

XVIIIth conference of the MBSHC, Istanbul, TR, 25-27 September 2013**Agenda Item D.1.1. IMO Audit Scheme**

Related Documents:	a. IRCC4 Report – Annex E http://www.iho.int/mtg_docs/com_wg/IRCC/IRCC4/IRCC4-AnnexE-Action_List.pdf
	b. Voluntary IMO Member State Audit Scheme (accessed 03 Sept 2013) http://www.imo.org/OurWork/Safety/Implementation/Pages/AuditScheme.aspx
	c. Dr Barchue L.D., "Making a case for the Voluntary IMO Member State Audit Scheme " http://www.imo.org/OurWork/Safety/Implementation/Documents/Voluntary.pdf

Background/ Introduction /Analysis

1. According to Reference a (Action IRCC4/27) the MBSHC Chair was invited to inform the participants of the 18th MBSHC meeting the implications of the Mandatory IMO Member States Audit Scheme from 2015. The Mandatory Audit Scheme constitutes a continuation phase of the Voluntary Audit Scheme.

IMO Member States Voluntary Audit Scheme

2. Governments /Flag states are responsible for ensuring compliance with the provisions of IMO Conventions to which they are contracting parties. The key obligations of flag states are set out in the Code for the Implementation of mandatory IMO Instruments. The Voluntary IMO Member State Audit Scheme serves as a vehicle to establish and improve accountability amongst Member States of IMO. This Audit Scheme intended to provide an audited Member State with a comprehensive and objective assessment of how effectively it administers and implements those mandatory IMO instruments which are covered by the Scheme. The Scheme was approved by the IMO Assembly, at its twenty-third in November 2003 when it adopted resolution A.946(23) "Voluntary IMO Member State Audit Scheme". The resolution also mandated the further development of the scheme, to be implemented on a voluntary basis, and requested the IMO Council to develop, as a matter of high priority, procedures and other modalities for the implementation of the scheme.

3. The twenty-fourth IMO Assembly in November-December 2005 adopted resolutions A.974(24) Framework and Procedures for the Voluntary IMO Member State Audit Scheme and A.973(24) Code for the implementation of mandatory IMO instruments which provides the audit standard.

4. A further resolution A.975(24) Future development of the Voluntary IMO Member State Audit Scheme requests the Maritime Safety Committee (MSC) and the Marine Environment Protection Committee (MEPC) to review the future feasibility of including, within the scope of the audit scheme, maritime security-related matters and other functions not presently covered and also to identify any implications of broadening the scope of the audit scheme. The IMO Council was requested to develop suitable provisions for the possible future inclusion of other issues (relating to safety, environmental protection and security) in the audit scheme, taking into account the experience gained from the implementation of the scheme.

5. Following the adoption of the above-referred resolutions, a number of auditors have been trained and the audits of Member States have begun.

6. Upon receiving a request for audit from a Member State, the IMO Secretary-General will appoint an audit team leader who will discuss and agree the scope of the audit with the Member State. The audit will commence after the signing of a Memorandum of Co-operation by the Secretary General and by the Member State. The Memorandums set out the scope of the audit and the responsibilities of the Secretary-General and the Member State for the successful completion of the audit.

Mandatory Audit Scheme

7. According to the plan adopted by the Assembly through resolution A.1018 (26), the IMO Member State Audit Scheme would be phased in as an institutionalized, mandatory scheme, through the introduction of appropriate requirements in the relevant mandatory IMO instruments. Amendments to these instruments would be adopted in 2013, **for entry into force in January 2015**. A resolution on the Framework and Procedures for the Scheme would also be adopted by the IMO Assembly in 2013, while preparatory work for the commencement of an institutionalized scheme would be carried out during 2014.

8. The Assembly urged Member States that have not yet volunteered for audits under the current, voluntary scheme to do so, so that lessons can continue to be learned from it. It also requested the Secretary-General to take action, within the Organization's Integrated Technical Co-operation Programme, to assist Member States to participate in the Scheme and with building capacity to address related needs.

9. The Assembly also adopted amendments to the Code for the Implementation of Mandatory IMO Instruments, 2007, which serves as the audit standard for the Voluntary IMO Member State Audit Scheme. The amendments update the Code, to take into account amendments to mandatory IMO instruments that have entered into force or become effective since it was last revised, in 2007".

Implications of the Audit Scheme¹

10. The estimated results to the Governments by the implication of the Audit Scheme are:

- a. improved and full reporting to IMO on the implementation treaty obligations;
- b. better investigations of casualties and port state control detention;
- c. more rigorous delegation of authority to recognized organizations;
- d. better trained and properly certificated seafarers;
- e. better communication between flag and port States;
- f. acceptance of the need to improve performance;
- g. closer monitoring and accountability by companies (shipowners); and
- h. greater awareness of the need to establish measures to protect coastal and marine resources.

11. More information about the IMO Audit Scheme can be seen in the IMO website (Reference b).

Recommendations

12. MBSHC Chairman invites all participants to the committee to liaise with their national maritime authorities in order to help the preparation for an audit scheme

¹ As stated in reference c. "Making a case for the Voluntary IMO Member State Audit Scheme"