

ANNEX

1. The privileges and immunities, exemptions and facilities referred to in article VI, Section 21 of the standard clauses, shall be accorded to the Secretary-General of the Organization and to the Secretary of the Maritime Safety Committee, provided that the provisions of this paragraph shall not require the Member in whose territory the Organization has its Headquarters to apply article VI, Section 21 of the standard clauses to any person who is its national.

2. (a) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including time spent on journeys in connexion with service on such committees or missions:

- (i) immunity from personal arrest or seizure of their personal baggage;
- (ii) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of or employed on missions for the Organization;
- (iii) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;
- (iv) inviolability for all papers and documents relating to the work on which they are engaged for the Organization;
- (v) the right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the Inter-Governmental Maritime Consultative Organization.

In connexion with section 2(a)(iv) and (v) above, the principle contained in the last sentence of Section 12 of the standard clauses shall be applicable.

(b) Privileges and immunities are granted to such experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and duty to waive the immunity of any expert in any case where, in its opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.

B

The Assembly,
Having regard to the provisions of Section 18 of article VI of the Convention on the Privileges and Immunities of the specialized agencies;

And having considered the proposal made by the United Kingdom that the categories of officials to whom the provisions of articles VI and VIII shall apply should include all officials of the Organization, with the exception of those who are recruited locally and are assigned to hourly rates;

Approves the granting of the privileges and immunities referred to in articles VI and VIII of the Convention on the Privileges and Immunities of the specialized agencies to all officials of the Organization, with the exception of those who are recruited locally and assigned to hourly rates.

16 January 1959
Agenda item 15

Resolution A.11 (I)

RELATIONSHIP WITH OTHER SPECIALIZED AGENCIES AND OTHER INTERNATIONAL ORGANIZATIONS

A

The Assembly,

Having considered the draft agreement as negotiated with the International Labour Organisation,

Noting that the Governing Body of the ILO has already approved the draft agreement,

Approves the draft agreement in accordance with article 26 of the Convention.

B

RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

The Assembly,

Recalling article 48 of the Convention on the Inter-Governmental Maritime Consultative Organization,

Recognizing that the Organization intends to consider matters concerning maritime shipping and believing that the establishment of consultative relations with non-governmental organizations would be a useful means of promoting that objective,

1. *Recommends* that the Organization should enter into consultative relations with appropriate non-governmental organizations and that these relations should be governed by the following principles among others:

- (a) The activity of the non-governmental organization shall be directly related to the Organization's activity and the non-governmental organization shall be in a position to make a substantial contribution to the Organization's work;
- (b) The objectives and functions of the non-governmental organization shall be in harmony with spirit, functions, and principles of the Organization;

- (c) The non-governmental organization shall undertake to support the Organization's activities and to promote the dissemination of its principles and work in accordance with the objectives and functions of the Organization on the one hand and the nature and scope of its own competence and activities on the other;
- (d) The non-governmental organization shall be of recognized standing; it shall have a permanent headquarters, an executive officer and a governing body; it shall be authorized to speak for its members through accredited representatives;
- (e) Decisions concerning the establishment of consultative relations shall be based on the principle that the purpose of such relations shall be, firstly, to enable the Organization to obtain information or expert advice from organizations with particular knowledge in the field and, secondly, to enable organizations representing important groups whose activities have a bearing on the work of the Organization to express their points of view. The relations shall not be such as to place an undue burden on the Organization.

2. *Recommends* that the Council should prepare and submit to the Assembly rules governing the granting of consultative status with a view to giving non-governmental organizations certain privileges such as:

- (a) Access to public meetings for accredited observers of non-governmental organizations;
- (b) The prompt distribution of those documents of the Organization which, in the Organization's opinion, are of interest to the non-governmental organization;
- (c) The circulation of written statements by the non-governmental organization which are considered by the competent authority in the Organization to have a bearing on some aspect of the Organization's work, provided that such statements are written in one of the official languages and do not exceed 2000 words;
- (d) Any accredited representative of a non-governmental organization shall be authorized, on written request received not more than forty-eight hours after the adoption of the agenda and following consultation, to make a brief statement before the appropriate organ of the Organization;
- (e) The Organization shall appoint a liaison officer whom the non-governmental organi-

zations may consult and to whom they may apply when they wish to get in touch with members of the Secretariat to discuss a point of common interest.

16 January 1959
Agenda item 10(n)

Resolution A.12 (I)

ELECTION OF MEMBERS OF THE MARITIME SAFETY COMMITTEE

The Assembly,
Considering that differences of opinion have arisen as to the interpretation of article 28(a) of the Convention for the establishment of the Inter-Governmental Maritime Consultative Organization;

Considering that the Convention provides in article 56 that questions of law may be referred to the International Court of Justice for an advisory opinion;

Resolves to submit to the International Court of Justice, in accordance with article 65 paragraph 2 of its Statute, a request for an advisory opinion on the following question of law:

Is the Maritime Safety Committee of the Inter-Governmental Maritime Consultative Organization, which was elected on 15 January 1959, constituted in accordance with the Convention for the establishment of the Organization?

Instructs the Secretary-General to place at the disposal of the Court the relevant records of the First Assembly of the Organization and its Committees; and in accordance with article IX of the Agreement between the United Nations and the Inter-Governmental Maritime Consultative Organization to inform the Economic and Social Council of the United Nations of the present resolution.

19 January 1959
Agenda item 11

Resolution A.13 (I)

ADOPTION OF RULES OF PROCEDURE FOR SUBSEQUENT SESSIONS OF THE ASSEMBLY

The Assembly,
Having received the draft permanent rules of procedure too late for consideration by Member governments,

Recognizing that it is important that the permanent rules be carefully considered,

Decides to transmit these draft rules to Member governments for their comments, with the request that they be submitted to the Secretary-General by December 1959,

Requests the Council in the light of the comments