

IMO COUNCIL, 130th Session, 21- 24 November 2023.

The IMO Council held its 130th Meeting in-person supported by hybrid facilities for remote participation, from Tuesday 21 to Friday 24 November 2023, chaired by Mr Victor Jimenez of Spain and his Vice-Chair, Mrs Amane Fethallah of Morocco.

A Working Group on 'Strategy, Planning and Reform' was chaired by Mr. D. Leow (Singapore).

OPENING REMARKS BY Mr KITACK-LIM, SECRETARY-GENERAL OF IMO.

Mr Kitack Lim welcomed delegates to the 130th session of the Council, and also welcomed those joining remotely. He voiced grave concerns regarding the reports of the seizure of the car-carrier **Galaxy Leader** in the Red Sea; while the circumstances around the incident remain unclear, Mr Lim emphasised that unhindered and safe global navigation is a prerequisite for maintaining the world's supply chains thus it is essential to ensure the protection of seafarers, vessels and cargo at all times. Indeed, any action which might adversely affect shipping engaged in international trade must be avoided. He expressed sympathy on behalf of the entire IMO membership and the Secretariat together with the Government of Türkiye, to the families of the crew, and the maritime community affected by the tragic sinking of the **MV Kafkametler** which resulted in the loss of life of a crew member, with several others still missing. Thoughts are also with the search and rescue teams tirelessly working to locate the missing crew members.

The Secretary-General next stated that 2023 has been remarkable for the strides made in advancing our common goals. Significant milestones were reached and set the stage in many respects for a new chapter in maritime decarbonisation, as demonstrated by the adoption of the 2023 Strategy on the Reduction of Greenhouse Gas Emissions from Shipping, an historic development signalling a boost for our efforts in combatting climate change within the maritime industry.

In his view, this week's Council agenda carries immense significance as it represents the final preparations and decisions of IMO just ahead of the 33rd session of the IMO Assembly next week, following which he went on to highlight several of the most important agenda items:

Regarding the budget proposals for 2024 and 2025, he remained acutely aware of the challenges posed by inflation and has made every effort to keep the budget at the lowest practical amount in recognition of the monetary constraints faced by all, whilst still enabling the Secretariat to deliver its expanding work programme. Furthermore, finalising the Strategic Plan for the period 2024 to 2029 will be pivotal in charting IMO's course for the upcoming years.

Emphasising ongoing efforts to enhance multilingualism, Mr Lim commended the engagement of Member States in this initiative. Updates with regard to the access control to the IMO building including immediate preventive and remedial measures such as new guidance for delegates and visitors, as detailed in Circular Letter 4797, will be provided.

Also, the Secretariat is considering further long-term improvements and will keep Member States updated on new developments.

The Secretary-General expressed full confidence that Council discussions will be open, informative, and highly productive, yielding agreements on the agenda items under consideration, thus paving the way for the upcoming 33rd session of the IMO Assembly.

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(c) Consideration of requests by Members, if any, for waiver of the application of Article 61 of the IMO Convention

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MAJOR ACHIEVEMENTS AT MEETING C 130.

- Approval of the Organisation's Strategic Plan for the 6-year period 2025-2029;
- Approval of the Organisation's budget for the 2024-2025 biennium;
- Expressed commitment to Multilingualism, reinforced through agreement of an Assembly resolution, to be considered at A 33;

- Agreement to amend the terms of reference of the Intersessional Working Group on relations with Non-Governmental Organisations, making it more inclusive, also enhancing its mandate; and,
- Nominating the first recipient for the Multi-Gender Award together with recipients of Letters of Recommendation.

1. **ADOPTION OF THE AGENDA.** The Council adopted the agenda.

2. **REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS.** All 40 Member States elected to the Council presented their credentials correctly.

3. **STRATEGY, PLANNING AND REFORM.** The Council established an open-ended Working Group on the Strategic Plan (WG-SP) with appropriate terms of reference. Having considered the subsequent report of the Group, the Council approved the report of the Working Group in general and, in particular:

- 1 approved the Strategic Plan for the six-year period 2024 to 2029 with the mission statement, vision statement, overarching principles, strategic directions, performance indicators, and the list of outputs for the 2024-2025 biennium, including the associated draft Assembly resolution as drafted;
- 2 also approved the draft Assembly resolution on Application of the Strategic Plan of the Organisation; and,
- 3 submitted both resolutions to the forthcoming thirty-third regular session of the Assembly for consideration and subsequent adoption.

4. **RESOURCE MANAGEMENT.**

- (a) **Human resources matters, including amendments to the Staff Regulations and Staff rules.** With regard to document C 130/4(a)/1, the Council requested the Secretary-General to continue to provide relevant updates at future sessions of the Council on initiatives to improve gender equality and geographical representation within the Secretariat, taking into account comments made in plenary and existing policies and procedures within the United Nations system, as appropriate.
- (b) **Report on the status of Member States' contributions to the General Fund and the Working Capital Fund, and Member States falling under the provision of Article 61 of the IMO Convention.** The Council noted the information set out in document C 130/4(b) and its addenda, and that provided orally by the Secretary-General, reporting on the status of Member States' contributions to the General Fund and the Working Capital Fund as well as on Member States falling under the provision of Article 61 of the IMO Convention.
- (c) **Consideration of requests by Members, if any, for waiver of the application of Article 61 of the IMO Convention.** The Council reiterated its firm stance on the strict enforcement of Article 61 of the IMO Convention regarding failure of Member States to discharge their financial obligation to the Organisation within one year of

the due date. Notwithstanding, the Council decided to recommend to the Assembly that the application of Article 61 be waived for the Islamic Republic of Iran following their eloquent explanation in plenary and requested the Secretary-General to report the Council's decision on this matter to the Assembly.

(d) Budget considerations for 2023. The Council welcomed the Secretary-General's careful stewardship of the Organisation's funds in difficult times, and, in this respect, further noted:

- the additional information provided on transfers of uncommitted funds from 2022 to 2023, and the consequent total revised appropriations by fund;
- the review of the key budget assumptions and risks and their budgetary impacts, and the consequent forecast outturn for the regular budget for 2023, noting that the regular budget expenditure for 2023 was expected to be kept within the approved appropriation;
- the expenditure to date and the forecasts for each strategic direction;
- the income and expenditure outturn and forecast in the Trading Fund;
- the expenditure status of the Headquarters Capital Fund, Technical Cooperation Fund and extra-budgetary programmes;
- the status of the Termination Benefit Fund, and approved, in principle, the Secretary-General's proposal to fund the potential shortfall in the Termination Benefit Fund from the resources available in the regular budget; and,
- the summary and the Secretary-General's conclusion that as a whole, expenditure for 2023 could be contained within the overall budgets approved for all funds.

5. RESULTS-BASED BUDGET FOR 2024-2025. The Council welcomed the information provided by the Secretary-General on his results-based budget for the 2024-2025 biennium and in particular:

- noted the changes made to the results-based budget, other income and consequently on the assessment on Member States, along with their causes;
- approved the updated results-based regular budget proposal by strategic direction and "Other work" for the 2024-2025 biennium of £83,653,000, comprising an appropriation of £40,923,000 for 2024 and an appropriation of £42,730,000 for 2025, including the cost implications of additional sessions of the TCC;
- approved the financing of the updated results-based budget by assessments upon Member States of £73,153,000, comprising an assessment of £35,572,000 for 2024 and £37,581,000 for 2025;

- approved the revised budget and staffing for the Trading Fund; and,
- approved the draft Assembly resolution on the results-based budget for the 2024-2025 biennium for submission to the Assembly at its thirty-third regular session.

6. **ENHANCEMENT OF MULTILINGUALISM.** The Council approved a proposed draft Assembly resolution, noting the need for a progressive approach in the implementation of the strategic framework for multilingualism.

7. **IMO MEMBER STATE AUDIT SCHEME.**

(a) **Progress report on the implementation of the Scheme.** Council endorsed the postponement of the audit of Armenia to a future date, and the inclusion of the audits of Bosnia and Herzegovina, Guinea Bissau, San Marino, Timor-Leste and Uganda in the audit schedule for 2025. Member States that had not yet done so, were requested to provide the Secretariat with the details of an individual authorised to access Member State audit reports through the GISIS module. Council endorsed the revised overall audit schedule set out in the annex to document C 130/7(a), including a decision to reschedule the audit of Panama to a future date.

(b) **Update on the GISIS review.** Council noted the information set out in documents C 129/8(b), C 130/7(b) (Argentina) and C 129/INF.4, and that provided orally by the Secretary-General and the delegation of Argentina, providing an update on the Global Integrated Shipping Information System (GISIS) review and data management project. Council encouraged Member States to strengthen their efforts in executing treaty obligations through regular data updates in relevant GISIS modules, and to continue providing their feedback to enhance the use and potential of GISIS. The Secretariat was invited to consider the comments, evaluate the revised version of the list of GISIS modules with status of development and also, to adopt, if deemed appropriate, the suggested changes. Following this, inclusion of a new agenda item on the enhancement of GISIS was agreed.

8. **REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE.** Council noted the information set out in documents C 129/10 and C 129/10/1, as well as that provided orally by the Chair of the Marine Environment Protection Committee and the Secretary-General, on the outcome of the seventy-ninth and eightieth sessions of the Committee. In particular, the Council:

- endorsed the new outputs on "Amendments to MARPOL Annex II in order to improve the effectiveness of cargo tank stripping, tank washing operations and pre-wash procedures for products with a high melting point and/or high viscosity" and "Revision of the Revised guidelines and specifications for pollution prevention equipment for machinery space bilges of ships";

- took into account the 2023 IMO Strategy on the Reduction of GHG Emissions from Ships when finalising the text of strategic direction 3 (Respond to climate change);
- endorsed the new outputs on "Amendments to the 2017 Guidelines addressing additional aspects of the NOx Technical Code 2008 with regard to particular requirements related to marine diesel engines fitted with Selective Catalytic Reduction (SCR) systems and "Amendments to the NOx Technical Code 2008 with regard to re-certification procedures of existing marine diesel engines onboard of ships", assigning the PPR Sub-Committee as the associated organ;
- endorsed changes made to the titles of outputs 1.21 and 2.15;
- approved the proposed outputs of MEPC for the 2024-2025 biennium and the outputs on the post-biennial agenda of the Committee;
- approved the proposed plan of meeting weeks for MSC and MEPC and their subsidiary bodies for the 2024-2025 biennium for inclusion in the Secretary-General's relevant budget proposals; and,
- endorsed the holding of the sixteenth meeting of the Intersessional Working Group on Reduction of GHG Emissions from Ships in the week prior to MEPC 81 and an intersessional meeting of the ESPH Technical Group in 2024.

The Council approved the reports of the seventy-ninth and eightieth sessions of the Committee in general and transmitted them, with its comments and recommendations, to the Assembly at its thirty-third session.

9. REPORT OF THE LEGAL COMMITTEE. With regard to document C 129/11, the Council approved the report of the Legal Committee at its 110th session in general and, in accordance with Article 21(b) of the IMO Convention, transmitted it, with any comments and recommendations, to the thirty-third session of the Assembly.

With regard to documents C 129/11/1 and C 130/9, the Council:

- noted the information provided in documents C 129/11/1, C 130/9, and in plenary on the current status of implementation of United Nations General Assembly resolution A/RES/ES-11/5;
- noted the views expressed by the Council on creating a project and the establishment of a project trust fund to conduct the assessment on damage in connection with United Nations General Assembly resolution A/RES/ES-11/5;
- requested the Secretary-General, in light of the establishment by the Council of Europe of a Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine, to liaise with the Register of Damage established in

The Hague in order to identify means of cooperation, and report to C 132 for further deliberation; and,

- encouraged IMO Member States to participate in the work of the Register.

10. REPORT OF THE FACILITATION COMMITTEE. Council noted the information set out in document C 129/12, as well as that provided orally by the Chair of the Facilitation Committee and the Secretary-General, on the outcome of the Committee at its forty-seventh session. The report of the forty-seventh session of the FAL Committee was approved in general and transmitted, with its comments and recommendations, to the Assembly at its thirty-third session. The Council expressed its appreciation to the outgoing Chair of the Committee, Mrs. Marina Angsell of Sweden, for the excellent way in which she chaired the Committee over the last five years.

11. REPORT OF THE TECHNICAL COOPERATION COMMITTEE. The Council noted the information set out in documents C 130/11 and C 130/11/Add.1, as well as that provided orally by the Chair of the Technical Cooperation Committee and the Secretary-General, on decisions and actions taken by the seventy-third session of the Committee. In particular, Council:

- approved the allocation and use of £10.8 million (equivalent to \$13.4 million) from the Technical Cooperation Fund to support the delivery of the ITCP during 2024-2025; and,
- approved, for future sessions of the Technical Cooperation Committee, an allocation of five meeting days, with no less than eight sessions of interpretation, to allow the Committee sufficient time to discuss all items under its agenda.

The Council approved the report of the seventy-third session of the Technical Cooperation Committee in general and transmitted it, with its comments and recommendations, to the thirty-third session of the Assembly.

12. REPORT OF THE CONSULTATIVE MEETING OF CONTRACTING PARTIES TO THE LONDON CONVENTION 1972 AND THE MEETING OF CONTRACTING PARTIES TO THE 1996 PROTOCOL TO THE LONDON CONVENTION. The Council noted the information provided orally by the Secretary-General on the report of the Consultative Meeting of Contracting Parties to the London Convention 1972 and the Meeting of Contracting Parties to the 1996 Protocol to the London Convention, and that a full report of the meeting would be presented to the forthcoming session of the Assembly as part of the report on the Organisation's performance of Secretariat functions and other duties with respect to the London Convention and Protocol.

13. GLOBAL MARITIME TRAINING INSTITUTIONS.

(a) World Maritime University. The Council noted the report of the Board of Governors of the University and its budget as well as that provided orally by the President of the World Maritime University (WMU). The Council was informed of the retirement of Dr. Cleopatra Doumbia-Henry from her position as President of WMU in June 2023 and welcomed the new President, Professor Maximo Mejia. The Council, in particular:

- noted WMU's Board of Governors report on key elements of the 2022 operations of the University;
- urged Member States to take action so as to enable recognition, under their national legislation, of the degrees conferred by the University;
- expressed its appreciation to all donors, Governments, organisations and industry who have contributed through financial, fellowship and in-kind support to the University and particularly to the Government of Sweden and the City of Malmö for their continued unwavering support;
- strongly urged Member States, intergovernmental and non-governmental organisations and industry to continue to support the University either by direct contributions to its operating budget, scholarship financing, equipment donation or through any other assistance; and,
- noted the University's Financial Outcome for 2022, Trending Budget for 2023 and Initial Budget for 2024.

(b) IMO International Maritime Law Institute. The Council noted the information on the Report of Governing Board of the Institute and its budget, as well as that provided orally by the Director, IMO International Maritime Law Institute (IMLI). The Council, in particular:

- noted IMLI's Governing Board report on key elements of the 2022 operations of the Institute;
- urged Member States to take action so as to enable recognition, under their national legislation, of the degrees conferred by the Institute;
- expressed its appreciation to all donors, Governments, organisations and industry who have contributed through financial, fellowship and in-kind support to the Institute, particularly to the Government of Malta for their continuous formidable support;
- strongly urged Member States, intergovernmental and non-governmental organisations and industry to continue to support the Institute either by direct contributions to its operating budget, scholarship financing, equipment

donation or through any other assistance, pursuant to resolution A.934(22) on Sustainable financial support for the IMO International Maritime Law Institute; and,

- noted the Institute's budget for 2023 together with the proposal for 2024.

14. REPORT OF THE COUNCIL TO THE ASSEMBLY ON THE WORK OF THE ORGANISATION SINCE THE THIRTY-SECOND REGULAR SESSION OF THE ASSEMBLY. The Council noted the information set out in document C 130/14, as well as that provided orally by the Secretary-General, on the report of the Council to the Assembly on the work of the Organisation since the thirty-second regular session of the Assembly, which was duly approved.

15. EXTERNAL RELATIONS.

- (a) Relations with the United Nations and the specialised agencies.** The Council noted the information set out in document C 130/15(a), as well as that provided orally by the Secretary-General, on relations with the United Nations and the specialised agencies and requested the Secretary-General to keep it informed of any relevant developments on these matters.
- (b) Relations with intergovernmental organisations.** No documents were submitted under this agenda item.
- (c) Relations with non-governmental organisations.** The Council approved the proposed amendment to the Terms of Reference of the Intersessional Working Group on Relations with Non-Governmental Organisations (ISWG-NGO) contained in document C 130/15(c) and, taking into account comments made, agreed to make it an open-ended Intersessional Working Group, open to all Member States. Concern was expressed regarding the incidents during MEPC 80, including that of three demonstrators gaining unauthorised access to the IMO Headquarters building and interrupting an evening reception hosted by the Secretary-General, stressing that such conduct is not acceptable.
- (d) World Maritime Day.** The Council noted the very worthwhile contributions that various Member Governments, organisations and individuals had made to the success of World Maritime Day (WMD) 2023, by their attendance at the activities and reception held at IMO Headquarters; by events organised by them; by joining the initiative to lighting up landmarks in blue to promote the year's theme; and by sending commemorative messages to the Secretary General or on social media. The theme for 2024 will be "Navigating the future: safety first!", noting that the Secretary General will make all necessary arrangements for WMD celebrations in accordance with past practice. WMD Parallel Events in 2024, 2025 and 2026 will be hosted by Spain, the United Arab Emirates and the Republic of Korea respectively.

(e) IMO Gender Equality Award. The Council endorsed the Panel's recommendation that Ms. Despina Panayiotou Theodosiou, nominated by Cyprus, be the recipient of the 2024 IMO Gender Equality Award. The Council approved the Panel's proposal to amend the Award Terms of Reference to include a second instance of recognition and endorsed the recommendation in respect of the recipients of Letters of Commendation. Congratulations were bestowed on Ms. Panayiotou Theodosiou and the Government of the Republic of Cyprus and all the recipients of Letters of Commendation whilst appreciation was expressed to all remaining candidates, as well as members of the Assessment Panel for their support and dedication.

16. REPORT ON THE STATUS OF THE CONVENTION AND MEMBERSHIP OF THE ORGANISATION. The Council endorsed the Secretary-General's encouragement towards widespread acceptance of the 2021 IMO Convention amendments. Council also encouraged, endorsed and supported the Secretary-General in his efforts to make IMO and its work more widely known and to ensure that it maintains its deserved position in the global maritime community.

17. REPORT ON THE STATUS OF CONVENTIONS AND OTHER MULTILATERAL INSTRUMENTS IN RESPECT OF WHICH THE ORGANISATION PERFORMS FUNCTIONS. Council endorsed and supported the Secretary-General's continuing efforts to encourage Governments that they consider acceptance of those instruments to which they are not yet Parties. Council commended the recent attainment of the conditions for the entry into force of the 2009 Hong Kong Ship Recycling Convention, which would be on 26 June 2025, and supported the ongoing efforts by Member States and the Secretariat to bring the 2012 Cape Town Agreement and the 2012 HNS Protocol into force at the earliest possible opportunity. The Council encouraged Contracting States to SOLAS to become Parties to the IMSO Convention in order to further fulfil their maritime safety and security commitments. IMSO Member States that were already Parties to the IMSO Convention at the time of adoption of the 2008 amendments thereto, were urged to accept those amendments conferring on IMSO the functions and duties of the Long Range Identification and Tracking (LRIT) of Ships Coordinator, to enable their formal entry into force as soon as possible.

18. APPOINTMENT OF THE EXTERNAL AUDITOR. Given the withdrawal of the candidature of the United Republic of Tanzania for appointment as External Auditor of IMO, for the period 2024-2027, the Council decided to forward the only other nomination, that from the Republic of Indonesia, for consideration by the thirty-third session of the Assembly.

19. APPRECIATION OF THE SERVICES OF THE SECRETARY-GENERAL. The Council noted the information provided in document C 130/19 on a draft Assembly resolution expressing appreciation for the services of Mr. Kitack Lim. Council welcomed the draft Assembly resolution regarding the services of Mr. Lim and agreed to its submission to the thirty-third regular session of the Assembly for adoption.

20. SUPPLEMENTARY AGENDA ITEMS. The Council noted the information in document C 130/20, as well as that provided orally by the Secretary-General, on updates to IMO Headquarters access control. The Council also noted the information in document C 130/20/1 (Australia et al), as well as that provided orally by the Secretary-General, in particular on the planned further development of collaborative mechanisms. Council then invited the Secretariat to conduct a review of existing collaborative mechanisms, in consultation with Member States, with a view to their enhancement, and to provide an update at a future session of the Council.

End

Captain Paddy McKnight