

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 1/10 (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

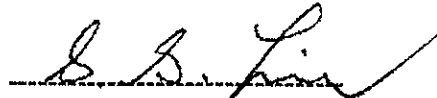
The delegates, in principle, agreed to the setting up of a permanent ASF office. However, each shipowners' association should nominate a delegate, within one month, and inform the Hong Kong Shipowners' Association in order for the organizing of a standing committee. All necessary details to be worked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

第四屆亞洲船東年會聯合公報
(一九九五年五月十五日通過)

繼 1992 年第一屆年會於東京召開，第二屆於 1993 年在漢城及第三屆於 1994 年在北京召開後，第四屆亞洲船東年會由船聯會 (NACS) 主辦於 1995 年五月十五日在台北召開，包括來自東南亞國家協會 (新加坡、菲律賓、印尼、馬來西亞及泰國)，澳洲、中國、香港、日本、韓國及台北等十一個亞洲地區船東協會的 66 位受推崇的代表出席，本次年會舉行其全體代表大會及「五-S」委員會會議，年會經積極及建設性討論並一致通過本聯合公報，亞洲船東間本著共存共榮、互信及合作的原則，經由海運市場穩定、拆船、船員、航行安全及海上保險等對話，促進亞洲海運的持續與健全發展。

- 一、全體與會代表對亞洲船東年會在維護亞洲船東利益，促進亞洲海運發展的努力，給予高度的肯定與贊同。全體代表對「五-S」委員會在解決亞洲船東間共同面對問題所做大量工作，表示充分的支持與合作，同時對於各委員會主席在兩屆年會之間至少召開一次委員會會議的做法，給予肯定，並對各委員會所達成的共同成效，表示持續進行。
- 二、與會代表對海運市場穩定委員會於去年十一月在香港召開的委員會會議所通過共同聲明，表示支持，一致認為，經由定期海運市場安定化的合理運費亦適用於乾散裝船及油輪市場，並呼籲包括託運人之相關團體應公平地承擔全球性日益嚴格的航海安全及海洋環境保護所增加之成本。代表們建議尚未加盟的航商應儘速加入運費同盟或協定為會員或觀察員，並深入探討強化定期海運市場安定化的具體做法，及由高階層有力領導以安定市場的必要性，以避免市場劇烈競爭，並同意在其組織內致力經由溝通尋求共存共榮之道。代表們關心美國工業運輸聯盟 (NITL) 提議對美國境內定期船運盟減少反壟斷豁免，及國會擬議修改 1984 年海運法與廢除聯邦海事委員會 (FMC)，將對國際定期海運經營的嚴重傷害，並一致同意反對該措施，及經由各別政府採取相同行動。代表們亦關心歐洲聯盟執行委員會對聯營及複合運輸在反壟斷豁免之處理方式，一致認為，應經由中立討論及政府間諮商，以避免國際間司法衝突而傷害海商貿易，並一致同意各會員應提出抗議，及要求各別政府採取相同行動。

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。代表們共同認為防止壟斷及維持市場競爭的海運市場安定化對船貨雙方均有裨益，雙方應持續協商以尋求貨主之瞭解。

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量擴充，避免因能量過剩的競爭，而對造船業與海運業有不利影響，及建議國際組織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逾齡船舶拆解獲致顯著成果，表示肯定，並同意以市場機能排除超級高齡及次標準船舶，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油污及海盜攻擊船舶之風險，表示關切，及建議所有船長採用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，俾在長期條件上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偏頗之立法，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顯著船噸及支付的保險費，並檢討亞洲船東集體減少保險成本之方法，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，擁有足夠集體船噸，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，乃推選其為名譽會長。
- 九、 依據第一屆亞洲船東年會所確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。