

COUNCIL
108th session
Agenda item 1

C 108/WP.1/Add.2
14 June 2012
Original: ENGLISH

DISCLAIMER

As at its date of issue, this document, in whole or in part, is subject to consideration by the IMO organ to which it has been submitted. Accordingly, its contents are subject to approval and amendment of a substantive and drafting nature, which may be agreed after that date.

**DRAFT SUMMARY OF DECISIONS
(continued)**

**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

15 EXTERNAL RELATIONS (continued):

(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**, also nominated by China; and the master, chief engineer and boatsman of the **MOL Summer**, 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, nominated posthumously by the Government of Canada and to 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, also nominated by the Government of Canada; to Mr. César Flores Flores, rescue swimmer, aerial detachment from Puerto Montt, Fifth Naval Zone, Chilean Navy, nominated by the Government of Chile, all joint winners of the 2012 IMO Award for Exceptional Bravery at Sea. The Council also 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 nine 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 nine 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, C 108/17/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.

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
