

### Resolution A.8 (I)

#### ACCEPTANCE OF DUTIES UNDER THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION OF THE SEA BY OIL (1954)

##### A

The Assembly,

*Taking note* of the functions and duties conferred upon the Organization by the International Convention for the Prevention of Pollution of the Sea by Oil, done at London on 12 May 1954 and by its Annex A;

*Noting further* that article XXI of the Convention provides that 'the duties of the Bureau shall be carried out by the Government of the United Kingdom of Great Britain and Northern Ireland unless and until the Inter-Governmental Maritime Consultative Organization comes into being and takes over the duties assigned to it under the Convention signed at Geneva on the 6th day of March 1948 and thereafter, the duties of the Bureau shall be carried out by the said Organization';

*Decides* to accept the duties and to perform the functions conferred upon the Organization by the aforesaid Convention of 1954, providing it is understood by the Governments parties to the Convention that the Inter-Governmental Maritime Consultative Organization will not be in a position to convene a conference of the contracting Governments prior to 1961;

*Requests* the Maritime Safety Committee to provide the necessary machinery therefor in accordance with article 29b of the Convention;

*Instructs* the Secretary-General to take over the duties and functions pertaining to a secretariat, which had been carried out so far by the Government of the United Kingdom under article XXI of the Convention and to receive all relevant documents which this Government will transmit to the Organization in this respect.

##### B

The Assembly,

*Taking note* of the desire of the United Nations to transfer to the Inter-Governmental Maritime Consultative Organization functions concerning the collection and dissemination of technical information about oil pollution, as described in resolutions 298B(XI), 537A(XVIII) and 687(XXVI) of the Economic and Social Council;

*Noting further* that such functions fall within the scope of the Organization;

*Considering* that the Organization is ready and willing to undertake such functions;

*Decides* to take over from the United Nations

those functions, along with any resources and obligations in connexion therewith, that will be transferred by the Secretary-General of the United Nations in accordance with resolution 687(XXVI) of the Economic and Social Council;

*Instructs* the Secretary-General of the Inter-Governmental Maritime Consultative Organization:

- (a) to negotiate mutually acceptable arrangements with the Secretary-General of the United Nations for the transfer of such functions by the United Nations and their acceptance by the Organization, and
- (b) thereafter to take over such functions from the United Nations;

*Requests* the Maritime Safety Committee to provide the necessary machinery therefor in accordance with article 29b of the Convention.

13 January 1959

Agenda item 10(m)

### Resolution A.9 (I)

#### ELECTION OF MEMBERS OF THE MARITIME SAFETY COMMITTEE, AS PROVIDED IN ARTICLE 28 OF THE CONVENTION

The Assembly,

*Desiring* to elect the eight members of the Maritime Safety Committee which shall be the largest ship-owning nations,

*Having taken note* of the list prepared by the Secretary-General showing the registered tonnage of each member of the Organization;

*Resolves* that a separate vote shall be taken for each of the eight places on the Committee; that the voting shall be in the order in which the nations appear in the Secretary-General's list, and that those eight nations which first receive a majority of votes in favour shall be declared elected.

15 January 1959

Agenda item 11

### Resolution A.10 (I)

#### REPORT OF THE ASSEMBLY ON THE FINAL TEXT OF THE ANNEX TO THE GENERAL CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES

##### A

The Assembly,

*Accepts* the standard clauses of the General Convention on the Privileges and Immunities of the specialized agencies adopted by the General Assembly of the United Nations on 21 November 1947 as modified by the following annex applicable to the Inter-Governmental Maritime Consultative Organization:

## 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