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Agenda item 15(a)

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## EXTERNAL RELATIONS

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

#### Note by the Secretary-General

##### SUMMARY

*Executive summary:* This report draws attention to resolutions of the General Assembly and the Economic and Social Council of the United Nations of relevance to IMO, received since the 106th session of the Council

*Strategic direction:* 1.1 and 1.3

*High-level action:* 1.1.2 and 1.3.1

*Planned output:* Cooperation with UN bodies and agencies

*Action to be taken:* Paragraph 9

*Related documents:* None

#### Resolutions adopted by the General Assembly of the United Nations

1 Since the 106th session of the Council (27 June to 1 July 2011), the following three resolutions, dealing with matters of relevance to IMO, were adopted by the General Assembly of the United Nations:

##### General Assembly resolutions

##### Title

Resolution 66/68  
of 6 December 2011

Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

Resolution 66/105  
of 9 December 2011

Measures to eliminate international terrorism

**General Assembly resolutions**

**Title**

Resolution 66/231  
of 24 December 2011

Oceans and the law of the sea

2 As the texts of the aforementioned resolutions have been circulated to Governments through other channels, they are not annexed to this document.

3 With respect to resolution 66/68 (on ***Sustainable fisheries***), sections of particular relevance to IMO are:

- .1 paragraph 42 (Section III), which encourages widespread participation at the diplomatic conference convened by IMO in South Africa in October 2012 for the purpose of adopting an agreement on the implementation of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977;
- .2 paragraph 55 (Section IV), which encourages strengthened collaboration between FAO and IMO to combat illegal, unreported and unregulated fishing, particularly in improving the implementation of flag State responsibilities and port State measures; and
- .3 paragraph 65 (Section V), which encourages FAO, in cooperation with States, regional economic integration organizations, IMO and regional fisheries management organizations and arrangements, to expedite efforts to develop and manage a comprehensive global record, including a unique vessel identifier system.

4 With respect to resolution 66/105 (on ***Measures to eliminate international terrorism***), paragraph 12 is particularly relevant to IMO in that it urges all States to consider, as a matter of priority, becoming parties to the Protocols of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol relating to Fixed Platforms Located on the Continental Shelf (2005 SUA Protocols).

5 With respect to resolution 66/231 (on ***Oceans and the law of the sea***) sections of particular relevance to IMO are:

- .1 section II, on capacity-building, which recognizes the importance of the International Maritime Law Institute (IMLI) and the World Maritime University (WMU) and urges States, intergovernmental organizations, financial institutions and other bodies to make voluntary financial contributions to their budgets; and encourages States and international financial institutions to provide additional funding for capacity-building programmes, including through IMO;
- .2 sections VIII and IX, which report on progress achieved by IMO in the field of maritime safety and security, piracy, flag State implementation and protection of the marine environment and resources, in particular:

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- paragraph 77, which welcomes the ongoing cooperation between the Food and Agriculture Organization (FAO), the International Labour Organization (ILO) and IMO on the safety of fishers and fishing vessels, and underlines the need for continued work in this area;
  - paragraph 78, which encourages continued cooperation between the parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and IMO;
  - paragraph 79, which encourages States to consider becoming parties to the 2010 Protocol to the 1996 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea;
  - paragraph 81, which recognizes the crucial role of international cooperation at all levels in combating threats to maritime security, including piracy, armed robbery at sea, terrorist acts against shipping, offshore installations and other maritime interests, through bilateral and multilateral instruments and mechanisms, and the need for sustained capacity-building to support such objectives;
  - paragraph 83, which emphasizes the importance of promptly reporting incidents relating to piracy and armed robbery, and takes note of the important role of IMO;
  - paragraph 84, which urges States, in cooperation with IMO, to actively adopt measures to combat piracy and armed robbery at sea;
  - paragraph 86, which expresses grave concern at the threats posed by piracy and armed robbery at sea to the safety and welfare of seafarers and other persons;
  - paragraph 87, which invites States, IMO, ILO and others to adopt or recommend measures to protect the interest and welfare of seafarers and fishers who are victims of pirates;
  - paragraph 88, which notes the ongoing cooperation between IMO, the United Nations Office on Drugs and Crime (UNODC) and the United Nations Division for Ocean Affairs and Law of the Sea (DOALOS) with respect to the compilation of national legislation on piracy;
  - paragraph 94, which notes the approval by IMO of guidelines to assist in the investigation of the crimes of piracy and armed robbery against ships, revised interim guidance to shipowners, ship operators and shipmasters on the use of privately contracted armed security personnel on board ships in the high-risk area, revised interim recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the high-risk area and interim recommendations for port and coastal States regarding the use of privately contracted armed security personnel on board ships in the high-risk area;

- paragraph 95, which notes the issuance by IMO of Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area, developed by the industry, and notes the adoption on 20 May 2011 by IMO of the resolution on the implementation of best management practice guidance;
- paragraph 96, which recalls the adoption, on 29 January 2009, of the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct) under the auspices of IMO, the establishment of the IMO Djibouti Code Trust Fund and the ongoing activities for the implementation of the Code of Conduct;
- paragraph 97, which urges States to ensure the full implementation of IMO resolution A.1026(26) on acts of piracy and armed robbery against ships in waters off the coast of Somalia;
- paragraph 98, which calls upon States that have not yet done so to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (SUA Convention and Protocol), as well as to the 2005 SUA Protocols;
- paragraph 99, which calls upon States to effectively implement the International Ship and Port Facility Security Code and the amendments to the International Convention for the Safety of Life at Sea (SOLAS Convention), and to work with IMO to promote safe and secure shipping while ensuring freedom of navigation;
- paragraph 100, which notes the approval by the Maritime Safety Committee of the user guide to chapter XI-2 of the International Convention for the Safety of Life at Sea and to the International Ship and Port Facility Security Code;
- paragraph 101, which urges all States, in cooperation with IMO, to improve the protection of offshore installations;
- paragraph 102, which emphasizes the progress in regional cooperation on the enhancement of safety, security and environmental protection in the Straits of Malacca and Singapore, and the effective functioning of the Cooperative Mechanism on safety of navigation and environmental protection, and notes with appreciation the important role of the Information Sharing Centre of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia;
- paragraph 108, which welcomes the work of IMO relating to the protection of shipping lanes of strategic importance and significance;
- paragraph 110, which calls upon States to implement the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident;

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- paragraph 113, which notes that States should maintain dialogue and consultation, in particular under the auspices of the International Atomic Energy Agency and IMO, in relation to the safe maritime transport of radioactive materials;
  - paragraph 115, which encourages States to draw up plans and to establish procedures to implement the Guidelines on Places of Refuge for Ships in Need of Assistance adopted by IMO on 5 December 2003;
  - paragraph 116, which invites States that have not yet done so to consider becoming parties to the Nairobi International Convention on the Removal of Wrecks, 2007;
  - paragraph 118, which calls upon States to ensure that masters on ships flying their flag provide assistance to persons in distress at sea, and urges States to cooperate and to take all necessary measures to ensure the effective implementation of the amendments to the International Convention on Maritime Search and Rescue and to the SOLAS Convention relating to the delivery of persons rescued at sea to a place of safety, as well as of the associated Guidelines on the Treatment of Persons Rescued at Sea;
  - paragraph 119, which recognizes that all States must fulfil their search and rescue responsibilities and the ongoing need for IMO and other relevant organizations to assist developing States to increase their search and rescue capabilities;
  - paragraph 120, which welcomes the ongoing work of IMO in relation to disembarkation of persons rescued at sea;
  - paragraph 129, which recognizes that international shipping rules and standards adopted by IMO in respect of maritime safety, efficiency of navigation and the prevention and control of marine pollution, complemented by best practices of the shipping industry, have led to a significant reduction in maritime accidents and pollution incidents, and encourages all States to participate in the Voluntary IMO Member State Audit Scheme;
  - paragraph 130, which welcomes the work of IMO to develop a mandatory code for ships operating in polar waters and encourages States and competent international organizations and bodies to support continued efforts to finalize it within the agreed framework, with an entry into force as soon as possible;
  - paragraph 132, which encourages flag States to take appropriate measures with a view to furthering implementation of relevant instruments under IMO;
  - paragraph 136, which encourages States that have not yet done so to become parties to international agreements addressing the protection and preservation of the marine environment and its living marine resources against the introduction of harmful aquatic organisms and pathogens and marine pollution from all sources, including the dumping of wastes and other matter, and other forms of physical

degradation, as well as agreements that provide for preparedness for, response to and cooperation on pollution incidents and that include provisions on liability and compensation for damage resulting from marine pollution;

- paragraph 143, which notes the work of IMO to prevent pollution by garbage from ships, and welcomes the adoption of amendments to Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL Convention);
  - paragraph 144, which welcomes the entry into force on 1 August 2011 of amendments to MARPOL Annex I, which prohibit the carriage in bulk as cargo or carriage and use as fuel of heavy grade oils in the Antarctic area;
  - paragraph 145, which encourages States that have not yet done so to become parties to MARPOL Annex VI and to ratify or accede to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004;
  - paragraph 146, which notes the ongoing work of IMO in relation to the reduction of greenhouse gas emissions from ships;
  - paragraph 147, which urges States to cooperate in correcting the shortfall in port waste reception facilities in accordance with the action plan developed by IMO;
  - paragraphs 154 and 155, which recall decisions taken in the context of the London 1972 Convention and 1996 Protocol meetings with regard to ocean fertilization;
  - paragraph 162 which encourages States to consider ratifying or acceding to the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009, to facilitate its early entry into force;
- .3 section XII, on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, in particular paragraph 213, inviting IMO and other competent organizations to continue to provide technical and scientific support to the Regular Process;
- .4 section XIII, on Regional Cooperation, in particular paragraph 220, welcoming the memorandum of understanding for enhanced cooperation, concluded between the Commission for the Protection of the Marine Environment of the North-East Atlantic, the North East Atlantic Fisheries Commission, the International Seabed Authority and IMO; and
- .5 section XIV, on the Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP), in particular paragraph 225, welcoming the report of the ICP's twelfth meeting, which focused on contributing to the assessment, in the context of the United Nations Conference on Sustainable Development, of progress to date and the remaining gaps.

## **Resolutions adopted by the Economic and Social Council of the United Nations**

6 The Secretary-General also received resolution 2011/25 of 27 July 2011 on the Work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals adopted by the Economic and Social Council, dealing with matters of relevance to IMO.

7 With respect to ECOSOC resolution 2011/25, sections of particular relevance to IMO are:

- .1 paragraph A.5, which invites Governments, ILO and IMO to draw the attention of authorities and other entities concerned with workplace safety to the provisions contained in chapter 5.5 of the Recommendations on the Transport of Dangerous Goods: Model Regulations or in the International Maritime Dangerous Goods Code, concerning fumigated cargo transport units, and to take steps to ensure their implementation and workers' awareness;
- .2 paragraph A.6, which requests the Committee to study, in consultation with IMO and other relevant organizations the possibilities of improving the implementation of the Model Regulations on the transport of dangerous goods in all countries to facilitate international trade whilst ensuring a high level of safety;
- .3 paragraph A.7, which invites Governments, organizations concerned, IMO and ICAO to further work on the Model Regulations.

8 The Secretary-General, at this stage, has no specific proposals for action by the Council in respect of the resolutions listed in this document. As usual, he will follow developments on them within the appropriate bodies of the United Nations system and any conclusions reached, or actions proposed, in connection with any of these, or any other relevant resolutions, which may be of interest to IMO, will be reported to the Council in due course.

### **Action requested of the Council**

9 The Council is invited to take note of the information provided in this document and to comment, as it may deem appropriate.

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