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**DRAFT
SUMMARY OF DECISIONS
(Continued)**

11 TECHNICAL CO-OPERATION FUND – FINAL REPORT ON ACTIVITIES OF THE 2004-2005 PROGRAMME (agenda item 11)

11.1 The Council noted the information set out in documents C 96/11 and TC 56/4, and that provided orally by the Secretary-General, on the report on the technical co-operation activities that were supported by the Technical Co-operation Fund (TC Fund) during the 2004-2005 biennium and expressed its appreciation to the Organization's development partners for the assistance provided to developing countries.

Reference documents: C 96/11; TC 56/4; C 90/19(b); TC 53/5; TC 56/3; C 96/SR.5

12 WORLD MARITIME UNIVERSITY (agenda item 12)

(a) Report of the Board of Governors (agenda item 12(a))

12(a).1 The Council noted the information set out in document C 96/12(a), providing the draft 2005 annual report of the World Maritime University, and document C 96/12(a)/1, dealing with the matter of the appointment of the Chancellor of the World Maritime University, as well as that provided orally by the Secretary-General.

12(a).2 With regard to document C 96/12(a), the Council, in particular:

- (i) expressed its satisfaction at the University's outstanding record of academic achievement and of excellence in its operations;

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- (ii) extended 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;
- (iii) urged IMO Member States and the maritime community as a whole to provide any necessary financial support they may be able to, to enable the University to continue playing its important role efficiently and effectively; and
- (iv) paid tribute to Professor Gunther Zade of Germany; Justice Richard E. Cooper of Australia; and Professor Pierre Houssin of France, who had passed away recently, for their excellent services to the cause of IMO and WMU over many years.

12(a).3 With regard to document C 96/12(a)/1, the Council decided to reappoint the Secretary-General as Chancellor of the World Maritime University for the period 1 July 2006 to 30 June 2008 and extended its congratulations to him as he continues in that capacity.

Reference documents: C 96/12(a); C 96/12(a)/1; C 96/12(b); TC 56/8; C 96/SR.5

(b) Budget (agenda item 12(b))

12(b).1 The Council noted the information set out in document C 96/12(b), and that provided orally by the Secretary-General, on the budget of the World Maritime University for the calendar year 2006.

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

- (i) expressed its deep gratitude to the Governments and diverse organizations which sustain 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 (ITF), the Governments of Canada,

Denmark, France, Norway, the Republic of Korea and the United Kingdom and Inmarsat Limited; and

- (ii) took note of the continuing financial challenges facing the University and urged 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.

Reference documents: C 96/12(b); C 96/12(a); TC 56/8; C 96/SR.5

13 IMO INTERNATIONAL MARITIME LAW INSTITUTE (agenda item 13)

(a) Report of the Governing Board (agenda item 13(a))

13(a).1 The Council noted the information set out in document C 96/13(a) and its addendum, as well as that provided orally by the Secretary-General, concerning the report of the Governing Board of the IMO International Maritime Law Institute (IMLI) and document C 96/13(a)/1, dealing with the matter of the appointment of the Chairman of the Governing Board of IMLI.

13(a).2 With regard to document C 96/13(a) and its addendum, the Council, in particular:

- (i) expressed its appreciation to the Secretary-General and the Director of IMLI for their continuing efforts to ensure the long-term viability of the Institute;
- (ii) expressed its appreciation to the IMLI faculty and staff for their determined and dedicated efforts to strengthen the Institute's academic and financial base;
- (iii) pledged its support to the Institute, which had just completed seventeen years of operation and acknowledged that, despite limited resources, it had maintained high academic standards in the field of international maritime law; and
- (iv) recognized the essential role the Institute continues to play in strengthening the capacity of developing countries to implement the many IMO treaties and regulations, a role which is as vital now as when the Institute was established in 1988.

13(a).3 With regard to document C 96/13(a)/1, the Council decided to reappoint the Secretary-General as Chairman of the Governing Board of IMLI for the period 1 July 2006 to 30 June 2008 and extended its congratulations to him as he continues in that capacity.

Reference documents: C 96/13(a) and Add.1; C 96/13(a)/1; TC 56/8; C 96/SR.5

(b) Budget (agenda item 13(b))

13(b).1 The Council noted the information set out in document C 96/13(b) and its addendum, as well as that provided orally by the Secretary-General, concerning the budget of the IMO International Maritime Law Institute.

13(b).1 The Council, in particular;

- (i) expressed deep gratitude to the Government of Malta and 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 and, in particular, the Nippon Foundation of Japan (for providing funds for ten full scholarships) and Lloyd's Register of Shipping (for providing funds for three full scholarships) both for the period 2005-2006; and
- (ii) noted the "unqualified" nature of the financial audit of the Institute up to August 2005.

Reference documents: C 96/13(b) and Add.1; TC 56/8; C 96/SR.5

14 EXTERNAL RELATIONS (agenda item 14)

(a) Relations with the United Nations and the specialized agencies (agenda item 14(a))

14(a).1 The Council noted 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, on relations with the United Nations and the specialized agencies.

14(a).2 In particular, the Council noted the information provided with respect to:

- (i) the first regular session of the United Nations Chief Executives Board for Coordination (CEB) for 2006;
- (ii) the resolutions adopted by the General Assembly of the United Nations which are of relevance to IMO;
- (iii) the report of the meeting on the “Genuine Link”; and
- (iv) the outcome of the 7th meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea; and
- (v) 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.

14(a).3 The Council also noted the information set out in document C 96/14(a)/2, and that provided orally by the delegation of the Republic of Korea, and agreed to support the proposal by the delegation for a seminar and workshop for the East Africa Region, on capacity building to combat piracy; and further noted 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 this issue may be advisable.

14(a).4 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, the Council requested the Secretary-General to provide further information to 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.

Reference documents: C 96/14(a); C 96/14(a)/1 and Add.1-3; C 96/14(a)/2; C 96/14(a)/3; C/ES.23/17(a); C/ES.23/D; resolution A.979(24); TC 56/3/1; TC 56/3/2; TC 56/3/3; MSC 81/19/1; C 96/SR.6

(b) Joint Inspection Unit (agenda item 14(b))

14(b).1 The Council noted the information set out in document C 96/14(b) and its addendum, as well as that provided orally by the Secretary-General, on consideration of reports issued by the Joint Inspection Unit.

14(b).2 The Council noted the report “Harmonization of the conditions of travel throughout the United Nations system” (JIU/REP/2004/10) and endorsed the comments made by the Secretary-General on the various recommendations, and requested the Secretariat to give further consideration to those recommendations addressed to the Organization in reaching any decision on how to proceed.

14(b).3 The Council noted 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.

14(b).4 The Council noted the report “A common payroll for the United Nations system organizations” (JIU/REP/2005/4) and welcomed the Secretary-General’s agreement with its general thrust. The Council also welcomed 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.

14(b).5 The Council noted the report “Further measures to strengthen United Nations system support to the New Partnership for Africa’s Development (NEPAD)” (JIU/REP/2005/8) and welcomed 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. The Council also noted 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.

14(b).6 The Council noted 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.

14(b).7 The Council noted the 2004 Annual Report of the Joint Inspection Unit and Programme of Work for 2005 – Supplement No. 34 A/60/34.

Reference documents: C 94/14(b) and Add.1; C 96/SR.6

(c) Relations with intergovernmental organizations (agenda item 14(c))

14(c).1 The Council noted 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, on relations with intergovernmental organizations.

14(c).2 The Council noted the Secretary-General’s report on eight Agreements of Co-operation on Port State Control, namely 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).

14(c).3 The Council also noted 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 Organisation (CTO).

14(c).4 The Council further noted 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.

14(c).5 The Council approved 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 will be submitted to the twenty-fifth regular session of the Assembly for consideration and final approval.

14(c).6 The Council noted 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. The Council requested that it be advised of further developments in due course.

Reference documents: C 96/14(c); C 96/14(c)/Corr.1; C 96/14(c)/Add.1; A 24/21(c) and Add.1-2; C 96/SR.6

(e) World Maritime Day (agenda item 14(e))

14(e).1 The Council noted the information set out in document C 96/14(e), and that provided orally by the Secretary-General, reporting on the inaugural “parallel” World Maritime Day event which took place in Lisbon, Portugal, on 15 and 16 November 2005; and on the arrangements for the celebration of World Maritime Day in 2006.

14(e).2 With regard to the “parallel” event held in Lisbon, Portugal, the Council:

- (i) agreed 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;
- (ii) noted, with appreciation, that there had been no significant budgetary implications for the Organization, and wished to record its appreciation to the Portuguese Government for hosting the “parallel” event and supporting it financially; and
- (iii) encouraged 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.

14(e).3 The Council, recalling that the theme for World Maritime Day 2006 is “**Technical Co-operation: IMO’s response to the 2005 World Summit**”, noted that the Day would be celebrated by IMO on Thursday, 28 September 2006, with the traditional reception, which is usually held at IMO Headquarters, this year, due to the refurbishment, being hosted at Banqueting House, Whitehall, London, courtesy of the United Kingdom Government.

14(e).4 The Council, further recalling the offer of the Government of Singapore to host the 2006 “parallel” event to celebrate World Maritime Day, noted 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.

Reference documents: C 96/14(e); C 94/D, paragraphs 17(e).1, 17(e).3 and 17(e).4; C/ES.23/D, paragraphs 14(d).5, 14(d).6 and 14(d).7; Circular letter No.2701; C 96/SR.6

(f) International Maritime Prize (agenda item 14(f))

14(f).1 The Council noted the information set out in document C 96/14(f), and that provided orally by the Secretary-General, on the International Maritime Prize.

14(f).2 The Council decided to award the International Maritime Prize for 2005 to Mr. T. Allan (United Kingdom) and extended its congratulations to him.

14(f).3 The Council expressed 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.

14(f).4 The Council noted and endorsed the measures taken and those proposed by the Secretary-General in respect of the Prize for 2006.

Reference documents: C 96/14(f); Circular letters Nos.2617 and 2648; C 96/SR.6

(g) IMO Award for Exceptional Bravery at Sea (agenda item 14(g))

14(g).1 The Council noted the information set out in document C 96/14(g), and that provided orally by the Secretary-General, on the IMO Award for Exceptional Bravery at Sea.

14(g).2 In particular, the Council:

- (i) approved the Guidelines for the establishment of an IMO Award for Exceptional Bravery at Sea, contained in annex 1 to the document, as amended;
- (ii) approved the proposed design of the Medal accompanying the Award, as reproduced in annex 2 to the document;
- (iii) approved the anticipated costs related to the Award, as stated in paragraph 3 of the document;

- (iv) recorded 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
- (v) expressed its appreciation to the Secretary-General for his response to the requests of the Council concerning the Award.

Reference documents: C 96/14(g); C 94/17(e); C 96/SR.6

15 REPORT ON THE STATUS OF THE CONVENTION AND MEMBERSHIP OF THE ORGANIZATION (agenda item 15)

15.1 The Council noted the information set out in document C 96/15, and that provided orally by the Secretary-General, on the status of the Convention and membership of the Organization.

15.2 The Council also noted the status of replies received with regard to the application of the Cook Islands for membership of the Organization.

15.3 As regards the 1991 amendments to the IMO Convention, concerning the institutionalization of the Facilitation Committee, the Council took particular note of the information provided by the Secretary-General concerning the number of Member States which had accepted these amendments and the additional measures he had undertaken to encourage the further acceptances required to bring them into force. The Council requested 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.

Reference documents: C 96/15; C 96/SR.6

16 REPORT ON THE STATUS OF CONVENTIONS AND OTHER MULTILATERAL INSTRUMENTS IN RESPECT OF WHICH THE ORGANIZATION PERFORMS FUNCTIONS (agenda item 16)

16.1 The Council noted the information set out in document C 96/16 and its addendum, as well as that provided orally by the Secretary-General, on the status of conventions and other multilateral instruments in respect of which the Organization performs depositary functions.

16.2 The Council was particularly pleased to note 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.

16.3 The Council endorsed and supported 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) as far as safety-related conventions are concerned, the 1993 Torremolinos Protocol and the 1995 STCW-F Convention; and
- (ii) as far as environment-related conventions are concerned, the 2001 AFS Convention and the 2004 Ballast Water Management Convention;

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

16.4 As far as security-related conventions are concerned, the Council noted the importance of the early entry into force of the two recently-adopted SUA Protocols and, consequently, urged Member Governments to take the necessary action to effect this as a matter of priority.

16.5 The Council requested 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.

Reference documents: C 96/16 and Add.1; C 96/SR.6

17 DATE AND PLACE OF THE NEXT SESSION OF THE COUNCIL (agenda item 17)

17.1 The Council noted the information contained in document C 96/17, and that provided orally by the Secretary-General, concerning the date and place of the next sessions of the Council.

17.2 In particular, the Council agreed that:

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

Reference documents: C 96/17; C 96/SR.6

[MORE TO COME]
