - 30 November 2011, in Busan, Korea
  - number of participants 15
  - From China, Indonesia, Japan, Korea, Sri Lanka
  - Agenda
    - Opening of the meeting
    - 1. Adoption of the agenda
    - 2. Overall explanation on activity of the CG
    - 3. Subjects of study regarding IMO's provisions on NGOs and existing NGOs
      - .1 Study regarding IMO's provisions on NGOs in consultative status with IMO
      - .2 Study regarding existing NGOs such as CESA, IACS, ICS, BIMCO etc.
      - .3 Follow up action
    - 4. Any other business
    - 5. Report to the 5<sup>th</sup> session of ASEF

# Interim Outcome of the CG's Activity

- IMO's Provision

With respect to the IMO's provisions on NGOs in consultative status with IMO, the following documents are found:

- .1 Rules governing relationship with Non-governmental International Organizations (hereinafter referred to as Rules) and;
- .2 Guidelines on the grant of consultative status (hereinafter referred to as Guidelines).



# Interim Outcome of the CG's Activity

- **IMO's Provision**

## **Privileges**

(Rule 6 of the Rules)

- the right to receive the provisional agenda for sessions of the meetings of IMO;
- The right to submit written statements on items of the agenda of the meetings of IMO;
- The right to be represented by an observer at the meetings of IMO; and
- The right to receive the texts of resolutions adopted by the meetings of IMO.

(Rule 7 of the Rules)

- Normally one observer from each NGO shall be admitted to any session or meeting; and
- Such observer shall have no voting rights but may speak on any item of the agenda.

# Interim Outcome of the CG's Activity

- **IMO's Provision**

## **Responsibilities**

(Rule 4 of the Rules)

- To support the activities of IMO; and
- To promote the dissemination of its principles and work, bearing in mind the objectives and functions of IMO.

(Rule 8 of the Rules)

- To keep the Secretary-General of IMO currently informed of those aspects of its own activities which are likely to be of interest to IMO; and
- To accord to IMO privileges corresponding to those which are granted to it by IMO.

# Interim Outcome of the CG's Activity

- **IMO's Provision**

## **Requirements**

(Rule 1 of the Rules)

- A substantial contribution to the work of IMO

(Rule 3 of the Rules and paragraph I of the guidelines)

- The activity of NGO concerned is related directly to the purposes of IMO as defined in Article 1 of the IMO Convention; and
- The objects and functions of NGO are fully in harmony with the spirit, functions and principles of IMO.

(Rule 5 of the Rules and paragraph IV of the guidelines)

- A permanent headquarters;
- A governing body;
- An executive officer;
- Truly international with members, component branches or affiliated bodies in a sufficient number of countries; and
- Authorization under its constitution to speak for its members through accredited representatives.

# Interim Outcome of the CG's Activity

- **IMO's Provision**

## **Requirements**

(Paragraph II of the guidelines)

- It is not a member of, affiliated to, or otherwise associated with another organization which enjoys consultative status or has other form of association with IMO; and
- The interest or interests it purports to represent are not represented in IMO through another organization.

(Paragraph III of the guidelines)

- No duplication or conflict. In particular, no grant of consultative status shall be made where each of two or more rival organizations purports to represent a particular interest to the exclusion of the others.

# Interim Outcome of the CG's Activity

- IMO's Provision

## Procedures

(Rule 9 of the Rules)

- The Council of IMO shall only consider applications for consultative status from NGOs once a year; and
- The Council of IMO shall not consider re-applications from such organizations until at least two years have elapsed since the Council took a decision on the original application.

(Rule 10 of the Rules)

- The Council of IMO shall review the list of NGOs, in order to determine whether the continuance of their status in any particular case is necessary and desirable and shall report to the Assembly of IMO accordingly.

# Interim Outcome of the CG's Activity

- Listing up NGOs in consultative status with IMO
  - 78 NGOs
    - Shipbuilding 2
    - Onboard Equipment Manufacturer 4
    - Shipping 17
    - Port 3
    - Finance 2
    - Academy 5
    - Environment 10
    - Others 35

# Interim Outcome of the CG's Activity

- Study regarding existing NGOs
  - CESA
  - IACS
  - IAMU
  - IPPIC

# Interim Outcome of the CG's Activity

- Follow up action
  - Observation of deliberation in IMO regarding rules and guidelines for NGOs
  - Study on existing NGOs
    - China - WSC, ISO
    - Japan – BIMCO, IPTA
    - Korea – ICS, ITTC
    - by 15 February 2012
  - Future structure of ASEF
    - China, Japan, Korea and others
    - After completion of the studies on existing NGOs and their review, commence discussion on future structure of ASEF as soon as possible but not later than the end of July 2012.