Joint Communiqué
of
The Fourth Asian Shipowners’ Forum
(Adopted on 15 May 1995)

Following the 1st Forum in Tokyo in 1992, the 2nd Forum in Seoul in 1993 and the 3rd Forum in Beijing in 1994, the 4th Asian Shipowners’ Forum (ASF), under the auspices of National Association of Chinese Shipowners was held in Taipei on 15 May 1995. Present in the Forum were 66 honorable delegates representing 11 shipowners’ associations in the Asian region, including those from Asean (represented by Singapore, the Philippines, Indonesia, Malaysia and Thailand), Australia, China, Hong Kong, Japan, Korea, and Taipei. The Forum covered its plenary meeting and meetings of the “5-S” Committees. It proceeded with active and constructive discussions and its member associations unanimously adopted this joint communiqué with a view to promoting continuous and healthy development of Asian shipping industries through Stabilization of Trade, Scrapping, Seamen, Safe Navigation and Ship Insurance issues so as to achieve the common prosperity, mutual trust and cooperation amongst the Asian shipowners.

1. Interim Meeting

The delegates of all member associations expressed their great appreciation for the efforts made by the ASF in promoting the Asian shipping industries and in protecting the interest of the Asian shipowners. They expressed their full support and cooperation with the “5-S” Committees which had done a lot of work to solve the major confronting problems of mutual concern amongst the Asian shipowners. And, the delegates reaffirmed the practice that the chairman of each committee should convene his committee’s interim meeting at least once between two Forum sessions and should maintain the joint achievements that the Committee had adopted.

2. Stabilization of Trade

The delegates endorsed the joint statement as adopted by the Stabilization of Trade Committee’s interim meeting held in Hong Kong last November. They reached the common viewpoint that the securing of reasonable level of freight through the stabilization of liner trades should equally apply to the dry bulk/tanker sectors. They also unanimously confirmed that they should call on the relevant parties including shippers to fairly bear the cost which was expected with further increase, resulted from ensuring the safe navigation and protecting the marine environment in order to meet the increasingly stringent requirements worldwide.
The delegates shared the common view that Stabilization of Trade would be of
benefit not only to shipowners but also to shippers in respect of the prevention of
monopoly and the maintenance of competitive market. Bearing this in mind, it was also
agreed that it should be of even greater importance for shipowners to seek shippers’
understanding through continuous two-way discussions.

The delegates unanimously agreed that in order to contribute to the maintenance of
a healthy and viable shipping industry all members should appeal to the shipbuilding
industry to restrain from committing themselves to the production of excessive capacity,
which would lead to severe competition between shipbuilders and would impact
unfavourably on shipbuilders, shipowners and ship-operators alike. They suggested that
the international regulatory bodies, concerned with shipbuilding, should take notice to
their views.

The delegates reached the consensus that it was necessary for the Asian shipping
industry to consider some effective measures against currency fluctuations such as the
sharing of exchange losses between shipowners and shippers, since there was a fear of
the pressure for the appreciation of Asian currencies with a background of the economic
development in the ASF regions.

3. Seamen

The delegates expressed their appreciation of the statement reported by the Seamen
Committee, and agreed that the Asian shipowners should continuously reinforce the
training and management of crew to improve the quality of seafarers, and pay attention
to the human factor in the shipping industry. They agreed that there were necessities to
consolidate and improve the cooperation between the crew demanding countries/regions
and the crew supplying countries/regions, especially in crew training in view of the
requirements about crew’s management, technique and language ability of STCW
Convention and ISM code, and also agreed to make all efforts to keep the Asian crew
preponderance to be genuine and enduring.

The Forum also considered the proposal put forward by Singapore at the 27th
session of the IMO STW Sub-Committee held in London this year to amend the draft
regulation I/10 (Recognition of Foreign certificates) under the draft revised STCW
Convention. The Meeting was of the view that the original draft of the STW Sub-
Committee would not improve control but will in fact be an additional burden to
shipowners who employ foreign certificate holders on their ships. The Meeting therefore
supported and endorsed the Singapore proposal that ships instead carry a document
showing a list of countries whose certificates are recognised by their respective flag state
administration.
The delegates confirmed that they should accelerate the steps for trade stabilization and unanimously recommended that the non-participating lines should join conferences and/or agreements as members or observers as soon as possible, thus to strengthen their functions for trade stability in the liner sector. They recognized that the urgent necessity of some concrete measures in further strengthening the stability of trades and avoiding unnecessary competition for the market shares, and confirmed the emerging necessity of strong leadership by the top management of each carrier to ensure the achievement of stabilization. They agreed to fully commit themselves within their own organization and, as well, to seek the appropriate and balanced ways for common prosperity through more communications between themselves.

The delegates expressed their grave concern that the proposed elimination of the anti-trust immunity given to liner conferences in the U.S. for a long period of time and the on-going consideration of the amendment of 1984 Shipping Act, as prompted by NITL’s (National Industrial Transportation League) legislative proposal for the revision of the Act, and the consideration of the abolishment of FMC (Federal Maritime Commission) being underway in Congress now, would seriously damage the sound operation of international liner shipping. It was also unanimously agreed that ASF should develop a movement strongly against such devices and their respective governments concerned should be asked to take similar actions accordingly.

They also expressed critical concern over the arbitrary treatments taken by the European Commission/DG4 on anti-trust issues such as Consortia, Intermodal Transport etc., and held their unanimous point of view that such important matters should be deliberated fully in a neutral forum against a longer term perspective, and discussed between governments concerned in order to avoid unnecessary conflict of international jurisdiction which would in turn damage the international trades worldwide. They agreed that every member association should submit protest to the European Commission as soon as possible and also request their government to take the same actions.

The delegates are most grateful to the Australian Government for its final decision to retain the regulatory framework for the international liner shipping, which has been the key issue for ASF and been coped with under strong cooperation amongst them since 1992. They reaffirmed the significant necessity and importance of maintaining the liner regulation intact including anti-trust exemption, which has been the basis for liner trade stability all over the world.
4. Scrapping

The delegates endorsed the joint statement reported by the Scrapping Committee, and expressed appreciation of JSA and SAJ for their joint committee to promote the decommissioning of superannuated vessels and to gain productive results. They agreed that the market driving force to reject the superannuation and substandard vessels, more close supervision from the port authorities and stringent vessel-examinations, international law governing vessels, and Japanese government's subsidy to tanker scrapping were the sprouting inducements to stimulate ship-scrapping.

5. Safe Navigation.

The delegates confirmed the joint statement adopted by the Safe Navigation Committee's interim meeting in Singapore last December. They expressed appreciation of the efforts made by the Safe Navigation Committee in enhancing the security and safe navigation of ships plying in the Asia Pacific region and worldwide.

The delegates are most thankful for the cooperation of the Governments of Indonesia, Malaysia and Singapore to continuously ensure the safe navigation of ships in the Strait of Malacca and Strait of Singapore, as the incidence of piracy has dropped significantly. The efforts made by the governments of the littoral states of the China Sea have also marked noticeable improvement in reducing the incidence of armed interception on ships plying in that area. They strongly advised all ship masters to take appropriate precautionary measures, to use their Global Maritime Distress and Safety System (GMDSS), or any other means of communication to report to the nearest law enforcement authorities when their vessels are about to be attacked by pirates, and also report to their national shipowners' association for the follow-up actions.

The delegates encouraged all shipowners to participate in the voluntary reporting system introduced for ships passing through the Strait of Malacca and the Strait of Singapore, which facilitates the coordination of maritime search and rescue and the provision of speedy assistance to vessels in need. They supported that the Tokyo Memorandum of Understanding on Port State Control in the Asia Pacific region is currently the best method to tackle substandard ships. They also agreed that a uniform set of inspection rules and standards are necessary and urged the exchange of information between states on vessels inspected so as to relieve ships from any unnecessarily frequent inspections.
Continuing grave concern was expressed by all ASF members at the absence of a single formula or “enforcement agency” to ensure Safe Loading Criteria for capesize Bulk Carriers. Whilst it is appreciated that this is a complex problem, compounded by the many varying conditions of maintenance, operations and original ship designs, it was noted that leading bodies such as the IMO Maritime Safety Committee, the International Association of Classification Societies and the International Chamber of Shipping are all attempting to seek solutions, but that progress over all is alarmingly slow. Greater efforts should be made to draw up universal guidelines for the safe loading and operations of bulk carriers before more lives and ships are lost.

6. Ship Insurance

The delegates backed up the joint statement adopted by the Ship Insurance Committee’s interim meeting in Hong Kong in March last year. They agreed that ASF should encourage all its member associations to continue to improve the quality of ship management and safe ship operations and to obtain more beneficial insurance premiums in the long term, and agreed that the Asian shipowners should, within their power, make sufficient influence on the administrators and insurers to refrain from implementing any unfair terms, conditions, and possible, future national legislation and policies prejudicing shipowners’ interest. They warmly approved reports that initiatives had been taken in Korea and Japan to open their marine insurance markets from 1996. They also expressed grave concern over the initiative taken by USCG’s COFR and asked the Asian shipowners to take the same action to release the financial burdens.

The Delegates suggested that stronger publicity should be given to feature the substantial tonnages controlled and insurance premiums paid by ASF members, and the relevant methodology and measure should be made to find out to what extent the collective reduction of insurance costs would be for the Asian Shipowners, and to improve the service quality provided by the insurers and P & I Clubs too. Also they came to the unanimous opinion that, with the collective tonnage gained from the combined fleets, there should be enough capacity for the ASF to justify the development of marine underwriting markets in Asia.

Attention was drawn to the latest draft of the proposed new Institute Time Clauses drawn up by the Joint Hull Committee. It was agreed that, whilst individual shipowners would reserve the right to negotiate their own individual terms and clauses, the ASF member associations should get united and encourage their shipowners to resist proposals from the Joint Hull Committee which are found detrimental to their interest.
7. Permanent ASF office

The delegates, in principle, agreed to the setting up of a permanent ASF office. However, each shipowners' association should nominate a delegate, within one month, and inform the Hong Kong Shipowners' Association in order for the organizing of a standing committee. All necessary details to be worked out by the latter shall be proposed in the next ASF session.

8. Honorary Chairman

The delegates appreciated that it was Mr. Jiro Nemoto, now president of Nippon Yusen Kaisha, who firstly organised and established the Asian Shipowners' Forum (ASF) when he was chairman of the Japanese Shipowners' Association. Mr. Nemoto was then honoured as chairman of the first ASF's general meeting held in Tokyo, Japan in April 1992, and has been acting as chairman of the Trade Stabilization Committee of ASF to date. For such a period, he has devoted himself to promoting the ASF's affairs and has made a remarkable contribution in the stabilization of Asian ocean transportation market. Therefore, in recognition of Mr. Jiro Nemoto's marvellous performance and his being the ASF's founder, the delegates unanimously agreed to elect him as the ASF's Honorary Chairman.

9. The 5th ASF in 1996

Based on the principle laid down in the 1st ASF with regards to the venue of ASF annual meeting, i.e. the meeting shall be held and hosted on a rotating basis by the countries and regions from north to south in geographical order, the 5th session of the ASF shall be held in Hong Kong on 13-14 May 1996.

Steve S.S. Lin
Chairman of the 4th Asian Shipowners' Forum
第十四届亚洲船东年会联合公报
（一九九五年五月十五日通过）

继一九九二年第一届年会于东京召开，第二届于一九九三年在越南及第三届于一九九四年在北京召开后，第四届亚洲船东年会由船联会（NACS）主办于一九九五年五月十五日在台北召开，包括来自东南亚国家协会（新加坡、菲律宾、印尼、马来西亚及泰国）、澳洲、中国、香港、日本、韩国及台北等十一国家地区船东协会的66位代表出席。本次年会举行其全体代表大会及「五-S」委员会会议，年会积极建言及建设性讨论并一致通过联合公报，亚洲船东间本著共存共荣、互信及合作的原则，经由海运市场稳定、拆船、船员、航行安全及海上保险等对谈，促进亚洲海运的持续稳健发展。

一、全体与会代表对亚洲船东年会于台湾召开表示肯定与赞同。全体代表对「五-S」委员会在解决亚洲船东间共同面对的问题所做大量工作，表示肯定与支持。同时对于各委员会主席在两届年会之间至少召开一次委员会会议的做法，给予肯定，并对各委员会所达成的共同成效，表示持续进行。

二、与会代表对海运市场稳定委员会于去年十一月在香港召开的委员会会议所通过共同声明，表示支持，一致认为，经由定期海运市场安定化的合理运费亦适用於干散装船及油轮市场，并企图包括托运人之相关团体应公平地承揽全球性日益严格的航海安全及海洋环境保护所增加之成本。代表们建议尚未加入的航商应逐步加入运费同盟或协定为会员或观察员，并深入讨论强化定期海运市场安定化的具体做法，及由高阶层有力领导以安定市场的必要性，以避免市场剧烈竞争，并同意在该地区内致力经由沟通寻求共存共荣之道。代表们关心美国工业运输联盟（NITL）提议对美国境内定期船联会减少反垄断豁免，及通过提案修改1984年海运法与废除联邦海事委员会（FMC），将对国际定期海运经营的严重伤害，一致同意反对该措施，及经由各国政府采取相同行动。代表们亦关心欧盟联盟执行委员会对联营及复运在反垄断豁免之处理方式，一致认为，应经由中立讨论及政府间协商，以避免国际间司法冲突而伤害海商贸易，并一致同意各国会议应提出抗议，及要求各国政府采取相同行动。
代表們對澳洲政府自1992年來配合亞洲船東年會要求與合作而對國際定期海運保留規範之決定，表示肯定，其維繫定期海運規範包括反壟斷豁免等，係為世界定期海運安定之基石。代表們一致認為防止壟斷及維持市場競爭的海運市場安定化對貨運雙方均有裨益，雙方應持續協商以尋求貨主之了解。

代表們一致同意為致力維持健全及生機的海運業，呼籲造船業應限制其生產能力擴充，避免因能量過剩的競爭，而對造船業與海運業有不利影響，及建議國際機構應對造船採取注意態度。

代表們並達成共識，對通貨波動，如船貨雙方匯兌損失之分擔，特別是亞洲地區通貨升值對經濟發展的壓力，亞洲海運業應採取有效措施。

三、 與會代表對船員委員會的報告表示肯定，並同意亞洲船東應持續對船員增強訓練及管理，以改進海員素質，及在海運業付注「人本」因素，亦同意應整合及加強船員供需雙方合作，特別是船員的管理、技術及語言訓練，以符合STCW公約及ISM規章規定，並致力維持亞洲船員在質量的優勢。

四、 與會代表對拆船委員會的共同聲明表示支持，並對日本船主協會（JSA）及日本造船業協會（SAJ）組成的聯合委員會促進超級油輪船舶拆解遠著效果，表示肯定，並同意以市場機能排除超級高載及次標準船舶，港務機構密切船舶檢驗、檢查，國際法律規範船舶及日本政府對油輪拆解貼補等，均對船舶拆解有實質貢獻。

五、 代表們對航行安全委員會於去年十二月在新加坡召開委員會議所通過共同聲明，表示支持，並對該委員會提昇亞洲船東的船舶在亞太及世界各地航海安全，及推展港口國檢查措施，表示肯定。

代表們對印尼、馬來西亞及新加坡政府合作維護馬六甲海峽航行安全顯著減少海盜滋擾事件，及香港政府海事處與國際海事組織（IMO）致力改進南中國海域武裝船舶攔截事件，表示誠摯肯定。並對危險品船之船員安全、超大型油輪（VLCC）及客船之人命可能受到污染及海盜攻擊船舶之風險，表示關切，及建議所有船東採取其全球海上遇險及安全系統（GMDSS）及其他通訊方法報告最近執法機構等預防措施，及事後報告其船東協會等行動，對抗海盜滋擾攻擊。
代表們同意自動報位系統有效協調海上搜救之船舶識別及對遇難船舶迅速救助，及鼓勵各會員加入該系統，並支持亞太地區港口國管制之東京備忘錄係為當前追蹤危及船員生命及海洋環境之次標準船的最佳方法之一，並同意亞太地區應制訂船舶檢驗統一規則及標準，各國間應交換對船舶檢查的資訊，俾對毋須檢查之船舶立即放行，及對超大型油輪需制定適宜標準裝載程序規定。

六、與會代表們對海上保險委員會於今年三月在香港召開委員會議所通過共同聲明，表示支持並同意應鼓勵所有會員持續改進船舶管理品質及安全船舶操作，俾在長期條件下獲致較有利的保險費率，及亞洲船東應運用其充分力量影響保險人對船東投保風險及政策的不利條件與未來傾向之立法，並對日本與韓國自1996年起開放其海上保險市場，持肯定的立場，及對美國海岸防衛隊的「財務責任證明」（COFR）措施表示關切，並要求亞洲船東採取相同行動，以減輕財務負擔。代表們建議強化宣傳亞洲船東所控制租屬船隻及支付的保稅費，並檢討亞洲船東集體減少保稅成本之方法，俾改進保險人及P&I協會的服務。並一致認為，結合亞洲船東的船隊，擁有足夠集體船隻，其將可推展亞洲發展海上保險市場。代表們對最近擬議之「協會船體定時條款」（ITC-Hulls）新草案表示強烈異議，認為其將對船東營運有所傷害，並將不為船舶融資銀行接受。

七、與會代表同意設立ASF的永久性秘書處，並由各船東協會在一一個月內向香港船東協會提供其指定之一名代表，俾組成委員會擬定工作計畫，供下次會議討論。

八、與會代表一致肯定根本二郎先生對亞洲海運的努力與貢獻，並推動成立亞洲船東年會的卓越成效，乃推薦其為名譽會長。

九、依據第一屆亞洲船東年會所訂立年會舉辦地點之原則，係按地理順序由北而南的輪流基礎，第五屆年會將於1996年五月十三、十四日在香港舉行。