

COUNCIL
120th session
Agenda item 4

C 120/4/3
16 May 2018
Original: ENGLISH

STRATEGY, PLANNING AND REFORM

Access to information

Note by the Secretary-General

SUMMARY

Executive summary: This document explains current policies of the Organization regarding access to information held in the primary information repositories of the Secretariat (IMODOCS, GISIS and the the Maritime Knowledge Centre) and requests further clarification on certain policies in light of issues raised during A 30 and in other instances. In addition, the document seeks clarification from the Council regarding timing of media releases during IMO meetings.

Strategic direction, if applicable: Other work

Output: OW 24

Action to be taken: Paragraph 11

Related documents: C 101/4/1; C 104/4/1; C 104/D and C 105/D

Background

1 There are three main repositories of information at IMO. Those repositories, and generally, the information they contain are:

- .1 IMODOCS contains all meeting documents, including working papers and J papers for Assembly, Council, and all committees and sub-committees since 1999. Some documentation prior to 1999 is also available. IMODOCS also allows access to circular letters, circulars, treaties and their amendments and other information related to IMO meetings. Further, since 2012 through IMODOCS audio files of meetings of the Assembly, Council, committees and sub-committees are also available;
- .2 the Global Integrated Shipping Information System (GISIS) contains varied information in 41 modules, either active or under development, designed to allow Member States and the Secretariat to compile, access and disseminate

information, based on reporting requirements contained in IMO instruments, or to meet other information needs. GISIS is geared towards achieving easier fulfilment of reporting requirements and enhanced transparency, making a significant portion of the information contained therein accessible to the public; and

- .3 the Maritime Knowledge Centre (MKC) holds archives of all meeting documents, in paper form, from 1959 to 2010. In addition, the MKC holds a digital database of all meeting documents from 1959-2003, which is currently being updated to be more user-friendly. Further, the MKC holds digital copies of all resolutions of the Assembly, Council and the committees and is in the process of developing a modern, searchable database for these documents. Currently, MEPC resolutions to MEPC 71 and MSC resolutions to MSC 98 are contained in the database. All resolutions will also be searchable through the MKC online catalogue.

2 The information in these repositories is available, in varying degrees, to Member States, intergovernmental and non-governmental organizations, academic researchers, the media and the general public. The rules regarding access to information also stem from varied sources.

- .1 For IMODOCS, the Council made decisions regarding access to the information contained therein in 2008 at C 101, where it adopted the proposals of the Secretariat contained in the annex to document C 101/4/1. Those decisions are reproduced in annex 1. The Council confirmed those decisions in 2010, and expressed appreciation for the user-friendly, public-access portion of IMODOCS and the greater transparency and accountability it provided (C 104/D, paragraph 4.3 and C 105/D, paragraph 4.3);
- .2 For GISIS, modules are developed and maintained in consultation with relevant IMO bodies, as appropriate. Depending on the intent and purpose of the modules, access rights for consultation and data input are organized in compliance with the agreed underlying processes. The public has access to 24 of the 41 GISIS modules, either active or under development. When necessary, guidance on whether the information contained in a module should be made public is sought from the relevant IMO body with cognizance over the specific module. For the Member State Audit modules, a few, selected Secretariat personnel have access to all VIMSAS/IMSAS data. Member States only have full access for their own country. All others, including the public, only have access to information from Member States specifically authorizing its release; and
- .3 Access to information in the MKC is governed by internal Secretariat policy regarding access to the MKC. In general, members of the public are allowed to visit the MKC and review documents in the archives by appointment, and with the assistance of the MKC staff.¹

A summary of the current access policies used by the IMO Secretariat is contained in annex 2.

3 As the annex demonstrates, access to information by the Secretariat, Member States, Associate Members, intergovernmental organizations and non-governmental organizations is quite broad, while access by the public and the media is more limited.

¹ <http://www.imo.org/en/KnowledgeCentre/ContactsDirectory/Pages/default.aspx>

Comparison with other United Nations bodies

4 In document C 104/4/1, the Secretariat reported on the practice of other United Nations bodies with respect to access to information, and summed up its findings as follows:

"Most UN agencies provide universal access to their documentation. Documents, including reports and drafts, are publicly available on individual websites (such as FAO or UNESCO) or in dedicated sites (as is the case of the UN, with the site *Official Document System (ODS)* providing access to the UN document repository, including draft documents and reports). Sometimes registration is required, but only for statistical purposes and not for authorization (as with WMO). In the case of ITU, however, there are restrictions for accessing its documents. The ITU "Ties Account" requires username and password and gives access to, among others, Conference, Assembly and meeting documents (including contributions, working documents and reports) and ITU-T Recommendations."

5 Since that analysis was conducted by the Secretariat in 2010, the trend in other United Nations bodies has been for ever greater access to information. For example, all ILO meeting documentation, including pre-meeting documents, is now available on their public website. In the case of the United Nations, many public meetings are broadcast live (audio and video) on the UNTV website, and are also available through the UNTV archives. However, most United Nations agencies only allow access to meeting audio to authorized users, after completing a registration process, similar to IMO.

Issues raised and proposals

6 At A 30, several delegations requested that their general statements be made available to the public. Since the initiation of the audio files and cessation of summary records in 2012, transcripts of general statements at Assembly (i.e. since A 28) have not been reproduced in IMODOCS. Instead, reference is made to the audio files. Whilst documents of the Assembly have been available to the public since A 29, because of the restrictions placed on summary records as contained in document C 101/4/1, the audio files of the Assembly are not available to the public. Since Rule 12 of the Assembly Rules of Procedure states that "Plenary meetings of the Assembly shall be held in public unless the Assembly decides otherwise", it therefore follows that the audio files of the Assembly plenary sessions should be made public.

7 Documents submitted for meetings of all IMO organs are not available to the public before the meeting in question. This includes the Assembly, which is a public meeting. In the case of some Member States, domestic law or policy requires that meeting information be made available to the public prior to a meeting's commencement, in conflict with the IMO policy. The Secretariat routinely fields questions from Member States seeking guidance on the policy, to which the Secretariat responds that the documents should not be released. Despite this, in many cases, the media holds copies of the documents prior to a meeting's start. To help clarify this policy, sponsors of documents who wish to have their documents released to the public via IMODOCS prior to a meeting should be able to do so.

8 Secretariat documents could also be released to the public in advance of committee meetings, as they normally contain information that is not private. If this proposal were agreed by the Council, committees could have the ability to designate specific Secretariat documents as private in advance of meetings.

9 In adopting the recommendations of C 101/4/1 (annex 1), it was agreed that no Council documents, pre- or post-meeting, be made available to the public other than the agenda and the list of participants. However, hard-copy Council documents prior to 2010 are available in the MKC. In adopting this policy in 2008, the Council did not indicate any time after which the documents would become available to the public. Many Member States have domestic laws that make archived documents available to the public after a specific period of time has elapsed. Consideration should be given for Council documents to be made available to the public after an appropriate period of time has elapsed (for example, three years, i.e. the previous biennium).

10 The Public Information Service (PIS) of the Secretariat follows the policies of C 101/4/1 (annex 1) in making statements and releases available to the media, both pre- and post-meeting. Thus, PIS does not report on the outcomes of a committee meeting until after the meeting has concluded. All committee meetings are held in private, unless the committee decides otherwise. However, the media is authorized to attend private meetings, subject to terms and conditions, which do not preclude reporting on outcomes.² In many cases, the media reports on outcomes well before IMO press releases are issued. For example, at MEPC 72, the adoption of the GHG Initial Strategy was reported in the media approximately eight hours before the meeting ended, at which time PIS issued a release. It is proposed that the policy in C 101/4/1 (annex 1) be relaxed to allow PIS to report on outcomes, where appropriate, consistent with the prevailing news cycle.

Action requested of the Council

11 The Council is invited to note the information contained in this document and decide as appropriate, in particular to:

- .1 authorize the release of the audio files of the Assembly to the public (paragraph 6);
- .2 remove any restriction explicit or implied on sponsors of documents, so that those who wish to release their documents to the public via IMODOCS prior to a meeting to do so (paragraph 7);
- .3 authorize the release of Secretariat documents pre-meeting for committee meetings, with the ability for committees to designate specific Secretariat documents as private and non-releasable in advance (paragraph 8);
- .4 establish a time period after which Council documents are made available to the public (paragraph 9); and
- .5 authorize PIS to report on the outcome of meetings prior to the meeting's conclusion, if appropriate (paragraph 10).

² See, for example, Rules of Procedure of the MEPC, Rule 10, Media terms and conditions, <http://www.imo.org/en/MediaCentre/IMOMediaAccreditation/Pages/TermsAndConditions.aspx>

ANNEX 1

Access to Information (IMODOCS) as decided by C 101
(contained in C 101/4/1, annex)

ACCESS TO IMO DOCUMENTS VIA THE IMO PUBLIC WEBSITE

DOCUMENTS	AVAILABLE
Prior to meetings	
- Agendas	Yes
- Session documents, i.e. submissions by the Secretariat, Member States and Organizations, including reports of correspondence groups and intersessional working groups	No
During meetings	
- Working papers	No
- Draft reports	No
Post meetings	
- Session documents,* i.e. submissions by the Secretariat, Member States and Organizations and correspondence groups	Yes
- Final reports of meetings*	Yes
- Assembly resolutions	Yes
- Final lists of documents	Yes
- Final lists of participants	Yes
- Council documents and decisions	No
- Summary records	No

* Provided that there has been no decision to hold all or part of that particular session in private.

ANNEX 2

Current Access to Information Policies, Consolidated

Entity→ (Note 1) Information↓	Secretariat	Member States / Associates	NGOs / IGOs	Researchers (Interns, WMU, IMLI)	Media / Public
IMODOCS					
Assembly - Meeting Documents, (pre & post)					From A 29
Council - Meeting Documents, (pre & post-meeting)					Note 2
Committee / sub-committee, - Meeting Documents (pre-meeting)					Note 3
Committee /sub-committee - Meeting Documents, (post-meeting)					
Meeting Documents (working papers, J papers)					
Summary records (pre-2012)					
Audio files (Assembly)					
Audio files (Council)					
Audio files (Committee/SC)					
Treaties					
Resolutions					
Circulars					
Circular Letters					
Notes Verbales					
ISIS					
Public modules					
Private modules					
IMSAS results					
MKC Archives (in person)					
Resolutions					
LEGEND:	FULL ACCESS	PARTIAL ACCESS	NO ACCESS		

NOTES:

1 Member States, Associate Members, NGOs/IGOs and student researchers are given access to the secured website in accordance with Secretariat policies. The media and the public can only access IMO information through the public website, the public modules of ISIS, or by visiting the MKC. All require a registration process.

2 The public has access to past Council agendas and lists of participants as per the annex in C 101/4/1.

3 The public has access to pre-meeting agendas as per the annex in C 101/4/1.