

COUNCIL  
108th session  
Agenda item 1

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**DRAFT SUMMARY OF DECISIONS**

**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.

**Reference document:** C 108/SR.1

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

*[To be completed by the Secretariat after the meeting, based on document C 108/INF.1]*

**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, discussing the Guidelines on the Grant of Consultative Status, and, if necessary, the Rules Governing Relationship with Non-Governmental International Organizations, 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 of America, 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, with arrangements for additional sessions being made only where there was a demonstrable need. 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

## **5 RESOURCE MANAGEMENT:**

### **(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 Intergrated 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<sub>x</sub> 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, MEPC 63/23/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.1-2<sup>1</sup>; C 108/SR.4

## **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;
- (ii) approved the Revised Rules of Operation of the Technical Co-operation Fund; and
- (iii) authorized the Secretary-General to transmit the report of the Council 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.1<sup>2</sup>; C 108/SR.4

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

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

**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

**(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 in the two Straits;
- (ii) noted, with appreciation, the contributions of the United Arab Emirates and the Malacca Straits Council to the IMO Malacca and Singapore Straits Trust Fund;

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- (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):**

### **(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 C 109 in November 2012 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

## **19 SUPPLEMENTARY AGENDA ITEM (agenda item 19)**

### **(1) Expressions of condolence**

19.1.1 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.

19.1.2 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