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Agenda item 9

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**PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS
IN MANDATORY IMO INSTRUMENTS**

Progress report to the Assembly in compliance with resolution A.1043(27)

Note by the Secretary-General

SUMMARY

Executive summary: The annex to this document contains the draft report of the Council on the progress during the 2012-2013 biennium in the periodic review of administrative requirements in mandatory IMO instruments. The Council is invited to consider the draft report with a view to its approval and submission to the twenty-eighth regular session of the Assembly, in accordance with resolution A.1043(27).

Strategic direction: 8

High-level action: 8.0.4

Planned output: 8.0.4.1, 8.0.4.2, 8.0.4.3

Action to be taken: Paragraph 3

Related documents: A.28/17; C 110/D; C 109/D; C 108/D and resolution A.1043(27)

1 The Assembly, at its twenty-seventh regular session, adopted resolution A.1043(27) on the *Periodic review of administrative requirements in mandatory IMO instruments*. Operative paragraph 4 of this resolution requested the Council to monitor the outcome of the periodic review process and its recommendations and to send a progress report to the Assembly at its twenty-eighth session.

2 The annex to this document contains the draft report of the Council on the progress during the 2012-2013 biennium in the periodic review of administrative requirements in mandatory IMO instruments.

Action requested of the Council

3 The Council is invited to consider the draft report in the annex with a view to its approval and submission to the twenty-eighth regular session of the Assembly, in accordance with resolution A.1043(27).

ANNEX

PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS IN MANDATORY IMO INSTRUMENTS

Draft progress report to the Assembly in compliance with resolution A.1043(27)

Introduction

1 The Assembly, at its twenty-seventh regular session, adopted resolution A.1037(27) on the *Strategic plan for the Organization (for the six-year period 2012 to 2017)* of which Strategic Direction 8, inter alia, states:

"The Organization will periodically review administrative provisions of existing conventions and mandatory instruments with the aim of finding improved, more efficient solutions for those administrative requirements that are necessary. Those provisions of existing conventions and mandatory instruments that have become unnecessary and/or burdensome will also be reformed and/or eliminated without compromising safety, security and the protection of the environment."

2 The Assembly also adopted, through resolution A.1038(27) on the *High-level Action Plan of the Organization and priorities for the 2012-2013 biennium*, four specific planned outputs on the reduction of administrative burdens to be completed during the 2012-2013 biennium.

3 The Assembly further adopted resolution A.1043(27) on the *Periodic review of administrative requirements in mandatory IMO instruments*. This resolution:

- .1 requested the Council to establish the Ad Hoc Steering Group for Reducing Administrative Requirements, with appropriate terms of reference;
- .2 instructed the Secretary-General to submit, for the Council's consideration, proposals on the membership of the Ad Hoc Steering Group for Reducing Administrative Requirements;
- .3 also requested the Council to inform the Committees of these efforts to reduce administrative burdens and to raise awareness of potential administrative burdens;
- .4 further requested the Council to monitor the outcome of the periodic review process and its recommendations and to send a progress report to the Assembly at its twenty-eighth session; and
- .5 invited the Council to continue its efforts aimed at promoting the development and implementation of better regulations.

4 This progress report is submitted in compliance with operative paragraph 4 of resolution 1043(27).

Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR)

5 At its 108th session, the Council approved the terms of reference for the Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR) and subsequently established the SG-RAR.

6 The SG-RAR has been composed of relevant stakeholders in order to balance the different interests, while ensuring appropriate geographical distribution. A total of nineteen members have been appointed; the composition of the SG-RAR and the interests represented can be seen in the appendix.

Terms of reference

7 The purpose of the SG-RAR is to assist the Organization in its efforts to identify and reduce administrative burdens for all stakeholders in the maritime sector. The SG-RAR's terms of reference request the Group to:

- .1 develop a work plan;
- .2 further develop an inventory of administrative requirements;
- .3 conduct consultations with stakeholders;
- .4 analyse the responses from the consultations;
- .5 identify administrative burdens;
- .6 develop recommendations to address administrative burdens; and
- .7 report accordingly to the Council.

8 The terms of reference request the SG-RAR to conduct its work with utmost transparency, to ensure proper information management, including documentation and record-keeping, and to ensure that consultations are open and inclusive in terms of gathering views from all stakeholders.

9 The terms of reference further request the SG-RAR to send its final report to the Council, including:

- .1 an updated inventory of administrative requirements that includes the results of the consultation and analysis of the requirements;
- .2 recommendations on changes to administrative requirements that are perceived as administrative burdens, and, as appropriate, their prioritization; and
- .3 any other relevant findings and recommendations, as appropriate.

Work plan

10 The work plan approved by the Council at its 110th session specifies a preparatory phase, a consultation phase, an analysis phase and a reporting phase. The revised work plan foresees the SG-RAR's final report to be submitted to Council 113 in December 2014.

Inventory of Administrative Requirements in mandatory IMO instruments

11 A vital basis for the SG-RAR's work was the creation of an Inventory of administrative requirements in mandatory IMO instruments, financed by the Government of Denmark and submitted to the Council at its 108th session (document C 108/INF.2). After agreeing on a few adjustments, the SG-RAR considered the Inventory accurate and complete, used it as a base document in the preparation of the consultation process, and will continue to use it in the analysis phase of its work.

12 The Inventory lists all the administrative requirements contained in IMO conventions and in other IMO instruments that have become mandatory under such conventions. In total, the Inventory identifies over 560 administrative requirements, addressing a variety of stakeholders, including Companies and owners; Governments (in their capacity as party to conventions, flag, port or coastal State); IMO (Secretary-General, Secretariat); Manufacturers and equipment suppliers; Maritime Administrations; Masters and ship's crew; Port authorities; Recognized organizations; Shipbuilders and ship repairers; and Shippers.

Preparatory phase

13 In accordance with its terms of reference, the preparatory phase of the SG-RAR's work included in particular:

- .1 identification of relevant (groups of) stakeholders;
- .2 preparation of a consultation document;
- .3 consideration of organization and structure of the consultation process;
- .4 development of a dedicated consultation website; and
- .5 preparation of communication and awareness raising.

14 With a view to ensure that the consultation would be open and inclusive in terms of gathering views of all stakeholders, the SG-RAR developed a balanced, concise and user-friendly consultation website. In this respect, the Council is greatly indebted to BIMCO for making available the resources necessary for the development and hosting of the dedicated consultation website.

Consultation phase

15 The public consultation on reduction of administrative requirements in mandatory IMO instruments was successfully launched on 7 May 2013. The launch was announced by Circular letter No.3349, by a press release and by social media such as Twitter and Facebook. The launch was also highlighted on the IMO website. After the launch, a flyer on the subject was distributed at meetings and at various international maritime events.

16 On 7 October 2013, 401 responses had been received, a satisfying number of which over 60 per cent coming from Masters, Ship's crew and Shipping companies. The overall response figure can be specified as follows:

CONSULTATION RESPONSES BY 7 OCTOBER 2013			
By category of mandatory instruments		By stakeholder group	
SOLAS/Safety	59 %	Government/Administration	28 %
MARPOL/Environment	21 %	IMO (SG/Secretariat)	-
STCW	8 %	Surveyor/Recognized Organization	1 %
Liability	2 %	Ship's Management	60 %
Passenger ships	1 %	Other	-
Other	2 %	No specific stakeholder	10 %
General	5 %		

17 The six-month consultation period will end on 31 October 2013. Topical information, including final response figures, will be reported at the twenty-eighth session of the Assembly.

Analysis phase

18 After completion of the consultation phase, the analysis phase will commence in November 2013. The SG-RAR has concluded on practical arrangements for a step-by-step approach to the analysis phase, including the use of an analysis database and external assistance for the collation and organization of the responses. In this respect, the Council is greatly indebted to the Government of the United States for making available the resources necessary for the development of the analysis database, and to the Government of the United Kingdom for its generous donation to the process of reducing administrative requirements, providing the necessary resources for the recruitment of external assistance.

Future administrative burdens

19 At its twenty-sixth extraordinary session, the Council agreed, in accordance with operative paragraph 4 of resolution A.1013(26), to incorporate within the Guidelines on the application of the Strategic Plan and High-level Action Plan (GAP), and with immediate effect, the checklist for identifying administrative requirements and burdens in the future; and requested the Committees to update the Guidelines on the organization and method of their work accordingly; and Member States to observe the provisions of the GAP.

20 During the 2012-2013 biennium, the Committees have given effect to the Council's request by updating their Guidelines on the organization and method of work accordingly, and by using the checklist for identifying administrative requirements and burdens in their regular assessment of proposals for new, unplanned outputs.

21 Based on inputs received in the consultation phase, the Steering Group will also consider this matter further, and report as appropriate to the Council on any other findings in order for the Organization to continue its Better Regulation agenda.

Appendix

COMPOSITION OF THE AD HOC STEERING GROUP FOR REDUCING ADMINISTRATIVE REQUIREMENTS (SG-RAR)

		Flag State	Port State	SIDS and LDCs	Ship-owners	Sea-farers	Ship-building Industry	Non-Council member	Ship/crew manager	Ship recycling	IMO
Mr. John Akhurst, Assistant Director	Bahamas	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>							
Captain Jorge Imhoff, Alternate Permanent Representative	Chile		<input checked="" type="checkbox"/>								
Mr. Jun SUN, Second Secretary (Maritime)	China				<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>	
Dr. Christos Atalians, Alternate Permanent Representative of the Republic of Cyprus to IMO	Cyprus								<input checked="" type="checkbox"/>		
Ms. Anne Skov Strüver, Head of Division	Denmark	<input checked="" type="checkbox"/>									
Mr. Ali Akbar Marzban, Deputy Permanent Representative of the Islamic Republic of Iran to IMO	Iran (Islamic Republic of)							<input checked="" type="checkbox"/>			
Mr. Yasufumi Onishi, Alternate Permanent Representative of Japan	Japan	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>				
Ms. Angela Plott, Deputy Commissioner, Maritime Affairs	Marshall Islands	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			

		Flag State	Port State	SIDS and LDCs	Ship-owners	Sea-farers	Ship-building Industry	Non-Council member	Ship/crew manager	Ship recycling	IMO
Mr. Mohamed Marzagui, Head of Navigation Safety Division	Morocco		<input checked="" type="checkbox"/>								
Mr. Kees Polderman, Assistant Director, International Maritime Affairs	The Netherlands		<input checked="" type="checkbox"/>								
Mr. Ike Enriquez, Technical Adviser (Maritime), Office of the Coast Guard Attaché, Embassy of the Philippines	Philippines					<input checked="" type="checkbox"/>					
Mr. Si-Won Lee, Representative of the Republic of Korea to IMO	Republic of Korea	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>				
Mr. Dumisani Ntuli, Minister (Maritime Affairs), Alternate Permanent Representative of South Africa to IMO	South Africa		<input checked="" type="checkbox"/>								
Ms. Katy Ware, Permanent Representative of the United Kingdom to IMO, Head of International Maritime Coordination	United Kingdom	<input checked="" type="checkbox"/>									
Mr. Emanuel Terminella, International Outreach Team Leader	United States				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		
Mr. Jeppe Skovbakke Juhl, Senior Marine Technical Officer	BIMCO				<input checked="" type="checkbox"/>						
Mr. David Tongue, Director	ICS				<input checked="" type="checkbox"/>						

		Flag State	Port State	SIDS and LDCs	Ship-owners	Sea-farers	Ship-building Industry	Non-Council member	Ship/crew manager	Ship recycling	IMO
Mr. Branko Berlan, Accredited Representative to the IMO	ITF					<input checked="" type="checkbox"/>					
Mr. Jesper Loldrup, Head, Policy and Planning Unit	IMO										<input checked="" type="checkbox"/>