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COUNCIL – 96th session

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## SUMMARY RECORD OF THE FOURTH MEETING

**held at IMO Headquarters, 4 Albert Embankment, London SE1 7SR  
on Tuesday, 20 June 2006 at 2.30 p.m.**

Chairman: Mr. J. FRANSON (Sweden)  
Vice-Chairman: Mr. D. NTULI (South Africa)  
Secretary-General: Mr. E. E. MITROPOULOS

A list of participants is given in document C 96/INF.1.

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**AGENDA ITEM 9 – CONSIDERATION OF THE REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE (C 96/9 and MEPC 54/21)**

Mr. CHRYSOSTOMOU (Cyprus), speaking as Chairman of the Marine Environment Protection Committee, said that the fifty-fourth session of the Committee, held from 20 to 24 March 2006, had been attended by 88 Member States, one Associate Member, three United Nations agencies, six intergovernmental and 29 non-governmental organizations. The report of the session was summarized in document C 96/9 and the full report of the meeting was contained in document MEPC 54/21. The Committee had made significant progress on all the substantive items on its agenda.

The Committee had adopted, by resolution MEPC.141(54), amendments to the revised MARPOL Annex I, namely amendments to regulation 1 on the definition of oil tanker age groups, the addition of regulation 12A on oil fuel tank protection, consequential amendments to the IOPP Certificate and amendments to regulation 21 on the prevention of oil pollution from oil tankers carrying heavy grade oil as cargo; it had also adopted, by resolution MEPC.143(54), amendments to MARPOL Annex IV, consisting of the addition of regulation 13 on port State control. The amendments to MARPOL Annexes I and IV were expected to enter into force on 1 August 2007 once deemed as accepted on 1 February 2007.

The Committee had adopted, by resolution MEPC.144(54), amendments to the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code). The amendments, which had been adopted as a consequence of the revised MARPOL Annex II and the amended IBC Code, were expected to enter into force on 1 August 2007 once deemed as accepted on 1 February 2007. In that connection, the Committee had adopted resolution MEPC.145(54) on “Early and effective application of the amendments to the BCH Code”, inviting Parties to the MARPOL Convention to consider their application, as soon as practicably possible, to ships entitled to fly their flag, taking into account that the revised MARPOL Annex II and the amended IBC Code were expected to enter into force on 1 January 2007.

With regard to harmful aquatic organisms in ballast water, the Committee had made further progress on the development of the guidelines called for under the Ballast Water Management (BWM) Convention and adopted, by resolution MEPC.140(54), the *Guidelines for approval and oversight of prototype ballast water treatment technology programmes (G10)*.

The Committee had noted that the Secretariat had worked with the GESAMP Inter-Secretariat and established the GESAMP Ballast Water Working Group to review the proposals for approval of ballast water management systems that made use of Active Substances, and that the working group had held its first meeting in January 2006 and reviewed two proposals submitted by Germany and the Republic of Korea.

The Committee had endorsed the recommendation of the first meeting of the working group to give basic approval to both proposals, namely Paraclean Ocean by Germany and Electro Clean System by the Republic of Korea. With a view to minimizing risks to ship, crew and the environment, the Committee invited the flag State administrations involved to authorize on-board testing only when the concerns identified in the working group’s report had been addressed to their complete satisfaction.

The Committee had noted that the next meeting of the working group would consider in chronological order of their submission two, or at most three, dossiers. The GESAMP Ballast Water Working Group had met from 22 to 26 May 2006 and reviewed three application dossiers submitted by Japan, the Republic of Korea and Sweden. The report of the working group would be circulated as an MEPC 55 document and the Committee would be invited to take it into account when deciding on basic approval for those three proposals.

The Committee had decided to re-establish the review group at MEPC 55 to conduct a further examination of appropriate technologies in accordance with regulation D-5 of the BWM Convention.

With regard to ship recycling, the Committee had recalled that the Assembly, by resolution A.981(24), had requested it to develop a new legally binding instrument on ship recycling and to work towards completion of the new instrument in time for its adoption in the 2008-2009 biennium. The Committee had agreed that the new instrument should cover the following: the design, construction, operation and preparation of ships, so as to facilitate safe and environmentally sound recycling without compromising the safety and operational efficiency of ships; the operation of ship recycling facilities in a safe and environmentally sound manner; and the establishment of an appropriate enforcement mechanism for ship recycling. The Committee, through a working group, had made significant progress in the development of the draft legal instrument.

The Committee had prepared a provisional work plan and a timetable and decided to establish an intersessional correspondence group with clear terms of reference, so that a more fully developed text of the draft legal instrument could be submitted to MEPC 55 for consideration. That was the only intersessional correspondence group established by MEPC 54, taking into account the limited resources of small delegations, although the guidelines for the Committees allowed a maximum of three correspondence groups.

The Committee had considered the report of the second meeting of the Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping. The views of the joint working group had been taken into account by the Committee in the development of the draft legal instrument. The Committee had agreed to continue co-operation with ILO and the Basel Convention on ship scrapping.

With regard to the prevention of air pollution from ships, the Committee, with a view to promoting the effective implementation of MARPOL Annex VI which had entered into force on 19 May 2005, had approved two MEPC circulars: MEPC.1/Circ.508 on "Bunker Delivery Note and Fuel Oil Sampling", which aimed to clarify how to comply with regulation 18 of MARPOL Annex VI, and MEPC.1/Circ.509 on "Notification to the Organization on ports or terminals where volatile organic compound (VOC) emissions are to be regulated", which invited Parties to MARPOL Annex VI to inform the Organization of their intention to introduce requirements for the use of vapour emission control systems for circulation to all parties concerned.

In respect of the review of MARPOL Annex VI and the NOx Technical Code, the Committee had noted that the review was to take into account current technology and the need to further reduce air pollution from ships, with the BLG Sub-Committee reporting progress to MEPC 55 for appropriate action.

The Committee had considered follow-up actions to resolution A.963(23) on *IMO policies and practices related to reduction of greenhouse gas (GHG) emissions from ships*. While noting that the approval by MEPC 53 of the “Interim Guidelines for Voluntary Ship CO<sub>2</sub> Emission Indexing for Use in Trials” represented a follow-up action to resolution A.963(23), the Committee had agreed that there was a need to identify and develop the mechanism, or mechanisms, necessary to achieve limitation or reduction of GHG emissions from ships. The Committee had agreed to co-operate with other relevant United Nations bodies on the matter.

The Committee had noted from an oral report by the chairman of the Working Group on Air Pollution that the working group had agreed to a “draft work plan to identify and develop the mechanisms needed to achieve the limitation or reduction of GHG emission from international shipping”, which would be submitted by the chairman of the working group to MEPC 55 for consideration.

With regard to the identification and protection of Special Areas the Committee, having considered a proposal submitted by South Africa for the designation of the Southern South African Sea as a Special Area under MARPOL Annex I, had approved draft amendments to MARPOL Annex I on the proposed Special Area for circulation, with a view to adoption at MEPC 55. With regard to the identification and protection of Particularly Sensitive Sea Areas the Committee, with a view to assisting the strict application of the revised PSSA Guidelines, had approved a revised guidance document for submitting PSSA proposals to IMO, which had been issued as MEPC.1/Circ.510. The Committee had also approved a uniform format of the relevant MEPC resolution regarding designation of PSSAs in the future.

With regard to proposed amendments to mandatory instruments, in addition to its approval of the proposed amendments to MARPOL Annex I concerning designation of the Southern South African Sea as a Special Area, the Committee had approved the proposed amendments to MARPOL Annex III (revised Annex III) and to the Condition Assessment Scheme (CAS) concerning change of flag during CAS surveys, for circulation with a view to adoption at MEPC 55.

The Committee had considered the proposed amendments to the list of substances contained in Article 1 of the 1973 Intervention Protocol, prepared by DSC 10. Recognizing that the Protocol also referred to noxious liquid substances as defined by MARPOL Annex II, the Committee had requested BLG 10 to review the proposed amendments, with a view to approval by MEPC 55 and adoption by MEPC 56.

With a view to clarifying some requirements of the MARPOL Convention and to promoting their implementation, the Committee had approved a number of unified interpretations, guidelines and circulars, which were specified in paragraphs 28 to 31 of document C 96/9.

With regard to its agenda item on implementation of the OPRC Convention and Protocol and relevant Conference resolutions, the Committee had reviewed the draft “Guidance document on planning and response to chemical releases in the marine environment” and had agreed to consider the finalized text at MEPC 55 with a view to approval. The Committee had noted the work done in developing the draft “Manual on oil spill risk evaluation and assessment of response preparedness”, the revised draft “IMO/UNEP Manual on the assessment and restoration of environmental damage following marine oil spills”, and the development of two introductory courses on preparedness for, and response to, HNS incidents.

The Committee had noted the introduction of an IMO website providing information on preparedness and response to marine oil spills and had approved the content and structure of a website providing information and assistance for HNS incidents.

With regard to the work of other bodies, the Committee had noted that the UN General Assembly, in resolution A/RES/60/30, had invited it to initiate a review of MARPOL Annex V and to assess its effectiveness in addressing sea-based sources of marine debris. In response, the Committee had invited delegations to submit proposals.

He drew attention to the GESAMP/EHS Working Group and, in acknowledgement of its importance as an independent source of expertise in relation to MARPOL Annex II and the IBC Code, invited the Council to note that, following the working group's meeting in February 2006, the "Composite List of Hazard Profiles" had been substantially completed and had been issued as BLG/Circ.16. However, a second meeting of the working group had been necessary in June 2006 in order to complete the work before 1 January 2007, the entry into force date of the revised IBC Code. The Committee had noted that IMO had funded the regular annual meeting of the GESAMP/EHS Working Group in February 2006. However, as there had been no budgetary allocation for another meeting in 2006, the Committee had appealed to interested parties to fund the additional meeting, the cost of which was in the region of £35,000.

A number of delegations had expressed the view that entities submitting their cargoes for evaluation should contribute to the funding of the GESAMP/EHS Working Group, since the evaluations it carried out under the global system enabled those entities to enjoy the benefit of having ships regulated by the Organization to carry their cargoes. That would be in line with the way in which the GESAMP Ballast Water Working Group was funded. The Committee had suggested that, in the absence of funding from donors, and subject to the financial rules of the Organization, the meeting should be funded by the budgetary allocation for the GESAMP/EHS regular meeting in 2007. The Committee had agreed to inform the Council of the difficulty in financing GESAMP/EHS meetings and that a long-term funding solution needed to be found which should involve those cargo interests, namely those product manufacturers that benefited directly from the group's work. The outcome of the Committee's deliberations on the matter would be brought to the attention of the Council for action as appropriate.

With reference to the discussion that had taken place at the twenty-fourth regular session of the Assembly concerning the entry into force on 1 January 2007 of the revised MARPOL Annex II and the IBC Code, the Committee had confirmed its previous decisions on the matter.

With regard to the Organization's strategic plan, high-level action plan and priorities, the Committee had noted the adoption by the twenty-fourth session of the Assembly of resolution A.970(24), which set out the Organization's mission statement, as well as trends, developments and challenges, strategic directions and related performance indicators. The Assembly had also adopted resolution A.971(24), replacing the previous long-term work plan of the Organization with high-level actions related to the directions of the Strategic Plan for the Organization and the consequent planned output of the Committees during the current biennium. The Committee had noted the request of the Assembly and agreed to act accordingly.

The Committee had agreed, subject to the approval of the Council, to hold intersessional meetings of the following working groups: the BLG Working Group on the Revision of MARPOL Annex VI and the NO<sub>x</sub> Technical Code to be held in 2006, which should report to BLG 11 (April 2007); the ESPH Working Group (ESPH 12) to be held in September 2006, which should report directly to MEPC 55 (October 2006) on items identified by BLG 10; and the OPRC-HNS Technical Group to be held during the week prior to MEPC 55 in October 2006, which should report to MEPC 55.

He welcomed the fact that all MARPOL annexes were currently in force. Unfortunately, other conventions of significance to environmental protection had not been ratified and he asked the Members of the Council to do their utmost to ensure that those conventions came into force as soon as possible, taking into consideration that some had been pending for years.

The Committee's outcome on other items, such as reports of sub-committees, work of other bodies including the outcome of various United Nations meetings, port reception facilities, operational problems affecting waste-oil management in machinery spaces of ships, development of databases concerning the MARPOL Convention and the CAS, and the technical co-operation sub-programme for the protection of the marine environment, were also summarized in document C 96/9. The action requested of the Council was summarized in paragraph 54 of document C 96/9.

The SECRETARY-GENERAL recalled the landmark decision made by the Assembly in December 2005 requesting the MEPC to develop as a high priority a new instrument on ship recycling, with a view to providing a legally-binding and globally applicable regulatory regime on the matter. In response to that request, Member Governments, international organizations and the industry had acted swiftly and several substantive documents had been submitted to MEPC 54, all providing positive input towards the proposed legal instrument. The Committee had debated the matter extensively and made significant progress. The draft instrument was intended to provide regulations to facilitate safe and environmentally-sound ship recycling, not excluding the design, construction, operation and recycling preparation of ships, the operation of ship recycling facilities, and the establishment of an appropriate enforcement mechanism.

The new draft instrument was expected to be completed in time for consideration and adoption by a conference in the 2008-2009 biennium, a task which would only be achievable if all interested parties worked together to overcome any identified difficulties. Since ILO and the Basel Convention also had respective roles to play in relation to ship recycling, continuous co-operation among the three organizations was needed, so as to avoid duplication of effort and overlapping.

At the same time, the Organization should proceed vigorously to draft a new instrument whose clarity and transparency avoided any uncertainty or even disagreement regarding how the new international instrument on ship recycling should be developed. Because of the need to produce an instrument that would respond to a variety of requirements concerning the safety of ships and seafarers, the protection of the environment, and the health of workers engaged in the recycling industry, the Organization should act in a well-balanced manner to ensure that the delicate process was nurtured carefully by all responsible parties, sharing a common vision and aim on the issue.

He stressed the importance of bringing the BWM Convention into force as soon as possible. The prompt action by the Governments of Maldives, Nigeria, Saint Kitts and Nevis, Spain, the Syrian Arab Republic and Tuvalu to ratify the convention was greatly appreciated, but it was not enough, and many more ratifications would be needed before the introduction of standards under the Convention began to yield tangible benefits.

The MEPC had made significant progress on the development of associated implementation guidelines, five of which had been adopted by MEPC 53 and one by MEPC 54, while six others were due to be considered for adoption by MEPC 55 in October 2006. Such guidelines would certainly facilitate a better understanding of the BWM Convention requirements and encourage more Member Governments to ratify the convention, eventually accelerating its entry into force.

With regard to the prevention of air pollution from ships and MEPC's work on follow-up actions to resolution A.963(23) on *IMO policy and practices related to the reduction of greenhouse gas emissions from ships*, he hoped that the Committee would soon be able to develop the necessary mechanisms to reduce such emissions, thus demonstrating the Organization's commitment to achieve progress on such an important matter.

The entry into force of MARPOL Annex VI on 19 May 2005 had been a noteworthy event, and its global implementation would help to reduce air pollution from the ships already regulated under MARPOL, including emissions of ozone-depleting substances such as NO<sub>x</sub>, SO<sub>x</sub> and VOCs.

The MEPC, through the BLG Sub-Committee, had started a review of MARPOL Annex VI and the NO<sub>x</sub> Technical Code to take account of current technology. He thanked the Government of Norway for offering to host an *ad hoc* intersessional meeting in Oslo in November 2006.

The review of MARPOL Annex VI was of utmost importance, not only to IMO but also to the shipping industry as a whole, which would then be in a good position to demonstrate its real concern about, and commitment to, minimization of air pollution. As countries took steps to reduce land-based sources of air pollution, and as global trade continued to increase, the relative amount of harmful emissions from ships would increase. Given that a significant portion of ship emissions occurred along coastlines and that the emissions travelled over much greater distances than previously thought, the situation might be more serious than previously estimated. Some emissions from ships, such as particulate matter, had not yet been addressed by the current MARPOL Annex VI, but it could not be denied that they had an adverse impact on the environment and human health – they should be taken seriously and regulated in any revised version of Annex VI.

He hoped that, for the lasting benefit of human and environmental health, the Organization would be able to meet the expectations of society by setting the highest practicable standards in the revised Annex VI, sufficient to reduce further any harmful impact emanating from ship emissions, prevent the adoption of different national or regional legislation, and thus maintain IMO's position as the primary forum for regulation of international shipping.

Regarding the entry into force of the revised MARPOL Annex II and IBC Code, the Secretariat would issue, after 1 July, a circular letter to summarize the principal points of the revision process for those two instruments in relation to the carriage of bulk chemicals. Thus, all stakeholders would be aware of their obligations as from 1 January 2007, when both were expected to enter into force.

In that context, a long-term funding solution for GESAMP/EHS meetings needed to be found, and he noted that the MEPC had agreed to consider, at its next session, a solution which might be based on a "producer-pays" principle, namely that the manufacturers of products benefiting from the work of the GESAMP/EHS Working Group should cover the costs.

On the subject of promoting effective implementation of the requirements under the MARPOL Convention and related instruments, he trusted that the Council would appreciate the initiative taken by the Secretariat in creating an Internet-based port reception facility database as a module of the IMO Global Integrated Shipping Information System, GISIS. The database, which had gone live to the public in March 2006, contained all information collected by IMO on port reception facilities for ship-generated wastes. It was designed to allow Member States to update it via a log-in password, and to allow the public access on a view-only basis.



Another noteworthy initiative of the Secretariat had been the creation of a further Internet-based database of all the information available to IMO regarding shipboard pollution prevention equipment, including information on oily-water separators and oil discharge monitors.

The slow pace of ratification of IMO instruments aimed at protecting and preserving the marine environment from all kinds of pollution gave rise to concern. Although shipping activities were responsible for only a small percentage of such pollution, the Organization should not rest until the ultimate goal sought by those instruments had been achieved. That process started at IMO with the development and adoption of mandatory standards, codes and guidelines. The next two steps, bringing those standards into force and, thereafter, ensuring their wide and effective implementation, were the responsibility of governments, the same governments that tirelessly and laboriously drafted and sanctioned the standards IMO adopted. They, together with the industry, had every good reason to act in all respects to ensure that the reported slow destruction of the planet was brought to a halt, and that an environment was created which was so clean and healthy that there would be no shame in passing it on to future generations. IMO's environmental credentials were high and improving, but that was not enough, and no effort should be spared to ensure that the credentials of those that contributed to that situation were also brought to the highest possible level. Showing a genuine concern to protect and preserve the marine environment presented an unmissable opportunity for the shipping industry to demonstrate that it took its social responsibilities seriously. He was confident that the Council would direct the membership as necessary on that crucial aspect of the exercise – time was at a premium.

Implementation of the Marine Electronic Highway Demonstration Project by IMO in the Straits of Malacca and Singapore, with GEF/World Bank funding, had been approved by the World Bank board on 13 June 2006. Two grants had been agreed for the project: one had been assigned to the Republic of Indonesia for procurement of the necessary maritime safety equipment and the other was for IMO, to implement the regional component. The previous day the Director of the Marine Environment Division had signed the grant agreement for IMO, amounting to \$ 6.86 million, for a project duration of four years. Start-up activities were expected to commence in July 2006.

The achievements of, and progress made by, the MEPC during the session under review clearly indicated that the Committee was performing well as the global regulatory forum for addressing environmental issues generated by, or affecting, international shipping. He hoped the Council would appreciate that and give the Committee continuous support enabling it to discharge its heavy responsibilities in a manner commensurate with the expectations of Member Governments and of those entities that were sensitive to the need to protect the marine environment from all sources of ship-generated pollution. He commended to the Council the work of the Marine Environment Division under the leadership of Mr. J.-C. Sainlos.

Mrs. TIEMENS-IDZINGA (The Netherlands) congratulated Mr. Chrysostomou on the success of MEPC 54. In relation to paragraph 40 of document C 96/9, she wished to emphasize the utmost importance of the Committee's confirmation regarding the use of regulations 4.1.1, 4.1.2 and 4.1.3 of the revised MARPOL Annex II. She expressed appreciation for the solution found for funding the three-day intersessional meeting of the GESAMP/EHS Working Group held earlier in June, but expressed concern as to what would happen in 2007: with an entry-into-force date of 1 January 2007 for the revised Annex II, it was the view of her delegation that there was a compelling need for a full one-week GESAMP/EHS meeting in 2007 as planned earlier. Her delegation would appreciate the allocation from the IMO budget of funding for the GESAMP/EHS meeting in 2007.

Mr. BERTELSMEIER (Germany) congratulated the MEPC chairman, the Secretary-General and the Marine Environment Division on their excellent work. He welcomed the development of guidelines to facilitate implementation of the BWM Convention and commended the progress made at the previous MEPC meeting, and intersessionally. He had appreciated the establishment, at short notice, of the GESAMP Ballast Water Working Group, and welcomed the approval given to the two proposals by Germany and the Republic of Korea. He congratulated the MEPC chairman on the progress made in the development of a new legally binding instrument on ship recycling, and looked forward to its adoption in the 2008-2009 biennium. He welcomed the progress made on the prevention of air pollution from ships, and was sure that the review of MARPOL Annex VI and the NOx Technical Code would lead to air pollution being reduced even further. IMO was the only organization capable of bringing that work to a successful conclusion accepted by the shipping industry worldwide.

Mr. PONOMAREV (Russian Federation) said his delegation had played an active role in the work of the MEPC, and supported all the decisions summarized in document C 96/9. He hoped that discussion would focus on the setting-up of the Internet-based port reception facility database in the framework of the IMO Global Integrated Shipping Information System (GISIS). He proposed an amendment to paragraph 54.11 of document C 96/9, replacing the word “note” with the word “endorse”.

Mr. OLIMBO (Italy) welcomed the outstanding progress made concerning the amendments to MARPOL Annexes I and IV and the amendments to the BCH Code, and commended the adoption of the guidelines called for under the BWM Convention and the work of the GESAMP-Ballast Water Working Group. He welcomed the Committee’s decision to establish an intersessional correspondence group for its work on development of a new legally binding instrument on ship recycling. There was a parallel between that work and the current guidelines for prevention of air pollution from ships, and the adoption of new guidelines relating to port State control, MARPOL Annex VI and the NOx Technical Code. All those issues, plus the designation of the Southern South African Sea as a Special Area under MARPOL Annex I, and the revised guidance document for submitting PSSA proposals to IMO, were just some of the many examples highlighting the strong commitment of the MEPC to its mission. While demonstrating a proactive approach to the protection of the marine environment, the Committee had also considered in its work the commercial interests of maritime transport on which an increasing number of economic systems were traditionally founded. He welcomed that dynamic but well-balanced holistic action, supported the content of the report and endorsed the call made by the MEPC chairman, and the Secretary-General, for action to expedite the necessary measures leading to acceptance of those environmental instruments still not in force.

Mr. POLEMANN (Argentina) commended the comprehensive, clear report. With regard to paragraphs 24 and 25 of document C 96/9, he agreed on the need to preserve sensitive ecosystems but expressed concern at the recent practice of multiplying the designation of PSSAs and special areas, which was not in keeping with the exceptional, limited nature of the provisions of article 211.6 of the United Nations Law of the Sea Convention.

Mr. HOSSAIN (Bangladesh), commending the excellent document and report, said that it was important for a ship to “die” with dignity and honour: in other words, in an environment-friendly way. Bangladesh, as the world’s largest ship recycling country, would continue to do its utmost to ensure compliance with IMO standards for safe and environmentally sound ship recycling.

Mr. PAISIN (Thailand) welcomed the progress made by the MEPC concerning implementation of the BWM Convention, and reported with concern that certain non-indigenous organisms had been found in Thai waters. The relevant authorities were currently examining the contents of the convention with a view to developing national legislation and practical guidelines in preparation for its ratification. Several activities had been organized for 2006 in that regard, including the holding of three national conferences. The first conference, held in June 2006, had been aimed at enhancing relevant stakeholders' awareness of the proliferation of harmful aquatic organisms and pathogens or non-indigenous organisms caused by ballast water. The second, to be held in August 2006, would focus on developing both strategic and operational guidelines for identified stakeholders. He requested that an expert on ballast water management be made available under the IMO Integrated Technical Co-operation Programme, to share his or her views and experiences on best practices in that area at the conference. The third conference would be held as part of the activities to celebrate World Maritime Day 2006, and its aim to decide how best to move forward the work on ballast water management nationally and internationally, including steps and procedures in preparation for ratification of the BWM Convention.

He expressed Thailand's commitment to working actively with other Member States on future initiatives under the GloBallast programme in the framework of the new convention. In the context of the technical co-operation sub-programme for the protection of the marine environment, his country had been playing an active role as a sub-regional oil-spill response centre, concerned with the delivery of technical assistance on oil-spill preparedness and response to its neighbouring countries, namely Cambodia and Viet Nam, as part of the Gulf of Thailand Co-operation within the framework of building partnerships for Environmental Protection and Management of the Seas of East Asia (PEMSEA). An agreement had been signed in January 2006 between Thailand, Cambodia and Viet Nam with the aim of enhancing sub-regional co-operation on capacity-building for oil-spill preparedness and response in the Gulf of Thailand. As part of that cooperation, training courses on oil-spill preparedness and response techniques had been held in Cambodia, to which experts from Thailand had been invited as instructors. His country intended to continue its active role in that project.

Mr. NTULI (South Africa), referring to paragraph 24 of document C 96/9, thanked the MEPC for having favourably considered the proposal submitted by his country for the designation of the Southern South African Sea as a Special Area under MARPOL Annex I, which had provided an opportunity to test the revised PSSA Guidelines for the first time. He looked forward to a final decision being made at the fifty-fifth session of the MEPC. Referring to paragraph 51.4, he trusted that IMO's guidance and assistance in respect of the Marine Electronic Highway (MEH) for the Straits of Malacca and Singapore would be extended to the Western Indian Ocean Marine Highway Project, in view of that project's size, high cost and the number of developing countries involved. The Organization had a central role to play in that regard, and a duty and responsibility to make its position clear.

Mr. CHOI (Republic of Korea) praised the work of the MEPC and expressed support for the Committee's decisions. With regard to paragraph 11 of document C 96/9, he confirmed that the Republic of Korea had made great progress in developing ballast water management systems that made use of active substances. He expressed his appreciation of the hard work of the GESAMP Ballast Water Working Group, and said that his country would be happy to share related information on the progress of the relevant technology. With regard to paragraph 15, he said that his country, which had a wealth of experience of environmentally friendly shipbuilding technology, would like to participate in work towards the development of a new legally-binding instrument on ship recycling. He affirmed the importance of establishing a ship recycling fund and said that his country would try to take action accordingly. Turning to paragraph 51, he noted that the Marine Electronic Highway (MEH) for the Straits of Malacca and Singapore was one of

the projects financed by sources other than IMO's Technical Co-operation Fund. He drew attention to the importance of the project, and its financing, and said that his country would actively participate in the first stage of the project. He expressed his support for the proposal by South Africa concerning the Western Indian Ocean Marine Highway Project.

Ms. WINDARI (Indonesia) expressed her appreciation to the Director of the Marine Environment Division and his staff for their painstaking efforts to bring about the successful implementation of the MEH for the Straits of Malacca and Singapore. Her delegation realized that the project's success could not be achieved without close co-operation between the littoral States, IMO, shipping industries, international non-governmental organization donor countries and other interested stakeholders. She was convinced that the MEH would improve the safety, security and protection of the marine environment in the Straits of Malacca and Singapore.

Mrs. de OLIVEIRA (Portugal) said that protection of the marine environment constituted a top priority. In that respect, she joined the Secretary-General in his pertinent observations. Her country was making every effort to ratify environment-related conventions, and she supported the comments made by the MEPC chairman and the Secretary-General regarding the entry into force of such instruments.

Mr. GITHAЕ (Kenya) expressed his concern at the lack of funding for the very important GESAMP/EHS Working Group and asked for clarification whether the June 2006 meeting could be funded by the budgetary allocation for the 2007 GESAMP/EHS regular meeting, as had been suggested. If not, other means of funding must be found, and he supported the proposals that had been made in that regard. He expressed his support for all the MEPC's recommendations and guidelines, and endorsed the proposal submitted by South Africa for the designation of the Southern South African Sea as a Special Area under MARPOL Annex I.

Mr. ESSIG (observer, Venezuela) recalled that at its fifty-fourth session the MEPC had discussed the issue of updating section I of the "Manual on Oil Pollution", as reflected in MEPC 54/21. That discussion, however, had not been reflected at all in document C 96/9. He stressed that the manual should keep its structure of five sections, and that section I, on prevention, should be given its due importance – prevention was one of the most important elements of IMO's policies. The more countries that acted preventively rather than reactively, the fewer oil-spill incidents there would be, resulting in fewer remedial actions being required, lower costs, and greater benefits for the environment and for coastal populations.

He reiterated the intention of his delegation, as stated in document MEPC 54/21, to submit a proposal for a revised version of section I of the manual.

Mr. ASLAM HAYAT (observer, Pakistan) said that he hoped the activities on ship scrapping referred to in paragraph 18 of document C 96/9 could be extended to include the many countries involved in ship scrapping, which would result in improved environmental protection. His country was in the process of signing a regional memorandum of understanding with other SARC countries in order to pool resources for marine environmental protection. Another issue that deserved consideration was the handling of dirty/bulk cargo and crude oil in ports. Pakistan was in the process of developing facilities to address that problem, and he thanked IMO for its co-operation.

Mr. YEE (Singapore) said that implementation of the BWM Convention depended on the development of clear guidelines, for example on the establishment of additional ballast water management measures. He welcomed the progress made at the fifty-fourth session of the MEPC concerning the prevention of air pollution from ships, particularly the latest developments in greenhouse-gas emissions and the review of MARPOL Annex VI. Given the new developments,

he believed IMO should take a step-by-step approach to ensure rational, effective strategies. As a participating country in the MEH for the Straits of Malacca and Singapore, he welcomed the information that implementation work would commence shortly. He expressed his full support for that project, in which his country would be actively participating.

The SECRETARY-GENERAL said that document C 96/9 had not referred to the matter raised by Venezuela at the fifty-fourth session of MEPC because that intervention had not been supported by the Committee. He noted Venezuela's intention to submit a proposal to the Committee, at its fifty-fifth session, for a revised version of section I of the "Manual on Oil Pollution". With regard to the issue raised by South Africa concerning the Western Indian Ocean Marine Electronic Highway project, he said that the IMO Secretariat had on several occasions during the previous two years discussed with World Bank representatives the role IMO should play in the project. Regrettably, all attempts to secure meaningful participation by IMO, whereby the Secretariat would implement the project activities falling within the Organization's remit, and be provided with the necessary resources to do so, had been unsuccessful so far. The only role the World Bank was willing to assign to IMO was that of advisor to the project steering committee. It was his understanding that the situation was known to all the project beneficiary countries.

Mr. CHRYSOSTOMOU (Cyprus), speaking as Chairman of the MEPC, sought clarification that the GESAMP-EHS Working Group would not meet in 2007 due to lack of funds, despite the Netherlands' plea on the importance of holding a meeting prior to the entry into force on 1 January 2007 of MARPOL Annex II.

The CHAIRMAN confirmed that a meeting of the GESAMP-EHS Working Group would not be held in 2007 for financial reasons.

Mrs. TIEMENS-IDZINGA (The Netherlands) recalled that the GESAMP-EHS Working Group had met for only three days in 2006, whereas funds had been set aside for a five-day meeting in 2007. Given the importance of the revised MARPOL Annex II, she reiterated her appeal for a short-term solution to be found to fund the 2007 meeting.

Mr. SAINLOS (Director, Marine Environment Division) said it was impossible to say definitively that funds could not be found for a meeting in 2007, and suggested amending paragraph 54.10 of C 96/9 to read "and the Committee's intention to consider short-term and long-term funding solutions to future meetings of the Group", thereby ensuring that MEPC 55 would reconsider ways of financing a GESAMP meeting in 2007.

Mr. CHRYSOSTOMOU (Cyprus), speaking as chairman of the MEPC, agreed that the only realistic short-term solution would be to use funds remaining from the original allocation for a five-day meeting. If those funds were available, the MEPC could decide if they were sufficient to hold a meeting. However, he sought clarification on whether those funds were indeed available because, if they were not, he had an obligation to inform the MEPC and to stop wasting time in trying to find donors.

The CHAIRMAN, recognizing the plea of the Netherlands and the general desire to hold a meeting, suggested that the existing wording in paragraph 54.10 of C 96/9, namely "to consider long-term funding solutions", should remain unchanged and that the Secretariat should report directly to the MEPC at its meeting in October 2006 on whether any funds were left over from the three-day meeting held in 2006 to finance a meeting in 2007.

The CHAIRMAN invited the Council to note the information set out in document C 96/9 and that provided orally by the Chairman of the Marine Environment Protection Committee and the Secretary-General.

In particular, he invited the Council to note the adoption by the Committee of amendments to MARPOL Annexes I and IV and the BCH Code; to note the progress made by the Committee in preparing for the implementation of the BWM Convention, including the adoption of associated guidelines and the basic approval given by the Committee to two proposals on ballast water management systems that make use of Active Substances; to note the progress made by the Committee in the development of a new legally-binding instrument on ship recycling; to note the progress made by the Committee to limit or reduce air pollution from ships, including approval of two relevant MEPC circulars and the review of MARPOL Annex VI and the NO<sub>x</sub> Technical Code; to note the approval by the Committee of draft amendments to MARPOL Annex I on designation of the Southern South African Sea Area as a Special Area with a view to adoption at MEPC 55, and the approval of a revised guidance document for submitting PSSA proposals to IMO; to note the approval by the Committee of proposed amendments to the revised MARPOL Annex I, Annex III and the Condition Assessment Scheme, with a view to adoption at MEPC 55; to note the approval by the Committee of unified interpretations, guidelines and circulars and the creation, by the Secretariat, of relevant databases to promote the implementation of MARPOL 73/78 and related instruments; to note the work of the Committee concerning implementation of the OPRC Convention and the OPRC-HNS Protocol, reports of sub-committees, work of other bodies, and reception facilities; to note that the budget allocation for next year's meeting of the GESAMP-EHS Working Group had, instead, been used for a second meeting of the Group in 2006, and the Committee's intention to consider, at its next session, long-term funding solutions to future meetings of the Group; to endorse the approval by the Committee of the holding, in 2006, of the intersessional meetings listed in paragraph 53 of document C 96/9; and to stress, once again, the need for governments to ratify the various IMO environment-related conventions and, once they entered into force, implement them effectively. Finally, he invited the Council to transmit the report of the Committee's fifty-fourth session, with its comments and recommendations, to the twenty-fifth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

**It was so decided.**

**AGENDA ITEM 2 – REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS  
(C 96/2) (continued)**

The SECRETARY-GENERAL reported that all credentials had been examined and found to be in order in accordance with rule 9 of the Council's Rules of Procedure.

The CHAIRMAN invited the Council to note the Secretary-General's report.

**It was so decided.**

**AGENDA ITEM 10 – CONSIDERATION OF THE REPORT OF THE TECHNICAL  
CO-OPERATION COMMITTEE (C 96/10, C 96/10/Add.1, C 96/10/Add.1/Corr.1  
(French only); TC 56/12)**

Mr. OWUSU-MENSAH (observer, Ghana), speaking as chairman of the Technical Co-operation Committee, said that its fifty-sixth session had been held from 13 to 15 June 2006 and the summary of the outcome of the Committee had been circulated in document C 96/10/Add.1.

The fifty-sixth session had focused on identifying a long-term financing mechanism that would provide a solid base enabling the Committee, in collaboration with the Secretariat, to plan the Integrated Technical Co-operation Programme (ITCP) programmes in light of emerging needs, and to meet the expectations of the developing regions. The TC Fund had been the primary source of funding for the ITCP over the previous two years, and the Committee had noted the results of activities delivered in the field with full or part-financing from the TC Fund, as reflected in the final report for the 2004-2005 biennium. Reliance on that Fund to support the core activities of the ITCP was anticipated to increase over the 2005-2007 biennium, unless supplementary sources of finance could be identified.

In light of the significant volume and duplication of data submitted under the ITCP and TC Fund biennial reports, the Committee had requested that in the future one combined report be presented, and it had agreed that a corresponding revision to the Rules of Operation of the TC Fund, with respect to the further streamlining of reporting practices, should be submitted by the Secretariat to TC 57 for subsequent consideration by the Council.

Some of the most innovative and forward-thinking issues explored by the TCC had been presented in the documents on “Achieving Millennium Development Goals through the ITCP” and “Defining Maritime Poverty”, which had been considered together with the report on the 2005 World Summit Outcome adopted by the UN General Assembly as resolution A/RES/60/1. It had been most appropriate that those two important submissions had been presented by African Member States, given that both the Council, when adopting the World Maritime Day theme, and the Assembly, when adopting resolution A.986(24) on *The Importance and Funding of Technical Co-operation as a Means to Support the United Nations Millennium Declaration and the Millennium Development Goals*, had identified the maritime needs of Africa as requiring special emphasis.

Those documents had provided a sound foundation for the Committee’s future deliberations on how to strengthen the conceptual linkage between the goals of the ITCP and the Millennium Development Goals (MDGs) and on how to develop criteria for assessing maritime activity and resource capacity. It had also confirmed the ITCP as the framework for expressing the synergy between the over-arching UN strategies on one hand, and the Organization’s technical co-operation strategies, as approved by the Member States through the TCC, on the other.

He recalled that assistance for the Africa region was one of the key elements in World Maritime Day 2006, whose theme was “Technical Co-operation: IMO’s response to the 2005 World Summit”. That theme had been chosen in order to give the Organization the opportunity to contribute from its perspective to the fulfilment of the MDGs, adopted by the 2000 Millennium Summit and re-affirmed by the 2005 World Summit. The Committee had noted that IMO had aligned its ITCP delivery in Africa with the NEPAD-related programmes (New Partnership for Africa’s Development) within its mandate, including the development of SAR facilities along the African coast.

The Committee had welcomed the decision of the Secretary-General to transfer an additional sum of up to \$ 800,000 from the un-programmed reserves of the Technical Co-operation Fund to support maritime capacity-building activities in the continent.

Voluntary trust funds formed an essential adjunct to the TC Fund in facilitating the implementation of ITCP activities across all the regions. Since the Secretariat’s report to TC 55 in June 2005 and up to 31 May 2006, four new donors had contributed to the International Maritime Security Trust Fund. Two recent donations had increased the International SAR Fund to just over \$ 65,400 by 9 June 2006. Four bilateral trust funds were in operation to provide

financial support for the ITCP delivery. Ten donors had contributed a total of \$ 2,058,000 to the ITCP and to the Tsunami Maritime Relief Fund by 31 May 2006, and South Africa had pledged \$ 15,000 for the International Maritime Security Trust Fund.

Expressing its appreciation to all the donors that had contributed to the multilateral and bilateral technical co-operation trust funds and/or directly to ITCP activities, the Committee had also urged IMO Member States, international and regional organizations and the maritime industry to make financial contributions to the ITCP.

The Committee had acknowledged the success of IMO's regional co-ordinators operating from the three African regional offices in Côte d'Ivoire, Ghana, Kenya and from the Philippines; a similar positive impact had been achieved by the regional maritime adviser in the Caribbean. The Committee had been updated on the status of the IMO regional co-ordination scheme and on the progress made towards decentralizing implementation of the ITCP through the regional co-ordination scheme in Africa and through partnership arrangements with regional organizations and institutions in other regions.

Partnership development had continued as the main thrust of the Organization's strategic approach to technical co-operation, the objective being to broaden the concept as much as possible, with a view to strengthening and increasing regional implementation capacities. The Committee had noted a significant increase in the number of partnership MoUs developed since TC 55, with 35 partnership arrangements in operation to date, twenty-one of which had been concluded with developing countries and 14 with international and regional organizations. Seven had been developed since TC 55 with the Governments of Australia, Canada, the Islamic Republic of Iran, Mexico and Venezuela, the United Nations Industrial Development Organization (UNIDO), and Interferry.

Partnership arrangements for technical co-operation and delivery had continued to function successfully. The decision of the TCC to decentralize further the delivery of technical co-operation activities had increased the volume of work delegated to existing partnership arrangements with regional organizations and to regional co-ordinators. The Committee had recorded its appreciation to all the host countries of IMO "regional presence" offices and to all partners involved in regional co-ordination and delivery.

Turning to the programme on Integration of Women in the Maritime Sector (IWMS), he noted that IMO had continued to support short-term fellowships for women and the establishment of formal regional associations for women in the maritime industry. That programme constituted a significant link with the implementation of MDG No.3 "Promote gender equality and empower women".

Initial discussions had taken place to establish a formal association in the West and Central Africa subregion for professional women in the port sector, and priority had been given to Africa in the allocation of short-term fellowships in 2004 and 2005, when the region had received 60 per cent of the fellowships allocated. The Committee had expressed support for the fellowship programme implemented by the Secretariat and the results achieved to date, and had requested that it be maintained. It had also commended the Secretariat on initiatives such as the participation in TCC of women graduates, trained through the ITCP at the International Maritime Law Institute.



Finally, the Committee had reconsidered the issue of access to IMO instruments in electronic form, in light of the feedback obtained by the Secretariat to questionnaires concerning the extent to which developing countries had been making use of the scheme for free access to IMO texts and any difficulties they might have encountered. The Committee had recommended that the Secretariat should re-examine how free access to IMO texts in electronic format was operated, with a view to improving user-friendliness and avoiding duplication, and should then report on the results to TC 57.

The SECRETARY-GENERAL congratulated the Committee on the progress achieved. The outcome of TC 56 was a testament to the quality of the submissions received by the Committee, which had provoked substantial debate on the ITCP's future. He was confident that the Committee's rich and extensive discussions would have long-term implications for shaping the Organization's technical co-operation activities for the future.

There were three determining aspects of the next phase of technical co-operation, namely the results achieved through the ITCP, the linkage of the ITCP to the 2005 World Summit outcome and the achievement of the Millennium Development Goals (MDGs), and the issue of long-term financing for the ITCP.

He highlighted the sustained success achieved in IMO's delivery of technical co-operation, confirmed in the biennial report on 2004-2005, which illustrated very effectively the volume and diversity of activities executed and the considerable achievement of assisting developing regions to strengthen their capacities so as to meet IMO norms and standards.

The results of the 2004-2005 period were the highest ever achieved: activities totalling \$ 13 million had been carried out at the regional and global level in 2005 alone, reaching a total of \$ 27 million for the biennium, with an increase of \$ 1.5 million over the previous two years. Most significantly, that translated into tangible results in the field, which included 74 national advisory missions and 224 courses, seminars and workshops covering a wide range of topics, strengthening national and regional capacities through the training of 7,367 participants from the beneficiary developing countries.

The figures spoke for themselves: expenditure had risen by over 89 per cent since 1999, leaving no room for doubt that a solution must be found to sustain the financing of much-needed technical co-operation activities.

With respect to the special emphasis given to Africa, he observed that since the mid-1990s IMO had given priority to Africa in the allocation of its technical assistance resources, and the ITCP activities in that region also took into account the action plans of NEPAD. In all, \$ 2,125,000 had been allocated to the ITCP's Africa programme, representing 22 per cent of the total TC Fund allocation for the biennium. With three of the four IMO regional presence offices being located in Africa, IMO was also addressing, through the ITCP, the "Transport Targets and Indicators related to the Millennium Development Goals", as set out in the 2005 report of the Ministers of Transport of the African Union.

Furthermore, \$ 800,000 had been transferred from the un-programmed reserves of the TC Fund and would be channelled to support maritime capacity-building activities in Africa. Specifically, that meant assistance for Anglophone countries of the region, to incorporate into their national legislation the model safety regulations for inland waterways vessels and non-convention-size craft, including fishing vessels, operating in Africa, as well as the development of similar model regulations for the Francophone African countries and updating

the model Merchant Shipping Code of the Economic and Monetary Community of Central Africa (CEMAC). Some provision would also be made for additional study fellowships, for example at the World Maritime University and the IMO International Maritime Law Institute and, on a cost-sharing basis, for training at the Arab Academy for Science, Technology and Maritime Transport, which had traditionally offered training places to students from Africa.

IMO allied itself closely to the high-level strategic decisions of the United Nations. He followed closely the ongoing UN reform process aimed at enhancing system-wide coherence and effectiveness, through his participation in the Chief Executives Board for Coordination (CEB), and through IMO's representation on the CEB's High-Level Committee on Programmes (HLCP). The Director of Technical Co-operation represented IMO on the HLCP and its representative on the High-Level Committee on Management (HLCM) was its Director of Administration. IMO had a key role to play in the implementation of MDG No.7, entitled "Ensure environmental sustainability" and No.8, entitled "Develop a global partnership for development" in particular as both were specifically relevant to its mandate and activities.

Turning to perhaps the most challenging issue facing the TCC, that of identifying a mechanism to ensure the long-term sustainable financing of the ITCP, he commended the Committee's efforts in eliciting a discussion among nearly all the delegations represented at TC 56. It was unlikely that a consensus could be reached on an issue of such complexity, and the Organization's financial capacity to continue to underwrite the current level of technical assistance remained uncertain.

Given also the uncertainties of donor funding, there would always be reliance on the Technical Co-operation Fund, which was currently replenished by transfers from the net annual surplus of the Printing Fund. The TC Fund, however, played an ever-increasing role in meeting demands for technical assistance, having risen from \$ 10.9 million in the previous biennium to \$ 12 million during 2004-2005; that meant that it had been able to provide 50 per cent of the resources made available to deliver technical assistance activities over the previous two years.

The challenge facing the Organization was to ensure that an effective mechanism was in place to sustain funding for the IMO's technical co-operation programme. Under the current trend, the absence of formal, long-term commitments from external donors left little scope for forward planning of activities. In addition, the TC Fund no longer disposed of large reserves beyond the next biennium, and while the Printing Fund – TC Fund nexus provided a platform for core funding of the ITCP, additional mechanisms were needed to reduce a shortfall of resources.

To address the issue, the Committee had examined three principal options for establishing a mechanism to ensure the long-term sustainable financing of the ITCP in response to operative paragraph 5 of resolution A.986(24), which had specifically requested him to submit for consideration to the next session of the TCC "relevant options for generating the necessary reserves in the Technical Co-operation Fund, to enable it to overcome any reduction in transfers arising from reduced annual surpluses in the Printing Fund resulting from insufficient sales of the Organization's publications". The three options were (A) the establishment of a TC supplementary assessment to be resourced through the regular budget; (B) the establishment of a voluntary supplementary TC Fund to encourage donors to make voluntary funding commitments; and (C) maintaining the present arrangements for the replenishment of the TC Fund and voluntary contributions through bilateral and multilateral trust funds and other sources.

Other factors had also been considered in light of the important auxiliary role they could play. Examples were in-kind contributions, which played a significant role in facilitating the delivery of activities, notably training seminars and workshops, and the multiplier effect of technical co-operation between developing countries, better known as TCDC activities, which some regions had used to great effect as a source of interregional collaboration in the maritime sector.

The Committee had expressed strong support for a modified option C as its preferred basis for developing a package of measures. He emphasized that the way forward would be an enhanced, dynamic version of option C, incorporating a number of individual measures, some of them tried and tested, and others more innovative in nature. The Secretariat had been requested to prepare and submit to TC 57 an appropriate revised proposal, based on a modified option C, which would certainly include the strengthening of existing partnerships and multilateral trust funds already in place. The Committee would then make its final recommendation to the Council in June 2007.

He stressed the impact of IMO's partnerships for technical co-operation, of which 35 were now operation. Furthermore, arrangements had been made with the non-governmental industry organization, IPIECA (International Petroleum Industry Environmental Conservation Association), to fund and deliver technical assistance activities for effective implementation of the 1990 OPRC Convention in West and Central Africa.

He expressed gratitude to IMO's partners for their financial or in-kind contributions to the ITCP and, pursuant to the Assembly's request, invited Member States and international organizations to continue, and if possible step up, their appreciable support for IMO's technical co-operation activities.

Turning to the Voluntary IMO Member State Audit Scheme, he informed the Council that he had signed the first ever Memorandum of Co-operation for implementation of the scheme, between IMO and the Government of Chile. Capacity-building aspects were very much a part of the scheme, aimed at facilitating the preparation of an audit, identifying obstacles to audit completion and assisting countries in addressing audit findings and recommendations. He expressed his appreciation to Egypt, the Netherlands, Sweden and the United Kingdom, which had generously contributed to the ITCP's audit scheme programme and urged other Members to do the same promptly.

In 2006, in addition to combining its efforts to make the audit scheme the success it deserved to be, he would like to see IMO thriving in the area of technical co-operation delivery, not only because 2006 was the year chosen by the Council to focus on technical co-operation, but also because failure to intensify the efforts to bridge the gap between developing and developed countries would eventually deprive the community at large of the abundant wealth, richness, capabilities and potential of the developing countries. History and generations to come would not forgive IMO for any inactivity in that respect: the word *inertia* must be erased from the Organization's vocabulary.

The technical co-operation team, which included the TCC, had never been in better shape and, as shown by the outcome of TC 56, was in a position to deliver even better results provided it remained focused and determined to succeed. He expected a great deal from the team, in particular the intersessional working group established to study the links between the IMO technical co-operation programme and the Millennium Development Goals. He hoped for results so excellent that he would be proud to report them to the High-level Panel on United Nations System-wide Coherence and subsequently, through the Chief Executives Board for Co-ordination, to the wider United Nations family.

He expressed appreciation to the Chairman of the TCC, Mr. Owusu-Mensah (Ghana), who had been re-elected for a further term, for his stewardship. He was confident that, under his continuing leadership and that of the Vice-Chairman, Mr. Hakgüden (Turkey), who had also been re-elected, the TCC would continue to make progress towards its objectives, with the support of the Secretariat, in particular the Technical Co-operation Division under the able leadership of Mr. Edwards.

Having praised the Secretariat divisions responsible for supporting the work of all the committees whose reports had been submitted to the Council under agenda items 7 to 10, he also wished to express his appreciation to all the staff of the Conference Division, in particular the translators.

The CHAIRMAN also expressed appreciation, on behalf of the Council, to the Conference Division.

Mr. GITHAE (Kenya) commended the TCC on its report, in particular regarding the sustainable long-term funding of ITCP activities. Because of the programme's importance to developing countries a mechanism for financing had to be put in place, and he therefore proposed that option C, which had been considered by the TCC, should be adopted and should read as follows:

- “(1) Maintain the TC Fund transfer of not less than 75% of the net annual surplus of the Printing Fund to the TC Fund and accord priority to the TC Fund in the allocation of the remaining balances as provided for by resolution A.986(24).
- (2) Establish a TC supplementary fund charged on the regular budget for the purpose of fully implementing ITCP activities.
- (3) Continue to encourage Member States and industry to enter into bilateral partnership arrangements providing financial and in-kind support for the full implementation of the ITCP.
- (4) Establish a voluntary TC Fund for the purpose of the full implementation of the ITCP with an established target based on an estimate of funds required to fully implement the activities taking into account funds available from the TC Fund and other sources.
- (5) Continue to engage with the Global Environment Facility and its implementing agencies, UNEP, UNDP, World Bank and regional development banks, in the execution of large-scale projects which address the mission and objectives of IMO.
- (6) Establish, as necessary, dedicated multilateral trust funds to encourage contributions targeted on specific issues.”

Mr. HAKGÜDEN (Turkey) applauded the achievements of the TCC and the high rate of implementation of technical co-operation activities despite the scarcity of resources through the TC Fund. The ITCP was indispensable for the effective and widespread implementation of IMO, commercial and other instruments, and every effort should be made to ensure long-term financing of the programme.

Mr. MOKHTAR (Egypt) joined previous speakers in commending the TCC and welcoming the successful rate of implementation of technical co-operation activities despite the funding situation. The success was no accident, but followed from the Secretary-General's deep conviction of the importance of technical co-operation and the efforts he had made to forge partnerships and conclude MoUs in support of the technical co-operation programme. Nevertheless, further efforts were needed to secure long-term financing for the ITCP.

As indicated by the Secretary-General in his address to the 2004 International Shipping Federation Manning and Training Conference, it was clear that the human element was a most important factor in ensuring maritime safety and protection of the marine environment and that capacity building through technical co-operation was therefore essential. However, innovative thinking was needed to seek financing for technical co-operation that did not rely on transfers from the Printing Fund, since that did not provide for the necessary continuity of funding. The same conference in September 2006 would provide an opportunity to seek further contributions to support of the ITCP.

The Arab Academy for Science, Technology and Maritime Transport in Alexandria was indebted to IMO for technical support and funding amounting to more than \$ 4 million. The academy planned to increase the grants it offered to African students on a cost-sharing basis. In 2006 the academy would offer grants for two women from Africa. Egypt was also approaching the development banks in the region to seek further support for African students.

Egypt would continue to collaborate with IMO and was also currently establishing links with Saudi Arabia, Sudan and Syria, with a view to formulating a joint technical co-operation programme to facilitate readiness for the implementation of the IMO Voluntary Member State Audit Scheme. Lastly he expressed appreciation of the support for the ITCP provided by IMO and donor countries.

Mr. PAISIN (Thailand) said that, during TC 56, Thailand had expressed its readiness to enter into a partnership arrangement with IMO for the delivery of ITCP activities, with a view to enhancing developing country capacity to implement IMO instruments. That was in line with the Organization's Strategic Plan for 2006-2011, in which IMO was directed to develop capacity-building partnerships with governments, organizations and industry. Thailand was able to provide in-kind contributions during 2006-2007, including facilities for holding meetings, etc., and secondment of experts in certain relevant areas. Discussions were under way with the IMO regional co-ordinator for East Asia on preparations for the partnership and planned activities. Thailand agreed with previous speakers that mechanisms to secure long-term sustainable financing of the ITCP were vital. In addition to the option favoured at TC 56, other possibilities for obtaining additional sustainable funds should be explored.

Mr. CHOI (Republic of Korea) supported the efforts being made by the TCC and the Secretary-General to facilitate ITCP activities and emphasized the importance of securing sustainable financing for the programme. The TCC and the Secretary-General should continue to invite Member States, in particular members of the Council, to contribute to the ITCP on a voluntary basis.

Mr. MOHAPATRA (India) agreed with the Secretary-General that history would not forgive IMO if it failed to take the initiative in bridging the gap between the developed and developing nations through technical co-operation. With regard to the long-term financing of the ITCP, he noted that option C discussed at TC 56 would combine voluntary contributions with bilateral and multilateral fund-raising efforts. He suggested that, given the increasing

vulnerability of the marine environment, environmental protection organizations should also be approached for contributions. In addition, further consideration should be given to the possibility of applying a levy to ships carrying environmentally hazardous cargoes. While there might be difficulties, a symbolic charge might raise awareness of the need for environmental protection. Alternatively, a levy might be imposed on countries from which a large number of ships with hazardous cargoes were sailing, which might then consider offering a more generous voluntary contribution. Member States should be encouraged to make voluntary contributions to replenish the TC Fund. However much good work was undertaken by the various IMO committees, IMO instruments would not be implemented without increased technical co-operation activities. Mobilization of resources for such an important objective should not be too difficult.

Mr. TOBEY (United States), remarking that the report before the Council provided an impressive account of the ITCP, drew attention to paragraphs 10 and 11, which indicated the dramatic increase in the support delivered as compared with the previous biennium, and that the increase was part of a sustained and long-term trend. The United States looked forward to working with the TCC and with the IMO Technical Co-operation Division and to increasing its in-kind support to the ITCP through the 1998 Memorandum of Understanding on Maritime Technical Assistance between IMO and the United States Coast Guard.

Mr. YEE (Singapore) commended the Secretariat on the good level of ITCP delivery achieved during 2005 and the conclusion of more partnerships to support the programme. The results demonstrated the importance attached to the ITCP and the commitment of the IMO membership to capacity building. The ITCP had made a significant contribution to the implementation of IMO instruments, and it was therefore crucial to secure long-term financing for the programme. In addition to implementing the modified option C for mobilization of funds considered at TC 56, it would also be useful to examine the cost components of ITCP activities, using the Enterprise Resource Planning (ERP) system, to determine where savings might be made, and to reassess the resources currently available, including in-kind contributions made through partnership arrangements. Such an approach would help IMO to make maximum use of available resources and assist in finding new ways of funding, such as the establishment of specific trust funds.

Mr. AZUMA (observer, Ghana) said that the Secretary-General was to be commended for his efforts to implement technical co-operation, in particular in Africa, so as to ensure that all parts of the world could move forward together. Sustainability of funding was essential and he therefore supported the proposals made by Kenya, which should be given careful consideration.

The SECRETARY-GENERAL, referring to the remarks made by the representative of Singapore, said that the programme implementation documents used by the Secretariat in developing and monitoring programmes under the ITCP identified the various components of the costs of delivering the activities in each programme. The components included training, travel, consultancy and publications, and were categorized through the ERP system as necessary. The Secretariat recognized the need to ensure that expenditure was closely monitored and, given the constraints in funding the ITCP, would take all necessary measures to ensure that the costs were kept within reasonable limits and that the funds were used efficiently and effectively.

One of the primary benefits of the ERP system was the provision of accurate and timely monitoring of expenditure against cost elements. Such accounting precision enabled the Secretariat to manage trust-fund cash flow actively and to make the best use of any residual programme funds, thereby increasing delivery rates.

Mr. PONOMAREV (Russian Federation), referring to the action requested of the Council in paragraph 61.2 of the document, proposed that the words “note that the Committee agreed to further consider” should be replaced by “endorse the decision of the Committee to consider further”.

**It was so agreed.**

Mr. CHRYSOSTOMOU (Cyprus), referring to the action requested in paragraph 61.3, proposed that “endorse” should be replaced by “note”. The matter required further consideration, in particular as regards any additional levy on ships. Shipowners already paid considerable dues and were also liable for any damage caused by hazardous cargoes.

**It was so agreed.**

The CHAIRMAN invited the Council to note the information set out in document C 96/10 and its addendum, and that provided orally by the Chairman of the Technical Co-operation Committee and the Secretary-General.

In particular, he invited the Council to note that the delivery of the ITCP for the 2004-2005 biennium was the highest recorded, both in terms of volume and of delivery rate; to endorse the decision of the Committee to consider further the linkage between the ITCP and the Millennium Development Goals at an intersessional working group to be convened in London and expressed its appreciation to the delegation of South Africa for its offer to host the meeting; to note the decision of the Committee to consider further the issue of securing the long-term financing of the ITCP on the basis of maintaining the Printing-TC Fund nexus, as supplemented by bilateral and multilateral funding, partnerships and enhanced fund-generating modalities; to note the successful completion of the survey on the extent to which developing countries are making use of the scheme to provide free access to IMO instruments in electronic format; to endorse the recommendation that the Secretariat should re-examine the method by which free access to IMO texts in electronic format is operated, with a view to improving user-friendliness and avoiding duplication; and to endorse the recommendation that Member States and the donor community be encouraged to provide the maritime administrations of developing countries with computer hardware to enable them to benefit from access to IMO texts in electronic format.

Finally, he invited the Council to transmit the report of the Committee’s fifty-sixth session, with its comments and recommendations, to the twenty-fifth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

**It was so decided.**

**The meeting rose at 5.35 p.m.**