



COUNCIL
24th extraordinary session
15-16 November 2007

C/ES.24/D
16 November 2007
Original: ENGLISH

SUMMARY OF DECISIONS

Table of Contents

Agenda item	Page No.
GENERAL	3
INVITATION TO NON-MEMBERS OF THE COUNCIL TO ATTEND THE SESSION [Text for this item will follow in C/ES.24/D/Add.1]	
1 ADOPTION OF THE AGENDA	3
2 REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS [Text for this item will follow in C/ES.24/D/Add.1]	
3 STRATEGY AND PLANNING	3
(a) Monitoring of performance	3
(b) Risk management	4
4 PROGRAMME FOR CHANGE	5
(a) Organizational reforms	5
(b) HQ building refurbishment	5
5 RESOURCE MANAGEMENT	5
(a) Personnel matters, including amendments, if any, to the Staff Regulations and Staff Rules	5
(b) Report on arrears of contributions and of advances to the Working Capital Fund and on the implementation of Article 56 of the IMO Convention	6

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Agenda item	Page No.
(c) Consideration of requests by Members, if any, for waiver of the application of Article 56 of the IMO Convention	6
(d) Budget considerations for 2007	7
6 PROGRAMME BUDGET FOR THE TWENTY-FIFTH FINANCIAL PERIOD 2008-2009: DEVELOPMENTS SINCE THE NINETY-EIGHTH SESSION OF THE COUNCIL	8
7 PROTECTION OF VITAL SHIPPING LANES	10

GENERAL

The twenty-fourth extraordinary session of the Council was held on 15 and 16 November 2007, under the Chairmanship of Mr. J. Franson (Sweden). The Vice-Chairman, Mr. D. Ntuli (South Africa), was also present.

Reference document: C/ES.24/SR.1

1 ADOPTION OF THE AGENDA (agenda item 1)

1.1 The Council adopted the agenda and proposed timetable contained in document C/ES.24/1/Rev.1; and noted the annotations to the agenda contained in document C/ES.24/1/1.

Reference documents: C/ES.24/1/Rev.1; C/ES.24/1/1; C/ES.24/SR.1

3 STRATEGY AND PLANNING (agenda item 3)

(a) Monitoring of performance (agenda item 3(a))

3(a).1 The Council noted the information set out in document C/ES.24/3(a), as well as that provided orally by the Chairman of the *ad hoc* Council Working Group on the Organization's Strategic Plan, and the Secretary-General, on the outcome of the Working Group's seventh session (24 to 26 September 2007).

3(a).2 In particular, the Council:

- (i) noted the Working Group's discussions on the Strategic Plan, the High-Level Action Plan, its analysis of data on the performance indicators, its future work programme and other matters; and endorsed its related recommendations* for necessary action, as applicable, by all IMO organs;
- (ii) approved, as amended, the updated Strategic Plan for the Organization (for the six-year period 2008 to 2013), together with an associated draft Assembly resolution; and agreed to forward them to the twenty-fifth regular session of the Assembly for adoption;
- (iii) approved, as amended, the updated High-Level Action Plan of the Organization and priorities for the 2008-2009 biennium, together with an associated draft

* With regard to the recommendation that the Council establish a correspondence group to develop guidelines on the application of the Strategic Plan and the High-Level Action Plan (paragraph 29.2 of the annex to document C/ES.24/3(a)), the contact details of the co-ordinator are:

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Assembly resolution; and agreed to forward them to the twenty-fifth regular session of the Assembly for adoption;

- (iv) approved the report in general;
- (v) expressed appreciation to Lloyd's Register of Shipping for hosting the meeting and for its generous hospitality throughout the session; and
- (vi) thanked the Chairman and members of the Working Group, and the Secretary-General and the Secretariat, for the successful outcome of the Group's seventh session.

Reference documents: C/ES.24/3(a); C 98/D, paragraphs 3(a).1 to 3(a).4; C 98/3(a), resolutions A.970(24) and A.971(24); C/ES.24/SR.1

(b) Risk management (agenda item 3(b))

3(b).1 The Council noted the information set out in document C/ES.24/3(b), as well as that provided orally by the Chairman of the Council Risk Review, Management and Reporting Working Group, and the Secretary-General, on the outcome of the Working Group's second session (27 and 28 September 2007).

3(b).2 In particular, the Council:

- (i) noted the updated draft risk management process for the Organization, as set out at appendix 1 of the annex to document C/ES.24/3(b);
- (ii) noted the Working Group's future work programme, which had previously been agreed by the Council and, in particular:
 - the terms of reference for the reconvened Intersessional Correspondence Group^{*}, to develop further the Risk Management Framework; and
 - the proposed holding of the third session of the Working Group, possibly in April 2008, to finalize the Risk Management Framework;
- (iii) approved the Working Group's report in general;
- (iv) expressed appreciation to Lloyd's Register of Shipping for hosting the meeting and for its generous hospitality throughout the session; and

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- (v) thanked the Chairman and members of the Working Group, and the Secretary-General and the Secretariat, for the continued good progress during the Group's second session, which lays a solid foundation for future work in this important area.

Reference documents: C/ES.24/3(b); C 98/D, paragraphs 3(b).1 to 3(b).4; C 98/3(b); C/ES.24/SR.1

4 PROGRAMME FOR CHANGE (agenda item 4)

(a) Organizational reforms (agenda item 4(a))

4(a).1 The Council noted the information set out in document C/ES.24/4(a), as well as that provided orally by the Secretary-General, on the Organization's progress towards implementation of the International Public Sector Accounting Standards (IPSAS).

Reference documents: C/ES.24/4(a); C 98/4(a); C 97/4(a); C 96/14(b) C 96/4(a); C 90/13/Add.1; C 89/11/Add.2; C/ES.24/SR.1

(b) HQ building refurbishment (agenda item 4(b))

4(b).1 The Council noted the information set out in document C/ES.24/4(b), as well as that provided orally by the Secretary-General and representative of the United Kingdom, on the Headquarters building refurbishment.

4(b).2 In particular, the Council noted:

- (i) the progress of the works under Phases 1 and 2;
- (ii) the revised contract completion date of 31 March 2008; and
- (iii) the contingent arrangements made for the holding of COMSAR 12.

4(b).3 The Council expressed appreciation to the Host Government, the Secretary-General and the Secretariat for the work done to date and urged all involved to ensure that the revised completion date was duly met.

Reference documents: C/ES.24/4(b); C 98/D; C 98/4(b); C 97/D; C 97/4(b); C 96/D; C 96/4(b); C/ES.23/D; C 94/D; C/ES.24/SR.1

5 RESOURCE MANAGEMENT (agenda item 5)

(a) Personnel matters, including amendments, if any, to the Staff Regulations and the Staff Rules (agenda item 5(a))

5(a).1 The Council noted the information set out in document C/ES.24/5(a) and its addendum, as well as that provided by the Secretary-General, and approved the implementation of the decisions of the United Nations General Assembly, with respect to the recommendations in the 2007 report of the International Civil Service Commission, with effect from the dates determined by the General Assembly.

5(a).2 The Council:

- (i) noted the information set out in document C/ES.24/5(a)/1, as well as that provided orally by the Secretary-General, on staff movements and promotions, the recruitment of women and the geographical movement of staff as at 31 August 2007; and
- (ii) instructed the Secretariat to review the tables in the annex to the document with a view to enhancing their clarity of presentation at future sessions.

Reference documents: C/ES.24/5(a) and Add.1; C/ES.24/5(a)/1; C/ES.24/5(d); C/ES.24/SR.1

(b) Report on arrears of contributions and of advances to the Working Capital Fund and on the implementation of Article 56 of the IMO Convention (agenda item 5(b))

5(b).1 The Council noted the information set out in document C/ES.24/5(b) and its addenda, as well as that provided orally by the Secretary-General, reporting on arrears of contributions and of advances to the Working Capital Fund, and on the implementation of Article 56 of the IMO Convention.

5(b).2 In particular, the Council:

- (i) commended the Secretary-General for his continuing strenuous efforts to improve the Organization's financial position; urged all Member States to fulfil their financial obligations; and reiterated its firm stance on the strict enforcement of Article 56 of the IMO Convention;
- (ii) recommended that the Assembly, at its forthcoming session, adopt the draft resolution annexed to document C/ES.24/5(b)/Add.2, as an expression of the importance of timely contributions and the risks from the late payment of contributions;
- (iii) noted the contribution position of those Member States, which had been granted a waiver of the application of Article 56*bis* at the twenty-fourth session of the Assembly; and welcomed the efforts made by those Member States, which had discharged their obligations; and
- (iv) welcomed the payments made by those Member States, had not been granted a waiver.

Reference documents: C/ES.24/5(b) and Add.1-3; C 98/5(d) and Add.1-2; C/ES.24/SR.1

(c) Consideration of requests by Members, if any, for waiver of the application of Article 56 of the IMO Convention (agenda item 5(c))

5(c).1 The Council noted the information set out in document C/ES.24/5(c), as well as that provided orally by the Secretary-General, on the consideration of requests by Members for waiver of the application of Article 56 of the IMO Convention.

5(c).2 The Council recommended to the Assembly not to waive the application of Article 56 of the IMO Convention for: the Kingdom of Cambodia, the Republic of Cape Verde, the Republic of the Congo, the Democratic Republic of Congo, the Republic of Côte d'Ivoire, the Republic of Djibouti, the Republic of Equatorial Guinea, the Republic of Guinea-Bissau, the Republic of Haiti, the Republic of Iraq, the Republic of Madagascar, the Republic of Malawi, the Islamic Republic of Mauritania, the Republic of Namibia, the Republic of Nicaragua, the Republic of Paraguay, the Democratic Republic of Sao Tome and Principe, the Republic of Serbia, Solomon Islands, the Somali Republic, the former Yugoslav Republic of Macedonia, the Togolese Republic, Turkmenistan and the Republic of Zimbabwe.

5(c).3 The Council strongly encouraged the Kingdom of Cambodia, the Republic of Cape Verde, the Republic of Madagascar and the former Yugoslav Republic of Macedonia to pay the small amounts outstanding for 2006, so that there would be no question of the application of Article 56 and Rule 56*bis* as far as they were concerned and, consequently, they would regain the right to vote.

Reference documents: C/ES.24/5(c); C/ES.24/5(b) and Add.1-3; C 93/9(c)/Add.1; C/ES.24/SR.1

(d) Budget considerations for 2007 (agenda item 5(d))

5(d).1 The Council noted the information set out in document C/ES.24/5(d), as well as that provided orally by the Secretary-General, on budget considerations for 2007.

5(d).2 In particular, the Council:

- (i) noted the Secretary-General's review of the external pay and price factors;
- (ii) noted the forecast outturn level of the regular budget expenditure for 2007, which was assessed to be controlled within the approved appropriation for 2007;
- (iii) authorized the Secretary-General to make, as and when necessary, timely transfers between Major Programmes to the extent that balances are available to cover or reduce deficits in programme appropriation balances, in accordance with the Organization's Financial Regulations;
- (iv) noted the forecast level of the year-end cash surplus of the General Fund;
- (v) welcomed the higher-than-expected revenue in the Printing Fund for 2007 and the consequential improvement of the in-year surplus available for transfers for 2008, as mandated by the Assembly;
- (vi) noted the expenditure status of the Headquarters Capital Fund and its forecast year-end fund balance;
- (vii) noted the forecast expenditure level for 2007 in the Termination Benefit Fund and the Secretary-General's plan to carry out the approved transfers, as and when necessary;
- (viii) noted the forecast year-end status for 2007 of the Training and Development Fund;

- (ix) noted the forecast year-end status for 2007 of the Technical Co-operation Fund; and
- (x) noted the status of extra-budgetary programmes for 2007 and the establishment of a Research and Development Fund.

Reference documents: C/ES.24/5(d); C 98/5(e); C 97/5(c); resolution A.969(24); C/ES.24/SR.2

6 PROGRAMME BUDGET FOR THE TWENTY-FIFTH FINANCIAL PERIOD 2008-2009: DEVELOPMENTS SINCE THE NINETY-EIGHTH SESSION OF THE COUNCIL (agenda item 6)

6.1 The Council noted the information set out in document C/ES.24/6, as well as that provided orally by the Secretary-General, on developments since the ninety-eighth session of the Council regarding the programme budget for the twenty-fifth financial period 2008-2009.

6.2 The Council expressed its solid support for the Secretary-General's revised budget proposals, as set out in the document, and recommended their adoption to the forthcoming session of the Assembly.

6.3 With regard to the regular budget, the Council:

- (i) approved an appropriation for 2008-2009 of £54,669,300, comprising an appropriation of £26,799,300 for 2008 and an appropriation of £27,870,000 for 2009;
- (ii) agreed to the financing of the appropriations by assessment upon Member States of £24,391,300 for 2008 and £25,436,100 for 2009, after deducting:
 - direct and indirect costs to be recovered for publishing activities from the Printing Fund of £987,000 in 2008 and £1,012,900 in 2009;
 - transfers from the reserves of the Printing Fund of £500,000 in 2008 and £500,000 in 2009;
 - miscellaneous income including catering of £721,000 for 2008 and £721,000 for 2009; and
 - reimbursement of support costs for administrative and technical backstopping of technical co-operation activities of £200,000 in 2008 and £200,000 in 2009;
- (iii) endorsed the list of proposed posts for 2008-2009; and
- (iv) agreed to the number of meeting-weeks of 38.4, comprising 19.8 meeting-weeks for 2008 and 18.6 meeting-weeks for 2009.

6.4 With regard to the other Funds of the Organization, the Council:

- (i) approved the proposed budget for the Printing Fund of £4,072,200 for 2008 and £4,246,500 for 2009;
- (ii) approved the proposed budget for the Headquarters Capital Fund of £2,742,700 for 2008 and £1,561,600 for 2009;
- (iii) approved the proposed budget for the Termination Benefit Fund of £777,600 for 2008 and £690,800 for 2009; and
- (iv) approved the proposed budget for the Training and Development Fund of £97,800 for 2008 and £91,600 for 2009.

6.5 With regard to transfers, the Council:

- (i) approved transfers from the surplus of the Printing Fund to the Technical Co-operation Fund of indicative amounts of £3,439,800 in 2008 and £3,259,400 in 2009;
- (ii) approved transfers to the Headquarters Capital Fund from:
 - the surplus of the Printing Fund of indicative amounts of £688,000 in 2008 and £651,900 in 2009;
 - the reserves of the Printing Fund of £1,500,000 in 2008, and
 - the cash surplus of the General Fund of £920,000 in 2008;
- (iii) approved transfers to the Termination Benefit Fund from:
 - the surplus of the Printing Fund of indicative amounts of £389,800 in 2008 and £369,400 in 2009; and
 - the cash surplus of the General Fund of £1,000,000 in 2008; and
- (iv) approved transfers from the surplus of the Printing Fund to the Training and Development Fund of indicative amounts of £68,800 in 2008 and £65,200 in 2009.

6.6 The Council noted the review of the financial impact of the closure of the Organization's Production Unit.

6.7 The Council noted the projection of longer-term financial requirements to sustain the Organization's Funds' programmes up to 2013, including the Printing Fund, the Headquarters Capital Fund, the Termination Benefit Fund, the Training and Development Fund and the Technical Co-operation Fund.

6.8 The Council decided to recommend to the Assembly approval of the above-mentioned proposals, as reflected in the draft Assembly resolution attached at annex 7 to document C ES.24/6, as amended, and agreed to forward it to the Assembly for adoption.

6.9 The Council expressed its appreciation to the Government of the Kingdom of Saudi Arabia for its donation of US\$20,000 to the Technical Co-operation Fund and US\$30,000 to the International Maritime Security Trust Fund.

6.10 In conclusion, the Council expressed its appreciation to the Secretary-General for the transparency of his revised proposals and for successfully balancing the budgetary concerns of the Membership with the demands of the Organization's work programme.

Reference documents: C/ES.24/6; C/ES.24/5(d); C 98/D; C 98/6; C/ES.24/SR.2

7 PROTECTION OF VITAL SHIPPING LANES (agenda item 7)

7.1 The Council noted the information set out in document C/ES.24/7, as well as that provided orally by the Secretary-General, and by the delegations of Indonesia, Malaysia and Singapore, regarding the protection of vital shipping lanes, in general and issues pertaining to safety of navigation, security and environmental protection in the Straits of Malacca and Singapore, in particular.

7.2 In particular, the Council:

- (i) expressed its appreciation to Singapore for hosting the most recent Meeting on the Straits of Malacca and Singapore and to the littoral States of Indonesia, Malaysia and Singapore for their co-operation and support;
- (ii) also expressed its appreciation to the States, intergovernmental and non-governmental organizations, which sent representatives to the Singapore Meeting and for their contributions to the proceedings and the successful conclusion of the Meeting;
- (iii) further expressed its appreciation to the Secretary-General and his staff for their efforts in organizing, convening and assisting in the running of the Singapore Meeting;
- (iv) noted, with satisfaction, the adoption of the Singapore Statement on Enhancement of Safety, Security and Environmental Protection in the Straits of Malacca and Singapore;
- (v) noted, in particular, the elements of the Singapore Statement relating to the measures the littoral States have already taken in an effort to enhance safety, security and environmental protection in the Straits of Malacca and Singapore and the further actions they contemplate to take in this respect;
- (vi) agreed that the Organization should contribute to the implementation of the Co-operative Mechanism established by the littoral States; and

- (vii) authorized the Secretary-General to provide, within the Organization's co-operation with the littoral States, every assistance possible in attracting sponsors for the projects presented during the Kuala Lumpur Meeting, including promoting financial contributions for the establishment, maintenance, repair and replacement of aids to navigation in the Straits of Malacca and Singapore.

7.3 The Council thanked the Secretary-General for his initiative and re-affirmed its mandate to him 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/ES.24/7; C 97/12; C 97/D, paragraph 12.3(ii); C/ES.24/SR.2

[more to follow in C/ES.24/D/Add.1]
