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IMO MEMBER STATE AUDIT SCHEME

Report on the implementation of the Scheme

Note by the Secretary-General

SUMMARY

<i>Executive summary:</i>	This document provides an updated report on progress made in the implementation of the audit scheme since the thirtieth regular session of the Assembly
<i>Strategic direction, if applicable:</i>	1
<i>Output:</i>	1.4
<i>Action to be taken:</i>	Paragraph 21
<i>Related documents:</i>	C 112/INF.3; C 120/7, C 120/D; C 121/6, C 121/D; C 122/6, C 122/D and resolution A.1067(28)

Introduction

1 During the biennium under review, various components of the IMO Member State Audit Scheme (IMSAS) have progressed with the conduct of audits under IMSAS in accordance with the overall audit schedule, as updated from time to time; the completion and release of audit reports to all Member States, or the public, based on authorizations received from the audited Member States; and the nomination of individuals by Member States to serve as auditors. Concurrently, the Council, at its 120th, 121st and 122nd sessions, considered various policy issues relating to the operation and management of IMSAS and made related decisions, which facilitated the smooth conduct of audits.

2 This document provides an updated report on the above-mentioned activities and related matters.

Background

3 The institutionalization of the audit scheme commenced during the 2014-2015 biennium with the adoption of amendments to eight treaties that made the use of the IMO Instruments Implementation (III) Code (resolution A.1070(28)) and auditing of parties to those treaties mandatory. The basis for the conduct of mandatory audits under all instruments included in the scope of the Scheme was completed on 28 February 2018, with the entry into force of the related amendments to the International Convention on Load Lines, 1966 (LL 1966).

Conduct of audits and audit planning

4 Since the commencement of mandatory audits of Member States in February 2016, 69 audits have been conducted, which is in line with the overall audit schedule contained in document C 112/INF.3, the last update of which is set out in the annex to document C 122/6.

5 The reports, including final reports, for all 19 audits conducted in 2016, all 22 audits conducted in 2017 and nine out of 20 audits conducted in 2018 have been finalized and are in the Member State Audit (MSA) module in the Global Integrated Shipping Information System (GISIS). Regarding the remaining 11 audits conducted in 2018, most of which took place in the second half of that year, the various reports are being finalized.

6 For the 19 Member States on the audit schedule for 2019, as of the date of this document, eight audits have been conducted and the reports from these audits are currently at different stages of completion. Out of the remaining 11 audits, seven audits are proceeding to plan, with some adjustments within the year, for justifiable reasons. The scheduled period for audit of one Member State (Eritrea) has passed as the State requested a postponement without providing the exceptional circumstances necessitating a postponement in accordance with paragraph 4.1.1.3 of the Procedures for the IMO Member State Audit (resolution A.1067(28), annex, part II). The Secretariat is awaiting a formal reply from Eritrea before requesting the Council for a decision on the postponement. In addition, audits of three Member States, in which the prevailing conditions would make their audits not viable (Haiti, Libya and Mozambique), have been postponed based on the Council's decision as reflected in document C 122/D.

7 In addition, in 2019, work related to follow-up audits for those Member States that were audited in 2016 commenced, which corresponds to three to four years after the actual audit period, in accordance with the Procedures. In this respect, the document-based audits have been largely completed and the decision to carry out in-situ audits will be made for those audits to commence in 2020 – the fourth year after the original audits.

8 Regarding the 24 audits on the schedule for 2020, all Member States have responded to the Secretary-General's notification of their audit sent in July 2018 and 23 Member States have provided details of the Single Points of Contact (SPCs) for their audits.

9 The Secretariat has carried out an analysis of the 25 Member States on the audit schedule for 2021 with respect to the mandatory instruments to which they are Parties and formal notification letters for all 25 audits have been sent to fulfil the not-less-than 18 months advance notification of the projected date for the audit of these Member States.

10 As the Assembly is aware, Armenia and Nauru acceded to the IMO Convention on 19 January 2018 and 14 May 2018 respectively and became Member States of the Organization. Considering that the audit cycle still had four more years to complete, Armenia and Nauru were included in the current audit cycle at the end of the overall audit schedule based on the Council's decision as reflected in documents C 120/D and C 121/D, and the overall audit schedule was updated accordingly.

11 The updated overall audit schedule, with appropriate notations on the progress made on the conduct of audits and indicative audit time frame for future audits, is set out in the annex to this document.

Audit management and reporting

12 Audits are managed through the MSA module in GISIS, which provides a common platform for the implementation of audits and support to Member States, audit teams and the Secretariat in all major steps of the process, from planning through to the reporting phases of the audit.

13 The authorization for the release of the executive summary reports (ESR), corrective action plans (CAP) and each Member State's comments on the progress of the implementation of its corrective action plans (CPICAP), is normally provided through the Memorandum of Cooperation (MoC). All Member States audited since 2016 have authorized the Secretariat to release their ESRs, CAPs and CPICAPs to all Member States, with three Member States authorizing the release to the public. For those remaining Member States scheduled to be audited during 2019, similar authorization is being granted through the MoCs. In addition to the authorization granted through the MoC, a Member State may grant further authorization for the release of its audit final report through an official communication to the Secretariat.

14 As of the date of this document, 67 ESRs, 49 CAPs, 25 CPICAPs and two final reports have been released to Member States through the MSA module in GISIS, which demonstrates the transparency and commitment of the audited Member States to work towards ensuring improvements in the implementation and enforcement of the mandatory IMO instruments. In order to facilitate sharing of lessons learned from audits, access to these reports is being granted to one authorized person per Member State, who would have been designated by each Member State based on the guidance provided in Circular Letter No.3587 of 15 September 2015. As of the date of this document, not all Member States have designated an authorized person to access these reports. The Assembly may therefore wish to reiterate the invitation to Member States to provide the Secretariat with the details of an individual authorized to receive access to these reports in the MSA module in GISIS as provided for in Circular Letter No.3587.

15 As progress is being made to meet the audit cycle, target deadlines established by some of the audited Member States for the implementation of some of their corrective actions have elapsed and not all related CPICAP have been communicated to the Secretariat. For those Member States whose deadlines for communicating their CPICAP to the Secretariat have been reached or are approaching, it would be prudent to provide that information in line with the agreed deadlines established in their corrective action plans. The Assembly, therefore, may wish to remind audited Member States to provide the Secretariat with their CPICAP, which is an important obligation on their part. This is necessary to demonstrate their commitment to further enhance the effective implementation and enforcement of their international obligations and responsibilities undertaken as Parties to the various mandatory IMO instruments, and, where necessary, for appropriate audit follow-up to be considered and planned in accordance with the Procedures.

16 The Council, at its 118th session, endorsed the issuance of consolidated audit summary reports (CASRs), containing lessons learned from mandatory audits, as circular letters. The first CASR containing the outcome from 18 audits completed in 2016, was issued as Circular Letter No.3772 of 4 September 2017. The analysis of this CASR, which was issued through documents III 5/7 and III 5/INF.3 (Secretariat), reveals that audit findings and observations were predominantly related to flag State issues (43%) when compared to common areas (31%), port States (14%) and coastal States (12%). Findings under "communication of information" (paragraph 9 of the III Code) were prevalent in all the eighteen audits, whereas findings under "initial actions" (paragraph 8 of the III Code) and "flag State implementation" (paragraphs 15 to 17 of the III Code) were each reported in 17 audits (94%). Observations on "strategy" (paragraph 3 of the III Code) were reported in 16 audits (89%), findings on "delegation of authority" (paragraphs 18 to 21 of the III Code) were reported in 14 audits (78%) and findings on "flag State investigation" (paragraphs 38 to 41 of the III Code) were reported in 13 audits (72%). About 44% of the total findings were related to the implementation and enforcement of SOLAS 1974, followed by 26% related to MARPOL.

17 The second CASR containing the outcome from 15 audits (1 audit carried out in 2016 and 14 audits carried out in 2017) was issued as Circular Letter No.3879 on 10 October 2018 and the third CASR containing the outcome from 17 audits (eight audits carried out in 2017 and nine audits carried out in 2018) has been issued as Circular Letter No.4028. The second analysis of available CASRs is planned to be carried out in 2020 and the results will be submitted to III 7 in July 2020.

18 Future CASRs will continue to be issued as circular letters as and when the reporting from a reasonable number of audits has been completed. A reference to each such circular letter issued will be included in the document reporting to the Council and Assembly on progress made in the implementation of the Scheme. The Assembly may wish to request the Maritime Safety Committee and the Marine Environment Protection Committee to consider the CASR contained in Circular Letter No.4028 and, in due course, to advise the Council of the outcome of their consideration.

Auditors

19 There are currently 237 individuals that have been assessed as meeting the criteria established in the Procedures for the IMO Member State Audit. In addition, 45 individuals nominated by Member States have not completed their profiles in the "E-roster of experts and consultants" (E-roster) so they could not be assessed against the criteria in the Procedures. It is, therefore, important for those individuals who have already been nominated and who have not completed their profiles in the E-roster, to do so and to notify the Secretariat accordingly.

20 With respect to the procedure for the nomination of new auditors, individuals to be nominated by Member States should enter their details through E-roster, which will then be validated by the Secretariat after an official nomination has been received from the Member State. In this regard, the Assembly may wish to encourage Member States and auditors to use the procedures set out in Circular Letter No.3547 of 8 May 2015.

Action requested of the Assembly

21 The Assembly is invited to take note of the information provided in this document and, in particular to:

- .1 encourage those Member States that have not yet done so to provide the Secretariat with the details of an individual authorized to access Member State audit reports through the GISIS module as per Circular Letter No.3587 (paragraph 14);

- .2 invite those audited Member States whose target deadlines for the implementation of the corrective action plan have been reached to provide the Secretariat with their comments on the progress of the implementation of their corrective action plans (paragraph 15);
- .3 request the Maritime Safety Committee and the Marine Environment Protection Committee to consider the CASRs containing lessons learned from seventeen mandatory audits completed in 2017 and 2018 (Circular Letter No.4028) and, in due course, to advise the Council of the outcome of their consideration (paragraph 18); and
- .4 encourage auditors to update their profiles in the E-roster and for individuals nominated for inclusion in the roster of auditors, and for the Member State nominating such individuals, to use the procedures set out in Circular Letter No.3547 (paragraphs 19 and 20).

ANNEX

MEMBER STATES AUDIT STATUS FOR 2016

NO.	MEMBER STATE	Audit period	Remark
1	Guinea-Bissau ⁱ		No audit/postponed based on decision of C 113
2	Guinea	July	Audited/Reports completed
3	Côte d'Ivoire	February	Audited/Reports completed
4	Bosnia and Herzegovina ⁱ		No audit/postponed based on decision of C 113
5	Togo	February	Audited/Reports completed
6	Mauritania	April	Audited/Reports completed
7	Qatar	March	Audited/Reports completed
8	Georgia**		Voluntary audit carried out, moved to the back of the list
9	Nepal ⁱ		No audit/postponed based on decision of C 113
78	Portugal	April	Audited/Reports completed
10	Serbia	April	Audited/Reports completed
11	United Arab Emirates	May	Audited/ Reports completed
12	Albania	May	Audited/Reports completed
13	Angola		Voluntary audit carried out, moved to the back of the list
14	Seychelles	June	Audited/Reports completed
15	Nigeria	June	Audited/Reports completed
16	Senegal	July	Audited/Reports completed
17	Sri Lanka	July	Audited/ Reports completed
18	Paraguay	July	Audited/ Reports completed
19	Papua New Guinea	September	Audited/Reports completed
20	Jordan	October	Audited/ Reports completed
21	Somalia ⁱ		No audit/postponed based on decision of C 113
22	Egypt	November	Audited/Reports completed
23	Yemen ⁱ		Postponed based on decision of C 116
24	Hungary	October	Audited/Reports completed
25	Mongolia	November	Audited/Reports completed

MEMBER STATES AUDIT STATUS FOR 2017

NO.	MEMBER STATE	Audit period	Remark
26	Ghana	January	Audited/Reports completed
27	Kazakhstan	January	Audited/Reports completed
28	Macao, China [±]	December	Audited/Reports completed
29	Gambia		<i>(Audited in 2018)</i>
30	Kiribati	May	Audited/Reports completed
31	Bahrain	March	Audited/Reports completed
32	Oman	March	Audited/Reports completed
33	Gabon	April	Audited/Reports completed
34	Venezuela (Bolivarian Republic of)	April	Audited/Reports completed
35	Democratic Republic of the Congo	May	Audited/Reports completed
36	Azerbaijan	May	Audited/Reports completed
37	Cabo Verde	May	Audited/Reports completed
38	Nicaragua	June	Audited/Reports completed
39	Iraq ⁱ		Postponed based on decision of C 116
40	El Salvador ^{**}		Voluntary audit carried out, moved to the back of the list
41	Czechia	October	Audited/Reports completed
42	Cambodia	July	Audited/Reports completed
43	Slovakia	July	Audited/Reports completed
44	Cuba	September	Audited/Reports completed
45	Bangladesh	October	Audited/Reports completed
46	Trinidad and Tobago	December	Audited/Reports completed
47	Monaco	September	Audited/Reports completed
48	Madagascar	October	Audited/Reports completed
49	Vanuatu	October	Audited/Reports completed
50	Bolivia (Plurinational State of)	December	Audited/Reports completed

MEMBER STATES AUDIT STATUS FOR 2018

NO.	MEMBER STATE	Audit period	Remark
51	Djibouti	November	Audited/Reports being finalized
52	Myanmar	February	Audited/Reports completed
53	Guyana	February	Audited/Reports completed
54	Suriname	March	Audited/Reports completed
55	Ukraine	June	Audited/Reports completed
56	Barbados	June	Audited/Reports completed
57	Fiji	May	Audited/Reports completed
58	Brunei Darussalam	April	Audited/Reports completed
59	Samoa	May	Audited/Reports being finalized
60	Cook Islands **		Voluntary audit carried out, moved to the back of the list
61	Colombia**		Voluntary audit carried out, moved to the back of the list
62	Saint Lucia	May	Audited/Reports being finalized
63	Lebanon	July	Audited/Reports being finalized
64	<i>Turkmenistan</i>		<i>Audited in 2019</i>
65	Indonesia**		Voluntary audit carried out, moved to the back of the list
66	Austria		No audit based on decision of C 118
67	Kenya	May	Audited/Reports completed
29	Gambia	September	Audited/Reports completed
68	Sudan	September	Audited/Reports being finalized
69	Grenada	November	Audited/Reports being finalized
70	Sao Tome and Principe	November	Audited/Reports being finalized
71	Equatorial Guinea	September	Audited/Reports being finalized
72	Costa Rica	November	Audited/Reports being finalized
73	Sierra Leone	November	Audited/Reports being finalized
74	San Marino		Postponed based on decision of C 120
75	Congo	October	Audited/Reports being finalized

MEMBER STATES AUDIT STATUS FOR 2019

NO.	MEMBER STATE	Audit period	Remark
76	Eritrea	January	Requested postponement with no justification. Awaiting follow-up response from the State
77	Viet Nam	January	Audited/Reports being finalized
78	Portugal		<i>(Audited in 2016)</i>
79	Algeria	September	Audit confirmed
80	United Republic of Tanzania	March	Audited/Reports being finalized
81	Tuvalu	March	Audited/Reports being finalized
82	Comoros	March	Audited/Reports being finalized
83	Uganda		Postponed based on decision of C 120
84	Croatia **		Voluntary audit carried out, moved to the back of the list
85	Zimbabwe		Postponed based on decision of C 120
86	Iceland	June	Audited/Reports being finalized
87	Tonga	May	Audited/Reports being finalized
88	Solomon Islands	June	Audited/Reports being finalized
89	Saint Vincent and the Grenadines **		Voluntary audit carried out, moved to the back of the list
90	Libya		Postponed based on decision of C 122
64	Turkmenistan	June	Audited/Reports being finalized
91	Saudi Arabia	November	Audit confirmed
92	Republic of North Macedonia		Postponed based on decision of C 120
93	Mozambique		Postponed based on decision of C 122
94	Kuwait	October	Audit confirmed
95	Dominica	September	Audit confirmed
96	Montenegro	November	Audit confirmed
97	Syrian Arab Republic		Postponed based on decision of C 120
98	Guatemala	October	Audit confirmed
99	Haiti		Postponed based on decision of C 122
100	Palau	December	Audit confirmed

MEMBER STATES SCHEDULED TO BE AUDITED IN 2020

NO.	MEMBER STATE	Audit period	Remark
101	Malawi	May	Audit confirmed
102	Maldives	February	Audit confirmed
103	Mauritius	February	Audit confirmed
104	Benin	March	Audit confirmed
105	Cameroon	April	Audit confirmed
106	Pakistan	March	Audit confirmed
107	Republic of Moldova	September	Audit confirmed
108	Dominican Republic	April	Audit confirmed
109	Ethiopia	December	Audit confirmed
110	Namibia	March	Audit confirmed
111	Democratic People's Republic of Korea	April	Audit confirmed
112	Timor-Leste		Postponed based on decision of C 121
113	Denmark	October	Audit confirmed
114	Cyprus	October	Audit confirmed
115	United Kingdom	September	Audit confirmed
116	Spain	August	Audit confirmed
117	Marshall Islands	September	Audit confirmed
118	Sweden	July	Audit confirmed
119	Japan	October	Audit confirmed
120	Liberia	November	Audit confirmed
121	Chile	November	Audit confirmed
122	Republic of Korea	July	Audit confirmed
123	Greece	December	Audit confirmed
124	Canada	June	Audit confirmed
125	New Zealand	December	Audit confirmed

MEMBER STATES SCHEDULED TO BE AUDITED IN 2021

NO.	MEMBER STATE	Audit period	Remark
126	Netherlands	January	No response yet
127	Italy	January	No response yet
128	Thailand	February	Audit confirmed
129	Norway	February	Audit confirmed
130	Germany	April	No response yet
131	South Africa	February	No response yet
132	United States of America	March	Audit confirmed
133	Uruguay	March	Audit confirmed
134	Australia	April	Audit confirmed
135	Luxembourg	April	No response yet
136	Singapore	May	No response yet
137	Bulgaria	April	Audit confirmed
138	Panama	May	No response yet
139	Romania	June	No response yet
140	Malaysia	June	No response yet
141	Argentina	June	No response yet
142	Brazil	July	Audit confirmed
143	Russian Federation	July	No response yet
144	France	September	No response yet
145	Ecuador	September	No response yet
146	Philippines	October	Audit confirmed
147	China	September	No response yet
148	Hong Kong, China [±]	November	Audit confirmed
149	Poland	October	Audit confirmed
150	Ireland	November	Audit confirmed

MEMBER STATES SCHEDULED TO BE AUDITED IN 2022

NO.	MEMBER STATE	Audit period	Remark
151	India		-
152	Latvia		-
153	Estonia		-
154	Mexico		-
155	Bahamas		-
156	Jamaica		-
157	Lithuania		-
158	Iran (Islamic Republic of)		-
159	Malta		-
160	Faroese [†]		-
161	Finland		-
162	Honduras		-
163	Antigua and Barbuda		-
164	Israel		-
165	Peru		-
166	Switzerland		-
167	Slovenia		-
168	Morocco		-
169	Turkey		-
170	Belize		-
171	Tunisia		-
172	Saint Kitts and Nevis		-
173	Belgium		-
15	El Salvador ^{**}		-
61	Colombia ^{**}		-
84	Croatia ^{**}		-
13	Angola ^{**}		-
65	Indonesia ^{**}		-
8	Georgia ^{**}		-
60	Cook Islands ^{**}		-
89	Saint Vincent and the Grenadines ^{**}		-
174	Zambia		-
175	Belarus		-
176	Armenia		-
177	Nauru		-

Postponed audits

1	Guinea-Bissau ⁱ
4	Bosnia and Herzegovina ⁱ
9	Nepal ⁱ
21	Somalia ⁱ
39	Iraq ⁱ
23	Yemen ⁱ
66	Austria ⁱ
74	San Marino ⁱ
92	Republic of North Macedonia ⁱ
97	Syrian Arab Republic ⁱ
83	Uganda ⁱ
85	Zimbabwe ⁱ
112	Timor-Leste ⁱ
90	Libya ⁱ
93	Mozambique ⁱ
99	Haiti ⁱ

ⁱ No audit/postponed based on decisions of C 113, C 116, C 118, C 120, C 121 and C 122.

^{**} Voluntary audit carried out and moved.

[±] Associate Member.