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**Adopted on 26 November 2009
(Agenda item 18(a))**

CHARTER OF THE WORLD MARITIME UNIVERSITY

THE ASSEMBLY,

RECALLING resolution A.501(XII) of 20 November 1981 by which it requested the Secretary-General to take all necessary action for the establishment of the World Maritime University,

RECALLING that the Charter of the World Maritime University first took effect on 1 May 1983,

BEING COGNIZANT of developments in the fields of research, scholarship and education since the adoption of the Charter,

BEING AWARE that an independent external review was conducted in 2007 to provide an objective assessment of the adequacy of the University's governance and managerial capacity to meet the emerging demands placed on the University by the international maritime sector in the next five to 10 years,

ALSO BEING AWARE that the University's Executive Council established a working group to make proposals for the revision of the WMU Charter, as recommended by the external review,

NOTING the request of the Council, at its 102nd session, for the IMO Legal Affairs and External Relations Division to review the proposed amendments to the Charter of the University on governance arrangements and the latter's response to the Council mandate,

HAVING CONSIDERED the recommendations of the Council at its twenty-fifth extraordinary session,

1. ADOPTS the revised Charter of the World Maritime University, as set out in the annex;
2. DECIDES that the provisions of the Charter, as revised, will take effect on 1 January 2010.

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ANNEX

CHARTER OF THE WORLD MARITIME UNIVERSITY

Preamble

In recognition of the vital need to constitute an international centre of excellence for advanced maritime education, capable of responding to compelling requirements – particularly capacity building in the developing countries – for highly qualified persons in maritime transport, the

WORLD MARITIME UNIVERSITY

was founded, in 1983, in accordance with the present Charter.

I Definitions

Article 1

In this Charter

“Academic Council” means the Academic Council of the University.

“Board of Governors” means the Board of Governors of the University.

“Chancellor” means the Chancellor of the University.

“Convention” means the Convention on the International Maritime Organization.

“Council” and “Assembly” mean, respectively, the Council and the Assembly of the Organization.

“Executive Board” means the Executive Board of the University.

“Organization” or “IMO” means the International Maritime Organization.

“President” means the President of the University.

“Secretary-General” means the Secretary-General of the Organization.

“Statutes” means the Statutes of the University.

“University” means the World Maritime University.

“Vice-President (Academic)” means the Vice-President (Academic) of the University.

II Objectives and functions

Article 2

- (a) The World Maritime University shall be the international post-graduate education and research institution for capacity building in various aspects of shipping and related fields concerning the improvement of maritime safety and security, the protection of the marine environment and the efficiency of international shipping, in furtherance of the purposes and objectives of the International Maritime Organization as a specialized agency of the United Nations.
- (b) It shall be a fundamental objective of the University to provide the international maritime community, and in particular the developing countries, with a centre for high level maritime education, research, scholarship and capacity building and an effective means for the sharing of maritime technology from the developed to developing maritime nations, with a view to promoting the achievement, globally, of the highest practicable standards in matters concerning maritime safety and security, efficiency of navigation and the prevention and control of marine pollution including air pollution from ships.

Article 3

The University and all who are directly associated with it shall act in accordance with the spirit and provisions of the Convention, and the relevant provisions and principles of the Charter of the United Nations.

Article 4

For the achievement of its objectives, the University may:

- (a) provide interested countries, and in particular developing countries, with the most modern and up-to-date facilities for the post-graduate education of their high-level national maritime personnel and capacity building in all areas of shipping and related maritime activity including:
 - (i) teachers and managers for maritime training and education institutions;
 - (ii) examiners for maritime certificates;
 - (iii) maritime administrators;
 - (iv) technical administrators and senior managerial personnel;
 - (v) marine accident investigators;
 - (vi) maritime surveyors;
 - (vii) specialists in naval architecture, marine science and technology and related disciplines; and
 - (viii) technical port managers and related personnel;

- (b) help to establish an internationally recognized cadre of experts in the major aspects of shipping, including visiting professors, lecturers, consultants and experts to provide suitable knowledge and assistance to developing countries, other countries as appropriate and the world maritime community, on problems relating to maritime safety and security, efficiency of navigation and the prevention and control of marine pollution including air pollution from ships; and
- (c) help in developing a uniform international system for the training and education of experts in the maritime field as a means of facilitating and promoting international co-operation in shipping and related maritime activities.

Article 5

The University shall engage in teaching and student mentoring, research and scholarship, and outreach to build capacity on behalf of the maritime community. In accordance with this Charter, the University shall have the power:

- (a) to prescribe the requirements for entrance into the University, the conditions under which persons shall be admitted to any particular course of study therein and deemed to have successfully completed it, and suitable subjects; and to make provision for the advancement and dissemination of knowledge in such manner as may be determined;
- (b) to provide instruction in such branches of learning and in such subjects as may be deemed suitable and to make provision for the advancement and dissemination of knowledge in such manner as may be determined, including participation in research and scholarship;
- (c) to grant and confer, under conditions laid down for that purpose, degrees, diplomas, certificates and other academic distinctions to and on persons who shall have pursued courses of studies approved by the University and passed such examinations or other tests as may be prescribed by the University; and to revoke any such degrees, diplomas or certificates or other distinctions for what the University shall deem to be good cause;
- (d) to prescribe the disciplinary provisions to which students of the University shall be subject;
- (e) to provide such lectures and instruction for persons not students of the University as the Board may determine and to grant the appropriate diplomas and certificates to such persons;
- (f) to co-operate by means of Joint Boards or otherwise with other universities or appropriate institutions for the conduct of examinations and for such other purposes as the University may from time to time determine;
- (g) to confer honorary degrees and other distinctions on approved persons subject to such provisions as are or may be made in reference thereto in the Statutes;

- (h) to institute professorships, lectureships and any other offices of any kind, whether academic or not, as may be required by the University; to appoint persons to and remove them from such offices and to prescribe their conditions of service;
- (i) to recognize the results of the examination and periods of study successfully completed by students of the University at other universities or institutions of learning as equivalent to such examinations and periods of study in the University as may be determined and to withdraw such acceptance at any time;
- (j) to provide for the printing and publication of material which may be issued under the imprimatur of the University;
- (k) to make provision for advisory services and, for this purpose, to enter into such arrangements with other institutions or bodies as may be considered desirable;
- (l) to institute and award fellowships, studentships, scholarships, exhibitions, bursaries and prizes;
- (m) to establish and maintain as necessary, and to administer and govern, institutions for the residence of the students of the University and to license and supervise such institutions and other places of residence whether or not maintained by the University;
- (n) to maintain, manage, deal with, dispose of and invest the property, money, assets and rights of the University and to enter into engagements and to accept obligations and liabilities;
- (o) to act as trustees or managers for any property, legacy, endowment, bequest or gift for purposes in furtherance of the work and welfare of the University, and to invest any funds representing such property, legacy, endowment, bequest or gift, if not immediately required, on such security as the University may deem fit, in accordance with the provisions of the Statutes; and
- (p) to do everything, incidental or not to the aforementioned powers, that may be required in order to further the objectives of the University as a place of education, learning and the advancement of knowledge in the matters set out in Article 2 of this Charter.

Article 6

The University shall enjoy appropriate autonomy within the framework of the Organization. It shall also enjoy the academic freedom required for the achievement of its objectives, with particular reference to the choice of subjects and methods of instruction, training and education, and the freedom of expression. Subject to the primary objective of the University to assist developing countries, the University shall enjoy freedom in the selection of persons and institutions to share in its tasks and in decisions on the use of the financial resources allocated for the execution of its functions.

Article 7

No religious, racial or political requirement shall be imposed upon any person in order to entitle him or her to be admitted as a professor, teacher or student of the University or to hold office therein or to graduate therefrom or to hold any advantage or privilege thereof.

Article 8

Men and women shall be equally eligible for any office or appointment in the University and for membership of any of its constituent bodies and all degrees and courses of study in the University shall be open to men and women alike.

III Organizational framework

Article 9

The University shall consist of a Chancellor, a Board of Governors, an Executive Board, an Academic Council, a President and a Vice-President (Academic) and such other personnel of the University as may be appointed in accordance with this Charter.

IV The Chancellor

Article 10

The Chancellor of the University shall be appointed by the Council and shall be a person of recognized international eminence in the maritime field.

Article 11

The Chancellor shall preside over the Board of Governors and shall hold office for a term of two years, and shall be eligible for reappointment.

V The Board of Governors

Article 12

- (a) The Board of Governors shall be established on a broad geographical basis taking into account the principal fields of study and the overriding need to ensure adequate participation by persons with knowledge of the needs of developing countries and with expertise in areas including finance, fund-raising and academic development, as well as with recognized expertise in maritime matters and in the solution of problems connected therewith. Board Members may be drawn from educational and research institutions, various sectors of the shipping industry and departments of governments but shall serve, except as otherwise provided herein, in a personal capacity.
- (b) In appointing members of the Board of Governors, the Secretary-General will consult with an advisory panel composed of experienced persons drawn by the Secretary-General from the public and private sectors; representatives of the shipping industry, seafarers and major donors; and from the academic environment.

Article 13

- (a) The Board of Governors shall be composed of the Chancellor and not more than 30 appointed Members, who shall serve in their personal capacity, and *ex officio* Members, as provided in Article 14 of this Charter.
- (b) Members of the Board of Governors shall be appointed by the Secretary-General in accordance with the criteria and guidelines referred to in Article 12.

Article 14

- (a) The Secretary-General, a representative of the Government of Sweden, and a representative of the City of Malmö shall be invited to serve as *ex officio* Members of the Board of Governors.
- (b) The Board of Governors may invite others to attend its meetings as observers.

Article 15

The terms of office of appointed Members of the Board of Governors shall be two years. Board Members who demonstrate active contribution to the work of the Board may be reappointed.

Article 16

The Board of Governors shall:

- (a) adopt the Statutes of the University;
- (b) formulate the principles and policies which shall govern the activities and operation of the University;
- (c) consider and approve the work programme and adopt the budget of the University;
- (d) decide upon the establishment or incorporation of post-graduate education programmes of the University, and adopt the necessary standards for the operation and further development of such programmes;
- (e) consider annually the reports provided for in this Charter on the work of the University;
- (f) issue such directives and approve such measures within the framework of this Charter as may be necessary for the operation of the University and its administration by the President;
- (g) submit to the Council such recommendations as it may deem necessary or desirable for the effective functioning of the University;
- (h) report annually through the Secretary-General to the Council on the work of the University;
- (i) elect a Vice-Chairman who shall preside in the absence of the Chancellor;

- (j) adopt Rules of Procedure, including procedures for convening special sessions as necessary; and
- (k) establish such subsidiary bodies as it deems necessary.

Article 17

The Board of Governors shall meet in regular session at least once a year but may meet more frequently if necessary and shall be convened by the President at the direction of the Chancellor.

Article 18

The Board of Governors shall consider the methods of financing the University with a view to ensuring the effectiveness and continuity of its operations and the autonomous character of the University within the framework of the Organization. It shall also consider the arrangements under which institutions and individuals may be associated with the work of the University and the criteria to be met by such institutions and individuals in order to ensure the maintenance of the highest academic and professional standards.

VI The Executive Board

Article 19

- (a) The Executive Board shall consist of eleven members, including:
 - (i) the Chairman as appointed pursuant to Article 20;
 - (ii) nine members appointed by the Board of Governors, on the recommendation of the Secretary-General, for a term of two years; and
 - (iii) one additional member, who may be the Secretary-General, or someone appointed by the Secretary-General, to represent the Organization on the Executive Board.
- (b) No more than 3 members of the Board of Governors may also be members of the Executive Board.
- (c) The Chancellor and the President shall have the right to attend meetings of the Executive Board as observers.
- (d) A representative of the University's personnel may attend meetings of the Executive Board as an observer provided, however, that the Board may determine that a particular matter under discussion is of a confidential nature, in which case the relevant part of the meeting may be held in private without the participation of such an observer.

Article 20

The Chancellor shall appoint the Chairman of the Executive Board.

Article 21

Members of the Executive Board appointed by the Board of Governors shall be eligible for reappointment.

Article 22

The Executive Board shall facilitate the work of the University as may be necessary and shall provide oversight of the University between sessions of the Board of Governors and shall:

- (a) monitor implementation of the decisions of the Board of Governors and give directions and guidelines as necessary;
- (b) consider the draft plans of work and the budget estimates of the University prepared by the President in accordance with Article 25(c)(i) and establish and submit to the Board of Governors the work programme and budget of the University, having regard to the general interest and priorities of the University;
- (c) make a report to the Board of Governors at each regular session on the activities of the University since the previous regular session of the Board of Governors;
- (d) submit to the Board of Governors financial statements of the University together with the Executive Board's comments and recommendations; and
- (e) coordinate the governance of the University, in particular between sessions of the Board of Governors, and make such adjustments in the work programme and make such other decisions as are strictly necessary to ensure the efficient functioning of the University. Any decisions so taken shall be reported to the next session of the Board of Governors and shall be subject to endorsement by the Board of Governors.

Article 23

The Executive Board shall meet at least three times a year. Meetings shall normally take place at the University, but may take place elsewhere when justified by circumstances.

VII The Academic Council

Article 24

The Academic Council shall be appointed by the Board of Governors with such composition as that Board may determine. It shall be presided over by the President, and the Vice-President (Academic) shall act as its Vice-Chairman. The Academic Council shall assist the President in the coordination, promotion and implementation of the academic work programme of the University and in the regulation and superintendence of the education and discipline of the students of the University.

VIII The PresidentArticle 25

- (a) The President of the University shall be appointed by the Chancellor.
- (b) The initial term of the President shall be four years and he shall be eligible for reappointment for one further term of four years. The conditions of service of the President shall be determined by the Board of Governors on the proposal of the Chancellor. The Board of Governors, on the recommendation of the Chancellor, may terminate the President's appointment before it has expired for failure to properly execute the duties of the office or otherwise in the best interests of the University.
- (c) Under the overall supervision, control and direction of the Board of Governors, the Executive Board and the Chancellor, as appropriate, the President shall direct and administer the University, with particular responsibility for the administration and organization of the programmes of the University in accordance with the general policies and criteria formulated or approved by the Board of Governors and the Executive Board. The President shall, *inter alia*:
 - (i) submit the plan of work and the budget estimates of the University to the Executive Board for consideration;
 - (ii) direct the activities connected with the execution of teaching programmes of the University and authorize expenditure of funds provided in the budget approved by the Board of Governors;
 - (iii) in consultation with the Chancellor, recommend to the Executive Board such advisory bodies as may be necessary, providing in such recommendations, where appropriate, for representation on such bodies by interested United Nations organs and agencies, and governmental or non-governmental bodies concerned with the activities of the University;
 - (iv) in consultation with the Chancellor, recommend to the Board of Governors arrangements with Governments and international or national organizations with a view to offering and receiving services related to the activities of the University;
 - (v) coordinate, in consultation with the Chancellor, all the post-graduate education, research and capacity-building programmes of the University with the activities of the Organization and, as appropriate, the United Nations and its agencies;
 - (vi) report to the Executive Board on the activities of the University and the execution of its programmes, in accordance with procedures established or approved by the Board of Governors and the Executive Board for that purpose; and
 - (vii) provide the necessary services to the Board of Governors and the Executive Board and the Academic Council.

IX Personnel

Article 26

The academic and administrative personnel of the University shall be selected and appointed with due regard to the objectives of the University enshrined in this Charter. The basic criteria for selection shall be the highest standards of expertise, competence and integrity, with due regard to equitable and appropriate representation in terms of geography, social systems, educational, cultural traditions and gender.

Article 27

The personnel of the University shall consist of:

- (a) academic personnel;
- (b) professional administrative personnel;
- (c) General Service administrative personnel; and
- (d) trainees and other persons undergoing instruction or participating in seminars or other activities,

it being understood that the assignment of personnel in each of these categories shall be made in accordance with the provisions of the Statutes.

Article 28

The academic personnel of the University shall be composed of:

- (a) the President;
- (b) the Vice-President (Academic);
- (c) professors and other teachers appointed in accordance with the Statutes of the University; and
- (d) visiting professors and visiting lecturers.

Article 29

All academic personnel referred to in article 28 above shall enjoy in their work the academic freedom guaranteed by Article 6 of this Charter and by any other relevant rules and regulations.

Article 30

- (a) Except as otherwise provided in the Statutes, the academic and administrative personnel of the University shall be governed by Staff Regulations established by the Board of Governors on the proposal of the Chancellor.

- (b) Subject to agreements and arrangements established by the Organization, the academic and professional administrative personnel, other than the personnel referred to in paragraph (d) of Article 28, shall be accorded the status of officials of the Organization within the meaning of the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947; and the personnel referred to in paragraph (d) of Article 28 shall be accorded the status of experts of the Organization within the meaning of the aforesaid Convention, including its Annex XII, as applicable to the Organization.

Article 31

The academic personnel referred to in paragraphs (b) to (d) of Article 28 above shall be responsible to the President in the exercise of their functions.

Article 32

The professional administrative personnel referred to in paragraph (b) of Article 27 and the academic personnel referred to in paragraphs (b) and (c) of Article 28 above shall be appointed by the Chancellor upon the recommendation of the President.

Article 33

Personnel of the University other than the personnel referred to in Article 32 above shall be appointed by the President and shall enjoy such status, privileges and immunities as may be provided in the relevant agreements.

X Finance and budget

Article 34

- (a) Operational costs of the University shall be met from income derived from contributions, legacies, endowments, bequests and gifts which may be accepted by the Organization or the University, or from miscellaneous and other income of the University.
- (b) The Organization or the University may also accept contributions for specific purposes and for fellowships and scholarships of the University. Non-financial contributions may also be accepted on behalf of the University.

Article 35

Contributions which may directly or indirectly involve an immediate or ultimate financial liability for the University or which involve activity not included in the programme of the University may be accepted with the approval of the Board of Governors.

Article 36

All funds received and held by the University shall be kept in a special bank account or accounts, as appropriate, and administered in accordance with the Finance Regulations and Rules of the University.

Article 37

The Financial Regulations and Rules of the University shall be established by the Secretary-General with the approval of the Board of Governors.

Article 38

The President shall prepare the budget estimates for the University in such manner as may be prescribed by the Board of Governors and the Executive Board. The estimates shall be submitted to the Executive Board for consideration and transmission to the Board of Governors for approval. The budget, as approved by the Board of Governors, shall be transmitted to the Council together with the report of the Board of Governors.

Article 39

Funds administered by and for the University shall be subject to audit by the External Auditor of the Organization.

Article 40

The administrative and financial services located at the Headquarters of the Organization and other services of the Organization may be utilized by the University on conditions determined in consultation between the Secretary-General and the President, it being understood that no extra cost to the regular budget of the Organization shall be incurred thereby.

XI Location

Article 41

The University shall be located in the City of Malmö in Sweden.

XII Status and authority

Article 42

The University shall operate within the administrative framework of the Organization. Accordingly the University will, subject to such other arrangements as may be made by the Secretary-General with the approval of the Council, enjoy the status, privileges and immunities provided in the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947, including Annex XII thereof, and in other relevant international agreements and resolutions relating to the status, privileges and immunities of the Organization. Subject to such procedures as may be established by the Secretary-General, persons travelling on the official business of the University may be provided with the appropriate United Nations travel document.

Article 43

The University may acquire and dispose of real and personal property, and may take such legal action as may be necessary for the performance of its functions; provided that, except as provided otherwise herein, it may not conclude agreements, contracts or arrangements with Governments or inter-governmental organizations without the prior approval of the Council.

XIII Amendments

Article 44

- (a) Amendments to the present Charter shall be approved by the Council and adopted by the Assembly.
- (b) At the request of the Board of Governors, or in consultation with it, the Secretary-General may propose amendments to this Charter.

XIV Operative date

Article 45

The University was founded in accordance with this Charter as originally adopted on 1 May 1983. This amended Charter takes effect on 1 January 2010.
