



SUMMARY OF DECISIONS

8TH COMMITTEE MEETING OF ABUJA MoU

23 – 24 OCTOBER 2012

BRAZZAVILLE, REPUBLIC OF CONGO



GENERAL

This document is the outcome of the 8th Committee Meeting of Abuja MoU.

The 8th Committee Meeting held from 23 – 24 October, 2012, in Brazzaville, Republic of Congo. The Meeting was attended by the following members of the Committee:

- Congo - Chairman
- Angola
- Cote d'Ivoire
- Gabon
- Guinea - 1st Rapporteur
- Nigeria
- Senegal
- Sierra Leone
- Togo

Observers:

- Mauritania
- Maritime Organisation of West and Central Africa (MOWCA)

The Meeting opened at 09.45hrs. The opening ceremony was conducted under the Chairmanship of H.E. Martin Parfait Aime COUSSOUD-MAVOUNGOU, the Honourable Minister of Transport in Charge of Merchant Marine of the Republic of Congo. The meeting of the 8th Committee commenced immediately after the opening ceremony

1. AGENDA ITEM 1: ADOPTION OF THE AGENDA

Reference Documents:

AMoU/C8/1	Secretariat	Adoption of the Agenda and Work Programme
AMoU/C8/1/B	Secretariat	Annotations on Provisional Agenda

The Committee considered the provisional agenda as proposed in document AMoU/C8/1/A and noted the annotations to the agenda and the proposed work programme contained in document AMoU/C8/1/B (Annex 1). The provisional agenda was adopted without amendments as the Agenda of the 8th Committee Meeting.



The Committee:

- .1 noted with approval, the information provided in Documents AMoU/C8/3/1/2 appointing Mrs Mfon Ekong Usoro as the substantive Secretary General of Abuja MoU for a term of 4 years by the 1st Extraordinary Bureau Meeting.
- .2 noted the lack of interest in the Organization by some States in the region and encouraged the secretariat to embark on more membership awareness campaign.
- .3 invited the secretariat to commence immediate training of PSCOs on the use of Abuja MoU Information System (AMIS).
- .4 expressed its appreciation to the Secretary General for the actions taken and the style of reporting on the activities of the secretariat., approved and adopted all the actions taken by the Secretariat and commended the Secretariat for

4. AGENDA ITEM 4 - REPORT FROM ABUJA MoU TECHNICAL WORKING GROUPS

Reference Documents:

AMoU/C8/4/	AMoU TWGs/Secretariat	Report from AMoU Technical Working Groups
AMoU/C8/4/1/A	AMoU TWGs/Secretariat	Port State Control Officers' Manual
AMoU/C8/4/1/B	AMoU Meeting of Experts	Resolutions of the Meeting of Experts
AMoU/C8/4/1/C	AMoU Meeting of Experts	Recommendations of the Meeting of Experts
AMoU/C8/4/2/A	AMoU TWGs/Secretariat	1st Amendment of the Memorandum
AMoU/C8/4/2/B	AMoU TWGs/Secretariat	Explanatory Notes on Proposed Amendments to the Memorandum

The Committee noted and approved the information presented by the Chairman of the Meeting of Experts in documents AMoU/C8/4/1/A, AMoU/C8/4/1/B, AMoU/C8/4/1/C, AMoU/C8/4/2/A, AMoU/C8/4/2/B.

The Committee:

- .1 noted secretariat's report on the work submitted by the five AMoU Technical Working Groups tasked with production of specified documents to aid harmonization of port State control in the region and commended members of the TWGs for their commitment.
- .2 expressed appreciation to the Maritime Administration of Senegal and the Minister of Transport of Senegal for hosting the Meeting of Experts which considered the work products of the Abuja MoU TWGs.



- .3 accepted the proposal by the secretariat that the Resolutions and Recommendations of the Meeting of Experts on the Draft AMoU Port State Control Officers' Manual and Draft 1st Amendment to AMoU Memorandum be elaborated under Agenda Item 7.

5. AGENDA ITEM 5 PORT STATE CONTROL ACTIVITIES IN ABUJA MoU REGION

Reference Documents:

AMoU/C8/5/1	Secretariat	National Arrangements for Port State Control by Maritime Administrations
AMoU/C8/5/2	Secretariat	Port State Inspections by Maritime Administrations
AMoU/C8/5/3	Secretariat	Status of Ratification of Relevant Instruments

The Committee noted the update in AMoU/C8/5/1, AMoU/C8/5/2, and AMoU/C8/5/3.

In particular, the Committee:

- .1 invited Member States who have not yet done so to submit information to the Secretariat on their National Arrangements on Port State Control and to make use of the Register of PSCOs provided by the Secretariat on the website and the group email for PSCOs.
- .2 encouraged maritime administrations who have not yet done so, to commence port State control inspections.
- .3 encouraged maritime administrations to submit their inspection reports weekly to the Secretariat.
- .4 urged the secretariat to commence regular trainings of PSCOs in the Region.

6. AGENDA ITEM 6 REVIEW OF PORT STATE CONTROL PERFORMANCE OF MEMBER STATE

Reference documents:

AMoU/C8/6/1/A	Secretariat	Abuja MoU 2010 Annual Report
AMoU/C8/6/1/B	Secretariat	Abuja MoU 2011 Annual Report

After due consideration of the documents above, the Committee:

- .1 authorized the secretariat to arrange the publishing, circulation of inspection reports and Annual Reports for 2012;
- .2 urge member Administrations to cooperate with the improvements introduced by ending daily/weekly inspection report forms to the secretariat.



- .3 commended the secretariat for the automated data storage and analysis; and the timely publication of AMoU 2011 Annual Report;

7. AGENDA ITEM 7 HARMONIZATION AND IMPROVEMENT ON PORT STATE CONTROL

Reference documents:

AMoU/C8/7/1/A	Congo	Proposal for Amendment of Memorandum
AMoU/C8/7/1/B	Sierra Leone	Proposal for Amendment of Memorandum
AMoU/C8/7/1/C	Togo	Proposal for Amendment of Memorandum
AMoU/C8/4/2/A	AMoU TWGs/Secretariat	1 st Amendment of the Memorandum
AMoU/C8/4/2/B	AMoU TWGs/Secretariat	Explanatory Notes on the Proposed Amendments to the Memorandum
AMoU/C8/4/1/B	Meeting of Experts of AMoU TWGs	Resolutions of the Meeting of Experts
AMoU/C8/4/1/C	Meeting of Experts of AMoU TWGs	Recommendations of the Meeting of Experts
AMoU/C8/4/1/A	AMoU TWGs/Secretariat	Port State Control Officers' Manual
AMoU/C8/3	9 th ISMWG	Record of Recommendations of 9 th ISMWG
AMoU/C8/7/3	AMoU TWGs/Secretariat	Guidelines for AMoU Detention Review Panel

The Committee considered all the documents specified above and oral contributions from the delegates.

7.1 Revision/Amendment of the Memorandum of Understanding

- .1 The Committee noted the proposals for Amendments of the 1999 Memorandum of Understanding submitted to the Secretariat by Togo, Sierra Leone and Congo in compliance with the legal requirement under Section 9 of the existing Memorandum.
- .2 The Committee unanimously adopted the 1st Amendments to the Memorandum of Understanding, 2012 and agreed that the Amended Memorandum should take effect from January 2013.
- .3 The Committee approved the inclusion of the recently adopted ILO Maritime Labour Convention, 2006 among the relevant instruments.

7.2 Adoption of Abuja MoU Port State Control Officers' Manual

- .1 The Committee noted the review and recommendations of the Meeting of Experts for adoption of the AMoU Manual.
- .2 The Committee approved and adopted the AMoU Port State Control Officers Manual for use by all member Administrations.



The Committee considered the additional recommendations of the Meeting of Experts and decided that:

- .3 port State control inspections on ships should be carried out at a time specifically designated for port State control inspection only, separate from any other national, revenue, health inspections etc. In this regard, only port State control officers should board the ship at such designated times.
- .4 the Ministers in charge of maritime transport of each member State should establish AMoU Port State Control Committee in their respective maritime administrations for efficient and effective implementation of the PSCOs Manual. The membership of the AMoU Port State Control Committee should include harbour masters of the respective Ports Authorities.
- .5 to promote transparency and harmonization of port State inspection practices, each member State should forward to the secretariat their regulations and guidelines on fees, charges and penalties related to port State inspections.
- .6 AMoU Technical Working Group C on Domestic Rules and Regulations for Compliance and Implementation of MoU Obligations should as soon as possible develop AMoU Regulations on imposition of fees regarding initial and detailed inspections of ships bearing in mind international best practices.
- .7 Maritime Administrations should employ qualified PSCOs or train existing officers to become qualified in line with the qualifications specified in the AMoU PSCOs' Manual.
- .8 Maritime Administrations should invest in continuous training of PSCOs through attendance at international and regional technical meetings, proper supervision and annual assessment of PSCOs through continuous assessment tests.
- .9 Maritime Administrations should structure and implement better and competitive remuneration for PSCOs given the level of expertise and importance of inspection and surveys to port and flag state Administrations.
- .10 Maritime Administrations should have a robust logistics support mechanism for PSC inspections department and their officers.
- .11 Maritime Administrations should make available to their authorized PSCOs, the required hardware and software in order to commence immediate use of Abuja MoU Information System (AMIS).
- .12 the secretariat should commence immediate training of PSCOs on the use of AMIS.



7.3 Establishment of AMoU Detention Review Panel

The Committee;

- .1 noted the information in the Guidelines for AMoU Detention Review Panel;
- .2 authorized the secretariat to establish the Detention Review Panel when there is an application for review of detention.
- .3 urged member Administrations to cooperate with the arrangement on Detention Review Panel and to comply with the Guidelines.

7.4 Inauguration of Technical Working Group on Port State Control Procedure

The Committee approved the resuscitation of AMoU Technical Working Group on Training for PSC Officers set up in 2001 comprising of Ghana, Nigeria, Cote D' Ivoire, Angola and The Gambia.

7.5 Harmonization of Inspection Fees and Penalties

- .1 The Committee noted the different practices regarding port State inspection fees and penalties and requested the secretariat to work towards the harmonization of fees and tariff.
- .2 The Committee urged member States to submit their regulations on port State control inspection fees and penalties to the secretariat.

7.6 Decision on Hosting of Abuja MoU Statutory Meetings by Member States

The Committee:

- .1 reaffirmed its Decision at the 4th Committee in 2005, that hosting of AMOU Committee Meetings should be rotational by alphabetical order among member States.
- .2 taking into account its decision on hosting of Meetings, approved that Angola host the 9th Committee Meeting 2013 and Cote d'Ivoire host the 10th Committee in 2014 in compliance with the agreed alphabetical order.
- .3 approved the schedule of hosting of AMoU Meetings for 2013 and 2014 as presented below:

PROPOSED HOST FOR 2013 AND 2014 MEETINGS		
Meeting	Host Country	Date
10 th ISMWG	Congo	2013
9 th Committee Meeting	Angola	2013
11 th Bureau Meeting	Ghana	2013
3 rd Ministerial Conference	Senegal	2013



11 th ISMWG	Ghana	2014
10 th Committee Meeting	Benin	2014
12 th Bureau Meeting	Guinea	2014
4 th Ministerial Conference	Côte d'Ivoire	2014

8. AGENDA ITEM 8 INFORMATION SYSTEM AND WEBSITE

Reference documents:

AMoU/C8/8/1

Secretariat

AMoU Port State Inspection Forms

AMoU/C8/8/5

Secretariat

Inauguration of Technical Working Group on AMoU Information System

The Committee noted the information provided by the Secretariat and the discussion by delegate.

8.1-8.3 Abuja MoU Information System And Publication on Website

The Committee:

- .1 noted the information from the secretariat regarding the renewed subscription and use of AMIS hosted in Russia pending the completion of work on the Regional Information Centre in Pointe Noire, Congo.
- .2 approved that all Maritime Administrations in AMoU region should commence the use of the standardized AMOU Port State Inspections Report Forms produced by the Secretariat from January 2013.
- .3 approved the publication of the list of detentions and underperforming vessels on AMoU website.

8.4 Status Report on Regional Information Centre, Pointe Noire

The Committee :

- .1 commended the Director of AMoU Regional Information Centre for his update on Regional Information Centre.
- .2 requested the resuscitated Abuja MOU Working Group on Information System should deal with all matters relating to the Regional Information System and report back to the Committee.

8.5 Inauguration of Technical Working Group on Abuja MoU Information System

The Committee resuscitated the Abuja MOU Technical Working Group on Information System set up in 2003. Membership comprises of Benin, Congo, Gabon, Guinea, Nigeria, Senegal and Sierra Leone with Senegal as the Chair.



9. AGENDA ITEM 9 - TRAINING OF ABUJA MoU PORT STATE CONTROL OFFICERS

The Committee

- .1 considered the information provided by the secretariat on the schedule for training of Abuja MoU Port State Control Officers in 2013.
- .2 noted the training organized by Congo in 2010 and encouraged other member States to do so.
- .3 approved the proposal by the secretariat for Basic Training for PSCOs to commence in 2013 starting with Angola.

10. AGENDA ITEM 10 TECHNICAL CO-OPERATION PROGRAMMES

Reference documents:

AMoU/C8/10/1/A	Secretariat	Record of Decisions of the 1 st IMO/Abuja MoU Workshop for Heads of Maritime Administrations in West and Central African Region
AMoU/C8/10/1/B	Secretariat	Resolutions of the 1 st IMO/Abuja MoU Workshop for Heads of Maritime Administrations in West and Central African Region.
AMoU/C8/10/3	Secretariat	Data Exchange Protocol with the IMO

The Committee

- .1 noted the information on the technical cooperation programmes executed by the IMO on port State control for the region, in particular, the 1st IMO/Abuja MoU Workshop for Heads of Maritime Administrations in the AMoU region.
- .2 expressed gratitude to the IMO and mandated the secretariat to work with the IMO in designing more capacity building programmes for Abuja MoU.
- .3 noted the participation of AMoU PSCOs in port State control trainings offered by other regional MoUs and commended Paris MOU, Tokyo MOU and Indian Ocean MoUs for the training opportunities offered to PSCOs in the Abuja MOU Region.
- .4 noted and endorsed the recommendation of the 9th ISMWG on finalization of Data Exchange Agreement with Lloyds List Intelligence (LLI).



11. AGENDA ITEM 11 ADMINISTRATIVE AND FINANCIAL MATTERS

Reference documents:

AMoU/C8/11/2	Secretariat	Abuja MoU Biennial Budget 2011 -2013
AMoU/C8/11/3	Secretariat	Abuja MoU Regional Information Centre Biennial Budget 2011 – 2013
AMoU/C8/11/4	Secretariat	Status of Financial Contribution by Member Administrations
AMoU/C8/11/5	Secretariat	Financial Agreements between AMoU and Member Administrations
AMoU/C8/11/6	Secretariat	AMoU Secretariat's Organogram
AMoU/ C8/11/7	Secretariat	Profile Document of Auditors

The Committee considered the information contained in the above documents, oral explanation by the secretariat and discussions by delegates and

- .1 noted and commended the prudence on use of funds and cash balances at the bank as presented by the Auditors in their 2010 to 2012 report.
- .2 commended Angola, Nigeria and Togo for being up to date with their financial contributions.
- .3 noted with disapproval the failure by member States to pay their financial contributions towards the operation of the secretariat.
- .4 encouraged member States to sign the financial arrangement circulated by the secretariat.
- .5 urged member States to liquidate their debt to the Secretariat and to pay their financial contributions on time.
- .6 noted and endorsed the approval and recommendation of the 9th ISMWG on the Secretariat's organogram and the disengagement of Mr Liman Abba and 2 other former staff of the secretariat.
- .7 endorsed and approved the organogram and current staffing arrangements at the Secretariat.
- .8 endorsed and approved the engagement of Engr. Richard Owolabi to head the technical unit of the secretariat.
- .9 approved the renewal of the appointment of Messrs Sola Oyetayo as Auditors for auditing the Secretariat Account for the financial years 2012 and 2013.



12. AGENDA ITEM 12 DATE AND VENUE OF FUTURE MEETINGS

The Committee recalled and noted Agenda Item 7.6 on the Decision of the Committee taken at the 4th Committee Meeting held in 2005 that hosting of Committee Meetings should be on a rotational alphabetical order. The Committee taking note of its decision on date and venue of future meeting:

- .1 approved the hosting of the 9th Committee Meeting by Angola in 2013 and Benin Republic for 2014.
- .2 requested the secretariat to communicate the decision of the Committee to the Ministers in Charge of Marine Transport in Angola and Benin regarding hosting of 9th and 10th Committee Meetings.

CLOSING

The 8th Committee Meeting closed with the adoption of Motion of Thanks to the:

- Local Planning Committee and the Maritime Administration of the Republic of Congo;
- The Chairman of Abuja MoU, H.E. Martin Parfait Aime COUSSOUD-MAVOUNGOU, the Honourable Minister of Transport in Charge of Merchant Marine of the Republic of Congo and The Minister of State of Transport of the Republic of Congo; and
- The President and the people of the Republic of Congo.

DATED THIS 24TH DAY OF OCTOBER, 2012

ISSUED BY THE SECRETARIAT OF ABUJA MoU