



COUNCIL  
90th session  
Agenda item 34

C 90/34/Add.2  
7 March 2003  
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## APPOINTMENT OF THE SECRETARY-GENERAL

### Note by the Secretary-General

#### SUMMARY

- Executive summary:** This document concerns the nomination of Mrs. Monica Nkechi Mbanefo by The Honourable Minister of Foreign Affairs of Nigeria, to the position of Secretary-General of the Organization.
- Action to be taken:** Paragraph 2
- Related documents:** C 89/30, C 90/34 and C 90/34/Add.1

1 Further to the information provided in documents C 90/34 and C 90/34/Add.1, annexed to this document is a letter dated 19 February 2003 and attachments from The Honourable Minister of Foreign Affairs of Nigeria nominating Mrs. Monica Nkechi Mbanefo to the post of Secretary-General, which was transmitted to the Secretary-General by His Excellency the High Commissioner of Nigeria on 5 March 2003.

#### Action requested of the Council

2 The Council is invited to take note of the information in this document and any subsequent addenda and to decide accordingly.

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## ANNEX



MINISTER OF FOREIGN AFFAIRS  
NIGERIA

Ref:No. FH 8/4/Vol.I

19 February 2003

H E Mr Williams A O'Neil  
Secretary General  
International Maritime Organisation  
4 Albert Embankment  
London SE1 7SR  
England

*Your Excellency*

**CANDIDATURE OF MRS MONICA NKECHI MBANEFO**  
**FOR THE POST OF SECRETARY GENERAL OF THE**  
**INTERNATIONAL MARITIME ORGANISATION (IMO)**

I have the honour to refer to the IMO Note dated 19 December 2002. Mindful of the important role of the IMO in facilitating cooperation on international shipping among governments, and, in particular, the achievement of the highest standards of maritime safety and efficiency in navigation, and desirous of consolidating the gains already made in pursuing the special responsibility of the Organisation, the Government of the Federal Republic of Nigeria has decided to present Mrs Monica Nkechi Mbanefo as its candidate for the post of Secretary General of the International Maritime Organisation, during elections holding at the Ninetieth Session of the IMO Council in June 2003.

2. Mrs Mbanefo, who is 55 years old, holds an LLB Hons Degree of the University of Ife, Nigeria. Between July 1973 and January 1991, she served in the Civil Service of the Federation, rising to the position of Director/Legal Adviser, and Head of Legal Unit of the Federal Ministry of Transport,




with specialisation in Maritime and Land Transport Laws. She joined the Secretariat of the IMO as Senior Deputy Director and Head of Legal Office in February 1991 and was promoted to the post of Director Conference Division, in 1999, a position she still occupies.

3. Both in the service of the Nigerian Government, and the IMO, Mrs Mbanefo has demonstrated diligence and resourcefulness and brought her sharp intellect, knowledge and experience to bear on issues related to transport and the maritime industry. Together with excellent inter-personal relations, these assets should help reinforce the confidence of member States in the work of the Organisation. The Nigerian Government is convinced that as Secretary General, Mrs Mbanefo's experience, within the Organisation, would prove invaluable in confronting the immense challenges facing the IMO in the 21<sup>st</sup> Century.

4. I enclose herewith copy of Mrs Mbanefo's curriculum vitae, as well as an Aide Mémoire on Nigeria's relations with the IMO, and shall be grateful if you would circulate the foregoing to all member States of the Organisation.

5. Accept, Secretary General, the assurances of my highest esteem.

Your Sincerely



Sule Lamido  
Minister of Foreign Affairs

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## **MRS MONICA N. MBANEFO**



### **NIGERIA'S CANDIDATE FOR THE POST OF SECRETARY-GENERAL OF IMO**

The Council of the International Maritime Organization will meet in June 2003, to elect a new Secretary-General, who will succeed the incumbent, Mr. William A. O' Neil. Nigeria has decided to propose a candidate for this post for a number of reasons.

From the inception of IMO in 1950 to date, the Organization has been blessed with the illustrious service of Secretary-Generals from various regions of the world. So far the post has been occupied by Europe for 14 years, Asia for 16 years, and America for 14 years as illustrated below.

No	Period	Name	Continent
1	1959-1961	Mr. Ore Nielsen	Denmark Europe
2	1961-1963	Mr. William Graham	UK, Europe

3	1963-1967	Mr. Jean Roullier	France, Europe
4	1967-1973	Mr. Colin Goad	UK, Europe
5	1973-1989	Mr. C.P. Srivasteva	India, Asia
6	1990-2003	Mr. William A. O'Neil	Canada, America

In the light of the foregoing it is evident that the African region has not had the opportunity to serve as the Secretary-General of IMO and is therefore eager to offer a candidate for election as Secretary-General in June 2003. In presenting Nigeria's candidacy for this post, however, we are conscious of the fact that IMO is a highly specialized United Nations Agency. For this reason, it is doubly important that any candidate for the post must not only be a regular practitioner in the maritime field, but also someone who understands the intricacies of running a large specialized agency in the UN system. Such a candidate would no doubt be acceptable to the majority of the IMO Member States.

We are, therefore, delighted to offer for your kind consideration Nigeria's candidate Mrs Monica Nkechi Mbanefo. Mrs Mbanefo is a maritime lawyer of thirty years experience, twenty-one of which has been in the transport and maritime industry. Currently she is the Director of Conference Division of IMO.

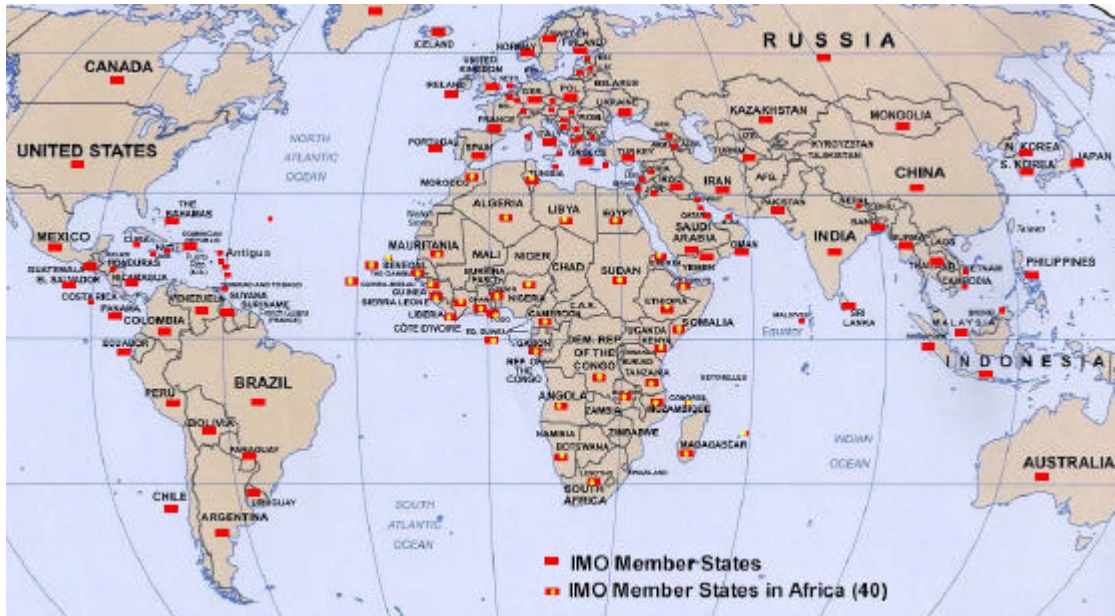
Before joining the IMO in February 1991, Mrs Mbanefo had served in various capacities in the Federal Civil Service of Nigeria, and represented Nigeria for many years in various international organizations.

In 1991, Mrs. Mbanefo was appointed Senior Deputy Director/Head, Legal Office (D1) of the International Maritime Organization (IMO). In this capacity she was Secretary to the Legal Committee of IMO and Secretary to several diplomatic conferences which adopted liability Conventions and Protocols during this period e.g. the 1992 CLC Protocol and 1992 FUND Protocol, the International Convention on Maritime Liens and Mortgages 1993, the HNS Convention 1996 and the International Convention on the Arrest of Ships 1999. She restructured and reformed the Legal Office and greatly improved efficiency and productivity in the Legal Office. Subsequently, she was promoted in June 1999 to the post of Director, Conference Division (D2).

As the Director of Conference Division, Mrs Mbanefo is in Charge of about 112 out of just over 300 staff of the Organization and reports directly to the Secretary-General. She has revitalized the Division through a comprehensive restructuring, strengthening and reforming programme. This has boosted staff morale whose promotion is now linked to the highest standard of efficiency and competence and also has greatly improved efficiency and productivity. She has also initiated far-reaching reforms in all sections of the Division.

Besides our confidence in her person and qualifications, Mrs Mbanefo is the only candidate for Africa and has the support of African Union member States (AU). It is

worthy of note that out of the 162 Member States of IMO, 40 (approximately 25%) are members of the AU.



### **Secretary-General of the International Maritime Organization (IMO) Essential Qualities**

Article 47 of the IMO Convention states that “The Secretary-General shall be the chief administrative officer of the Organization”

A “Chief administrative officer”

- must have excellent administrative qualities and proven ability to administer;
- must have excellent ability and proven track record;
- must be able to manage the Secretariat to achieve its utmost;
- must be a good leader with foresight and excellent managerial ability; and
- must be transparently neutral in the spirit of Article 51 of the Convention, which stipulates that “In the performance of their duties the Secretary-General and staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials”.

Mrs. Mbanefo has many years of proven track record of excellent management and administration. Besides her proven record of being an excellent administrator in her National Civil Service where she headed and administered various departments, she has, as shown in the attached curriculum vitae (CV), a proven track record of excellent administration in the International Maritime Organization (IMO), of which she now seeks to be the Secretary-General, “Chief administrative officer”.

## CURRICULUM VITAE

**NAME:** MONICA NKECHI MBANEFO  
**DATE OF BIRTH:** 6<sup>th</sup> May 1948  
**NATIONALITY:** Nigerian  
**MARITAL STATUS:** Married to Louis N. Mbanefo, Senior Advocate of Nigeria, with 3 children.

### **EDUCATION:**

Studied Law at the University of Ife from 1968 to 1972 and graduated with an Honours Degree in Law (LLB Hons).  
Attended Nigerian Law School from 1972 to 1973 and obtained the Professional Lawyer's qualification (BL)  
Called to the Bar in June 1973 as a Barrister and Solicitor of the Supreme Court of Nigeria.  
In 1990, attended the Institute of Advanced Legal Studies, University of Lagos specialising in International Contract Negotiation and Arbitration Clauses in Contracts.  
Also attended several in-service training courses on Policy and Management.

### **WORK EXPERIENCE:**

*July 1973-January 1991:* Joined the Federal Ministry of Justice and worked in various capacities including Legal and Legislative Drafting, Civil Litigation, Industrial and Mercantile Law.

*February 1991- Date:* Joined the International Maritime Organization as Senior Deputy Director/Head, Legal Office (D1) and in 1999 was appointed Director Conference Division (D2).

### **PREVIOUS APPOINTMENTS/RESPONSIBILITIES**

#### ***Federal Government of Nigeria:***

*1978-1981:* Legal Adviser of the Ministry of Labour specializing in Industrial Relations, Trade Unions, Factories Law and Workmen's Compensation Laws.

*1982-1983:* Legal Adviser and Head of Legal Department of the Federal Ministry of Water Resources, specialising in law relating to Water Resources, Agriculture and Maritime Law.

*1984-1985:* Legal Adviser and Head of Legal Department of the Federal Ministry of Transport and Aviation, specialising in Aviation Law, Maritime Law, and Land Transport Law.

*1985-1986:* Established and headed the contract vetting Department of the Federal Ministry of Justice.

*1986-1990:* Legal Adviser and Head of Legal Dept. of the Federal Ministry of Transport, specialising in Maritime Law and Land Transport Law.



## ***International Maritime Organization (IMO) London***

### ***HEAD, LEGAL OFFICE:***

***1991-1999:*** Appointed Senior Deputy Director/Head, Legal Office, Legal Affairs and External Relations Division of the International Maritime Organization (Grade D1), in 1991. The first woman to be appointed at such a senior level (D level) in the Organization.

### ***Major Achievements***

In her capacity as Head of Legal Office she was Secretary to the Legal Committee of IMO and Secretary to several diplomatic conferences that adopted liability Conventions and Protocols. For example, the 1992 CLC Protocol and 1992 FUND Protocol, the International Convention on Maritime Liens and Mortgages 1993, the HNS Convention 1996 and the International Convention on the Arrest of Ships 1999.

Restructured and reformed the Legal Office, in particular introduced the Monthly Returns System, which is a self-assessment and monitoring system submitted by staff on the progress of every assignment received in that month. This greatly improved efficiency and productivity in the Legal Office. Subsequently, she was promoted in June 1999 to the post of Director, Conference Division (D2).

## **CURRENT STATUS**

### ***DIRECTOR CONFERENCE DIVISION:***

***June 1999 to Present:*** Responsible for all matters relating to Conference Management and support services and for the direction and provision of logistical support and related services to all IMO Intergovernmental meetings and other users of the services provided by the Organisation. In charge of about 112 out of the just over 300 staff of the Organisation and reports directly to the Secretary-General.

### ***Major Achievements***

Priorities as Director of Conference Division have been to revitalise the division through a comprehensive restructuring, strengthening and reforming programme. This has boosted staff morale whose promotion is now linked to the highest standard of efficiency and productivity. Initiating far-reaching reforms in all sections of the Division.

## **COMMENDATIONS BY THE SECRETARY-GENERAL OF IMO**

Received many commendations from the Secretary General of IMO Mr W.A. O'Neil in appreciation of achievements. Some of the most recent read as follows:

**December 1999** "Thank you very much for the excellent work you are doing in Conference Division. I am pleased to see that results of your approach to the problems are bearing fruit and I look forward to a continuation of the improvements which have been achieved as we move into the next century".

**December 2000** "Thank you very much for the leadership you have shown in the Conference Division and for your contribution to IMO".

**December 2001** “Thank you very much for your excellent contributions to the success of IMO. Your leadership and Management skills are appreciated.

### **SPECIAL ASSIGNMENTS**

**1987-1990:** Board Member, National Maritime Authority. Member Contract Review Committee, which produced the guidelines used for all government contracts and reviewed major government contracts.

#### ***International Maritime Organization (IMO)***

**1984-1989:** Nigerian Delegate to all the Legal Committee Meetings of IMO for this period.

**1988-1989:** Member of the Nigerian Delegation to all the Meetings of the Intergovernmental Group of Experts of IMO and UNCTAD.

#### ***UNCTAD***

**1984-1989:** Member of the Nigeria delegation to all the UNCTAD Committee of Shipping meetings for this period.

**1987-1988:** Project Co-ordinator for the Review of the Nigerian Maritime Legislations.

**1988:** Legal Counsel to the National Maritime Authority’s delegation to the United Kingdom, France and Germany as the Expert on the Nigerian Shipping Policy.

**1989:** Legal Counsel to the National Maritime Authority delegation to Brazil as Expert on the Nigerian Shipping Policy.

**1990:** Legal Counsel to the National Maritime Authority delegation to the USA as Expert on the Nigerian Shipping Policy.

### **ASSOCIATIONS**

**International Federation of Women Lawyers; Musical Society of Nigeria** (MUSON); Nigeria Maritime Law Association (NMLA); International Law Association (ILA).

### **COMMENDATION**

**1990:** Commendation by the President and National Council of Ministers for Services rendered as a member of Contract Review Committee.

### **PASTIME**

Squash, Charity Run, Walking and Reading.

## **IMO-NIGERIA'S THOUGHTS FOR THE FUTURE IN BRIEF**

1. For many years, shipping has been regarded as the most international of the entire world's great industries and one of the most dangerous. In view of this, it had long been recognized that action to improve maritime safety and prevent marine pollution would be more effectively carried out at an international level rather than by individual countries acting unilaterally and without co-ordination with others. It was against this background that in 1948, an international conference in Geneva adopted a convention formally establishing IMO. The original name was the Inter-Governmental Maritime Consultative Organization, or IMCO, but the name was changed in 1982 to IMO.

### **MARITIME SAFETY**

2. All IMO Member States recognize the importance of developing a safety culture throughout the maritime chain, although there are significant differences in their abilities to make necessary institutional changes.

3. In the past, much of the regulatory process within IMO was focused on developing measures which sought to improve what might be termed the hardware of shipping – the ships themselves, the way they are built, equipped and maintained.

4. It is time to take stock of the current situation and, while reflecting on the gains that have been made, a look to the future should be made to determine which areas offer the greatest opportunities for further advances.

5. It has been recognized that one area to which most accidents have been attributed, namely the human factor, while not being totally neglected in the past, is in need of greater attention. The importance and advantages of creating a genuine safety culture in the people involved in all components of the shipping industry cannot be overemphasised.

6. It must be recognized that instruments and standards will only be effective if they are fully implemented and to achieve this a pro-active safety orientated attitude must be established among all those involved with the operation and running of ships.

7. Safer shipping demands a comprehensive safety culture that embraces vigilance in security matters and a proper sensitivity for environmental protection.

8. There is no doubt that a safety culture must deal with the concept in its broadest possible sense. The safety of ships and of ships' personnel is certainly the most obvious considerations but the protection of the marine environment is also a key issue. And matters relating to maritime security, which includes taking positive steps to protect against unlawful acts such as terrorism, piracy, armed robbery, drug smuggling and stowaways, has a higher priority now than ever before.

## **SECURITY**

9. Safety and security have always been linked and today a safety culture must expand to include the need for a heightened awareness of the threats from terrorists that face us all. It is, therefore, necessary to prepare thoroughly, so that in future we can avoid these terrible occurrences which are not just accidents but deliberate acts of violence that were previously impossible to contemplate.

10. The very nature of shipping exposes its vulnerability to terrorist attack and it is essential that everything possible is done, both within IMO and in concert with others, to minimise the risks of ships being either the target or the means of perpetrating such outrages in the future and prevent passengers, crew and port personnel from becoming the victims of terrorist attacks.

11. From recent events, it is clear that security and safety are inseparable and, therefore, IMO has a responsibility to act on behalf of the shipping industry in order to protect the lives of seafarers and passengers, as well as the ships and their cargoes, and to take whatever steps are necessary to enhance maritime security.

12. Nigeria views maritime security issues very seriously and to this end, Nigeria is hosting the first IMO Maritime Security Workshop for West and Central African countries on 31 March 2003.

## **POLLUTION**

13. IMO's concern about the environment is well known and, put quite simply; ships that navigate safely do not spill their fuel or their cargoes.

14. But, recognising that we do not live in a perfect world, IMO must continue to develop measures to reduce the amount of pollution resulting from the routine operation of ships and also to deal with oil spills when they do occur. This includes the creation of a system to ensure that financial compensation is available for any unfortunate victims. To put it briefly, prevention, protection, response and compensation should continue to form the four cornerstones of IMO's approach to navigation and the environment.

15. Concern for the Marine environment should be a unifying factor, because we are, literally, all in it together. Pollution of the seas knows no boundaries and the actions of one affect us all.

16. What is not in doubt is that pollution, and therefore the protection of our environment has obvious trans-boundary implications and that fact must influence our

attitudes and approach to these issues, now and in the future. Our current assumptions and practices must be re-examined.

## **TECHNICAL CO-OPERATION**

17. The real key to achieving our goals of safer shipping and cleaner oceans lies in the selection, education, training and attitudes of the people who man our vessels today and who will provide the policy makers, the managers and the shore-based infrastructure of tomorrow.

18. Although IMO's Member States can unanimously accept the importance of developing a safety culture throughout the maritime transport chain, there are significant differences in their ability to make the necessary institutional changes. There is need to reduce this disparity of capacity to ensure uniform implementation of its global maritime standards. Indeed, the Organization's technical co-operation programme is designed to help developing countries improve their ability to comply with international rules and standards relating to maritime safety and security and the prevention and control of marine pollution. The technical co-operation programme must focus inter alia on human resource development, particularly through training and institutional capacity building.

19. There is need for capable and effective manpower resource throughout the whole industry. The maritime education and training industry, worldwide, needs to recruit and educate more highly qualified personnel.

## **CONCLUSION**

20. Whatever IMO and its Member States may do to establish a framework in which international standards can be agreed to and implemented, the ship owners and ship operators also have a major part to play.

21. Assembly resolution A.900, adopted by the 21st IMO Assembly in 1999, set out the objectives of the Organization in the new millennium. Among other things, it instructed the Committees of IMO, and by extension their Sub-Committees, to focus their attention on shifting emphasis onto people, ensuring the effective uniform implementation of existing IMO standards and regulations, developing a safety culture and an environmental conscience in all activities undertaken by the Organization and avoiding excessive regulation.

22. But what can a regulatory body do to create a safety culture? On its own, very little. The safety culture includes values, attitudes, perceptions, competencies, and patterns of behaviour. You cannot control these things by regulation alone. But what a regulatory body can do is to create the conditions in which these elements can be influenced in a way that is conducive to the building of a safety culture.

23. The major aim is to achieve substantial improvement in maritime safety and security, prevention of pollution of the marine environment, suppression of maritime crime in its various forms and maritime training.

24. It is acknowledged that there have been marked improvements in shipping casualty records and prevention of marine pollution. However, we cannot afford to be complacent. It is important to look to the future, to assess which areas offer the greatest opportunities for further advance in the field of maritime safety and security and prevention of marine pollution.

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