



SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



Reform IMO — Transparency International

Transparency International, the self-proclaimed “global coalition against corruption”, has called for reform of governance of the International Maritime Organisation (IMO).

In a newly-published, 38-page report, the coalition observed that reform of the United Nation’s specialised agency for shipping was particularly timely, given it is currently seeking to develop a strategy to reduce the emissions of greenhouse gas (GHG) from shipping.

While welcoming the IMO’s April-announced initial strategy to reduce such emissions by at least 50% by 2050 compared to 2008 levels, Transparency International also observed that a revised, final strategy would not be adopted until 2023. This, it noted, would therefore follow five years of IMO member states engaging in “politically-charged and technically-complex” negotiations.

“Currently, shipping contributes an estimated 2.5% of global emissions, but left unchecked this could grow to 17% by 2050,” stated the document.

“A failure to dramatically reduce the sector’s GHG emissions will jeopardise the pledges signed by 195 states in the UN Paris Agreement, which aims to limit planetary warming to ‘well below’ 2°C, and ideally to no more than 1.5°C.

“The IMO’s 2018 GHG strategy will probably need to be revised upwards in light of the findings of the forthcoming Intergovernmental Panel on Climate Change’s special report on the impacts of global warming of 1.5°C, in order to decarbonise the maritime sector in line with well below 2°C and/or 1.5°C temperature goals of the Paris Agreement.

“More and more research suggests that the shipping sector’s emissions must decline to zero by 2050 at the latest.”

The coalition stated that its report has provided an evaluation of the IMO’s governance structure and specifically considered “whether it will help or hinder the development of policies, including an effective GHG strategy”.

Determining there are “a number of critical governance flaws at the IMO”, its assessment has identified the following four key issues:

1. uneven influence of member states
2. influence of open and private registries
3. disproportionate influence of industry
4. lack of delegate accountability

Main Recommendations

Transparency International is consequently recommending that the IMO and its member states engage in a process of open dialogue with its external stakeholders (including civil society and industry) on how it can improve transparency.



Including by: “Removing all restrictions on journalists that impair their ability to report freely on the IMO, including the provision that forbids them from naming speakers in open plenary without consent.”

The coalition has called for the IMO and its member states to take steps to ensure that its decision-making processes better reflect the public interest.

Including by: “Developing a universal set of rules that govern the appointment of member state delegations to ensure there is transparency on and controls over the manner in which third party representatives join national delegations.”

Additionally, Transparency International has recommended the IMO and its member states ensure that all of those who engage in decision making are subject to robust integrity rules and measures.

Including by: “Extending the IMO’s whistleblowing and complaints policies to cover member state representatives.”

And: “Giving the internal oversight and ethics office the mandate to detect and investigate suspected breaches of the code of conduct, and provide for sanctions if necessary and referral to national authorities if appropriate.”

Consisting of over 100 chapters worldwide, the stated vision of Transparency International is to achieve “a world in which government, business, civil society and the daily lives of people are free of corruption”.

A copy of the report can be found [here](#).

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