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29th extraordinary session
Agenda item 10

C/ES.29/10
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**PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS
IN MANDATORY IMO INSTRUMENTS**

Progress report to the Assembly

Note by the Secretary-General

SUMMARY

Executive summary: The annex to this document contains the draft report of the Council on the progress made during the 2016-2017 biennium on the periodic review of administrative requirements in mandatory IMO instruments

Strategic direction: 14

High-level action: 14.0.1

Output: 14.0.1.1

Action to be taken: Paragraph 3

Related documents: C 113/11; C/ES.28/9; resolution A.1103(29); C 116/7, C 116/8, C 116/6, C 116/9, C 116/10; C 117/7, C 117/13, C 117/D; C 118/7, C 118/8 and C 118/10/Add.1

Introduction

1 The Assembly, at its twenty-ninth regular session, noted the progress made on the periodic review of administrative requirements in mandatory IMO instruments and expressed its appreciation to the Council and its Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR) for the work carried out. The Assembly also requested the Council to continue monitoring the outcome of the periodic review process and its recommendations and to submit a progress report to the Assembly at its thirtieth session.

2 The annex to this document contains a draft of the report of the Council on the progress made during the 2016-2017 biennium on the periodic review of administrative requirements in mandatory IMO instruments.

Action requested of the Council

- 3 The Council is invited to consider the report as set out in the annex and, in particular, to:
- .1 endorse the conclusion that all IMO organs have completed their work on the analysis and consideration of recommendations to reduce administrative burdens in IMO instruments including those identified by the SG-RAR as contained in the draft report; and
 - .2 approve the draft report, as set out in the annex, as the final report for submission to the thirtieth regular session of the Assembly, with the recommendation that this item be removed from the agenda of future sessions of the Assembly, bearing in mind that any ongoing work relating to this item is part of the regular work programme of the committees, of which any development thereon would be contained in their reports.

ANNEX

REPORT TO THE ASSEMBLY ON PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS IN MANDATORY IMO INSTRUMENTS

Actions taken by the Council

1 The Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR) developed 13 general recommendations to alleviate administrative burdens from the requirements of mandatory IMO instruments. In addition to the formal report to the Council (C 113/11), the SG-RAR also produced a more concise version of the report for broader distribution which can be found on IMO's website¹.

2 The Council considered the 13 recommendations during the 2014-2015 biennium and the outcome therefrom was reported to the Assembly at its twenty-ninth session in document C/ES.28/9. During the 2014-2015 biennium, the Council completed the consideration of recommendations 1, 3, 4, 11 and 13.

3 During the 2016-2017 biennium, the Council further considered recommendation 2 - "to establish and develop a fundamental vision and policy concerning its role and responsibility as host of an internationally trusted web-based information portal" and requested the Secretary-General to develop a proposal to better assess the implications of this recommendation.

4 Following a comprehensive review of the Global Integrated Shipping Information System (GISIS), the Secretariat provided an update to the Council's request which is contained in document C 117/13. After considering the information provided, the Council decided not to pursue the development of a web-based information portal as envisaged in recommendation 2 and endorsed the Secretary-General's approach to the continued development and management of GISIS, which included the development of a vision for GISIS. In this context, the Council completed its consideration of recommendation 2 (C 117/D, paragraphs 13.1 – 13.4).

5 The Council also further considered recommendation 12, regarding the practical principles and criteria for reviewing administrative requirements, having invited submissions from Member States. As no submissions had been received and as the Assembly, at its twenty-ninth session, had adopted resolution A.1103(29) on *Principles to be considered when drafting IMO instruments*, the Council completed its consideration of this recommendation.

6 Following the aforementioned considerations, the Council had completed its consideration of those recommendations from the SG-RAR report which fell within its scope of work.

7 With regard to the remaining recommendations, the Council requested the relevant committees to further consider recommendations 5, 6, 7, 8, 9 and 10.

Actions taken by the committees

8 As requested by the Council, the Maritime Safety Committee (MSC), the Marine Environment Protection Committee (MEPC), the Facilitation Committee (FAL) and the Legal Committee (LEG) included an output in their work programme for the 2016-2017 biennium to initiate analysis and consideration of the recommendations to reduce administrative burdens

¹ <http://www.imo.org/en/OurWork/rab/Pages/default.aspx>

in IMO instruments, based on the report of the SG-RAR. In this regard, the committees requested the Secretariat to analyse the recommendations and submit the results to the committees. The recommendations as well as the actions taken by the committees are set out below.

Recommendation 5: to encourage the responsible committees to review the pertinent administrative requirements in appendix 7 of document C 113/11 – and similar requirements in appendices 5 and 6 – with a view to universal acceptance of electronic versions of documents for fulfilling present requirements for the carriage of documents.

9 The MSC encouraged interested Member States and international organizations to review the recommendation on the feasibility of using electronic documentation, other than electronic certificates, with a view to submitting proposals under the agenda item "Implementation of instruments and related matters", on whether the use of electronic documentation other than electronic certificates is feasible and how such use could be addressed (e.g. amendments to mandatory IMO instruments or development of guidance) (C 116/7, paragraph 18).

10 In its consideration of electronic versions of documents, the MEPC deferred consideration of electronic record books to address administrative burdens to a future session, when the outcome of the currently ongoing work on the output "Use of electronic record books" is available (C 116/10, paragraphs 24.3 and 24.4).

11 With respect to the work of LEG on this issue, it decided to include insurance certificates under the 2002 Athens Convention, the 2007 Nairobi Wreck Removal Convention and the 2010 HNS Convention into the circular on the list of certificates and documents required to be carried on board ships, which have been reflected in FAL.2/Circ.131-MEPC.1/Circ.837-MS.1/Circ.1586-LEG.2/Circ.3 of 19 July 2017. (C 116/9, paragraph 9 and C 118/8, paragraph 22).

Recommendation 6: to encourage the responsible committees to review the pertinent administrative requirements in appendix 7 in document C 113/11– and similar requirements in appendix 6 – with a view to introduce an electronic and unified "single window approach" for fulfilling present requirements for multiple reporting.

Recommendation 7: to encourage the responsible committees to review the pertinent administrative requirements in appendix 7 in document C 113/11– and possible similar requirements in appendices 5 and 6 – with a view to universal acceptance of electronic or software solutions for fulfilling present other types of administrative requirements.

12 In its ongoing consideration on developments with regard to a single window approach under the output "Application of single-window concept", FAL 41 approved a new output "Update the guidelines for setting up a single window system in maritime transport" (C 118/7, paragraphs 4 and 8.3).

Recommendation 8: to ensure that actions are taken to remind users of the reasoning for the introduction of the ISPS Code.

13 With regard to this recommendation the MSC instructed the Secretariat to prepare information for seafarers and interested stakeholders on the key aims of the ISPS Code (C 116/7, paragraph 18.6).

Recommendation 9: to take account of the possible impact of an accumulation of administrative requirements, in particular in the consideration of proposals for developing new, or amending existing, mandatory instruments and to continuously take account of such possible impact in developing new, or amending existing, mandatory instruments.

Recommendation 10: to take account of the possible indirect impact of non-mandatory instruments in the consideration of proposals for developing new, or amending existing, non-mandatory instruments and to continuously take account of such possible indirect impact in developing new, or amending existing, non-mandatory instruments.

14 The committees amended their Guidelines on the organization and method of work following the adoption of resolution A.1099(29) on the Application of the Strategic Plan and the High-level Action Plan of the Organization in order to accommodate the recommendation on proposals for new outputs and the identification of administrative requirements (C 117/7, paragraph 28; C 116/7, paragraph 19; C 116/8, paragraph 6; C 116/9, paragraph 15; and C 118/10/Add.1, paragraph 34).

15 Apart from addressing the specific recommendations, the committees considered other requirements that had been identified as administrative burdens in the SG-RAR report, which were under their purview. In this respect the committees agreed that no further action was necessary with regard to requirements:

- .1 relating to the work of IMO depositary (C 116/10, paragraph 24.5; C 116/7, paragraph 18.7; C 118/7, paragraph 5.3; and C 116/9, paragraph 9.5);
- .2 that had no specified recommendations or comments (C 118/7, paragraph 5.6);
- .3 identified by the SG-RAR as being similar to other requirements, having noted the conclusion of the Secretariat that each such requirement addresses distinct safety aspects (C 116/7, paragraph 18.4); and
- .4 for all remaining perceived administrative burdens (C 116/7, paragraph 18.8; and C 116/9, paragraph 10).

Completion of the monitoring of the outcome of the periodic review process and its recommendations

16 Having considered all the recommendations, the committees concluded that they had completed the work on the output on "Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments" (C 117/D, paragraphs 13.1- 13.4; C 117/7, paragraph 26; C 118/8, paragraph 22; C 116/7, paragraph 18; and C 118/7, paragraph 5).

17 Based on the foregoing iterations of the various actions taken and ongoing as part of the regular work of the committees under their relevant agenda items, it would be prudent for the Assembly to discontinue its dedicated agenda item on this subject and that any future developments will be reported through the reports of the committees, which are considered by the Assembly.