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Steering clear of the shoals : In spite of a severe cash crisis and the departure of its current secretary-general after 16 years of outstanding leadership the International Maritime Organisation is moving into the 1990s with reasonable confidence

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REGULATION



Handing over the helm ... Chandrika Srivastava presiding over the Assembly of IMO member states for the last time

SEA

Steering clear of the shoals

In spite of a severe cash crisis and the departure of its current secretary-general after 16 years of outstanding leadership the International Maritime Organisation is moving into the 1990s with reasonable confidence

The biggest-ever meeting of the International Maritime Organisation's Assembly, that agency's supreme governing body, was held at the London headquarters from October 9 to 20. The Assembly meets every other autumn to agree IMO's budget and work programme for the next two years.

Attended by nearly 600 delegates from 123 of the IMO's 133 member states, the 16th Assembly was, however, overshadowed by the Organisation's severe financial difficulties. These difficulties are a direct result of substantial arrears in annual membership payments which are calculated on the basis of the merchant ship tonnage registered under the national flag of each member state (HCB March 1989, page 12).

Perhaps not surprisingly, large tonnage flag states such as Panama, Liberia, the Philippines and Cyprus have also accumulated large arrears in their membership dues. The extent of debt certainly influenced the 16th Assembly's choice of members for the new Council, which is the IMO's effective executive body consisting of 32 nations elected every two years. Thus,

Liberia only just regained its council seat, although it had cleared the greater part of its arrears at the start of the 16th Assembly. Panama, which made a substantial part payment, did not regain its seat. It owed nearly half the total deficit of £5 million and is IMO's second largest contributor providing 10 per cent of the Organisation's funds. Other debtor nations, especially the developing countries, managed either to renew their Council membership, e.g. Brazil, or secure it for the first time, e.g. Philippines.

Although it may seem that IMO is in for a period of prolonged uncertainty, its secretariat and the member states are determined to make the best out of the means available and execute a reasonably substantial work programme.

IMO SPIRIT PREVAILS

It is significant that the 16th Assembly refrained from using the sole sanction available against defaulters under the Organisation's constitution. According to Article 56 of the IMO Convention, govern-

ments which are more than one year behind with their contributions can lose their voting right at IMO meetings. Although this provision has never been invoked in the IMO's 30 years of existence, this did not stop the 16th Assembly from requesting that more precise criteria be developed in order to enhance the effective application of this penalty, should it be felt desirable to enforce it in the future.

Similarly, it appears that there is little support for a proposal to pass the responsibility for the IMO's funding from governments to shipowners. This proposal was originally considered as one amongst various possible solutions by a special working group which met several times during the past year in response to a request by the IMO Council meeting of November 1988.

These decisions must be seen as a tribute to the Organisation's widely respected and charismatic chief, Mr Chandrika Srivastava of India. Throughout his term of office he has actively encouraged decision-making by consent and voluntary compliance, whether in terms of adherence to the IMO's working rules or application of its maritime safety and pollution prevention and control regulations.

When Mr Srivastava retires as secretary-general of IMO at the end of December, he will have held the post for a record four consecutive terms of four years each. He will be succeeded by Mr William O'Neil of Canada who has been chairman of the IMO Council since 1979. The Assembly's October meeting honoured Mr Srivastava with the title of Secretary-General Emeritus. He will also continue working for IMO's objectives in his role as chancellor of the World Maritime University in Malmo, Sweden.

BELT-TIGHTENING MEASURES

At the outset of the 16th Assembly the total arrears in membership fees due prior to the 1989 contributions amounted to £2.1 million or about one-fifth of the IMO's total annual working budget. In addition, approximately one-third of the £10 million in contributions due for 1989 was still outstanding. This sum of £3 million was about the same amount as was outstanding in November 1988 when the IMO cash crisis was first made public. The inability to pay is particularly acute for developing countries and has been exacerbated by the recent changeover, effective as from 1988, in the IMO's accounting system from US dollars to pounds sterling.

Although just over a quarter, or £1.3 million, of the total fee debts of £5 million was cleared during the two-week Assembly meeting this past October, it was decided to continue the severe economies introduced at the beginning of 1989 into the next biennium. Those cutbacks affecting the functioning of the IMO secretariat itself involve stopping of new recruitment, cutbacks in staff overtime and training, reduction in staff canteen subsidies and savings on stationery, including paper used for meeting documents.

As to the number of meeting weeks allocated to the various working bodies of the Organisation, for 1989 this had been halved from the originally planned 24 to

REGULATION

12. For the period 1990-91, however, the Assembly agreed to a somewhat higher allocation and approved a total budget of just over £25.4 million and 42 meeting weeks.

PRIORITY CONCERNS

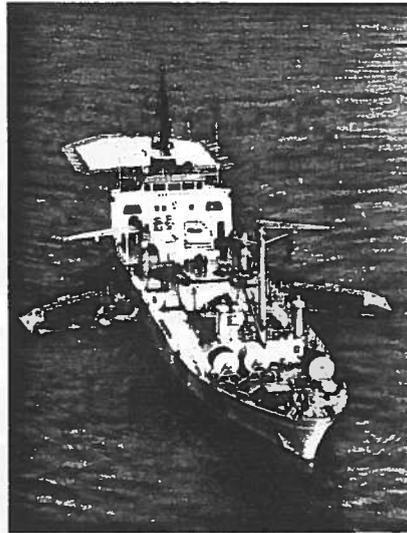
A total of 24 meeting weeks have been approved for 1990, including two which are to be paid for by the US and which will be devoted to a full-scale diplomatic conference on international cooperation on oil pollution preparedness and response. These and other issues that are to receive priority in the 1990-91 work programme are summarised below.

Oil spill response The US in particular hopes that IMO will succeed in adopting a new convention on oil spill emergency handling. This has been a high-priority objective of the US Coast Guard following the *Exxon Valdez* grounding in March 1989 and has also been supported by a special working party convened by Mr Srivastava in response to the Paris economic summit of June 1989 (HCB November 1989, page 15).

Maritime casualties The Assembly's October meeting adopted two resolutions concerning maritime casualties. One resolution urges more openness in the release of findings of maritime casualty investigations, which are required by a number of international treaties including the Safety of Life at Sea (SOLAS) Convention. It also

calls for improved international coordination of studies into the influence of the human element in tanker casualties in particular (HCB November 1989, page 15).

The other resolution, which is based on a joint proposal of Liberia and the US originally submitted to the IMO Legal Committee (HCB May 1986, page 5),



IMO will consider the adoption of an oil spill response convention in 1990 to accommodate new environmentalist pressures

recommends cooperation between different national (flag and coastal state) authorities in maritime casualty investigations and outlines procedures to be followed when conducting them.

Transboundary hazardous waste movements A resolution was adopted requesting IMO's Maritime Safety, Marine Environment Protection and Legal Committees to consider any additional measures that may be needed in the light of the Basle Convention recently concluded by the United Nations Environment Programme (UNEP) and which may strengthen the proposed controls on the international transport of harmful wastes (HCB May and August 1989, pages 17 and 53).

Amongst the many other decisions taken by the Assembly's October meeting are a number of resolutions endorsing the work undertaken by the IMO's technical bodies: **Firefighting equipment** A recommendation was adopted that the use of halons as fire extinguishing media on board ships, including passenger vessels, be limited because of their high ozone depleting potential (HCB June 1989, page 21).

Ship management Guidelines were agreed for the first time on the shore-based organisation of management for the purpose of improved shipboard safety and environmental protection. This resolution was first proposed following the *Herald of Free Enterprise* ferry disaster of March 1987 (HCB May 1988, page 83). ■

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