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**ORGANIZATION AND METHOD OF WORK
OF THE FACILITATION COMMITTEE**

1 The Facilitation Committee, at its forty-fourth session (28 September to 2 October 2020), approved the revised document on the *Organization and method of work of the Facilitation Committee*, as set out in the annex, taking into account the document on *Application of the Strategic Plan of the Organization* (resolution A.1111(30)).

2 Member States and international organizations are invited to apply the annexed document, as appropriate, and to bring it to the attention of their representatives at relevant IMO meetings, advising them to strictly observe it.

3 This circular revokes FAL.3/Circ.214.

ANNEX

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1 INTRODUCTION

Purpose and application

1.1 The purpose of this document is to provide a uniform basis for the Facilitation Committee to conduct its work in an efficient and effective manner and to strengthen the linkage between the Organization's strategy, the work of the committees and the biennial results-based budget with a view to achieving IMO's mission and the priorities over a biennium. This in turn will enable the Facilitation Committee to respond successfully to the need for enhanced facilitation of international maritime traffic, thus providing an efficient mechanism towards achieving the desired goals of the Organization.

1.2 Proper application of this document will also enhance the ability of Committee members to cover the full spectrum of IMO activities relevant to its work and thus provide for their effective participation in the rule-making process of the Organization. It is also expected that this document shall enable the Committee to further improve its decision-making functions.

1.3 This document is applicable to the work of the Committee as well as its working groups, drafting groups and correspondence groups. The chairs of the Committee and its working groups, drafting groups and correspondence groups shall make all efforts to ensure strict compliance with this document.

1.4 This document will be kept under review and will be updated as necessary in light of experience gained in its application taking into account the document on the *Application of the Strategic Plan of the Organization* (resolution A.1111(30)), as may be amended.

Objectives

1.5 The provisions of this document are aimed at achieving the following objectives:

- .1 to align and strengthen the planning and reporting processes by linking agenda setting and reporting clearly to the Strategic Plan;
- .2 to strengthen the linkage between outputs on the biennial agenda and the resources required to deliver the outputs;
- .3 to facilitate the efforts of the Committee in controlling and monitoring the Organization's work;
- .4 to promote discipline in adherence to the planning procedures and documents;
- .5 to promote objectivity, clarity and realistic time frames in the establishment of biennial agendas by the Committee;
- .6 to ensure maximum possible participation by all Member States and by organizations with observer status in the work of the Committee; and
- .7 to establish responsibilities and promote involvement in the planning and reporting processes of the Organization.

2 DEFINITIONS

For the purposes of this document, the following definitions will apply:

- .1 *IMO organs* are the Council and committees of the Organization specified in Article 11 of the IMO Convention, including their subsidiary bodies.
- .2 *Strategic Plan* is the Strategic Plan for the Organization for a 6-year period as adopted by the Assembly, which includes key strategic directions to enable IMO to achieve its mission.
- .3 *Output* is an item to be delivered by one or more IMO organs during the current biennium or accepted for a subsequent biennium.
- .4 *Agenda* is a list of outputs for discussion at a particular session.
- .5 *Biennial agenda* is a list of outputs to be delivered by an IMO organ during a biennium.
- .6 *Post-biennial agenda* is a list of outputs accepted by the Council or committees in one biennium that are to be delivered or initiated in the next biennium.

3 COORDINATION OF WORK

3.1 The Committee shall function as a policy-making body and its working, drafting or other groups as purely technical bodies.

3.2 The Committee shall routinely examine its outputs, establish priorities, review the allocation of its meeting weeks and approve its biennial and provisional agendas, taking into account any recommendations made by the Committee's chair as provided in paragraph 3.3.

3.3 The Committee's chair shall, at the end of the first year of the biennium, submit to the Committee a plan covering the activities, priorities and meetings of the Committee for the coming biennium, for consideration in the subsequent year.

3.4 The Committee shall regularly review the status of the FAL Convention and other instruments under its purview.

3.5 When an issue is transferred to it by another committee of the Organization for specific action, the Committee, before including the subject in question in the biennial agenda, shall decide that the provisions of section 4, as appropriate, are fully satisfied, even if the issue, in accordance with the criteria of the referring committee, satisfies the requirements of the current Strategic Plan for the Organization.

4 WORK PLANNING AND DELIVERY PROCESS

Outputs

4.1 The Committee shall identify, in a timely manner, the outputs to be included in the list of outputs for the next biennium and the Secretariat should develop its Business Plan, as such identification provides a basis for making an estimate of the budget required for that biennium.

4.2 In the process of constructing the list of outputs for the next biennium, the following should be included:

- .1 continuous and annual outputs within the current list of outputs;
- .2 outputs that have not been completed;
- .3 outputs from the post-biennial agenda should also be included, subject to resource availability; and
- .4 any other proposals for new outputs may be included following their assessment in accordance with the present document.

4.3 Decisions on the list of outputs for the next biennium shall be guided by the strategic directions in the Strategic Plan and shall take due account of:

- .1 the anticipated workload of the Committee delivering the output;
- .2 the need to deliver the output;
- .3 the personnel and budgetary resources available; and
- .4 the potential adverse impact that a decision on whether or not to include an output may have on the ability of the Organization to meet its objectives.

4.4 Outputs may be revised during the biennium by the Committee, taking into account the provisions of paragraph 4.3, if subsequently endorsed by the Council.

4.5 An overview of the Organization's strategic planning process and its steering and reporting flows are shown in diagrams 1 and 2 contained in annex 1 to the document on the *Application of the Strategic Plan of the Organization* (resolution A.1111(30)).

4.6 The Committee, in determining whether to accept an output and include it on its biennial or post-biennial agenda, shall at all times be guided by the Strategic Plan, and shall in particular take due account of:

- .1 the specific necessity for an output to be started during the current biennium;¹
- .2 the potential impact that the inclusion of an output on the biennial agenda may have on the timely delivery of outputs during the biennium;
- .3 the potential impact that the inclusion of an output may have on the workload of the Committee;
- .4 the personnel and budgetary resources available;
- .5 the potential adverse impact on the ability of the Organization to meet its objectives if a decision is made not to accept a proposal for inclusion of an output on the biennial or post-biennial agendas; and
- .6 the potential impact that the inclusion of an output may have on small island developing States (SIDS) and least developed countries (LDCs).

¹ The normal action would be for outputs, if accepted, to be placed on the post-biennial agenda, and only in exceptional circumstances would outputs be added to the biennial agenda and current list of outputs.

Submission of proposals for outputs

4.7 To enable the Committee to carry out a proper assessment of proposals for new outputs, submissions containing such proposals must, at a minimum, contain the information, including demonstration and documentation, set out in annex 1 (see also annexes 5 and 6).

4.8 Member States shall refrain from submitting to the Committee proposals for new outputs under specific agenda items. The Secretariat shall not accept such submissions and shall advise the submitting Administrations accordingly.

4.9 Proposals for the inclusion of outputs which are submitted to the Committee by non-governmental organizations shall be co-sponsored by Governments.

4.10 Follow-up actions in response to specific requests for action emanating from the Assembly and diplomatic conferences convened by IMO, United Nations conferences and bodies, regional intergovernmental conferences and other international and intergovernmental organizations, etc. shall be evaluated in light of paragraph 4.3 of this document.

Preliminary assessment by the Committee's chair of proposals for outputs

4.11 In order to facilitate consideration of proposals for new outputs by the Committee, the chair should undertake a preliminary assessment of such proposals. The chair should, for that purpose, be supported by the vice-chair and the Secretariat.

4.12 The outcome of the preliminary assessment should be submitted to the Committee for consideration and approval, and should include the appraisal by the chair of:

- .1 whether the proposal complies with the requirements for the submission of proposals for outputs, as specified in annex 1;
- .2 whether the proposal complies with the criteria specified in paragraph 4.13;
- .3 whether the demonstrated need of the proposal requires its inclusion on the biennial agenda; and, if so,
- .4 whether the agenda of the Committee can absorb the work associated with the output.

Assessment of proposals for outputs

4.13 Before deciding to accept a proposal for a new output, the Committee shall carry out an assessment of the proposal against the following criteria:

- .1 Is the subject addressed by the proposal considered to be within the scope of the mission of IMO?
- .2 Does the proposal involve the exercise of functions conferred upon the Committee by or under any international convention or related instrument?
- .3 Has a need for the output been justified and documented?
- .4 Has an analysis been provided that justifies and documents the practicality, feasibility and proportionality of the proposed output?

- .5 Has the analysis of the issue sufficiently addressed both the cost to the maritime industry and the relevant legislative and administrative burdens?²
- .6 Are the benefits (e.g. enhanced facilitation of maritime traffic) that are expected to be derived from the inclusion of the proposed output clearly stated?
- .7 Do adequate industry standards exist or are they being developed?
- .8 Has the proposed output been properly specified in SMART terms (specific, measurable, achievable, realistic, time-bound)?
- .9 Does the completed checklist contained in annex 6 of this document demonstrate that the human element has been sufficiently addressed?
- .10 If inclusion of the output in the current biennium is proposed, is this action properly justified?
- .11 Would a decision to reject or postpone the commencement of the work in relation to the proposal pose an unreasonable risk to the Organization's overall mission?

4.14 Nothing in this document shall prohibit the Committee from taking immediate action on urgent matters if the risk of not acting will adversely affect the Organization's ability to meet its purposes.

Acceptance and inclusion of outputs in the biennial or post-biennial agendas of the Committee

4.15 Based on its assessment in accordance with paragraph 4.13, having taken due account of the chair's appraisal of the proposal in accordance with paragraphs 4.11 and 4.12, the Committee may decide that:

- .1 the proposal is not within the scope of the mission of the Organization and should not, therefore, be accepted for inclusion;
- .2 the need has not been sufficiently demonstrated and therefore the output should not be included;
- .3 for outputs for which extensive work is required, such as the revision of conventions or the preparation of codes, the chair should be invited to prepare, with the support of the Secretariat, a comprehensive and coherent plan of work in order to inform the Council or the Committee of the full impact of the proposed output before it finalizes its decision on the output;
- .4 the urgency of the proposed action did not justify inclusion within the current biennium, and therefore accept the output for inclusion in the next biennium;

² Refer to the checklist in annex 5, which should be completed by all proponents of outputs and attached to their proposals for consideration by the Committee. The Committee may also use the checklist in annex 5 before adopting new, or amending existing, mandatory instruments, in order to satisfy itself that administrative requirements have been minimized to the greatest extent possible.

- .5 the implications for the present workload of the Organization are unacceptable within the current biennium, and therefore accept the output for inclusion in its next biennium; or
- .6 the demonstrated need for the output is such that it should be included, together with a target date for completion, in the biennial agenda, provided it is satisfied that the implications for the workload and planning are acceptable.

Mission	Need to carry out the work	Urgency to deliver the output	Work load/Personnel and Budgetary resources	Decision
Within the mission of the Organization	Demonstrated	Justified	Implication of workload and planning are acceptable within the current biennium	Accept output for inclusion within the current biennium
			Implications for the present workload of the Organization are unacceptable within the current biennium	Accept output for inclusion in the next biennium
	Demonstrated	Not justified	Acceptable to next biennium	Accept output for inclusion in the next biennium
	Not demonstrated	Not justified	No need to further consider	Output not to be accepted for inclusion
Outside the mission of the Organization	No need to further consider	No need to further consider	No need to further consider	Output not to be accepted for inclusion

4.16 Following a decision by the Committee to include an output in its biennial or post-biennial agenda, it shall decide whether the output contributes to the delivery of a strategic direction. Outputs that are not directly related to the strategic directions can be accepted as "Other work".

4.17 Following a decision by the Committee to include an output in its post-biennial agenda, the Committee shall include the output, and the timescale for completion, in its proposals for the list of outputs of the next biennium.

4.18 In order to maintain a balance between effective control and the need for flexibility in addressing urgent and unexpected challenges within the Organization's mandate, any decision to include a new output in the current list of outputs is subject to the endorsement of the Council, prior to the initiation of work on such outputs (see also paragraph 4.19).

4.19 The Committee shall report on its decisions on proposals for outputs in its regular reports to the Council, for endorsement and in order to facilitate the monitoring of the delivery of current biennial agendas and the planning of future work.

4.20 In order to ensure transparent and efficient monitoring and reporting on the status of outputs, all reports shall be prepared in accordance with paragraphs 4.24 to 4.26 of this document. The Secretariat should also report to the Council on the status of its Business Plan.

4.21 In pursuance of resolution A.998(25) on *Need for capacity-building for the development and implementation of new, and amendments to existing, instruments*, the Committees should assess the implications for capacity-building and technical cooperation and assistance, against the criteria for identification of capacity-building implications, set out in annex 2.

Management, control and reporting

4.22 Management and control of the planning of, and reporting on the implementation of, the Strategic Plan are critical elements for measuring the Plan's effectiveness and transparency. Consequently, it is important that proper management and control mechanisms are in place to ensure that:

- .1 biennial agendas and agendas are both clearly linked to the Strategic Plan, including the list of outputs;
- .2 the objectives of the Strategic Plan can be met within the resource constraints of the Organization and its membership;
- .3 the Organization's response to changes in the environment within which it operates is consistent with the Strategic Plan; and
- .4 monitoring and reporting are such that progress on biennial agendas is explicitly linked to progress on the delivery of outputs.

4.23 In order to provide a transparent link between the Strategic Plan and the Organization's work, the following principles shall be applied:

- .1 the list of outputs shall – together with the Secretariat's Business Plan – form the basis of the biennial work of the Committee and the budget of the Organization;
- .2 the items contained in the agenda and biennial agenda of the Committee shall all be outputs in the list of outputs or included in the Secretariat's Business Plan;
- .3 the biennial agenda of the Committee shall follow format 1 set out in annex 3;
- .4 for outputs with target completion dates within the current biennium, the biennial agenda (see annex 3 (format 1)) shall specify the planned year of completion and include any tasks that are to be completed on an annual basis;
- .5 for an action that is expected to take more than one biennium to complete, the list of outputs shall specify the planned completion year; the responsible parent organ shall review the relevant output at the end of the biennium to assess the progress made and make a recommendation whether to include it in the next list of outputs;
- .6 continuous items are discouraged, but in those cases where they are deemed unavoidable it is still necessary for them to be given a "SMART" definition so that progress during the biennium can be assessed; and
- .7 documents submitted to the Committee shall clearly demonstrate the direct relation between the proposals they contain and the output to be delivered under the relevant agenda item, on the basis of the list of outputs.

Format and content of reports

4.24 Reports on the status of outputs included in the list of outputs shall follow format 1 set out in annex 3 and shall constitute or be annexed to the reports of each session of the Committee and the biennial report of the Council to the Assembly. Such reports shall identify new outputs accepted for inclusion in the biennial agendas.

4.25 In preparing its own report, the Committee shall incorporate all reports it has received since its previous report on the status of outputs.

4.26 The Committee shall establish and maintain a post-biennial agenda which shall follow format 2 set out in annex 3. This shall be annexed to the report of each session.

Responsibilities

4.27 Member States and Secretariat shall ensure consistency and discipline in the administrative management of the planning and reporting cycle.

4.28 The chair, vice-chair and secretary of the Committee have a specific responsibility for effective management of the planning and reporting cycle and for consistent and rigorous application of the document on *Application of the Strategic Plan of the Organization* and of this document on organization and method of work.

4.29 In order to fulfil the function in paragraph 4.28, well-established cooperation and coordination is expected between the chair, vice-chair and secretary of the Committee by all available means, including through face-to-face meetings and teleconferences as deemed necessary.

5 WORKING ARRANGEMENTS

Guidance on the selection of outputs for the provisional agenda

5.1 Outputs shall be selected first from the biennial agenda and, where the subsequent session will occur in the coming biennium, from the outputs included in the Committee's post-biennial agenda.

Working, drafting, correspondence and other groups

Working groups

5.2 The Committee should keep the number of working groups formed during its sessions to a minimum; however, a maximum of three working groups may be established, where necessary, bearing in mind the difficulties that small delegations experience in being represented in such groups and the fact that such groups work without interpretation. When a working group has completed its task and has been terminated, no other working group should be convened in its place during the same session.

5.3 Where more than three working groups are needed to deal with different subjects in one session, the Committee should establish an order of priority for possible subject items and decide accordingly. Where more than three unrelated topics need to be covered by independent working groups over several sessions, arrangements may be made for groups concerned to meet at alternate sessions of the Committee within the maximum of three working groups per session.

5.4 Working groups may start work on the first morning of the session under draft terms of reference presented by the chair of the Committee, pending formal discussion of those terms

of reference under the relevant agenda item. However, these measures should be an option and be decided at the meeting with caution. Whenever possible, terms of reference for working groups should be agreed at the previous sessions of the Committee. Another option is for the draft terms of reference of working and drafting groups issued at the beginning of the session, in accordance with paragraph 5.18 of this document, to identify items on which the groups may start working on the first morning of the session, without prior consideration of the related agenda items in plenary.

5.5 In principle, a working group should not have splinter groups. However, where it is necessary to establish one or more splinter groups to facilitate its efficiency, the working group should do so by unanimous agreement, and should consider and agree on the outcome of the splinter group's work before incorporating it in its report. Splinter groups, if established, should meet outside normal working hours, unless the working group decides otherwise in view of the efficiency of the work.

5.6 When appropriate, working groups should make full use of the 5 working days of a session in submitting their reports for the next session of the Committee. When working group reports are to be prepared during a session, all efforts should be made to keep them as short as possible.

5.7 Permanent working groups should be avoided but, if there is ever a need for such a group, clear justification and appropriate terms of reference should be agreed.

Drafting groups

5.8 In addition to working groups, the Committee may form drafting groups. In no case should more than five groups (e.g. three working and two drafting groups) meet simultaneously during a session. If additional drafting groups are needed, they should meet outside normal working hours.

Other groups

5.9 In addition to working and drafting groups, the Committee may form other groups, such as technical or review groups, as required under the relevant conventions. Depending on the necessity and urgency of the issue to be considered, such groups may meet in addition to or in lieu of working or drafting groups.

Correspondence groups

5.10 To facilitate the consideration of an issue, a correspondence group may be established by the Committee and instructed to work on a consolidated draft text prepared by a "lead country" or the Secretariat, provided that the Committee has agreed to consider the issue and has endorsed terms of reference for the group (see also paragraph 5.18). Thus, through consultation between interested delegations by correspondence, the volume of documents submitted and processed can be reduced.

5.11 Correspondence groups should utilize modern communications technology, such as the Internet, as much as possible.

5.12 The work of a correspondence group (e.g. the receipt and processing of comments and suggestions) should not pre-empt formal consideration of the relevant issue by the Committee or the positions taken by Member States or international organizations participating in the correspondence group.

5.13 In normal circumstances, the Committee should not establish more than three correspondence groups, although this number may be increased where the urgency of the

matter under consideration so justifies. Subgroups within a correspondence group should not be established. No official meetings of members of correspondence groups should be held without the prior approval of the Committee.

5.14 Participation in correspondence groups is open to all delegations (Member States and organizations) that can provide the necessary expertise on a timely basis or that have a particular interest in the issue under consideration. Any Member State or international organization can join in the work of the correspondence group once the group is established and the group should accept contributions at any stage of its work.

5.15 When establishing a correspondence group, a "lead country", "lead organization" or, if necessary, the Secretariat should be designated to coordinate the group's work. Responsibilities of the coordinator should include:

- .1 preparation, maintenance and circulation of the list of participants;
- .2 establishment of deadlines for the preparation of draft texts and receipt of comments and proposals concerning them;
- .3 preparation and circulation of draft texts and comments concerning them;
- .4 preparation and submission to the Secretariat of the report of the correspondence group including any consolidated draft texts (see paragraph 5.17); and
- .5 introduction of the above-mentioned report and consolidated draft texts to the Committee.

5.16 Responsibilities of participants should include:

- .1 active participation in the work of the group;
- .2 compliance with the deadlines established for the submission of comments on draft texts, proposals, etc.; and
- .3 relaying to other group members copies of comments, proposals, etc. submitted to the group coordinator.

5.17 The responsibilities of the Secretariat, in cases where the Secretariat acts as the coordinator, should be the same as those described in paragraph 5.13 above. The Secretariat may also be requested to circulate consolidated draft texts, etc. on behalf of the coordinator.

5.18 The results of work carried out by correspondence groups should normally take the form of a consolidated draft text reflecting the information received from members of the group. Such texts should be accompanied by a succinct report summarizing the work and indicating which members have provided input to the process. Where it has not been possible to prepare an agreed consolidated draft document, the texts or issues on which there was disagreement should be clearly indicated in the draft document or the report, as appropriate.

5.19 Correspondence groups' reports should be submitted to the first session of the Committee after the conclusion of the groups' work, in time to meet the deadline established for consideration of substantive documents, in accordance with the provisions of paragraph 6.10. Normally, the work of the correspondence groups should not overlap with sessions of the Committee. If the group has not finalized its work in time to meet such a deadline, a progress report should be made to the Committee.

Terms of reference of working, drafting and correspondence groups

5.20 When working, drafting and correspondence groups are to be formed, draft terms of reference should be prepared, following consultations between the chair of the Committee and the Secretariat, for approval by plenary. In the case of working and drafting groups, these draft terms of reference should be issued by the Secretariat at the beginning of the session for agreement by plenary before the groups in question start their work. Thereafter, the agreed terms of reference should not be modified or extended without the Committee's prior consent.

Intersessional working groups

5.21 Subject to approval by the Council, intersessional meetings of working groups may be convened without interpretation services. Intersessional meetings should be held only if considered to be absolutely essential and after careful consideration of their necessity by the Committee on a case-by-case basis, taking into account the priority and urgency of the specific matter that such meetings will be invited to address. Intersessional meetings of such groups should be held at IMO Headquarters immediately before or after an agreed session of the Committee. Other arrangements may be considered; however, no arrangements should be made in respect of an intersessional meeting until such a meeting has been approved by the Committee. Intersessional working groups and technical groups should not be held at the same time as Committee sessions.

6 PROCEDURES FOR PREPARATION AND SUBMISSION OF DOCUMENTS

Preparation of documents

6.1 Documents should be prepared in single spacing and be as concise as possible so as to facilitate their timely processing. In order to enhance the clear understanding of documents, the following should be observed:

- .1 all documents should be preceded by a brief summary prepared in the form, and containing the information, indicated in the table below. Documents – especially proposals for the inclusion of an output – should demonstrate, where feasible, the linkages to the Strategic Plan by including in the summary references to the related strategic direction(s) and output(s):

SUMMARY	
<i>Executive summary:</i>	This description should be brief, outlining the proposed objective (an amendment, an Assembly resolution, a circular, information only, etc.), and include information on whether a proposal will have any financial implications for the shipping industry or for the IMO budget.
<i>Strategic direction, if applicable:</i>	A reference should be made to one or more relevant strategic directions in the Organization's Strategic Plan.
<i>Output:</i>	A reference should be made to one or more corresponding output in the biennial list of outputs. If there is no corresponding output, an appropriate descriptive text should be included.
<i>Action to be taken:</i>	A reference should be made to the paragraph of the document that states the action to be taken by the Committee.
<i>Related documents:</i>	Other key documents should be listed to the extent that they are known to the originator of the document.

- .2 substantive documents should conclude with a summary of the action that the Committee is invited to take; and
- .3 information documents should conclude with a summary of the information that they contain.

6.2 To facilitate their processing, documents should be submitted on a USB flash drive or via email to info@imo.org, preferably in Microsoft Word using Arial font size 11. Hard copies of documents may also be submitted or requested, to facilitate processing of the document, e.g. by attachment of annexes to main texts and to check that none of the text has been garbled during sending or conversion.

6.3 Documents made available at IMO 13 weeks or more before a session should not be introduced in the plenary unless the chair decides that this is essential for the proper consideration of the matter concerned. Information documents and documents requiring no action by the Committee, other than for their contents to be noted, should not be introduced in the plenary.

6.4 Proposed amendments to the FAL Convention which have been approved for adoption by the Committee will no longer be printed on pink paper, but it will be appropriately identified in the IMODOCS system.

6.5 Documents containing proposed amendments to mandatory instruments should be presented in a format that permits clear identification of the changes being introduced (e.g. use of underlined and strike-through text).

6.6 Reports of the Committee should, in general, contain under each section only:

- .1 a summary of key documents and a list of other documents submitted by Member States, international organizations and the Secretariat;
- .2 a summary of the views expressed during consideration of an item that may have influenced the decision taken by the reporting body (but not allowing the reports to turn into summary records), with statements by delegations included only at their express request during the session; and
- .3 a record of the decisions taken.

6.7 In drafting recommendations, codes or guidelines, cross references should, whenever possible, be made to texts and terminology previously developed by IMO or other organizations. This will avoid unnecessary duplication and reduce the need for excessively detailed provisions and for subsequent harmonization.

6.8 With respect to urgent matters emanating from sessions of IMO bodies other than the Council and the Assembly which have taken place less than 13 weeks before a session of the Committee, the Committee should consider only such urgent matters as may be agreed by the chair for submission to the Committee.

6.9 All concerned should be continuously aware of the financial and environmental impact of the volume of documentation generated by IMO meetings and should limit, to the greatest possible extent, the number of pages of documents submitted to such meetings. For information, the current arrangements for the production of working papers during meetings are described in annex 4.

6.10 To encourage the action referred to in paragraph 6.9 above, documents other than information documents and reports from the Committee, working, drafting, correspondence and other reporting groups and the Secretariat, and which contain more than 20 pages, should not be translated in their entirety. They should include, for translation purposes, a summary of the document not longer than four pages, with the remaining content submitted as an annex in the language (e.g. English) that it may be needed, for example, by working groups.

Submission of documents

6.11 To ensure that all documents are available at IMO Headquarters in all three working languages well in time for a session of the Committee, and thus to enable the timely study of documents and promote participation by all Members in the decision-making process of the Committee, the following provisions should apply:

- .1 As a general rule, documents other than information documents and reports from the Committee, working, drafting, correspondence and other reporting groups and the Secretariat should not contain more than 50 pages. In the case of reports from working, drafting or correspondence groups and in other exceptional circumstances, this number of pages may be exceeded, provided that the deadline for receipt of the document by the Secretariat, as specified in sub-paragraphs .2 and .3 below, is extended by 1 week for every 20 pages exceeding 50 pages.
- .2 Documents containing proposals for inclusion of new outputs should be received by the Secretariat not later than 13 weeks before the opening of the relevant Committee session. They should be made available at IMO Headquarters and on the IMO document website, in the Organization's three working languages, not later than 5 weeks before the opening of the session.
- .3 Documents (including information documents) containing more than six pages of text (bulky documents) should be received by the Secretariat not later than 13 weeks before the opening of the relevant session of the Committee. However, bulky information documents submitted in electronic format may be accepted by the Secretariat if they are received not later than 9 weeks before the session concerned. They should be made available at IMO Headquarters and on the IMO document website in the Organization's three working languages, except for information documents (which should not be translated), not later than 5 weeks before the opening of the session.
- .4 Non-bulky documents commenting on those referred to in sub-paragraphs .2 and .3 above, or on items already on the agenda, should be received by the Secretariat not later than 9 weeks before the opening of the relevant session of the Committee. They should be made available at IMO Headquarters and on the IMO document website in the Organization's three working languages, not later than 5 weeks before the opening of the session.
- .5 Notwithstanding the provisions of sub-paragraph .4 above, documents commenting on those referred to in sub-paragraphs .2, .3 and .4 above containing four pages or fewer should be processed if received by the Secretariat not later than seven weeks before the opening of the relevant session of the Committee. These documents should start with a paragraph clearly indicating the document on which comments are made and stating that the document is submitted in accordance with the provisions of paragraph 6.11.5 of this document. They should be made available at IMO

Headquarters and on the IMO document website in the Organization's three working languages, not later than 4 weeks before the opening of the session.

- .6 Non-bulky information documents should be received by the Secretariat not later than 9 weeks before the opening of the relevant session of the Committee. They should not be translated and should be made available at IMO Headquarters and on the IMO document website not later than 5 weeks before the opening of the session. No action will be taken on the basis of an information document only, other than to take note of it.
- .7 in the case of basic documents submitted to the Committee reporting on urgent matters emanating from sessions of IMO bodies referred to in paragraph 6.8 which met less than 13 weeks before the Committee session, such basic documents should include as an annex the text (e.g. draft Assembly resolutions, draft MSC circulars, etc.) on which the Committee will be invited to take action.

6.12 The Secretariat should make every effort to ensure the timely posting of documents on the IMO document website. Member States and international organizations should also endeavour to submit documents as early as possible and not simply by the relevant deadlines.

6.13 The Secretariat should strictly apply the rules concerning the submission of documents and not accept late submissions from Member States or delegations. Any exemption from these provisions should have the prior authorization of the chair of the Committee, following consultations with the Secretariat.

6.14 In exceptional circumstances requiring immediate action by the Committee, a relevant document to that end consisting of no more than four pages should be received by the Secretariat not later than 9 weeks before the opening of the session of the Committee and be made available at IMO Headquarters in the Organization's three working languages not later than 5 weeks before the opening of the session. The Committee would consider such a document, if it so decides, at the opening of its session.

Additional considerations

6.15 Submissions to the Committee highlighting problems or shortcomings identified in a particular area(s) of facilitation or ship/port interface should, in general and where possible, also suggest appropriate solutions.

6.16 Recognizing the human factor as an integral part of any effort to enhance the facilitation of international maritime traffic, the Committee and its working groups should consider the human factor whenever new requirements are developed and existing requirements are reviewed, by taking into account human element principles.

6.17 Outputs for which extensive work is required, such as the preparation of codes, should, when appropriate, be placed on the provisional agendas of alternate sessions of the Committee to allow adequate time for preparatory work by delegations.

6.18 In respect of subjects requiring research, contributions from other organizations and appropriate entities should be encouraged and taken into account. Exchange of information on technological developments should be encouraged.

6.19 In the context of resolution A.911(22) on *Uniform wording for referencing IMO instruments*, the Committee and its working groups should be guided in their work, as appropriate, by the guidelines annexed thereto.

6.20 Substantial modifications of draft amendments to mandatory instruments being considered by the Committee with a view to adoption should be accepted for discussion only if they have been submitted in writing. However, in exceptional circumstances where the draft amendments under consideration include significant discrepancies or omissions, or where serious difficulties in their application can be foreseen, the Committee may accept to discuss oral proposals aimed at resolving any problems identified.

7 OBSERVANCE OF THIS DOCUMENT

This document shall be observed strictly. Such observance will assist delegations in preparing adequately for each meeting and enhance their participation in the debate and decision-making process during meetings. It will also relieve delegations from experiencing difficulties when developing national positions on subjects on the agenda of the Committee. In order to promote efficiency in the conduct of work overall, Committee members shall ensure that their colleagues attending sessions of other committees are fully informed of the outcome of the meeting that they have attended. Committee members shall also ensure that their experts attending meetings of working groups, drafting groups or correspondence groups are adequately informed and instructed about any action necessary to give effect to decisions made by the Committee.

ANNEX 1

**INFORMATION REQUIRED IN SUBMISSIONS OF PROPOSALS
FOR INCLUSION OF AN OUTPUT**

- .1 **IMO's objectives:** Provide evidence of whether and how the proposal:
 - .1 is within the scope of the mission of IMO; and
 - .2 contributes to the implementation of the strategic directions established in the Strategic Plan, if applicable; outputs that are not directly related to the strategic directions can be accepted as "Other work".
- .2 **Need:** Demonstrate and document:
 - .1 the need for a proposed output in terms of the risks or hazards deemed necessary to be addressed;³ and
 - .2 the evidence to support the perceived need.
- .3 **Analysis of the issue:** Provide an analysis of the proposed measure, including an assessment of its practicability, feasibility and proportionality.
- .4 **Analysis of implications:** Provide an analysis of the implications of the proposal, addressing the cost to the maritime industry as well as the relevant legislative and administrative burdens (including the proposed method(s) of fulfilling any resulting administrative requirement).
- .5 **Benefits:** Provide evidence that the benefits in terms of enhancing facilitation expected to be derived from the inclusion of the new item justify the proposed action.
- .6 **Industry standards:** Provide information on whether adequate industry standards exist or are being developed and on the intended relationship between such standards and the proposed output.
- .7 **Output:** Specify the intended output in SMART terms (specific, measurable, achievable, realistic, time-bound) including the scope of application. If work on an output is expected to go beyond one biennium, the expected deliverables for each biennium should be detailed.
- 8 **Human element:** Provide the completed checklist contained in MSC-MEPC.7/Circ.1 to demonstrate that the human element has been sufficiently addressed.
- .9 **Urgency:** Provide, with reference to the current Strategic Plan, evidence of:
 - .1 the urgency of the proposed output including any proposal to include the proposed output on the biennial agenda; and
 - .2 the date that the proposed output should be completed.
- .10 **Action required:** Specify the action required by the Committee.

³ If the proposed output included the development of a new convention or the amendment of an existing convention, the principles contained in Assembly resolutions A.500(XII) and A.998(25) on the demonstration of a "compelling need" should be respected.

ANNEX 2

PROCEDURES FOR ASSESSING THE IMPLICATIONS OF CAPACITY-BUILDING REQUIREMENTS WHEN DEVELOPING NEW, OR AMENDING EXISTING, MANDATORY INSTRUMENTS

1 INTRODUCTION

1.1 Assembly resolution A.998(25) cautions that, unless the Council, the committees and their subsidiary bodies adopt a *cradle to grave* approach in relation to matters concerning capacity-building, technical cooperation and assistance, the chances of success in the ratification and effective implementation of IMO instruments may be reduced by the level of unpreparedness or lack of capacity that Member States, particularly of small island developing States (SIDS) and least developed countries (LDCs), experience at the point when implementation of such instruments is urgently required. Therefore, the development of this procedure is in keeping with the provisions of that resolution.

1.2 The assessment of capacity-building implications for the implementation of new, and/or amendment to existing, instruments is an iterative process that begins with the acceptance of the preliminary proposal and runs in parallel up to the process of its implementation.

1.3 The procedure does not prevent States from taking additional actions in promoting the advancement of the objectives of capacity-building through technical assistance or cooperation.

2 DEFINITIONS

For the purposes of this procedure, the following definitions apply:

2.1 *Capacity-building* means sustainable social, economic or legal measures undertaken through various means for the purposes of a comprehensive transformation of the performance of an Administration or industry player so as to implement and therefore comply with new or amended instruments.

2.2 *Technical assistance* is a methodology for providing capacity-building through bilateral and/or multilateral exchange of technical knowledge, resources or expertise to a party which has requested such assistance in order to enhance its technical capability to implement existing, new or amended instruments.

2.3 *Technical cooperation* refers to a methodology for providing capacity-building, through a multilateral effort, to a group of cooperating countries of a particular region in the form of training and exchange of expertise, knowledge and information, in support of their efforts aimed at promoting the implementation of existing, new and/or amended instruments.

2.4 *Instruments* refers to IMO conventions and other treaties.

3 PURPOSE AND OBJECTIVES

3.1 The purpose of this procedure is to give effect to resolution A.998(25) aimed at enhancing efforts to promote universal implementation of IMO instruments.

3.2 This procedure is intended to assist the identification and assessment of capacity-building implications in the following cases:

- .1 when the Committee has approved new instrument/amendments to existing instruments ;
- .2 during implementation of new instruments or amended instruments; and
- .3 during the scheduling of capacity-building measures or activities.

3.3 This procedure applies to the FAL Committee and constitutes a specific implementation response to resolution A.998(25).

3.4 This procedure aims at:

- .1 promoting universal ratification and compliance with newly adopted IMO instruments;
- .2 improving the level and quality of implementation of new and/or amended instruments; and
- .3 promoting as far as possible a balanced level of implementation of new instruments.

4 PROCEDURE

4.1 The Committee should conduct an assessment of capacity-building implications by following the procedure in the flow chart in appendix 1.

4.2 Assessments of capacity-building implications should be initiated after the approval of a new instrument/amendment to existing instruments.

Assessment of capacity-building implications

4.3 In order to facilitate the assessment of capacity-building implications, the Committee should, if necessary, at the adoption stage of the new instruments or amended instruments, instruct the Drafting Group on Amendments to Mandatory Instruments to undertake an assessment of capacity-building implications, using the checklist for assessing the need for capacity-building contained in appendix 1 of these procedures.

4.4 The Drafting Group should consider comments and any further submissions thereto and, if appropriate, conduct further assessment and present its report and recommendations to the Committee. The outcome of the preliminary assessment should be submitted to the Committee concerned for consideration. This should contain the Drafting Group's appraisal of whether there are or will be capacity-building implications or need for technical assistance; a list of possible implications; and recommendations on the way forward.

4.5 The Drafting Group may refer a matter through the Committee for further consideration by another organ.

Post-assessment of capacity-building implications for implementation of new measures

4.6 When new measures have been approved, the Committee may request the Drafting Group to conduct a post-assessment exercise using the criteria and mechanism contained in appendix 2 to identify issues that require special focus when implementing technical cooperation and assistance activities.

4.7 A draft circular should be prepared describing the possible capacity-building implications of and recommendations for a course of action, for consideration by the Organization, the membership and/or industry.

5 TERMS OF REFERENCE OF THE DRAFTING GROUP

5.1 In conducting its assessment of capacity-building, the Drafting Group should be guided by the following terms of reference:

- .1 consider a preliminary assessment of capacity-building and technical assistance actions;
- .2 conduct an assessment and, when new measures have been approved, a post-assessment, of the capacity-building actions that may be included in the technical assistance or technical cooperation required by Administrations for the implementation of the instrument;
- .3 in consultation with the industry and non-governmental organizations, conduct an assessment and, on implementing new measures, a post-assessment, of the capacity-building actions that may be required or expected of the shipping industry for the implementation of the instrument; and
- .4 advise the Committee of the implications for capacity-building relating to a new instrument or a proposed amendment to an existing instrument, whichever is being considered.

APPENDIX 1

CHECKLIST FOR THE IDENTIFICATION OF CAPACITY-BUILDING IMPLICATIONS

1 For Administrations

- Is new legislation required?
- Is there a requirement for new equipment and/or systems?
 - Does equipment manufacturing capacity exist internationally?
 - Do equipment repair/servicing facilities exist internationally?
 - Is there capacity to develop new systems?
- Will the implementation require additional financial resources?
- Is there a need for additional human resources or new skills?
- Will there be a need to upgrade current infrastructure?
- Is there enough lead time towards implementation?
- Will a rapid implementation procedure be adopted?
- Is there a substantial modification of existing standards?
- Will a guide to implementation be needed?

2 For the industry

- Would the industry require new and/or enhancement of existing systems?
 - Does capacity exist internationally to develop new systems?
- Is there a need for additional training of seafarers?
 - Do related and validated training courses exist?
 - Are sufficient simulation training courses available internationally?
- Will there be a requirement for new equipment?
 - Does manufacturing capacity exist internationally?
- Is there repair/servicing and/or retrofitting and does maintenance capacity exist internationally?

APPENDIX 2

**CHECKLIST OF ISSUES REQUIRING SPECIAL FOCUS WHEN DEVELOPING
CAPACITY-BUILDING RELATED TO THE IMPLEMENTATION OF NEW MEASURES**

Capacity-building Measures Form	
Instrument	_____
Measure number	_____ of _____
Required for	<input type="checkbox"/> Administration <input type="checkbox"/> Industry
Implementation	<input type="checkbox"/> Prior to adoption <input type="checkbox"/> Once adopted <input type="checkbox"/> Prior to entry into force <input type="checkbox"/> Once ratified <input type="checkbox"/> Phased in
Description of capacity-building activity needed for the implementation of new measures:	

ANNEX 3

FORMAT 1: BIENNIAL STATUS REPORT

FAL COMMITTEE										
Output number ^a	Description	Target completion year ^b	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1 ^c	Status of output for Year 2 ^c	References ^d		
Notes:										
Notes:										

Notes:

- a When individual outputs contain multiple deliverables, the format should report on each individual deliverable.
- b The target completion year should be specified as a year, or indicate that the item is annual or continuous. This should not indicate a number of sessions.
- c The entries under the "Status of output" columns are to be classified as follows:
 - "completed" signifies that the output for the year in question has been duly finalized;
 - "in progress" signifies that work on the related output has been progressed, and that finalization is expected in the target completion year;
 - "ongoing" signifies that the outputs relate to work of the respective IMO organs that is a permanent or continuous task;
 - "postponed" signifies that the IMO organ has decided to defer the production of relevant outputs to another time (for example, until the receipt of corresponding submissions) and accordingly that the output has been included in the post-biennial agenda;
 - "extended" signifies that further work is necessary and that the output will not be finalized as planned; and
 - due to the nature of annual outputs, the status can either be "completed" or "postponed".
- d References should be made to the relevant part of the organ's report on this item.

ANNEX 4

CURRENT ARRANGEMENTS IN THE SECRETARIAT FOR THE PRODUCTION OF WORKING PAPERS DURING MEETINGS

1 The details of how to handle the preparation of working papers produced during meetings, which are agreed at the coordination meeting held between the Conference Division (CD) and the relevant technical division(s) during the week preceding each meeting, will be conveyed by the secretary of the IMO body to the chair of that body, as well as the chairs of the working and drafting groups.

2 To ensure that all working papers, including the draft report, are available in all three working languages, all these documents should be as concise as possible, with a limited number of pages containing new text. The following provisions should apply:

.1 Advance text

Whenever possible, for working/drafting group reports, advance text should be provided to the translation sections. This could be whole annexes or documents prior to the meeting, or parts thereof submitted as the work of the groups' progresses.

.2 Final text

Final text should be delivered to the translation sections as early as possible in the course of the meeting week as follows:

.1 Working papers – these should be delivered not later than 9 a.m. on the day of the report night, so that they may be processed during the day shift.

.2 Draft report – the night shift is to be dedicated to the processing of the draft report and will end at 1 a.m. on the following day. In order to meet the established deadline, items for the draft report not delivered throughout the week should be sent to the translation sections as early as possible on the report night, with the last remaining item to be delivered not later than 11 p.m.

ANNEX 5

CHECKLIST FOR IDENTIFYING ADMINISTRATIVE REQUIREMENTS

This checklist should be used when preparing the analysis of implications required in submissions of proposals for inclusion of outputs. For the purpose of this analysis, the term "administrative requirements" is defined in accordance with resolution A.1043(27), as an obligation arising from a mandatory IMO instrument to provide or retain information or data.

Instructions:

- (A) If the answer to any of the questions below is **YES**, the Member State proposing an output should provide supporting details on whether the requirements are likely to involve start-up and/or ongoing costs. The Member State should also give a brief description of the requirement and, if possible, provide recommendations for further work, e.g. would it be possible to combine the activity with an existing requirement?
- (B) If the proposal for the output does not contain such an activity, answer **NR** (Not required).
- (C) For any administrative requirement, full consideration should be given to electronic means of fulfilling the requirement in order to alleviate administrative burdens.

1. Notification and reporting? Reporting certain events before or after the event has taken place, e.g. notification of voyage, statistical reporting for IMO Members, etc.	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
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Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)

2. Record keeping? Keeping statutory documents up to date, e.g. records of accidents, records of cargo, records of inspections, records of education, etc.	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
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Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)

3. Publication and documentation? Producing documents for third parties, e.g. warning signs, registration displays, publication of results of testing, etc.	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
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Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)

4. Permits or applications? Applying for and maintaining permission to operate, e.g. certificates, classification society costs, etc.	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
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Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)

5. Other identified requirements?	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
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Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)

ANNEX 6

CHECKLIST FOR CONSIDERING HUMAN ELEMENT ISSUES BY IMO BODIES⁴

Instructions: If the answer to any of the questions below is:	
(A) YES , the preparing body should provide supporting details and/or recommendation for further work.	
(B) NO , the preparing body should give proper justification as to why human element issues were not considered.	
(C) NA (Not Applicable) – the preparing body should give proper justification as to why human element issues were not considered applicable.	
Subject Being Assessed: (e.g. resolution, instrument, circular being considered)	
Responsible Body: (e.g. committee, sub-committee, working group, correspondence group, Member State)	
1. Was the human element considered during development or amendment process related to this subject?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
2. Has input from seafarers or their proxies been solicited?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
3. Are the solutions proposed for the subject in agreement with existing instruments? (Identify instruments considered in comments section)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
4. Have human element solutions been made as an alternative and/or in conjunction with technical solutions?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
5. Has human element guidance on the application and/or implementation of the proposed solution been provided for the following:	
• Administrations?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
• Shipowners/managers?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
• Seafarers?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
• Surveyors?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
6. At some point, before final adoption, has the solution been reviewed or considered by a relevant IMO body with relevant human element expertise?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
7. Does the solution address safeguards to avoid single person errors?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
8. Does the solution address safeguards to avoid organizational errors?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
9. If the proposal is to be directed at seafarers, is the information in a form that can be presented to and easily understood by the seafarer?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
10. Have human element experts been consulted in development of the solution?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
11. HUMAN ELEMENT: Has the proposal been assessed against each of the factors below?	
<input type="checkbox"/> CREWING. The number of qualified personnel required and available to safely operate, maintain, support, and provide training for system.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<input type="checkbox"/> PERSONNEL. The necessary knowledge, skills, abilities, and experience levels that are needed to properly perform job tasks.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<input type="checkbox"/> TRAINING. The process and tools by which personnel acquire or improve the necessary knowledge, skills, and abilities to achieve desired job/task performance.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<input type="checkbox"/> OCCUPATIONAL HEALTH AND SAFETY. The management systems, programmes, procedures, policies, training, documentation, equipment, etc. to properly manage risks.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

⁴ Checklist from MSC-MEPC.7/Circ.1.

<input type="checkbox"/> WORKING ENVIRONMENT. Conditions that are necessary to sustain the safety, health and comfort of those on working on board, such as noise, vibration, lighting, climate, and other factors that affect crew endurance, fatigue, alertness and morale.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<input type="checkbox"/> HUMAN SURVIVABILITY. System features that reduce the risk of illness, injury or death in a catastrophic event such as fire, explosion, spill, collision, flooding or intentional attack. The assessment should consider desired human performance in emergency situations for detection, response, evacuation, survival and rescue and the interface with emergency procedures, systems, facilities and equipment.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<input type="checkbox"/> HUMAN FACTORS ENGINEERING. Human/system interface to be consistent with the physical, cognitive and sensory abilities of the user population.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Comments: (1) Justification if answers are NO or Not Applicable. (2) Recommendations for additional human element assessment needed. (3) Key risk management strategies employed. (4) Other comments. (5) Supporting documentation.	
