

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE INTERNATIONAL MARITIME ORGANIZATION

AND

THE UNITED NATIONS ECONOMIC AND SOCIAL COMMISSION
FOR ASIA AND THE PACIFIC

WITH RESPECT TO FUTURE COOPERATION
IN THE MARITIME SECTOR IN THE ASIA-PACIFIC REGION

DATED 12 SEPTEMBER 2022

This **MEMORANDUM OF UNDERSTANDING (Memorandum)** is between:

- (1) the International Maritime Organization (**IMO**), located at 4 Albert Embankment, London, SE1 7SR, United Kingdom; and
- (2) the United Nations Economic and Social Commission for Asia and the Pacific (**ESCAP**), located in the United Nations Building, Rajadamnern Nok Avenue, Bangkok 10200, Thailand.

(each referred to as a **Party** and together as the **Parties**).

WHEREAS

- (A) ESCAP is an international organization established by the Economic and Social Council of the United Nations on 28 March 1947 to promote inclusive and sustainable economic and social development in the Asia-Pacific region, with priority accorded to the implementation of the 2030 Agenda for Sustainable Development and the achievement of the Sustainable Development Goals.
- (B) IMO is an international organization established by the Convention on the International Maritime Organization adopted by the United Nations (UN) Maritime Conference in Geneva on 6 March 1948.
- (C) The Parties intend to collaborate to assist developing countries, as identified jointly by them, to strengthen their maritime and port sectors and facilitate the adoption of sustainable maritime transport systems and practices.
- (D) This Memorandum will utilize IMO's experience as the UN Specialized Agency responsible for setting global standards for the safety, security and facilitation of international shipping and the prevention of pollution by ships, in collaboration with ESCAP's experience as regional intergovernmental platform and think-tank offering sound analytical products that shed insight into evolving economic, social and environmental dynamics of the region.
- (E) The Parties have come to the following understanding:

Section 1 Purpose

IMO's mission, inter alia, as a United Nations specialized agency, is to promote safe, secure, environmentally sound, efficient and sustainable shipping through cooperation. This will be accomplished by adopting the highest practicable standards of maritime safety and security, efficiency of navigation and prevention and control of pollution from ships, as well as through consideration of the related legal matters and effective implementation of IMO instruments, with a view to their universal and uniform application.

ESCAP's primary objective is to promote regional cooperation for inclusive, equitable and sustainable economic and social development in Asia and the Pacific, so that (a) member States have more effective, inclusive, equitable and disciplinary perspective, to narrow development gaps and build resiliency; (b) global processes are shaped by a stronger coordinated regional voice and countries are supported in implementing international commitments; and (c) regional cooperation mechanisms and institutional frameworks are in place to promote regional integration and inclusive and equitable development. ESCAP Resolution 76/1 on Strengthening cooperation to promote the



conservation and sustainable use of the oceans, seas and marine resources for sustainable development in Asia and the Pacific (ESCAP/RES/76/1) requests ESCAP to continue to strengthen current partnerships and to develop new partnerships, where appropriate, for the conservation and sustainable use of the oceans, seas and marine resources, including through participatory, multi-stakeholder dialogue platforms.

With the objective of establishing a partnership between IMO and ESCAP to promote sustainable maritime transport systems, the Parties will seek to build capacity, exchange experiences and knowledge in regulatory and policy issues, as well as institutional reform processes and implementation of national legislations and policies in the areas covered under the present MOU and undertake joint activities with national authorities of selected countries and, where appropriate, with other stakeholders.

IMO provides expert maritime, legal, technical, policy and advocacy skills and knowledge, and an international network through the Organization's Member States, civil society and the shipping industry, and ESCAP provides experience and expertise in the Asia-Pacific region,

Section 2 Scope

The parties intend to work together supporting the following initiatives:

- knowledge sharing;
- intergovernmental cooperation;
- capacity building;
- joint resource mobilization; and
- strengthening UN-wide initiatives and programs,

to provide activities under the following areas of mutual interest:

- marine environment protection and climate change;
- maritime transport facilitation in support of global and regional trade flows, and
- maritime safety

further outlined in the annex to this Memorandum.

Section 3 Communications

Any notice or other communication to be given or made under this Memorandum will be addressed and sent to the following contact points or at such other address as either Party designates by notice to the other Party:

For IMO:

Address: 4 Albert Embankment
London SE1 7SR
United Kingdom

Attention of: Youngso Kim
Head of Partnerships, Department of Partnerships and Projects

Email: ykim@imo.org

For ESCAP:

Address: United Nations Building
Rajadamnern Nok Avenue
Bangkok 10200
Thailand

Attention of: Weimin Ren
Director of Transport Division

Email: weimin.ren@un.org and escap-td@un.org

Section 4 Final Provisions

- (a) This Memorandum reflects the views and intentions of the Parties to cooperate on a non-exclusive basis, expressed in good faith but without the creation of any legal or financial obligations or the incurrence of any liability on the part of any of them. No third party shall obtain any legal benefit from this Memorandum.
- (b) It is understood and agreed that nothing in this Memorandum will constitute, or be construed as, an offer, promise or undertaking by either Party to finance all or part of any activity or project identified in or pursuant to this Memorandum.
- (c) In the event that opportunities are identified, specific arrangements for any such activity or project would need to be agreed upon between the Parties. Each of the Parties will incur its own expenditures arising as the result of the implementation of this Memorandum, unless otherwise specified in relevant separate agreements.
- (d) Nothing in this Memorandum will limit the right of, or prevent, the Parties from entering into memoranda or arrangements with other parties with respect to any activity, project or area of cooperation covered by this Memorandum.
- (e) The Parties will meet periodically, but not less frequently than once per year, to review and discuss the implementation of this Memorandum, assess the achievement of the objectives as set out herein above, and consider necessary adjustments, if any.
- (f) Nothing in this Memorandum shall be deemed a waiver, express or implied, of any of the privileges and immunities of IMO or ESCAP, including its officers, whether pursuant to the Convention on the Privileges and Immunities of the Specialized Agencies or any other convention, agreement, law, order or decree of international or national character.
- (g) Any dispute arising out of, or in connection with, the interpretation or application of any provision of this Memorandum will be settled amicably through consultation.
- (h) Any sharing of information between IMO on the one hand, and ESCAP on the other hand, will be subject to their respective policies and procedures relating to the disclosure of information, including each of the Parties respective policies and procedures for maintaining confidential and sensitive information.
- (i) This Memorandum may be amended by mutual written consent of the Parties.

- (j) This Memorandum will come into effect on the date when the last of the two Parties signs and will remain in effect for five years or earlier if either Party notifies the other Party in writing of its intention to terminate it. In such case, this Memorandum will terminate 60 days after receipt of such notice by the corresponding Party.

IN WITNESS WHEREOF, IMO and ESCAP, each acting through its duly authorized representative, have signed this Memorandum in two originals, in the English language.

**For the International Maritime
Organization:**

**For the United Nations Economic and
Social Commission for Asia and the
Pacific:**



Name: Kitack Lim

Name: Armida Salsiah Alisjahbana

Title: Secretary-General

Title: Under-Secretary-General of the
United Nations and Executive
Secretary of ESCAP

Date: 12 September 2022

Date: 12 September 2022

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Annex

Potential areas of cooperation

IMO and ESCAP will aim to work together in supporting the following initiatives:

- **Knowledge sharing:** information and knowledge sharing through joint research and analytical activities, including the development of knowledge products such as joint publications. Sharing of best practices in international development cooperation activities in the maritime field and related to the Regional Action Programme for Sustainable Transport Development in Asia and the Pacific (2022-2026).
- **Intergovernmental cooperation:** promote high level awareness of maritime transport in the Asia-Pacific region through supporting, as appropriate, a regular regional dialogue on sustainable maritime connectivity, joint substantive activities and participation at each other's organized events.
- **Capacity building:** jointly develop strategy to better implement IMO's Integrated Technical Cooperation Programme (ITCP) activities that are aligned with the Regional Action Programme for Sustainable Transport Development in Asia and the Pacific (2022-2026) for the Asia-Pacific region, Small Island Developing States (SIDS) in the Pacific in particular, to improve their capacities of implementation of IMO conventions and promote sustainable maritime connectivity.
- **Joint resource mobilization:** On a best effort basis, joint mobilization of resources for capacity building including training and guidance material in different languages, workshops and courses and, if possible, fellowships to the World Maritime University and/or the IMO International Maritime Law Institute for government officials from selected developing countries.
- **Strengthening UN-wide initiatives and programs:** Whenever possible, and in line with the areas of cooperation identified below, joint efforts by both parties shall support global UN processes such as the UN Decade of Ocean Science for Sustainable Development, and activities by interagency mechanisms such as UN-Oceans.

Areas of cooperation

On a best effort basis and in accordance with their relevant policies and procedures, and in line with the activities and indicators as set out by the Regional Action Programme on Sustainable Transport Development in Asia and the Pacific (2022-2026), ESCAP and IMO will aim to consult with the public authorities of target countries to develop proposals for collaborative projects to address the need of the countries, which would primarily focus on sustainable maritime connectivity, decarbonizing shipping, smart ports and reducing marine pollution.

In this connection, the following areas of mutual interests will be considered:

1. Marine Environment Protection and Climate Change
2. Maritime transport facilitation in support of global and regional trade flows
3. Maritime Safety

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