

COUNCIL  
120th session  
Agenda item 4

C 120/4/8  
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## STRATEGY, PLANNING AND REFORM

### Comments on document C 120/4/5

Submitted by Liberia

#### SUMMARY

*Executive summary:* The current structure of the Council and eligibility for representation thereon are governed saliently by the provisions of Articles 16, 17 and 18 of Part VI of the Convention on the International Maritime Organization. From a historical perspective, whether one operates within the framework of a municipal body or the international order, a Council is inherently the recognized power base from which there can be no derogation. In this context, the framers of the constituent document that brought IMO into existence were mindful of this inextricable truism. Nonetheless, variations in configuration are introduced in response to specific organizational needs and planned objectives.

*Strategic direction, 7  
if applicable:*

*Output:* 7.8 and 7.9

*Action to be taken:* Paragraph 10

*Related documents:* C 120/4/5 and C 120/4/6

#### Introduction

1 As a co-sponsor of document C 120/4/5 (Australia et al.), Liberia is pleased to provide comments, complementary to the outlines contained therein.

#### Background

2 Pursuant to the United Nations Maritime Conference which convened in Geneva from 19 February to 6 March 1948, the Convention formally establishing IMCO (later changed to IMO on 22 May 1982) was adopted and entered into force in 1958. The new Organization met for the first time in London, from 6 to 19 January 1959; the geopolitical realities prevailing during that period determined the Organization's initial governing structure.

3 The structure of the Council into three categories under Article 17 of the Convention is as reported in paragraphs 10 through 19 of document C 120/4/5. In particular, it is noted that the three categories were introduced by the 1964 amendments to the IMCO Convention.

4 With the passage of time, however, and responding to the dynamics of changing circumstances underpinning its constitutional mandate, on 4 November 1993, the Assembly adopted resolution A.735(18) on amendments to the IMO Convention calling for an expansion in Council membership from 32 to 40. On 7 November 2002, those amendments entered into force, accordingly, expanding the size of the Council from 32 to 40 Member States.

5 In continuing considerations to address growing representational expectations, an expanded and reconstituted Council is hereby recommended to reflect and introduce a category (a) comprising Permanent Seats; the composition governing a category (b) to be determined; whereas a category (c) or (d) could be designated under the banner of Regional Rotational Representations. These innovative configurations would be regarded as highly desirable to reflect twenty-first century realities.

6 It is envisaged that pursuit of these far-reaching new directions would entail redefinition and fine-tuning of the prevailing three operative phrases deeply rooted in Article 17 of the IMO Convention, and which effectively form the touchstones of the current three categories of Council seats. Typical admission criteria governing Permanent Seats, among the range of others to be determined, could be, (i) gross registered tonnage (GRT) as the basis for percentile contributions to IMO operating budgets; (ii) ship construction industry; (iii) P-5 membership on the United Nations Security Council; (iv) host-ship provision for IMO Headquarters; (v) major global waterway in support of vessel traffic, etc. Moreover, with regard to Regional Rotational Representations, amongst the qualifying criteria to be prescribed, it is envisaged that a recommendation for representation, as a prime factor, would emanate from a regional body recognized by IMO.

7 In recognizing that the Council's role in policy-making is inherent in its constitutional mandate, it would be highly desirable if the Organization were to embark upon and adopt a policy designed to strengthen and promote staff career development, underpinned by a succession planning mechanism. It is envisaged that the output would boost morale, uplift and expand productivity in the Secretariat's short and long-term interests and demands as specified in paragraph 9 of document C 120/4/5.

8 The recommendation to extend tenures on Council seats from two to four years is hereby fully supported (paragraph 3.3 and paragraphs 20 to 23 of document C 120/4/5 refer).

9 Inasmuch as IMO is an international deliberative body whose constitutional mandate focuses on regulating global maritime transport standards, its 174 Member States, including stakeholders, are recognized as interactively engaged. With regard to derived entitled documentation, treaty series and associated electronic versions are evidently made available to stakeholders where applicable. However, owing to production costs and allocation of intakes (derived from IMO publication sales) toward designated project support, it would be impractical to disseminate publications free-of-charge (paragraph 28 of document C 120/4/5 refers).

### **Action requested of the Council**

10 The Council is invited to establish a working group at its 121st session to consider the foregoing proposals and recommendations.