

Frequently Asked Questions for and Answers to ASEF's Application for Consultative Status

1. Key Points in Matching IMO Criteria for Consultative Status of NGO

- 1) Whether the purpose of the applicant is directly related to the purposes of IMO and fully in harmony with the spirit and functions of IMO.
- 2) Whether the activities of the applicant have a direct bearing on the main purposes of IMO as a whole, or on the work of any of the organs or Committees or on the matters dealt with in any conventions in respect of which IMO performs depositary or other functions.
- 3) Whether the applicant has demonstrated that it has considerable expertise as well as the capacity to contribute, within its field of competence.
- 4) Whether there are any programmes or projects of the applicant which can reasonably be considered as demonstrating the relevance of the applicant's work and interests to those of IMO.
- 5) To enable the IMO to obtain information or expert advice from the applicant with special knowledge in particular field of activities of IMO.
- 6) Whether the applicant is expressing that it is a large scale international NGO directly related to IMO activities.
- 7) Whether the applicant is a member of or affiliated to other NGOs who have acquired consultative status with IMO.
- 8) Whether the applicant is making its application with no intent to eliminate certain competing organizations who have acquired consultative status with IMO.
- 9) Whether the applicant has the capacity and willingness to promote and disseminate the principle and work of IMO.
- 10) Whether the applicant has a permanent headquarters, and is a truly international NGO actively engaged in its conducting its work within its competent field.
- 11) Whether the structure and the members of the applicant are consistent with the

decisions of the IMO Assembly and Council.

- 12) Whether it is possible for IMO to join the activities of the applicant (attendance to conferences and access to publications, etc.)

2. ASEF's Answers to the Key Points in Matching the IMO Criteria

- 1) Whether the purpose of the applicant is directly related to the purposes of IMO and fully in harmony with the spirit and functions of IMO.**

The purpose of establishing IMO is described in detail in Part 1 of the Convention on the International Maritime Organization (IMO), which among other things would be to provide machinery to achieving cooperation among the governments to promote elimination of discriminatory measures and unnecessary restrictions, and to recommend the most effective measures for maritime safety, effective operation of ships, and protection of maritime pollution regarding regulations and practices on all kinds of technical matters adopted by Member States which have effect on shipping engaged in international trade.

The purpose of ASEF, as an organization, is to contribute to development of international seaborne transport and further strengthening of the world's maritime safety, maritime environment protection and maritime security which match with the purpose of IMO.

- 2) Whether the activities of the applicant have a direct bearing on the main purposes of IMO as a whole, or on the work of any of the organs or Committees or on the matters dealt with in any conventions in respect of which IMO performs depositary or other functions.**

The purpose of ASEF activities is the strengthening of maritime safety, protection of maritime environment and maritime security and these objectives are the main themes of the IMO's Maritime Safety Committee and Marine Environment Protection Committee, which are the main committees of IMO, and therefore the activities of ASEF do match the IMO's main objectives as well as the activities of these committees together with the activities of the related sub-committees.

- 3) Whether the applicant has demonstrated that it has considerable expertise as**

well as the capacity to contribute, within its field of competence.

ASEF has many experts having the technical knowledge particularly for the newbuilding, repairing, conversion and recycling of cargo ships and have established its organizational framework to enable mobilising such experts to deal with various challenges.

Up to now, ASEF has made contributions based on technical knowledge for protective coating standards, goal-based standards and classification rules for tankers & bulk carriers and containerships, and onboard vibration ISO standards.

4) Whether there are any programmes or projects of the applicant which can reasonably be considered as demonstrating the relevance of the applicant's work and objectives to those of IMO.

ASEF has been working as a body to organise series of annual technical forums since 2007 where technical issues being discussed at IMO were taken up for discussions, and such activities do match the activities and objectives of IMO.

Further, ASEF has continued to provide to the related stakeholders various experts knowledge from time to time (for instance, IMO invited ASEF to join the Future Ship Safety Symposium in 2013 and ASEF joined the steering committee and provided speakers during the Symposium), and this again matches the activities and objectives of IMO.

- Protective Coating Standards (PSPC)
- SOLAS/GBS (including development of Industry Standards for Ship Construction File)
- IACS's Common Structural Rules
- Containership Structural Rules
- ISO Standards for Onboard Ship Vibration

5) To enable the IMO to obtain information or expert advice from the applicant with special knowledge in particular field of activities of IMO

ASEF has expert knowledge based on experience in the field of design, construction, conversion and repairing of ships that satisfy the requirements of maritime safety and protection of maritime environment and maritime security, and further, ASEF is a body established with its purpose to provide such expert knowledge to IMO, and there is no doubt that ASEF can serve the purpose.

6) Whether the applicant is expressing that it is a large scale international NGO directly related to IMO activities.

ASEF consists of 10 members from 10 countries, and their share of world's total shipbuilding output is in excess of 90%, and thus can be considered to satisfy the IMO requirements of sufficient number of countries. Unlike the shipping industry, shipbuilding industry with large capital requirements for the sake of ensuring sustainability, needed to be developed in selective regions since suitability of the industry depended largely on geographical advantage, availability of suitable labour, etc., and in this sense, ASEF is represented by members that largely cover the regions where active shipbuilding is taking place, particularly with regard to cargo ships, such as bulk carriers, tankers, containerships, etc.

Further, ASEF clearly states in its publicised Charter that it is destined to directly contribute to IMO activities, and this is also stated as ASEF's commitment in the application to IMO.

7) Whether the applicant is a member of or affiliated to other NGOs who have acquired consultative status with IMO.

CESA, possibly with their specific background of establishment and the history in behind, their rules restrict their members to be from European region with a total number of 17 shipbuilding associations from 17 countries in Europe. Their members are those who are at present engaged mainly in building passenger ships or special ships such as offshore ships, unlike the time when CESA was initially established.

SYBAss is an association with its members specifically engaged in building superyachts only.

On the other hand, ASEF is an association currently with its members from 10 countries ranging from Middle-East to Asia and builds more than 90% of the world's annual newbuilding output. ASEF members are building most of the cargo ships, such as bulk carriers, tankers, containerships, and LNG carriers, which are entirely different from the line of business undertaken by members of CESA and SYBAss, and are not in competitive position but in complementary position.

ASEF does not have any clause in its Charter to restrict their members from regional aspect.

ASEF and CESA have established an agreement for collaborative framework which is backed by the understanding between the two parties that they are not in competitive

relation but rather a complementary relation.

On the other hand, submitting papers or providing opinions are naturally done by their own party's respective judgment and therefore, it will be neither easy nor practical to engage other parties to align the submission or opinions on issues with other parties who do not have much relationship to the issue or with imbalanced expertise or knowledge. Therefore in order for ASEF to be able to contribute to IMO efficiently, it is undoubtedly necessary to have its own consultative status independently from CESA or SYBAss.

ASEF and all its members are in no case members to all other NGOs who have acquired the consultative status with IMO.

8) Whether the applicant is making its application with no intent to eliminate certain competing organizations who have acquired consultative status with IMO.

Currently there are only three international associations of shipbuilders in the world, CESA, SYBAss and ASEF, and the former two associations already have the IMO consultative status. As already mentioned, ASEF is in no way positioned to be competitive with the other two associations but in a complementary position.

ASEF's application has been made on the premises that the three shipbuilding associations will act cooperatively to contribute to IMO activities, and does not intend to seek exclusion of the others.

The application is in fact welcomed by various NGOs who already have consultative status with IMO, such as CESA to begin with, as well as major shipowner associations.

9) Whether the applicant has the capacity and willingness to promote and disseminate the principle and work of IMO.

ASEF has so far been active to promote the understanding of IMO's activities, based on IMO's principles, and will continue to do so, and believe that ASEF is capable and resourced for this purpose.

ASEF has held annual Forums and introduced the updates of the issues that are being handled at IMO, and further ASEF conducts its activities by closely coordinating with associated shipbuilding companies that build more than 90% of the world's output, and there is an undoubted potential to continue the activities both from capacity point of view and willingness point of view.

10) Whether the applicant has a permanent headquarters, a governing body and an executive officer, and is a truly international NGO actively engaged in its conducting its work within its competent field.

ASEF has its permanent headquarters in Korea, and has governing bodies and executive officers as of the date the application is filed.

ASEF is currently already carrying out its activities with its 10 members in 10 countries ranging from Middle-East to Asia covering the building output of more than 90%, and will have sufficient human resources and other resources that can be mobilized to undertake the required tasks.

ASEF is continuing its efforts to expand its activities, where there is no regional restriction for members to join activities of ASEF. ASEF is “active”, from this perspective, which is reflected in its name.

11) Whether the structure and the members of the applicant are consistent with the decisions of the IMO Assembly and Council.

According to the ASEF Charter, the qualification of its member is restricted to shipbuilders association or shipbuilders coming only from the IMO member countries, and there are no conflicts with the IMO requirements.

12) Whether it is possible for IMO to join the activities of the applicant (attendance to conferences and access to publications, etc.)

ASEF would most welcome IMO to join in the activities of ASEF.