



COUNCIL
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25-29 June 2007

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DRAFT SUMMARY OF DECISIONS

GENERAL

The ninety-eighth session of the Council was held at the Horticultural Halls, London, from 25 to 29 June 2007, under the Chairmanship of Mr. J. Franson (Sweden). The Vice-Chairman, Mr. D. Ntuli (South Africa), was also present.

Reference document: C 98/SR.1

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

At their request, delegations from Angola, Antigua and Barbuda, Belize, Benin, Bolivia, Bulgaria, Colombia, Côte d'Ivoire, Cuba, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Gambia, Ghana, Guatemala, Honduras, Iran (Islamic Republic of), Jamaica, Liberia, the Marshall Islands, Monaco, Morocco, Myanmar, New Zealand, Nigeria, Pakistan, Papua New Guinea, Peru, Poland, Qatar, Saint Vincent and the Grenadines, Slovenia, Syrian Arab Republic, Ukraine, Uruguay, Vanuatu, and Venezuela were invited to attend the session as observers. The Associate Member, Hong Kong, China, sent observers to the meeting.

1 ADOPTION OF THE AGENDA (agenda item 1)

1.1 The Council adopted the agenda and proposed timetable contained in document C 98/1/Rev.1; and noted the annotations to the agenda contained in document C 98/1/1.

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1.2 With respect to agenda item 18(d), on Relations with non-governmental organizations, the Council convened a group composed of representatives from the delegations of Argentina, China, Egypt, Italy, Kenya, the Philippines and the United States, and open to other interested Council Members, to consider applications for consultative status submitted by the International Paint and Printing Ink Council (IPPIC); the International Council on Clean Transportation (ICCT); the International Fund for Animal Welfare (IFAW); the Global Maritime Education and Training Association (GlobalMET); and the International Spill Control Organization (ISCO). Rear Admiral (ICG) G. Olimbo (Italy) was invited to chair the Group.

Reference documents: C 98/1/Rev.1; C 98/1/1; C 98/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 98/2; C 98/SR.1 and SR.4

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 98/3(a), as well as that provided orally by the Chairman of the *ad hoc* Council Working Group on the Organization's Strategic Plan, and the Secretary-General, on the outcome of the Working Group's sixth session (14 to 16 March, 2007).

3(a).2 In particular, the Council noted the Working Group's:

- (i) proposed changes to the texts of the Organization's Strategic and High-level Action Plans, as set out in appendix 1 of the annex to its report (C 98/3(a));

- (ii) recommendations on the production of planned outputs during the current biennium and on the outputs for 2008-2009 that had been proposed to date, as set out in sections A to C of appendix 2 of the annex to its report; and
- (iii) recommendations on the Strategic Plan's performance indicators, as set out in sections D and E of appendix 2 of the annex to its report.

3(a).3 The Council further noted:

- (i) that the Working Group intended to revisit the foregoing matters at its seventh session (in London in the week from 24 to 28 September 2007), when it expected to complete the tasks assigned to it under its terms of reference; and
- (ii) that, because the Maritime Safety and Legal Committees were, respectively, scheduled to hold their eighty-third and ninety-third sessions after the seventh session of the Working Group and might, therefore, reconsider matters related to the Strategic and High-level Action Plans, any relevant outcome from those sessions of the two Committees would be submitted directly to the Council's twenty-fourth extraordinary session.

3(a).4 The Council approved the Working Group's report in general; thanked its Chairman, the members of the Working Group and the Secretariat for the excellent progress made; and expressed appreciation to the delegation of South Africa for making South Africa House available for the meeting and for its generous hospitality.

Reference documents: C 98/3(a); C 97/D (paragraphs 3(a).1 to 3(a).4); C 97/3(a); C 97/3(a)/1; CWGSP 6/4; CWGSP 6/4/1; CWGSP 5/2; resolutions A.970(24) and A.971(24); C 98/SR.1

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

3(b).1 The Council noted the information set out in document C 98/3(b) and that provided orally by the Chairman of the Risk Review, Management and Reporting Working Group, and the Secretary-General, on the outcome of the Working Group's first session (12 and 13 March 2007).

3(b).2 The Council, having noted the proposed draft Risk Management Framework for the Organization, as set out in appendix 1 of the annex to document C 98/3(b):

- (i) approved, in principle, the definitions of risk event, risk, risk management and high-level risk event categories;
- (ii) approved, in principle, the risk management policy; and
- (iii) instructed the Secretariat to develop further the risk management process, in accordance with the outline provided, for submission to, and consideration by, a future session of the Working Group.

3(b).3 The Council also noted the Working Group's work programme, designed to complete the Organization's Risk Management Framework and:

- (i) concurred with the Working Group's recommendation to reconvene it, under its existing terms of reference, in conjunction with the seventh session of the *ad hoc* Council Working Group on the Organization's Strategic Plan, scheduled to be held in London in the week from 24 to 28 September 2007;
- (ii) requested the Working Group to provide a progress report to its twenty-fourth extraordinary session;
- (iii) concurred also with the Working Group's recommendation to reconvene the Intersessional Correspondence Group, following the Working Group's next meeting, to develop further the Risk Management Framework; and
- (iv) concurred further with the Working Group's recommendation to convene a third session of the Group, possibly in March 2008, prior to the hundredth session of the Council in June 2008, in order to finalize the Risk Management Framework.

3(b).4 The Council approved the Working Group's report in general and expressed its appreciation to the delegation of South Africa for making South Africa House available for the meeting and for its generous hospitality; and also thanked the Chairman, the members of the

Working Group and the Secretariat for the excellent progress made during the Group's first meeting.

Reference documents: C 98/3(b); C 97/D (paragraphs 3(b).1 to 3(b).2); C 97/3(b); C 96/D (paragraphs 5(b).1 to 5(b).4); C 96/5(b); C/ES.23/D (paragraphs 4(a).1; to 4(a).5) C/ES.23/4(a)/1; C 98/SR.1

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 98/4(a) and C 98/4(a)/1, as well as that provided orally by the Secretary-General, giving, in document C 98/4(a), an update on the progress of the Organization and the UN, as a whole, towards implementation of International Public Sector Accounting Standards (IPSAS), and on proposals for the upgrading and expansion of the Organization's SAP system; and, in document C 98/4(a)/1, information on other organizational reforms.

4(a).2 With regard to document C 98/4(a), the Council:

- (i) approved, in principle, the introduction of IPSAS as the Organization's financial reporting standards, for application as from 2010;
- (ii) approved, in principle, the upgrading and expansion of the Organization's SAP system to include human resources (HR) and payroll systems;
- (iii) noted that the Secretary-General would submit to the Council and Assembly, at future sessions, proposals to amend the Financial Regulations and Financial Rules resulting from the adoption of IPSAS; and
- (iv) requested the Secretary-General to keep the Council informed on developments with respect to implementation of the IPSAS financial reporting standards.

4(a).3 With regard to document C 98/4(a)/1, the Council noted:

- (i) the implementation of the new Staff Performance Appraisal System; and

- (ii) the revised structure of the Maritime Safety Division; and expressed appreciation to the Secretary-General for his continuing efforts to provide a stronger focus on security matters whilst also addressing the complimentary issue of facilitation of maritime traffic.

Reference documents: C 98/4(a); C 98/4(a)/1; C 97/4(a); C 96/4(a); C 98/5(a)/2; C 89/11/Add.2; C 90/13/Add.1; C 96/14(b); C 98/SR.1

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

4(b).1 The Council noted the information set out in documents C 98/4(b) and C 98/4(b)/1, and 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:

- (i) endorsed, as a body, the decision to extend the Phase 1 refurbishment works to include those planned for Phase 2, on the basis of the criteria set out in paragraph 9 of document C 98/4(b);
- (ii) gave its consent, under Rule 2 of the MSC and Rule 3 of the Legal Committee Rules of Procedure, for the holding of MSC 83 in Copenhagen, Denmark, and LEG 93 in Panama City, Panama, at no additional cost to the Organization; noted the offer of Germany to hold DE 51 in Bonn; and expressed its appreciation to the Governments concerned;
- (iii) noted the progress, to date, of Phase 1 of the refurbishment project and thanked all those involved (delegates, staff and representatives of the Host Government) for the significant amount of work successfully undertaken so far, to ensure that the Organization continued functioning as usual; and
- (iv) urged all concerned to continue making every effort to ensure that the project was completed on time and to budget.

Reference documents: C 98/4(b); C 98/4(b)/1; C 97/D; C 97/4(b); C 96/D; C 96/4(b); C/ES.23/D; C 94/D; C 98/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 98/5(a), C 98/5(a)/1 and its addendum and C 98/5(a)/2, as well as that provided orally by the Secretary-General, on personnel matters, including amendments to the Staff Regulations and Staff Rules.

5(a).2 With regard to document C 98/5(a), the Council delegated to the Secretary-General the approval of the ICSC recommendations in respect of the 2006 salary survey for staff in the General Service category.

5(a).3 With regard to document C 98/5(a)/1 and its addendum, the Council approved the addition of a twelfth paragraph on Education grant at the end of annex 1 to the Staff Regulations and the introduction of table 3 in annex 1 to the same regulation; and also approved the amended text of staff regulation 3.3(a).

5(a).4 With regard to document C 98/5(a)/2, the Council noted the information provided on staff movements and promotions; the recruitment of women and the geographical distribution of staff as at 31 March 2007.

Reference documents: C 98/5(a); C 98/5(a)/1 and Add.1; C 98/5(a)/2; C 98/4(a); C 98/INF.2; C 97/5(a)/1; C 97/D; C 98/SR.2

(b) Accounts and audit: Accounts for the first calendar year of the twenty-fourth financial period and transfers within the 2006 budget (agenda item 5(b))

5(b).1 The Council noted the information set out in documents C 98/5(b) and C 98/5(b)/1, as well as that provided orally by the Secretary-General and the representative of the External Auditor, the Comptroller and Auditor General of India, on the final accounts of the Organization for 2006.

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

- (i) noted the Secretary-General's financial report and accounts for 2006;
- (ii) welcomed the unqualified opinion of the External Auditor;
- (iii) noted the excess of income over expenditure for 2006 of £757,209, before prior year savings and transfers;
- (iv) welcomed, with appreciation, the achievement of a Members' contribution level of 97.6%;
- (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 year-end transfers between Major Programmes, in accordance with financial regulation 4.4 of the Organization's Financial Regulations and Financial Rules;
- (viii) decided to forward the financial statements, schedules, Notes to the Accounts and the External Auditor's report to the twenty-fifth regular session of the Assembly;
- (ix) noted the information on the accumulated liability from the operation of the Organization's Contributions Incentive Scheme; and
- (x) agreed not to bring the production unit back "in-house" as clear benefits had been gained through contracting out.

Reference documents: C 98/5(b); C 98/5(b)/1; C 98/17(d); C 98/SR.2

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

5(c).1 The Council noted the information set out in document C 98/5(c), and that provided orally by the Secretary-General, on investments.

Reference documents: C 98/5(c); C 98/17(d)/1; C 98/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 98/5(d) and its addenda and corrigendum, and 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, with appreciation, the continued improvement in the collection rate of Members' contributions to the IMO budget;
- (ii) noted the reported developments in advances to the Working Capital Fund;
- (iii) noted, with concern, the continuing arrears of the Member States identified in the documents under review;
- (iv) urged all Member States and, in particular, Council Members to remit all outstanding contributions as soon as possible; and
- (v) reiterated its firm stance on the strict enforcement of Article 56 of the IMO Convention.

Reference documents: C 98/5(d) and Adds.1 and 2 and Add.2/Corr.1; C 97/5(b) and Add.1; C 98/SR.2

(e) Budget considerations for 2007 (agenda item 5(e))

5(e).1 The Council noted the information set out in document C 98/5(e), and that provided orally by the Secretary-General, concerning his forecast on the overall year-end status of the Organization's budget for 2007.

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

- (i) noted the Secretary-General's review of the external pay and price factors;
- (ii) welcomed the Secretary-General's plan to continue making stringent efforts during 2007 to generate savings, to the extent possible, to minimize the financial impact from the staff costs increase;
- (iii) noted the forecast outturn level of the regular budget expenditure for 2007;
- (iv) noted the Secretary-General's preliminary assessment that the regular budget expenditure could be controlled within the approved appropriation for 2007; and that any transfer of the unused 2006 budget to 2007 would be presented to the twenty-fourth extraordinary session of the Council;
- (v) authorized the Secretary-General to make, whenever 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;
- (vi) noted the forecast level of the year-end cash surplus of the General Fund and the dependency of this forecast on an average of 97.8% contribution receipts; and, accordingly, urged Member States to remit any overdue financial contributions promptly, in accordance with the Organization's Financial Regulations and Financial Rules;
- (vii) welcomed the higher-than-expected revenue in the Printing Fund for 2007 and the consequential improvement of the in-year surplus available for transfers to 2008, as mandated by the Assembly;

- (viii) noted the expenditure status of the Headquarters Capital Fund and its forecast year-end fund balance;
- (ix) noted the forecast expenditure level for 2007 in the Termination Benefit Fund and the Secretary-General's plan to carry out the approved transfers as and when necessary;
- (x) noted the forecast year-end status for 2007 of the Training and Development Fund; and
- (xi) noted the forecast year-end status for 2007 of the Technical Co-operation Fund.

Reference documents: C 98/5(e); C 97/5(c); resolution A.969(24); C 98/SR.2

6 PROGRAMME BUDGET FOR THE TWENTY-FIFTH FINANCIAL PERIOD 2008-2009 (agenda item 6)

6.1 The Council noted the information set out in document C 98/6, and that provided orally by the Secretary-General, on the Organization's Programme budget for the twenty-fifth financial period 2008-2009; expressed appreciation for the clear, transparent, user-friendly and thorough document, which had attempted to align the programme budget with the work programme in support of the Organization's Strategic Plan; and commended the Secretary-General for presenting proposals which recognized the need for prudence, for his efforts to secure efficiencies and economies in operation, and for the clarity in explaining the document and providing answers to questions raised by Members (C 98/WP.3).

6.2 Following an extensive exchange of views, the Council decided to defer a decision on the 2008-2009 biennium budget, in view of the concerns expressed by some Council Members on the level of the proposed increase, when compared with their national budgetary limitations; and requested the Secretary-General to review the proposed budget with a view to identifying possible savings and efficiency gains, without hampering the delivery of the planned outputs in the Strategic Plan, and to present his revised proposals to its twenty-fourth extraordinary session for further consideration.

Reference documents: C 98/6; C 98/4(a); C 98/4(b); C 98/5(e); C 98/17(d); TC 57/5; resolution A.986(24); C 98/WP.3; C 98/SR.2 and SR.3

7 TECHNICAL CO-OPERATION FUND – BIENNIAL ALLOCATION TO SUPPORT THE ITCP PROGRAMME FOR 2008-2009 (agenda item 7)

7.1 The Council noted the information set out in document C 98/7 and its addendum, as well as that provided orally by the Secretary-General, concerning proposals on the use of the TC Fund's resources during the biennium 2008-2009.

7.2 The Council, in particular:

- (i) endorsed the proposals contained in document TC 57/5, taking into account the views and recommendations of TCC 57;
- (ii) approved the use of the TC Fund for the proposed activities under the ITCP for 2008-2009, and the biennial allocation of £6,229,000 from the TC Fund for that purpose;
- (iii) also approved the transfer of £5,602,000 from the Printing Fund to the TC Fund during the next biennium;
- (iv) authorized the Secretary-General to use the unprogrammed funds of the TC Fund during the next biennium, should demands or partnership opportunities arise; and
- (v) endorsed the proposed new Rules of Operation of the TC Fund, as set out in the annex to document C 98/7/Add.1.

Reference documents: C 98/7 and Add.1; TC 57/5; TC 57/5/3; TC 57/3/1; C 98/SR.3

8 VOLUNTARY IMO MEMBER STATE AUDIT SCHEME (agenda item 8)

8.1 The Council noted the information set out in document C 98/8, and that provided orally by the Secretary-General, on the Voluntary IMO Member State Audit Scheme.

8.2 In particular, the Council:

- (i) encouraged Member States that had not yet volunteered for audits, to do so as and when they were ready, and as early as possible;
- (ii) invited Member States to continue to nominate as many qualified auditors as possible, ensuring that there was a wide spread of auditors working in all the Organization's official languages;
- (iii) noted that three regional auditors' training courses had been held during 2007; and also noted the one planned for delivery, in Australia, before the end of the year;
- (iv) noted the progress made thus far on the conduct of audits and the anticipated delivery of audits scheduled for the rest of this year;
- (v) noted the completion of the first version of the auditor's manual, which is now being used by auditors and in the auditors' training programme; and requested that it be circulated to all Member States;
- (vi) noted the ongoing preparatory work for the possible holding of an auditors' meeting; expressed appreciation to Sweden for its pledge to contribute towards the cost of holding the meeting; and encouraged other Member States to consider making similar contributions; and
- (vii) noted the planned distribution of audit summary reports and consolidated audit summary reports.

Reference documents: C 98/8; resolution A.974(24); C 98/SR.4

9 IMPLEMENTATION OF ARTICLE 17 OF THE IMO CONVENTION (agenda item 9)

9.1 The Council noted the information set out in document C 98/9, and that provided orally by the Secretary-General, on the implementation of Article 17 of the IMO Convention.

9.2 In particular, the Council:

- (i) approved the draft Assembly resolution on Implementation of part (c) of Article 17 of the IMO Convention, prepared by the Secretary-General and set out in annex 1 to document C 98/9, for submission to the twenty-fifth regular session of the Assembly, for consideration and adoption; and
- (ii) welcomed, with appreciation, the work done on the historical background, analysis and proposals on possible procedures for electing the Council, which the Secretary-General had provided in annex 2 to document C 98/9.

Reference documents: C 98/9; C 97/D, paragraphs 11.1 to 11.3; C 97/11; C 97/11/1; C 97/WP.4; C 96/D, paragraphs 18(a).1 and 18(a).2; C 96/18(a); A 24/SR.10; C 96/SR.7 and SR.8; C 97/SR.4 and SR.5; C 98/SR.5

10 CONSIDERATION OF THE REPORT OF THE MARITIME SAFETY COMMITTEE (agenda item 10)

10.1 The Council noted the information set out in document C 98/10, and its addenda, as well as that provided orally by the acting Chairman of the Maritime Safety Committee and the Secretary-General, on the report of the eighty-second session of the Committee (Istanbul, Turkey, 29 November to 8 December 2006).

10.2 With regard to document C 98/10, the Council, in particular:

- (i) noted the adoption, by the Committee, of amendments to the 1974 SOLAS Convention, the 1988 SOLAS Protocol and the 1988 LL Protocol and to various mandatory codes; as well as the adoption of a mandatory performance standard;

- (ii) noted the action taken by the Committee on issues relating to maritime security; and recommended that Members, which are SOLAS Contracting Governments, implement, and continue to implement, SOLAS chapter XI-2 and the ISPS Code as widely and effectively as possible;
- (iii) noted the progress made on the goal-based new ship construction standards concept and, in particular, developments concerning application of the concept to new bulk carriers and oil tankers;
- (iv) noted the confirmation of additional STCW Parties found to have given full and complete effect to the requirements of the 1978 STCW Convention, as amended;
- (v) noted the adoption, by the Committee, of proposed amendments to the 1972 Collision Regulations, for consideration with a view to adoption by the twenty-fifth regular session of the Assembly;
- (vi) noted the Committee's report on activities pertaining to the issue of piracy and armed robbery against ships;
- (vii) noted the Committee's action on issues relating to the application of the Committee's Guidelines on the organization and method of work and, in particular, the issuance of a set of revised Guidelines;
- (viii) noted the Committee's recommendation that 25.5 meeting weeks should be allocated to the MSC and the MEPC and their subsidiary bodies for the biennium 2008-2009; and
- (ix) endorsed the action taken by the Committee in approving the intersessional meetings referred to in paragraph 69 of document C 98/10 and; expressed appreciation to the delegation of Japan for its offer to host the Working Group on Evaluation of Safety and Pollution Hazards of Chemicals (ESPH), in October 2007.

10.3 The Council expressed deep appreciation to the Government of Turkey, the Committee's acting Chairman and the IMO staff involved, for their contribution to the successful outcome of MSC 82.

10.4 The Council took note of the remaining paragraphs of document C 98/10; approved the report of the Committee's eighty-second session in general; and decided to transmit it, together with its comments and recommendations, to the twenty-fifth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

10.5 The Council further noted the information set out in document C 98/10/Add.1, as well as that provided orally by the Secretary-General and the Director of the International Mobile Satellite Organization (IMSO), regarding the outcome of the nineteenth extraordinary session of the IMSO Assembly relating to IMSO's roles in the oversight of satellite service providers for the GMDSS, and as the LRIT Co-ordinator.

10.6 Following an oral update by the Secretary-General on the situation relating to piracy and armed robbery against ships off the coast of Somalia, the Council:

- (i) shared the Secretary-General's concern on his report, pursuant to operative paragraph 7.2 of resolution A.979(24), on acts of piracy and armed robbery against ships in waters off the coast of Somalia;
- (ii) expressed appreciation for the initiatives recently undertaken by the Secretary-General to strengthen support and assistance to ships by navies operating in the West Indian Ocean region; and to promote the wide and effective implementation of relevant guidance issued by the Organization (MSC.1/Circ.1223 of 15 June 2007);
- (iii) welcomed and endorsed the Secretary-General's proposal to seek, through the United Nations Secretary-General, the further engagement of the United Nations Security Council to promote and facilitate the international community's efforts to combat acts of piracy and armed robbery against ships sailing in waters off the coast of Somalia and, in particular, ships carrying humanitarian aid to the country; and, more particularly, that the UN Security Council request the Transitional

Federal Government of Somalia to take action, as it may be deemed necessary and appropriate in the circumstances, to prevent and suppress acts of piracy and armed robbery against ships, including consenting to ships, as defined in Article 107 of UNCLOS, operating in the Indian Ocean, entering its country's territorial waters when engaging in operations against pirates or suspected pirates and armed robbers endangering the safety of life at sea, in particular the safety of crews on board ships carrying, within WFP's programme, humanitarian aid to Somalia or leaving Somali ports after having discharged their cargo; and

- (iv) authorized the Secretary-General to communicate with the United Nations Secretary-General accordingly.

Reference documents: C 98/10 and Add.1; MSC 82/24 and Add. 1-2; C 98/SR.5 and SR.6

11 CONSIDERATION OF THE REPORT OF THE TECHNICAL CO-OPERATION COMMITTEE (agenda item 11)

11.1 The Council noted the information set out in document C 98/11 and its addendum, as well as that provided orally by the Chairman of the Technical Co-operation Committee and the Secretary-General, on the report of the fifty-seventh session of the Committee (18-21 June 2007).

11.2 The Council:

- (i) approved the Strategy for the Long-term Financing of the ITCP noting that reference to the Contributions Incentive Scheme was subject to the outcome of discussions under agenda item 17(d);
- (ii) noted that under agenda item 7 of this session, the Council had already considered the following items relating to the TC Fund (document C 98/7/Add.1), and:
 - approved the use of the TC Fund for the proposed activities under the ITCP for 2008-2009, and the biennial allocation of £6,229,000 from the TC Fund for that purpose;

- approved the transfer of £5,602,000 from the surplus of the Printing Fund to the TC Fund during the next biennium;
- authorized the Secretary-General to use the unprogrammed funds of the TC Fund during the next biennium, should demands or partnership opportunities arise; and
- endorsed the proposed new Rules of Operation of the TC Fund.

11.3 The Council also noted:

- (i) the Committee's recommendation to the Council to approve the draft resolution on "Donation of interest earnings under the Contributions Incentive Scheme to the Technical Co-operation Fund", for submission to the twenty-fifth regular session of the Assembly, for adoption;
- (ii) the Committee's recommendation that consultative status be granted to the International Association of Maritime Universities (IAMU);
- (iii) the Committee's recommendation that the provisional consultative status of INTEFERRY be converted to full consultative status;
- (iv) the Committee's endorsement of a "Consolidated paper demonstrating the conceptual linkage between the goals of the ITCP and the relevant UN Millenium Development Goals";
- (v) the approval by the Committee of a draft Assembly resolution on "The linkage between the Integrated Technical Co-operation Programme and the Millenium Development Goals", for submission to the twenty-fifth regular session of the Assembly, for adoption;
- (vi) the Committee's endorsement of the ITCP for 2008-2009, as amended; and

- (vii) the Committee's recommendation that the IMODOCS website be expanded to include a public-access area for the distribution of appropriate texts, and that consideration be given to the acquisition or development of a suitable document management system.

11.4 The Council decided to transmit the report of the Committee's fifty-seventh session, with its comments and recommendations, to the twenty-fifth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

11.5 The Council expressed its sincere appreciation for the valuable work and long years of service to the Committee of the TCD Director, Mr. D.T. Edwards, in view of his impending retirement.

Reference documents: C 98/11 and Add.1; TC 57/14; TC 57/WP.2 and Add.1; C 98/SR.6

12 CONSIDERATION OF THE REPORT OF THE FACILITATION COMMITTEE (agenda item 12)

12.1 The Council noted the information set out in document C 98/12, and that provided orally by the Chairman of the Facilitation Committee and the Secretary-General, on the report of the thirty-fourth session of the Committee (26-30 March 2007).

12.2 In particular, the Council noted:

- (i) the actions taken in relation to the review of the Standards and Recommended Practices of the 1965 FAL Convention to which differences had been registered by Contracting Governments;
- (ii) that further progress had been made in the development of an Explanatory Manual to the FAL Convention;
- (iii) the approval, with a view to adoption at FAL 35, of draft amendments to the FAL Convention regarding various aspects within its purview;

- (iv) that progress had been made on the transmission, by electronic means, of information relating to the clearance of ships; and on the revision of the IMO Compendium on facilitation and electronic business, including IMO EDI-related issues;
- (v) the adoption of a resolution to revise the Guidelines for the suppression of the smuggling of drugs, psychotropic substances and precursor chemicals on ships engaged in international maritime traffic;
- (vi) the Committee's decisions in relation to resolution A.871(20) on Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases;
- (vii) the Committee's request that, on a trial basis, an IMO Stowaway Focal Point be established within the Secretariat to provide assistance for the successful resolution of stowaway cases;
- (viii) the actions taken in relation to administrative procedures for disembarking persons rescued at sea;
- (ix) the progress made by the Joint MSC/FAL Working Group on the Security and Facilitation of the Movement of Closed Cargo Transport Units and Freight Containers;
- (x) the Committee's decision to that, on a trial basis, a mechanism be established within the Secretariat in pursuance of resolution A.984(24) on the Facilitation of the carriage of IMDG Code class 7 radioactive materials;
- (xi) the approval of amendments to the Committee's Guidelines on organization and method of work of the Facilitation Committee to harmonize them, to the extent possible, with those of the MSC and MEPC; and

- (xii) the Committee's decisions regarding the High-level Action Plan and priorities for the 2006-2007 biennium; and proposals for the High-level Action Plan and priorities, including planned output, for the 2008-2009 biennium.

12.3 The Council approved the list of substantive items for inclusion in the provisional agenda for FAL 35, and also approved the report of FAL 34 in general; and decided to transmit it, with its comments and recommendations, to the twenty-fifth regular session of the Assembly.

Reference documents: C 98/12; FAL 34/19; C 98/SR.6

13 REPORT ON THE 28th CONSULTATIVE MEETING OF CONTRACTING PARTIES TO THE LONDON CONVENTION, 1972 AND THE 1st MEETING OF CONTRACTING PARTIES TO THE 1996 PROTOCOL TO THE LONDON CONVENTION (agenda item 13)

13.1 The Council noted the information set out in document C 98/13, and that provided orally by the Secretary-General, on the 28th Consultative meeting of Contracting Parties to the London Convention, 1972 and the 1st meeting of Contracting Parties to the 1996 Protocol to the London Convention (30 October – 3 November 2006).

13.2 In particular, the Council noted:

- (i) the entry into force, in February 2007, of amendments to Annex 1 to the London Convention Protocol, to regulate the sequestration of CO₂ streams from CO₂ capture processes in sub-seabed geological formations;
- (ii) the progress made in relation to the clarification of the boundaries between MARPOL 73/78 and the London Convention and Protocol, concerning “discharges” and “dumping” by vessels and the management of spoilt cargoes;
- (iii) the plan to develop global guidance on the placement of artificial reefs, consistent with the aims of the London Convention and Protocol;
- (iv) the plan to develop a report, in 2007, on the best practices to manage waste streams resulting from the removal of anti-fouling systems from ships;

- (v) the migration of the London Convention website to IMO since 1 March 2007 and the progress made in establishing collaborative agreements between the London Convention and Protocol and other organizations; and
- (vi) the plan to consider, in 2007, the linkage between the activities in the Joint Long-term Programme for the London Convention and Protocol and possible budgetary implications.

Reference documents: C 98/13; LC 28/15 and Add.1; C 98/SR.6

14 REPORT ON THE INTERNATIONAL CONFERENCE ON THE REMOVAL OF WRECKS, 2007 (agenda item 14)

14.1 The Council noted the information set out in document C 98/14, and that provided orally by the President of the Conference and the Secretary-General, on the International Conference on the Removal of Wrecks, 2007.

14.2 In particular, the Council:

- (i) noted the successful conclusion of the Conference;
- (ii) expressed appreciation to the President and other Officers of the Conference;
- (iii) expressed appreciation to the Government of Kenya and the United Nations Office at Nairobi (UNON) for their generous support and co-operation; and
- (iv) authorized the Secretary-General to perform the depositary functions and other functions required under the Final Act of the Conference and under the Nairobi International Convention on the Removal of Wrecks, 2007, as set forth in documents LEG/CONF.16/19, LEG/CONF.16/20 and LEG/CONF.16/21.

Reference documents: C 98/14; LEG/CONF.16/19-21; C 98/SR. 4

15 WORLD MARITIME UNIVERSITY (agenda item 15)

(a) Report of the Board of Governors (agenda item 15(a))

15(a).1 The Council noted the information set out in document C 98/15(a) and its corrigendum, as well as that provided orally by the Secretary-General, on the 2006 Annual Report of the World Maritime University.

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

- (i) expressed satisfaction at the University's achievements in 2006, which, by international standards of university performance, had made it exemplary in all respects;
- (ii) expressed deep appreciation to all donors and supporters of the University as well as to the WMU's Chancellor, Governors, Executive Council Members, the President and the academic and administrative staff, for their contribution to the success and continued progress of the University; and
- (iii) 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 to provide its services efficiently and effectively.

Reference documents: C 98/15(a) and Corr.1; C 98/15(b); TC 57/10; C 98/SR.6

(To be continued)
