

- (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

received to draw up for the consideration of the Second Assembly draft permanent rules of procedure for the Assembly.

The draft permanent rules of procedure are reproduced in the attached annex.

ANNEX

DRAFT RULES OF PROCEDURE OF THE ASSEMBLY

MEMBERSHIP

Rule 1

The Assembly shall consist of all the members.

Rule 2

An associate member shall have the rights and obligations of a member except that it shall not have the right to vote in the Assembly or be eligible for membership on the Council or on the Maritime Safety Committee.

SESSIONS

Rule 3

The Assembly shall meet every two years in regular sessions.

Rule 4

The Assembly shall meet in extraordinary sessions whenever one-third of the members give notice to the Secretary-General that they desire a session to be arranged or at any time if deemed necessary by the Council.

Rule 5

Sessions shall be held at the Headquarters of the Organization unless convened elsewhere if the Council deems it necessary.

Rule 6

The Secretary-General, in consultation with the President of the Assembly shall notify the members at least six weeks in advance of the holding of a regular session. Extraordinary sessions shall be held within sixty days of the receipt by the Secretary-General of a request for such sessions by one-third of the members or sixty days after the Secretary-General has received a request for such a session by the Council.

Rule 7

The Secretary-General may invite states having made application for membership, territories on whose behalf application for such membership has been made, states which have signed but not accepted the Convention or states which are members of the United Nations or of any specialized agency to send observers to meetings of the Assembly.

Such observers may attend any open meeting of the Assembly or any of its subsidiary groups. They may, upon invitation by the President and with the consent of the Assembly or its subsidiary groups,

make a statement on the subject under discussion.

Such observers shall have access to non-confidential documents and to such other documents as the Secretary-General may see fit to make available. They may submit memoranda to the Secretary-General who shall determine the nature and scope of the circulation.

Rule 8

The Secretary-General may invite specialized agencies, inter-governmental organizations, or non-governmental organizations whose interest and activities are related to the purposes of the Organization, to be represented by observers at any session of the Assembly.

DELEGATIONS

Rule 9

Each member shall designate a representative and as many advisers, technical advisers, experts, and personnel of a similar status as may be required by the delegations.

Rule 10

An alternate may act as representative upon designation by the representative.

CREDENTIALS

Rule 11

The members shall transmit to the Secretary-General the credentials of their representatives and the names of the other members of their delegation not later than the opening day of the Assembly. The credentials shall be issued by the Head of the State or Government or by the Minister for Foreign Affairs and, in the case of associate members, by the appropriate authorities.

Rule 12

A credentials committee shall be appointed at the beginning of each session of the Assembly. It shall consist of five members who shall be appointed by the Assembly on the proposal of its President. The credentials committee shall examine the credentials of representatives and report without delay.

Rule 13

Any representative to whose admission a member has made objection shall be seated provisionally with the same rights as other representatives until the credentials committee has reported and the Assembly has given its decision.

PUBLICITY

Rule 14

The meetings of the Assembly and of its committees shall be held in public unless the body concerned decides otherwise.

AGENDA

Rule 15

The provisional agenda of each session of the Assembly shall be prepared by the Council after consideration of any proposal submitted by the Secretary-General.

Rule 16

The provisional agenda of the Council shall include *inter alia*:

- (a) all items the inclusion of which has been requested by the Assembly at a previous session;
- (b) all items the inclusion of which has been requested by the Council;
- (c) all items the inclusion of which has been requested by the Maritime Safety Committee;
- (d) any item proposed by a member of the Organization;
- (e) all items relating to the election of members to be represented on the Council as provided in article 17 of the Convention and on the Maritime Safety Committee as provided in article 28 of the Convention;
- (f) any item pertaining to the budget and the financial arrangements of the Organization;
- (g) subject to such preliminary consultations as may be necessary, any item proposed by the United Nations; and
- (h) any item proposed by any specialized agency with which the Organization has entered into a formal agreement subject to the relevant provisions thereof.

Rule 17

The provisional agenda for a meeting shall be communicated by the Secretary-General to the members at least four weeks before the meeting. In case of an extraordinary session the provisional agenda may be communicated simultaneously with the notification of the meeting.

Rule 18

The first item on the provisional agenda for each meeting shall be the adoption of the agenda.

Rule 19

Any item of the agenda of a meeting of the Assembly, consideration of which has not been completed at that meeting, shall, unless referred to the Council for consideration or decision, automatically be included in the agenda of the next meeting.

Rule 20

The Secretary-General may, in consultation with the President, include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening day of the session in a supplementary agenda which the Assembly shall examine together with the provisional agenda.

Rule 21

The Secretary-General shall report to the Assembly on the technical, administrative and financial

implications of any agenda items submitted to the Assembly before they are considered by the Assembly in plenary meetings. No proposal shall be considered in the absence of such a report unless the Assembly decides otherwise.

Rule 22

Copies of all reports and other documents relating to the agenda of any session shall be sent by the Secretary-General to members and associate members, at the same time as the agenda or as soon as possible thereafter.

Rule 23

The Assembly shall not proceed, unless it determines otherwise, to the discussion of any item on the agenda until at least forty-eight hours have elapsed after the relevant documents have been made available to delegations. Nevertheless, the President of the Assembly, with the consent of the General Committee, may suspend the obligation of this rule.

OFFICERS

Rule 24

The Assembly shall for each session elect a President, a first Vice-President and a second Vice-President from among the representatives of the members (excluding associate members.)

Rule 25

At the opening of each session of the Assembly, the representative of the delegation from which the President of the previous session was elected shall preside until the Assembly has elected a President for the session.

If the President is absent from a meeting or any part thereof, he shall appoint one of the Vice-Presidents to take his place; a Vice-President acting as President shall have the same powers and duties as the President.

Rule 26

A President or a Vice-President acting as President shall not vote but he may appoint another member of his delegation to act as the representative of his government in plenary meetings.

SUBSIDIARY BODIES

OF THE ASSEMBLY *Rule 27*

The Assembly may establish any temporary or, upon recommendation of the Council, permanent subsidiary bodies as it considers to be necessary.

SECRETARIAT

Rule 28

The Secretary-General shall act as secretary of the Assembly and of any subdivision thereof. He may delegate his functions.

Rule 29

The Secretary-General or a member of the Secretariat designated by him as his representative

may at any time make either oral or written statements concerning any questions under consideration.

Rule 30

The Secretariat shall prepare minutes of the meetings. These minutes shall be prepared in both working languages and shall be distributed to the members as soon as possible after the closing of the meeting to which they relate.

The members shall inform the Secretariat in writing of any correction that they wish to have made within such period of time as shall be indicated by the Secretary-General having regard to the circumstances.

Rule 31

The Assembly may establish such committees as it may consider to be necessary for the consideration of any item on its agenda. The committees shall follow the present rules of procedure whenever applicable. The Assembly shall decide upon the form of their records.

Rule 32

It shall be the duty of the Secretariat to receive, translate into the working languages of the Assembly and circulate documents, reports and resolutions of the Assembly and its committees.

LANGUAGES

Rule 33

English and French shall be the working languages of the Assembly and its committees. Speeches made in either of the working languages shall be interpreted into the other working language.

Rule 34

All documents shall be issued in both working languages.

Rule 35

All resolutions, recommendations, reports and other decisions of the Assembly and its committees shall be drawn up in both working languages.

VOTING

Rule 36

Subject to the relevant provisions of the Convention and to any contrary decision of the Assembly in this respect and subject to rule 57, the resolutions, recommendations, reports and decisions of the Assembly and of its committees, shall be made by a majority of the members present and voting.

Rule 37

Each member shall have one vote. For the purpose of these rules the phrase 'members present and voting' means members casting an affirmative or negative vote. Members who abstain from voting shall be considered as not voting. In a secret ballot, all invalid votes shall be so reported to the Assembly and shall be counted as abstentions.

Rule 38

The Assembly shall normally vote by show of hands. However, any member may request a roll-call which shall then be taken in the English alphabetical order of the names of the members, beginning with the member whose name is drawn by lot by the President.

Rule 39

The vote of each member participating in any roll-call shall be inserted in the records.

Rule 40

All elections shall be decided by secret ballot.

Rule 41

If one person or member only is to be elected and no candidate obtains in the first ballot the majority required, a second ballot shall be taken confined to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots. This latter provision shall not apply however for the election of the Secretary-General.

Rule 42

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be declared elected. If the number of candidates obtaining such a majority is less than the number of persons or members to be elected, there shall be an additional ballot to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, and the number of candidates being no more than twice as many as the places remaining to be filled. After the third and inconclusive ballot, votes may be cast for any number of candidates.

GENERAL

COMMITTEE

Rule 43

The General Committee of the Assembly shall consist of the President and Vice-Presidents of the Assembly, the chairman of the committees and that number of delegates to be elected by the Assembly as shall provide a total of seven members of the General Committee, provided that no delegation may have more than one representative on the Committee. The President of the Assembly shall convene and preside over all meetings of the General Committee.

If the President or a Vice-President is absent during a meeting or any part thereof, he may designate a member of his delegation as his substitute in his capacity as member. The chairman of a committee shall in case of absence designate the vice-chairman as his substitute, provided that the

vice-chairman shall not have the right to vote if he is of the same delegation as another member of the General Committee. Each of the elected delegates shall be entitled to designate another member of his delegation to act as his substitute in the event of his absence from any meeting on the General Committee.

Meetings of the General Committee shall be held in private unless the Committee decides otherwise.

Rule 44

The General Committee may be attended by no more than one member of each delegation to the Assembly, provided that such member shall not have the right to participate in the deliberations of the General Committee unless so decided by the President nor have the right to vote.

Rule 45

Subject to any decision of the Assembly, the General Committee, in consultation with the Secretary-General, shall: (a) decide the time and place of all plenary meetings and of all meetings of committees. Whenever practicable, the General Committee shall make known a few days in advance the dates and hours of meetings of the Assembly and of committees; (b) determine the order of business of each plenary meeting of the session; (c) propose to the Assembly the allocation to committees of items on the agenda; (d) report on any addition to the agenda; (e) co-ordinate work in all committees; (f) propose the date of adjournment of the session; and (g) otherwise facilitate the activities and the dispatch of the business of the session.

CONDUCT OF BUSINESS

Rule 46

A majority of the members, other than associate members, shall constitute a quorum for the meetings of the Assembly and of the committees.

Rule 47

In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and the closing of the session of the Assembly. He shall direct the discussion and ensure observance of these rules, accord the right to speak, put questions to the vote and enact decisions resulting from the voting.

Rule 48

All resolutions, amendments and substantive proposals for consideration by the Assembly must be introduced in writing and handed to the Secretary-General.

Rule 49

A member may designate an alternate who shall have the right to speak and vote on behalf of the

member on any question. Moreover, upon the request of the representative or his alternate, the President may allow an adviser to speak on any particular point, but the latter shall not have the right to vote.

Rule 50

During the discussion of any matter, a member may rise to a point of order and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A member may appeal against the ruling of the President. The appeal shall be immediately put to the vote and the President's ruling shall stand unless overruled by a majority of the members present and voting.

A member rising to a point of order may not speak on the substance of the matter under discussion.

Rule 51

Subject to the provisions of rule 50, the following motions, submitted by the representative of a member, other than an associate member, shall have precedence in the following order over all other proposals or motions before the meetings:

- (a) to suspend a meeting;
- (b) to adjourn a meeting;
- (c) to adjourn the debate on the question under discussion; and
- (d) for the closure of the debate on the question under discussion.

Rule 52

The Assembly may limit the time to be allowed to each speaker.

Rule 53

Parts of a proposal shall be voted upon separately if a member requests that the proposal be divided.

Rule 54

If two or more amendments are moved to a proposal, the Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on until all amendments have been put to the vote. The President shall determine the order of voting on the amendment under this rule.

Rule 55

When an amendment revises, adds to, or deletes from a proposal, the amendment shall be voted on first, and if it is adopted, the amended proposal shall then be voted on.

Rule 56

A motion may be withdrawn by its proposer at any time before voting on it has begun provided that the motion has not been amended. A motion withdrawn may be re-introduced by any member.

Rule 57

When a proposal has been adopted or rejected, it may not be reconsidered at the same session of the Assembly unless the Assembly, by a two-thirds majority vote of the members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion after which it shall be immediately put to the vote.

Rule 58

No proposal, motion, or resolution shall be discussed or voted on unless it has been seconded.

Rule 59

If a vote is equally divided, a second vote shall be taken at the next meeting of the current session. If this vote also is equally divided, the proposal shall be regarded as rejected.

APPOINTMENT OF THE SECRETARY-GENERAL *Rule 60*

For the appointment of the Secretary-General, the Assembly shall vote by secret ballot in private meeting.

ADMISSION OF MEMBERS AND ASSOCIATE MEMBERS

Rule 61

Application made by a state for admission to membership or application made by a member or other authorities having responsibility for the international relations of a territory or a group of territories on behalf of such territory or group of territories for admission to membership in the Organization shall, in pursuance of articles 8 and 9 of the Convention, be addressed to the Secretary-General and shall be transmitted immediately by him to members.

Rule 62

Such applications shall be placed on the agenda of the next session of the Assembly provided the applications reach the Secretary-General at least three weeks before the opening of such session.

Rule 63

The approval of the Assembly on any request in pursuance of article 8 of the Convention shall be immediately communicated to the Government of the member which has submitted it. Such member may then become party to the Convention pursuant to the provisions of article 57 thereof.

Rule 64

A territory or group of territories to which the Convention has been made applicable under article 58 thereof may become an associate member of the Organization by a notification in writing given to the Secretary-General of the United Nations by the

member having responsibility for its international relations or by the United Nations, as the case may be, accepting the obligations and assuming the duties prescribed by the relevant articles of the Convention applicable to it; such notification to be circulated by the Secretary-General of the United Nations to all members.

AMENDMENTS OF RULES OF PROCEDURE *Rule 65*

These rules of procedure may be amended by a decision of the Assembly taken with the majority of the members present and voting after a committee set up for that purpose has reported on the proposed amendment.

19 January 1959
Agenda item 12

Resolution A.14 (I)

FINANCIAL REGULATIONS OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

The Assembly,
Adopts the Financial Regulations, the text of which is attached hereto.

ARTICLE I - APPLICABILITY

- 1.1 These regulations shall govern the financial administration of the Inter-Governmental Maritime Consultative Organization

ARTICLE II - THE FINANCIAL PERIOD

- 2.1 The financial period shall be two consecutive calendar years. However, the first financial period shall end 31 December 1961.

ARTICLE III - THE BUDGET

- 3.1 The budget estimates shall be prepared by the Secretary-General.
- 3.2 The estimates shall cover income and expenditure for each of the calendar years covered by the financial period to which they relate and shall be presented in US dollars.
- 3.3 The estimates for each of the calendar years covered by the financial period shall be divided into Sections, Chapters, and Articles. The budget estimates shall include details on the programme of work to which they relate and shall be accompanied by such information annexes as may be required by, or on behalf of, the Assembly or Council and such further information as the Secretary-General may deem necessary and useful.
- 3.4 The Secretary-General shall submit the estimates for the ensuing financial period to be considered by the Council at least ten weeks prior to the date fixed for the opening of the regular session of the Assembly.