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COUNCIL – 96th session

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**SUMMARY RECORD OF THE FIFTH MEETING**

**held at IMO Headquarters, 4 Albert Embankment, London SE1 7SR  
on Wednesday, 21 June 2006 at 9.30 a.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 11 – TECHNICAL CO-OPERATION FUND: FINAL REPORT ON ACTIVITIES OF THE 2004-2005 PROGRAMME (C 96/11 and TC 56/4)**

The SECRETARY-GENERAL said that document C 96/11 referred to the final report on the technical co-operation activities that had been implemented during the 2004-2005 biennium within the framework of the Integrated Technical Co-operation Programme (ITCP) with full or part financing from the TC Fund. The report was contained in document TC 56/4. The Technical Co-operation Committee (TCC), at its fifty-sixth session, had noted the contents of the document with appreciation.

He recalled that the Rules of Operation governing the TC Fund had been revised in June 2004 to rationalize technical co-operation reporting practices. Under the new reporting schedule, the Council and TCC received a single biennial report at the end of the ITCP implementation cycle.

Document TC 56/4 contained a detailed report on the regional distribution and purpose of the TC Fund resources that had been allocated to support activities under the ITCP during 2004 and 2005. The activities covered a wide range of subjects, with a preponderance of maritime safety and security activities. In order to facilitate a closer analysis of regional characteristics, summary charts had been included to provide an indicative perspective on the comparative ratio of disciplines within each region. For that report, maritime security activities had been separated from the customary “maritime safety and security” category to highlight the impact across all regions of the support provided in the implementation of the ISPS Code.

The relevance and impact of the financial support provided through the TC Fund could be measured by the range and volume of activities that had been delivered. The striking facts that expenditure had grown from \$ 2.7 million in 2000 to over \$ 3.7 million in 2001 and that the upward trend had been sustained – reaching a peak of \$ 6.2 million in 2005 – deserved particular mention. The figures demonstrated that the developing regions continued to ask for the Organization’s assistance in discharging their responsibilities in respect of compliance with IMO norms and standards and that the demand showed no sign of abating. Further financial data could be found in the comprehensive biennial report on the implementation of the ITCP contained in document TC 56/3/Add.1.

The list of activities delivered with TC Fund support revealed the impact of that resource in terms of the regions covered and the range of disciplines involved. For example, support for marine environment protection activities had featured in every region, most notably in the Asia and Pacific and Latin America and Caribbean regions. Maritime safety and security had played a major role in the assistance delivered, and with the exception of the CIS/Eastern Europe region, had accounted for over 40 per cent of the activities undertaken in each region.

Most aspects of IMO’s mandate had been addressed in at least one region including, *inter alia*, the development of flag and port State capacities, preparation of maritime legislation, implementation of the STCW Convention and the ISM and IMDG Codes, training for pollution preparedness and response, fellowships for study at WMU and IMLI, the conversion of IMO model courses into interactive distance-learning tools and the enhancement of maritime security, which had continued to be a priority throughout the last biennium.

The report gave details of some 67 activities that had been delivered in Africa over the biennium. That was a remarkable achievement given the funding constraints affecting implementation of the ITCP. It was also a clear indication of the priority that the Organization accorded to that region.

He thanked the many partner states, institutions and recipient countries that had provided cost-sharing contributions for TC Fund activities in the form of cash resources or in-kind support, including expert advice and input, and provision of host facilities and equipment. Such resources were an essential adjunct to the delivery of the ITCP and he would encourage them to continue to give it their generous support. He also thanked the Technical Co-operation Division for its role in co-ordinating IMO's technical co-operation activities, as well as the divisions that supported it.

The CHAIRMAN invited the Council to note the information set out in documents C 96/11 and TC 56/4, and that provided orally by the Secretary-General, and to express its appreciation to the Organization's development partners for the assistance provided to developing countries.

**It was so decided.**

## **AGENDA ITEM 12 – WORLD MARITIME UNIVERSITY:**

### **(a) REPORT OF THE BOARD OF GOVERNORS (C 96/12(a) and C 96/12(a)/1)**

The SECRETARY-GENERAL said that document C 96/12(a) contained the draft twenty-second annual report of the World Maritime University, as adopted on 1 June 2006, which the University's board of governors was submitting to the Council in accordance with the charter of the University. The document provided an overview of major developments in 2005 and other essential information.

He was pleased to inform the Council that the board of governors, at its twenty-fourth session, had commended the University on the milestones reached, as listed in the annual report. They were of real significance since they underlined the University's coming of age. The board had noted and welcomed the WMU's increasing impact on the global maritime community, which reflected its increasingly important role in the promotion of IMO's safety, security and environmental policy aims. It had also noted with appreciation that the increase in both the quality and volume of the University's deliverables had been achieved with the same staff complement as in 1996 and with a minimum increase in expenditure in real terms.

The board of governors had endorsed, in principle, a proposal by the chancellor for a review of the University from a governance and oversight perspective, rather than an academic one, to take into account and build on any relevant issues raised in the two earlier academic audits of the WMU by the Association of European Universities. In introducing the proposal, he had stressed that the current trend was to improve performance through reform and had given as an example current developments within the United Nations, as well as at IMO. Therefore, it would be timely and appropriate for the WMU to pursue a similar course of action, and it had been gratifying that the board of governors had agreed to his proposal in principle. The executive council had already indicated its approval of the proposed review, which would be funded by the University and finalized in December 2006. The intention was to ensure that the WMU continued to flourish in the future and, in particular, that the expansion of its programmes and activities was carefully controlled and effectively overseen in the light of the Organization's own strategic direction and objectives.

The annual report highlighted the remarkable progress that continued to be made in areas such as academic development, international recognition and collaboration, research and consultancy, student enrolment and the continuing expansion of the global network of WMU graduates who carried their professional expertise and commitment to all corners of the

world. It was no wonder that the strong demand for places at the WMU continued unabated and now far exceeded the current capacity of the physical infrastructure and financial resources available at its Malmö campus.

Among other achievements, the report highlighted two significant milestones in the history of WMU. In 2005, the University had had its highest number of students: 282 full-time M.Sc. students, of whom 199 were based at the Malmö campus and 44 and 39 at the new campuses in Shanghai and Dalian. That represented an increase of 40 per cent over 2004 and previous years. Furthermore, over 300 students had been enrolled in short-term professional development and distance-learning courses. In 2005, overall the WMU had provided advanced professional education for over 600 maritime professionals. For the first time in its history, about half of the full-time students had been funded by their employers, governments or out of their own pocket.

The report also documented a significant increase in donor funding, including a one-third increase in the annual contribution from France, as well as several donor contributions for designated special purposes. The University had maintained tight control over its own expenditure and had achieved a healthy budget surplus.

To date, the University had enrolled a total of 2,305 men and women from 147 countries and territories worldwide in its M.Sc. programme. Doubtless the Council would agree that it had become a truly unique institution of international learning and co-operation that could justly be regarded as a source of pride. The future of the WMU looked bright. But it needed and deserved the full and unreserved support of IMO and the international maritime community if it was to sustain its role as a centre of excellence for advanced maritime education, training and research.

In conclusion, he paid tribute to a long-standing member of the WMU faculty and a key member of the group of founding fathers, Professor Günther Zade, who had passed away recently. Professor Zade had given 18 years of invaluable service to the University as vice-rector and academic dean, and even after his retirement from active service in 2001 he had continued to serve as a research fellow and to be responsible for producing the WMU Journal. His dedication and foresight in the formative years of the University had helped it to become an outstanding model of international learning and co-operation. Many WMU graduates, including some members of the Council, had benefited from Professor Zade's mentoring. The Organization as a whole owed him a debt of gratitude for his dedicated service, vision and deep commitment to the noble ideals and values that the WMU embodied.

He also wished to pay tribute to two other members of the WMU community who had recently passed away and who had made a valuable contribution to the work of the University. They were Justice Richard E. Cooper (Australia), who had been a very active member of the board of governors and Professor Pierre Houssin (France) who had taught shipping management for many years. On behalf of the Organization and the University, he had written to the families expressing condolences and appreciation for the excellent service all three had rendered to both institutions.

Mr. HAMMER HANSEN (Denmark) said that his government, which provided support to the WMU, had been delighted with its activities and development.

Mr. MOKHTAR (Egypt) congratulated the WMU on its excellent performance as described in the report and highlighted the need for a long-term strategy to ensure that students from developing countries continued to receive the technical training needed to equip them for responsible positions in their national maritime administrations. Egypt fully supported the University in its endeavours and was a willing participant in all its activities.

Mr. ADDICO (MOWCA) commended the WMU on its valuable work. On behalf of former students of the WMU, he offered condolences to the bereaved families of Professor Zade, Justice Cooper and Professor Hussein, as well as to the University. Professor Zade had been an inspiration to many former students both during their time at WMU and later in their careers.

Mr. IKIARA (Kenya) said that his delegation had noted with satisfaction the developments that had taken place at the WMU, especially in the areas of fellowships, academic programmes and research. Those achievements and others, such as the opening of new campuses in Shanghai and Dalian in 2005, would not have been possible without the commitment of the chancellor. Kenya had particular reason to be grateful to the WMU as numerous posts in its newly established maritime administration, the port authority and other maritime departments were filled by former WMU students.

Mr. HILL (observer, Liberia) congratulated the WMU and its rector on the excellent results described in the report. The founding of the University represented one of the greatest achievements by a United Nations organization. In establishing an academic institution, which in this case was of benefit to the international maritime community, IMO had made a unique contribution to the United Nations system as a whole.

Mr. BRADY (observer, Jamaica) welcomed the glowing report on the WMU. It was gratifying to learn that it appeared to be going from strength to strength. Jamaica and other Caribbean countries were thankful for the contribution made by returning WMU graduates who took up posts at the policy-making level in their national maritime institutions, as a result making an enormous contribution to maritime development in the region. He hoped that funding would continue at its present level and that more donors would come forward once they recognized the contribution the University could make to global maritime development, particularly in developing countries.

Mr. NTULI (South Africa) thanked the WMU for the part it had played in developing the maritime industry. He had been encouraged to learn from the report that 50 per cent of WMU students had been self-funding in 2005 as it was an indication of the perceived value of the institution to the maritime industry. His delegation had been consistently impressed by the quality of the interventions made by WMU graduates who were representing their national delegations, which served to demonstrate the calibre of the education provided by the University. It was to be hoped that the WMU would continue to flourish and he thanked the host country, Sweden, for its support and generosity.

Mrs. RIMINGTON (Australia) expressed strong support for the WMU whose work over recent years had created a body of well-qualified maritime personnel capable of making a significant contribution to the development of world trade. She hoped the University would continue to receive funding and strong support. Australia was honoured that WMU had established a permanent tribute in honour of Justice Richard Cooper. He had been a federal court judge, as well as president of the Maritime Law Association in both Australia and New Zealand, and had made significant contributions to maritime law and education in Australia and internationally.

Mr. XIAOJIE (China) expressed his appreciation to the WMU for its valuable contribution to world shipping. In particular, the Chinese maritime sector had derived considerable benefit from the presence of former graduates of the University. The Chinese Government would continue to provide support to WMU and increase its efforts in respect of the campuses in Dalian and Shanghai. He hoped that in time they would play a role that would be of particular benefit to the Asia/Pacific region, as well as further afield.

Mr. PAISIN (Thailand) said that his country also had reason to be grateful to the WMU as many Thai students who had received WMU scholarships had gone on to fill important posts in the government and the private sector. Since 1992, Thailand had been making financial contributions to the University and it would continue its support in the future.

Mr. AZUH (observer, Nigeria) joined other delegations in commending the WMU on its performance. As proof of Nigeria's commitment to ensuring that the University maintained its excellent standards, he had been authorized by his government to present to IMO a cheque for \$ 25,000 as a contribution to the WMU's operational budget.

Mr. ORMAECHEA (observer, Uruguay) said it was clear that the WMU was a very well-managed institution which had an excellent record in providing education and training. Referring to attachment 1 to the annex to document C 96/12(a), he noted that in 2005 only seven per cent of graduates had been from the Latin American and Caribbean region. It was important that every effort be made to increase that percentage.

The CHAIRMAN invited the Council to note the information set out in document C 96/12(a) as well as that provided orally by the Secretary-General.

In particular, he invited the Council to express its satisfaction at the University's outstanding record of academic achievement and of excellence in its operations; to extend its deep gratitude and appreciation to the international donors and supporters of the World Maritime University, the Chancellor of the University, members of its board of governors and the president and staff of the University, for their valuable contribution to the outstanding success and continued progress of the University in the service of IMO and the global maritime community; to urge IMO Member States and the maritime community as a whole to provide any necessary financial support they might be able to, to enable the University to continue playing its important role efficiently and effectively; and to pay tribute to Professor Günther Zade (Germany), Justice Richard E. Cooper (Australia) and Professor Pierre Houssin (France), who had passed away recently, for their excellent service in the cause of IMO and the WMU over many years.

**It was so decided.**

The CHAIRMAN suggested that consideration of the appointment of the chancellor of WMU (document C 96/12(a)/1) be deferred until later in the meeting.

**It was so agreed.**

**(b) BUDGET (C 96/12(b))**

The SECRETARY-GENERAL drew the Council's attention to the fact that the report by the External Auditor had revealed no weaknesses or errors considered material to the accuracy, completeness or validity of the WMU's financial statements, and that those statements had accordingly been given an unqualified audit opinion.

The WMU budget for the current year projected a total income of \$ 9.2 million and a total expenditure of \$ 8.8 million, compared to \$ 8.9 million and \$ 8.8 million respectively in the 2005 budget approved by the board of governors. The projected increase in income was due to steady growth in donor support and to revenue generated by the WMU faculty from research, consultancy and the Professional Development Course Programme.

Despite that steady improvement, which demonstrated the growing international appeal, reputation and resilience of the WMU, he wished once again to urge all Member States and the maritime industry to join donors in providing more broadly based and long-term financial support to the University, consistent with the request in resolution A.933(22) on *Sustainable financial support for the World Maritime University*. Support from both developed and developing countries was essential if the University was to continue meeting the growing demands placed upon it by IMO and by the global maritime transportation sector.

Mr. MOHKTAR (Egypt) expressed appreciation of the outstanding financial and budgetary performance of the University, and commended its excellent relations with IMO. He urged all members to give the WMU their fullest support.

Mr. SEVILLA (Philippines) noted from the report that more students were to be enrolled in the outreach programme at the universities of Shanghai and Dalian. He asked whether the cost of that programme would be covered by the WMU budget.

The SECRETARY-GENERAL said that for the present the programme was confined to those two universities, and was managed outside the WMU's regular operating budget. The question whether it should be expanded to encompass global outreach remained to be decided.

Mr. SEVILLA (Philippines) said it was very important that any global outreach programme should have the full support of the Council.

The CHAIRMAN invited the Council to note the information contained in document C 96/12(b), and that provided orally by the Secretary-General. In particular, he invited the Council to express its deep gratitude to the governments and diverse organizations which sustained the World Maritime University through their generous financial support, most notably the Government of Sweden and the city of Malmö, the Nippon Foundation and the Ocean Policy Research Foundation (OPRF), of Japan, the International Transport Workers' Federation (ITWF), the Governments of Canada, Denmark, France, Norway, the Republic of Korea and the United Kingdom, and Inmarsat Ltd.; to take note of the continuing financial challenges facing the University, and to urge Member States to maintain, increase or establish support for the University through operational or fellowship funding to enable it to continue discharging effectively its mandate of professional service to the global maritime community.

**It was so decided.**

#### **AGENDA ITEM 13 – IMO INTERNATIONAL MARITIME LAW INSTITUTE:**

##### **(a) REPORT OF THE GOVERNING BOARD (C 96/13(a) and Add.1; C 96/13(a)/1)**

The SECRETARY-GENERAL said that document C 96/13(a) was an interim document issued before the IMLI governing board had convened on 11 April 2006 to discuss its annual report on operations for the academic years 2004/2005 and 2005/2006. The Council had been kept informed of the progress of the Institute since it commenced operations in 1989. Document C 96/13(a)/Add.1 contained in its annex the seventeenth annual report of the governing board of the Institute, which focused on its academic operations.



The Institute continued to enjoy an excellent academic reputation as witnessed by the outstanding performance of its graduates and by the high-level posts many of them had been awarded in their native countries, as well as by the increased number of eminent visiting fellows. The Institute now had 364 graduates from 107 states and territories worldwide.

Mr. MOKHTAR (Egypt) expressed admiration for the high standards achieved by the Institute, and hoped that in future it would follow the example of the WMU in offering courses by correspondence, which would greatly benefit both the students and the international maritime community.

Mr. ABDUL MATIN (Bangladesh) noted that over the past 15 years, 76 out of a total of 332 graduates had come from either Malta or Nigeria. In addition, most of the visiting fellows listed were from European countries. He asked about the nature of the policy for selecting students and fellows.

Mr. MANGION (Malta) said the figures given in the country profile contained in the annex to document C 96/13(a)/Add.1 might need clarification. The reason for the large number of Maltese graduates (43) was that since the Institute's inception in 1989 his government had provided two scholarships for Maltese nationals every academic year.

The SECRETARY-GENERAL said that decisions on the selection of students were made by the Director of the Institute, on the basis of certain criteria and in co-operation with IMO's Technical Co-operation Division. Visiting fellows were chosen on the basis of their qualifications.

Mr. PONOMAREV (Russian Federation), speaking as Chairman of the Maritime Safety Committee, noted that many tributes had been paid to the academic excellence of the Institute, and recalled that at its eighty-first session the MSC had decided to invite a number of IMLI graduates to observe its proceedings. Unfortunately, however, those graduates had not been allowed to enter the building for security reasons, despite having been officially invited by the MSC. He hoped that in the future such a situation would not recur.

The SECRETARY-GENERAL said he would have been most happy for the students to attend the meeting. He regretted that he had not been made aware of the MSC's decision until a later stage, and that as a result the normal strict security measures had been applied.

The CHAIRMAN invited the Council to note the information set out in document C 96/13(a) and its addendum, as well as that provided orally by the Secretary-General.

In particular, he invited the Council to express its appreciation to the Secretary-General and the Director of IMLI for their continuing efforts to ensure the long-term viability of the Institute; to express its appreciation to the IMLI faculty and staff for their determined and dedicated efforts to strengthen the Institute's academic and financial base; to pledge its support to the Institute, which had just completed 17 years of operation, and to acknowledge that despite limited resources it had maintained high academic standards in the field of international maritime law; and to recognize the essential role the Institute continued to play in strengthening the capacity of developing countries to implement the many IMO treaties and regulations, a role which was as vital as when the Institute had been established in 1988.

**It was so decided.**

**(b) BUDGET (C 96/13(b) and Add.1)**

The SECRETARY-GENERAL said that the IMLI governing board had received from the auditors an unqualified report on its financial statement for the year ended 31 August 2005. The auditors had reviewed whether the Institute's reserves and projected income would be sufficient to meet its ongoing activities for the following financial year, and had noted that its funding position continued to be healthy.

He would like to record his appreciation to those donors whose sustained contributions, either by donations to the Institute's funds or by the donation of scholarships, had enabled IMLI to continue functioning satisfactorily. Those contributions had resulted in sufficient income to cover the Institute's budget for the 2005/2006 academic year.

The governing board had noted with appreciation that six full fellowships had been provided in 2005/2006 from ITCP resources. The board was also grateful for the continued support of the Nippon Foundation, which had provided 10 full scholarships, and of Lloyds Register of Shipping, which had provided three full scholarships. It appreciated greatly the continued support of Member States, in particular Malta as the host country, and Switzerland.

The CHAIRMAN invited the Council to note the information set out in document C 96/13(b) and its addendum, as well as that provided orally by the Secretary-General.

In particular, he invited the Council to express deep gratitude to the Government of Malta and to the Government of Switzerland for their continuing support of the Institute, as well as to all donors which had supported the Institute financially over the years, in particular the Nippon Foundation (ten full scholarships) and Lloyds Register of Shipping (three full scholarships) both for the period 2005/2006; and to note the "unqualified" nature of the financial audit of the Institute up to August 2005.

**It was so decided.**

**AGENDA ITEM 12 – WORLD MARITIME UNIVERSITY (resumed):**

**(a) REPORT OF THE BOARD OF GOVERNORS (C 96/12(a)/1)**

**AGENDA ITEM 13 – IMO INTERNATIONAL MARITIME LAW INSTITUTE (resumed):**

**(a) REPORT OF THE GOVERNING BOARD (C 96/13(a)/1)**

The CHAIRMAN recalled that at its ninety-second session the Council had appointed the Secretary-General, Mr. Mitropoulos, as Chancellor of the World Maritime University and as Chairman of the Governing Board of the International Maritime Law Institute for the period 1 July 2004 to 30 June 2006. Those two-year terms were on the point of expiry, and it was therefore opportune for the Council to consider the matter. Mr. Mitropoulos had informed him that he would be honoured if his appointment to those posts were renewed.

He therefore recommended that the Council re-appoint the Secretary-General as Chancellor of WMU and as Chairman of the IMLI Governing Board for the period 1 July 2006 to 30 June 2008.

**The Secretary-General was re-appointed by acclamation.**

The CHAIRMAN extended to Mr. Mitropoulos his congratulations, and those of Members of the Council.

The SECRETARY-GENERAL thanked the Council for the trust it had placed in him; he hoped to be able to live up to its expectations in both the posts to which he had been appointed.

**AGENDA ITEM 14 – EXTERNAL RELATIONS:**

**(a) RELATIONS WITH THE UNITED NATIONS AND THE SPECIALIZED AGENCIES (C 96/14(a); C 96/14(a)/1 and Add.1-3; C 96/14(a)/2 and C 96/14(a)/3)**

The SECRETARY-GENERAL said that the first regular session of the United Nations Chief Executives Board for Coordination (CEB) for 2006 had been held in Madrid on 7 April 2006 under the chairmanship of the United Nations Secretary General. On behalf of the Organization, he had attended the meeting along with the executive heads of various specialized agencies, funds and programmes of the United Nations system. The discussions on the follow-up to the 2005 World Summit had centred on the report of the High-Level Committee on Programmes (HLCP) and on the linkage between employment, sustainable growth and poverty reduction, as well as international migration and development, which would be the theme for the High-level Dialogue to take place during the sixty-first session of the General Assembly in 2006.

Through initial discussions with the High-level Panel on UN System-wide Coherence in the Areas of Development, Humanitarian Assistance, and the Environment, the CEB had explored ways in which the United Nations system might work more coherently and effectively across the world in those areas. The United Nations Secretary General had formed the panel in response to the call for such a study in the outcome document of the 2005 World Summit (resolution A/RES/60/1). In that regard, IMO had a particular interest in mainstreaming environmental issues and in enhancing system-wide coherence and effectiveness through mobilization of all the capacities of the United Nations system. Improvement of the international

trade capacities of developing countries and the role of transport infrastructure, including ports and shipping, were increasingly being recognized as important elements for achieving sustainable development and the Millennium Development Goals.

The 2005 World Summit outcome document had been circulated as document TC 56/3/3. The Council had already been informed under agenda item 10 that TC 56 had examined the linkage between the ITCP and the 2005 World Summit outcome, including the achievement of the relevant Millennium Development Goals, on the basis of separate submissions by Angola and South Africa. An intersessional working group would meet in 2007 to take the matter forward and would report to the Technical Co-operation Committee at its next session. Those considerations constituted a timely input to the World Maritime Day Theme for 2006.

The CEB had received a report on the status of the *UN Atlas of the Oceans*, and he was pleased to report that IMO had made \$ 5,000 available, in response to the appeal to the organizations most directly concerned to continue providing financial support for the project. The *UN Atlas of the Oceans* was a powerful tool for disseminating information about IMO, sharing maritime knowledge and promoting the image of shipping as a safe, secure and environmentally friendly activity; many of the atlas's pages were managed by IMO.

The CEB had expressed serious concern over lack of progress in achieving gender equality and empowerment of women and had decided to revert to the issue at its autumn session, when it would consider actions to be taken by the executive heads, on the basis of proposals by the Special Adviser and the recommendations of the two high-level committees. IMO had been committed to gender mainstreaming for many years, and he was pleased to report steady progress in achieving that goal both in its programmes and its staffing policy. The chairman, vice-chairman and secretary of the DE Sub-Committee and the new chairman of the FSI Sub-Committee were female.

The CEB had considered the report of the High-Level Committee on Management (HLCM) on security and safety issues and had reaffirmed its commitment to implementation of the new security management system, which concerned the security and safety of staff in the light of current and projected threats to United Nations personnel and premises. It was reported that nearly 600 additional security personnel had been recruited, training had been substantially enhanced, and the operational chain had been streamlined and reinforced with a key role for the United Nations "designated officials for security", who were best placed to take advantage of the primary role of host countries for the security of United Nations personnel. He had been asked to assume the role of "designated official for security" for London and had indicated his willingness to accept, subject to the scope of his responsibilities being clarified.

In document C 96/14(a)/1 the resolutions adopted by the United Nations General Assembly that were of relevance to IMO were reported to the Council for information. With regard to the 2005 World Summit outcome document, he invited the Council to take note of the actions taken by the Technical Co-operation Committee and the Organization's activities in pursuing the goals and objectives of the 2005 World Summit.

Document C 96/14(a)/1/Add.1 reported on the outcome of the *Ad Hoc* Consultative Meeting of Senior Representatives of International Organizations on the "Genuine Link", held at IMO from 7 to 8 July 2005. The meeting had been convened in response to UN General Assembly resolutions 58/240 and 58/14, inviting IMO and other relevant agencies to study the question of the "genuine link" in relation to the duty of flag States to exercise effective control over ships flying their flag, including fishing vessels. The report of the meeting, together with

any comments on it by the Council, would be forwarded to the United Nations Secretary General in pursuance of UN General Assembly resolutions 59/24 and 59/25, for onward transmission to the United Nations for consideration by the General Assembly at its sixty-first session.

The seventh meeting of the United Nations Open-Ended Informal Consultative Process on Oceans and the Law of the Sea had been held at the United Nations Headquarters in New York from 12 to 16 June 2006. That meeting, attended by IMO representatives, had almost exclusively discussed ecosystem-based approaches to ocean management. It had agreed to submit to the General Assembly proposals for recommendations on how to improve the application of an ecosystem approach, covering capacity building through technology and co-operation among different United Nations agencies, and targeting action to address the main factors undermining the conservation and integrity of marine ecosystems, including overfishing; illegal, unregulated and unreported fishing, in particular by-catch of threatened species; and land-and sea-based pollution.

Document C 96/14(a)/1/Add.2 reported on the unanimous adoption by the Assembly at its twenty-fourth regular session of resolution A.979(24) on *Piracy and armed robbery against ships in waters off the coast of Somalia* and the subsequent action taken by himself, the United Nations Secretary General and the Security Council in respect of that resolution. He drew the Council's attention to paragraph 8 of the document, which contained a statement by the President of the Security Council on the situation in Somalia. He expressed his appreciation to Member Governments and Members of the Security Council for the action they had undertaken.

Document C 96/14(a)/1/Add.3 reported on the actions taken by the Secretariat to implement resolution A.979(24). They included disseminating information on threats to ships off the coast of Somalia, his own actions following the hijacking of the Korean fishing vessel **Dongwon No.628**, the Panamanian-registered tanker **Lin 1** and other ships off the coast of Somalia, co-operation with the United Nations Monitoring Group on Somalia, and consultation with interested governments and organizations on technical assistance for Somalia and nearby coastal States, including capacity-building activities. The document also reported on relevant issues raised at MSC 81.

Document C 96/14(a)/3 reported on his proposal to establish a liaison office at United Nations Headquarters in New York. In its capacity as a specialized agency of the United Nations, and pursuant to its relationship agreement with the United Nations, dated 13 January 1959, IMO was committed to co-operating with the different organs of the United Nations on matters of mutual concern. Recent events, including the trend towards globalization and the international war against terrorism, had given renewed urgency to the work of the Organization, and at recent meetings of the CEB he had briefed the executive heads on the ongoing work in IMO in relation to those issues. Secretary General Annan had recently transmitted to the Security Council his communication concerning resolution A.979(24) and, in its presidential statement, the Security Council had acknowledged IMO's work.

IMO was one of just four specialized agencies (the others being ICAO, ITU and UPU) with no regular representation at the United Nations Headquarters in New York. Given IMO's extensive mandate on issues of international concern – from promoting maritime safety and security to preventing marine pollution – that were taken up in United Nations intergovernmental forums and discussed regularly in inter-agency bodies, the absence of such representation in IMO's case had prevented it from taking full advantage of the opportunities that a visible and continuing presence made possible. Such representation would also give the Organization the added advantage of establishing effective liaison with the offices of funding agencies, such as the World Bank, the IMF and UNDP, which were situated in New York and Washington.

As indicated in paragraph 3 of the document, he intended, subject to the Council's approval, to appoint the former Director of the CEB Secretariat, Mr. Qazi Shaukat Fareed, as IMO's Special Representative to head the office, for the period to 31 December 2008. Mr. Fareed's curriculum vitae was attached to document C 96/14(a)/3. As noted in paragraph 5, the establishment of a liaison office in New York and the appointment of a special representative, even with a nominal remuneration, would involve the Organization in certain expenditure that had not been budgeted for, associated mainly with setting up the office and some subsequent recurring costs. Secretarial assistance, possibly on a part-time or shared-time basis, and local travel expenses of the special representative might also be required, the costs of which would fall to the Organization. The additional costs had not been quantified, but they were not expected to exceed \$ 20,000 for the remainder of the 2006-2007 biennium, which could be met within existing budget appropriations. The Council was invited to endorse the proposal for the establishment of a liaison office for the period indicated and for the appointment of Mr. Fareed as IMO's special representative.

Mr. JUNG (Republic of Korea) introducing document C 96/14(a)/2, which reported on the hijacking of the South Korean fishing vessel **Dongwon No.628** in waters off the coast of Somalia on 4 April 2006 while it was conducting legal fishing operations, expressed his appreciation to the Secretary-General for his efforts to obtain the release of the crew and to Kenya, the United Arab Emirates, China, Indonesia, and Viet Nam, as well as to the United States and the Netherlands, for their assistance in search and rescue operations on behalf of the crew. The 25 crew members, consisting of 8 South Korean, 9 Indonesian, 5 Vietnamese and 3 Chinese nationals, were still held captive on board the ship. Korea intended to propose that a seminar and workshop on capacity building be held in its region with the aim of promoting regional co-operation in combating piracy and armed robbery at sea. It would be organized by IMO as part of its technical co-operation programme, with financial assistance provided by his government.

The CHAIRMAN, opening the floor for discussion, suggested that consideration of the proposed establishment of an IMO liaison office should take place only after all the other matters under the agenda item had been discussed.

Mr. HAMMER HANSEN (Denmark) said that he welcomed the report on the outcome of the *Ad Hoc* Consultative Meeting of Senior Representatives of International Organizations on the "Genuine Link". It was essential that flag States fulfilled their responsibility of ensuring that the standards applied on the ships flying their flag, including the social conditions on board, complied with the relevant international rules and regulations. Referring to paragraph 45 of document C 96/14(a)/1/Add.1, he observed that the deletion of a ship from a flag State's registry as the ultimate sanction in cases of persistent violations of the regulations on the part of that flag State might only result in substandard ships being transferred to another registry. A more effective sanction, which should be applied by the flag State itself, would be the detention of a substandard ship or the withdrawal of its certificates.

Referring to document C 96/14(a)/2, submitted by the Republic of Korea, he observed that it was sad that such acts of piracy and armed robbery were being perpetrated. He was appreciative of the efforts by the Secretary-General to resolve the issue and welcomed the United Nations Security Council statement on the situation in Somalia. He supported the proposal by the representative of the Republic of Korea for a seminar and workshop on capacity building to be held in the East African region and endorsed his view that regional co-operation should be promoted through a regional agreement.

Mr. NAGAMATSU (Japan) expressed deep concern over the continuing occurrences of piracy and armed robbery against ships in waters off the coast of Somalia and hoped that the cases of hostage-taking by pirates and armed robbers, including the hijacking of the Korean fishing vessel, would be resolved as early as possible. He was appreciative of the Secretary-General's initiatives to combat such incidents in that area, and welcomed the action taken by the United Nations Security Council in issuing a statement. He also supported the South Korean proposal for a seminar to be held on the issue and its view that regional co-operation should be promoted through a regional agreement. In that context, he welcomed the fulfilment of the conditions enabling the Regional Co-operation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (ReCAAP) to enter into force on 4 September 2006.

Mr. GITHAË (Kenya) applauded the Secretary-General's efforts to solve the problem of piracy and armed robbery against merchant ships off the Somali coast, and thanked the United Nations Security Council for calling on nations with naval vessels and military aircraft in the area to deter incidents of piracy. That call had already led to a decrease in such incidents and to the capture, trial and imprisonment of some pirates. His country's navy had undertaken to escort merchant and passenger ships sailing in Kenya's waters into international waters, and his government was prepared to co-operate with the international community to ensure that piracy and robbery against ships was eliminated in the region. He was, however, concerned over the continued detention by pirates of the South Korean-registered fishing vessel **Dongwon No.628** and the Panamanian-flagged tanker **Lin 1**, and he invited the delegations of the Republic of Korea and Panama to ask their governments to prevail upon the Government of Kenya to try to secure the release of the captive seafarers.

He recalled that Kenya had informed the IMO Assembly at its twenty-fourth session of the repercussions that such incidents would have on the economies of the East African coastal States and the landlocked countries of the Great Lakes region. The regional meeting, held on 23 and 24 April 2006, that his government had convened in response to resolution A.979(24) and that had been attended by delegations from Somalia, Kenya, Tanzania and Mozambique, had resulted in a joint communiqué intended to lay the groundwork for the signing of a memorandum of understanding on combating incidents of piracy and armed robbery against ships in the region. It recommended that governments in the region with the necessary resources should establish a regional task force to reinforce the existing task force operating off the coast of Djibouti and that the international shipping community and IMO should explore ways of building the capacity of the Transitional Federal Government of Somalia to combat piracy in its territorial waters. He was grateful to the Republic of Korea for its offer to sponsor an IMO regional seminar and workshop, which his country was prepared to host, on piracy and armed robbery against ships in the East African region.

Mr. FERRER (Philippines) thanked the Secretary-General for his efforts in addressing the piracy problem, and particularly in attempting to resolve the situation resulting from the seizure of the vessels **Dongwon No.628** and **Lin 1**. Most of the crew of the **Lin 1** were Filipinos. He welcomed the offer by the Republic of Korea to hold a seminar and workshop in the East African region.

Mr. YEE (Singapore) agreed with the emphasis placed by the Republic of Korea, IMO and the Security Council on the importance of promoting international co-operation in combating piracy and armed robbery against ships, while respecting the principles of sovereignty and territorial integrity of States concerned and of international law. He was pleased to inform the Council that ReCAAP, which was the result of an initiative by Japan, would enter into force on 4 September 2006, having been ratified by Cambodia, Japan, Laos, Singapore, Thailand, the

Philippines, Myanmar, the Republic of Korea, Viet Nam, India and Sri Lanka and signed by Brunei. Singapore looked forward to the agreement's ratification by the remaining countries. ReCAAP was the first regional government-to-government agreement aimed at combating piracy and armed robbery against ships in Asia. Singapore would host the agreement's information-sharing centre and the first meeting of the centre's governing council.

Mr. OLIMBO (Italy) thanked the Secretary-General for his continuing efforts to tackle the increasing problem of piracy off Somalia and the delegations of Korea, Japan, Kenya and the Philippines for their contributions to the debate. While IMO's efforts and the presidential statement of the United Nations Security Council had improved the situation, the problem had not been eradicated, as the seizure of the vessels **Dongwon No.628** and **Lin 1** demonstrated. Piracy off the Somali coast was merely the starting point of a long chain that encompassed land-based criminal activities such as smuggling, contraband weapons and money laundering, which reinforced the links between criminal, interregional and international groups. His delegation urged IMO to involve other organizations, such as the United Nations Office on Drugs and Crime, in its fight against piracy and to take into consideration the procedures put in place to prevent the trafficking of migrants by sea. Enlisting the support of other bodies should not be seen as an attempt to dilute the Organization's responsibilities, but as a practical way of tackling the problem, which required a global approach by different competent bodies.

Mr. BELL (Bahamas) considered unfortunate the absence of any reference, in the report of the *Ad Hoc* Consultative Meeting of Senior Representatives of International Organizations on the "Genuine Link", to the dramatic improvements in safety and the reduction in environmental pollution observed in recent years. In fact, if performance indicators had been available for the past 40 years, constant improvements would be apparent. Accordingly, his delegation deemed it inappropriate that emphasis continued to be placed on the notion that the open registries had a detrimental effect on safety. Many of the national registries were blacklisted in the reports of the various MoUs, while their "white lists" included many of the open registers. The meeting had regrettably failed to highlight the improvements in safety observed during the period in which the open registers had expanded and the national registers had declined. That needed to be emphasized by the relevant IMO representative at any future meeting on the issue. Turning to the issue of piracy, he expressed his sympathies to the representative of the Republic of Korea. A number of Bahamian vessels, including a cruise ship, had been attacked in waters off the coast of Somalia, and his government applauded all actions taken to combat that scourge. He congratulated the United States for having successfully captured some pirates following their attack on a Bahamian ship, who were now awaiting trial in Kenya.

Ms. FERNÁNDEZ (Panama) thanked the Secretary-General for the efforts he had undertaken to ensure the adoption of resolution A.979(24), which constituted a major step in tackling the issue of piracy. No effort should be spared in the search for global solutions to the problem, and her delegation supported all such co-operative initiatives. She extended her thanks to the Republic of Korea for its offer. Her delegation was fully committed to working towards a solution with regard to the hijacked vessel **Dongwon No.628**. Her government would take up the suggestions of Kenya in addition to the efforts pursued by the Panamanian Maritime Authority and Ministry of Foreign Affairs. She also fully supported the statement of the Bahamas, recommending that IMO should give it careful consideration.

Mr. MAMAHIT (Indonesia) expressed his deep gratitude to the Secretary-General and the Republic of Korea for the excellent report submitted to the Council. Among the captives from the **Dongwon No.628** were nine Indonesian seafarers, and the efforts undertaken by the Secretary-General with a view to the rapid release of the crew members were appreciated. His



delegation shared the view of the Republic of Korea that the recent decrease in the number of acts of armed robbery in the Straits of Malacca and Singapore resulted from the establishment of regional co-operation, in particular between Indonesia, Malaysia and Singapore. In that context, he supported the suggestion of the Republic of Korea to hold a seminar and workshop in East Africa on capacity building to combat piracy, and welcomed the financial support it had pledged in that connection. He encouraged other stakeholders to participate in, and contribute to, that endeavour.

Mr. TOBEY (United States) commended the vigorous leadership of the Secretary-General in the effort to eliminate piracy in Somalia and elsewhere. That effort, supported by the international community, had led to the unanimous adoption of Assembly resolution A.979(24) in November 2005, and eventually to the United Nations Security Council's presidential statement of 15 March 2006, encouraging Member States with naval and air assets in the area to take appropriate action to protect merchant shipping. By ensuring that piracy received the high level of attention it deserved, the Secretary-General and IMO had laid the foundation for its elimination. On several occasions, United States Navy warships had gone into action against pirates in the area and, on at least one occasion, had participated in the capture of the perpetrators. Unfortunately, despite those achievements, the problem persisted. His delegation expressed its support for those nations whose ships and seafarers had been victimized, particularly the Republic of Korea and Panama, whose ships were still detained, and also for Indonesia, Viet Nam, China, *inter alia*, whose seafarers were still kept captive. Piracy in the waters off the coast of Somalia was clearly affecting an ever-widening circle of countries. He reiterated his government's continuing support for the struggle against the menace of piracy worldwide.

Mr. CHRYSOSTOMOU (Cyprus) said he understood the points made by Denmark and the Bahamas in respect of the *Ad Hoc* Consultative Meeting of Senior Representatives of International Organizations on the "Genuine Link", nevertheless, he was convinced that it had been absolutely correct to conclude that a further meeting was not necessary. That was because of the effective representation of IMO at the meeting by the group led so ably by Mrs. Balkin. It was important to recall the reason for the convening of the meeting: some NGOs had written to the Secretary General of the United Nations on matters relating to the "genuine link" rather than inform IMO of the issues they had wished to discuss. He hoped that such a situation would not recur and that there was no longer any need to reopen discussion on those issues.

Mr. ROMERO (Spain) deplored the events surrounding **Dongwon No.628** and, in the light of the pressing need to eradicate the scourge of piracy worldwide, endorsed the statement of the representative of Italy.

Mr. NYGAARD (Norway) appreciated the valuable clarifications provided by document C 96/14(a)/1/Add.1, particularly with regard to the responsibilities of flag States, as reflected in the conclusion contained in paragraph 28. As to piracy and armed robbery, the Norwegian delegation seconded the proposal by the Republic of Korea.

Mr. HILL (observer, Liberia) was encouraged by the proposals of the Republic of Korea and Kenya regarding a regional seminar and workshop on capacity building to combat piracy. He drew attention to the importance of identifying the root causes of the phenomenon in order to combat it efficiently.

Mr. ADDICO (MOWCA) congratulated the Secretary-General on his excellent leadership of the Organization, particularly in the endeavour to secure safe shipping lanes. He shared the sentiments expressed in document C 96/14(a)/2 submitted by the Republic of Korea, and

conveyed his sympathy to the relatives of crew members of the **Dongwon No.628** still held captive, expressing hope for their imminent release. He commended Kenya and other coastal countries of the East Africa region for their efforts to combat piracy in waters off the coast of Somalia, for there were key lessons to be learnt from the Somali experience, which had global repercussions. Emphasis must be placed on the regular surveillance of territorial waters. Piracy activities appeared to be shifting from secured to unsecured coastal waters, as illustrated in paragraph 9 of the document, which highlighted the increase in the number of acts of piracy and armed robbery in regions where co-operation to combat piracy and armed robbery at sea had not been established. With regard to the causes of piracy, it emerged that the most vulnerable areas were busier shipping lanes, in particular in areas prone to civil strife and the proliferation of small arms. It was thus necessary to identify those areas and give them priority attention. He expressed his gratitude to IMO for the action taken in co-operation with MOWCA to secure West and Central African coastal waters, for instance through the recently completed project on the establishment of an integrated coast guard network. The contribution of the Republic of Korea, *inter alia*, to facilitating the latter process was also significantly appreciated. MOWCA was convening a meeting of coastal countries from 29 May to 2 June 2006 in Abidjan in order to fast-track the implementation of that network. His organization also welcomed IMO's suggestion to host a regional meeting, not only to combat piracy, but also to implement a sustainable framework for action in the face of maritime accidents, to which his region was prone.

Mr. MOHAPATRA (India) praised the timely initiative taken by the Secretary-General with the United Nations Security Council in connection with the piracy incidents against ships off the coast of Somalia. That had resulted in the adoption of a resolution which urged the Member States whose naval vessels and military aircraft operated in vulnerable regions to be alert and intervene in the context of such incidents. He gratefully acknowledged the very effective intervention of United States vessels in certain incidents of piracy. The Security Council had welcomed the decision by the IGAD Council of Ministers, back in November 2005, to co-ordinate strategies and action plans to face the challenge, and he wondered whether any action had been taken since then. Indian crews had fallen victim to hijackings. He advocated a proactive approach to the problem, calling on the Secretary-General to follow up the initiative undertaken with the United Nations Security Council and urging all Member States to press their respective governments to deploy their military assets in the context of such incidents, wherever they occurred in the world.

The SECRETARY-GENERAL explained that the action taken by the United Nations Security Council had not taken the form of a resolution. The decisions of the Security Council might take the form of either a resolution, involving sanctions against an entity causing security problems in a particular part of the world, or a presidential statement, or a press release. In the present case, the IMO Council had agreed on the form of an Assembly resolution, which he had communicated, after its adoption by the Assembly, to the United Nations Secretary General. The action by the Security Council took the form of the presidential statement which was reported in document C 96/14(a)/1/Add.2. The paragraph which concerned IMO was that which encouraged Member States to be vigilant and take action when ships in the affected region were threatened with violence.

He fully agreed with the representative of the Bahamas that no opportunity should be missed to stress the improvement in the global maritime safety record and environmental protection record as a result of the work of IMO. Document C 96/14(a)/1/Add.1, in its third paragraph, stated that the full report of the *Ad Hoc* Consultative Meeting of Senior Representatives of International Organizations on the "Genuine Link" was not contained therein.

In fact, the substantive part of the report on the “genuine link” was contained in its annex, which was itself supplemented by a number of annexes, and these had not been reproduced in the document now before the Council, for reasons of economy. Among those just mentioned, it was annex 7 which outlined the work of IMO in the context of the meeting, placing emphasis on IMO’s particularly beneficial impact on safety and environmental protection.

The CHAIRMAN invited Members to make comments on the Secretary-General’s proposal to establish a liaison office and appoint an IMO special representative at United Nations Headquarters in New York.

Mr. SADLER (United Kingdom) thanked the Secretary-General for submitting his proposal in the document now under the Council’s consideration. He requested further clarification, other than that already provided in paragraph 2, as to why IMO required special representation in New York, what the IMO special representative and the new liaison office would do, and what the Organization expected to obtain from the resource commitment in terms of output and outcomes. He noted the expected short-term costs of establishing the new liaison office which, according to paragraph 6, could be met within existing budget appropriations, but he urged the Council to consider the possible long-term financial commitment that IMO might be entering into.

Mr. IOSIFOV (Russian Federation) was in favour of developing further interaction between IMO and the United Nations, particularly in the fight against terrorism. The document under consideration contained general guidelines on the possible functions and overall financial implications of a potential liaison office. Additional information was still required from the Secretariat on the administrative, financial and personnel consequences of a decision of that nature. The cost of leasing the office premises, for instance, should be discussed. As to the personnel consequences, they should be considered in the light of the volume of work involved for the future office. His delegation’s position was that any decision should be based on long-term factors, taking into consideration all the information which could be provided by the Secretariat, including the questions raised by the United Kingdom.

Mr. CHRYSOSTOMOU (Cyprus) endorsed the questions raised by the United Kingdom. He wondered why, if additional costs of up to \$ 20,000 for an office whose necessity had not been established, could be covered by existing budget appropriations for the remainder of the current biennium, there were insufficient funds to host a meeting of the GESAMP/EHS Working Group.

Ms. SOBEKWA (South Africa) acknowledged the Secretary-General’s proposal to establish a liaison office, but was concerned about the state of the Organization’s funds. She endorsed the comments of the representative of Cyprus, as South Africa attached great importance to GESAMP.

Ms. FERNÁNDEZ (Panama) said that although it was indeed important for IMO to forge closer links with the United Nations Organization, a more detailed analysis was required as to the way of achieving that. The proposal for a liaison office seemed appropriate, in theory, but further clarifications were needed as to its objectives and activities, and IMO’s interaction with it. Panama wished to know more about the short- and long-term cost implications for the Organization.

**The meeting rose at 12.30 p.m.**