

COUNCIL  
113th session  
1 – 4 December 2014

C 113/D  
5 December 2014  
Original: ENGLISH

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## **GENERAL**

The 113th session of the Council was held from 1 to 4 December 2014 under the chairmanship of Mr. J. Lantz (United States). The Vice-Chairman, Mr. D. Ntuli (South Africa), was also present.

## **INVITATION TO NON-MEMBERS OF THE COUNCIL TO ATTEND THE SESSION**

The session was attended by non-members and observers as listed in document C 113/INF.1

**Audio file:** Monday, 1 December 2014: a.m.

## **EXPRESSION OF CONDOLENCES**

The Secretary-General, on behalf of the Council, extended his condolences to the families of all those who lost their lives, and to all crew affected by the sinking of the **Oryong No.501** in the Bering Sea off the east coast of Russia on 1 December 2014 and praised the significant rescue efforts conducted by the Russian Federation.

**Audio file:** Wednesday, 3 December 2014: a.m.

## **1 ADOPTION OF THE AGENDA (agenda item 1)**

1.1 The Council adopted the agenda and proposed timetable, as contained in document C 113/1/Rev.1, and noted the annotations to the agenda contained in document C 113/1/1.

**Reference documents:** C 113/1/Rev.1 and C 113/1/1

**Audio file:** Monday, 1 December 2014: a.m.

## **2 REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS (agenda item 2)**

2.1 With reference to rule 9 of its Rules of Procedure, the Council noted the Secretary-General's report that the credentials of the delegations of all Council members attending the session were found to be in order.

**Reference documents:** C 113/2

**Audio file:** Monday, 1 December 2014: a.m.  
Wednesday, 3 December 2014: p.m.

## **3 STRATEGY, PLANNING AND REFORM (agenda item 3)**

3.1 The Council noted the information set out in documents C 113/3, C 113/3/1, C 113/3/2, C 113/3/3, C 113/3/4, C 113/3/5, C 113/3/6/Rev.1 (submitted by the United Kingdom), C 113/3/7, C 113/3/8 and C 113/3/9, as well as that provided orally by the Secretary-General and the President of the Strategic Management Institute.

3.2 With regard to document C 113/3 on the Report on the Fundamental Review of the Strategic Plan, the Council extended its sincere appreciation to Mr. Brazukas, President of the Strategic Management Institute, for the report presented and noted his recommendations.

3.3 In particular, the Council decided:

- (i) that the Strategic Plan should be reviewed to ensure simplicity and to make sure that it would continue to serve the Organization going forward;
- (ii) that the Strategic Plan should be fixed for a six-year period; and
- (iii) that in order to give proper consideration to the recommendations in the report, a Working Group would be established with the participation of all Member States (see paragraph 16.2 of this document).

3.4 With regard to document C 113/3/1 on the Review of the Performance Indicators (PIs) and Key Performance Indicators (KPIs), the Council noted the information provided.

3.5 In particular, the Council decided:

- (i) to suspend future analysis and presentation of PIs and KPIs in the current Strategic Plan; and
- (ii) not to apply the methodologies of medium level complexity proposed in document CWGSP 10/2(b) as a new methodology would have to be developed when new performance measures were agreed upon.

3.6 With regard to documents C 113/3/2 on the Status Report on the Progress of the Risk Management Process, and C 113/3/3 on the Risk Management Framework, the Council noted the progress report regarding the risk management process and approved the revised Risk Management Framework for future iterations of the Secretariat's risk management exercises on the understanding that if changes are made to the Framework this would be reported to the Council by the Secretary-General.

3.7 With regard to document C 113/3/4 reporting on the status of planned outputs 2014-2015, the Council noted the information set out in the annex to the document.

3.8 With regard to document C 113/3/5 reporting on the status of the objectives of the Secretariat's Business Plan for the 2014-2015 biennium, the Council noted the information provided.

3.9 As for document C 113/3/6/Rev.1 (submitted by United Kingdom), containing the Report of the Correspondence Group on the revision of the *Guidelines on the Application of the Strategic Plan and the High-level Action Plan of the Organization* (GAP), the Council noted the information provided.

3.10 The Council endorsed the use of mandatory language, where appropriate, within the GAP.

3.11 With regard to the Guidelines, the Council decided:

- (i) that further work was needed to the proposed amendments to the Guidelines contained in the annex to the document to ensure that flexibility is maintained to allow for prompt action should urgent matters arise;
- (ii) to consolidate the text intersessionally for further consideration at C 114;

- (iii) to re-establish a correspondence group under the coordination of the United Kingdom; and
- (iv) to keep the proposed amendments to the Guidelines contained in the annex to the document in abeyance until C 114.

3.12 The Council expressed its appreciation to the members of the correspondence group for the work completed thus far.

3.13 With regard to document C 113/3/7 on updating the *Guidelines on the Council's organization and method of work*, the Council requested the Secretary-General to make the proposed changes to its guidelines and method of work and to issue them as soon as possible.

3.14 With respect to document C 113/3/8 on the review and reform of the Organization, the Council noted the information provided and expressed its appreciation to the Secretary-General and his staff for their work and encouraged the Secretary-General to continue on this path of improvement.

3.15 With regard to document C113/3/9 on transparency and accountability of the Organization, the Council noted that an annual summary of internal audit activities undertaken and reports issued in 2014 would be published on the IMO public website in the first quarter of 2015 and on an annual basis thereafter.

**Reference documents:** C 113/3, C 113/3/1, C 113/3/2, C 113/3/3, C 113/3/4, C 113/3/5, C 113/3/6, C 113/3/7, C 113/3/8, C 113/3/9; C 112/D, C 112/3/4, C 112/3/5, C 112/INF.2, C 112/3, C 112/3/1, C 112/3/3; resolutions A.1060(28), A.1061(28), A.1062(28); C/ES.27/D, C/ES.27/3; C 110/D, C 110/WP.3, C 110/3/5, C 110/3/2, C 110/3/8, C 110/3/1, C 110/4(e), C 110/6; C/ES.25/D; CWGSP 10/2(b); Circular Letter No.3292; C 109/D, C 109/3/1 and C 109/4(d)

**Audio file:** Monday, 1 December 2014: a.m. and p.m.  
Tuesday, 2 December 2014: a.m.

#### **4 RESOURCE MANAGEMENT:**

##### **(a) Human resource matters, including amendments to the Staff Regulations and Staff Rules (agenda item 4(a))**

4(a).1 The Council noted the information set out in documents C 113/4(a) and its addendum; C 113/4(a)/1, C 113/4(a)/2, C 113/4(a)/3 and C 113/INF.4; as well as that provided orally by the Secretary-General on human resource matters, and approved the amendment to staff rule 107.9.

4(a).2 The Council approved the implementation of the United Nations General Assembly decisions reflected therein with effect from the dates it has determined.

**Reference documents:** C 113/4(a) and addendum; C 113/4(a)/1, C 113/4(a)/2, C 113/4(a)/3, C 113/INF.4, C 113/4(c) and C 112/4(a)/1

**Audio file:** Monday, 1 December 2014: a.m.

**(b) Report on arrears of contributions and of advances to the Working Capital Fund and on the implementation of Article 61 of the IMO Convention (agenda item 4(b))**

4(b).1 The Council noted the information set out in documents C 113/4(b) and its addenda, as well as that provided orally by the Secretary-General, reporting on arrears of contributions and of advances to the Working Capital Fund and on the implementation of Article 61 of the IMO Convention.

4(b).2 In particular, the Council:

- (i) noted the collection rate of Members States' contributions and the continuing arrears of those Member States identified in the three documents under review;
- (ii) urged those Member States with outstanding contributions to remit them as soon as possible;
- (iii) reiterated its firm stance on the strict enforcement of Article 61 of the IMO Convention; and
- (iv) noted the balance in the Working Capital Fund of £1,688,010.

**Reference documents:** C 113/4(b) and addenda

**Audio file:** Monday, 1 December 2014: a.m.

**(c) Budget considerations for 2014 and 2015 (agenda item 4(c))**

4(c).1 The Council noted the information set out in documents C 113/4(c) and C 113/WP.2, and that provided orally by the Secretary-General, concerning budget considerations for 2014 and 2015.

4(c).2 In particular, the Council noted:

- (i) the review of external pay and price factors;
- (ii) the forecast outturn of regular budget expenditure for 2014, assessed to be kept within the approved appropriation;
- (iii) the income and expenditure outturn and forecast in the Trading Fund and the consequential in-year surplus distribution;
- (iv) the expenditure status of the Headquarters Capital Fund (HQCF), the Termination Benefit Fund, the Training and Development Fund, the Technical Cooperation Fund and extrabudgetary programmes;
- (v) the preliminary consideration of the 2015 budget prospects for the regular budget, the Trading Fund, the Termination Benefit Fund, the Training and Development Fund and the Technical Cooperation Fund; and
- (vi) the summary, the Secretary-General's conclusion and his intention to present an updated review of budget prospects to C 114, which will also cover the status, financing and schedule of works of the sound system replacement project.

4(c).3 The Council endorsed the Secretary-General's proposal to bring forward to 2015 the project to replace the sound and simultaneous interpretation system in the Main Hall and in Committee Rooms 9 and 10.

4(c).4 The Council approved an increase in the 2015 expenditure under the HQCF authorized in resolution A.1063(28), from £950,000 to £2,840,000 as shown in table 1 of document C 113/WP.2, through transfers of underspends in the Organization's other Funds and without increasing the assessment on Member States for 2015.

4(c).5 The Council authorized the Secretary-General to make, as and when necessary, timely transfers between strategic results to the extent that balances are available to cover or reduce deficits in strategic results appropriation balances, in accordance with the Organization's Financial Regulations and Financial Rules.

4(c).6 The Council expressed its appreciation to the delegation of China for its donation of \$150,000 to the World Maritime University, \$100,000 to the Integrated Technical Cooperation Programme (ITCP) and \$100,000 to the West and Central Africa Maritime Security Trust Fund.

**Reference documents:** C 113/4(c), C 113/WP.2; A 28/19(c), A 28/19(c)/Add.1; resolution A.1063(28) and C 112/4(e)

**Audio file:** Tuesday, 2 December 2014: a.m.

**(d) Results-based budget: outline of budgetary implications for 2016-2017 (agenda item 4(d))**

4(d).1 The Council noted the information set out in documents C 113/4(d) and C 113/WP.2, and that provided orally by the Secretary-General, submitting an outline of budgetary implications for the Organization's results-based budget for the forthcoming biennium 2016-2017.

4(d).2 The Council noted:

- (i) the Secretary-General's initial outline to set the Organization's programme of meetings at the same number of weeks as for this biennium (32.6 weeks), that he would provide data on the number of sessions of interpretation that this would entail, and that he would reconsider the meeting time of the Legal Committee in particular;
- (ii) the Secretary-General's action and approach to address additional human resource requirements arising from the mandatory Member State Audit Scheme and the goal-based standards activities;
- (iii) the Secretary-General's proposal that the practice of automatically supplying two copies of every publication should be discontinued and, only on request by Member States, one free copy or electronic access to publications be provided, and that he would submit further details of the associated costs and operational mechanisms;
- (iv) the proposed regular budget outline by object of expenditure prepared on the basis of ZNG for 2016 and ZRG of 1.6% for 2017, and the pay and price factors embedded in its calculation;

- (v) the proposed financing of the regular budget by Member States' assessments calculated on the basis of anticipated offsetting income, as indicated in table 10 of document C 113/4(d), aimed at delivering zero growth in assessments in each year of the next biennium;
- (vi) the proposed budget plan for other Funds of the Organization as presented in the revised table 11 shown in the annex to document C 113/WP.2, representing a biennial decrease of 5.9%; and
- (vii) that the proposed overall resource requirement for the next biennium under all Funds of the Organization (regular budget plus other Funds), would represent a biennial decrease of 0.2%, reflecting a cut of 3.7% for 2016 and an increase of 1.2% for 2017, as shown in the revised table 13 in the annex to document C 113/WP.2.

4(d).3 The Council further noted that the Secretary-General would provide to C 114, for its consideration, his results-based budget reflecting the conclusions and decisions of this session together with a draft Secretariat business plan and, if appropriate, a related draft Assembly resolution.

**Reference documents:** C 113/4(d), C 113/WP.2; C 109/4(e); C 112/5/1 and resolution A.1063(28)

**Audio file:** Tuesday, 2 December 2014: a.m. and p.m.

## **5 IMO MEMBER STATE AUDIT SCHEME (agenda item 5)**

5.1 The Council noted the information set out in documents C 113/5, C 113/5/1, C 113/5/2, C 113/5/3 (submitted by the Islamic Republic of Iran) and C 113/5/4 (submitted by United Kingdom and United States), as well as that provided orally by the Secretary-General and the delegation of the United Kingdom, on the IMO Member State Audit Scheme, on the institutionalization of the Scheme and comments and proposals related thereto.

5.2 With respect to document C 113/5 containing an updated report on progress made in the implementation of the Audit Scheme since its 112th session, the Council noted the information provided in this document, in particular:

- (i) that 86 Member States have so far volunteered for audit, representing 50% of the Membership of the Organization and that 71 audits have been conducted, which include 63 Member States, two Associate Members, five dependent territories and a second audit of a Member State; and
- (ii) that no additional audits could be accommodated before the start of mandatory audits in 2016.

5.3 The Council also encouraged Member States to nominate those individuals trained as IMSAS auditors, taking into account the criteria established in the Procedures for the Scheme, which also include demonstrable auditing skills and techniques.

5.4 With regard to document C 113/5/2 containing the eighth consolidated audit summary report, the Council noted the document and requested the Maritime Safety Committee and the Marine Environment Protection Committee to consider the report annexed to the document and advise the Council, in due course, of the outcome of their consideration.



5.5 With respect to documents C 113/5/1, C 113/5/3 and C 113/5/4 setting out policy issues for the implementation of audits, the Council:

- (i) endorsed the postponement of the audits of Guinea Bissau, Bosnia and Herzegovina, Nepal and Somalia; and
- (ii) agreed on the policy that shortfalls in the number of audits in any given year should be compensated for by Member States which are scheduled to be audited in succeeding years and which had volunteered to be audited, recognizing that the Secretariat will need to manage audit resources and workload accordingly.

5.6 With regard to proposals contained in document C 113/5/4, paragraph 12 on a policy for assessing and addressing a possible shortfall in the audit schedule, the Council:

- (i) agreed that, for the purposes of planning and executing audit work, the Secretariat should have a fixed audit schedule for the forthcoming calendar year, to be finalized a minimum of six months before the calendar year commences or for the biennium;
- (ii) agreed that "audited at short notice" means a minimum of six months between notification by the Secretary-General of the intention to audit and the audit commencing;
- (iii) agreed that the Secretary-General should invite Member States which are scheduled to be audited in succeeding years and which are willing to be audited at short notice to notify IMO and specify the preferred period of time for audit notice;
- (iv) reaffirmed, in accordance with paragraph 4.1.1.3 of the Procedures for the Audit Scheme, that the Secretary-General should bring to the attention of the Council, for its approval, those Member States which have advised the Secretary-General that they are not available for audit due to extraordinary circumstances;
- (v) agreed that the Secretary-General should also bring to the attention of the Council those Member States that he deems unreasonable to audit due to exceptional circumstances that may arise, or where it is not resource justifiable for the audit to be undertaken (e.g. where a Member State has not ratified any of the relevant IMO instruments);
- (vi) agreed that if the Council endorsed the proposal from the Secretary-General to postpone those Member States referred to the Council, the Council should request the Secretary-General to invite Member States which have notified IMO that they are prepared to be audited at short notice, to be audited; and
- (vii) agreed that Member States should be invited to be audited in the chronological order in which they had notified IMO that they were willing to be audited at short notice, with priority given to those that had previously volunteered but were not audited under VIMSAS.

5.7 The Council did not agree with the proposal contained in document C 113/5/4, paragraph 15, to consider the request for technical assistance by a Member State in the scope of the audit and findings from an audit.

5.8 The Council agreed to give further consideration, at its 116th session, to issues related to the audit cycle, in particular, how the order of audits conducted would impact on the second audit cycle.

**Reference documents:** C 113/5, C 113/5/1, C 113/5/2, C 113/5/3, C 113/5/4; resolutions A.1067(28) and A.1068(28); C 112/D and C 112/INF.3

**Audio file:** Tuesday, 2 December 2014: p.m.  
Thursday, 4 December 2014: a.m.

## **6 CONSIDERATION OF THE REPORT OF THE FACILITATION COMMITTEE (agenda item 6)**

6.1 The Council noted the information set out in document C 113/6, as well as that provided orally by the Chairman of the FAL Committee and the Secretary-General, on the report of the Committee's thirty-ninth session (22 to 26 September 2014).

6.2 The Council endorsed:

- (i) the new outputs agreed at the session for inclusion in the High-level Action Plan and priorities for the 2016-2017 biennium, with the following modifications:
  - (a) the title of the output contained in paragraph 13.2 of FAL 39/16 should read "*Guidelines on the facilitation aspects of protecting the maritime transport network from cyberthreats*"; and
  - (b) the title of planned output 8.0.2.1, as reflected in paragraph 13.4.2 of FAL 39/16, should read "*Consideration and analysis of reports and information on persons rescued at sea and stowaways*"; and
- (ii) the proposals for the High-level Action Plan of the Organization and priorities for the 2016-2017 biennium for matters under the purview of the FAL Committee.

6.3 The Council noted:

- (i) the Committee's revised *Guidelines on the organization and method of work* (FAL.3/Circ.210);
- (ii) the approval of the amendments to the annex of the FAL Convention for circulation in accordance with article VII(2)(a) of the Convention, with a view to adoption during FAL 40;
- (iii) the report on the status of planned outputs for the 2014-2015 biennium; and
- (iv) the updated post-biennial agenda of the FAL Committee.

6.4 The Council approved the report of the thirty-ninth session of the FAL Committee and decided to transmit it, together with its comments and recommendations, to the twenty-ninth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

**Reference documents:** C 113/6 and FAL 39/16

**Audio file:** Tuesday, 2 December 2014: p.m.  
Wednesday, 3 December 2014: a.m.

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## 7 CONSIDERATION OF THE REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE (agenda item 7)

7.1 The Council noted the information set out in document C 113/7, as well as that provided orally by the Chairman of the Marine Environment Protection Committee and the Secretary-General on the report of the Committee's sixty-seventh session (13 to 17 October 2014).

7.2 The Council endorsed the holding of an intersessional meeting of the ESPH Working Group in September/October 2016.

7.3 The Council also noted:

- (i) the action taken by the Committee on issues related to the BWM Convention;
- (ii) the action taken by the Committee on issues related to ship recycling;
- (iii) the action taken by the Committee on issues related to air pollution and energy efficiency measures for ships and the progress made by the Ad Hoc Expert Working Group on Facilitation of Transfer of Technology for Ships (AHEWG-TT);
- (iv) the action taken by the Committee on issues related to further technical and operational measures for enhancing energy efficiency of international shipping;
- (v) the action taken by the Committee on issues related to the reduction of GHG emissions from international shipping, in particular the approval of the Third IMO GHG Study 2014;
- (vi) that the Committee adopted amendments to MARPOL Annexes I, III and VI;
- (vii) the action taken by the Committee on issues related to the review of nitrogen and phosphorus removal standards in the *2012 Guidelines on the implementation of effluent standards and performance tests for sewage treatment plants*;
- (viii) that the Committee approved the environmental provisions in the draft International Code for Ships Operating in Polar Waters (Polar Code), together with associated draft MARPOL amendments to make the environmental part of the Code mandatory;
- (ix) the action taken by the Committee on the reports of relevant sub-committees;
- (x) that the Committee approved the four thematic priorities relating to the protection of the marine environment for inclusion in the ITCP covering the 2016-2017 biennium;
- (xi) the biennial status report of the planned outputs of the MEPC for the 2014-2015 biennium;
- (xii) the plan of meeting-weeks for MSC and MEPC and their subsidiary bodies for the 2016-2017 biennium; and

- (xiii) the action taken by the Committee with regard to the application of the committees' guidelines, in particular the concurrent approval of MSC-MEPC.1/Circ.4/Rev.3 on *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies*.

7.4 The Council approved the report of the sixty-seventh session of the Marine Environment Protection Committee and decided to transmit it, together with its comments and recommendations, to the twenty-ninth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

**Reference documents:** C 113/7 and MEPC 67/20

**Audio file:** Wednesday, 3 December 2014: a.m.

## **8 CONSIDERATION OF THE REPORTS OF THE MARITIME SAFETY COMMITTEE (agenda item 8)**

8.1 The Council noted the information set out in document C 113/8, as well as that provided orally by the Vice-Chairman of the Maritime Safety Committee and the Secretary-General, on the report of the Committee's ninety-fourth session (17 to 21 November 2014).

8.2 The Council endorsed:

- (i) the unplanned outputs agreed at the session for inclusion in the High-level Action Plan and priorities for the 2014-2015 biennium; and
- (ii) the intersessional meetings approved for 2015 and 2016.

8.3 The Council noted:

- (i) the adoption by the Committee of amendments to the 1974 SOLAS Convention and a mandatory code and resolutions related thereto, and the approval/adoption of non-mandatory instruments;
- (ii) the adoption by the Committee of the new chapter XIV to the 1974 SOLAS Convention and the safety-related provisions of the new mandatory Polar Code, both of which are expected to enter into force on 1 January 2017;
- (iii) the actions taken by the Committee on issues related to maritime security and, in particular, the ongoing work related to the development of national maritime security legislation and the discussions on measures to enhance maritime cybersecurity;
- (iv) the progress made on the implementation of GBS verification audits, in particular that five audit teams have been established, and that the verification audits on the 13 recognized organizations had started from the end of July 2013;
- (v) the actions taken by the Committee on issues related to passenger ship safety and, in particular, the approval of a new unplanned output on computerized stability support for the master in case of flooding, and the inclusion of new items in the long-term action plan on passenger ship safety;

- (vi) the actions taken by the Committee on issues related to the outcome of NCSR 1 and, in particular, the approval to add a new item to the agenda of MSC 95 on "Performance review and audit of LRIT Data Centres", the developments in regard to maritime radiocommunications systems and technology, and the approval of the e-navigation Strategy Implementation Plan (SIP);
- (vii) the actions taken by the Committee on issues related to the outcome of III 1 and, in particular, on matters related to the preparation for the third meeting of the Joint IMO/FAO Working Group on IUU Fishing and Related Matters;
- (viii) that all three United Nations organizations have approved the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code) and the Informative Materials related thereto, which will be disseminated by MSC.1/Circ.1497 and MSC.1/Circ.1498, respectively, and made available on the UNECE website;
- (ix) the approval of the draft amendments to SOLAS and the Protocols of 1978 and 1988 related thereto (to make the IGF Code mandatory), for circulation in accordance with SOLAS article VIII, with a view to adoption at MSC 95 in conjunction with the IGF Code;
- (x) the approval, in principle, of the draft International Code of Safety for Ships using Gases or other Low-flashpoint Fuels (IGF Code), for consideration at MSC 95, with a view to adoption in conjunction with the associated SOLAS and Protocol amendments;
- (xi) that the Committee approved draft amendments to the committees' *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.4/Rev.3), subject to concurrent approval by MEPC 68, for dissemination as MSC-MEPC.1/Circ.4/Rev.4 and referred it to the Correspondence Group on the GAP (see paragraph 3.11(iii) of this document);
- (xii) the decision taken in regard to piracy and armed robbery against ships;
- (xiii) the decisions taken with regard to notifications and circulation through GISIS for mandatory reporting requirements, that a new section in IMODOCS has been added for draft amendments to mandatory instruments agreed by IMO organs for adoption, and the impact assessment of the review and reform initiative on the work of the Committee;
- (xiv) that the Committee approved the *Guidance on drafting of amendments to the 1974 SOLAS Convention and related mandatory instruments* (MSC.1/Circ.1500) and instructed its subsidiary bodies to start using the Guidance with immediate effect;
- (xv) the approval of amendments to the continuous outputs identified by C/ES.27;
- (xvi) the biennial status report of the Maritime Safety Committee;
- (xvii) the updated post-biennial agenda of the Maritime Safety Committee;

- (xviii) that the proposed number of meeting-weeks for the coming biennium will be 21 planned meeting-weeks, for inclusion in the Secretary-General's relevant budget proposals for the biennium 2016-2017; and
- (xix) that the Committee agreed to the safety and security-related thematic priorities for the ITCP covering the 2016-2017 biennium.

8.4 With regard to the number of meeting-days of MSC, the Council further noted that the Committee approved eight days for MSC 96 (May 2016), five days for MSC 97 (December 2016) and eight days for MSC 98 (June 2017), for inclusion in the Secretary-General's relevant budget proposals for the biennium 2016-2017.

8.5 The Council approved the report of the ninety-fourth session of the Maritime Safety Committee and decided to transmit it, together with its comments and recommendations, to the twenty-ninth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

**Reference documents:** C 113/8; MSC 94/21 and addenda

**Audio file:** Wednesday, 3 December 2014: a.m.

## **9 REPORT ON THE 36TH CONSULTATIVE MEETING OF CONTRACTING PARTIES TO THE LONDON CONVENTION 1972 AND THE 9TH MEETING OF CONTRACTING PARTIES TO THE 1996 PROTOCOL TO THE LONDON CONVENTION (agenda item 9)**

9.1 The Council noted the information set out in document C 113/9, as well as that provided orally by the Chairman-elect of the governing bodies to the London Convention and Protocol and the Secretary-General, on the report on the 36th Consultative Meeting of Contracting Parties to the London Convention 1972 and the 9th Meeting of Contracting Parties to the 1996 Protocol to the London Convention.

9.2 The Council agreed to the convening of the eighth session of the Compliance Group, scheduled tentatively for 8 and 9 October 2015, to be held immediately prior to the next meetings of the governing bodies.

9.3 The Council noted:

- (i) the status of the London Convention and London Protocol and, in particular, the slow rate of accessions to the Protocol and its recent amendments;
- (ii) the approval of two guidance documents following the adoption of resolution LP.4(8), in 2013;
- (iii) the slow rate of acceptance of the 2009 amendment to article 6 of the London Protocol;
- (iv) the action taken on marine disposal of tailings and associated wastes from mining operations;
- (v) the action taken on deep-sea mining;
- (vi) the action taken with regard to the twenty-five-year scientific review of all radioactive wastes and other radioactive matter;

- (vii) the progress made on other items relating to the work of the governing bodies of the London Convention and Protocol since the twenty-seventh extraordinary session of Council; and
- (viii) the convening of the next joint session of the Scientific Groups, scheduled tentatively for 20 to 24 April 2015, at IMO Headquarters.

**Reference document:** C 113/9

**Audio file:** Wednesday, 3 December 2014: a.m.

## **10 PROTECTION OF VITAL SHIPPING LANES (agenda item 10)**

10.1 The Council noted the information set out in documents C 113/10 and C113/10/1, as well as that provided orally by the Secretary-General, on the protection of vital shipping lanes.

10.2 With regard to document C 113/10, the Council:

- (i) expressed its appreciation to the littoral States of Indonesia, Malaysia and Singapore for the timely implementation of the various components of the Cooperative Mechanism in the Straits of Malacca and Singapore;
- (ii) also expressed its appreciation to those Member Governments, intergovernmental and non-governmental organizations which have made contributions to, and/or pledged support for, the various projects under the Cooperative Mechanism and the IMO Malacca and Singapore Straits Fund; and
- (iii) invited Member Governments and organizations to continue contributing to the projects under the Mechanism and the Fund.

10.3 With regard to document C 113/10/1, the Council:

- (i) expressed its concern for the number of attacks and boarding of ships in the Gulf of Guinea;
- (ii) expressed its appreciation to Member Governments and organizations for contributing to the IMO West and Central Africa Maritime Security Trust Fund and encouraged further contributions to that Fund;
- (iii) welcomed improvements in the piracy situation off the coast of Somalia and in the Indian Ocean but expressed grave concern over the continuing threat of piracy in those areas, and expressed appreciation to Member States providing naval and other resources in the region;
- (iv) expressed its concern for the innocent seafarers still in captivity; and
- (v) thanked Mr. Yoshiaki Ito, Mr. Phil Holihead and the staff of the PIU for their good work.

**Reference documents:** C 113/10, C 113/10/1; C 112/D, Section 13

**Audio file:** Wednesday, 3 December 2014: a.m.

## **11 PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS IN MANDATORY IMO INSTRUMENTS (agenda item 11)**

11.1 The Council noted the information set out in documents C 113/11, C 113/INF.2 and C 113/INF.3, as well as that provided orally by the Chairman of the Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR) and the Secretary-General, on the final report of SG-RAR and set of recommendations, selection of illustrative general comments on reduction of administrative burdens and general results of the process of the public consultation on the reduction of administrative requirements, respectively.

11.2 With respect to document C 113/11, the Council noted the general results of the public consultation contained in paragraph 3 and appendices 4 to 8 of the annex to the document, and requested the Secretary-General to develop a draft Assembly resolution for further consideration by the Council to reflect the relevant outcomes of the consultation.

11.3 In particular, with respect to recommendations 1, 3, 4, 5 and 7 on e-solutions that could alleviate administrative burdens:

**Recommendation 1:** *the Organization ensures that all the present and future administrative requirements to provide information (both to and from IMO) could be fulfilled by electronic means*

- (i) the Council noted that the Organization had already taken action on this recommendation through resolution A.1074(28), but that the proposed draft resolution could also include a reference to A.1074(28) in order to place emphasis on this recommendation;

**Recommendation 3:** *the Organization – as a matter of priority – sets a clear policy target for universal acceptance of electronic certificates and similar documents as a full alternative to paper versions*

- (ii) the Council supported this recommendation and decided to include this recommendation in the proposed draft resolution, as well as to take into account implementation and enforcement criteria and security protocols;

**Recommendation 4:** *the Organization – as a matter of priority – sets a clear policy target for universal acceptance of electronic recording of information as a full alternative to paper versions*

- (iii) the Council supported this recommendation and decided to include this recommendation in the proposed draft resolution, as well as to take into account implementation and enforcement criteria and security protocols;

**Recommendation 5:** *to encourage the responsible committees to review the pertinent administrative requirements in appendix 7 – and similar requirements in appendices 5 and 6 – with a view to universal acceptance of electronic versions of documents for fulfilling present requirements for the carriage of documents*

- (iv) the Council supported this recommendation and decided to transmit this recommendation to the relevant committees for review and, thereafter, to report back to a future session of the Council;



**Recommendation 7:** to encourage the responsible committees to review the pertinent administrative requirements in appendix 7 – and possible similar requirements in appendices 5 and 6 – with a view to universal acceptance of electronic or software solutions for fulfilling present other types of administrative requirements

- (v) the Council supported this recommendation and decided to transmit this recommendation to the relevant committees for review and, thereafter, to report back to a future session of the Council.

11.4 With regard to recommendations 9 to 13 concerning the wider issue of better regulation:

**Recommendation 9:** *take account of the possible impact of an accumulation of administrative requirements, in particular in the consideration of proposals for developing new, or amending existing, mandatory instruments; and to continuously take account of such possible impact in developing new, or amending existing, mandatory instruments*

- (i) the Council supported this recommendation and decided to forward this recommendation to the relevant committees to raise awareness about the issue, and to include this recommendation in the proposed draft resolution;

**Recommendation 10:** *to take account of the possible indirect impact of non-mandatory instruments in the consideration of proposals for developing new, or amending existing, non-mandatory instruments; to continuously take account of such possible indirect impact in developing new, or amending existing, non-mandatory instruments; and to periodically review non-mandatory instruments from a perspective of such possible indirect impact.*

- (ii) the Council supported this recommendation and decided to forward this recommendation to the relevant committees to be adopted as part of their work, except for the recommendation "to periodically review non-mandatory instruments from a perspective of such possible indirect impact", which the Council decided to hold in abeyance for the time being;

**Recommendation 11:** *the Council develops a draft Assembly resolution – for adoption by the twenty-ninth Assembly – establishing a systematic approach to better regulation under the coordination of the Council.*

- (iii) the Council supported this recommendation and decided to include this recommendation in the proposed draft resolution;

**Recommendation 12:** *any review of measures takes account of the following practical principles and criteria:*

- .1 *ensure to avoid traditionalism, by considering (a) alternatives for regulatory instruments; and (b) possibilities for goal/function-driven requirements;*
- .2 *ensure that existing regulations are not simply converted into new instruments without proper consideration of their purpose, adequacy, effectiveness and relevance;*
- .3 *ensure that IMO regulations – where possible and appropriate – offer flexibility for fulfilling administrative requirements, with a view to driving change towards the use of modern technology;*

- .4 *ensure the need for regulatory instruments in view of industry standards or common practices;*
  - .5 *ensure that articles or regulations that by nature expire are not unnecessarily kept alive by the instrument; consider introducing a mechanism for the removal of such expired provisions; and*
  - .6 *ensure the harmonization and alignment and consider possibilities for integration of similarities and commonalities in the regulatory framework, not only within a specific instrument but also across the various instruments (paragraph 5.8)*
- (iv) the Council agreed with this recommendation in general but recognized the need for it to be further developed and looked forward to submissions from Member States for consideration at C 114;

**Recommendation 13:** *The SG-RAR recommends that the Council considers amending the Guidelines on the application of the Strategic Plan and the High-level Action Plan with a view to:*

- .1 *ensure a strict application by the committees of the Checklist for Identifying Administrative Requirements and Burdens before approving proposals for developing new, or amending existing, mandatory instruments, in order to ascertain that administrative requirements resulting from such proposals are minimized to the greatest extent possible;*
  - .2 *encourage that the committees, when considering proposals for developing new, or amending existing, mandatory instruments, also evaluate the cumulative impact of administrative requirements resulting from such proposals; and*
  - .3 *ensure that proposals for developing new, or amending existing, mandatory instruments include possible electronic solutions for fulfilling resulting administrative requirements.*
- (v) the Council agreed, with regard to the Steering Group's proposals on the amendments, to take this recommendation under consideration in line with its decision related to document C 113/3/6 on the review of the GAP.

**Recommendation 2:** *the Organization – as a matter of priority – establishes and develops a fundamental vision and policy concerning its role and responsibility as host of an internationally trusted web-based information portal, including (a) functional architecture for the entry, storage and retrieval of information and data; (b) practical and efficient use; and (c) development and maintenance of such a portal.*

11.5 With regard to recommendation 2, the Council requested the Secretariat to develop a proposal in order to better assess the implications of this recommendation.

**Recommendation 6:** *to encourage the responsible committees to review the pertinent administrative requirements in appendix 7 – and similar requirements in appendix 6 – with a view to introduce an electronic and unified "single window approach" for fulfilling present requirements for multiple reporting.*

11.6 With regard to recommendation 6, the Council supported this recommendation and agreed to forward the pertinent administrative requirements to the relevant committees for review.

**Recommendation 8:** *the Council takes due note of the stakeholder's concerns about the regulatory framework for maritime security and takes action as it may deem appropriate; and that the Council considers requesting the relevant committee to ensure that actions are taken to remind users of the reasoning for the introduction of the ISPS Code.*

11.7 With respect to recommendation 8, the Council supported this recommendation and requested the MSC to consider it further.

11.8 With regard to the recommendations on future work on reducing administrative burdens (annex, paragraphs 6.2 and 6.3 of the document), the Council:

- (i) agreed to invite the committees to consider the matter of how to proceed with the outcome of the Steering Group's work during their meetings in 2015 with a view to develop appropriate outputs to be included in the High-level Action Plan for 2016-2017; and
- (ii) with respect to the review of Strategic Direction 8 in the Organization's Strategic Plan, the Council invited Member States to put forward proposals in connection with the next Strategic Plan, to C 114, for further consideration.

11.9 The Council noted the SG-RAR's views on critical success factors for future consultations considering them important for any future activities to be undertaken.

11.10 The Council approved the report of the SG-RAR in general and the final report, and expressed its sincere appreciation to the Steering Group, ably led by Mr. Polderman, for their work, and to all those who took part in the public consultation.

**Reference documents:** C 113/11, C 113/INF.2 and C 113/INF.3; resolution A.1043(27), C 108/D; C 109/D; C 110/D; C/ES.27/D; A 28/D and C 112/D

**Audio file:** Wednesday, 3 December 2014: a.m. and p.m.  
Thursday, 4 December 2014: a.m.

## **12 EXTERNAL RELATIONS (agenda item 12)**

### **(a) Relations with the United Nations and the specialized agencies (agenda item 12(a))**

12(a).1 The Council noted the information set out in document C 113/12(a), and that provided orally by the Secretary-General, on matters of relevance to IMO as discussed at the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP) at its fifteenth meeting held from 27 to 30 May 2014.

12(a).2 The Council requested the Secretary-General to keep it informed of any relevant developments on the issues just addressed.

**Reference document:** C 113/12(a)

**Audio file:** Monday, 1 December 2014: a.m.

**(b) Joint Inspection Unit (agenda item 12(b))**

12(b).1 The Council noted the information set out in document C 113/12(b), and that provided orally by the Secretary-General on matters relating to the Joint Inspection Unit.

12(b).2 In particular, the Council noted the report on "Post-Rio+20 review of environmental governance within the United Nations system" (JIU/REP/2014/4) and the Secretary-General's comments thereon.

**Reference document:** C 113/12(b)

**Audio file:** Monday, 1 December 2014: a.m.

**(c) Relations with intergovernmental organizations (agenda item 12(c))**

No document submitted.

**(d) Relations with non-governmental organizations (agenda item 12(d))**

12(d).1 The Council noted the information contained in document C 113/12(d), as well as that provided orally by the Secretary-General, on relations with non-governmental organizations.

12(d).2 The Council decided to grant consultative status to the International Water Mist Association (IWMA).

12(d).3 The Council further decided that, within the classification of organizations in consultative status by interests/activity, IWMA is placed under the category of "Standards".

12(d).4 The Council noted the amalgamation between the International Chamber of Shipping (ICS) and the International Shipping Federation (ISF), as well as the decision to operate at IMO under the banner of ICS. The Council also decided to withdraw ISF's consultative status with IMO and to advise the Assembly accordingly.

**Reference document:** C 113/12(d)

**Audio file:** Monday, 1 December 2014: a.m.

**(e) Day of the Seafarer (agenda item 12(e))**

12(e).1 The Council noted the information contained in documents C 113/12(e), as well as that provided orally by the Secretary-General, on the celebration of the Day of the Seafarer on 25 June 2014.

12(e).2 The Council expressed its appreciation to all those whose hard work contributed to the successful celebrations of the Day.

**Reference documents:** C 113/12(e); resolution A.1033(27) and Circular Letters Nos.3433 and 3441

**Audio file:** Monday, 1 December 2014: a.m.

**(f) Report on World Maritime Day 2014 (agenda item 12(f))**

12(f).1 The Council noted the information contained in documents C 113/12(f), C 113/12(f)/1 and that provided orally by the Secretary-General and the delegation of Morocco, on the 2014 World Maritime Day and expressed its appreciation to all those involved in the preparation and arrangements made for its celebration.

12(f).2 The Council noted, in particular, the very worthwhile contributions made by various Member Governments, organizations and individuals to the success of the Day, by their attendance at the reception held at IMO Headquarters and through events organized by them, and the kind and meaningful messages sent to the Secretary-General on the occasion.

12(f).3 The Council further noted, with appreciation, that the tenth World Maritime Day parallel event was successfully hosted by the Government of Morocco, in Tangier, from 27 to 29 October 2014. The Council also expressed its appreciation to the Government of Morocco for hosting a successful event, to the Member Governments and international organizations which sent representatives to attend it, and to the media for covering it.

12(f).4 The Council reiterated its appreciation to the Governments of Japan and Turkey for offering to host the 2015 and 2016 parallel events, respectively.

12(f).5 The Council accepted, with appreciation, the offer made by the Governments of Panama to host the 2017 parallel event, Poland to host the 2018 parallel event and Colombia to host the 2019 parallel event.

12(f).6 The Council noted, with appreciation, the offers made by the Governments of South Africa and the Islamic Republic of Iran to host the parallel events in 2020 and 2021, respectively, and looks forward to the transmission of their formal offers to the Secretary-General.

**Reference documents:** C 113/12(f), C 113/12(f)/1; C 112/D and Circular Letter No.3469

**Audio file:** Tuesday, 2 December 2014: p.m.

**(g) IMO Award for Exceptional Bravery at Sea (agenda item 12(g))**

12(g).1 The Council noted the information contained in document C 113/12(g) and its addendum, as well as that provided orally by the Secretary-General, on revisions to the *Guidelines for the IMO Award for Exceptional Bravery at Sea*.

12(g).2 With respect to document C 113/12(g), the Council approved the revision to paragraph 3 of the Guidelines by specifying that, except in the most extraordinary circumstances, the nominated rescues should occur at sea or those rescued should emanate from a vessel.

12(g).3 With regard to document C 113/12(g)/Add.1, the Council approved the revision to paragraph 6 of the Guidelines, replacing the ISF by the ICS in the composition of the Assessment Panel in view of the decision taken by the Council, under item 12(d), to withdraw the consultative status of ISF, and the update of paragraph 6 to reflect the current composition of the other members of the Assessment Panel.

**Reference document:** C 113/12(g) and addendum

**Audio file:** Tuesday, 2 December 2014: p.m.

**13 REPORT ON THE STATUS OF THE CONVENTION AND MEMBERSHIP OF THE ORGANIZATION (agenda item 13)**

13.1 The Council noted the information contained in document C 113/13, and that provided orally by the Secretary-General, on the status of the IMO Convention and membership of the Organization.

13.2 The Council supported the Secretary-General in his efforts to make IMO more widely known and to ensure that it maintained its deserved position in the global maritime community, and further encouraged him to continue to assist all Member States, particularly developing countries, to participate fully and effectively in the work of the Organization.

**Reference documents:** C 113/13 and C 113/16

**Audio file:** Thursday, 4 December 2014: a.m.

**14 REPORT ON THE STATUS OF CONVENTIONS AND OTHER MULTILATERAL INSTRUMENTS IN RESPECT OF WHICH THE ORGANIZATION PERFORMS FUNCTIONS (agenda item 14)**

14.1 The Council noted the information contained in documents C 113/14 and its addendum, as well as that provided orally by the Secretary-General, on the status of conventions and other multilateral instruments in respect of which the Organization performs functions.

14.2 The Council welcomed the news that the Nairobi Wreck Removal Convention, which has met its entry-into-force requirement, will come into force on 14 April 2015.

14.3 The Council endorsed and supported the Secretary-General's continuing efforts to encourage Governments to consider ratifying those IMO conventions to which they are not yet parties.

14.4 The Council encouraged Governments to ratify, in particular, the 2004 Ballast Water Management Convention, the 2009 Hong Kong Ship Recycling Convention, the 2010 HNS Protocol and the 2012 Cape Town Agreement, to enable them to enter into force as soon as possible.

14.5 The Council further endorsed the Secretary-General's remarks concerning the need for Governments to complement the international legal framework of instruments established by IMO with timely ratification, early entry into force and widespread and effective implementation thereafter and would wish him to communicate with Governments that have not yet ratified IMO treaties, encouraging and assisting them to accept and implement them at their earliest convenience, in accordance with the current World Maritime day theme, "IMO conventions: effective implementation".

**Reference documents:** C 113/14 and addendum

**Audio file:** Thursday, 4 December 2014: a.m.

## **15 CONTRACT OF THE SECRETARY-GENERAL (agenda item 15)**

15.1 The Council noted the information contained in documents C 113/15 and C 113/15/1, as well as that provided orally by the Chairman and the Secretary-General, on the contract of the Secretary-General, and on practices and procedures for the appointment of the next Secretary-General, respectively.

15.2 With regard to document C 113/15, the Council expressed its full support and respect for the Secretary-General's decision not to seek re-appointment for a further term owing to personal reasons. The Council also expressed its appreciation for the Secretary-General's contribution to the work of the Organization over many years; looked forward to his continued leadership in 2015; and wished the Secretary-General and his family well.

15.3 With regard to document C 113/15/1, the Council approved the procedures described therein.

**Reference documents:** C 113/15, C 113/15/1; C 88/27(b) and C 89/D, paragraph 29(b).1  
**Audio file:** Thursday, 4 December 2014: a.m.

## **16 SUBSTANTIVE ITEMS FOR INCLUSION IN THE PROVISIONAL AGENDAS FOR THE NEXT TWO SESSIONS OF THE COUNCIL (agenda item 16)**

16.1 The Council noted the information contained in documents C 113/16 and C 113/WP.3, as well as that provided orally by the Chairman and the Secretary-General, proposing substantive items for inclusion in the provisional agendas for the 114th regular and twenty-eighth extraordinary sessions of the Council, including terms of reference for the Working Group on the development of a new Strategic Plan, as well as the re-establishment of the Correspondence Group on the revision of the GAP.

16.2 With respect to the Working Group on the development of a new Strategic Plan (see paragraph 3.3(iii) of this document), the Council:

- (i) decided to establish a working group the week before C 114 to advance work on a new Strategic Plan with terms of reference as set out in paragraph 1 of document C113/WP.3;
- (ii) invited Member States to submit comments and proposals to the Working Group and the Council, and requested the Secretary-General to invite all Member States and IGOs and NGOs in consultative status to fully participate in the working group;
- (iii) requested the Secretariat, working with the external consultant, dependant on the necessary financial contributions, to submit relevant information on how to structure the process for a new Strategic Plan for consideration of the working group; and
- (iv) expressed its appreciation to the Government of Australia for its offer to contribute AUS \$30,000 for the continuing support of the external consultant.

16.3 The Council decided to re-establish the correspondence group with the terms of reference set out in paragraphs 2 and 3 of document C 113/WP.3.

16.4 With regard to the agenda item on periodic review of administrative requirements in mandatory IMO instruments, contained in document C 113/16, the Council agreed to delete the square brackets and include it in the agenda for the next session of the Council.

16.5 The Council agreed to the addition of an agenda item after "Appointment of the Secretary-General" to read "Appreciation of the services to the Organization of Mr. K. Sekimizu" and that the adoption of the agenda would take place at the beginning of each session, as per the usual practice.

16.6 The Council also agreed to five days for the 114th regular session and two days for the twenty-eighth extraordinary session with full interpretation.

**Reference documents:** C 113/16 and C 113/WP.3

**Audio file:** Thursday, 4 December 2014: a.m.

## **17 PLACE, DATE AND DURATION OF THE NEXT SESSION OF THE COUNCIL (agenda item 17)**

17.1 The Council noted the information contained in document C 112/17, and that provided orally by the Secretary-General, on the arrangements for its 114th session.

17.2 The Council agreed that its 114th session will be held at IMO Headquarters from 29 June to 3 July 2015.

17.3 With regard to interpretation requirements, the Council decided that budgetary provision be made for ten plenary sessions with full interpretation.

**Reference document:** C 113/17

**Audio file:** Thursday, 4 December 2014: a.m.

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