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COUNCIL – 96th session

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**SUMMARY RECORD OF THE SIXTH MEETING**

**held at IMO Headquarters, 4 Albert Embankment, London SE1 7SR  
on Wednesday, 21 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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Corrections to all summary records of the session will be issued in a consolidated corrigendum.

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**CONTENTS**

	<b>Page</b>
<b>Agenda item 14 – External relations:</b>	3
(a) Relations with the United Nations and the specialized agencies (continued)	3
(b) Joint Inspection Unit	5
(c) Relations with intergovernmental organizations	8
(e) World Maritime Day	9
(f) International Maritime Prize	11
(g) IMO Award for Exceptional Bravery at Sea	13
<b>Agenda item 15 – Report on the status of the Convention and membership of the Organization</b>	15
<b>Agenda item 16 – Report on the status of conventions and other multilateral instruments in respect of which the Organization performs functions</b>	18
<b>Agenda item 17 – Date and place of the next session of the Council</b>	21
<b>Statement by the Secretary-General concerning action by IMO in the event of an avian influenza pandemic</b>	21

**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 Addds. 1-2, C 96/14(a)/2 and C 96/14(a)/3 (continued))**

The SECRETARY-GENERAL, replying to questions raised at the previous meeting in relation to IMO representation at the United Nations, apologized for the late submission of document C 96/14(a)/3. The individual mentioned in the document had retired sooner than anticipated from his duties with the Chief Executives Board for Coordination (CEB) so that he was available earlier than expected. It had therefore been decided at a late stage to submit the proposal contained in the document to the Council at its present session rather than to C 97. He gave an assurance that the analysis and proposal had been made with due regard for the best interests of the Organization. The representative of the United Kingdom had expressed concern that the proposal would entail a long-term commitment to fund a permanent post for an IMO representative at the United Nations. That was not the case, however. The individual mentioned in the document was someone who, through his experience with the CEB, knew the United Nations system and was familiar with IMO affairs. He had offered to provide representation at a cost of \$ 1 per year, and the question was how best to accommodate that offer for the benefit of IMO. It was suggested that the Council might wish to request that a contract be offered to that individual until the end of 2008, at which time it would be invited to consider whether his performance had been satisfactory, the service represented good value, and whether the contract should be extended. Should the individual decide that he did not wish to continue, the Council would be consulted as to how best to proceed. He emphasized that the Council would be consulted at every stage of the process.

The service envisaged would include permanent advocacy for, and promotion of, IMO objectives and interests in United Nations bodies, including the General Assembly and the Economic and Social Council, and representation on issues of concern to IMO in the context of the United Nations Open-ended Informal Consultation Process on Oceans and the Law of the Sea, resolutions on the Law of the Sea, security-related issues, matters concerning the funding agencies (UNDP, the World Bank, the Global Environment Facility, the Organization of American States, the Inter-American Development Bank), system-wide decision-making on staff matters, the high-level committees on programmes and on management, the United Nations Joint Staff Pension Fund, the Fifth Committee (Administrative and Budgetary), and interagency co-ordination meetings which provided input to the CEB.

The service would provide IMO more speedily with information concerning the need for contributions from the IMO Secretariat and governing bodies, and would also provide better information to the United Nations on the IMO position on key issues, ensuring coherence with governing body policies. The benefits would include an increase in IMO involvement in system-wide planning and decision-making, and participation in the usual meetings plus additional key meetings in which IMO was not normally represented because of budgetary constraints. Those benefits would raise awareness throughout the United Nations system of IMO's work and of the role of shipping in sustainable development and international trade, and would increase access to donor funding for the ITCP.

Turning to financial aspects, he explained that IMO currently sent a representative from London, usually a staff member from the Administrative Division, to attend meetings at United Nations headquarters in New York of the high-level committees on programmes and on management, the Advisory Committee on Post Adjustment Questions, the Joint Staff Pension

Board, the Information and Communication Technologies Task Force, the Human Resources Network, and the Finance and Budget Network. The average cost per mission was £2,500, and the total cost per year was around £14,000 (\$ 31,500). With a permanent representative, that expenditure would no longer be necessary, and the savings could be used to defray the estimated annual cost of \$ 20,000 for an IMO liaison office in New York.

Mr. DAVIDSON (Australia) said that he endorsed the views expressed at the previous meeting by the representatives of Cyprus, Panama, the Russian Federation, South Africa and the United Kingdom. While he understood the position taken by the Secretary-General, based on the fact that the individual mentioned had become available, it was essential to exercise due governance by providing a detailed analysis of the potential benefits of the proposal for measured consideration by the Council. Should the Council resolve that a liaison office in New York would be beneficial, there should then be a transparent recruitment process to select the best person to represent IMO. Those comments in no way reflected badly on the abilities of the individual proposed in the document, who might well be suitable. It was important for IMO to set a good example in observing due process. He had listened carefully to the Secretary-General, who had made an attractive case for the proposal, but he maintained that the Council should not act in haste and take a decision that it might subsequently regret. Australia no longer had a permanent representative at IMO in London because experience had shown that those who could represent its interests best were those who also had to deal with them back in the capital. There was a danger that permanent representatives could become more involved with the interests of the system itself than with those of the institution they were supposed to represent. Australia could not therefore support the proposal and would prefer to see more careful reflection.

Mr. KARAGEORGOPOULOS (Greece) said that most speakers had concentrated on the procedural and financial aspects of the proposal rather than how a liaison office might help to raise the visibility of IMO throughout the United Nations system. He recalled that IMO had had such an office in the past and that it had been closed for budgetary reasons. In his view, the benefits would far outweigh the costs. Having heard the Secretary-General's explanation and the commitment to keep the matter under constant review, he supported the proposal set out in document C 96/14(a)/3.

Mr. PENNY-CABRERA (observer, Peru) endorsed the views expressed by the previous speaker; the Secretary-General was clearly motivated by the best of objectives. Maritime transport was one of the most important transport systems and had earned certain rights over the years.

Turning to the question of piracy, he said that the combination of terrorism and transport of illegal drugs by sea, financed by criminal groups, was a dangerous development that had also affected Peru. Many countries were not in a position to control such criminal activities. Further work was needed in that area as a matter of urgency, and he agreed with the views expressed by the representative of Italy at the previous meeting. A better definition of what constituted an act of piracy was needed; in his view it should encompass any illegal act on the high seas or threatening a country's coastline.

Mr. MANGION (Malta) endorsed the view that the establishment of an IMO liaison office in New York required more detailed consideration by the Council. At its fourth meeting, during consideration of the MEPC report, the Council had learned of the difficulties in securing funding for an important meeting of the GESAMP/EHS Working Group. Paragraph 6 of document C 96/14(a)/3 indicated that the cost of the liaison office in New York of some \$ 20,000 for the remainder of the biennium could be met from existing budget appropriations. He proposed that the money saved by delaying the establishment of a New York liaison office should be used to finance the GESAMP/EHS Working Group meeting.

Mr. KÜHNER (Germany) said he had learned with surprise that IMO was no longer represented in New York. Such representation would raise the visibility of IMO and increase the opportunities for lobbying in IMO's interest. However, he too was not satisfied that the proposal before the Council was the best way forward; it was a question of due procedure for the selection of a representative rather than the costs involved. He proposed that the matter should be discussed in detail by the Council at its next session, and that the money saved by delaying the establishment of a liaison office should be used as suggested by the previous speaker.

Mr. CHRYSOSTOMOU (Cyprus) requested further information on the past representation of IMO at the United Nations.

The CHAIRMAN invited the Council to note the information set out in documents C 96/14(a), C 96/14(a)/1 and its addenda and C 96/14(a)/3, as well as that provided orally by the Secretary-General.

In particular, he invited the Council to note the information provided with respect to the first regular session of the United Nations Chief Executives Board for Coordination (CEB) for 2006, the resolutions adopted by the General Assembly of the United Nations which are of relevance to IMO, the report of the meeting on the "genuine link", the outcome of the seventh meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, and the follow-up action taken by the United Nations Security Council and the Secretariat pursuant to the adoption of resolution A.979(24) on *Piracy and armed robbery against ships in waters off the coast of Somalia*.

He further invited the Council to note the information set out in document C 96/14(a)/2, and that provided orally by the delegation of the Republic of Korea, and to agree to support the proposal by that delegation for a seminar and workshop for the East Africa region, on capacity building to combat piracy; and to note the statement by the delegation of Italy that, since the problem of piracy may go beyond the purely maritime sphere into that of organized international crime, liaison with other international bodies regarding that issue might be advisable.

Finally, regarding the proposal to establish a liaison office at UN headquarters in New York and to appoint Mr. Qazi Shaukat Fareed as IMO's special representative in that office, he invited the Council to request the Secretary-General to provide further information for its ninety-seventh session in November 2006, in order to clarify the issues raised by the Council and to facilitate a full discussion at that session.

**It was so decided.**

**(b) JOINT INSPECTION UNIT (C 96/14(b) and Add.1)**

The SECRETARY-GENERAL introduced document C 96/14(b), which contained information on four reports received from the Joint Inspection Unit since the ninety-fourth session of the Council.

In welcoming the recommendations contained in the reports, he emphasized that his comments were intended to facilitate a thorough awareness of the accomplishments and state of play with respect to the recommendations and should not be seen, in any way, as rigid with respect to those recommendations addressed to the legislative bodies; rather they should serve to inform any possible discussion by the Council.

The first report, entitled: “Harmonization of the conditions of travel throughout the United Nations system” (JIU/REP/2004/10), reviewed the administration of travel in the organizations of the United Nations system and contained a comparative analysis of the conditions under which staff travel was undertaken and how travel entitlements were determined under the various staff rules. The report contained 12 recommendations, which had been reviewed by himself and the senior IMO management. Some of IMO’s policies on travel were in conformity with the recommendations. However, some of the recommendations required further consideration before any decision on the way forward could be taken. Once that had been done, he would report to the Council.

The second report, “Some measures to improve overall performance of the United Nations system at the country level (Parts I and II)” (JIU/REP/2005/2), and the recommendations contained therein were, in the main, addressed to development-oriented organizations and institutions of the United Nations system with in-country representation and activities. However, some of the recommendations were relevant to the Organization’s technical co-operation programme. In that context, he and the senior management welcomed the emphasis placed on improved co-ordination and partnership between United Nations organizations, consolidation of country-specific instruments, designation of staff responsible for enhancing co-operation, collaboration and co-ordination, particularly in partnership arrangements, and common staff training programmes and mobility. Given IMO’s resource mobilization efforts to support the ITCP, he welcomed the recommendation for an inter-agency task force to review joint approaches for raising extrabudgetary/non-core funds and for developing specific measures to strengthen that aspect of the work of United Nations organizations.

The report entitled “A common payroll for United Nations system organizations” (JIU/REP/2005/4) examined the potential for financial savings for organizations and Member States should a common payroll be established. It also looked at payroll service delivery in different organizations in order to detect major obstacles and develop appropriate recommendations for improvements. The report contained two recommendations to the United Nations General Assembly and Secretary-General. He had considered the report and the recommendations in the context of IMO’s current bespoke payroll system, which was a matter of concern in terms of its stability and support. He agreed with the general thrust of the report. The ongoing review of the Organization’s existing payroll system would take the recommendations into account, as well as the recently acquired SAP platform.

He and the IMO senior management had considered in detail the fourth report, “Further measures to strengthen United Nations system support to the New Partnership for Africa’s Development (NEPAD)” (JIU/REP/2005/8), and its ten recommendations. He expressed appreciation for the work done by the JIU, which had supported the decision taken by the Council at its previous session that the theme of World Maritime Day for 2006 should be “Technical Co-operation: IMO’s response to the 2005 World Summit”, with special emphasis on the maritime needs of Africa. He welcomed the recommendations, which should be seen in the context of the ITCP (regional programme for Africa) and the positive role being played by the regional presence offices in Africa in support of an effectively co-ordinated United Nations system-wide approach to NEPAD.

He had also reviewed the 2004 Annual Report of the Joint Inspection Unit and its programme of work for 2005.

Document C 96/14(b)/Add.1 set out his comments on another JIU report, “Policies of the United Nations system organizations towards the use of open a source software (OSS) for development”. He welcomed the report and supported the four recommendations. The Secretariat considered every possibility for the use of OSS, where feasible, on the basis of a sound business case with visible operational and cost advantages. Whenever the Organization could contribute to information and communication technologies for development, every effort would be made to do so, in particular through the Secretariat’s participation in the United Nations Information and Communications Technologies Task Force, with a view to fostering digital assimilation in the context of achieving specific objectives of the Millennium Development Goals.

The CHAIRMAN invited the Council to note the information set out in document C 96/14(b) and its addendum, as well as that provided orally by the Secretary-General.

He further invited the Council to note the report “Harmonization of the conditions of travel throughout the United Nations system” (JIU/REP/2004/10), to endorse the comments made by the Secretary-General on the various recommendations, and to request the Secretariat to give further consideration to those recommendations addressed to the Organization in reaching any decision on how to proceed; to note the report “Some measures to improve overall performance in the United Nations system at the country level (Parts I and II)” (JIU/REP/2005/2) and the Secretary-General’s conclusion that, while the recommendations contained in the report were, in the main, addressed to development-oriented organizations and institutions of the UN system, those recommendations relevant to the Organization’s technical co-operation programme had been duly welcomed and supported; to note the report “A common payroll for the United Nations system organizations” (JIU/REP/2005/4), to welcome the Secretary-General’s agreement with its general thrust, and also to welcome the fact that the ongoing review for the possible replacement of the Organization’s existing payroll system would take into account the recommendations contained in the report; to note the report “Further measures to strengthen United Nations system support to the New Partnership for Africa’s Development (NEPAD)” (JIU/REP/2005/8) and welcome the Secretary-General’s comments on the report, which took into account the decision of the Council on the theme for World Maritime Day 2006, namely “**Technical Co-operation: IMO’s response to the 2005 World Summit**”, with special emphasis on the maritime needs of Africa, and also to note that the Secretary-General had welcomed the various recommendations in the context of the Organization’s Integrated Technical Co-operation Programme (regional programme for Africa) and the positive role being played by the Regional Presence Offices in Africa in support of an effectively co-ordinated UN system-wide approach to NEPAD; to note the report “Policies of the United Nations system organizations towards the use of open source software (OSS) for development” (JIU/REP/2005/7) and that the Secretary-General had welcomed the report, which outlined a number of possible benefits to be derived from the use and promotion of OSS within the UN system organizations and Member States, with a view to fostering digital inclusion in the context of achieving specific objectives of the Millennium Development Goals.

Finally, he invited the Council to note the “2004 Annual Report of the Joint Inspection Unit and Programme of Work for 2005 – Supplement No.34 A/60/34”.

**It was so decided.**

**(c) RELATIONS WITH INTERGOVERNMENTAL ORGANIZATIONS (C 96/14(c) and Corr.1 and Add.1)**

The SECRETARY-GENERAL recalled that, at its ninety-fourth session in June 2005 and at its twenty-third extraordinary session in November 2005, the Council had approved the texts of the draft agreements of co-operation on port State control between IMO and the following organizations: the Tokyo Memorandum of Understanding on Port State Control (Tokyo MoU); the Mediterranean Memorandum of Understanding on Port State Control (Med MoU); the Acuerdo de Viña del Mar; the Indian Ocean Memorandum of Understanding on Port State Control (IOMoU); the Memorandum of Understanding on Port State Control in the Black Sea Region (BS MoU); the Paris Memorandum of Understanding on Port State Control (Paris MoU); the West and Central Africa Memorandum of Understanding on Port State Control (Abuja MoU); and the Caribbean Memorandum of Understanding on Port State Control (CMoU).

The Council had also approved the texts of the draft agreements of co-operation on other bilateral matters between IMO and the following organizations: the South Asia Co-operative Environment Programme (SACEP), the International Criminal Police Organization (Interpol), the International Oil Pollution Compensation Supplementary Fund (IOPCSF) and the Commonwealth Telecommunications Organization (CTO).

Following their approval by the Assembly at its twenty-fourth regular session, the formal procedures for the signing of those agreements of co-operation were now complete.

The proposed draft agreement of co-operation between IMO and the Regional Organization for the Conservation of the Environment of the Red Sea and Gulf of Aden (PERSGA), attached to document C 96/14(c)/Add.1, had been developed in consultation with the secretariat of that organization. It followed the pattern of agreements previously concluded by IMO with other intergovernmental organizations. If approved by the Council, the agreement would be submitted to the next Assembly for final approval.

Negotiations on the agreement of co-operation with the African Union (AU) were ongoing. The Council would be informed of any developments in due course.

The CHAIRMAN invited the Council to note the information set out in document C 96/14(c) and its corrigendum and addendum, as well as that provided orally by the Secretary-General.

He further invited the Council to note the Secretary-General's report on eight agreements of co-operation on port State control, namely those with:

- (i) the Tokyo Memorandum of Understanding on Port State Control (Tokyo MoU);
- (ii) the Mediterranean Memorandum of Understanding on Port State Control (MED MoU);
- (iii) the Acuerdo de Viña del Mar;
- (iv) the Indian Ocean Memorandum of Understanding on Port State Control (IOMoU);



- (v) the Memorandum of Understanding on Port State Control in the Black Sea Region (BS MoU);
- (vi) the Paris Memorandum of Understanding on Port State Control (Paris MoU);
- (vii) the West and Central Africa Memorandum of Understanding on Port State Control (Abuja MoU); and
- (viii) the Caribbean Memorandum of Understanding on Port State Control (CMoU).

He invited the Council to note also the Secretary-General's report on four agreements of co-operation on other bilateral matters between IMO and the following organizations:

- (i) the South Asia Co-operative Environment Programme (SACEP);
- (ii) the International Criminal Police Organization – Interpol;
- (iii) the International Oil Pollution Compensation Supplementary Fund (IOPCSF); and
- (iv) the Commonwealth Telecommunication Organization (CTO).

He further invited the Council to note the Secretary-General's report that the formal procedures for the signing of the agreements of co-operation with the above-listed organizations were now complete; to approve the proposed draft agreement of co-operation between IMO and the Regional Organization for the Conservation of the Environment of the Red Sea and Gulf of Aden (PERSGA), which would be submitted to the twenty-fifth regular session of the Assembly for consideration and final approval; to note the information provided by the Secretary-General on the Agreement of Co-operation with the African Union, namely that negotiations between the secretariats of IMO and the African Union with regard to the adoption of an agreement of co-operation were still ongoing; and to request that it be advised of further developments in due course.

**It was so decided.**

**(e) WORLD MARITIME DAY (C 94/17(e))**

The SECRETARY-GENERAL said that the first part of document C 96/14(e) reported on the “parallel” event held in Lisbon, Portugal, in celebration of World Maritime Day 2005. The event had been a two-day seminar, held on 15 and 16 November 2005, in conjunction with Portugal's National Day of the Sea.

Day 1 of the seminar had been held at the Belem Cultural Centre on the theme for World Maritime Day 2005 – “International Shipping - Carrier of World Trade”. During his keynote speech, he had spoken of the strong desire to revitalize World Maritime Day by reaching out to a wider audience, and to promote the important role of shipping in the global context. That wish had become a reality thanks to the foresight and generosity of the Government of Portugal, which had volunteered to host the first “parallel” event of its kind. The presence of the Portuguese secretaries of state for transport and for national defence and maritime affairs, together with participants of the highest calibre from the shipping industry, had ensured a dynamic event at which various matters relating to shipping had been highlighted; an interesting question and answer session followed.

The second day had taken place at the Geographical Society of Lisbon, on the occasion of Portugal's own National Day of the Sea, and had been attended by His Excellency Dr. Jorge Sampaio, President of the Portuguese Republic and the Minister for Public Works, Transport and Communications. On that day, a paper on fishing vessel safety had been delivered on behalf of IMO.

There could be no doubt about the success of the first "parallel" event. One reason for promoting the celebration of World Maritime Day at a location outside London was to stimulate interest in the importance of international shipping and the role of IMO in promoting safety, security and marine environmental protection in all countries and regions of the world. The success of the Lisbon seminar, measured by the lively debate, the interest of the audience, and the publicity generated, had proved that that objective could be achieved and that similar events could be organized successfully in other parts of the world. The experience gained by IMO in organizing the event in conjunction with the Portuguese Government had fully justified the initiative taken in that respect.

The theme chosen for World Maritime Day 2005 had highlighted the contribution of shipping to the global economy and the world community and the progress made by IMO and its Member States in terms of promoting ship safety and security and the protection of the marine environment. It was hoped that similar events would make the public more aware and knowledgeable about the role of international shipping and the work of the Organization. Each year, such events would help to highlight the presence and commitment of the Organization in a particular country or region and help to make World Maritime Day special.

Thanks to the generosity and hospitality of Portugal, there had been no significant budgetary implications for the Organization. He again expressed appreciation to the Portuguese Government and to the speakers and panellists from governments, the industry and the specialized maritime press who had given their time so generously to ensure the success of the event. He looked forward to a more widespread international celebration of World Maritime Day in other parts of the world in the years ahead.

The SECRETARY-GENERAL said that the second part of document C 96/14(e) reported on the arrangements made for the celebration of World Maritime Day 2006. The Council would recall that the theme chosen for the day was "Technical co-operation: IMO's response to the 2005 World Summit", to give the Organization the opportunity to enhance and publicize its technical co-operation activities, placing special emphasis on its technical co-operation programme and maritime needs in Africa.

Member Governments had been informed by Circular letter No.2701, dated 16 February 2006, that World Maritime Day 2006 would be observed during the week 25 to 29 September and would be celebrated by IMO on 28 September 2006. The reception, which he normally hosted at IMO headquarters, would be held at the Banqueting House, Whitehall, London, in view of the IMO headquarters refurbishment.

Since the issue of document C 96/14(e), he had been informed by the Maritime and Port Authority of Singapore that it intended to host the 2006 IMO World Maritime Day parallel event on 25 September, the first day of its celebrations to mark Singapore's Maritime Week. He encouraged the participation of as many representatives of IMO Member Governments and international organizations as possible. Their presence would add value to the event and promote the whole concept behind the day and the event. He would report to the Council on the outcome of the event in due course.

The CHAIRMAN invited the Council to note the information set out in document C 96/14(e), and that provided orally by the Secretary-General.

With regard to the “parallel” event held in Lisbon, Portugal, he invited the Council to agree that it had been carried out successfully and had helped to highlight the importance of international shipping to the world economy, as well as the role played by IMO in promoting ship safety and security and the protection of the marine environment; to note, with appreciation, that there had been no significant budgetary implications for the Organization, and to record its appreciation to the Portuguese Government for hosting the “parallel” event and supporting it financially; and to encourage Member States, in the light of the success of the Portuguese experience, to hold similar events, in parallel with future celebrations of World Maritime Day.

He further invited the Council, recalling that the theme for World Maritime Day 2006 was “**Technical Co-operation: IMO’s response to the 2005 World Summit**”, to note that the day would be celebrated by IMO on Thursday, 28 September 2006, with the traditional reception being hosted, due to the refurbishment, at the Banqueting House, Whitehall, London, courtesy of the United Kingdom Government, and, further recalling the offer of the Government of Singapore to host the 2006 “parallel” event to celebrate World Maritime Day, to note that a report on the outcome of the event, scheduled to take place on 25 September 2006, would be submitted to it in due course.

**It was so decided.**

Miss HO (Singapore) congratulated the Government of Portugal and the Secretary-General on the success of the first “parallel event” in 2005. Singapore would be pleased to host the IMO World Maritime Day “parallel event” in 2006. It would raise the curtain on a Maritime Week in Singapore that would be filled with high-profile maritime and related activities. A “World Maritime Day at Singapore” forum would be held in the morning at the Fullerton Hotel. That would be followed by an evening reception in the Asian Civilization Museum bringing together the leading maritime personalities in international shipping. Building on the Secretary-General’s message delivered on World Maritime Day 2006, the forum would cover topics relating to the importance and challenges inherent in shipping and in technical co-operation related to capacity building for developing countries.

On behalf of the Maritime and Port Authority of Singapore she invited all Members, associates, partners and friends of IMO to participate in the World Maritime Day second “parallel” celebration in Singapore on 25 September 2006. A flyer on the event had been distributed to Member States. She looked forward to receiving registrations and warmly welcomed World Maritime Day to Singapore.

**(f) INTERNATIONAL MARITIME PRIZE (C 96/14(f))**

The SECRETARY-GENERAL said that document C 96/14(f) reported on the nominations received for the award of the International Maritime Prize for 2005. The two candidates, whose nominations had been received by the stipulated closing date of 15 January 2006, were listed in paragraph 3 of document C 96/14(f) and their details, as provided by the nominating authorities, were given in the annexes to that document.

The CHAIRMAN noted that there were two candidates nominated for the 2005 Prize: Mr. Thomas (Tom) Allan, nominated by the Government of the United Kingdom, and Dr. Freddy Belisario Capella, nominated by the Government of Venezuela.

Mr. CAMACHO LIENDO (observer, Venezuela) said that his delegation was pleased to submit to the Council its nomination of Dr. Freddy Belisario Capella, a distinguished maritime lawyer who had worked for over 40 years as a professor of maritime law, American international law and shipping and external trade law. Currently he was a senior judge at the national maritime courts, member of the Comité Maritime International (CMI) in Belgium and president of the Iberoamerican Institute of Maritime Law. His professional achievements were an example to young professionals starting off in the maritime world and he had greatly influenced other countries in the region.

However, his delegation appreciated that its great friend, the outstanding naval architect who had done excellent work for IMO, Mr. Tom Allan, had been nominated by the Government of the United Kingdom and Northern Ireland. His government therefore wished to withdraw its application, thus leaving Tom Allan as the sole candidate, for election by consensus. He requested that the Secretary-General re-issue Venezuela's nomination of Dr. Belisario Capella for the Maritime Prize in 2006. He congratulated Mr. Allan on what would be well-deserved recognition of his distinguished professional career.

The announcement by the representative of Venezuela was received with acclaim.

The CHAIRMAN, on behalf of the Council, thanked Venezuela for its magnanimous gesture.

Mr. SADLER (United Kingdom) endorsed the Chairman's words and said he himself had not been aware that his friends and colleagues from Venezuela intended to make their announcement. His delegation felt grateful and somewhat humbled by the decision and the way in which it had been announced by the Venezuelan representative.

**The CHAIRMAN invited the Council to elect Mr. Tom Allan as the winner of the Maritime Prize by acclamation.**

Mr. SADLER (United Kingdom) said that he would pass on the message to Mr. Tom Allan as speedily as possible.

The SECRETARY-GENERAL congratulated the winner of the 2005 Prize, to whom he would communicate the decision of the Council. He would also communicate the appreciation of the Council to the nominating government for submitting such a worthy candidate. Arrangements for the presentation of the Prize would be made with Mr. Allan.

The circular letter inviting nominations for the award of the 2006 Prize (paragraph 5 of document C 96/14(f)) had been issued. Nominations for the 2006 Prize had to be received not later than 15 January 2007 for submission to the Council at its ninety-eighth session in June 2007; he would re-issue the nomination of the Venezuelan candidate as requested.

The CHAIRMAN invited the Council to note the information set out in document C 96/14(f), and that provided orally by the Secretary-General.

He further invited the Council to award the International Maritime Prize for 2005 to Mr. T. Allan (United Kingdom) and extend its congratulations to him; to express its appreciation to the Government of the United Kingdom for nominating such an eminent candidate for the Prize and to the Government of Venezuela for its magnanimous gesture in postponing the nomination of its candidate for the Prize to 2007; and to note and endorse the measures taken and those proposed by the Secretary-General in respect of the Prize for 2006.

**It was so decided.**

**(g) IMO AWARD FOR EXCEPTIONAL BRAVERY AT SEA (C 96/14(g))**

The SECRETARY-GENERAL recalled that, at its ninety-fourth session, in June 2005, the Council had endorsed his proposal calling for the establishment of the IMO Award for Exceptional Bravery at Sea, the purpose of which would be to provide unique, international recognition of those who, at the risk of losing their own life, performed acts of exceptional bravery, displaying outstanding courage at sea in order to save life or prevent catastrophic pollution of the marine environment. The Council had requested him to prepare draft guidelines for the award, for its consideration at the current session.

The draft guidelines had been prepared and were contained in annex 1 to the document. Their aim was to define the purpose of, and criteria for, granting the IMO Award for Exceptional Bravery at Sea. They stipulated the process by which nominations for the award would be sought, considered, assessed and decided; the form that award would take; and the manner in which it would be awarded.

The design of the medal accompanying the award, which had been submitted for consideration and approval by the Council, had been developed with the prompt assistance and co-operation of the Government of Spain, in particular the Minister of Transport.

He advised the Council that the estimated sum of £3,000 per year to cover costs relating to the award could be absorbed within the regular budget.

Mr. CHRYSOSTOMOU (Cyprus) welcomed the inclusion of non-governmental organizations (NGOs) in the assessment panel for the award. In his view, they should also be given the possibility of nominating candidates. He asked for paragraph 4, annex 1, of document C 96/14(g) to be amended accordingly, by adding the words “or an intergovernmental organization or non-governmental organization” after “Member Governments”.

Mr. PACHA VICENTE (Spain) said that because of its geographical situation Spain was required to provide high-quality rescue services to the international community, and he therefore welcomed IMO’s decision to reward the efforts and bravery of those who risked their own lives to provide rescue services or combat pollution. He commended the proposed draft guidelines and supported the suggestion made by Cyprus. He informed the Council that Spain approved of the medal’s design and would co-finance the manufacturing costs of the medals, which would be minted as a limited edition.

Mr. SADLER (United Kingdom) expressed his full support for the initiative. Since the medal was to be awarded to anyone performing an act of exceptional bravery – be it seaman, merchant seaman, fisherman, yachtsman, lifeboatman or aircrew member – as reflected in the medal’s proposed design – he suggested that paragraph 4.3 of annex 1 should be formulated in a more general manner, for example using the words “skill displayed” alone.

Mr. NTULI (South Africa) said that his country had been a strong supporter of the initiative to establish the IMO Award for Exceptional Bravery at Sea. He supported the suggestions made by the United Kingdom and Cyprus.

Mr. PONOMAREV (Russian Federation) expressed his support for the initiative and suggested that the award of the medal should be accompanied by a monetary prize. Referring to the proposed design of the medal in annex 2, he sought clarification of what was represented by the symbol “M”.

Mr. PACHA VICENTE (Spain), at the invitation of the Secretary-General, explained that “M” was the logo of the Spanish *Moneda y Timbre*, which was the equivalent of the British Royal Mint.

The CHAIRMAN expressed reservations, in view of the budgetary situation, concerning the suggestion made by the Russian Federation.

Mr. HILL (observer, Liberia) expressed his strong support for the initiative being discussed. Referring to paragraph 4 of annex 1 he expressed concern that nominations for the award were to be made by Member Governments only. Should that not be extended to anybody saving lives at sea, in general, rather than being restricted to conventional vessels?

The SECRETARY-GENERAL confirmed that anyone showing bravery at sea could be awarded the medal, be they a helicopter pilot or somebody with a sailing board. It was not restricted to conventional vessels.

Mr. MANGION (Malta) supported the initiative, but expressed reservations concerning the suggestion made by Cyprus. He could not envisage a situation of exceptional bravery that would not be brought to the attention of a UN Member State. He therefore saw nothing wrong with leaving paragraph 4 of annex 1 as it stood, especially in view of the NGOs that were included in the assessment panel, which could be placed in a difficult situation if they had already been involved at the nomination phase.

Mr. MARTINEZ (Chile) said that his delegation associated itself with the suggestion made by the United Kingdom.

Mr. CHRYSOSTOMOU (Cyprus) clarified that the intention of his earlier suggestion had been to ensure that anybody committing an act of exceptional bravery at sea – whether a national of an IMO Member Country or not – could be awarded the IMO medal. If NGOs or IGOs were able to nominate candidates, they could put forward names on behalf of UN Member States which did not belong to IMO.

Mr. SEVILLA (Philippines) expressed his support for the award, and endorsed the suggestion by the Russian Federation that it should contain a monetary element.

The CHAIRMAN said that the suggestion of a financial reward was pertinent, but that careful consideration would have to be given to the issue of how to fund it, for example from a trust fund or from the IMO budget, which was currently closed for that biennium. A decision should first be made on the proposal as it stood, possibly taking up the issue of monetary compensation at a later date.

Mr. POLDERMAN (The Netherlands) concurred that a possible monetary aspect to the award should not be examined at that stage. With regard to paragraph 4 of annex 1, as he had understood it, Malta and Cyprus, in that delegation’s second intervention, were both in favour of nominations for the award being made by UN Member Governments. That idea could be expressed by amending the first line of paragraph 4 accordingly, inserting “United Nations” before “Member Governments”.

Mr. CHRYSOSTOMOU (Cyprus) said he endorsed that suggestion; the first line of paragraph 4 would then read “Nominations for the Award should be made by United Nations Member Governments”.

The CHAIRMAN invited the Council to note the information set out in document C 96/14(g), and that provided orally by the Secretary-General.

In particular, he invited the Council to approve the “Guidelines for the Establishment of an IMO Award for Exceptional Bravery at Sea”, contained in annex 1 to the document, as amended; to approve the proposed design of the medal accompanying the award, as reproduced in annex 2 to the document; to approve the anticipated costs related to the award, as stated in paragraph 3 of the document; to record its appreciation to the Government of Spain for its generous support and assistance in the design of the medal and its generous offer to co-finance the production of the medals; and to express its appreciation to the Secretary-General for his response to the requests of the Council concerning the award.

**It was so decided.**

#### **AGENDA ITEM 15 – REPORT ON THE STATUS OF THE CONVENTION AND MEMBERSHIP OF THE ORGANIZATION (C 96/5)**

The SECRETARY-GENERAL said that document C 96/15 gave detailed information on the status of the membership of the Organization on 24 March 2006, when IMO had 166 Members and three Associate Members. Since the Council’s extraordinary session in November 2005 there had, therefore, been no change in the total membership of the Organization. On 9 June 2006 he had received from the *Chargé d’Affaires* of the Embassy of the Republic of Serbia in London a communication enclosing two notes verbales. They stated that, immediately following the declaration of independence adopted by the National Assembly of Montenegro on 3 June 2006, the President of the Republic of Serbia had notified the Secretary General of the United Nations that the membership of the State Union of Serbia and Montenegro in the United Nations system would be continued by the Republic of Serbia, on the basis of article 60 of the Constitutional Charter of Serbia and Montenegro, and that consequently the Republic of Serbia was continuing the membership of the State Union of Serbia and Montenegro at IMO. The communication also noted that, henceforth, the name “Republic of Serbia” was to be used instead of the name “Serbia and Montenegro” at IMO. The short form of the name was to be “Serbia”.

IMO had also received, by e-mail from the United Nations dated 7 June 2006, a copy of a letter dated 5 June, from the President of the Republic of Montenegro to the United Nations Secretary General, requesting the admission of the Republic of Montenegro to membership of the United Nations. IMO had not, to date, received any direct communication from the Republic of Montenegro regarding its admission to membership of IMO.

The current total membership of the Organization remained at 166 and henceforth the name “Serbia and Montenegro” would be replaced by the name “Republic of Serbia”. The Council would be kept informed of any further developments concerning the Republic of Montenegro.

Turning to the application by the Government of the Cook Islands for IMO membership, he recalled that the matter had originally been considered by the Council at its twentieth extraordinary session in November 1999, when it had decided to recommend the application in

accordance with Article 7 of the IMO Convention. For the application to succeed, approval was required by at least two thirds of the Members of the Organization, namely 111 Members out of the total membership of 166. Since the issue of document C 96/15, one further reply approving the application had been received, bringing the total number of approvals to 66; another 45 were therefore still required. Meanwhile, as an interim measure pursuant to the Council's decisions at its ninety-second and ninety-third sessions, the Government of the Cook Islands had been invited to participate in an observer capacity in meetings of the Assembly, the MSC and the MEPC, as well as the subsidiary bodies of those organs.

Turning to the 1991 amendments to the IMO Convention, he said that annex 2 to document C 96/15 listed the Members which, by 24 March 2006, had accepted the amendments to the IMO Convention relating to the institutionalization of the Facilitation Committee, which had been adopted by the seventeenth regular session of the Assembly in 1991. Since the issue of document C 96/15, four further acceptances of the amendments had been received, bringing the total number received to date to 101. In accordance with the provisions of Article 66 of the IMO Convention, the amendments in question would enter into force twelve months after the requisite instruments of acceptance from two thirds, *i.e.* 111, of the Organization's Members had been deposited with the Secretary General of the United Nations. Ten acceptances were therefore still required for the 1991 amendments to enter into force. Seven Council Members had yet to accept the amendments. The need for the expeditious entry into force of the 1991 amendments was readily appreciable and had been repeatedly emphasized in the Council, bearing in mind the importance of the FAL Committee's contribution to the facilitation of international maritime traffic and the significance of the interrelationship between enhanced security and facilitation, which had been given special emphasis following the entry into force in July 2004 of the International Ship and Port Facility Security (ISPS) Code.

Various initiatives had been undertaken over the years to urge Member Governments to accept the amendments in question. While fruitful, they had not yet succeeded in bringing about their entry into force. Accordingly, the Assembly, at its twenty-fourth regular session, had requested him to invite once again those Member States that had yet to accept the amendments to consider doing so, with a view to bringing them into force without further delay. He had written to all the Member States concerned the previous April, emphasizing the significant link between enhanced security and facilitation and requesting them to consider giving favourable consideration to accepting the amendments at their earliest convenience. Almost fourteen years after their adoption, he earnestly hoped that his action would provide the further impetus necessary to effect entry into force. Significant progress could be made if the seven countries mentioned in the document under review as not having accepted the amendments were to do so.

He reassured the Council that he and his associates were at all times ready and willing to provide additional information and assistance to any government involved in the consideration of the two items raised in the document he had just introduced.

Mr. NAGAMATSU (Japan) informed the Council that Japan had accepted the 1991 amendments to the IMO Convention earlier that month as a further contribution to facilitation of international maritime transport and development of the international maritime industry.

Mr. NTULI (South Africa) said that his government had approved the application of the Cook Islands to become a Member of IMO, and that the related documents would be forwarded to the Organization very shortly.



Mr. FINLEY (observer, Cook Islands), speaking as Special Representative of the Cook Islands' Government, said that, as a Small Island Developing State in the Pacific Region, the Cook Islands shared a common, unique identity with its neighbours and recognized its responsibility for managing its island resources. The Pacific had supported generations of communities as their transport medium and as a source of food, tradition and culture, and the Cook Islands' present and future wellbeing was dependent upon the ocean and the ships that sailed upon it. The exclusive economic zone (EEZ) of the Cook Islands covered no less than two million square kilometres. He expressed his gratitude that the Council, at its twentieth extraordinary session, had recommended endorsement of the Cook Islands' application to become a Member of IMO. His delegation recognized the need for balance between economic progress, social advancement and environmental protection, as independent and mutually reinforceable components of sustainable development. The Government of the Cook Islands was both committed and determined to fulfil its obligations in that area: both living and non-living resources would be developed in a sustainable manner that ensured maximum benefit. The condition of their ocean environments was inextricably linked to the sustainable development of the islands, and as those islands developed, their sea trade and the number of ships passing through their EEZ would inevitably increase. It was therefore important that, with the support of the Council and the Member States of IMO, the Cook Islands, as a sovereign and independent state, was welcomed into the Organization. He assured the Council that the Cook Islands would then try its utmost to support and promote IMO's ideals in enhancing maritime safety, security and the protection of the marine environment. He recalled that responsibility in international law rested with the Cook Islands, in terms of its actions and the exercise of its international rights and fulfilment of its international obligations. The Government of the Cook Islands had the capacity to enter into treaties and other international agreements in its own right with other governments and with regional or international organizations. He expressed his gratitude for the support received.

Mr. ABDULLA (observer, Yemen) said that the Government of Yemen had accepted the 1991 amendments to the IMO Convention. Yemen had hoped to be included among the states on the relevant list in document C 96/15, but no mention was made. Yemen would forward any relevant documentation if required.

The CHAIRMAN invited the Council to note the information set out in document C 96/15, and that provided orally by the Secretary-General; and to note the status of replies received with regard to the application of the Cook Islands for membership of the Organization.

Regarding the 1991 amendments to the IMO Convention concerning the institutionalization of the Facilitation Committee, he invited the Council to take particular note of the information provided by the Secretary-General concerning the number of Member States which had accepted those amendments and the additional measures he had undertaken to encourage the further acceptances required to bring the amendments into force; to request the Secretary-General to continue urging those Member States which had not already done so, in particular any Council Members, to consider accepting the 1991 amendments to the IMO Convention at the earliest possible opportunity, and to report to the ninety-seventh session of the Council accordingly.

**It was so decided.**

**AGENDA ITEM 16 – REPORT ON THE STATUS OF CONVENTIONS AND OTHER MULTILATERAL INSTRUMENTS IN RESPECT OF WHICH THE ORGANIZATION PERFORMS FUNCTIONS (C 96/16 and Add.1)**

The SECRETARY-GENERAL said that document C 96/16 reported on the status, on 24 March 2006, of the various conventions and other instruments in respect of which the Organization performed depositary or other functions, adding that document C 96/16/Add.1 updated the information to 9 June 2006. Since the issue of the latter, the Republic of Azerbaijan had acceded to the amended Convention on Facilitation of International Maritime Traffic, 1965, and the International Convention on Salvage, 1989; the Republic of Albania had also acceded to the International Convention on Salvage, 1989; and the Portuguese Republic had acceded to the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances.

Section I of document C 96/16 provided information on the adoption of the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol of 2005 for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. He recalled that the Council had received an oral report on the SUA treaties at its twenty-third extraordinary session in November 2005. However, the adoption of their protocols had not been reported formally to the Council but rather in a document issued to the Assembly at its twenty-fourth session; for the sake of clarity and completeness the relevant information was now provided in document C 96/16.

He emphasized the vital role those two new treaty instruments would perform in ensuring that the maritime community was in a position to counteract the grave menace posed by terrorism, and also the necessity of their early entry into force, urging all Member States to take the requisite action as soon as possible. The two protocols would remain open until 13 February 2007 for signature at IMO and thereafter would be open for ratification and accession.

Section II of document C 96/16 provided information on treaties and amendments thereto for which the entry-into-force requirements had been met since the last report to the Council. The 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, had entered into force on 24 March 2006. It was a very important development insofar as pollution-prevention legislation was concerned, since the protocol represented a major change of approach to the question of how to regulate the use of the sea as a depository for waste materials. The entry-into-force requirements of another treaty relating to pollution prevention, namely the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000, had been met on 14 June 2006, following the deposit by Portugal of an instrument of accession. That protocol would enter into force on 14 June 2007 and provide a global framework for international co-operation in combating major incidents or threats of pollution.

With the adoption of the two new SUA protocols, there were currently 49 viable treaty instruments adopted under the auspices of IMO, 39 of which were either already in force or shortly due to enter into force. Thanks were due to all those IMO Members that had contributed to the development of the treaty instruments, which constituted an indispensable part of the international legal regime regulating shipping.

Section III of document C 96/16 outlined the current situation with regard to the ten instruments and amendments to them for which the entry-into-force requirements had not yet been fulfilled. At the Council's recent sessions he had drawn particular attention to two of those instruments. The first was the Torremolinos Protocol of 1993 relating to the 1977 Torremolinos International Convention for the Safety of Fishing Vessels; he recalled the decision taken by the Council at its ninety-third session not to seek an amendment to the relevant provisions of the protocol to expedite its entry into force, in view of the significant increase in the number of fishing vessels since 1993 when it had been adopted. Instead, the Council had urged all Member States that had not already done so to ratify the protocol at the earliest opportunity. He also recalled the various initiatives he had taken in that regard, including communication with governments of states owning large numbers of fishing vessels, which had resulted in a further two accessions to the protocol. Despite those initiatives, the number of Contracting States remained at 12, just three short of the 15 required to meet one of the entry-into-force conditions. In addition, the aggregate number of fishing vessels owned by those states was only approximately 3,064 units – far short of the 14,000 units of the requisite length needed to fulfil the second entry-into-force condition of the protocol. He again urged Member States to ratify the Torremolinos Protocol as soon as possible and reminded Members that the Secretariat would assist in any way possible. He drew attention to the fact that the officials with whom he had raised the issue had informed him that it fell under the jurisdiction of their ministries of agriculture and he requested Council Members to pass the matter on to their ministries of agriculture for urgent action.

The second instrument was the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995, which, to date, had still attracted only five acceptances out of the 15 needed to bring it into force, in spite of the regional seminars the Secretariat had convened worldwide to facilitate its acceptance by participating governments. Mindful of the recent emphasis on the human element in shipping, he again wished to encourage governments to consider acceding to that convention to facilitate its entry into force as early as possible. The Secretariat would continue to assist governments in gaining and understanding of the implications of the Convention.

He recalled that he had written to 30 governments regarding the immensely important International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004. As a result, there were now six Contracting States to the Convention, which fell far short of the 30 required to bring it into force, and more action was needed to ensure it happened in the foreseeable future.

The 2001 International Convention on the Control of Harmful Anti-fouling Systems on Ships (AFS Convention) had still not yet met its entry-into-force requirements. He recalled that he had written to the 68 Member Governments which had signed the final act of the conference adopting the convention, reminding them of the need to consider taking action with regard to ratifying the convention and of the significant benefits to the marine environment that would ensue from its entry into force. As a result, the number of Contracting States to the convention had risen to 16, representing approximately 17.2 per cent of the gross tonnage of world merchant shipping. Again, those ratifications fell short of the 25 states, representing 25 per cent of the world's merchant shipping, required for its entry into force. Mindful that the convention's uneven implementation might lead to inconsistencies within various regions, with possible negative repercussions on the efficient transfer of goods between countries across the globe, and given the fact that the convention established 1 January 2008 as the date on which organotin compounds were to be banned, by which time it might not have entered into force, he had written again to those Member States yet to ratify it, underlining the urgent need for action.

He recalled that he had repeatedly emphasized the significant impact that the entry into force of both the AFS and Ballast Water Conventions would have on the marine environment and again urged Member Governments to consider taking appropriate action with regard to facilitating their entry into force as soon as possible.

The Secretariat would continue to encourage governments to accept the various IMO conventions and protocols and assist them to implement them uniformly and effectively, in accordance with the decisions of the Assembly, the Council and other bodies of the Organization.

Mr. GASC (France) said that the procedures for France's accession to the AFS Convention and ratification of the Torremolinos Protocol were under way and that it would be commencing procedures imminently to ratify the Ballast Water Management Convention and the OPRC-HNS Convention.

Mr. CHRYSOSTOMOU (Cyprus) thanked the Secretary-General for his efforts regarding the 2001 Torremolinos Convention and Protocol and the 1995 STCW-F Convention and explained that Cyprus had not responded because it did not currently register fishing vessels. As Chairman of the MEPC, he thanked the Secretary-General for pointing out that if the AFS Convention were not ratified before 2008, trade might be disrupted; that was an important point, particularly as some regions already had in place national regulations on anti-fouling paint. He informed the Council that Cyprus was now party to all the annexes of MARPOL, including Annex IV, which would come into force on 31 August 2006. Finally, he suggested that the website on the status of conventions should be updated from 2003 to 2006, or at least to 2005.

The CHAIRMAN invited the Council to note the information set out in document C 96/16 and its addendum, as well as that provided orally by the Secretary-General.

He invited the Council to note and welcome in particular the entry into force, on 24 March 2006, of the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, and that the entry-into-force requirements of the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000, had been met on 14 June 2006 and that the Protocol would enter into force on 14 June 2007.

He further invited the Council to endorse and support the Secretary-General's continuing efforts to encourage governments to consider accepting those instruments to which they are not yet parties; and, in particular, reiterated its plea to Member Governments to pay particular attention to ratifying:

- (i) in respect of safety-related conventions, the 1993 Torremolinos Protocol and the 1995 STCW-F Convention; and
- (ii) in respect of environment-related conventions, the 2001 AFS Convention and the 2004 Ballast Water Management Convention,

to enable them to enter into force as soon as possible.

With regard to security-related conventions, he invited the Council to note the importance of early entry into force of the two recently-adopted SUA Protocols and to urge Member Governments to take the necessary action to achieve that as a matter of priority.

Finally, he invited the Council to request the Secretary-General to continue responding to the needs of the international maritime community insofar as the requirement for new, or revised, legislation is concerned, and, equally importantly, to continue encouraging and assisting States to accept and implement the various treaty instruments.

**It was so decided.**

**AGENDA ITEM 17 – DATE AND PLACE OF THE NEXT SESSION OF THE COUNCIL  
(C 96/17)**

The SECRETARY-GENERAL said that the next two sessions of the Council were scheduled to take place during the refurbishment period and that appropriate arrangements were being made for them to be held in London at alternative locations outside headquarters – the details were contained in document C 96/17.

He proposed that the ninety-seventh regular session of the Council should be held at the Central Hall Westminster, London, from 6 to 10 November 2006 and thanked the host government for providing the meeting venue.

Taking into account the provisional programme of meetings of the Organization for 2007 and the availability of suitable conference facilities, as outlined in document C 96/4(b), he further proposed that the ninety-eighth session of the Council should be held at the Horticultural Halls, London, from 25 to 29 June 2007.

The CHAIRMAN invited the Council to note the information contained in document C 96/17 and that provided orally by the Secretary-General.

In particular, he invited the Council to agree that:

- (i) the ninety-seventh session of the Council should be held from 6 to 10 November 2006 at the Central Hall Westminster in London; and
- (ii) the ninety-eighth session of the Council should be held from 25 to 29 June 2007 at the Horticultural Halls in London.

**It was so decided.**

**Statement by the Secretary-General concerning action by IMO in the event of an avian influenza pandemic**

The SECRETARY-GENERAL drew attention to Circular letter No.2694, dated 23 January 2006, entitled “Highly Pathogenic H5N1 Avian Influenza” which provided guidance, based on relevant recommendations by the World Health Organization, on minimizing any relevant risks to passengers, seafarers and the public at large and ensuring that the maritime community was fully aware of any precautions to be taken. The circular mentioned a statement made by transport ministers attending a ministerial conference on international transport security held in Tokyo earlier in January 2006 in which they undertook to minimize any negative impact for transport systems arising from the disease.

In the event of a pandemic London, given its size and the fact that it was home to the world's two busiest airports, would be at great risk. The measures to be taken by IMO would therefore need to be more comprehensive than at other duty stations.

In terms of the WHO global influenza preparedness plan, the world was currently at phase 3 – meaning no or very limited human-to-human transmission. Phase 6 would be declared at the stage when a pandemic occurred due to sustained human-to-human transmission. In accordance with UN guidelines, IMO had established a crisis team, appointed a co-ordinator and procured a limited amount of material supplies. In addition, staff had been alerted via circulars and the intranet, and contact had been established with the host government regarding the national emergency plan.

Should WHO declare phase 6 all staff, with the exception of a core staff group (CSG), would be instructed to remain at home during the pandemic and all duty and home-leave travel would be suspended. The meeting schedule of the Organization would be cancelled. IMO's IT network would continue to function and, where feasible, staff would be expected to continue their work from home.

The CSG would be led by the head of Human Resources and mobilized on his or her instructions, while continuing to work at IMO. Its first task would be to arrange a full briefing for the Secretary-General and the SMC. All staff, delegates and Member States would be kept up to date on developments through the intranet, the Internet and the cascading system developed for use in the event of a terrorist attack. A reporting system would be established to keep track of IMO staff falling victim to the pandemic.

In order to minimize the danger of exposing members of the CSG to influenza they would be vaccinated with Tamiflu and provided with protective masks. The CSG would travel to and from work using either private cars or transport provided by IMO – they would not travel by public transport.

After the pandemic, the CSG would plan for the orderly return to work of the various divisions and sections of the Secretariat.

Any administrative questions arising from the phase 6 situation would be dealt with in accordance with the guidelines issued by the UN.

**The meeting rose at 5.25 p.m.**