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SUMMARY OF DECISIONS

Agenda item	Page No.
GENERAL	4
INVITATION TO NON-MEMBERS OF THE COUNCIL TO ATTEND THE SESSION	4
1 ADOPTION OF THE AGENDA	4
2 REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS	5
3 STRATEGY, PLANNING AND REFORM	5
4 PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS IN MANDATORY IMO INSTRUMENTS	6
5 RESOURCE MANAGEMENT:	7
(a) Human resource matters, including amendments to the Staff Regulations and Staff Rules	7
(b) Accounts and audit: final accounts for the financial period ending 31 December 2011	7
(c) Report on investments	8
(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	9
(e) Budget considerations for 2012 and 2013	9
(f) Development of a long-term plan for the future financial sustainability of the Organization	10
6 VOLUNTARY IMO MEMBER STATE AUDIT SCHEME	10
7 CONSIDERATION OF THE REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE	11

Agenda item	Page No.
8 CONSIDERATION OF THE REPORT OF THE LEGAL COMMITTEE	12
9 CONSIDERATION OF THE REPORT OF THE MARITIME SAFETY COMMITTEE	13
10 CONSIDERATION OF THE REPORT OF THE TECHNICAL CO-OPERATION COMMITTEE	15
11 TECHNICAL CO-OPERATION FUND: REPORT ON ACTIVITIES OF THE 2010-2011 PROGRAMME	15
12 WORLD MARITIME UNIVERSITY:	15
(a) Report of the Board of Governors	15
(b) Budget	16
(c) Financial sustainability	16
(d) Appointment of the Chancellor	16
13 IMO INTERNATIONAL MARITIME LAW INSTITUTE:	17
(a) Report of the Governing Board	17
(b) Budget	17
(c) Preliminary review of the IMLI Statute	17
(d) Appointment of the Chairman of the Governing Board	18
14 PROTECTION OF VITAL SHIPPING LANES	18
15 EXTERNAL RELATIONS:	19
(a) Relations with the United Nations and the specialized agencies	19
(b) Joint Inspection Unit	20
(c) Relations with intergovernmental organizations	21
(d) Relations with non-governmental organizations	22
(e) World Maritime Day	23
(f) International Maritime Prize	23
(g) IMO Award for Exceptional Bravery at Sea	23

Agenda item	Page No.
16 REPORT ON THE STATUS OF THE CONVENTION AND MEMBERSHIP OF THE ORGANIZATION	25
17 REPORT ON THE STATUS OF CONVENTIONS AND OTHER MULTILATERAL INSTRUMENTS IN RESPECT OF WHICH THE ORGANIZATION PERFORMS FUNCTIONS	25
18 PLACE, DATE AND DURATION OF THE NEXT SESSION OF THE COUNCIL	26
19 SUPPLEMENTARY AGENDA ITEM:	27
(a) Expressions of condolence	27

GENERAL

The 108th session of the Council was held from 11 to 14 June 2012, under the Chairmanship of Mr. J. Lantz (United States). The Vice-Chairman, Mr. D. Ntuli (South Africa), was also present. All 40 Council Members attended the session.

Reference document: C 108/SR.1

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

Algeria, Angola, Belize, Colombia, the Cook Islands, Côte d'Ivoire, the Democratic People's Republic of Korea, Djibouti, the Dominican Republic, Ecuador, El Salvador, Gabon, the Gambia, Georgia, Ghana, Grenada, Honduras, the Islamic Republic of Iran, Iraq, Kiribati, Libya, the Marshall Islands, Monaco, Nigeria, Pakistan, Papua New Guinea, Peru, Poland, the Republic of Moldova, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, the Syrian Arab Republic, Ukraine, Uruguay, Vanuatu and the Bolivarian Republic of Venezuela attended the session as observers. Hong Kong, China (Associate Member) also attended the session as an observer.

Reference document: C 108/SR.1

1 ADOPTION OF THE AGENDA (agenda item 1)

1.1 The Council adopted the agenda and proposed timetable, as contained in document C 108/1/Rev.1; and noted the annotations to the agenda contained in document C 108/1/1.

1.2 With regard to agenda item 4, on Periodic review of administrative requirements in mandatory IMO instruments, the Council recalled the decision taken at its 107th session, in December 2011, to establish a one-off working group, to meet during C 108 to consider the matter. The Council requested the Secretariat to formulate terms of reference for the working group, to address issues such as terms of reference for an ad hoc Steering Group for Reducing Administrative Requirements, its work plan and membership. The Council agreed to the convening of the working group, chaired by Mr. Ranjeet Singh (Singapore).

1.3 With regard to agenda item 15(d), on Relations with non-governmental organizations, the Council recalled the decision taken at its 106th session, in July 2011, to convene a group of Council Members, which would meet in working hours during C 108, with the task of screening new applications for consultative status; and discussing the Guidelines on the Grant of Consultative Status, and, if necessary, the Rules Governing Relationship with Non-Governmental International Organizations, and submitting any amendments to them for the Council's consideration.

1.4 The Council agreed to the convening of the group and that it be composed of representatives from the delegations of Australia, the Bahamas, Chile, China, Kenya, the Netherlands and the United States, chaired by Mr. Brad Groves (Australia). Other Council Members who wished to attend the meetings of the group were invited to do so.

Reference documents: C 108/1/Rev.1, C 108/1/1, C 108/SR.1

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 documents: C 108/2, C 108/SR.1 and SR.3

3 STRATEGY, PLANNING AND REFORM (agenda item 3)

3.1 The Council noted the information set out in documents C 108/3, C 108/3/1, C 108/3/2, C 108/3/3 and C 108/3/4, as well as that provided orally by the Secretary-General.

3.2 With regard to document C 108/3, on amendments to the Guidelines on the organization and method of work of the Council, the Council:

- (i) noted the information provided on the continuing efforts to update the Committees' guidelines and agreed to the proposal in paragraph 6 of the document, regarding the Council's own Guidelines on the organization and method of its work, taking into account the suggested editorial amendment to align section 5 with sections 1 to 4 in annex 5 of the Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization (GAP); and
- (ii) requested the Secretary-General to issue a circular letter containing the updated guidelines at his earliest convenience.

3.3 With regard to document C 108/3/1, on the assessment of risks, as envisaged by resolution A.1013(26), the Council agreed that the Risk Management Framework (RMF) should be applied to planned outputs as well as to unplanned outputs; and that the assessment should be carried out by both the proponent of an unplanned output and the relevant IMO Committee; and that these issues should be considered by the forthcoming sessions of the Ad Hoc Working Group on the Strategic Plan and the Council Risk Review, Management and Reporting Working Group, respectively.

3.4 With regard to document C 108/3/2, on the status of planned outputs under the High-level Action Plan for 2012-2013, the Council:

- (i) agreed to the change in the practice of reporting at the June session of the Council in the second year of a biennium, on the status of the planned outputs under the High-level Action Plan (HLAP), as set out in paragraph 3 of the document; and
- (ii) agreed to the inclusion of the following unplanned outputs in the HLAP for the current biennium, to be carried out by the Secretariat:
 - a brochure outlining the key points of the Organization's strategic planning process;
 - guidance on the use of the guidelines on the organization and method of work for MSC and MEPC; and
 - the Secretary-General's review and reform mechanism.

3.5 With regard to document C 108/3/3, on the review and reform of the Organization, the Council noted the information provided in the document and the additional information provided by the Secretary-General that restructuring of the sub-committees had been included in the scope of the review and reform; expressed appreciation and support for the Secretary-General's initiative and looked forward to his proposals at the next session.

3.6 With regard to document C 108/3/4, on the United Nations system-wide Agreement with the International Association of Conference Interpreters (AIIC), the Council, following an extensive debate, taking into account the two alternative scenarios presented in the document and corresponding estimated costs as compared with the budgetary allocations for the current biennium, decided that for the Council, the Committees and the sub-committees meeting plans should be made on the basis of eight (instead of 10) plenary sessions requiring interpretation in a five-day period. The Assembly, MSC and MEPC would continue with their present arrangement, that is, on the basis of the plenary sessions requiring interpretation for the entire period of their meeting.

Reference documents: C 108/3, C 108/3/1, C 108/3/2, C 108/3/3, C 108/3/4, C 108/5(e), C 108/5(f); C/ES.26/D, C/ES.26/3; C 106/D, C 106/3(b); C 105/3(b); CWGSP 12/8, CWGSP 12/10; Circular letters No.3085 and No.3260; resolutions A.1013(26), A.1037(27) and A.1038(27); C 108/SR.1 and SR.2

4 PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS IN MANDATORY IMO INSTRUMENTS (agenda item 4)

4.1 The Council noted the information set out in documents C 108/4, C 108/4/1 (Denmark), C 108/INF.2 (Denmark) and C 108/INF.3, as well as that provided orally by the Secretary-General and the delegation of Denmark.

4.2 The Council, recalling the decision taken at its 107th session, to convene a working group to address issues such as terms of reference for an ad hoc Steering Group for Reducing Administrative Requirements (SG-RAR), and its composition and work plan, approved the terms of reference for the Working Group annexed to document C 108/4, taking into account the suggestions made by the delegations of the Netherlands and Cyprus.

4.3 With regard to the outcome of the Working Group's recommendations, as detailed in document C 108/WP.3, the Council:

- (i) expressed appreciation to the Government of Denmark for the work carried out to develop the base document for developing the inventory;
- (ii) approved the terms of reference for the SG-RAR as set out in the annex;
- (iii) noted the Working Group's considerations regarding the SG-RAR's work plan;
- (iv) instructed the SG-RAR to present its work plan to the Council at its 109th session;
- (v) agreed to include a limited number of additional members in the SG-RAR to take into account the two further interests identified, and requested the Secretary-General to take action, as appropriate;

- (vi) established the SG-RAR at its current session so that it could commence its work as soon as possible;
- (vii) requested the Secretary-General to disseminate information to Member States and observer organizations when the consultative process is established;
- (viii) decided to keep under consideration the possible gap in the periodic review process and address it, as appropriate, at a later stage; and
- (ix) approved the report in general.

Reference documents: C 108/4, C 108/4/1, C 108/INF.2 (English only), C 108/INF.3 (English only), C 108/WP.3; C 107/D; C/ES.26/D, C/ES.26/3; C 106/D, C 106/3(a)/2; CWGSP 12/7/1; resolution A.1043(27); C 108/SR.2 and SR.7

5 RESOURCE MANAGEMENT (agenda item 5):

(a) Human resource matters, including amendments to the Staff Regulations and Staff Rules (agenda item 5(a))

5(a).1 The Council noted the information set out in documents C 108/5(a), C 108/5(a)/1 and C 108/5(a)/2, as well as that provided orally by the Secretary-General, on human resource matters, including amendments to the Staff Regulations and Staff Rules.

5(a).2 As regards document C 108/5(a), the Council particularly noted the information on the implementation, by the Organization, of the decisions of the United Nations General Assembly with respect to recommendations contained in the 2011 report of the International Civil Service Commission (ICSC).

5(a).3 With respect to document C 108/5(a)/1, the Council approved the text of the revised staff regulation 1.4 and the new staff regulation 10.4.

5(a).4 The Council further noted the information contained in document C 108/5(a)/2, reporting on senior appointments and promotions; the recruitment of women; the geographical and age distribution of staff; and staff development and training, as at 31 May 2012.

Reference documents: C 108/5(a), C 108/5(a)/1, C 108/5(a)/2; C/ES.26/5(a), C/ES.26/5(a)/2; C 105/16; C 108/SR.2

(b) Accounts and audit: final accounts for the financial period ending 31 December 2011 (agenda item 5(b))

5(b).1 The Council noted the information set out in document C 108/5(b), and that provided orally by the Secretary-General and the representative of the External Auditor, on the Organization's financial statements for the financial period ended 31 December 2011 and the External Auditor's Report and Opinion thereon.

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

- (i) noted the Secretary-General's statement and the financial statements for the Organization's financial period ended 31 December 2011;

- (ii) welcomed the unqualified opinion of the External Auditor in annex 2 to document C 108/5(b);
- (iii) expressed its appreciation to the External Auditor for his report;
- (iv) noted the operating surplus of revenue over expenditure for 2011 of £352,706, as can be seen in Statement II of the financial statements in annex 1 to document C 108/5(b);
- (v) noted the decrease in net assets for 2011 of £4,384,408 arising as a result of actuarial losses on long-term employee benefit liabilities described in paragraph 41 of the Secretary-General's statement in annex 1 to document C 108/5(b) and as can be seen in Statement IIIa;
- (vi) noted the overall budgetary situation of regular budget strategic results in 2011, which represents an 8 per cent underspend in the appropriation, as mentioned in paragraph 48 of the Secretary-General's statement in annex 1 to document C 108/5(b);
- (vii) welcomed, with appreciation, the achievement of a Members' contribution level of 99.25 per cent for the 2011 assessment;
- (viii) welcomed the Secretary-General's stewardship of the Organization's Funds and his report to the Council;
- (ix) decided to forward the financial statements for the Organization's financial period ended 31 December 2011 and the External Auditor's report thereon to the twenty-eighth regular session of the Assembly;
- (x) invited the Secretary-General to report, to the Council's next session, on the action plan to implement the recommendations made in the report of the External Auditor;
- (xi) extended thanks to the Comptroller and Auditor General of India and his staff for the assistance provided to the Organization during the last 12 years; and
- (xii) extended a warm welcome to the Auditor General of Ghana, the incoming External Auditor of IMO.

Reference documents: C 108/5(b), C 108/SR.2

(c) Report on investments (agenda item 5(c))

5(c).1 The Council noted the information set out in document C 108/5(c), and that provided orally by the Secretary-General, on the investment of the Organization's monies during 2011.

Reference documents: C 108/5(c); C 106/5(c); C 108/SR.2

(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 5(d))

5(d).1 The Council noted the information set out in documents C 108/5(d), C 108/5(d)/Add.1 and C 108/5(d)/Add.2, as well as that provided orally by the Secretary-General, on arrears of contributions and on the implementation of Article 61 of the IMO Convention.

5(d).2 In particular, the Council:

- (i) noted the collection rate of Member States' contributions and the continuing arrears of those Member States identified in the three documents under review;
- (ii) noted the balance in the Working Capital Fund of £1,863,904;
- (iii) reiterated its firm stance on the strict enforcement of Article 61 of the IMO Convention; and
- (iv) urged its Members, and Member States as a whole, with outstanding contributions, to remit them as soon as possible.

Reference documents: C 108/5(d) and Add.1-2; C/ES.26/5(b) and Add.1-2; C 108/SR.2

(e) Budget considerations for 2012 and 2013 (agenda item 5(e))

5(e).1 The Council noted the information set out in document C 108/5(e), and that provided orally by the Secretary-General, on a review of the budgetary assumptions used in preparing the 2012-2013 budget; and an assessment of the budget prospects for 2012 and 2013 on the basis of the expenditure incurred during the period 1 January to 31 March 2012.

5(e).2 Following an extensive debate, the Council expressed wide support for the Secretary-General's proposals to effect cost-savings in the approved budget in order to contain expenditure within the approved appropriations for the biennium.

5(e).3 The Council approved the proposed measure contained in paragraph 15.2 of document C 108/5(e), to cross-reference certain meeting decisions in order to reduce translation and printing costs.

5(e).4 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.

5(e).5 The Council also noted:

- (i) the external pay and price factors review;
- (ii) the forecast outturn level of the regular budget expenditure for 2012, assessed to be kept within the approved appropriation for 2012;
- (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; the Termination Benefit Fund; the Training and Development Fund; the Technical Co-operation Fund; and extrabudgetary programmes;
- (v) the preliminary consideration of prospects for the regular budget for 2013;
- (vi) the review of the Trading Fund budget for 2013;
- (vii) the review of other Funds' budgets for 2013; and
- (viii) the summary and the Secretary-General's conclusion and his intention to present an updated review of budgetary prospects to C 109.

Reference documents: C 108/5(e); A 27/16(c) and Add.1; resolution A.1039(27); C 108/SR.2 and SR.3

(f) Development of a long-term plan for the financial sustainability of the Organization (agenda item 5(f))

5(f).1 The Council noted, with appreciation, the information set out in document C 108/5(f), and that provided orally by the Secretary-General, dealing with the development of the Secretary-General's long-term plan for the Organization's future financial sustainability, in response to the Assembly's request in resolution A.1039(27).

5(f).2 The Council looked forward to the early issue of the Secretary-General's final document on the subject, for discussion at C 109, which would take into account the suggestions made during the debate.

Reference documents: C 108/5(f), C 108/5(e), C 108/3/3; resolution A.1039(27); C 108/SR.3

6 VOLUNTARY IMO MEMBER STATE AUDIT SCHEME (agenda item 6)

6.1 The Council noted the information set out in documents C 108/6 and C 108/6/1, as well as that provided orally by the Secretary-General, on the Voluntary IMO Member State Audit Scheme.

6.2 With regard to document C 108/6, reporting on the outcome of the twenty-seventh regular session of the Assembly with respect to the Audit Scheme, and progress made in its implementation, the Council:

- (i) encouraged Member States that had not yet volunteered for audits to do so as and when they were ready and as early as possible;
- (ii) invited Member States to continue to nominate as many qualified auditors as possible; to make them available to undertake audits of volunteering States; and for those nominated, to participate in the auditors' training courses being arranged by the Organization; and
- (iii) encouraged Member States that were in need of assistance to enable them to participate in the Scheme to seek such assistance through the Integrated Technical Co-operation Programme (ITCP).

6.3 The Council expressed appreciation to those Member States which had hosted, or proposed to host, regional workshops and training courses to facilitate participation in the Scheme.

6.4 With regard to document C 108/6/1, reporting on the outcome of the fifth session of the Joint Working Group on the Member State Audit Scheme (the Group), held from 2 to 4 April 2012, the Council:

- (i) noted that it should decide, at its 109th session, in November 2012, on the issue of confidentiality in the context of a mandatory scheme, taking into account the outcome of MSC 90 and MEPC 64's consideration of the issue of confidentiality in the context of those instruments under their purview, in light of the proposed reporting framework under a mandatory scheme, together with the draft executive summary report;
- (ii) approved the set of principles to be followed by the Secretary-General when considering the audit schedule, which should be developed by mid-2013;
- (iii) noted the issue of the availability of auditors and requested the Secretariat to take action as recommended;
- (iv) approved the holding of the Group's next meeting in 2013, under the existing terms of reference; and
- (v) approved the Group's report in general.

Reference documents: C 108/6, C 108/6/1; C 106/D, C 106/8/1; resolutions A.974(24) and A.1018(26); JWGMSA 5/WP.1; C 108/SR.3

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 108/7, 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-third session (27 February to 2 March 2012).

7.2 The Council approved the intersessional meetings of the OPRC-HNS Technical Group in 2012 and the ESPH Working Group in 2013.

7.3 The Council also noted:

- (i) the adoption of amendments to MARPOL Annexes I, II, IV, V and VI as well as to the NO_x Technical Code 2008;
- (ii) the decisions taken and work carried out, concerning the BWM Convention;
- (iii) the decision taken and work carried out, concerning the Hong Kong Convention;
- (iv) the decisions taken and work carried out, concerning implementation of the amendments to MARPOL Annex VI on energy efficiency for ships;

- (v) the progress made and decisions taken, concerning impact assessment of the proposed Market-based Measures for reduction of GHG emissions from ships;
- (vi) the progress made and decisions taken, concerning implementation of amendments to MARPOL and related instruments;
- (vii) the decisions taken and work carried out, concerning implementation of the OPRC Convention, the OPRC-HNS Protocol and relevant Conference resolutions;
- (viii) the approval of a draft Assembly resolution on the 2013 Guidelines for the Designation of Special Areas under MARPOL 73/78, to be submitted to the twenty-eighth session of the Assembly for adoption;
- (ix) the approval of draft amendments to the IBC Code with a view to adoption at MEPC 64 and the decision taken on development of the Polar Code; and
- (x) the status of planned outputs relating to the work of the MEPC for the 2012-2013 biennium.

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

Reference documents: C 108/7; MEPC 63/23 and Add.1, MEPC 63/23/Add.1/Corr.1; C 108/SR.4

8 CONSIDERATION OF THE REPORT OF THE LEGAL COMMITTEE (agenda item 8)

8.1 The Council noted the information set out in document C 108/8, and that provided orally by the Chairman of the Legal Committee and the Secretary-General, on the report of the Committee's ninety-ninth session (16 to 20 April 2012).

8.2 The Council approved the Legal Committee's decisions regarding:

- (i) the duplication of outputs for the 2012-2013 biennium; and
- (ii) the inclusion of a new agenda item on the collation and preservation of evidence following an allegation of a serious crime having taken place on board a ship or following a report of a missing person from a ship, and pastoral and medical care of victims, with a target completion date of 2014, noting that work could continue beyond that date, if necessary.

8.3 The Council also noted:

- (i) resolution LEG.5(99) on the adoption of amendments of the limitation amounts in LLMC 96;
- (ii) the Committee's report on the status of planned outputs for the 2012-2013 biennium;

- (iii) the Committee's agreement to amend its Guidelines on the organization and method of its work (document LEG.1/Circ.6) to include a checklist for identifying administrative requirements and burdens;
- (iv) the Committee's agreement that, at its 100th session, it would consider the number of meeting weeks it would need for the next biennium (2014-2015), taking into account its anticipated workload; and
- (v) the Committee's decision that it wished to analyse further the liability and compensation issues connected with transboundary pollution damage resulting from offshore oil exploration and exploitation activities, with the aim of developing guidance to assist States interested in pursuing bilateral or regional arrangements, without revising Strategic Direction 7.2.

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

Reference documents: C 108/8; LEG 99/14; C 108/SR.4

9 CONSIDERATION OF THE REPORT OF THE MARITIME SAFETY COMMITTEE (agenda item 9)

9.1 The Council noted the information set out in document C 108/9, and that provided orally by the Chairman of the Maritime Safety Committee and the Secretary-General, on the report of the Committee's ninetieth session (16 to 25 May 2012).

9.2 In particular, the Council noted:

- (i) the action taken by the Committee on issues related to goal-based ship construction standards (GBS) and concurred with the view that the remaining unresolved resource constraints, which may impede the implementation of the GBS verification scheme, fell under the remit of the Council;
- (ii) the action taken by the Committee on Implementation of instruments and related matters and, with regard to the list of conventions, protocols and amendments thereto, related to the work of the Maritime Safety Committee and their status, endorsed the Committee's recommendation to discontinue the consideration of this information in hard copy; and
- (iii) the action taken by the Committee on the Sub-Committees' 2012-2013 biennial agendas and the provisional agendas for their forthcoming sessions and endorsed, for inclusion in the current High-level Action Plan, the unplanned outputs agreed to by the Committee.

9.3 The Council endorsed the action taken by the Committee in approving the intersessional meetings.

9.4 The Council also noted:

- (i) the adoption, by the Committee, of amendments to the 1974 SOLAS Convention and mandatory codes related thereto; and of amendments to the Protocol of 1988 relating to the International Convention on Load Lines, 1966, as amended;
- (ii) the adoption, by the Committee, of amendments to annex II to the International Convention on Load Lines, 1966, and the associated draft Assembly resolution, for submission to the twenty-eighth session of the Assembly for adoption;
- (iii) the action taken by the Committee on approval of amendments and editorial corrections to mandatory instruments;
- (iv) the action taken by the Committee on LRIT-related matters;
- (v) the Committee's decisions on issues brought to its attention by FSI 19, COMSAR 15, DE 55, NAV 57, FP 55, DSC 16, SLF 54, BLG 16, COMSAR 16, DE 56 and FSI 20;
- (vi) the action taken by the Committee on issues related to formal safety assessment;
- (vii) the action taken by the Committee on issues related to general cargo ship safety;
- (viii) the report on the status of planned outputs for the 2012-2013 biennium;
- (ix) the updated post-biennial agenda of the Maritime Safety Committee;
- (x) the follow-up actions related to the outcome of the twenty-seventh session of the Assembly in the context of resolutions adopted by A 27;
- (xi) the action taken by the Committee on issues related to passenger ship safety; and
- (xii) the action taken by the Committee on other items, including measures to enhance maritime security; implementation of the STCW Convention; the technical assistance sub-programme in maritime safety and security; capacity-building for the implementation of new measures; the role of the human element; application of the Committees' Guidelines; guidelines and other recommendations related to maritime safety and security (the list of circulars approved by MSC 90 is attached to document MSC 90/WP.1/Add.2); and any other business.

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

Reference documents: C 108/9; MSC 90/WP.1 and Add.1-2¹; C 108/SR.4

¹ The final report of MSC 90 will be contained in document MSC 90/28.

10 CONSIDERATION OF THE REPORT OF THE TECHNICAL CO-OPERATION COMMITTEE (agenda item 10)

10.1 The Council noted the information set out in documents C 108/10 and C 108/10/Add.1, as well as that provided orally by the Chairman of the Technical Co-operation Committee and the Secretary-General, on the report of the Committee's sixty-second session (6 to 8 June 2012).

10.2 In particular, the Council:

- (i) noted the summary of the Committee's report on its sixty-second session, especially the ITCP biennial report for 2010-2011 and the recommendations of the Impact Assessment Exercise 2008-2011; and
- (ii) approved the Revised Rules of Operation of the Technical Co-operation Fund.

10.3 The Council approved the report of the sixty-second session of the Technical Co-operation Committee and decided to transmit it, together with its comments and recommendations, to the twenty-eighth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

Reference documents: C 108/10 and Add.1; TC 62/WP.1²; C 108/SR.4

11 TECHNICAL CO-OPERATION FUND: REPORT ON ACTIVITIES OF THE 2010-2011 PROGRAMME (agenda item 11)

11.1 The Council noted the information set out in document C 108/11, and that provided orally by the Secretary-General, on the implementation of those technical co-operation activities financed or co-financed by the TC Fund during 2010 and 2011, as listed under the Integrated Technical Co-operation Programme (ITCP) biennial report for 2010-2011.

Reference documents: C 108/11; C 102/7; TC 62/3 and Add.1; TC 59/5, TC 59/4; C 108/SR.4

12 WORLD MARITIME UNIVERSITY (agenda item 12):

(a) Report of the Board of Governors (agenda item 12(a))

12(a).1 The Council noted the information set out in document C 108/12(a), and that provided orally by the Secretary-General, on the draft report of the Board of Governors on the work of the World Maritime University (WMU) during the 2011 academic year.

12(a).2 The Council expressed deep appreciation to the Government of Sweden and the City of Malmö for their continuous generous contribution to the University; and also expressed its appreciation to the Nippon Foundation and the Ocean Policy Research Foundation of Japan; the International Transport Workers' Federation; the Governments of Canada, the Republic of Korea, the United Kingdom; Inmarsat Global Ltd; and the TK Foundation, for their contribution to the finances of WMU, as well as to all other Governments, organizations and individuals, for their contribution to the running of the University.

Reference documents: C 108/12(a), C 108/12(b), C 108/12(c), C 108/12(d), C 108/SR.4

² The final report of TC 62 will be contained in document TC 62/15.

(b) Budget (agenda item 12(b))

12(b).1 The Council noted the information set out in document C 108/12(b) and that provided orally by the Secretary-General, on the budget of WMU for the year 2012, as revised by the Executive Board at its fifth and sixth sessions held on 16 November 2011 and 10 April 2012, respectively.

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

- (i) welcomed the efforts of the management of the University to reduce costs and attract additional income; and
- (ii) reiterated its appreciation to those Governments and organizations that supported the University financially.

Reference documents: C 108/12(b), C 108/12(a), C 108/12(c), C 108/12(d); TC 62/9; C 108/SR.5

(c) Financial sustainability (agenda item 12(c))

12(c).1 The Council noted the information set out in document C 108/12(c), and that provided orally by the Secretary-General, on the financial sustainability of WMU.

12(c).2 The Council endorsed the proposal to establish an Endowment Fund and supported the proposed governance and management structures of the Fund, with the establishment of a Board of Trustees.

12(c).3 The Council acknowledged that, since the Endowment Fund would take some time to reach a suitable level, other sources of funding would need to be identified; and requested the University to continue to seek alternative sources, such as research and consultancies.

Reference documents: C 108/12(c); C 106/D, C 106/14(a)/1, C 106/13(c); C 105/D, C 105/11; C 104/D, C 104/12(b), C 104/12(b)/1; resolutions A.1030(26) and A.1031(26); C 108/SR.5

(d) Appointment of the Chancellor (agenda item 12(d))

12(d).1 The Council noted the information set out in document C 108/12(d), and that provided orally by the Chairman of the Council, concerning the appointment of the Chancellor of the World Maritime University.

12(d).2 The Council decided, by acclamation, to appoint the Secretary-General of IMO, Mr. Koji Sekimizu, as Chancellor of WMU for the two-year period from 1 July 2012 to 30 June 2014, and extended its congratulations to him on his appointment.

12(d).3 The Council approved, by acclamation, the Secretary-General's recommendation that his predecessor, Mr. Efthimios E. Mitropoulos, be accorded the status of "Chancellor Emeritus" of WMU and expressed deep appreciation for his outstanding services during his exemplary and successful stewardship of the affairs of the University.

Reference documents: C 108/12(d), C 108/SR.5

13 IMO INTERNATIONAL MARITIME LAW INSTITUTE (agenda item 13):

(a) Report of the Governing Board (agenda item 13(a))

13(a).1 The Council noted the information set out in document C 108/13(a), and that provided orally by the Secretary-General, regarding the twenty-third annual report of the Governing Board of the International Maritime Law Institute (IMLI) on its academic operations for 2010-2011 and 2011-2012.

13(a).2 The Council recognized the essential role that IMLI continued to play in strengthening the capacity of developing countries to implement the various IMO treaty instruments to which they were party; and 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 108/13(a), C 108/13(b); TC 62/9; C 108/SR.5

(b) Budget (agenda item 13(b))

13(b).1 The Council noted the information set out in document C 108/13(b), and that provided orally by the Secretary-General, on the IMLI budget for the 2011 and 2012 financial years, together with those proposed for 2013, as reviewed by IMLI's Governing Board at its twenty-sixth session on 18 April 2012.

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

- (i) noted the "unqualified" nature of the audit on the Institute's financial performance up to the end of 2011; and
- (ii) expressed appreciation to all donors, which had financially supported and continued to support the Institute, particularly, the Nippon Foundation, the "Euromed Cooperation on Maritime Safety and Prevention of Pollution from Ships – SAFEMED" project; the Indian Ocean Commission (IOC), through its "GEF-WIO Marine Highway Development and Coastal and Marine Contamination Prevention Project"; the Lloyd's Register Educational Trust; the Government of Switzerland; the Government of Malta; Transport Malta; the Comité Maritime International (CMI) Charitable Trust; the Neptune Orient Lines of Singapore; and the Sea Pine Tree Foundation of the Republic of Korea.

Reference documents: C 108/13(b), C 108/13(a), C 108/SR.5

(c) Preliminary review of the IMLI Statute (agenda item 13(c))

13(c).1 The Council noted the information set out in document C 108/13(c), and that provided orally by the Secretary-General, on the status of the review of the IMLI Statute, requested by the Council at its 106th session; and further noted that the outcome of the review was expected to be submitted to its 109th session, in November 2012.

Reference documents: C 108/13(c); C 106/D, C 106/14(a)/1; C 108/SR.5

(d) Appointment of the Chairman of the Governing Board (agenda item 13(d))

13(d).1 The Council noted the information set out in documents C 108/13(d) and C 108/13(d)/Rev.1, as well as that provided orally by the Chairman of the Council, concerning the appointment of the Chairman of the IMLI Governing Board.

13(d).2 The Council decided, by acclamation, to appoint the Secretary-General of IMO, Mr. Koji Sekimizu, as Chairman of the IMLI Governing Board for the two-year period from 1 July 2012 to 30 June 2014, and extended its congratulations to him on his appointment.

13(d).3 The Council expressed deep appreciation to Mr. Efthimios E. Mitropoulos for his outstanding services during his exemplary and successful stewardship of the affairs of the Institute.

Reference documents: C 108/13(d) and Rev.1, C 108/SR.5

14 PROTECTION OF VITAL SHIPPING LANES (agenda item 14)

14.1 The Council noted the information set out in documents C 108/14, C 108/14/Add.1, C 108/14/Add.2, C 108/14/1 and C 108/14/1/Add.1, as well as that provided orally by the Secretary-General and the Chairman of the Maritime Safety Committee, on protection of vital shipping lanes and piracy and armed robbery against ships (see also item 9).

14.2 With regard to the issue of piracy off the coast of Somalia (document C 108/14 and its addenda), the Council expressed appreciation to the Secretary-General for the initiative taken with respect to the high-level meetings, and to all those who arranged, prepared for and contributed to the three high-level piracy events, particularly:

- (i) the Ministers, Ambassadors and senior officials of the States participating in the Djibouti Code of Conduct, as well as representatives of the donor States to the Djibouti Code of Conduct Trust Fund;
- (ii) United Nations Secretary-General Ban Ki-moon and representatives of the United Nations specialized agencies, other international organizations and the European Commission (EC);
- (iii) the Ministers/Secretaries of State, Ambassadors, High Commissioners and other senior representatives who participated in the High-level segment of the Maritime Safety Committee (MSC);
- (iv) the MSC and its Chairman, for the work done in producing additional guidance; and
- (v) the Organization, for its continued efforts in dealing with the issue of piracy off the coast of Somalia.

14.3 The Council noted the actions taken by the Committee on issues related to piracy and armed robbery against ships.

14.4 With regard to the Cooperative Mechanism for the Straits of Malacca and Singapore (documents C 108/14/1 and Add.1), the Council:

- (i) expressed appreciation to the littoral States of Indonesia, Malaysia and Singapore for the timely implementation of the various components of the Cooperative Mechanism for the Straits of Malacca and Singapore;
- (ii) noted, with appreciation, the contributions of the United Arab Emirates and the Malacca Strait Council to the Aids to Navigation Fund;
- (iii) also expressed appreciation to those Member Governments, intergovernmental and non-governmental organizations, which had made contributions to, and/or pledged support for, the various projects under the Cooperative Mechanism, the Aids to Navigation Fund and the IMO Straits Fund; and
- (iv) invited Member Governments and organizations to continue contributing to the projects under the Mechanism and the two funds.

14.5 The Council reaffirmed its mandate to the Secretary-General to continue his work relating to the protection of shipping lanes of strategic importance and significance, and to report to the Council as and when appropriate.

Reference documents: C 108/14 and Add.1-2, C 108/14/1 and Add.1, C 108/9; C/ES.26/D and Corr.1, C/ES.26/10 and Add.1; C 106/D, C 106/12; MSC 90/28 and addenda; resolution A.1044(27); C 108/SR.5 and SR.6

15 EXTERNAL RELATIONS (agenda item 15):

(a) Relations with the United Nations and the specialized agencies (agenda item 15(a))

15(a).1 The Council noted the information contained in documents C 108/15(a), C 108/15(a)/1, C 108/15(a)/2, C 108/15(a)/3 and C 108/15(a)/4 (the latter submitted by Cyprus, France, Greece, Italy, Malta, Morocco and Spain) as well as that provided orally by the Secretary-General and the delegation of France, on relations with the United Nations and the specialized agencies.

15(a).2 With regard to documents C 108/15(a), C 108/15(a)/1, C 108/15(a)/2, the Council particularly noted:

- (i) the outcome of the 2012 first session of the United Nations Chief Executives Board for Coordination (CEB);
- (ii) the resolutions adopted by the General Assembly and the Economic and Social Council of the United Nations, which contain information of relevance to IMO, received since the 106th session of the Council; and
- (iii) the outcome of the twelfth meeting of the United Nations Open ended Informal Consultative Process on Oceans and the Law of the Sea (ICP).

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

15(a).4 With regard to documents C 108/15(a)/3 and C 108/15(a)/4 , on the current financial situation of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), the Council requested the Secretariat to provide it with additional information on the subject and, having considered document C 108/WP.4, as well as the statement of the UNEP representative to the effect that 74 per cent of the contributions due to the Mediterranean Trust Fund (MTF) for 2012 had been received, the Council:

- (i) urged the Contracting Parties to the Barcelona Convention which had not yet paid their arrears and outstanding contributions to the MTF to do so as soon as possible;
- (ii) agreed that there was a need to make a financial contingency provision in order to avoid disruption to the Centre's continued operation and, accordingly, instructed the Secretary-General to draw down, if and when required and in accordance with the Rules of Operation of the Technical Co-operation Fund (TC Fund), a maximum sum of €85,000, in view of the information provided by UNEP on the 74 per cent collection rate, to support REMPEC up to the end of November 2012, on the understanding that any funds received from UNEP would be used to reimburse the Organization for any TC Fund monies that may have been drawn down for the aforementioned purpose;
- (iii) requested the Contracting Parties to the Barcelona Convention and UNEP to prepare a recovery plan specifically for REMPEC in order to avoid disruption to the Centre's continued operation and the need for temporary support from IMO through the TC Fund, and to report thereon to C 109;
- (iv) noted, with appreciation, the intention of the Secretary-General to convene a meeting of the Contracting Parties to the Barcelona Convention, UNEP, the Centre's host country, Malta, and IMO with a view to preparing a road-map to ensure the future sustainable operation of REMPEC; and
- (v) requested the Secretary-General to report to C 109 on the foregoing matters and on the then financial situation of the Centre, at which time the Council would revisit the issue and take such further action as it may then deem appropriate.

Reference documents: C 108/15(a), C 108/15(a)/1, C 108/15(a)/2, C 108/15(a)/3, C 108/15(a)/4, C 108/WP.4, C 108/SR.6 and SR.8

(b) Joint Inspection Unit (agenda item 15(b))

15(b).1 The Council noted the information contained in documents C 108/15(b) and C 108/15(b)/Add.1, as well as that provided orally by the Secretary-General, giving information and comments on Joint Inspection Unit (JIU) reports received since the 106th session of the Council.

15(b).2 In particular, the Council noted the following reports and the Secretary-General's comments thereon:

- (i) "Review of the Medical Service in the United Nations System" (JIU/REP/2011/1);
- (ii) "South-South and Triangular Cooperation in the United Nations System" (JIU/REP/2011/3);
- (iii) "Accountability Frameworks in the United Nations System: benchmarking Framework" (JIU/REP/2011/5);
- (iv) "Business Continuity in the United Nations System" (JIU/REP/2011/6);
- (v) "The Investigation Function in the United Nations System" (JIU/REP/2011/7); and
- (vi) "Information and Communication Technology (ICT) Governance in the United Nations System Organizations" (JIU/REP/2011/9).

15(b).3 The Council also noted that the Secretary-General will report at a future session of the Council on the resources required to carry out the work in developing the stand-alone accountability framework, as recommended in the JIU report "Accountability Frameworks in the United Nations system: benchmarking Framework"; as well as on the strengthening of the investigation and ethics functions in the Organization; and on the review of the Organization's contingency plan on Business Continuity/Disaster Recovery.

Reference documents: C 108/15(b) and Add.1, C 108/SR.6

(c) Relations with intergovernmental organizations (agenda item 15(c))

15(c).1 The Council noted the information contained in documents C 108/15(c) and C 108/15(c)/1, as well as that provided orally by the Secretary-General, on matters relevant to Agreements of Co-operation between IMO and intergovernmental organizations.

15(c).2 With regard to document C 108/15(c), the Council particularly noted that the formal procedures for the signing of Agreements of Co-operation between IMO and the Sub-Regional Fisheries Commission (SRFC) and between IMO and the Indian Ocean Commission (IOC) had been completed and that the established cooperation between IMO and these organizations would prove beneficial to both sides.

15(c).3 With regard to document C 108/15(c)/1, on three proposed new Agreements of Co-operation between IMO and the International Copper Study Group (ICSG), the International Lead and Zinc Study Group (ILZSG) and the International Nickel Study Group (INSG), the Council decided not to approve the conclusion of these new Agreements of Co-operation; and invited the organizations to submit further detailed information to assist the Council in deciding whether these Agreements would be of value to the Organization.

Reference documents: C 108/15(c), C 108/15(c)/1; A 27/19(c), A 27/19(c)/Add.1; C 108/SR.7

(d) Relations with non-governmental organizations (agenda item 15(d))

15(d).1 The Council noted the information contained in documents C 108/15(d), C 108/15(d)/Add.1, C 108/15(d)/1 and C 108/WP.2, as well as that provided orally by the Secretary-General, on relations between IMO and non-governmental organizations.

15(d).2 With regard to the seven applications for consultative status listed in document C 108/15(d) and its addendum, the Council decided:

- (i) not to grant consultative status to the International Council on Mining and Metals (ICMM);
- (ii) not to grant consultative status to the Pew Environment Group (PEG);
- (iii) not to grant consultative status to the International Tank Container Organisation (ITCO);
- (iv) not to grant consultative status to the European Maritime Independent Suppliers Association (EMISA);
- (v) not to grant consultative status to the Global Shippers' Forum (GSF);
- (vi) not to grant consultative status to the Natural Resources Defense Council (NRDC); and
- (vii) not to grant consultative status to the Asian Shipowners' Forum (ASF).

15(d).3 The Council noted the list of organizations in consultative status grouped according to interests/activities, contained in document C 108/15(d)/1 for use as a reference tool on future relevant occasions, such as the biennial review of organizations in consultative status, or when considering new applications for consultative status; and requested that it be kept updated.

15(d).4 With regard to the review of the Guidelines on the Grant of Consultative Status, the Council:

- (i) noted the progress made to date in connection with the review of the Rules and Guidelines and endorsed the direction of the work undertaken so far; and
- (ii) agreed to reconvene the group with the task of further discussing the Rules and Guidelines, as well as the questionnaire to be attached to new applications for consultative status, and submitting amendments to them for the Council's consideration, including consideration as to how the Secretariat could engage in the process of screening new applications.

Reference documents: C 108/15(d) and Add.1, C 108/15(d)/1; C 108/WP.2; C 106/D; C 108/SR.7

(e) World Maritime Day (agenda item 15(e))

15(e).1 The Council noted the information provided orally by the Secretary-General, on the theme for World Maritime Day, and endorsed his proposal that the theme for 2013 should be:

"Sustainable Development: IMO's contribution beyond Rio+20".

15(e).2 The Council noted that, to date, no formal offer had been made by any IMO Member State to host the 2013 World Maritime Day Parallel Event.

15(e).3 The Council authorized that action be taken for the celebration of World Maritime Day in 2013, in accordance with the established practice.

Reference document: C 108/SR.7

(f) International Maritime Prize (agenda item 15(f))

15(f).1 The Council noted the information contained in document C 108/15(f), and that provided orally by the Secretary-General, on the nomination received for the award of the 2011 International Maritime Prize.

15(f).2 The Council unanimously decided to award the International Maritime Prize for 2011 to Mr. Efthimios E. Mitropoulos, by acclamation, in recognition of his invaluable contribution, extending over many years, to the work of the Organization, in particular, and the international maritime community as a whole. The Council extended warm congratulations to Mr. Mitropoulos and also expressed its appreciation to the Government of the Hellenic Republic for nominating such an outstanding candidate.

15(f).3 The Council noted and endorsed the measures taken and those proposed by the Secretary-General in respect of the 2012 Prize.

Reference documents: C 108/15(f); C 106/D; Circular letter No.3173; C 108/SR.7

(g) IMO Award for Exceptional Bravery at Sea (agenda item 15(g))

15(g).1 The Council noted the information contained in documents C 108/15(g) and C 108/15(g)/Add.1, as well as that provided orally by the Secretary-General, on the nomination of candidates for the 2012 IMO Award for Exceptional Bravery at Sea.

15(g).2 The Council endorsed the decision of the Panel of Judges to bestow the 2012 IMO Award for Exceptional Bravery at Sea on Sergeant Janick Gilbert (posthumously), Master Corporal Max Lahaye-Lemay and Master Corporal Marco Journeyman, crew members of the 424 (Transport and Rescue) Squadron in Trenton, Royal Canadian Air Force, nominated by the Government of Canada, and Mr. César Flores Flores, rescue swimmer, aerial detachment from Puerto Montt, Fifth Naval Zone, Chilean Navy, nominated by the Government of Chile.

15(g).3 In addition, the Council agreed that Certificates of Commendation in recognition of meritorious services rendered should be awarded to the following nominees:

- Mr. Wang Haijie, diver of the rescue vessel **Bei Hai Jiu 116**, Beihai Rescue Bureau, nominated by China, for rescuing four fishermen trapped under water in the cabin of the capsized fishing vessel **Liao Dan Yu 26628**;

- The crew of the rescue ship **Dong Hai Jiu 116**, Donghai Rescue Bureau, nominated by China, for saving the 12 crew members of the stranded containership **Jade** in very difficult weather conditions, capsizing in the process; and
- Coxswain Adrian Johannes Gunter, Crewman Leon Pretorius and Crewman Quentin Diener, volunteer crewmen of the rescue boat **Queenie Paine**, Station 33, Witsand, National Sea Rescue Institute of South Africa, nominated by South Africa, for the risky search and rescue operation of the four crew members of the catamaran yacht "**Gulliver**", in dangerous weather conditions.

15(g).4 The Council also decided that Letters of Commendation should be sent to the following nominees:

- The crew of the **SAR helicopter B-7137**, Nanhai No.1 Rescue Flying Service, nominated by China, for rescuing, in difficult weather conditions, the 12 crew members of the cargo ship **Fang Zhou 6**, which was sinking;
- The crew of the M/T **Chang Hang Hong Tu**, nominated by China, for rescuing the nine fishermen on board the fishing vessel **Liao Wa Yu 55131**, which was sinking in icy weather conditions;
- The crew of the M/V **Jin Guang Ling**, nominated by China, for rescuing 10 crew members of the M/V **Bright Ruby**, manoeuvring in dire weather conditions;
- The crew of the fishing boat **Min Ping Yu 61597**, nominated by China, for rescuing 15 crew members from the sunken vessel M/V **Jin Shan Ling**, in bad weather conditions;
- Warrant Officer Samuel Fourel of the Lezardrieux naval unit, Brittany Regional Gendarmerie, nominated by France, for rescuing, by jumping from a helicopter, two persons in distress found in a sunken small pleasure yacht, in bad weather conditions and at nightfall;
- Captain José Eric González Ramos of the vessel **Bourbon Artabaze**, Captain Rubén Daniel Vargas Cobos of the vessel **Isla del Toro** and Captain Manuel Ares Gondell of the vessel **Árbol Grande**, nominated by Mexico, for the coordinated rescue operation during a tropical storm of the 10 crew members of the Trinity II platform;
- The crew of the containership **MOL Summer**, the crew of the containership **MSC Carole**, the crew of the bulk carrier **Violet**, the crew of the containership **Zhong He** and the crew of the containership **Cap Scott**, nominated by Papua New Guinea, for the coordinated rescue of the passengers on board the sunken passenger ship MV **Rabaul Queen**, in difficult weather conditions, saving 246 passengers out of 500; the crew of the containership **Zhong He** was also nominated by China; and the master, chief engineer and boatsman of the **MOL Summer** were nominated by Bulgaria;
- Captain Ely C. Sinoy and the crew of the M/V **Daio Azalea**, nominated by the Philippines, for rescuing the two crew members of the pleasure craft **Stella Cometa** from a liferaft in bad weather conditions; and

- LCDR Brian P. Hopkins, LTJG Andrew P. Lund, ASTC Randall J. Rice and AMT2 Alejandro M. Delgado, crew of the US Coast Guard helicopter CG 6004, Air Station Cape Cod, nominated by the United States of America, for rescuing the two crew members of the pleasure craft S.V **Eva**, in very bad weather conditions.

15(g).5 The Council extended its congratulations to the family of Sergeant Janick Gilbert, to Master Corporal Max Lahaye-Lemay and to Master Corporal Marco Journeyman, crew members of the 424 (Transport and Rescue) Squadron in Trenton, Royal Canadian Air Force, nominated by the Government of Canada, and to Mr. César Flores Flores, rescue swimmer, aerial detachment from Puerto Montt, Fifth Naval Zone, Chilean Navy, nominated by the Government of Chile – all of whom are joint winners of the 2012 IMO Award for Exceptional Bravery at Sea. The Council also extended its congratulations to the recipients of Certificates and Letters of Commendation and expressed appreciation to all the remaining candidates and to those who had nominated such worthy candidates for the Award.

15(g).6 The Council noted and endorsed the arrangements proposed by the Secretary-General in respect of this year's Awards ceremony and the 2013 Award.

Reference documents: C 108/15(g) and Add.1; C 106/D; Circular letter No.3223; C 108/SR.7

16 REPORT ON THE STATUS OF THE CONVENTION AND MEMBERSHIP OF THE ORGANIZATION (agenda item 16)

16.1 The Council noted the information contained in document C 108/16, and that provided orally by the Secretary-General on the status of the IMO Convention and membership of the Organization.

16.2 The Council endorsed the Secretary-General's recommendation that IMO Members, which were not yet members of the International Hydrographic Organization, should give favourable consideration to joining that Organization, given that its objectives with regard to the safety of navigation and protection of the marine environment closely mirrored those of IMO.

16.3 The Council encouraged, endorsed and 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 also encouraged him to assist all Member States, in particular developing countries, to participate fully and effectively in the work of the Organization.

Reference documents: C 108/16, C 108/SR.7

17 REPORT ON THE STATUS OF CONVENTIONS AND OTHER MULTILATERAL INSTRUMENTS IN RESPECT OF WHICH THE ORGANIZATION PERFORMS FUNCTIONS (agenda item 17)

17.1 The Council noted the information contained in documents C 108/17 and C 108/17/Add.1, 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.

17.2 The Council was pleased to note that the 1995 STCW-F Convention had met its entry-into-force provisions and would, as a consequence, enter into force on 29 September 2012.

17.3 The Council endorsed and supported the Secretary-General's continuing efforts to encourage Governments to consider accepting those IMO treaty instruments to which they were not yet parties, and, in particular, reiterated its plea to Member Governments to give favourable consideration to ratifying, as far as environment-related conventions were concerned:

- (i) the 2004 Ballast Water Management Convention;
- (ii) the 2007 Nairobi Wreck Removal Convention;
- (iii) the 2009 Hong Kong Ship Recycling Convention; and
- (iv) as far as liability and compensation conventions were concerned, the 2010 HNS Protocol,

to enable them to enter into force as soon as possible.

17.4 With regard to the ILO Maritime Labour Convention, 2006, the Council noted that two³ ratifications were still needed to meet its entry-into-force requirements. Given the beneficial impact this Convention would, once in force, have on the living and working conditions of seafarers, the Council concurred that every possible effort be made to achieve the remaining two ratifications as soon as possible, enabling the Convention to enter into force 12 months later.

17.5 The Council 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 requested him to communicate with Governments that had not yet ratified IMO treaties, to encourage and assist them to accept and implement them at their earliest convenience.

Reference documents: C 108/17 and Add.1, C 108/SR.7

18 PLACE, DATE AND DURATION OF THE NEXT SESSION OF THE COUNCIL (agenda item 18)

18.1 The Council noted the information contained in document C 108/18, and that provided orally by the Secretary-General, on the arrangements for its 109th session.

18.2 The Council agreed that its 109th session be held at the Headquarters of the Organization from 5 to 9 November 2012 and that it would require full interpretation for eight plenary sessions during the five-day period.

18.3 The Council further noted that, in accordance with its previous decisions, no summary records of its sessions would, henceforth, be produced and, instead, an audio archive of its plenary meetings would be accessible through IMODOCS, in all six official languages of the Organization, as applicable.

³ According to the most recent information received from ILO.

18.4 The Council, following an extensive debate, encouraged as many Members as possible to adopt a paperless approach to C 109, noting that this would be on a trial basis; and stressed the need for full Internet availability in this context. The paperless trial would not extend to other IMO meetings or diplomatic Conferences.

Reference documents: C 108/18, C 108/3/4; C 107/D, C 107/5, C 107/SR.1; C 108/SR.7

19 SUPPLEMENTARY AGENDA ITEM (agenda item 19):

(a) Expressions of condolence (agenda item 19(a))

19(a).1 The Council expressed sincere condolences to the delegation of Kenya and the Republic of Kenya following the deaths of the Internal Security Minister, Honourable Professor George Saitoti, and his deputy, Honourable Orwa Ojode, who were among the six killed in a helicopter crash near Nairobi on 10 June 2012, noting the key role they had played in the fight against piracy and terrorism in the Gulf of Aden and waters off the coast of Somalia. The Council also expressed condolences to the bereaved families.

19(a).2 The Council expressed sincere condolences to the Governments of the Commonwealth of the Bahamas and the Republic of Haiti following the deaths of 11 persons with several others unaccounted for resulting from the capsizing of a speedboat off the coast of the Bahamas island of Abaco on 10 June 2012. The Council also expressed condolences to the bereaved families.

Reference documents: C 108/SR.3 and SR.5
