

COUNCIL
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29 June – 3 July 2015

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DRAFT SUMMARY OF DECISIONS

GENERAL

The 114th session of the Council was held from 29 June to 3 July 2015 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

[To be completed by the Secretariat after the meeting, based on document C 114/INF.1.]

Audio file: Monday, 29 June 2015: a.m.

1 ADOPTION OF THE AGENDA (agenda item 1)

1.1 The Council adopted the agenda and proposed timetable, as contained in documents C 114/1/Rev.1 and C 114/1/2.

Reference documents: C 114/1/Rev.1 and C 114/1/2

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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 all delegations attending the session were found to be in order.

Reference document: C 114/2

Audio file: Monday, 29 June 2015: a.m. and p.m.

3 STRATEGY, PLANNING AND REFORM (agenda item 3)

3.1 The Council noted the information set out in documents C 114/3, C 114/3/1, C 114/3/2, C 114/3/3, C 114/3/4 (submitted by the United Kingdom) and C 114/3/5 (submitted by Germany), as well as that provided orally by the Secretary-General, the Chairman of the Working Group on the Development of a new Strategic Framework and the Coordinator of the Correspondence Group related to the *Guidelines on the Application of the Strategic Plan and the High-level Action Plan of the Organization (GAP)*, reporting on strategy, planning and reform.

3.2 With regard to document C 114/3/1, the Council, in particular, welcomed the introduction of a multilingual public website and noted that, while temporary assistance support would provide for its further development and continuity over the period 2015-2017, it would be necessary, in the next biennium, to consider regular budget staffing in order to sustain the effort over the long-term. The Council expressed its appreciation to the Secretary-General and his staff for the work done on review and reform.

3.3 With regard to document C 114/3/2, the Council noted the view that the Trends, Developments and Challenges (TDCs) were a necessary and fundamental step in a new strategic framework.

3.4 The Council endorsed the view of the working group that the collection of input to the TDCs from Member States as well as IGOs and NGOs in consultative status should be an inclusive and transparent process.

3.5 The Council also endorsed the view of the working group that a framework to structure the inputs to the TDCs should be utilized, taking into account existing information and, to that end, requested the Secretariat to finalize the guidance based on the outline in annex 1 to the

document and to issue a circular letter requesting input to the TDCs, as well as through other relevant means, such as the IMO website.

3.6 The Council agreed that the filtering and selection of relevant issues was the sole responsibility of the Member States.

3.7 The Council further agreed to the development of a vision statement following on from the development of the TDCs.

3.8 The Council endorsed the view that the Strategic Directions should be limited to the primary areas of action for the six-year period, and not to recreate the entire mandate of IMO.

3.9 The Council further noted:

- (i) that work would still be undertaken outside the primary areas of action in the six-year period, i.e. strategic and routine; and
- (ii) that the purpose of the Performance Indicators (PIs) was to provide a closed-loop feedback mechanism to improve processes, efficiency and effectiveness of the work of the Organization, and that these should be monitored and measured throughout the six-year period.

3.10 The Council endorsed the working group's view that discipline in respect of the current procedures and guidelines was required.

3.11 The Council agreed that all Planned Outputs (POs) should be listed in one place, and that those identified as strategic should be clearly highlighted on that list.

3.12 The Council noted the view that the process for adopting the new strategic framework should be inclusive and that the preparatory drafts for consideration and further development by the Member States should be developed by the Secretariat and the external consultant.

3.13 The Council endorsed the working group's view that the new strategic framework should be finalized in time for it to be implemented for the 2018-2019 biennium.

3.14 The Council agreed to timeline B with working groups being convened back-to-back with the spring session of the Council in 2016.

3.15 The Council requested the committees to give priority and allocate sufficient time to review the POs in line with the new strategic framework taking into account the workload of the committees, in particular the Marine Environment Protection Committee (MEPC).

3.16 The Council agreed to reschedule FAL 41 to the spring of 2017 to allow it to report to C 118.

3.17 The Council endorsed the working group's view that future working groups on this matter should continue to remain open to all Member States, as well as IGOs and NGOs in consultative status.

3.18 The Council approved, in general, the report of the Working Group on the Development of a new Strategic Framework and expressed its appreciation to the working group and its Chairman for the work done.

3.19 In relation to the outstanding matters in document C 114/3/5 (Germany), paragraphs 4 and 5, the Council agreed to forward these to the Working Group on the Development of a new Strategic Framework for consideration.

3.20 With regard to the Ad Hoc Council Working Group on the Organization's Strategic Plan, the Council agreed there was no need for the group to hold a session in October 2015 and that the review of the Strategic Plan and High-level Action Plan for this biennium, as well as the drafts of the Organization's Strategic Plan and High-level Action Plan for the next biennium be forwarded by the Secretariat to the Council at its twenty-eighth extraordinary session.

3.21 With regard to document C 114/3/3 on transparency and accountability of the Organization, the Council noted:

- (i) the information on the publication, available on the IMO public website, of a summary of internal audit activities and reports for the reporting year ending 31 December 2014;

- (ii) the information on the roll-out of the personal financial disclosure programme for the year from 1 January to 31 December 2014; and
- (iii) the Secretary-General's intention to strengthen the existing policy for protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations, and the issuance of a Statement of Internal Control with IMO Financial Statements.

3.22 With regard to document C 114/3/4 containing the report of the Correspondence Group on the Revision of the GAP, the Council noted the information contained in the report.

3.23 In particular, with regard to the proposed amendments to the guidelines contained in the annex to the document, the Council decided to change the title to read "Application of the Strategic Plan and the High-level Action Plan of the Organization" and that the word "Procedure" be replaced throughout the text by the word "Document".

3.24 The Council further endorsed:

- (i) strict discipline in the application of the document, the use of mandatory language and the revised name of the document; and
- (ii) the revised text, in particular:
 - the group's view that paragraph 3.4 now provided the required flexibility for the Organization to act in exceptional circumstances, and that the word "objectives" in that paragraph be replaced by the word "purposes"; and
 - the inclusion of provisions that allowed the outcomes of FSA studies to be treated as potential equivalents to output proposals.

3.25 The Council requested the Secretariat, taking into account the suggested changes, to prepare a draft Assembly resolution containing the revised text.

3.26 With regard to developing appropriate text related to recommendation 13 of the Ad Hoc Steering Group on Reducing Administrative Requirements, the Council further requested the

Secretariat to insert a footnote for its review, taking into account that the Steering Group had already developed relevant text, at C/ES.28, for subsequent consideration and adoption by the Assembly at its twenty-ninth session.

3.27 The Council expressed its appreciation to the correspondence group and its Coordinator, Mr. Stone of the United Kingdom, for the work done.

Reference documents: C 114/3, C 114/3/1, C 114/3/2, C 114/3/3, C 114/3/4 and C 114/3/5; C 113/D, C 113/3, C 113/3/6/Rev.1, C 113/3/8, C 113/3/9; C 112/D, C 112/3/1, C 112/3/3, C 112/3/5, C 112/INF.2; C 110/D, C 110/3/1, C 110/3/2, C 110/3/8, C 110/4(e), C 110/6; C 109/D, C 109/3/1, C 109/4(d), C 109/4(e); C 108/3/3, C 108/5(e), C 108/5(f); Circular Letter No.3514; MEPC 65/12/3 and MSC 92/22

Audio file: Monday, 29 June 2015: a.m.
Wednesday, 1 July 2015: a.m. and p.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 114/4(a) and C 114/4(a)/1, as well as that provided orally by the Secretary-General, on human resource matters.

Reference documents: C 114/4(a), C 114/4(a)/1; C 113/4(a); C 110/18(b) and C 109/12(b)

Audio file: Monday, 29 June 2015: a.m.

(b) Accounts and audit: accounts for the financial period 2014 and transfers within the 2014 budget (agenda item 4(b))

4(b).1 The Council noted the information set out in documents C 114/4(b) and C 114/4(b)/1, as well as that provided orally by the Secretary-General and the External Auditor, on the Organization's financial statements for the financial period ending 31 December 2014, as well as the External Auditor's opinion and report thereon.

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

- (i) the Secretary-General's statement and the financial statements for the Organization's financial period ending 31 December 2014; and

- (ii) the operating surplus of revenue over expenditure for 2014 of £2,792,126, as can be seen in Statement II of the financial statements in annex 1 to document C 114/4(b).

4(b).3 The Council decided to forward the financial statements for the Organization's financial period ending 2014, and the External Auditor's report thereon, to the twenty-ninth regular session of the Assembly.

4(b).4 The Council welcomed the unqualified opinion of the External Auditor in annex 2 to document C 114/4(b) and expressed its appreciation for his report.

4(b).5 The Council also welcomed the Secretary-General's stewardship of the Organization's Funds and his report to the Council.

Reference documents: C 114/4(b) and C 114/4(b)/1

Audio file: Monday, 29 June 2015: a.m.

(c) Report on investments (agenda item 4(c))

4(c).1 The Council noted the information set out in document C 114/4(c), and that provided orally by the Secretary-General, reporting on the investment of the Organization's monies during 2015.

Reference documents: C 114/4(c) and C 110/4(c)

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(d) 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(d))

4(d).1 The Council noted the information set out in document C 114/4(d) and its addendum, as well as that provided orally by the Secretary-General, reporting on the status of Member States' contributions, advances to the Working Capital Fund and the implementation of Article 61 of the IMO Convention.

4(d).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 two documents under review;
- (ii) noted further the balance in the Working Capital Fund of £1,971,966;
- (iii) urged those Member States with outstanding contributions, to remit them as soon as possible; and
- (iv) reiterated its firm stance on the strict enforcement of Article 61 of the IMO Convention.

Reference documents: C 114/4(d) and addendum; C 113/4(b) and its addenda

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(e) Budget considerations for 2015 (agenda item 4(e))

4(e).1 The Council noted the information set out in document C 114/4(e), and that provided orally by the Secretary-General, on budget considerations for 2015.

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

- (i) the external pay and price factors' review;
- (ii) the impact of the exchange rate movement and ring-fenced results through the Working Capital Fund;
- (iii) the forecast outturns of regular budget expenditure for 2015, assessed to be kept within the approved appropriation;
- (iv) the Secretary-General's intention to seek the Council's guidance on any additional funding sources and methods should any significant depletion of the initial funding base of £2 million in the Special Contingency Account be deemed necessary, as well as his initiative to offset the Organization's historic carbon emissions from 2008 to 2014 as well as future emissions that may not be otherwise eliminated;

- (v) the income and expenditure outturn and forecast in the Trading Fund and the consequential in-year surplus distribution;
- (vi) the expenditure status of the Headquarters Capital Fund, in particular, the status of the project to replace the sound and simultaneous interpretation systems, as well as the project's financing and schedule of works;
- (vii) the expenditure status of the Termination Benefit Fund, the Training and Development Fund, and the Technical Cooperation Fund;
- (viii) various donations for extrabudgetary programmes and their expenditure status;
- (ix) that a total of £1.75 million was recognized under all of the IMO Funds as outstanding commitments from 2014 to be delivered in 2015, for which the associated budgets and funds would be carried forward to 2015, as and when the commitments would be due for liquidation; and
- (x) the summary and the Secretary-General's conclusion, as well as his plan to present an updated review of budgetary prospects to C/ES.28.

4(e).3 The Council authorized the Secretary-General to make, as and when necessary, timely transfers between strategic results to the extent that balances would be available to cover or reduce deficits in strategic results appropriation balances, in accordance with the Organization's Financial Regulations and Financial Rules.

Reference documents: C 114/4(e); A 28/19(c) and addendum, resolution A.1063(28); C 113/4(c) and C 113/WP.2

Audio file: Monday, 29 June 2015: a.m.

5 RESULTS-BASED BUDGET FOR 2016-2017 (agenda item 5)

5.1 The Council noted the information set out in document C 114/5, as well as that provided orally by the Secretary-General, on the Secretary-General's proposals for the results-based budget for the 2016-2017 biennium, taking into account the Council's initial discussion on his proposed budget outlines contained in document C 113/4(d).

5.2 The Council endorsed the Organization's staff complement for the 2016-2017 biennium under the regular budget and other Funds, as shown in appendix 3 of annex 1 to the document, while noting the organogram of the Secretariat as shown in annex 4 to the document.

5.3 The Council agreed to a total number of meeting-weeks of 31.8, comprising 16.8 weeks for 2016 and 15.0 weeks for 2017, as shown in appendix 2 of annex 1 to the document.

5.4 The Council further endorsed the budgetary assumption indicators, in particular, the budgetary exchange rate of \$1.5 to the pound sterling for the next biennium, as shown in table 2 of the document.

5.5 The Council approved the proposed regular budget for the 2016-2017 biennium of £65,772,000, comprising an appropriation of £32,618,000 for 2016 and an appropriation of £33,154,000 for 2017.

5.6 The Council agreed to the financing of the biennial appropriation by assessments upon Member States of £60,232,000 (£30,116,000 each for 2016 and 2017), while endorsing the proposal to use, for the reduction of the 2017 assessment, part of the projected surpluses of the Trading Fund (£672,000) and part of the expenditure savings in the regular budget generated during the current biennium (£1,682,000), as shown in table 17 and reflected in paragraph A.2 of annex 1 to the document.

5.7 The Council approved the proposed expenditure budget in the Trading Fund of £12,050,000 (£5,983,000 for 2016 and £6,067,000 for 2017) with a corresponding target revenue of £24,645,000 (£12,625,000 for 2016 and £12,020,000 for 2017), as shown in table 1 in appendix 4 of annex 1 to the document.

5.8 The Council further approved:

- (i) the proposed budget in the Headquarters Capital Fund of £1,940,000 (£950,000 for 2016 and £990,000 for 2017); and
- (ii) the proposed budget in the Termination Benefit Fund of £2,122,000 (£1,019,000 for 2016 and £1,103,000 for 2017),

as shown in tables 2 and 3, respectively, of appendix 4 of annex 1 to the document.

5.9 The Council also approved the proposed transfer of £6 million from the cash surplus available in the General Fund to the Termination Benefit Fund to cover in part the Organization's prevailing post-employment liabilities, as presented in paragraph 64 and reflected in section C of the draft Assembly resolution in annex 1 to the document.

5.10 The Council requested the Secretary-General to put forward a long-term funding plan to address the Organization's ever-increasing post-employment liabilities and to present it at a future session of the Council.

5.11 The Council approved:

- (i) the proposed budget in the Training and Development Fund of £232,000 (£115,000 for 2016 and £117,000 for 2017); and
- (ii) the proposed budget in the Technical Cooperation Fund of £10,000,000 (£5,150,000 for 2016 and £4,850,000 for 2017)

as shown in tables 4 and 5, respectively, of appendix 4 of annex 1 to the document.

5.12 The Council further approved the draft Assembly resolution on the Results-based Budget for the 2016-2017 biennium, contained in annex 1 to the document, and recommended its adoption by the Assembly at its forthcoming session.

5.13 The Council endorsed the proposal that the IMO titles produced in digital format be made available, on a read-only basis, to all Member States through the IMODOCS site and, in addition, that each Member State may request a maximum of one printed copy of any specific title upon publication.

5.14 The Council expressed its appreciation to the Secretary-General and his staff for the significant work carried out to present the endorsed budget proposals for the forthcoming biennium.

Reference documents: C 114/5, C 114/4(e); C 113/4(d), C 113/WP.2; and resolution A.1063(28)

Audio file: Monday, 29 June 2015: p.m.
Tuesday, 30 June 2015:p.m.

6 IMO MEMBER STATE AUDIT SCHEME (agenda item 6)

6.1 The Council noted the information set out in document C 114/6, and that provided orally by the Secretary-General, providing an updated report on progress made on the implementation of the Audit Scheme since the 113th session of the Council.

6.2 In particular, the Council:

- (i) noted the outcome of the assessment of individuals nominated by Member States as auditors against the criteria established in the Procedures for the Scheme and the action being taken by the Secretariat with respect to those individuals that do not fully meet the criteria;
- (ii) encouraged Member States to nominate those individuals who met the criteria established in the Procedures for the Scheme as auditors under the Scheme, which included demonstrable auditing skills and techniques;
- (iii) noted the timetable of audits for 2016 and progress on the preparation for those audits, as well as the timetable of audits for 2017;
- (iv) invited those Member States that had been audited to provide authorization to the Secretariat for the release of any of the reports and corrective action plans from audits carried out since the commencement of the Scheme, so that as many audit reports as possible could be made available to all Member States or to the public; and
- (v) further invited Member States to provide the Secretariat with details of the person designated to receive full access to Member State audit reports through the GISIS module.

Reference documents: C 114/6; C 113/D; C 112/D, C 112/INF.3 and resolutions A.1067(28) and A.1068(28)

Audio file: Tuesday, 30 June 2015: p.m.

7 CONSIDERATION OF THE REPORT OF THE LEGAL COMMITTEE (agenda item 7)

7.1 The Council noted the information set out in document C 114/7, and that provided orally by the Chairman of the Legal Committee and the Secretary-General, on the report of the 102nd session of the Legal Committee.

7.2 The Council endorsed the Committee's decisions on planned outputs for the 2014-2015 biennium and the Committee's decision to meet annually during the next biennium (2016-2017) for a duration of three days at each meeting.

7.3 The Council approved the report of the 102nd session of the Legal 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 114/7 and LEG 102/12

Audio file: Wednesday, 1 July 2015: p.m.

8 CONSIDERATION OF THE REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE (agenda item 8)

8.1 The Council noted the information set out in document C 114/8, and that provided orally by the Chairman of the Marine Environment Protection Committee and the Secretary-General, on the report of the Committee's sixty-eighth session. The Council also noted the information set out in document C 114/8/1 and that provided orally by the Marshall Islands, the sponsor of the document, supporting the undertaking of intersessional work with regard to data collection and energy efficiency of ships.

8.2 In response to a question on a procedural matter, the Council reiterated that informal groups were not permitted to take decisions on behalf of IMO bodies.

8.3 The Council endorsed the proposals for inclusion in the High-level Action Plan (HLAP) of the Organization and priorities for the 2016-2017 biennium in respect of MEPC.

8.4 The Council further endorsed the holding of a three-day intersessional meeting of the Working Group on Further Technical and Operational Measures for Enhancing the Energy Efficiency of International Shipping, during the week preceding CCC 2, taking into account the views expressed by the Marshall Islands in document C 114/8/1, namely that the intersessional work with regard to data collection and energy efficiency for shipping be undertaken as a

matter of urgency, with a view to progressing, in due course, discussions on an overall emissions goal for the shipping sector.

8.5 The Council noted the action taken by the Committee with regard to the review of the Committees' Guidelines, in particular the concurrent approval of the revised *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.4), while noting that its request to refer the guidelines to the Correspondence Group on the GAP was no longer relevant as the correspondence group had completed its work.

8.6 The Council noted:

(i) the action taken by the Committee on issues related to:

- the BWM Convention;
- 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;
- further technical and operational measures for enhancing energy efficiency of international shipping; and
- the reduction of GHG emissions from international shipping;

(ii) that the Committee adopted:

- the Introduction and parts II-A and II-B of the International Code for ships operating in polar waters (Polar Code), together with associated amendments to MARPOL Annexes I, II, IV and V;
- amendments to regulation 12 of MARPOL Annex I; and
- an extension to the Great Barrier Reef and Torres Strait Particular Sensitive Sea Area (PSSA);

- (iii) that the submitters of a proposal for the Organization to join a collective arrangement adopted by the North-East Atlantic Fisheries Commission (NEAFC) and the OSPAR Commission for the protection of the marine environment of the North-East Atlantic were advised to submit that proposal to the Council (document C 114/17(c)/1 refers);
- (iv) the action taken by the Committee on the reports of relevant sub-committees;
- (v) that the Committee considered the request of C 113 to review administrative requirements under its purview; requested the Secretariat to analyse such requirements (MEPC 68/13/2) and to report the outcome to MEPC 69; and included an output on "Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments as identified by the SG-RAR" in the 2016-2017 HLAP, with a target completion year of 2017;
- (vi) that the Committee, in accordance with the decisions of A 28 (resolution A.1074(28)), urged Member States to utilize GISIS for notification purposes and agreed that separate circulars would only be issued in exceptional circumstances, if and when requested by Member States; and
- (vii) the biennial status report of the planned outputs of the MEPC for the 2014-2015 biennium.

8.7 The Council approved the report of the sixty-eighth 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 114/8, C 114/8/1; MEPC 68/21 and addendum and MEPC 68/5/1

Audio file: Wednesday, 1 July 2015: p.m.
Thursday, 2 July 2015: a.m.

9 CONSIDERATION OF THE REPORT OF THE MARITIME SAFETY COMMITTEE

9.1 The Council noted the information set out in document C 114/9, and that provided orally by the Chairman of the Maritime Safety Committee and the Secretary-General, on the report of the Committee's ninety-fifth session.

9.2 The Council endorsed:

- (i) the proposed High-level Action Plan and priorities for the 2016-2017 biennium; and
- (ii) the intersessional meetings approved for 2015 and 2016.

9.3 The Council noted:

- (i) the adoption by the Committee of:
 - the new mandatory International Code of Safety for Ships using Gases or other Low-flashpoint Fuels (IGF Code); and
 - amendments to the 1974 SOLAS Convention and a mandatory code, the 1978 and 1988 SOLAS Protocols, and the STCW Convention and Code, which are expected to enter into force on 1 January 2017, as well as the approval/adoption of non-mandatory instruments;
- (ii) 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;
 - the performance review and audit of LRIT Data Centres; and
 - relations with other organizations and, in particular, on matters related to the third meeting of the Joint IMO/FAO Working Group on IUU Fishing and Related Matters;
- (iii) the progress made on the implementation of GBS verification audits, in particular that the audit teams are on schedule to deliver their final reports to the Secretary-General by the end of June 2015 and that the Secretariat will submit these reports, in due course, to MSC 96 for consideration and action, as appropriate;

- (iv) the progress made by the Committee on issues related to passenger ship safety;
- (v) the decision taken in relation to piracy and armed robbery against ships;
- (vi) the new planned outputs agreed at the session for inclusion in the proposed High-level Action Plan and priorities for the 2016-2017 biennium;
- (vii) the biennial status report of the Maritime Safety Committee;
- (viii) the updated post-biennial agenda of the Maritime Safety Committee;
- (ix) the outcome of the special session on unsafe mixed migration by sea and, in particular, the message by the United Nations Secretary-General and decision by the Committee to add a new item on "Unsafe Mixed Migration by Sea" on the agenda of MSC 96;
- (x) the decisions taken in regard to the review of administrative requirements in mandatory instruments;
- (xi) the approval of the draft Assembly resolution on *Entry into force and implementation of the 2012 Cape Town Agreement (Early implementation of the Agreement) of the International Conference on the Safety of Fishing Vessels*; and
- (xii) the approval of the draft Assembly resolution on *Amendments to the Recommendations on pilot transfer arrangements* (resolution A.1045(27)).

9.4 The Council noted the information provided by the delegation of India on the frequency of piracy attacks east of longitude 65 degrees East in relation to the definition of the High Risk Area in the industry guidance on Best Management Practices and advised the delegation of India to forward relevant information to organizations reviewing that guidance.

9.5 The Council approved the report of the ninety-fifth 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 114/9; MSC 95/22 and addenda

Audio file: Wednesday, 1 July 2015: p.m.

10 CONSIDERATION OF THE REPORT OF THE TECHNICAL COOPERATION COMMITTEE (agenda item 10)

10.1 The Council noted the information set out in document C 114/10 and addendum, and that provided orally by the Chairman of the Technical Cooperation Committee and the Secretary-General, containing the report and summary of the deliberations of the Committee's sixty-fifth session, respectively.

10.2 The Council noted that the report of the sixty-fifth session of the Committee did not contain any recommendations on which the Council was required to take specific action.

10.3 The Council expressed its appreciation to Mrs. Nancy Karigithu (Kenya) for her services to the Committee as its Chairman for the period between January 2012 and June 2015.

[10.4 The Council also welcomed the offer from the European Commission (EC) and the European Maritime Safety Agency (EMSA) to assist IMO in the development of a maritime single window prototype by providing the software of the National Single Window prototype they have developed and which is designed to be installed on an open source environment.]

10.5 The Council approved the report of the sixty-fifth session of the Technical Cooperation Committee and decided to transmit it, together with its comments to the twenty-ninth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

Reference documents: C 114/10 and addendum and TC 65/WP.1

Audio file: Thursday, 2 July 2015: a.m.

11 TECHNICAL COOPERATION FUND (agenda item 11)

(a) Report on the activities of 2014 (agenda item 11(a))

11(a).1 The Council noted the information set out in document C 114/11(a), and that provided orally by the Secretary-General, on the delivery of the Integrated Technical Cooperation

Programme (ITCP) activities supported by the Technical Cooperation Fund (TC Fund) during 2014.

Reference documents: C 114/11(a); TC 65/3(a) and TC 65/3(a)/Add.1

Audio file: Thursday, 2 July 2015: a.m.

(b) Biennial allocation to support the ITCP for 2016-2017

11(b).1 The Council noted the information set out in document C 114/11(b), and that provided orally by the Secretary-General, on the biennial allocation to support the ITCP for 2016-2017.

11(b).2 The Council endorsed the proposals contained in documents TC 65/4(a), taking into account the views and recommendations of TC 65 and the Council's discussion under agenda item 5 on the Results-based budget for 2016-2017.

11(b).3 The Council approved the use of the TC Fund for the proposed activities under the ITCP for 2016 and 2017, and the allocation in pounds sterling of £10 million, which in US dollar terms, and based on the current prevailing exchange rate, would provide an annual allocation of some \$7.7 million for 2016, and \$7.3 million for 2017 from the TC Fund for that purpose.

Reference documents: C 114/11(b), C 114/10/Add.1; TC 65/4(a) and TC 65/WP.1, section 4(a)

Audio file: Thursday, 2 July 2015: a.m.

12 PROTECTION OF VITAL SHIPPING LANES (agenda item 12)

12.1 The Council noted the information set out in documents C 114/12 and C 114/12/1, and that provided orally by the Secretary-General, on the protection of vital shipping lanes.

12.2 With regard to document C 114/12, concerning the repression of piracy and armed robbery against ships and illicit maritime activity in the Gulf of Guinea and in waters off the coast of Somalia, the Council:

- (i) expressed its concern for the number of attacks on and boardings of ships in the Gulf of Guinea;

- (ii) expressed its appreciation to Angola, China, Japan, Nigeria, Norway and the United Kingdom for their contribution to the IMO West and Central Africa Maritime Security Trust Fund;
- (iii) invited Member Governments and organizations to continue contributing to the IMO West and Central Africa Maritime Security Trust Fund and Djibouti Code Trust Fund;
- (iv) welcomed the improvements to the piracy situation off the coast of Somalia and in the Indian Ocean and expressed its appreciation to Member States providing naval and other resources in the region; and
- (v) expressed its concern for the innocent seafarers still in captivity.

12.3 With regard to document C 114/12/1, on recent developments of the Cooperative Mechanism for the Straits of Malacca and Singapore, 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.

Reference documents: C 114/12, C 114/12/1; C 113/D, section 10 and C 113/10

Audio file: Wednesday, 1 July 2015: p.m.

13 PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS IN MANDATORY IMO INSTRUMENTS (agenda item 13)

13.1 The Council noted the information set out in documents C 114/13, C 114/13/1 and C 114/13/2 (the latter submitted by Chile, Marshall Islands, Netherlands and the United Kingdom), as well as that provided orally by the Secretary-General, on the periodic review of administrative requirements in mandatory IMO instruments.

13.2 With regard to document C 114/13 containing a draft Assembly resolution on a Framework for Eliminating Administrative Burdens within Present and Future IMO Regulations, the Council approved the redrafted resolution, as set out in WP.3, deleted the square brackets and retained the text around paragraph 3*bis* in the annex, and requested the Secretariat to finalize the draft resolution, for consideration at the twenty-ninth regular session of the Assembly.

13.3 With regard to document C 114/13/1, the Council noted the information provided on the work being undertaken by the Secretariat, and requested the Secretary-General to provide the Council with further information at a future session.

13.4 With regard to document C 114/13/2, the Council agreed to the proposal for a revised Strategic Direction as follows:

"The IMO will seek to ensure that its instruments are free from administrative requirements that are disproportionate, obsolete or unnecessary. The Organization will continue its efforts to reduce administrative burdens in IMO instruments, without compromising safety, security and the protection of the environment."

13.5 The Council also agreed to the proposed High-level Action in the document.

13.6 The Council requested the Secretariat to incorporate the changes in the draft Strategic Plan to be presented at the twenty-eighth extraordinary session of the Council.

13.7 The Council further noted that at its last session, it had requested Member States to put forward suggestions regarding the practical principles and criteria for reviewing administrative requirements – recommendation 12 from the SG-RAR – and as submissions had not been received, the Council would revert to this issue once submissions had been made.

Reference documents: C 114/13, C 114/13/1, C 114/13/2; resolutions A.1043(27) and A.1060(28); C 113/D C 113/11, C 113/INF.2 and C 113/INF.3

Audio file: Monday, 29 June 2015: a.m.
Thursday, 2 July 2015: p.m.

14 WORLD MARITIME UNIVERSITY (agenda item 14)

(a) Report of the Board of Governors (agenda item 14(a))

14(a).1 The Council noted the information set out in document C 114/14(a), as well as that provided orally by the Secretary-General, on the report of the Board of Governors of the World Maritime University (WMU).

14(a).2 The Council expressed its appreciation to the Government of Sweden for recognizing the University as having the power to confer degrees in Sweden.

14(a).3 The Council urged Member States to take action so as to recognize, under their national laws, the degrees conferred by WMU and, to that end, inform the Organization.

14(a).4 The Council strongly urged Member States and shipping industry stakeholders to contact WMU and find out what they could offer, in terms of equipment and facilities, to support the transition to new academic facilities.

14(a).5 The Council, in particular, noted:

- (i) the Annual Report of the WMU Board of Governors for the calendar year 2014;
- (ii) the new method which the WMU Board of Governors had adopted in reporting to the Council on the work of the University, through a published Annual Report which would also be used as a communication tool; and
- (iii) the appointment of Dr. Cleopatra Doumbia-Henry (Dominica) as the new President of the University.

Reference documents: C 114/14(a) and C 110/D

Audio file: Thursday, 2 July 2015: p.m.

(b) Budget (agenda item 14(b))

14(b).1 The Council noted the information set out in document C 114/14(b), as well as that provided orally by the Secretary-General, reporting on the WMU budget for 2015 and 2016.

14(b).2 The Council welcomed the efforts by the University's management to attract additional income.

14(b).3 The Council reiterated its appreciation to those governments and organizations that supported the university financially, and through the provision of fellowships.

14(b).4 The Council expressed its appreciation to those donors who had contributed to the newly established WMU Endowment Fund and urged governments and organizations to provide financial contributions to the Fund.

Reference documents: C 114/14(b) and C 110/D

Audio file: Thursday, 2 July 2015: p.m.

(c) Financial sustainability (agenda item 14(c))

14(c).1 The Council noted the information set out in document C 114/14(c), as well as that provided orally by the Secretary-General, reporting on the financial sustainability of the University.

14(c).2 The Council, in particular, noted the study on the financial sustainability of WMU and, in particular, the eight strategic directions which would form the basis of the University's future.

14(c).3 The Council approved the extension of the current arrangements, first established by the Assembly at its twenty-sixth session, to provide direct IMO financial support to WMU for another biennium from 2016 to 2017.

Reference documents: C 114/14(c) and C 110/D

Audio file: Thursday, 2 July 2015: p.m.

15 IMO INTERNATIONAL MARITIME LAW INSTITUTE (IMLI) (agenda item 15)

(a) Report of the Governing Board (agenda item 15(a))

15(a).1 The Council noted the information set out in document C 114/15(a), as well as that provided orally by the Secretary-General, containing the report of the Governing Board.

15(a).2 In particular, the Council:

- (i) expressed its appreciation to all those contributing to the Institute delivering good results in pursuing its objectives;
- (ii) further expressed its appreciation to the IMLI academic and administrative staff for their determined and dedicated efforts to ensure the Institute's performance and financial stability;
- (iii) recognized the essential contribution the Institute continued to make in strengthening the capacity of developing countries in particular, to implement the various IMO treaty instruments to which they were party; and
- (iv) reaffirmed its continuous support to the Institute, in recognition of its success in maintaining high academic standards in the field of international maritime law.

Reference documents: C 114/15(a), C 114/15(b); C 112/D, item 12; and TC 65/10

Audio file: Thursday, 2 July 2015: p.m.

(b) Budget (agenda item 15(b))

15(b).1 The Council noted the information set out in document C 114/15(b), as well as that provided orally by the Secretary-General, reporting on the budget of IMLI.

15(b).2 In particular, the Council noted the "unqualified" nature of the audit on the Institute's financial performance up to the end of 2014.

15(b).3 The Council expressed its appreciation to all donors, who had supported, and continue to support the Institute financially, particularly: the Government of Malta; the Nippon Foundation; the Lloyd's Register Foundation; the Government of Switzerland; Transport Malta;

the Comité Maritime International (CMI) Charitable Trust; and the Institute's Director, Prof. David Attard, for his donation to support the Ph.D. Programme.

Reference documents: C 114/15(b) and C 112/D, item 12

Audio file: Thursday, 2 July 2015: p.m.

16 ASSEMBLY MATTERS (agenda item 16)

(a) Provisional agenda for the twenty-ninth regular session of the Assembly (agenda item 16(a))

16(a).1 The Council noted the information set out in document C 114/16(a), as well as that provided orally by the Secretary-General, containing the agenda for the twenty-ninth regular session of the Assembly.

16(a).2 The Council approved the provisional agenda for the twenty-ninth regular session of the Assembly, as contained in the document C 114/16(a).

Reference document: C 114/16(a)

Audio file: Thursday, 2 July 2015: p.m.

(b) Preparations for the twenty-ninth regular session of the Assembly (agenda item 16(b))

16(b).1 The Council noted the information set out in document C 114/16(b), as well as that provided orally by the Secretary-General, containing information on the logistical and administrative arrangements for the holding of twenty-ninth regular session of the Assembly. It was confirmed that all plenary records of the Committees' deliberations will be recorded, with the introduction of audio recording in Committee Room 9.

Reference document: C 114/16(b)

Audio file: Thursday, 2 July 2015: p.m.

(c) Draft report of the Council to the Assembly on the work of the Organization since the twenty-eighth regular session of the Assembly (agenda item 16(c))

16(c).1 The Council noted the information set out in document C 114/16(c), as well as that provided orally by the Secretary-General, containing a draft report of the Council to the

Assembly on the work of the Organization since the twenty-eighth regular session of the Assembly.

16(c).2 The Council approved the report, subject to such changes as may be deemed necessary and any developments which may occur between the issue of document C 114/16(c) and the twenty-ninth regular session of the Assembly. Any such changes or revisions would be reported to the Council for consideration and approval at C/ES.28.

Reference document: C 114/16(c)

Audio file: Thursday, 2 July 2015: p.m.

(d) Appointment of the External Auditor (agenda item 16(d))

16(d).1 The Council noted the information set out in document C 114/16(d), as well as that provided orally by the Secretary-General, on the appointment of the Organization's External Auditor.

16(d).2 The Council, in particular, noted:

- (i) the process outlined by the Secretary-General in paragraphs 5 to 12 of the document;
- (ii) the confirmation by the Auditor General of Ghana that he wishes to seek an extension to his term as the Organization's External Auditor on the same financial terms as during his initial term; and
- (iii) that information on any alternative candidates, or on the absence of alternative candidates, would be submitted by the Secretary-General to the Council's twenty-eighth extraordinary session in November.

Reference document: C 114/16(d)

Audio file: Thursday, 2 July 2015: p.m.

17 EXTERNAL RELATIONS (agenda item 17)

(a) Relations with the United Nations and the specialized agencies

17(a).1 The Council noted the information set out in documents C 114/17(a), C 114/17(a)/1 and C 114/17(a)/2, and that provided orally by the Secretary-General on various matters pertaining to the relations with the United Nations and the specialized agencies.

17(a).2 In particular, the Council noted:

- (i) the resolutions adopted by the General Assembly of the United Nations, containing information of relevance to IMO, received since the 112th session of the Council;
- (ii) the outcome of the UN-Oceans meeting held at IMO; and
- (iii) the outcome of the inter-agency High-level meeting to address unsafe mixed migration by sea and the Maritime Safety Committee's special session on the same subject.

17(a).3 The Council requested the Secretary-General to keep it informed of any relevant developments on the issues addressed.

Reference documents: C 114/17(a), C 114/17(a)/1, C 114/17(a)/2; LEG 102/INF.3 and MSC 95/21/4/Rev.1

Audio file: Thursday, 2 July 2015: p.m.

(d) Relations with non-governmental organizations (agenda item 17(d))

17(d).1 The Council noted the information set out in documents C 114/17(d), C 114/17(d)/1 and C 114/WP.2, as well as that provided orally by the Secretary-General and the Chairperson of the group of Council Members on relations with non-governmental organizations.

17(d).2 With regard to document C 114/17(d) and its annexes, referring to new applications for consultative status from the International Port Community Systems Association (IPCSA); and the One Earth Future Foundation (OEF), the Council decided:

- (i) to grant consultative status to the International Port Community Systems Association (IPCSA), and to encourage it to continue the expansion of its membership in all the regions; and
- (ii) not to grant consultative status to the One Earth Future Foundation (OEF).

17(d).3 The Council endorsed the group's recommendation that, within the classification of organizations in consultative status by interests/activity, IPCSA be placed under "Trade".

17(d).4 With regard to document C 114/17(d)/1 on the periodic review of non-governmental organizations in consultative status with IMO, the Council:

- (i) decided to withdraw the consultative status from PIANC, the World Association for Waterborne Transport Infrastructure, and to advise the Assembly accordingly;
- (ii) decided to send a letter to the International Ocean Institute (IOI) commending its contribution to the work of IMO through the GloBallast Partnerships Programme and encouraging it to participate in those IMO meetings which are relevant to its work; and
- (iii) decided to send a letter to the Iberoamerican Institute of Maritime Law (IIDM) noting its contribution to the work of IMO in the next review period and encouraging it to continue to participate in those IMO meetings which are relevant to its work.

17(d).5 With regard to the remaining organizations listed in annex 1 to the document, the Council decided to maintain their consultative status and to submit a recommendation to this effect to the Assembly.

17(d).6 The Council reiterated the requirement for all non-governmental organizations in consultative status to contribute substantially to the work of IMO.

Reference documents: C 114/17(d), C 114/17(d)/1 and C 114/WP.2

Audio file: Thursday, 2 July 2015: p.m.

20 APPOINTMENT OF THE SECRETARY-GENERAL (agenda item 20)

20.1 The Council noted the information set out in document C 114/20, as well as that provided orally by the Secretary-General, on the appointment of the next Secretary-General.

20.2 The Council, having taken note of its Rules of Procedure governing the election of the Secretary-General, elected Mr. Ki-tack Lim of the Republic of Korea, as Secretary-General of the Organization for the four-year period from 1 January 2016 to 31 December 2019, and congratulated him on his appointment.

20.3 The Council instructed the Secretary-General to forward its recommendation on the appointment of Mr. Ki-tack Lim, as the Organization's next Secretary-General, to the forthcoming twenty-ninth regular session of the Assembly, for approval in accordance with rule 52 of the Council's Rules of Procedure and Article 22 of the IMO Convention.

Reference documents: C 114/20; C 113/D, C 113/15, C 113/15/1; C 106/D and C 89/D

Audio file: Tuesday, 30 June 2015: a.m.