

RESOLUTION A.296(VIII)

*Adopted on 23 November 1973
Agenda item 13(f)*

INTERNATIONAL CONFERENCE ON MARINE POLLUTION, 1973

THE ASSEMBLY,

NOTING with satisfaction that on 2 November 1973 the International Conference on Marine Pollution adopted the International Convention for the Prevention of Pollution from Ships, 1973 and the Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil,

HAVING CONSIDERED the provisions of the Convention, its Protocols, Annexes and Appendices and the Protocol relating to intervention and, in particular, Article 19 of the Convention and Article IX of the Protocol which assign depositary functions to the Organization,

HAVING ALSO CONSIDERED that the Convention and the Protocol relating to intervention confer certain functions on an appropriate body designated by the Organization, particularly the adoption of amendments to the Convention and the establishment and maintenance of the list to be annexed to the Protocol,

HAVING FURTHER CONSIDERED the Resolutions adopted by the Conference,

NOTING Resolution A.297(VIII) by which the Assembly established a Marine Environment Protection Committee,

DECIDES to accept the functions assigned to the Organization by the Convention and the Protocol adopted on 2 November 1973 and, in particular, the depositary functions conferred on the Organization,

DESIGNATES the Marine Environment Protection Committee as the appropriate body referred to in Article 16 of the Convention and Articles I and III of the above-mentioned Protocol,

INVITES governments to give consideration to ratification, approval or acceptance of or accession to the Convention and the Protocol at as early a date as possible.

RESOLUTION A.297(VIII)

*Adopted on 23 November 1973
Agenda item 15*

ESTABLISHMENT OF A MARINE ENVIRONMENT PROTECTION COMMITTEE

THE ASSEMBLY,

TAKING NOTE of Article 1 of the IMCO Convention regarding the purposes of the Organization,

BEING AWARE of the increasing extent and importance of the activities of the Organization relative to the prevention of pollution of the land, sea or air by or from ships, vessels and other crafts operating in the marine environment (hereafter referred to as ships),

TAKING ACCOUNT of the Recommendations of the United Nations Conference on the Human Environment (Stockholm, 5–16 June 1972), of the preparation for the Third Law of the Sea Conference and of relevant Resolutions adopted by the United Nations and also of the role of the United Nations Environment Programme established by Resolution 2997 (XXVII) of the General Assembly,

RECOGNIZING that in the environmental field, activities of the Organization are becoming increasingly involved with related activities of other United Nations bodies and organizations and that the Organization is being called upon to play a more significant role in this field,

NOTING with appreciation that the principal burden arising from responsibilities of the Organization for dealing with marine pollution from ships has hitherto been carried by the Maritime Safety Committee in addition to its important and extensive statutory obligations relative to the safety of life and property at sea,

BELIEVING nevertheless that overall efficiency of the Organization will be greatly enhanced in the future if matters relating to the protection of the marine environment are undertaken by a body specifically assigned for this purpose, thus enabling the Maritime Safety Committee to concentrate more specifically on the work relating to maritime safety which is also increasing in importance and magnitude,

HAVING NOTED the outcome of the IMCO Conference on Marine Pollution (London, 8 October – 2 November 1973), particularly with respect to the conclusion of the International Convention for the Prevention of Pollution from Ships, 1973 and the adoption of associated Conference Resolutions,

HAVING CONSIDERED the Recommendations of the Council and its Ad Hoc Working Group on Marine Environment Protection with respect to the future role and activities of the Organization in this field,

NOTING Articles 12 and 16(c) of the IMCO Convention concerning the establishment of subsidiary bodies,

RECOGNIZING that the objectives will be most effectively and efficiently achieved by the establishment of a permanent Committee to execute and co-ordinate all activities of the Organization relating to the prevention and control of pollution of the marine environment from ships,

DECIDES to establish a Marine Environment Protection Committee as a permanent subsidiary body of the Assembly pursuant to Article 16(c) of the IMCO Convention, with the following Terms of Reference:

“To assist IMCO in its consultations with other bodies within the United Nations system, especially the United Nations Environment Programme, and with other international organizations and expert bodies in the field of marine pollution, and to co-ordinate and administer, in consultation as appropriate with other bodies of IMCO, the activities of the Organization concerning the prevention and control of marine pollution from ships and in particular:

- (a) to perform such functions as are or may be conferred upon the Organization under international conventions for the prevention and control of pollution from ships, particularly with respect to the adoption or amendment of regulations or other provisions, as provided for in such conventions;
- (b) to consider appropriate measures to facilitate the enforcement of the Conventions referred to in paragraph (a) above;
- (c) to provide for the acquisition and dissemination of scientific, technical and any other practical information on the prevention and control of marine pollution from ships to States, particularly developing countries, and, where appropriate, to make recommendations and to develop guidelines;
- (d) to promote co-operation with regional organizations concerned with the prevention of marine pollution from ships;
- (e) to consider and take appropriate action with respect to any other matters falling within the scope of the Organization which would contribute to the prevention and control of marine pollution from ships including co-operation on environmental matters with other international organizations.”

DECIDES FURTHER that:

- (a) Membership of the Committee shall be open to all States Members of the Organization and to other States Parties to Conventions in respect of which the Committee performs functions, provided that a State not a Member of the Organization may vote only when the Committee performs functions in respect of a Convention to which it is a party as provided in that Convention. However, the adoption of amendments to a Convention shall be in accordance with the procedures set forth in the Convention under consideration;

- (b) the Committee shall, except as specifically provided otherwise in its Terms of Reference, for example paragraph (a) thereof, report to the Assembly through the Council. The Council shall transmit reports of the Committee to the Assembly, together with its own comments and recommendations. As regards budgetary and other organizational matters, the Council shall exercise the same functions and control as it does over other sectors of the Organization's work;
- (c) the Committee shall follow the Rules of Procedure of Assembly except in so far as the Committee, with approval of the Assembly, adopts other rules. The Committee is empowered to adopt and apply its own rules in relation to the following subjects: sessions, credentials, publicity, agenda, election of officers, summary records and languages. The quorum for the meetings of the Committee shall be determined by the Committee itself,

REQUESTS the Secretary-General to take all necessary steps for the inauguration of the Committee early in 1974,

REQUESTS the Council, the Maritime Safety Committee and the Legal Committee to provide all possible assistance and co-operation with the work of the Committee.

RESOLUTION A.298(VIII)

*Adopted on 23 November 1973
Agenda item 17(b)*

FACILITATION MEASURES IN MARITIME TRAVEL AND TRANSPORT

THE ASSEMBLY,

RECALLING its Resolutions A.194(VI) and A.239(VII) which urged governments to accept the Convention on Facilitation of International Maritime Traffic, 1965, and where early acceptance of the said Convention was not possible, to proceed nevertheless with the simplification and reduction of shipping documentation by implementing the Model Forms, developed and recommended by the Organization,

RECALLING ALSO Resolution 3 of the International Conference on Facilitation of Maritime Travel and Transport, 1965, which *inter alia* invited Contracting Governments to create national and regional committees to encourage the development of facilitation measures,

NOTING with satisfaction that 34 governments have accepted the Convention and 33 governments have informed the Organization on their active examinations of possibilities – including amendment, where necessary, of national laws – of simplifying and reducing their documentary requirements on the arrival, stay and departure of ships by using Forms conforming to the recommended Models,

CONCERNED, however, that a considerable number of governments have not, as yet, informed the Organization of steps taken to implement the Model Forms or of difficulties experienced with respect to the implementation of individual Forms,

NOTING ALSO that 15 governments have informed the Secretary-General of the existence or the creation of the aforementioned national facilitation committees,