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## GENERAL

The one hundredth session of the Council was held at IMO Headquarters, London, from 16 to 20 June 2008, under the Chairmanship of Mr. J. Franson (Sweden). The Vice-Chairman, Mr. D. Ntuli (South Africa), was also present.

The Council noted, with appreciation, that, to promote the 2008 World Maritime Day theme of “IMO: 60 years in the service of shipping”, a series of celebrations had been organized to commemorate 60 years since the adoption of the IMO Convention, in 1948; 50 years since the Convention entered into force, in 1958; the Council’s one hundredth session; the 25<sup>th</sup> and 20<sup>th</sup> anniversaries, respectively, of the World Maritime University and the IMO International Maritime Law Institute; and the formal re-opening of, and the Organization’s return to, its newly refurbished Headquarters building. In respect of the latter, the Council agreed to consider, under item 4(b) of its agenda, the adoption of a resolution proposed by the Chairman expressing its thanks and appreciation to all those concerned with the successful, timely and to budget completion of the Headquarters building refurbishment project.

**Reference document:** C 100/SR.1

## INVITATION TO NON-MEMBERS OF THE COUNCIL TO ATTEND THE SESSION

At their request, delegations from Algeria, Angola, Belize, Benin, Bolivia, Bulgaria, Colombia, Côte d’Ivoire, Cuba, the Democratic People’s Republic of Korea, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, the Gambia, Ghana, Honduras, Iran (Islamic Republic of), Iraq, Liberia, the Marshall Islands, Monaco, Morocco, Papua New Guinea, Peru, Poland, Saint Vincent and the Grenadines, Senegal, Slovenia, the Syrian Arab Republic, Tuvalu, Ukraine, the United Arab Emirates, Uruguay, Vanuatu and Venezuela were invited to attend the session as observers. Two Associate Members, Hong Kong, China and the Faroe Islands (Denmark), sent observers to the meeting.

**Reference document:** C 100/SR.1

### 1 ADOPTION OF THE AGENDA (agenda item 1)

1.1 The Council adopted the agenda and proposed timetable contained in document C 100/1/Rev.1; and noted the annotations to the agenda contained in document C 100/1/1.

1.2 With respect to agenda item 15(d), on Relations with non-governmental organizations, the Council convened a group composed of representatives from the delegations of Brazil, Canada, Italy, Malaysia, the Republic of Korea, Saudi Arabia and South Africa, and open to other interested Council Members, to consider applications for consultative status submitted by the Hot Briquetted Iron Association (HBIA); the International Ship Recycling Association (ISRA); MYBA; the World Shipping Council (WSC); NACE International and the International Association of Airport and Seaport Police (IAASP). Rear Admiral (ICG) G. Olimbo (Italy) was invited to chair the Group.

**Reference documents:** C 100/1/Rev.1; C 100/1/1; Circular letter No.2872; C 100/SR.1

## **2 REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS (agenda item 2)**

2.1 In accordance with rule 9 of its Rules of Procedure, the Council noted the Secretary-General's report that the credentials of delegations attending the session were found to be in order.

**Reference documents:** C 100/2; C 100/SR.1 and SR.2

## **3 STRATEGY AND PLANNING (agenda item 3)**

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

3(a).1 The Council noted the information set out in document C 100/3(a), and that provided orally by the Secretary-General, on developments concerning the Strategic and High-level Action Plans of the Organization; and expressed appreciation, both to the Secretary-General, for his initiative in submitting a formal record of the final status of the Organization's outputs during the 2006-2007 biennium; and to all the IMO organs for the excellent results achieved.

**Reference documents:** C 100/3(a); resolutions A.989(25), A.990(25) and A.971(24); C/ES.24/D (paragraph 3(a).2); CWGSP 7/4; C 100/SR.1

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

3(b).1 The Council noted the information set out in document C 100/3(b), and that provided orally by the Chairman of the Council Risk Review, Management and Reporting Working Group and the Secretary-General, on the outcome of the Working Group's third session (28 to 30 April 2008).

3(b).2 In approving the Risk Management Framework set out in appendix 1 of the annex to the document, the Council noted that some elements of the Framework should be considered further by the Working Group, and:

- (i) invited the Secretary-General, using the approved Framework, to conduct, early in 2009, a full risk management exercise covering the Strategic Directions and High-level Actions under his responsibility, as well as the Secretariat's related key objectives for that year; and to submit a report thereon to the Council, through a future session of the Working Group; and
- (ii) approved revised terms of reference for the Working Group, as set out in appendix 2 of the annex to document C 100/3(b), as well as the report in general.

3(b).3 The Council thanked both the Chairman (Mr. D. Ntuli of South Africa) and members of the Working Group, as well as the Secretariat, for the progress made during the meetings of the Group to date, and the positive results achieved.

**Reference documents:** C 100/3(b); C/ES.24/3(b); C 100/SR.2

#### **4 PROGRAMME FOR CHANGE (agenda item 4)**

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

4(a).1 The Council noted the information set out in documents C 100/4(a) and C 100/4(a)/1, as well as that provided orally by the Secretary-General, relating, in document C 100/4(a), to the Organization's adoption of the International Public Sector Accounting Standards (IPSAS); and, in document C 100/4(a)/1, to public access to IMO documents on the IMODOCS website.

4(a).2 With regard to document C 100/4(a), the Council requested that the Secretary-General provide an update on progress towards the implementation of IPSAS at its next session, including his analysis of the financial and legal implications of the two approaches to establishing a "trading fund" for the Organization's business activities.

4(a).3 With regard to document C 100/4(a)/1, the Council:

- (i) endorsed the proposals contained therein, on public access to IMO documents, but requested the Secretariat to provide, for consideration at its next session, a further analysis of the implications of making IMO meeting documents publicly available, prior to the conclusion of the meeting concerned; and
- (ii) noted that restricted access to texts on IMODOCS will be granted to interested parties via the IMO public website.

**Reference documents:** C 100/4(a); C 100/4(a)/1; C/ES.24/4(a); C 98/D; TC 57/14; TC 57/12; Circular letter No.2855; C 100/SR.1

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

4(b).1 The Council noted the information set out in document C 100/4(b), as well as that provided orally by the Secretary-General and the representative of the United Kingdom Government, on the Headquarters building refurbishment.

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

- (i) the completion of both Phases 1 and 2 of the Headquarters refurbishment project and the successful relocation of the Secretariat; and
- (ii) certain works were planned for the future.

4(b).3 Additionally, in welcoming the enhanced facilities now provided, the Council expressed sincere appreciation to:

- (i) the Host Government for its generous and, in all respects, significant contribution to the project; and
- (ii) the Project Team and contractors for delivering the project "on time and to budget".

4(b).4 The Council acknowledged the contribution of all those involved, through the adoption of a Council resolution (contained in document C 100/WP.2), as proposed by the Council Chairman at the opening of the meeting. The text of the resolution is reproduced at annex.

**Reference documents:** C 100/4(b); C 100/WP.2; C/ES.24/4(b); C 98/D; C 98/4(b); C 94/4(b); C 94/4(b)/Add.1; C 94/WP.1; C 93/9(e)/1; C 92/17(e)/2; C 92/D; C/ES.22/SR.2; C 100/SR.2

## **5 RESOURCE MANAGEMENT (agenda item 5)**

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

5(a).1 The Council noted the information set out in documents C 100/5(a) and C 100/5(a)/1, as well as that provided orally by the Secretary-General, on personnel matters, including amendments to the Staff Regulations and Staff Rules.

**Reference documents:** C 100/5(a); C 100/5(a)/1; C 100/INF.2; C/ES.24/5(a); C 100/SR.2

### **(b) Accounts and audit: final accounts for the second calendar year of the twenty-fourth financial period (agenda item 5(b))**

5(b).1 The Council noted the information set out in documents C 100/5(b) and C 100/5(b)/1, as well as that provided orally by the Secretary-General and the representative of the Organization's External Auditor, the Comptroller and Auditor General of India, on the final accounts of the Organization for 2007.

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

- (i) noted the Secretary-General's financial report and accounts for 2007;
- (ii) welcomed the unqualified opinion of the External Auditor;
- (iii) noted the excess of income over expenditure for 2007 of £1,088,363 before prior year savings and transfers;
- (iv) welcomed, with appreciation, the achievement of a Members' contribution level of 99.33%;
- (v) expressed its appreciation to the External Auditor for his report;
- (vi) welcomed the Secretary-General's stewardship of the Organization's Funds and his report to the Council;
- (vii) approved the use of unprogrammed reserves under the Termination Benefit Fund to cover the shortfall in available budget for 2007;
- (viii) approved the year-end transfers between Major Programmes in accordance with financial regulation 4.4 of the Organization's Financial Regulations and Financial Rules;

- (ix) decided to forward the financial statements, schedules, Notes to the Accounts and the External Auditor's report to the twenty-sixth regular session of the Assembly; and
- (x) noted the information on the accumulated liability from the operation of the Organization's Contributions Incentive Scheme.

**Reference documents:** C 100/5(b); C 100/5(b)/1; C 100/SR.2

**(c) Report on investments (agenda item 5(c))**

5(c).1 The Council noted the information set out in document C 100/5(c), as well as that provided orally by the Secretary-General, on the investment of the Organization's monies during 2007.

**Reference documents:** C 100/5(c); C 100/SR.2

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

5(d).1 The Council noted the information set out in document C 100/5(d) and its addenda, as well as that provided orally by the Secretary-General, on the status of Member States' contributions, advances to the Working Capital Fund and the implementation of Article 56 of the IMO Convention.

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

- (i) noted a slight decline in the collection rate of Members' contributions and the continuing arrears of the Member States identified in the documents under review;
- (ii) noted the reported developments in advances to the Working Capital Fund;
- (iii) urged all Member States and, in particular, Council Members, to remit all outstanding contributions as soon as possible; and
- (iv) reiterated its firm stance on the strict enforcement of Article 56 of the IMO Convention.

**Reference documents:** C 100/5(d) and Add.1-2; C/ES.24/5(b) and Add.1-3; C 98/5(d) and Add.1-2; C 100/SR.2

**(e) Budget considerations for 2008 (agenda item 5(e))**

5(e).1 The Council noted the information set out in document C 100/5(e), and that provided orally by the Secretary-General, concerning his forecast on the overall year-end status of the Organization's budget for 2008, as assessed at 31 March 2008.

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

- (i) noted the Secretary-General's review of the external pay and price factors;
- (ii) noted the forecast outturn level of the regular budget expenditure for 2008, assessed to be kept within the approved appropriation for 2008; and endorsed the advance filling of the LRIT post in 2008 and the postponement of FAL 35 to 2009;
- (iii) authorized the Secretary-General to make, as and when necessary, timely transfers between Major Programmes, to the extent that balances are available, to cover or reduce deficits in programme appropriation balances, in accordance with the Organization's Financial Regulations and Financial Rules;
- (iv) noted the forecast level of the year-end cash surplus of the General Fund;
- (v) welcomed the higher-than-expected revenue in the Printing Fund and the consequential improvement of the surplus available for transfers within the current year;
- (vi) noted the expenditure status of the Headquarters Capital Fund and the forecast for its year-end balance;
- (vii) noted the forecast expenditure level in the Termination Benefit Fund and the Secretary-General's intention to submit, in due course, proposals on the future funding of after-service health insurance liabilities; and, if necessary, to request additional funds to supplement the Fund's budget;
- (viii) noted the expenditure status and forecast year-end balance of the Training and Development Fund;
- (ix) noted the forecast year-end status of the Technical Co-operation Fund; and
- (x) noted the status of extra-budgetary programmes for 2008.

**Reference documents:** C 100/5(e); A 25/17(e) and Add.1; resolution A.991(25); C 100/SR.2

## **6 VOLUNTARY IMO MEMBER STATE AUDIT SCHEME (agenda item 6)**

6.1 The Council noted the information set out in document C 100/6, as well as that provided orally by the Secretary-General, on the Voluntary IMO Member State Audit Scheme.

6.2 The Council, in particular:

- (i) noted the outcome of the consideration by A 25 of the progress made in the implementation of the Scheme and its decision to refer the first consolidated audit summary report to the MSC and MEPC for detailed consideration and for the Council to be apprised of the outcome therefrom;

- (ii) encouraged Member States to continue to nominate qualified auditors for inclusion in the roster of auditors and for the latter to attend *ad hoc* training courses organized by the Organization; and encouraged Member States, which had not already done so, to volunteer for audits;
- (iii) noted that the ITCP for 2008-2009 provided for eight regional training courses for auditors;
- (iv) noted that 21 audits had already been completed; that another 21 countries had offered to be audited; and that eight further audits were planned for the rest of 2008;
- (v) noted that, as requested by C 98, the auditor's manual had been circulated as document A 25/8/1;
- (vi) noted that the first meeting of auditors had taken place on 29 and 30 May 2008 and that C 101 would be apprised of its outcome; and expressed appreciation to the Republic of Korea and Sweden for financially supporting the meeting;
- (vii) noted the circulation of audit summary reports and the first consolidated audit summary report, and that subsequent versions of the latter would be circulated as Council or Assembly documents, as appropriate; and
- (viii) requested the Secretary-General to prepare an holistic study, to be submitted to C 101, of possible ways of developing the Audit Scheme, taking into account the statements made during the debate, and containing concrete proposals to stimulate a meaningful discussion on the Scheme's next phase and how to achieve the objectives established when the Scheme was introduced.

**Reference documents:** C 100/6; A 25/8; A 25/8/2; resolution A.974(24); C 100/SR.3 and SR.4

## **7 PROTECTION OF VITAL SHIPPING LANES (agenda item 7)**

7.1 The Council noted the information set out in document C 100/7 and its addendum, and in document C 100/7/1, as well as that provided orally by the Secretary-General, on protection of vital shipping lanes.

7.2 With regard to document C 100/7, on the outcome of the Sub-regional meeting on piracy and armed robbery against ships in the Western Indian Ocean, Gulf of Aden and Red Sea area, held in Dar es Salaam in April 2008, pursuant to operative paragraph 7 of resolution A.1002(25), on Piracy and armed robbery against ships in waters off the coast of Somalia; and document C 100/7/1, on the actions taken by the Secretary-General pursuant to resolution A.1002(25); on related discussions and developments within the United Nations and, in particular, on the adoption of United Nations Security Council resolution 1816 (2008), on acts of piracy and armed robbery against vessels in territorial waters and the high seas off the coast of Somalia; and on the initial response of the Secretary-General thereto, the Council:

- (i) welcomed the recent developments at the United Nations on the issue of piracy and armed robbery against ships off the coast of Somalia, including the adoption of United Nations Security Council resolution 1816 (2008); and expressed appreciation to the Member States, the Secretary-General and his staff, for their contribution to the positive developments on this issue, in the United Nations Security Council;

- (ii) invited Member Governments, individually and/or collectively, to take appropriate action in accordance with relevant United Nations Security Council resolutions and, in particular, resolution 1816(2008), to ensure that the scourge of piracy and armed robbery against ships off the coast of Somalia is eradicated and that the vital shipping lane through the Gulf of Aden and the Strait of Bab el Mandeb, is protected against unlawful acts, which may threaten the safety of navigation therethrough;
- (iii) thanked the Governments, and the navies, of France, Denmark and the Netherlands for their most valuable support in escorting into Somali ports, ships carrying humanitarian aid on behalf of the World Food Programme, and encouraged them – as well as other Governments and navies – to continue assisting with this humanitarian activity;
- (iv) noted the development of a draft Memorandum of Understanding (MoU) concerning the repression of piracy and armed robbery against ships in the Western Indian Ocean, the Gulf of Aden and the Red Sea, as a work in progress for further consideration by the States concerned, taking into account the views of Council Members from countries in the region;
- (v) requested the Secretary-General to take appropriate action to promote the aforementioned MoU, including convening a high-level meeting to conclude it at the earliest possible time;
- (vi) expressed appreciation to the Governments and international organizations which had supported and assisted the Dar es Salaam meeting; and
- (vii) noted the report on the regional meeting in general.

7.3 With regard to document C 100/7/Add.1, on progress made following the 2007 Singapore meeting on the Straits of Malacca and Singapore: Enhancing Safety, Security and Environmental Protection and, in particular, in respect of the development of the Cooperative Mechanism, established by the three littoral States, as well as the Secretary-General's own initiatives, pursuant to the relevant decisions of C/ES.24, the Council:

- (i) expressed appreciation to Malaysia, for hosting the recent inaugural meetings relating to, and to the littoral States of Indonesia, Malaysia and Singapore for the establishment of the various components of, the Cooperative Mechanism on the Straits of Malacca and Singapore;
- (ii) also expressed appreciation to the Member States and intergovernmental and non-governmental organizations, for their contributions made and support pledged to the different projects under the Cooperative Mechanism and the Aids to Navigation Fund;
- (iii) further expressed appreciation to the Secretary-General and his staff for their efforts in establishing the IMO Malacca and Singapore Straits Trust Fund (IMO Fund);

- (iv) noted, with satisfaction, the progress made in the completion of an informal Memorandum of Understanding between IMO and the littoral States on co-operation between them and the Organization on safety and environmental protection in the Straits of Malacca and Singapore;
- (v) agreed that the IMO Fund should, as appropriate, contribute to the various projects and components under the Cooperative Mechanism established by the littoral States; and
- (vi) invited Member States and the industry to contribute to the IMO Fund.

7.4 The Council reaffirmed its mandate to the Secretary-General to continue his work relating to the protection of shipping lanes of strategic importance and significance; and to report to the Council as and when appropriate.

**Reference documents:** C 100/7 and Add.1; C 100/7/1; C 100/9, paragraphs 55 to 59, resolution A.1002(25); C/ES.24/7; C/ES.24/12(a)/2 and Add.1; C/ES.24/D, paragraphs 7.1 to 7.3 and 12(a).3 to 12(a).9, Circular letter No.2858; C 100/SR.4

## **8 CONSIDERATION OF THE REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE (agenda item 8)**

8.1 The Council noted the information set out in document C 100/8, as well as that provided orally by the Chairman of the Marine Environment Protection Committee and the Secretary-General, on the report of its fifty-seventh session (31 March to 4 April 2008).

8.2 In particular, the Council:

- (i) noted the progress on, and decisions made in, developing the draft international convention for the safe and environmentally sound recycling of ships; and endorsed the holding of an *ad hoc* diplomatic conference to take place in Hong Kong, China, from 11 to 15 May 2009; and
- (ii) endorsed the action taken by the Committee in approving the holding of intersessional meetings for working/technical groups in 2008.

8.3 The Council also noted:

- (i) the approval of draft amendments to MARPOL Annex VI and the NOx Technical Code, which had been circulated for adoption at MEPC 58;
- (ii) the progress on, and decisions made for, the reduction of greenhouse gas (GHG) emissions from ships, including the holding (in Oslo, from 23 to 27 June 2008) of an intersessional meeting of the Working Group on GHG Emissions from Ships, to develop measures and mechanisms for such a reduction; and the interventions of several delegations concerning a future IMO regulatory regime on GHG emissions from ships, currently on the agenda of the MEPC;

- (iii) the progress on, and decisions made relevant to, the implementation of the BWM Convention, including the adoption of one new set of guidelines and the granting of Basic Approval to four, and Final Approval to one, ballast water managements systems that make use of Active Substances;
- (iv) the designation of the Papahānaumokuākea Marine National Monument as a new PSSA and the establishment of 1 May 2009 as the date on which the “Mediterranean Sea area” Special Area under MARPOL Annex V would take effect;
- (v) the approval of unified interpretations and other measures to promote the implementation of the MARPOL Convention;
- (vi) the action taken concerning the implementation of the OPRC Convention, the OPRC-HNS Protocol and associated relevant Conference resolutions;
- (vii) the Committee’s technical co-operation activities for the protection of the marine environment; and
- (viii) the action taken by the Committee on new work programme items for the Committee and the BLG Sub-Committee.

8.4 The Council decided to transmit the report of the fifty-seventh session of the Marine Environment Protection Committee, with its comments and recommendations, to the Assembly, in accordance with Article 21(b) of the IMO Convention.

**Reference documents:** C 100/8; MEPC 57/21 and Add.1; C 100/SR.5

## **9 CONSIDERATION OF THE REPORT OF THE MARITIME SAFETY COMMITTEE (agenda item 9)**

9.1 The Council noted the information set out in document C 100/9, as well as that provided orally by the Chairman of the Maritime Safety Committee and the Secretary-General, on the report of its eighty-fourth session (7 to 16 May 2008).

9.2 In particular, the Council endorsed:

- (i) the holding, in 2010, of a conference to adopt proposed amendments to the STCW Convention and the STCW Code; and requested the Secretary-General, in his budget proposals for the 2010-2011 biennium, to include a necessary appropriation. In this context, the Council noted, with appreciation, the offer of the Philippines to host the Conference at no additional cost to the Organization; and
- (ii) the action taken by the Committee in approving the holding of intersessional meetings referred to in paragraph 86 of document C 100/9.

9.3 The Council also noted:

- (i) the adoption, by the Committee, of amendments to the 1974 SOLAS Convention, the 1988 SOLAS Protocol and to various codes and guidelines mandatory under the 1974 SOLAS Convention; as well as the adoption of the mandatory Casualty Investigation Code;
- (ii) the action taken by the Committee on issues related to maritime security;
- (iii) the progress made on the issue of goal-based new ship construction standards (GBS) and, in particular, with regard to the development of generic guidelines for the application of GBS;
- (iv) the action taken by the Committee on issues related to LRIT matters;
- (v) the Committee's decisions on issues brought to it by NAV 53, DSC 12, FP 52, BLG 12, DE 51 and STW 39 and, in particular, the course of action taken with regard to placing the complete text of the IMDG Code on the Internet and allowing it to be freely downloadable;
- (vi) the action taken by the Committee on issues relating to capacity-building for the implementation of new measures;
- (vii) the action taken by the Committee on issues relating to the human element and formal safety assessment;
- (viii) activities pertaining to the issue of piracy and armed robbery against ships;
- (ix) the action taken by the Committee on issues relating to the technical assistance sub-programme in maritime safety and security;
- (x) the action taken on issues relating to the application of the Committee's Guidelines;
- (xi) the Committee's agreement to convene, for budgetary reasons, SLF 52 at the beginning of 2010;
- (xii) the Committee's decisions relating to the High-level Action Plan and the planned outputs for the 2008-2009 biennium and the subsequent action by the Secretariat; and
- (xiii) the 33 guidelines and other recommendations approved by the Committee for dissemination.

9.4 In the context of paragraph 9.3(vi) above, the Council, following an intervention by the delegation of Cyprus, decided to consider the interpretation of operative paragraph 3 of resolution A.998(25) at its next session.

9.5 The Council decided to transmit the report of the eighty-fourth session of the Maritime Safety Committee, with its comments and recommendations, to the Assembly, in accordance with Article 21(b) of the IMO Convention.

**Reference documents:** C 100/9; MSC 84/24 and addenda; C 100/SR.5 and SR.6

## **10 CONSIDERATION OF THE REPORT OF THE TECHNICAL CO-OPERATION COMMITTEE (agenda item 10)**

10.1 The Council noted the information set out in document C 100/10 and its addendum, as well as that provided orally by the Director, Technical Co-operation Division, on behalf of the Chairman of the Technical Co-operation Committee, and the Secretary-General, on the report of its fifty-eighth session (10 to 12 June 2008).

10.2 In particular, the Council decided to defer deciding whether the IMDG Code should, or not, continue to be published as a sales item and be made available online, free of charge, pending the outcome of a consideration of the issue by MSC 85.

10.3 The Council also noted:

- (i) the Integrated Technical Co-operation Programme (ITCP) biennial report on 2006-2007 and, in particular, the high-level delivery of the ITCP during the 2006-2007 biennium, both in terms of the volume and delivery rate;
- (ii) the action taken to promote and implement resolution A.1006(25), on the linkage between the ITCP and the Millennium Development Goals;
- (iii) the action taken to implement the strategy for long-term financing of the ITCP, as well as the recommendation of the United Nations Joint Inspection Unit to integrate it into an Organization-wide fund-raising strategy;
- (iv) the consultants' report on the assessment of the impact of the ITCP for 2004-2007 and the Secretariat's initial analysis thereof;
- (v) the contributions made by the IMO regional presence in Africa, east Asia and in the Caribbean, as well as through partnership arrangements, as called for by resolution A.965(23), to the effective coordination and implementation of IMO activities;
- (vi) the report on 20 years of IMO's Women in Development Programme and the action taken since 1988 to strengthen regional capacities by encouraging and facilitating the training of women in maritime subjects;
- (vii) the Committee's support for the declaration and resolution, adopted by the Conference on "Empowerment of Professional Women in the Maritime World: The WMU Contribution", held in Malmö, Sweden, from 2 to 4 April 2008;
- (viii) the agreed amendments to the Guidelines on methods and organization of work of the Committee, to include a revised standard format for IMO documents; and

- (ix) the Committee's recommendation that consultative status be granted to the Global Maritime Education and Training Association (GlobalMET).

10.4 The Council decided to transmit the report of the fifty-eighth session of the Technical Co-operation Committee, with its comments and recommendations, to the Assembly, in accordance with Article 21(b) of the IMO Convention.

**Reference documents:** C 100/10 and Add.1; TC 58/WP.1; TC 58/13; C 100/SR.6

## **11 TECHNICAL CO-OPERATION FUND: REPORT ON ACTIVITIES OF THE 2006-2007 PROGRAMME (agenda item 11)**

11.1 The Council noted the information set out in documents C 100/11 and TC 58/2, as well as that provided orally by the Secretary-General, regarding the report on the activities of the Technical Co-operation Fund for the 2006-2007 biennium.

**Reference documents:** C 100/11; C 94/7; TC 58/2; TC 55/3/3; TC 55/3/4; C 100/SR.7

## **12 REPORT ON THE 29<sup>th</sup> CONSULTATIVE MEETING OF CONTRACTING PARTIES TO THE LONDON CONVENTION 1972 AND THE 2<sup>nd</sup> MEETING OF CONTRACTING PARTIES TO THE 1996 PROTOCOL TO THE LONDON CONVENTION (agenda item 12)**

12.1 The Council noted the information set out in document C 100/12, as well as that provided orally by the Secretary-General, on the 29<sup>th</sup> Consultative Meeting of Contracting Parties to the London Convention 1972 and the 2<sup>nd</sup> Meeting of Contracting Parties to the 1996 Protocol to the London Convention (5-9 November 2007).

**Reference documents:** C 100/12; LC 29/17 and Corr.1; LP/CO2 1/8; C 100/SR.7

## **13 WORLD MARITIME UNIVERSITY (agenda item 13)**

### **(a) Report of the Board of Governors (agenda item 13(a))**

13(a).1 The Council noted the information set out in document C 100/13(a) and its addendum, as well as that provided orally by the Secretary-General, on the 2007 Annual Report of the University, as approved by its Board of Governors at its 26th session on 4 June 2008, and on the outcome of the same session in respect of the Strategic Review authorized in 2006 and concluded in 2007.

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

- (i) expressed satisfaction at the University's achievements in 2007;
- (ii) also expressed appreciation to all donors and supporters of the University, as well as to the Chancellor, Governors, the President and the academic and administrative staff of the University, for their contribution to the success and continued progress of the University;

- (iii) further expressed appreciation to the University's President, Dr. Karl Laubstein, for his years of dedicated service to, and leadership of, the University and endorsed the Board's decision to bestow upon him the title of "President Emeritus"; and
- (iv) urged all IMO Member States and the maritime community as a whole to respond to the requests of Assembly resolution A.933(22) on "Sustainable financial support for the World Maritime University", to enable the University to continue playing its important role efficiently and effectively.

**Reference documents:** C 100/13(a) and Add.1; C 100/13(b); C 96/12(a); WMU Charter; C 100/SR.7

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

13(b).1 The Council noted the information set out in document C 100/13(b), as well as that provided orally by the Secretary-General, on the budget for the World Maritime University for 2008.

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

- (i) expressed appreciation to the Governments and various organizations which sustain the World Maritime University financially, most notably, the Government of Sweden and the City of Malmö; the Nippon Foundation and the Ocean Policy Research Foundation of Japan; the International Transport Workers' Federation; the Governments of Canada, Denmark, France, Norway, the Republic of Korea and the United Kingdom; and Inmarsat Global Limited;
- (ii) expressed satisfaction with the University's initiative and considerable success in generating income from contract research, consultancy and miscellaneous business activities, to provide fellowships to students from developing countries, especially women;
- (iii) noted the continuing financial challenges facing the University and urged Member States, international organizations and other entities to establish, maintain and increase their support for the University through operational or fellowship funding to enable it to continue to discharge its mandate of service to the global maritime community effectively; and
- (iv) further noted the "unqualified" nature of the financial audit of the University for the period ended 31 December 2007.

**Reference documents:** C 100/13(b); C 100/13(a); C 100/SR.7

**(c) Extension of term of the Chancellor (agenda item 13(c))**

13(c).1 The Council noted the information set out in document C 100/13(c), as well as that provided orally by the Chairman, on the extension of the term of the Chancellor of the World Maritime University (WMU).

13(c).2 The Council decided to reappoint Mr. E.E. Mitropoulos, the IMO Secretary-General, as Chancellor of the WMU for the period 1 July 2008 to 30 June 2010 and extended its congratulations to him as he continues in that capacity.

**Reference documents:** C 100/13(c); C 100/SR.7

#### **14 IMO INTERNATIONAL MARITIME LAW INSTITUTE (agenda item 14)**

##### **(a) Report of the Governing Board (agenda item 14(a))**

14(a).1 The Council noted the information set out in document C 100/14(a) and its addendum, as well as that provided orally by the Secretary-General, on the report of the Governing Board of the IMO International Maritime Law Institute (IMLI).

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

- (i) expressed appreciation for the continuous efforts of the Secretary-General, the Governing Board and the Director of IMLI to ensure that the Institute continues to enjoy an excellent academic reputation;
- (ii) also expressed appreciation to the IMLI academic and administrative staff for their determined and dedicated efforts to sustain the Institute's performance and financial base;
- (iii) recognized the essential role the Institute continues to play in strengthening the capacity of developing countries to implement the IMO treaty instruments to which they are party; and
- (iv) reaffirmed its continuous support for the Institute in recognition of its success in maintaining high academic standards in the field of international maritime law.

**Reference documents:** C 100/14(a) and Add.1; C 100/14(b) and Add.1; C 98/16(a) and Add.1; C 100/SR.7

##### **(b) Budget (agenda item 14(b))**

14(b).1 The Council noted the information set out in document C 100/14(b) and its addendum, as well as that provided orally by the Secretary-General, on the budget of the IMO International Maritime Law Institute (IMLI).

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

- (i) expressed appreciation to all donors, which had supported the Institute financially over the years, in particular:
  - the Nippon Foundation (for the provision of 10 full scholarships per academic year in 2007/2008 and 2008/2009);
  - the "Euromed Cooperation on Maritime Safety and Prevention of Pollution from Ships – SAFEMED" project (for financing 10 scholarships between 2006 and 2009);

- the ITF Seafarers' Trust (for funding a two-year project that includes the provision of two scholarships in the academic year 2007/2008);
  - the Lloyd's Register Educational Trust (for providing a grant to cover three scholarships in each of the academic years 2008/2009, 2009/2010 and 2010/2011; and
  - the Governments of Malta, the Republic of Korea and Switzerland for their continued support of the Institute's operational budget and fellowship contributions; and
- (ii) noted the "unqualified" nature of the financial audit of the Institute up to August 2007.

**Reference documents:** C 100/14(b) and Add.1; C 100/14(a) and Add.1; C 98/16(b) and Add.1; C 100/SR.7

**(c) Extension of term of the Chairman of the Governing Board (agenda item 14(c))**

14(c).1 The Council noted the information set out in document C 100/14(c), and that provided orally by the Chairman, on the extension of the term of the Chairman of the Governing Board of the IMO International Maritime Law Institute (IMLI).

14(c).2 The Council decided to reappoint Mr. E.E. Mitropoulos, the IMO Secretary-General, as Chairman of the Governing Board of IMLI for the period 1 July 2008 to 30 June 2010 and extended its congratulations to him as he continues in that capacity.

**Reference documents:** C 100/14(c); C 100/SR.7

**15 EXTERNAL RELATIONS (agenda item 15)**

**(a) Relations with the United Nations and the specialized agencies (agenda item 15(a))**

15(a).1 The Council noted the information set out in documents C 100/15(a), C 100/15(a)/1 and C 100/15(a)/2, as well as that provided orally by the Secretary-General, on relations with the United Nations and the specialized agencies.

15(a).2 In particular, the Council noted:

- (i) the outcome of the first regular session of the United Nations Chief Executives Board for Coordination for 2008;
- (ii) the outcome of the informal review meeting on the implementation of the United Nations Global Counter-Terrorism Strategy; and
- (iii) the resolutions adopted by the General Assembly of the United Nations, which contain information of relevance to IMO.

15(a).3 The Council requested the Secretary-General to keep it informed of any relevant developments with regard to the last two issues.

**Reference documents:** C 100/15(a); C 100/15(a)/1; C 100/15(a)/2; United Nations General Assembly resolution A/Res/60/288; C 100/SR.8

**(b) Joint Inspection Unit (agenda item 15(b))**

15(b).1 The Council noted the information set out in document C 100/15(b) and its addendum, as well as that provided orally by the Secretary-General, on the report of the Joint Inspection Unit (JIU) entitled “Review of management and administration in the International Maritime Organization”.

15(b).2 With regard to recommendations 1, 2 and 7, addressed to the legislative organs of the Organization, and taking into account the comments thereon by the Secretary-General, as well as those of the delegations which spoke, the Council decided:

- (i) in respect of recommendation 1 (on reducing the number and duration of IMO meetings, enforcing guidelines and reducing the volume of documentation) to refer it to the *Ad Hoc* Council Working Group on the Strategic Plan (the Working Group) for consideration, taking into account the Secretary-General’s comments in paragraphs 7 to 13 of document C 100/15(b) and requested the Working Group to report the outcome of its consideration thereof to C 101;
- (ii) in respect of recommendation 2 (on results-based management) to affirm its commitment thereto; and
- (iii) in respect of recommendation 7 (on the need for the development of a mechanism for regular self-evaluation and needs assessments of programmes), noting that a mechanism to cater for this recommendation is already in place, nonetheless agreed to refer it to the Working Group, for consideration, to ascertain whether it could be refined, in view of the results and experience gained with the implementation of the Voluntary IMO Member State Audit Scheme.

15(b).3 The Council noted the Secretary-General’s comments on the remaining recommendations addressed to the Executive Head of the Organization and all the other issues raised by the JIU and invited the Secretary-General to respond to the JIU in due course, advising on the Organization’s response to the recommendations made.

15(b).4 The Council decided to allow the Secretary-General the flexibility to manage staff as he saw fit, always in the best interests of the Organization.

15(b).5 The Council also noted the Report of the Joint Inspection Unit for 2007 and programme of work for 2008, contained in document C 100/15(b)/Add.1.

**Reference documents:** C 100/15(b) and Add.1; C 86/9; C/ES.24/12(e); C 100/SR.7

**(c) Relations with intergovernmental organizations (agenda item 15(c))**

15(c).1 The Council noted the information set out in document C 100/15(c) and its addenda, as well as that provided orally by the Secretary-General, on relations with intergovernmental organizations.

15(c).2 With regard to document C 100/15(c), containing information on previously approved Agreements of Co-operation, the Council noted the completion of the formal procedures for the signing of Agreements of Co-operation between IMO and:

- (i) the Regional Organization for the Conservation of the Environment of the Red Sea and Gulf of Aden (PERSGA);
- (ii) the African Union (AU); and
- (iii) the Regional Co-operation Agreement on Combating Piracy and Armed Robbery against ships in Asia (ReCAAP-ISC).

15(c).3 With regard to documents C 100/15(c)/Add.1 and Add.2, containing information on new proposed Agreements of Co-operation, the Council approved the proposed draft agreements between IMO and:

- (i) the Marine Accident Investigators' International Forum (MAIIF);
- (ii) the Riyadh Memorandum of Understanding on Port State Control (Riyadh MoU); and
- (iii) the International Whaling Commission (IWC),

for submission to the twenty-sixth regular session of the Assembly for consideration and final approval.

15(c).4 The Council noted that, as reported in document C 100/15(c)/Add.1, the South Pacific Regional Environment Programme (SPREP) had changed its name to the Pacific Regional Environment Programme, but had, nevertheless, retained the acronym SPREP.

**Reference documents:** C 100/15(c) and Add.1-2; A 25/19(c) and Add.1/Rev.1; C/ES.24/12(d) and Add.1; C 100/SR.8

**(d) Relations with non-governmental organizations (agenda item 15(d))**

15(d).1 The Council noted the information set out in document C 100/15(d) and its addendum, and document C 100/WP.1, as well as that provided orally by the Secretary-General, on relations with non-governmental organizations.

15(d).2 With regard to new applications for consultative status contained in document C 100/15(d) and its addendum, the Council decided:

- (i) to refer the application of the Hot Briquetted Iron Association (HBIA) for further screening by the MSC;

- (ii) to refer the application of the International Ship Recycling Association (ISRA) for further screening by the MEPC;
- (iii) to refer the application of MYBA for further screening by the MSC;
- (iv) to refer the application of the World Shipping Council (WSC) for further screening by the MSC, MEPC and FAL Committee;
- (v) to refer the application of NACE International for further screening by the MSC and MEPC; and
- (vi) to refer the application of the International Association of Airport and Seaport Police (IAASP) for further screening by the MSC and FAL Committee.

15(d).3 The Council also decided to refer the application of the International Council on Clean Transportation (ICCT) for further screening by the MEPC.

15(d).4 The Council further decided to grant consultative status to the Global Maritime Education and Training Association (GlobalMET).

**Reference documents:** C 100/15(d) and Add.1; C 100/WP.1; C 98

**(e) World Maritime Day (agenda item 15(e))**

15(e).1 The Council noted the information provided orally by the Secretary-General on the arrangements for World Maritime Day 2009 and endorsed his proposal that the theme for the Day should be:

“CLIMATE CHANGE: A challenge for IMO too!”

15(e).2 The Council authorized the Secretary-General to make the necessary arrangements for the celebration of World Maritime Day 2009, in accordance with the established practice.

**Reference document:** C 100/SR.8

**(f) International Maritime Prize (agenda item 15(f))**

15(f).1 The Council noted the information set out in document C 100/15(f), as well as that provided orally by the Secretary-General, on the International Maritime Prize.

15(f).2 The Council, having expressed its appreciation to the Governments of Poland and Venezuela for their magnanimous gestures in withdrawing the candidatures of Mr. Jerzy W. Vonau and Dr. Freddy Belisario Capella, respectively, for consideration for the 2007 International Maritime Prize, decided, by acclamation, to award the International Maritime Prize for 2007 to Mr. Jørgen Rasmussen (Denmark) and extended its congratulations to him. It also expressed its appreciation to the Government of Denmark for nominating such an eminent candidate for the Prize.

15(f).3 The Council noted and endorsed the measures taken and those proposed by the Secretary-General in respect of the Prize for 2008.

**Reference documents:** C 100/15(f); C 98/D; Circular letter No.2785; C 100/SR.9

**(g) IMO Award for Exceptional Bravery at Sea (agenda item 15(g))**

15(g).1 The Council noted the information set out in document C 100/15(g) and its addendum, as well as that provided orally by the Secretary-General, on the IMO Award for Exceptional Bravery at Sea.

15(g).2 The Council endorsed the decision of the Panel of Judges to bestow the 2008 IMO Award for Exceptional Bravery at Sea on Mr. Rodolfo Fonseca da Silva Rigueira, of the drill ship **Noble Roger Eason**, nominated by the Government of Brazil.

15(g).3 In addition, the Council agreed that certificates in recognition of meritorious services rendered should be awarded to the following nominees:

- Mr. Rodolfo Fonseca da Silva Rigueira, as winner of the Award;
- Coxwain Mark Criddle, of the Torbay Lifeboat Station, nominated by IMRF;
- the officers and crew of the **Horizon Falcon**, nominated by ITF;
- the crews of the Hunter Region Surf Life-Saving Association, Westpac Rescue Helicopter Service, nominated by the Government of Australia;
- Captain Kyaw Thet Aung, Master of the **ANL Warringa**, nominated by the Government of the Marshall Islands;
- Aviation Survival Technician 2nd Class Lawrence Nettles, Coast Guard HH-65 Helicopter, nominated by the Government of the United States; and
- the MRCC Chile, supported by other MRCCs, crews and vessels, as nominated by the Government of Chile and referred to in paragraph 9 of document C 100/15(g)/Add.1.

15(g).4 The Council further agreed that letters of commendation should be sent to the following nominees:

- the crews of the vessel of the Hellenic Coast Guard **SAR 516** and the tug boat **Alfeios**, the staff of the Port Authority of Katakolo and of the Joint Rescue Coordination Centre, Piraeus, nominated by the Government of Greece; and
- Lieutenant Ulises Toledo Sánchez, Diver, Mexican Navy Panther Helicopter AMHP-151, nominated by the Government of Mexico.

15(g).5 The Council extended its congratulations to Mr. Rodolfo Fonseca da Silva Rigueira, the winner of the 2008 IMO Award for Exceptional Bravery at Sea, and to those candidates who had been selected to receive certificates in recognition of meritorious services rendered or letters of

commendation; and also expressed appreciation to all the other candidates and to those Governments and organizations, which had nominated worthy candidates for the Award.

15(g).6 The Council noted and endorsed the arrangements proposed by the Secretary-General in respect of the 2009 Award.

**Reference documents:** C 100/15(g) and Add.1; C 98/D; Circular letters Nos.2837 and 2856; C 100/SR.9

## **16 REPORT ON THE STATUS OF THE CONVENTION AND MEMBERSHIP OF THE ORGANIZATION (agenda item 16)**

16.1 The Council noted the information set out in document C 100/16, as well as that provided orally by the Secretary-General, on the status of the Convention and membership of the Organization.

16.2 The Council also noted the status of replies received with regard to the application of the Cook Islands to become a Member of the Organization and urged those Member States, which had not already done so, to give favourable and expeditious consideration to this matter to bring it to a successful conclusion as soon as possible.

16.3 The Council noted that the conditions for entry into force of the 1991 amendments to the IMO Convention, concerning the institutionalization of the Facilitation Committee, were met on 7 December 2007 and, as a consequence, they will enter into force for all IMO Member States on 7 December 2008; and expressed appreciation to all those who had contributed to the attainment of this goal.

**Reference documents:** C 100/16; C 100/SR.4

## **17 REPORT ON THE STATUS OF CONVENTIONS AND OTHER MULTILATERAL INSTRUMENTS IN RESPECT OF WHICH THE ORGANIZATION PERFORMS FUNCTIONS (agenda item 17)**

17.1 The Council noted the information set out in document C 100/17 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.

17.2 The Council noted, with satisfaction, that, on 21 November 2007, the entry into force requirements for the 2001 Bunkers Convention had been met, and that, consequently, the Convention would enter into force 12 months later, on 21 November 2008; and that the 2001 AFS Convention would also enter into force on 17 September 2008.

17.3 The Council endorsed and supported the Secretary-General's continuing efforts to encourage Governments to consider accepting those instruments to which they were 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 2004 Ballast Water Management Convention,

in order to enable them to enter into force as soon as possible; and also urged Member Governments to ratify Annex VI to the MARPOL Convention (on Prevention of air pollution from ships).

17.4 As far as security-related conventions are concerned, the Council endorsed the need for an early entry into force of the SUA Protocols, adopted in October 2005, and, consequently, urged Member Governments to take the necessary action to effect this, as a matter of priority.

17.5 The Council also endorsed the Secretary-General's request for similar swift action to be taken by Member Governments with regard to the Nairobi International Convention on the Removal of Wrecks, adopted in May 2007 and open for signature until 18 November 2008.

17.6 The Council requested the Secretary-General to continue communicating with Governments that had not yet ratified IMO treaties, encouraging and assisting them to accept and implement these treaties at their earliest convenience.

**Reference documents:** C 100/17 and Add.1; C 100/SR.9

## **18 DATE AND PLACE OF THE NEXT SESSION OF THE COUNCIL (agenda item 18)**

18.1 The Council noted the information set out in document C 100/18, as well as that provided orally by the Secretary-General, concerning the proposed date for the next session of the Council.

18.2 The Council decided to hold its 101st session at the Headquarters of the Organization from 10 to 14 November 2008.

**Reference documents:** C 100/18; C 100/SR.9

## **19 SUPPLEMENTARY AGENDA ITEMS (agenda item 19)**

### **(a) Resumption of the International Maritime Academy in Italy**

19.1 The Council welcomed the information provided by the delegation of Italy, that the International Maritime Academy, which had, since 1988, been functioning in Trieste, will, as from autumn 2008, resume its courses in Genoa, under the name International Maritime Safety, Security and Environmental Academy (IMSSEA). The Council, noting that IMO will continue providing technical input to the Academy, thanked the Government of Italy for its financial and in-kind support to the Academy and wished it every success for the future.

**Reference document:** C 100/SR.7

**(b) *Ad hoc* Council Working Group on the Organization's Strategic Plan – 8th session (CWGSP 8)**

19.2 In light of the extra tasks assigned to CWGSP 8, the Council decided to extend its September 2008 meeting by two days, so that it would meet from 15 to 19 September 2008.

**Reference document:** C 100/SR.9

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## ANNEX

**Resolution C.76(100)  
adopted on 16 June 2008****REFURBISHMENT OF THE HEADQUARTERS BUILDING**

THE COUNCIL,

RECALLING its decision, at its 94th session, to proceed with the refurbishment of the Headquarters building, as proposed by the Host Government,

RECALLING ALSO its decision, at its 98th session, to proceed with the concurrent undertaking of the originally planned two phases of the refurbishment works,

WELCOMING the favourable financial arrangements for the refurbishment agreed with the Host Government,

RECALLING that, in the year of its 100<sup>th</sup> session, the Organization is celebrating two key milestones in its history, namely, the 60th anniversary of the adoption of its constitutive Convention and the 50th anniversary of the Convention's entry into force,

NOTING that the official re-opening following the return of the Organization to its refurbished Headquarters also coincides with its 100th session,

WELCOMING the completion of the refurbishment project on time and to budget,

DESIRING to acknowledge the contribution of all those involved to the successful completion of the refurbishment project and the equally successful running of the Organization's business during the refurbishment period,

1. ACKNOWLEDGES with appreciation the forbearance, understanding and co-operation under challenging circumstances shown by delegates, observers and staff – in particular, at meetings held outside of the IMO Headquarters;
2. EXPRESSES deep and sincere appreciation to the Host Government for its generous financial support and for supervising the successful execution of the refurbishment project;
3. EXPRESSES ALSO appreciation to the Governments of Denmark, Germany, Kenya, Panama, Turkey and the United Kingdom, as well as UNESCO and UNON, for their co-operation, generous support and warm hospitality in hosting IMO meetings;
4. EXPRESSES FURTHER deep appreciation to the Secretariat, which, through hard work and dedication:
  - ensured that the quality of its services, during the refurbishment period, did not suffer due to the changing conditions and circumstances; and
  - supervised and monitored efficiently the Organization's move to 55 Victoria Street and its return to Albert Embankment and, in between, the successful execution of the project.