

# **Third United Nations Conference on the Law of the Sea**

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-  
**A/CONF.62/27**

## **The activities of the Inter-Governmental Maritime Consultative Organization in relation to shipping and related maritime matters**

Extract from the *Official Records of the Third United Nations Conference on the Law of the Sea, Volume III (Documents of the Conference, First and Second Sessions)*

## DOCUMENT A/CONF.62/27

**The activities of the Inter-Governmental Maritime Consultative Organization  
in relation to shipping and related maritime matters**

[Original: English/ French/ Russian/ Spanish]  
[10 June 1974]

## CONTENTS

	<i>Paragraphs</i>		<i>Paragraphs</i>
I. INTRODUCTION .....	1-2	International Convention on Civil Liability for Oil Pollution Damage, 1969 .....	93-94
II. ORIGINS, PURPOSES AND STRUCTURE .....	3-19	International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 .....	95-99
Membership .....	6-7	(ii) Recommendations and Other Guidelines relating to the Prevention of Marine Pollution from Ships .....	100-101
Main organs and subsidiary organs .....	8-16	Manual on marine pollution .....	100
Recent developments .....	17-19	Other matters .....	101
III. THE SCOPE OF THE ACTIVITIES OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION .....	20-126	C. Other work relating to shipping and related maritime activities .....	102-126
A. <i>Activities of IMCO relating to maritime safety and efficiency of navigation</i> .....	24-63	Tonnage Measurement of Ships .....	103-104
(i) Conventions and similar instruments .....	25-41	Facilitation of International Maritime Traffic .....	105-106
International Convention for the Safety of Life at Sea, 1960 .....	25-29	IMCO's work in the Legal Field .....	107-113
International Convention on Load Lines, 1966 .....	30-34	IMCO's work in the field of technical assistance to the developing countries .....	114-125
International Regulations for Preventing Collisions at Sea, 1960 and 1972 .....	35-37	Relations with other organizations .....	126
Agreements concerning special trade passenger ships .....	38-40	IV. CO-ORDINATION OF THE WORK OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION WITH RELATED WORK WITHIN THE UNITED NATIONS SYSTEM OF ORGANIZATIONS .....	127-146
Safe carriage of containers .....	41	The United Nations .....	129-130
(ii) Recommendations, codes of practice and guidelines .....	42-63	The Regional Economic Commissions .....	131
Routeing of ships .....	44-49	The United Nations Conference on Trade and Development and The United Nations Commission on International Trade Law .....	132
Provision of navigational equipment and crew training .....	50-52	The United Nations Development Programme .....	133
Unification of buoyage systems and navigational warnings .....	53-55	The Specialized Agencies and the International Atomic Energy Agency .....	134-135
Safety requirements for off-shore drilling rigs .....	56-57	The United Nations Conference on the Human Environment and the United Nations Environment Programme .....	136-137
Carriage of dangerous goods .....	58-60	The Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction and the Third United Nations Conference on the Law of the Sea .....	138-146
Other work relating to maritime safety .....	61-63	V. CONCLUSION .....	147
B. <i>Work relating to prevention and control of marine pollution from ships and other craft, and related issues</i> .....	64-101		
(i) Conventions and other instruments relating to marine pollution .....	69-99	<i>ANNEXES</i>	
International Convention for the Prevention of Pollution of the Sea by Oil, 1954 as amended in 1962 .....	69-72	I. Status of the Convention on the Inter-Governmental Maritime Consultative Organization as at 31 March 1974 .....	54
International Convention for the Prevention of Pollution from Ships, 1973 .....	73-88	II. List of conventions and other instruments for which IMCO is the depositary .....	55
International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 .....	89-90	III. Certain resolutions adopted by the 1973 Conference on Marine Pollution .....	55
Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil .....	91-92		

### I. Introduction

1. In accordance with various resolutions of the General Assembly inviting the specialized agencies to assist the work of the Third United Nations Conference on the Law of the Sea, the Secretariat of the Inter-Governmental Maritime Consultative Organization (IMCO) is submitting the present document which summarizes the work of the Organization in relation to shipping and related maritime activities, in particular those connected with:

(a) The promotion of maritime safety and efficiency of navigation;

(b) The prevention and control of marine pollution from ships, vessels and other craft, and

(c) The provision of technical assistance to developing countries in these fields.

2. The IMCO Secretariat hopes that the information provided on the work of IMCO, which is a specialized agency of the United Nations whose activities are entirely in the maritime field, will be of interest and use to the United Nations Conference on the Law of the Sea.

### II. Origins, purposes and structure

3. The Inter-Governmental Maritime Consultative Organization was established in pursuance of the Convention on the Inter-Governmental Maritime Consultative Organization adopted by the United Nations Maritime Conference held in

Geneva in 1948. The Organization came into being in January 1959, following the entry into force in March 1958 of the Convention. IMCO was brought into special relationship with the United Nations by means of an Agreement in accordance with Article 57 of the Charter of the United Nations.

4. The Organization's objectives, as provided for in Article 1 of its Convention, are, *inter alia*, to provide machinery for co-operation among governments in the field of governmental regulations and practices relating to technical matters of all kinds affecting shipping engaged in international trade, to encourage the general adoption of the highest practical standards in matters concerning maritime safety and efficiency of navigation.

5. The Organization also provides for the consideration of any matters concerning shipping that may be referred to it by any organ or specialized agency of the United Nations. It provides a forum and machinery for the exchange of information among governments on all matters under consideration by the Organization.

#### *Membership*

6. IMCO is open to membership by all States Members of the United Nations and by other States in accordance with admission procedures contained in the Convention establishing it. The Secretary-General of the United Nations is the depositary of this Convention. The Convention stipulates in Article 11 thereof that "No State or territory may become or remain a Member of the Organization contrary to a resolution of the General Assembly of the United Nations".

7. There are at present 85 full Members of the Organization and one Associate Member. Of this number, 18 are States from Africa, 22 are States from Asia, 14 are States from Latin America, 8 are States from Eastern Europe and 23 are States from Western Europe and others. A list of the membership of IMCO is given in Annex I to this document.

#### *Main organs and subsidiary organs*

8. The Organization has three principal organs, the Assembly, the Council and the Maritime Safety Committee.

9. *The Assembly* is the supreme governing body of the Organization. It determines the policy of the Organization, decides upon the work programme and votes the budget to which Members of the Organization contribute according to a scale of assessment based in part on the United Nations scale of assessments and in part on the total tonnage of ships registered in each Member State. The Assembly approves all financial regulations and elects the Member States to serve on the Council and the Maritime Safety Committee. It also has the responsibility of approving the appointment of the Secretary-General of the Organization. The Assembly is composed of all Member States of the Organization and normally meets once every two years.

10. *The Council* consists of 18 Member States elected for a term of two years at a time, by the Assembly. Subject to the authority of the Assembly, it supervises the execution of the work programme of the Organization and performs the functions of the governing body between sessions of the Assembly.

11. *The Maritime Safety Committee* consists of 16 Member States elected for a four-year term by the Assembly. It is responsible for the technical work of the Organization, concerning in particular maritime safety and efficiency of navigation. It performs its functions mainly with the assistance of Sub-Committees and other subsidiary bodies which are generally open to participation by all States Members of the Organization.

12. In addition to these principal organs, there are a number of important subsidiary organs. These are described in the following paragraphs.

13. *The Marine Environment Protection Committee* is a permanent subsidiary organ of the Assembly whose membership is open to all Member States of IMCO as well as States which are parties to the conventions in respect of which the Committee performs functions. It is responsible for administering and co-ordinating the activities of IMCO relating to the prevention and control of marine pollution from ships, vessels and other equipment operating in the marine environment.

14. *The Legal Committee* is a permanent subsidiary organ of the Council and is charged with the consideration of legal matters of concern to the Organization. The Legal Committee is open to participation by all Member States of IMCO.

15. *The Committee on Technical Co-operation* is a subsidiary body of the Council and performs advisory functions in respect of IMCO's programme of technical assistance to developing countries. Membership of the Committee is open to all Member States of IMCO.

16. *The Facilitation Committee* is a subsidiary body of the Council established to advise the Council on matters relating to the facilitation of maritime traffic. It also provides advice to the Secretary-General of the Organization in relation to his functions under the International Convention for the Facilitation of Maritime Traffic, 1965. Membership of this Committee is open to all Members of IMCO as well as to States parties to the 1965 Convention.

#### *Recent developments*

17. The 8th regular session of the IMCO Assembly which was held in November 1973 gave consideration to the size and composition of the Council and Maritime Safety Committee, particularly in view of the recent increase in the membership of IMCO and the increasing importance of IMCO's technical work to these new members, many of whom are developing countries. A special *Ad Hoc* Working Group, open to all members of the Organization, was established to study the problem and make recommendations thereon for consideration by the Assembly at an extraordinary session.

18. The *Ad Hoc* Working Group met in February 1974 and made recommendations on proposed amendments to the IMCO Convention. Briefly, these proposed amendments are intended: (a) to increase the membership of the Council from its present total of 18 to 24; and (b) to make membership of the Maritime Safety Committee open to all States members of IMCO, with the right of participation to any State not a member of IMCO if it is a party to a Convention in respect of which the Committee performs functions.

19. These proposed amendments have now been submitted to the Member Governments of IMCO prior to their consideration by the extraordinary session of the Assembly to be held in October 1974.

### **III. The scope of the activities of the Inter-Governmental Maritime Consultative Organization**

20. Through the machinery outlined above, IMCO provides to its Member States a forum for the exchange of information and experiences on all maritime matters falling within the scope of the objectives and functions enumerated in the IMCO Convention. The Organization performs its functions *inter alia* by:

(a) Providing for the adoption of conventions or other instruments on those matters which are suitable for solution through formal international agreements;

(b) Adopting recommendations, codes, standard practices and guidelines where appropriate;

(c) Initiating studies on particular problems and making the results of such studies available to interested States.

21. Annex II to this document contains a full list of the conventions and similar instruments which have either been

adopted under the auspices of IMCO or entrusted to IMCO for administration and further development.

22. The extensive range of activities undertaken by IMCO may, for convenience, be grouped under three broad category headings. These are:

- (a) Activities relating to the promotion of maritime safety and efficiency of navigation;
- (b) Work relating to the prevention and control of marine pollution from ships and other craft and related questions;
- (c) Other work relating to shipping and related maritime activities, including in particular, technical assistance to developing countries.

23. The various aspects of the Organization's work are, of course, interrelated. Thus, for example, the work in relation to maritime safety and efficiency is, in a very important sense, part of the "environmental" programme of IMCO since, by ensuring the highest standards of safety, it serves to eliminate or at least reduce to a minimum incidents such as collisions, strandings, etc., which are likely to result in the discharge into the sea of harmful cargoes. Such accidental discharges are of course a major source of marine pollution from ships and other craft. Similarly the efforts to prevent pollution of the seas from ships demand, and have promoted, the development of equipment, procedures and facilities which increase efficiency of navigation.

#### A. ACTIVITIES OF IMCO RELATING TO MARITIME SAFETY AND EFFICIENCY OF NAVIGATION

24. The promotion of maritime safety and efficiency of navigation through intergovernmental co-operation is, of course, one of the principal objectives of IMCO. To this end the Organization has prepared for the adoption of a number of important conventions and similar instruments and has, through its appropriate organs, adopted a large body of Recommendations, Codes of Practice and other guidelines which have been submitted to States for adoption and implementation, as appropriate. The main areas in which this activity has been pursued, and the results so far achieved, are summarized below.

##### (i) Conventions and similar instruments

#### *International Convention for the Safety of Life at Sea, 1960*

25. Following the loss of the passenger ship *Titanic* in 1912, an international conference on safety of life at sea was convened and resulted in the adoption of the International Convention for the Safety of Life at Sea, which, however, did not come into force because of the outbreak of World War I. A fresh start was made at a new Conference in 1929 which produced the first effective Convention for the Safety of Life at Sea. The Convention was subsequently reviewed and revised by an international conference in 1948. In 1960 IMCO convened a Conference which adopted a revised Convention to replace that of 1948.

26. The 1960 Convention deals with various aspects of maritime safety and contains provisions in respect of: construction of ships, including subdivision, stability, machinery and electrical installations, and fire protection; life-saving appliances; radiocommunication, including radiotelegraphy and radiotelephony; safety of navigation; carriage of grain; carriage of dangerous goods; nuclear ships and survey and certificates.

27. The Convention applies to all merchant ships engaged on international voyages, including passenger ships (ships carrying more than 12 passengers) of all sizes and cargo ships of 500 tons gross tonnage and upwards, but excluding fishing vessels, pleasure yachts, barges and ships solely navigating the Great Lakes and the River St. Lawrence.

28. Amendments to the 1960 Convention were adopted by the IMCO Assembly in 1966, 1967, 1968, 1969, 1971, and 1973.

29. Preparations are now completed for the holding in October 1974 of an International Conference to revise the 1960 Convention. The Assembly of IMCO has decided that the following should be incorporated in the revised Convention:

- (a) Provisions for rapid entry into force of the Convention;
- (b) Improved and accelerated amendment procedure;
- (c) Amendments to the 1960 Convention which have already been adopted;
- (d) New Regulations which have been recommended for inclusion in the Convention.

#### *International Convention on Load Lines, 1966*

30. Overloading is often the cause of casualties to ships, particularly cargo ships. In 1930 an international conference produced a convention on load lines. This Convention lasted for 36 years until it was replaced by a new Convention drawn up by an international conference convened by IMCO in 1966.

31. The 1966 Load Line Convention prescribes the minimum freeboard (or the maximum draught) to which the ship is permitted to be loaded. The Convention applies to all merchant ships engaged on international voyages, except ships of less than 24 metres in length, fishing vessels, pleasure yachts and ships solely navigating the Great Lakes, the River St. Lawrence, the Caspian Sea and the Plate, Parana and Uruguay Rivers.

32. The load line mark shown on the ship's sides consists of several lines for different zones and seasonal areas, additional lines for the carriage of timber are marked. The zones and seasonal areas are defined in the Convention.

33. In both Safety and Load Line Conventions, the control of ships at foreign ports is exercised in a similar manner as in the 1973 Pollution Convention (see paragraph 87).

34. Amendments were adopted to this Convention by the IMCO Assembly in 1971.

#### *International Regulations for Preventing Collisions at Sea, 1960 and 1972*

35. The International Regulations for Preventing Collisions at Sea, 1960 sets out basic rules which regulate the behaviour of vessels at sea in respect of other vessels in order to prevent collisions, and deals with such matters as: lights and shapes, sound signals and conduct in restricted visibility, steering and sailing rules and sound signals for vessels in sight of one another.

36. The Regulations developed in 1960 took account of the technological knowledge at that time. In view of significant changes in the size and speed of vessels, the introduction of new types of craft in the marine environment and the experience gained from the application of the existing Regulations, a need arose to consider comprehensive revision of the Regulations.

37. A Conference convened by IMCO in October 1972 concluded a new Convention on the International Regulations for Preventing Collisions at Sea to replace the 1960 Regulations at present in force. The revised Regulations take account of current technical developments and constitute a significant improvement on the existing Rules. They prescribe in a comprehensive way the manoeuvring procedures and actions to be taken by ships under various circumstances for the purpose of avoiding collisions, with reference to the need for avoiding hampering the safe passage of vessels restricted in their ability to manoeuvre due to their draught.

#### *Agreements concerning special trade passenger ships*

38. In October 1971 IMCO convened a conference to consider a number of questions regarding the safety of ships car-

rying large numbers of unberthed passengers in special trades, such as the pilgrim trade which is of particular interest to certain developing countries. Until then the carriage of passengers by this mode of transport was regulated by the Simla Rules of 1931 which had steadily become out of date. The 1971 Conference adopted the Special Trade Passenger Ships Agreement. This Agreement entered into force in January 1974.

39. Pursuant to a resolution of the 1971 Conference, IMCO prepared for a conference to formulate technical Rules covering the safety aspects of the disposition of passengers on special trade passenger ships. The co-operation of other organizations, particularly the WHO, was sought and utilized in this work.

40. As a result of this work, IMCO convened in July 1973 a Conference which adopted a Protocol on Space Requirements for Special Trade Passenger Ships, 1973. Annexed to this Protocol, which is complementary to the 1971 Special Trade Passenger Ships Agreement, are the technical rules covering the safety aspects of the disposition of passengers in special trade passenger ships.

#### *Safe carriage of containers*

41. IMCO has spent a number of years working on the technical and safety aspects of containerization. In 1972, IMCO co-sponsored with the United Nations, the UN/IMCO Conference on International Container Traffic. One of the instruments adopted by this Conference is the International Convention on Safe Containers (CSC). This Convention seeks to maintain a high level of safety of human life in the transport and handling of containers, while facilitating their international inter-modal transport.

#### *(ii) Recommendations, codes of practice and guidelines*

42. In addition to these conventions and instruments, the work of IMCO in many cases results in the development of recommendations to Governments, codes of practice and guidelines which are supplementary to the conventions and instruments.

43. This device has been used extensively in regard to a large number of subjects. They include the following:

#### *Routeing of ships*

44. The practice of following predetermined routes originated in 1898 and was adopted, for reasons of safety, by shipping companies operating passenger ships across the North Atlantic. It was subsequently incorporated into the International Convention for the Safety of Life at Sea.

45. Since then a steady increase in number, size and speed of ships has emphasized the necessity of separating maritime traffic, particularly in areas where congestion or convergence of maritime traffic exist in main shipping lanes and narrow channels. It was in this connexion realized that consequence of accidents may become more serious if ships carry oil or hazardous cargoes.

46. In 1961 the Institutes of Navigation of the United Kingdom, France and the Federal Republic of Germany undertook a study of measures for separating traffic in the Straits of Dover. Their studies and subsequently other studies in certain other areas where statistics indicated an increased risk of collision, resulted in concrete proposals submitted to IMCO. After examination by expert working bodies the proposed traffic separation schemes were adopted by the IMCO Assembly.

47. Up to the present nearly 100 schemes have been adopted by IMCO and recommended to Governments for observance. These schemes are located all over the world, almost exclusively in areas of congested or converging traffic. As experience is being obtained and in line with the expansion of maritime traffic, these schemes are amended and new schemes

added. All schemes adopted by IMCO are being collated in a publication which is being updated as and when required. A new 1974 edition is expected to be published shortly. The publication includes: terms, definitions and symbols; methods of routeing; general principles of ship's routeing and a description of schemes in operation. The publication also specifies the areas, particularly those of special significance to wildlife, which should be avoided by ships constituting an unacceptable environmental hazard.

48. When a proposed scheme is examined, consideration is given as to whether the existing aids to navigation (buoys, lightvessels, etc.) and/or those proposed by the State concerned are adequate for the purpose of the scheme and to enable mariners to determine their position with the accuracy required for safe navigation in the area. The State concerned will remain responsible for the exact location, type and characteristics of aids provided around its coast and the dissemination of information through the usual channels.

49. At present these schemes are treated as recommendations. However, following resolutions adopted by the Assembly of IMCO, a number of major maritime States have introduced, or are in the process of introducing, national legislation making it mandatory for ships under their flag to follow the general direction of the traffic whenever they navigate within the areas under traffic separation schemes adopted by IMCO. The 1972 Convention on the International Regulations for Preventing Collisions at Sea stipulates in Rule 10 principles to be followed by ships using traffic separation schemes. Thus, the observance of such schemes by ships will be regulated on a mandatory basis when the 1972 Collision Regulations come into force.

#### *Provision of navigational equipment and crew training*

50. The International Convention for the Safety of Life at Sea, 1960 has recently been amended to make mandatory the carriage of modern electronic navigational equipment which was mostly carried on a voluntary basis. IMCO supplemented this by developing performance standards for each item.

51. The training requirements and qualifications for certification of masters and officers are at present under consideration. The intention is to specify minimum qualifications for training and certification for all grades of officers and crew on board merchant ships with priority for those immediately responsible for the safe navigation and handling of the ship. The ultimate aim is to conclude a Convention through a Conference which is planned for 1977. The Assembly has adopted two recommendations, one on the basic principles and guidelines on the handling of the ship to be observed during watchkeeping and the other on the training and qualifications of officers and crew of ships carrying hazardous or noxious chemicals in bulk. Particular attention is given to the qualifications of the personnel serving on ships carrying hazardous and noxious cargoes and the need for special provisions concerning watchkeeping at sea and in ports, cargo handling and related operations of such ships.

52. A joint IMCO/ILO Committee on Training is constantly reviewing training requirements for masters, officers and seamen, for the guidance of Governments.

#### *Unification of buoyage systems and navigational warnings*

53. A study has been initiated with a view to unifying the buoyage systems which are at present in existence all over the world. As a first step, on a matter which deserved some priority, agreement has been reached regarding the marking of wrecks which present an immediate danger to navigation.

54. The improvement and standardization of the existing system for transmission of radio warnings to shipping is another part of a wider plan for improving safety.

55. The study on the buoyage system and the radio navigational warnings is the subject of a concerted effort by IMCO, the International Hydrographic Organization, the International Association of Lighthouse Authorities, the International Chamber of Shipping and other organizations concerned with maritime matters.

#### *Safety requirements for off-shore drilling rigs*

56. Recent increase in the off-shore activities for the exploration and exploitation of sea-bed mineral resources gave rise to a need for developing international standards for the construction and equipment of off-shore drilling rigs and platforms engaged in such activities in order to ensure their safe operation and avoidance of danger to ships navigating in the vicinity. Studies being carried out in IMCO in this field have so far resulted in the formulation of recommendations on:

- (a) The establishment of fairways through off-shore exploration areas;
- (b) The dissemination of information, charting and manning of drilling rigs and production platforms;
- (c) Radiocommunication requirements for drilling rigs and production platforms;
- (d) Life-saving appliances of off-shore mobile units;
- (e) Fire safety of off-shore units.

57. It is intended to prepare a composite document covering all aspects of safety of such equipment based on recommendations which have been or are being developed by the various technical bodies concerned.

#### *Carriage of dangerous goods*

58. The carriage of dangerous goods is regulated, in general, by the provisions of the International Convention for the Safety of Life at Sea, 1960 which accepted the classification of dangerous goods agreed by the relevant United Nations Committee of Experts. To supplement the provisions of the 1960 Convention IMCO has developed an International Maritime Dangerous Goods Code which classifies each dangerous substance according to the nature of the danger and specifies provisions for packaging and stowage as well as other information for the guidance of the master. The substances which have been included in the Code so far are those which may affect the safety of the ship and those on board.

59. IMCO recently initiated detailed studies of the environmental impact of the transportation by sea of noxious substances in packaged form, containers and portable tanks and agreed that the International Maritime Dangerous Goods Code should be modified by including therein detailed instructions for the carriage of noxious cargoes dealing with packaging, identification and marking, stowage, quantity limitation, leakages and jettisoning, incident reporting procedures, salvage and intact recovery.

60. There has been a remarkable increase in recent years in the carriage of dangerous chemicals in bulk. In order to ensure safe carriage of such substances, IMCO has developed a Code for the Construction, Equipment and Operation of ships carrying Dangerous Chemicals in Bulk. The code provides suitable design criteria, construction standards and other measures for transporting dangerous chemical substances in bulk so as to minimize the risk to the ship, its crew and the neighbourhood with respect to fire, health, water pollution, air pollution and reactivity hazard.

#### *Other work relating to maritime safety*

61. In association with FAO and the ILO, IMCO has developed a Code of Safety for Fishermen and Fishing Vessels, which consists of Part A—Safety and Health Practice for Skippers and Crew and Part B—Construction and Equipment of Fishing Vessels. Work is in progress on the preparation for an

international conference in 1976 to adopt a convention on safety of fishing vessels.

62. Preparations for an organizational plan for an international maritime satellite system are now well in progress. An international conference is scheduled in 1975 for the establishment of an international maritime satellite system.

63. IMCO has developed recommendations, codes and guidelines on a large number of subjects, including subdivision, stability, electrical installations, ships under automated control, fire protection, life-saving appliances, radio-communications, safety of navigation, carriage of bulk cargoes, novel types of craft, merchant ships search and rescue, etc. The following are examples:

- Recommendation on intact stability of passenger and cargo ships below 100 metres in length;
- Fire safety requirements for the construction and equipment of new oil tankers;
- Recommendation for testing life-jackets;
- Performance standards for ship-borne navigational equipment;
- Merchant ship search and rescue manual (MERSAR);
- International Code of signals;
- Code of safe practice for bulk cargoes.

#### **B. WORK RELATING TO PREVENTION AND CONTROL OF MARINE POLLUTION FROM SHIPS AND OTHER CRAFT, AND RELATED ISSUES**

64. From its very inception, IMCO has been concerned with the prevention and control of marine pollution from ships. In 1954, before IMCO had been formally established, the International Conference for the Prevention of Pollution of the Sea by Oil, which was held in London, designated IMCO as the international organization to be responsible for the depositary and other functions associated with the Convention adopted by it. The depositary functions in respect of the 1954 Convention for the Prevention of Pollution of the Sea by Oil which had been provisionally assigned to the Government of the United Kingdom were assumed by IMCO immediately on its establishment in January 1959.

65. Since then, IMCO has continued work in relation to the prevention and control of marine pollution, not only by oil but also by other vessel-borne hazardous substances.

66. At present, the control and prevention of marine pollution is one of the most important aspects of IMCO's work in the technical and legal fields.

67. IMCO's work in this field was, at its inception, confined to the prevention and control of pollution of the sea by oil arising from the routine operation of ships. The programme was later developed to deal also with:

- (a) Prevention of all pollution arising from accidents and casualties at sea,
- (b) Prevention of pollution from all ship-borne substances,
- (c) The problem of compensation for pollution damage, including questions of liability, and
- (d) Prevention of pollution arising from the operation of vessels and craft other than conventional ships. This facet in IMCO's work is still in its formative stages.

68. The main areas of work undertaken by IMCO in the field of marine pollution prevention and control are summarized below:

- (i) *Conventions and other instruments relating to marine pollution*

#### *International Convention for the Prevention of Pollution of the Sea by Oil, 1954 as amended in 1962*

69. The first major step towards the international control of marine pollution was taken in 1954 when a conference held

in London adopted the International Convention for the Prevention of Pollution of the Sea by Oil. The Convention was provisionally deposited with the United Kingdom Government until IMCO was established in 1959 when the depositary functions were taken over by the Organization. The principal object of the 1954 Convention was the protection of the seas from oil pollution. The Convention prescribed certain "prohibited zones" extending to at least 50 miles from the nearest land, within which the discharge of oil or oily mixtures was prohibited.

70. In 1962 IMCO convened a Conference which adopted amendments to the 1954 Convention, particularly by extending its application to include ships of lesser gross tonnage and by extending zones in which the discharge of oil was prohibited. A revised article on amendments was adopted under which the IMCO Assembly is empowered, on the recommendation of the Maritime Safety Committee, to adopt amendments to the Convention and submit them to contracting Governments for their acceptance. The 1954 Convention, as amended in 1962, has been in force since May 1967.

71. In 1969, the IMCO Assembly adopted further extensive amendments to the Convention which, apart from certain practical exemptions, prohibit oil discharge through normal operation of a ship, such as tank cleaning, deballasting, etc., except under the following conditions:

(a) The total quantity of oil which a tanker may discharge in any ballast voyage should not exceed 1/15,000 of the total cargo carrying capacity of the vessel;

(b) The rate at which oil may be discharged should not exceed 60 litres per mile travelled by the ship, and

(c) Any oil whatsoever from the cargo spaces of a tanker should not be discharged within 50 miles from the nearest land.

72. In 1971, the IMCO Assembly adopted two further amendments. The first of these was aimed at minimizing the amount of oil which could escape as a result of maritime accidents, particularly those involving very large tankers, and the second was for the protection of the Great Barrier Reef.

*International Convention for the Prevention of Pollution from Ships, 1973*

73. By Resolution A.176(VI) the IMCO Assembly in 1969 decided to convene in 1973 an international conference for the purpose of preparing a suitable international agreement for placing restraints on the contamination of the sea, land and air by ships, vessels and other equipment operating in the marine environment. In 1971, the seventh regular session of the Assembly decided by Resolution A.237(VII) that the main objective of the 1973 Conference would be the achievement, by 1975 if possible but certainly by the end of the decade (i.e. 1980), of the complete elimination of intentional marine pollution by oil and other noxious substances and the minimization of accidental spills.

74. A considerable part of IMCO's time and resources between 1969 and 1973 was devoted to the preparatory work for this Conference, which was convened in October 1973.

75. The Conference adopted a new International Convention for the Prevention of Pollution from Ships in 1973 to replace the 1954/62 Oil Pollution Convention.

76. The new Convention covers all aspects of pollution from ships, except disposal of waste into the sea by dumping. It applies to ships of all types including hydrofoil boats, air-cushion vehicles, submersibles, floating craft, and fixed or floating platforms operating in the marine environment. The Convention does not, however, apply to pollution directly arising out of the exploration and exploitation of sea-bed mineral resources.

77. The Convention consists of articles, two protocols dealing respectively with reports on incidents involving harmful substances and arbitration, and five annexes which

contain regulations for the prevention of: pollution of oil, pollution by noxious liquid substances carried in bulk, pollution by harmful substances other than those carried in bulk, pollution by sewage from ships and pollution by garbage from ships.

78. The main provisions of the 1973 Convention, supplemented as appropriate by the related decisions of the Conference, are summarized in the following paragraphs.

(a) *Prevention of pollution by oil* (Annex I)

79. The Convention maintains the oil discharge criteria prescribed in the 1969 amendments to the 1954 Oil Pollution Convention, without substantial changes, except that the maximum quantity of oil which is permitted to be discharged in a ballast voyage of new oil tankers has been reduced from 1/15,000 to 1/30,000 of the amount of cargo carried. These criteria apply equally both to persistent (black) and non-persistent (white) oils. A new and important feature of the 1973 Convention is the concept of special areas. Specified areas considered to be particularly vulnerable to pollution by oil have been designated as special areas in which oil discharges have been completely prohibited, with minor and well-defined exceptions. The main special areas in the Convention are the Mediterranean Sea Area, the Black Sea Area, the Baltic Sea Area, the Red Sea Area and the Gulfs Area.

80. All oil-carrying ships will be required to be capable of operating with the method of retention on board in association with load-on-top systems or discharge to reception facilities. To effect this, all new and existing oil tankers and other ships will, with certain exceptions, be required to be fitted with appropriate equipment, which will include an oil discharge monitoring and control system, oily water separating equipment or filtering system, slop tanks, sludge tanks, piping and pumping arrangements.

81. With regard to the constructional aspects of oil tankers, two important provisions have been incorporated in the 1973 Convention. First, new oil tankers, i.e. those for which the building contract is placed after 31 December 1975, of 70,000 tons deadweight and above, will be required to be fitted with segregated ballast tanks sufficient in capacity to provide adequate operating draught without a need to carry ballast water in cargo oil tanks. This requirement does not, however, call for the fitting of double bottom tanks. Secondly, new oil tankers will be required to meet subdivision and damage stability requirements so that they can survive after collision or stranding damage at any loading conditions.

(b) *Control of pollution by noxious liquid substances* (Annex II)

82. The Convention sets out detailed requirements for the discharge criteria and measures for control of pollution by noxious liquid substances carried in bulk. For this purpose, noxious liquid substances are divided into four categories depending upon their hazard to marine resources, human health, amenities and other legitimate uses of the sea. Some 250 substances have been evaluated and included in the list appended to the Convention. The discharge of residues containing such substances is allowed only either to reception facilities or into the sea provided that certain conditions which vary with the category of substances are complied with. In any case no discharge of residues containing noxious substances is permitted within 12 miles from the nearest land. The Baltic Sea Area and Black Sea Area are designated as special areas in which discharge of noxious liquid substances is prohibited.

(c) *Prevention of pollution by harmful substances carried in packaged form, or in freight containers or portable tanks or road and rail tank wagons* (Annex III)

83. The Convention contains general requirements relating to the prevention of pollution by harmful substances carried by sea in packaged form or in freight containers, portable tanks or road and rail tank wagons. Detailed requirements on pack-

aging, marking and labelling documentation, stowage, quantity limitations and other aspects aimed at preventing or minimizing pollution of the marine environment by such substances will be developed in the future within the framework of the International Maritime Dangerous Goods Code or in other appropriate form.

(d) *Prevention of pollution by sewage and garbage (Annexes IV and V)*

84. Ships will not be permitted to discharge sewage within 4 miles from the nearest land unless they have in operation an approved treatment plant; between 4 and 12 miles from land, sewage must be comminuted and disinfected before discharge.

85. As regards garbage, specific minimum distances from land have been set for the disposal of all the principal kinds of garbage. The disposal of all plastics is prohibited.

(e) *Violation (Article 4)*

86. Any violation of the Convention, such as the unlawful discharge of harmful substances or non-compliance with the Convention requirements in respect of the construction and equipment of a ship, wherever such violation occurs, will be punishable under the law of the flag State. Any violation of the Convention within the jurisdiction of any party to the Convention shall be punishable either under the law of that party or under the law of the flag State. In this respect, the term "jurisdiction" in the Convention should be construed in the light of international law in force at the time of application or interpretation of the present Convention.

(f) *Inspection of Ships (Article 5)*

87. With the exception of very small ships, ships engaged on international voyages are required to carry on board valid international certificates required by the Convention. Such certificates may be accepted at foreign ports as *prime facie* evidence that the ship complies with the requirements of the Convention. If, however, there are clear grounds for believing that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate, or if the ship does not carry a valid certificate, the authority carrying out the inspection may detain the ship until they satisfy themselves that the ship can proceed to sea without presenting unreasonable threat of harm to the marine environment.

(g) *Conference Resolutions*

88. The Conference adopted 26 resolutions, many of which called upon IMCO to pursue further studies directed towards effective implementation and improvement of the 1973 Convention. An action plan to implement these resolutions was adopted by the Marine Environment Protection Committee at its first session.

*International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969*

89. The *Torrey Canyon* disaster of 1967 revealed certain shortcomings in the public international law regime regarding activities on the high seas which pose the threat of pollution to the interests of States. In particular questions were raised as to the extent to which a coastal State could take measures to protect its coastline where a casualty on the high seas threatened that State with oil pollution, especially if the measures involved are likely to affect the interests of foreign shipowners, cargo-owners and even flag States. The general consensus was that there was need for a new régime which, while recognizing the need for some State intervention on the high seas in cases of grave emergency, clearly restricted the right of intervention and stipulated the conditions under which, and the procedures through which, such intervention could be exercised.

90. At the request of the IMCO Council, the Legal Committee prepared draft articles on these questions and these were considered by a Conference convened in Brussels in 1969. The

Conference adopted the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969. This Convention affirms the right of a coastal State to take such measures on the high seas as may be necessary to prevent, mitigate or eliminate danger to its coastline or related interests from pollution by oil or the threat thereof, following upon a maritime casualty. The coastal State is, however, empowered to take only such action as is necessary and proportionate in the light of the pollution or threat thereof, and after due consultations with appropriate interests, including, in particular, the flag State or States of the ship or ships involved, the owners of the ships or cargoes in question and, where circumstances permit, independent experts appointed for this purpose. A coastal State which takes measures beyond those permitted under the Convention is liable to pay compensation for any damage caused by such measures. The Convention contains provisions for the settlement of disputes through negotiation, conciliation or arbitration.

*Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil*

91. The 1969 Intervention Convention applied to casualties involving pollution by oil. In view of the increasing quantity of chemical substances carried by ships some of which would, if released, cause serious hazard to the marine environment, the 1969 Conference recognized the need to extend the Convention to cover substances other than oil. Following considerable work on this subject within the Legal Committee, draft articles for an instrument to extend the application of the 1969 Convention to substances other than oil were prepared and submitted to the 1973 Conference on Marine Pollution.

92. The Conference adopted the Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil which extends the régime of the 1969 Intervention Convention to those substances other than oil which are either annexed to the Protocol or which have characteristics substantially similar to those substances.

*International Convention on Civil Liability for Oil Pollution Damage, 1969*

93. The other major legal issue brought to light by the *Torrey Canyon* incident related to the basis and extent of the ship- or cargo-owners' liability for damage suffered by States or other persons as a result of a marine casualty involving oil pollution. This mainly "private law" problem was also taken up by the IMCO Legal Committee. Based on the draft articles prepared by that Committee, the 1969 Brussels Conference adopted the International Convention on Civil Liability for Oil Pollution Damage.

94. Under the Convention, liability for oil pollution damage is placed on the owner of the ship transporting the oil. The shipowner's liability is strict, but he is relieved of liability if he is able to prove that the escape of oil was due to one of a few well-defined exceptional causes. The liability of the shipowner is limited in respect of each incident. This limitation is based on the tonnage of the ship, but there is an upper limitation figure, irrespective of the tonnage of the ship involved. The Convention contains provisions determining the courts which have jurisdiction in cases where pollution damage occurs in more than one State, and provisions relating to the recognition and enforcement of the judgements of competent courts in the other contracting States. Shipowners of contracting States are required to carry insurance or other acceptable guarantee to cover their liability under the Convention.

*International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971*

95. Although the 1969 Liability Convention provided a useful mechanism for ensuring the payment of compensation



for oil pollution damage, it did not deal satisfactorily with all the legal, financial and other questions raised during the 1969 Conference. Some States objected to the régime established, since it was based on the strict liability of the shipowner for damage which he could not foresee and, therefore, represented a dramatic departure from traditional maritime law which based liability on fault. On the other hand, some States were dissatisfied with the system of liability limitation adopted. They felt that the limitation figures adopted were likely to be inadequate in cases of oil pollution damage involving some of the large oil-carrying ships in the process of construction and development. They therefore wanted an unlimited level of compensation or a very high limitation figure, if any such figure was to be accepted.

96. In the light of these reservations, the 1969 Conference considered a compromise proposal to establish an international fund, to be subscribed by the cargo interests, which would be available for the dual purpose of, on the one hand, relieving the shipowner of the burden imposed on him by the requirements of the new convention and, on the other hand, providing additional compensation to the victims of pollution damage in cases where compensation under the 1969 Convention was either inadequate or unobtainable. The Conference recommended that IMCO should take in hand the study and preparation for such a scheme. The Legal Committee accordingly prepared draft articles for a convention to establish an international compensation fund for oil pollution damage.

97. In 1971, a conference convened by IMCO adopted the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage. This Convention is supplementary to the 1969 International Convention on Civil Liability for Oil Pollution Damage.

98. Under the 1971 Fund Convention, an International Oil Pollution Compensation Fund is established, first, to ensure adequate compensation for victims of pollution damage who are unable to obtain any or adequate compensation under the 1969 Liability Convention and, secondly, to provide some relief to shipowners in respect of part of additional financial burden imposed on them by the 1969 Civil Liability Convention. However, a shipowner is only able to benefit from the 1971 Convention if his ship complies with certain international conventions establishing safety and anti-pollution standards. A State which has suffered oil pollution damage and which has not been fully compensated for it under the 1969 Convention will receive compensation from the Fund, up to a level more than twice the limitation figure established in the 1969 Civil Liability Convention.

99. The Fund is maintained by initial and annual contributions from persons in Contracting States who receive contributing oil in substantial amounts in ports or terminal installations in those States. Assessments and other necessary administration are carried out by a Fund Organization composed of all Contracting States. The Fund Organization consists of an assembly, an executive committee (in certain cases) and a secretariat headed by a director.

(ii) *Recommendations and other Guidelines relating to the Prevention of Marine Pollution from Ships*

*Manual on marine pollution*

100. IMCO has been preparing a practical manual on marine pollution which will eventually consist of the following four sections:

- I. Methods of preventing oil pollution from ships
- II. Contingency planning
- III. Salvage of oil from stricken vessels
- IV. Practical information on means of dealing with oil spillages.

So far the work on Section IV in relation to oil spillages has been completed and issued as a separate volume. It is intended

to assist Governments, particularly those of developing countries which may be called on to deal with such spillages, and contains information on such matters as: the properties of the various types of oils encountered and their behaviour when spilt at sea; methods of containment, removal and treatment (mechanical and chemical) of oil spills in the sea and methods of removal and treatment of oil on various types of beaches and coastlines.

*Other matters*

101. Recommendations have also been made to Governments on the following subjects:

(a) Reports on accidents involving significant spillages of oil including the appointment of a national officer or agency to receive such reports and to transmit relevant details to all other Governments concerned;

(b) International performance specifications for oily-water separating equipment and oil content meters;

(c) Disposal of oily bilge and ballast water from ships in ports (excluding effluent from cargo/ballast tanks in tankers) including piping arrangements and specifications for a standard shore connection;

(d) Provision of facilities in ports for the reception of oily residues from ships.

C. OTHER WORK RELATING TO SHIPPING AND RELATED MARITIME ACTIVITIES

102. IMCO's activities include work in relation to other aspects of shipping and maritime activities which cannot be easily subsumed under any one of the two categories described above. The most important of these other areas of IMCO's activities are the following:

*Tonnage Measurement of Ships*

103. IMCO convened in 1969 an International Conference on Tonnage Measurement of Ships which resulted in the adoption of the International Convention on Tonnage Measurement of Ships, 1969. The Convention provides for gross and net tonnages of ships. The gross tonnage is determined from a formula as a function of the total moulded volume of all enclosed spaces, while the net tonnage is derived from a formula as a function of the total moulded volume of cargo spaces, ratio of moulded depth and number of passengers.

104. The significance of the new Convention is not only that it provides a unified system of tonnage measurement which has not existed hitherto, but also that, by comparison with the existing tonnage measurement regulations, it simplifies to a great extent the calculation of tonnages. The new Convention will, when it comes into force, greatly benefit maritime administrations, port authorities, shipowners, shipbuilders and others who use tonnage.

*Facilitation of International Maritime Traffic*

105. The Convention on Facilitation of International Maritime Traffic was adopted by a Conference convened by IMCO in 1965 and was aimed at reducing and simplifying governmental formalities, documentary requirements and procedures connected with the arrival, stay and departure of ships; it came into force on 5 March 1967. Thirty-four Governments are so far Parties to the Convention. The Conference made explicit reference to a number of problems which required the immediate attention of the Organization, such as the establishment of standard forms of documents, facilities for cruise ships and their passengers, formalities concerning transit passengers and quarantine procedures for the carriage of animals and plants by sea.

106. These problems have been considered, first by an *Ad Hoc* Working Group appointed by the IMCO Council and, later, by the Facilitation Committee. As a result of these dis-

ussions, recommendations have been produced on the following subjects: standardization of shipping documents, facilitation of container transport, facilitation of ships on cruises, facilitation measures for ships engaged in scientific services, facilitation measures in respect of passengers in transit, and facilitation of international travel and tourism.

#### *IMCO's Work in the Legal Field*

107. In addition to the legal work which is directly related to the prevention and control of marine pollution, the Legal Committee of the Organization has undertaken work on several aspects of shipping and maritime law. Principal subjects on which work has been begun or concluded are:

##### (i) *Maritime transport of nuclear material*

108. In 1971 the Organization convened, in association with the International Atomic Energy Agency, a conference which adopted a convention to regulate liability in respect of damage arising from the maritime carriage of nuclear substances. The purpose of this convention is to resolve difficulties and conflicts which arise from the simultaneous application, to nuclear damage, of certain maritime conventions dealing with shipowners' liability as well as other conventions which placed liability arising from nuclear incidents on the operators of the nuclear installations from which or to which the material in question was being transported.

##### (ii) *Conditions of carriage of passengers and their luggage on board ships*

109. The Legal Committee has just completed its work in preparing draft articles for a convention to regulate the liability of shipowners in respect of death or injury to passengers and damage or loss of their luggage. The draft convention will be considered for adoption by a diplomatic conference which will be convened in November 1974.

Other matters on which the Legal Committee is currently engaged include:

##### (a) *Wreck removal and related issues*

110. The object of this study is to provide for an international convention which will regulate the rights and obligations of States and shipowners in respect of the removal of wrecks which pose a hazard to navigation. There has been a proposal to include in the scope of the convention wrecks which pose a hazard to the environment. It is envisaged that a convention on the subject will be ready for consideration and adoption some time in 1976.

##### (b) *The revision of the Convention Relating to the Limitation of Liability of Owners of Sea-Going Ships, 1957*

111. The Legal Committee is beginning consideration of this subject with a view to the adoption of a revised convention in 1976.

##### (c) *Legal status of ODAS*

112. Oceanographic activity on the seas has increased considerably and this calls for a detailed legal régime which would, in particular, define and regulate the legal status of the devices, large and small, employed in and under the seas for scientific research. These devices, conveniently referred to as Ocean Data Acquisition Systems (ODAS) have been the subject of joint and collaborative study by IMCO and UNESCO and its Intergovernmental Oceanographic Commission (IOC). The purpose is to produce a treaty which will deal, *inter alia*, with the identification and positioning of these devices and the question of liability for damage caused by or as a result of the siting or operation of these devices.

113. The Legal Committee is also giving active consideration to the extension of the 1969 Convention on Civil Liability for Oil Pollution Damage (see paragraphs 88-89 above) to cover pollution arising from substances other than oil.

#### *IMCO's work in the field of technical assistance to the developing countries*

114. The International Development Strategy has as one of its main objectives the development by the developing countries of their own national shipping lines as a means, *inter alia*, of improving their balance of payments position in world trade. One of the principal problems faced by developing countries, in the development as well as the operation of national shipping lines, is the non-availability or inadequate supply of the technical expertise required for the administration, manning and servicing of shipping concerns. By virtue of its activities in respect of technical and specialized fields of shipping and related matters, IMCO is particularly equipped to provide assistance in this field. A programme of technical assistance to developing countries is in operation and expert assistance has been provided to the developing countries in diverse fields such as: safety of navigation and maritime training, administration of ship safety, design of ships and technical aspects of ship construction, carriage of goods by sea, prevention and control of pollution of the sea by ships, transport of containers, special ships and off-shore craft, facilitation of maritime traffic, ports operations, law and regulations applicable to ships and shipping and maritime law.

115. IMCO is an executing agency of the United Nations Development Programme, and by virtue of this has been assigned responsibility for a number of large-scale projects in Algeria, Brazil, Bulgaria and Egypt.

116. In Algeria (Algiers) IMCO is executing a project for the training of maritime personnel. The aim of the project is to assist the Government of Algeria in the training of nationals for its growing merchant fleet, and the adoption of legislation implementing the various international conventions ratified by that country.

117. In Brazil (Rio de Janeiro) IMCO is executing a project for the expansion and modernization of the programme of training merchant marine personnel and port operations. The aims of this project are to provide training facilities and courses to train teaching staff for courses to be offered by the centre and to train officers, engineers and technicians to meet the expanding Brazilian Merchant Marine.

118. In Bulgaria (Varna) IMCO is the executing agency for a project for broadening the scope of the shipbuilding design and research Institute.

119. In the Arab Republic of Egypt (Alexandria) IMCO is executing a regional project for the development of a regional maritime training institute. The following countries are, to date, contributing to or expected to contribute to the project: Arab Republic of Egypt, Democratic Republic of Yemen, Iraq, Kuwait, Libya, Qatar, Saudi Arabia, Sudan, Syria and the United Arab Emirates. The purpose of this project is to develop a comprehensive programme of training to suit the regional requirements and to strengthen and develop the maritime transportation section in each of the participating countries.

120. IMCO is also responsible for a large number of small-scale projects and fellowships. It provides individual experts to a number of developing countries in the field of maritime training, maritime legislation, harbour piloting, prevention of marine pollution, maritime safety, ship construction and repairs and naval architecture. Fellowships and training programmes for the nationals of developing countries, which are considered most vital as a follow-up of the United Nations Development Programme assisted project activities, continue to grow at a steadily increasing pace annually.

121. IMCO has kept very much in the forefront the need for consultation and co-ordination with other agencies which may be engaged in fields related to those in which IMCO is interested. As a result of these consultations, working arrangements have been entered into with some of these other agencies. In particular collaboration with the International Labour

Organisation (ILO) and the United Nations Conference on Trade and Development (UNCTAD) has been strengthened.

122. For example the ILO has provided the services of experts in port operations and catering as part of the Project in Brazil, while UNCTAD has been requested to provide experts on the commercial and economic aspects of shipping for the regional project in Alexandria.

123. With regard to technical assistance for the training of sea-going personnel, which involves the activities of both IMCO and the ILO, the Secretary-General of IMCO and the Director-General of the ILO have established a common undertaking to co-operate as closely as possible to promote a better use of the resources available to their organizations.

124. Recognizing that the activities and interests of the two organizations in the field of shipping and other maritime matters are complementary to each other, IMCO and UNCTAD have developed close working contacts in order to ensure, where appropriate, a co-ordinated programme of technical assistance in maritime transport for the benefit of developing countries requesting assistance. As part of this close contact, the two organizations have issued a joint document outlining the main areas of their respective competence and describing the services which IMCO and UNCTAD can offer, jointly or separately, in providing assistance under the auspices of the United Nations Development Programme.

125. The International Bank for Reconstruction and Development has subcontracted to IMCO the execution of a project for the rehabilitation of the existing Indonesian Inter-island Fleet, involving over 200 ships. This project, when completed, will bring as many of the inter-island ships as can be economically repaired up to internationally accepted standards of safety, thereby making the maximum use of the existing resources.

#### *Relations with other organizations*

126. In performing its many and varied activities IMCO relies on the information and advice from a large number of international organizations, intergovernmental as well as non-governmental, which have interests in various aspects of shipping and maritime transport. Intergovernmental organizations are brought into association with IMCO by means of special agreements or arrangements of co-operation, and non-governmental organizations are granted "consultative status" where necessary. Under these arrangements the organizations concerned are enabled to participate in discussions in IMCO bodies and to submit documents, data and views to these bodies for their consideration. By this arrangement a large body of technical, professional and inter-disciplinary expertise is made available to the IMCO bodies; and this helps to ensure that the regulations, recommendations and guidelines prepared by these bodies take due account of practical realities as well as the views and special interests of the concerns which will be involved in implementing them. Among the organizations with which IMCO has established working relationships are: the Organization of African Unity, the International Association of Lighthouse Authorities and the International Hydrographic Organization.

#### **IV. Co-ordination of the work of the Inter-Governmental Maritime Consultative Organization with related work within the United Nations system of organizations**

127. IMCO has always recognized that the work it does in respect of technical and legal matters relating to shipping and related maritime operations is a part of the total effort of the United Nations system in promoting the objectives in the economic, social and educational field set forth in Article 55 of the United Nations Charter. For this reason it has, from its very inception, accepted the central and co-ordinating role of the United Nations and has agreed to co-operate in making the co-

ordination of the policy and activities of the UN and its specialized agencies fully effective.

128. In pursuance of this agreement IMCO has established appropriate working arrangements, formal as well as informal, with the United Nations, its subsidiary bodies and commissions and all the specialized agencies and related organizations whose work affects, or is affected in any way by, the work and concerns of IMCO. A brief resumé of IMCO's relations and co-operation with organizations in the United Nations system is provided in the following paragraphs.

#### *The United Nations*

129. By virtue of its relationship agreement with the United Nations IMCO maintains, primarily through the Secretariat, a continuous liaison with the United Nations in respect of all its activities. A full report on the work of IMCO is presented to the Economic and Social Council every year for consideration and comments by the Members. Details of IMCO's proposed work programmes, biennial, medium and long-term, are always submitted to the United Nations Secretariat for submission to the appropriate bodies for information and comment. IMCO, through its Secretariat, participates fully in the various bodies established to promote maximum co-ordination within the United Nations system, including in particular the Committee on Programme and Co-ordination, the Administrative Committee on Co-ordination and the Joint Inspection Unit.

130. IMCO also co-operates and maintains liaison with the other organs and specialized bodies of the United Nations.

#### *The Regional Economic Commissions*

131. IMCO has established lines of communication with the regional economic commissions, especially in respect of matters affecting maritime transport. These relations, which have not been very strong in the past, are in the process of being reorganized and improved. Particular emphasis is now being placed on IMCO's liaison with the regional economic commissions operating in developing countries.

#### *The United Nations Conference on Trade and Development and the United Nations Commission on International Trade Law*

132. IMCO has closely followed the work of these two bodies and has actively participated in their work, especially regarding international legislation on shipping. There is a particularly close relationship between the Secretariats of IMCO and UNCTAD who consult and co-operate with each other in matters of common interest to both organizations. In the matter of technical assistance to developing countries in shipping matters, the two organizations work together where appropriate.

#### *The United Nations Development Programme*

133. IMCO is an executing agency of the United Nations Development Programme and is responsible for an expanding programme of technical assistance in the field of shipping. In performing its functions in this field, IMCO makes full use of the facilities provided by the UNDP, particularly through its Resident Representatives, and also relies on advice, information and other assistance from the regional economic commissions.

#### *The Specialized Agencies and the International Atomic Energy Agency*

134. IMCO has entered into working arrangements with a large number of the specialized agencies and the IAEA. In some cases, these arrangements are embodied in formal agreements, whilst in others they are based on informal understandings entered into between the secretariats, with the approval of

the appropriate governing bodies. On the basis of these arrangements, continuous liaison is maintained with the various agencies. Where the circumstances so require, standing or *ad hoc* arrangements have been initiated to deal with problems identified to be of common concern to IMCO on the one hand and to one or more of the agencies on the other. Examples of these, in addition to those already referred to in this document, are:

1. The Joint IMCO/ILO Committee on Training of Masters and Crew.
2. Joint IMCO/FAO/ILO Group of Consultants on Safety of Fishing Vessels.

135. Perhaps the most important of the co-operative arrangements established between IMCO and the other agencies is the Group of Experts on the Scientific Aspects of Marine Pollution (GESAMP) which is jointly sponsored by the United Nations, the FAO, UNESCO, WMO, WHO, the IAEA and IMCO. This Group considers various scientific matters upon which the sponsoring agencies require expert advice in connexion with the pollution of the marine environment. IMCO has relied on this Group in its work on the identification of noxious and hazardous cargoes which may be considered as potential pollutants.

*The United Nations Conference on the Human Environment and the United Nations Environment Programme*

136. IMCO participated actively in the preparations for the United Nations Conference on the Human Environment held in 1972. In accordance with decisions of the IMCO Assembly and Council, the Secretariat co-operated with the Secretariat of the United Nations in connexion with the various stages of the preparatory work. In particular the services of a Member of the IMCO Secretariat were made available to the United Nations Secretariat in connexion with the preparatory work relating to marine pollution. In addition, IMCO provided a venue and facilities for the holding of the first session of the Inter-Governmental Working Group on Marine Pollution as part of the preparations for the Conference and the Secretariat participated fully in the work of the Conference itself. In a resolution passed at the seventh regular session in October 1971, the Assembly requested the Council, the Maritime Safety Committee and the Secretary-General of IMCO to implement any decisions of the Conference entrusting responsibilities to IMCO.

137. Since the establishment, by General Assembly resolution 2997 (XXVII) of the United Nations Environment Programme, the IMCO Secretariat has established co-operative relations with the Secretariat of the Programme and has followed and participated in the work of the Governing Council of the Programme.

*The Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction and the Third United Nations Conference on the Law of the Sea*

138. Pursuant to decisions of the IMCO governing bodies, the IMCO Secretariat participated fully in the work of the sea-bed Committee, particularly in relation to the parts of its mandate dealing with the preservation of the marine environment, including, *inter alia*, the prevention of pollution, and scientific research. Either on its own initiative or at the request of the Committee, its Sub-Committees or individual delegations, the IMCO Secretariat submitted documents containing information on aspects of IMCO's work which were related to the work of the Committee. In many cases these documents were supplemented by statements made by the representatives of the IMCO Secretariat at various sessions of the sea-bed Committee, its Sub-Committees and the subsidiary bodies of the Sub-Committees.

139. The following is a list of the main documents and statements which were submitted by the IMCO Secretariat at

various sessions of the sea-bed Committee and its Sub-Committees.

1. Statement made at the 17th meeting of Sub-Committee III on 17 March 1972.
2. Document on the preparations for the 1973 International Conference on Marine Pollution presented to Sub-Committee III at its July/August session in 1972 (A/AC.138/SC.III/L.15).
3. Document on Traffic Separation Schemes presented to Sub-Committee III at its July/August session in 1972 (MISC.72(8)).
4. Statement introducing the document on Traffic Separation Schemes (A/AC.138/SC.III/L.21), made to the 22nd session of Sub-Committee III on 26 July 1972.
5. Statement introducing document A/AC.138/SC.III/L.15, made to the 23rd session of Sub-Committee III on 28 July 1972.
6. Document on developments in the preparations for the 1973 International Conference on Marine Pollution presented to Sub-Committee III at its March/April session in 1973. (A/AC.138/SC.III/L.30).
7. Statement introducing document A/AC.138/SC.III/L.30, made to the 37th session of Sub-Committee III on 29 March 1973.

In addition to these documents and statements, the representatives of the IMCO Secretariat participated in many of the meetings of the working group established by Sub-Committee III of the sea-bed Committee.

140. As was to be expected, most of the references to the work of IMCO during the discussions of the sea-bed Committee were directed particularly to the preparations which were going on in IMCO for holding a Conference on Marine Pollution in 1973. In the documents and statements made to the sea-bed Committee the IMCO Secretariat informed the Committee of the preparations for this Conference and passed on to the appropriate IMCO bodies the views expressed in the sea-bed Committee in respect of subjects which were relevant to the work of the IMCO Conference.

141. When the Conference convened in October 1973, it took note, *inter alia*, of a communication from the Chairman of the sea-bed Committee on the relationship between the Conference's work and that of the Conference on the Law of the Sea. On the basis of its discussions on these matters, the Marine Pollution Conference included, in the International Convention for the Prevention of Pollution from Ships in 1973, a provision to the effect that:

"Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to Resolution 2750(XXV) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction". (Article 9, paragraph 2.)

142. Again, in its Article 3 (which deals with the scope of application of the Convention) the Convention provides that "nothing in the present Article shall be construed as derogating from or extending the sovereign rights of Parties under international law over the sea-bed and subsoil thereof adjacent to their coasts for the purposes of exploration and exploitation of their national resources".

143. In addition to these provisions of the Convention itself, the Conference found it necessary to explain further, in resolutions, the way it conceived the relationship between its work and the work of the Conference on the Law of the Sea.

144. In its Resolution 23 the Conference, after noting that the Convention it had adopted dealt mainly with technical

questions such as the operation, equipment and design of ships, expressed the view that:

(a) The appropriate forum to deal with the question of the nature and extent of States' rights over the sea is the Conference on the Law of the Sea;

(b) The decision of the (IMCO) Conference reflects a clear intention to leave that question to the Conference on the Law of the Sea, and

(c) The rights exercised by a State within its jurisdiction in accordance with the (1973) Convention do not preclude the existence of other rights of that State under international law.

145. In Resolution 25, the Conference, after noting that the Law of the Sea Conference had been convened by the United Nations, declared that in its view international law concerning marine pollution forms part of the Law of the Sea and requested the Secretary-General of IMCO to forward the 1973 International Convention for the Prevention of Pollution from Ships to the Conference on the Law of the Sea so that that

Convention could be "taken into account in the broader context of the Conference (on the Law of the Sea)".

146. In Resolution 24, the 1973 Conference recognized the need for effective co-ordination of activities carried out by different international organizations concerned with the prevention and control of marine pollution and recommended that IMCO, where necessary, should consult with and seek assistance from other international organizations and expert bodies concerned within the United Nations system in order to achieve the objectives of the (1973) Convention. The texts of the Resolutions of the Conference referred to above are reproduced in Annex III to this document.

#### V. Conclusion

147. The IMCO Secretariat has submitted this rather extensive document at this stage because it felt that a fairly comprehensive description of the work which IMCO has done, or plans to do in the future, in the maritime field would be of interest to the delegations attending the Third United Nations Conference on the Law of the Sea.

### ANNEX I

#### Status of the Convention on the Inter-Governmental Maritime Consultative Organization as at 31 March 1974

<i>States</i>	<i>Date of receipt of the instrument of acceptance</i>	<i>States</i>	<i>Date of receipt of the instrument of acceptance</i>
Algeria	31 October 1963	Kuwait	5 July 1960
Argentina	18 June 1953	Lebanon	3 May 1966
Australia	13 February 1952	Liberia	6 January 1959
Barbados	7 January 1970	Libyan Arab Republic	16 February 1970
Belgium	9 August 1951	Madagascar	8 March 1961
Brazil	4 March 1963	Malaysia	16 June 1971
Bulgaria	5 April 1960	Maldives	31 May 1967
Burma	6 July 1951	Malta	22 June 1966
Canada	15 October 1948	Mauritania	8 May 1961
Chile	17 February 1972	Mexico	21 September 1954
China	1 March 1973	Morocco	30 July 1962
Cuba	6 May 1966	Netherlands	31 March 1949
Cyprus	21 November 1973	New Zealand	9 November 1960
Czechoslovakia	1 October 1963	Nigeria	15 March 1962
Denmark	3 June 1959	Norway	29 December 1958
Dominican Republic	25 August 1953	Oman	30 January 1974
Ecuador	12 July 1956	Pakistan	21 November 1958
Egypt	17 March 1958	Panama	31 December 1958
Equatorial Guinea	6 September 1972	Peru	15 April 1968
Finland	21 April 1959	Philippines	9 November 1964
France	9 April 1952	Poland	16 March 1960
German Democratic Republic	25 September 1973	Republic of Korea	10 April 1962
Germany, Federal Republic of	7 January 1959	Romania	28 April 1965
Ghana	6 July 1959	Saudi Arabia	25 February 1969
Greece	31 December 1958	Senegal	7 November 1960
Haiti	23 June 1953	Sierra Leone	14 March 1973
Honduras	23 August 1954	Singapore	17 January 1966
Hong Kong*	7 June 1967	Spain	23 January 1962
Hungary	10 June 1960	Sri Lanka	6 April 1972
Iceland	8 November 1960	Sweden	27 April 1959
India	6 January 1959	Switzerland	20 July 1955
Indonesia	18 January 1961	Syrian Arab Republic	28 January 1963
Iran	2 January 1958	Thailand	20 September 1973
Iraq	28 August 1973	Trinidad and Tobago	27 April 1965
Ireland	26 February 1951	Tunisia	23 May 1963
Israel	24 April 1952	Turkey	25 March 1958
Italy	28 January 1957	Union of Soviet Socialist Republics	24 December 1958
Ivory Coast	4 November 1960	United Kingdom of Great Britain and Northern Ireland	14 February 1949
Japan	17 March 1958	United Republic of Cameroon	1 May 1961
Jordan	9 November 1973	United Republic of Tanzania	8 January 1974
Kenya	22 August 1973	United States of America	17 August 1950
Khmer Republic	3 January 1961	Uruguay	10 May 1968
		Yugoslavia	12 February 1960
		Zaire	16 August 1973

\* Associate Member

## ANNEX II

List of conventions and other instruments  
for which IMCO is the depositary

- (1) The International Convention for the Safety of Life at Sea, 1948 (SOLAS 1948)  
Entry into force: 19 November 1952
- (2) The International Convention for the Safety of Life at Sea, 1960 (SOLAS 1960)  
Entry into force: 26 May 1965
  - (a) 1966 Amendments: not yet in force
  - (b) 1967 Amendments: not yet in force
  - (c) 1968 Amendments: not yet in force
  - (d) 1969 Amendments: not yet in force
  - (e) 1971 Amendments: not yet in force
  - (f) 1973 (General) Amendments: not yet in force
  - (g) 1973 (Grain) Amendment: not yet in force
- (3) The International Regulations for Preventing Collisions at Sea, 1960 (COLREG 1960)  
Applied since 1 September 1965
- (4) The Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREG 1972)  
Not yet in force
- (5) The International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended (OILPOL (amended) 1954)
  - (a) 1969 Amendments: not yet in force
  - (b) 1971 (Great Barrier Reef) Amendments: not yet in force
  - (c) 1971 (Tanks) Amendments: not yet in force
- (6) The International Convention for the Prevention of Pollution from Ships, 1973 (OILPOL 1973)  
Not yet in force
- (7) The Convention on Facilitation of International Maritime Traffic, 1965 (FAL 1965)  
Entry into force: 5 March 1967
  - (a) 1973 Amendment: not yet in force
  - (b) Amendments to the Annex:
    - (i) Cruises and Cruise Passengers  
Entry into force: 12 August 1971
    - (ii) Passengers in Transit and Scientific Services  
Not yet in force
    - (iii) Cargo Handling Equipment  
Not yet in force
    - (iv) Shore Leave  
Not yet in force
    - (v) Upgrading of Recommended Practices  
Not yet in force
- (8) The International Convention on Load Lines, 1966 (LL 1966)  
Entry into force: 21 July 1968
  - (a) 1971 Amendments: not yet in force
- (9) The International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 1969)  
Not yet in force
- (10) The International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (INTERVENTION 1969)  
Not yet in force
- (11) The Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil, 1973 (INTERVENTION PROT 1973)  
Not yet in force
- (12) The International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC 1969)  
Not yet in force
- (13) The Special Trade Passenger Ships Agreement, 1971 (STP 1971)  
Entry into force: 2 January 1974
- (14) The Protocol on Space Requirements for Special Trade Passenger Ships, 1973 (SPACE STP 1973)  
Not yet in force
- (15) The International Convention Relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material, 1971 (NUCLEAR 1971)  
Not yet in force

- (16) The International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (FUND 1971)  
Not yet in force
- (17) The International Convention for Safe Containers, 1972 (CSC 1972)  
Not yet in force

## ANNEX III

Certain resolutions adopted by the 1973 Conference  
on Marine PollutionRESOLUTION 3. THE COMPLETE ELIMINATION OF OIL  
POLLUTION FROM SHIPS*The Conference,*

*Having concluded* the International Convention for the Prevention of Pollution from Ships, 1973,

*Being aware* of Recommendation 86(e) adopted by the United Nations Conference on the Human Environment, 1972, recommending Governments, within the framework of the 1973 Inter-Governmental Maritime Consultative Organization Conference on Marine Pollution, *inter alia*, to strive towards complete elimination of deliberate pollution by oil from ships, with the goal of achieving this by the middle of the present decade,

*Noting* that the Governing Council of the United Nations Environment Programme at its first session has requested the Executive Director to urge the Inter-Governmental Maritime Consultative Organization to set a time-limit for the complete prohibition of intentional oil discharge in the seas,

*Considering* that the Convention and particularly the regulations contained therein on the discharge of oil into the sea will be an important means of curbing pollution by oil from ships,

*Recognizing*, however, that the Convention alone may not be sufficient for a satisfactory protection of the sea from pollution by oil from ships,

*Recommends* that Governments and other interested bodies concerned undertake concerted efforts, including the elaboration of additional regulations within the framework of the Organization and the provision of the necessary reception facilities, further to reduce the discharge of oil from ships into the sea with a view to the complete elimination of intentional pollution as soon as possible, but not later than the end of the present decade,

*Invites* the Organization to take all possible measures to assist Governments in this task.

RESOLUTION 5. INTENTIONAL POLLUTION OF THE SEA  
AND ACCIDENTAL SPILLAGES*The Conference,*

*Noting* that it was assigned the following two objectives by Resolution A.237(VII), adopted by the Assembly of the Inter-Governmental Maritime Consultative Organization,

(1) The complete elimination of wilful and intentional pollution of the sea by oil and noxious substances other than oil; and

(2) The minimization of accidental spills;

these objectives to be achieved by 1975, if possible, but certainly by the end of the decade,

*Recognizing* that it has primarily been as a result of extensive preparatory work within the Organization that the Conference has been able to prepare and open for signature the International Convention for the Prevention of Pollution from Ships, 1973,

*Being aware* that the said Convention comprehensively covers the problem of intentional pollution by oil, noxious liquid substances in bulk, harmful substances in packaged forms or in freight containers or portable tanks or road and rail tank wagons, sewage and garbage, whereas it deals with the problem of accidental pollution only to a limited extent, bearing in mind that many aspects of this problem are and will continue to be dealt with within the framework of other technical Conventions relating to maritime safety,

*Being also aware* of the close relationship between ship safety and the prevention of pollution from ships,

*Recognizing* also that considerable progress has been made by the Organization in furtherance of the second objective, by developing proposed international rules and standards directed towards, or con-

tributing to, the prevention, mitigation and minimization of accidental pollution, including the prevention of accidents to ships, minimization of spillages after accident and mitigation of damage after spillages,

*Recognizing further* that a considerable amount of work in this field leading to the formulation of, and amendments to, conventions for which the Organization is depositary, and other instruments relating to ship safety and prevention of pollution, has yet to be accomplished,

*Recommends* that the Organization pursue and encourage studies relating to pollution abatement in the marine environment such as:

(a) Collection of scientific data on the identification of harmful substances transported by ships and their effect on the marine environment;

(b) Collection of ship casualty statistics, particularly on casualties resulting in the pollution of the marine environment;

(c) Analysis of such casualty data including the interrelationship of average tanker size and age with incidents and magnitude of pollution casualties,

*Recommends further* that the Organization continue its work with high priority on the development of measures for the minimization of accidental spillages, particularly those relating to:

(a) prevention of accidents to ships including:

(i) Safe navigational procedures and traffic separation schemes for the prevention of collisions, strandings and groundings, this to include the ultimate development of international performance standards for navigational aids;

(ii) Watchkeeping practices in port and at sea and the training and certification of seamen;

(iii) Provision of modern navigational and communications equipment;

(iv) The operational procedures during the transfer, loading and unloading of oil and noxious substances;

(v) Manoeuvrability and controllability of large ships;

(vi) Construction and equipment of ships carrying oil or noxious substances; and

(vii) Safe carriage of dangerous goods in packaged forms or in freight containers or portable tanks or road and rail tank wagons,

(b) Minimization of the risk of escape of oil and other noxious substances in the event of maritime accidents, including facilitation of transfer of cargo in the event of accidents,

(c) Minimization of pollution damage to the marine environment including:

(i) Study and development of new techniques and methods for cleaning, recycling and disposing of hazardous substances carried by ships; and

(ii) Technical study and development of devices and chemicals used in removing oil and other harmful substances discharged into the sea,

with a view to having appropriate action taken by way of the adoption and implementation at an early date of amendments to existing conventions relating to safety at sea and prevention of pollution or of new conventions, as appropriate.

#### RESOLUTION 22. PROMOTION OF TECHNICAL CO-OPERATION

*The Conference,*

*Recognizing* that the complete elimination of pollution in the marine environment by ships requires broad international co-operation and technical and scientific resources,

*Recognizing further* that Parties to the International Convention for the Prevention of Pollution from Ships, 1973, will be asked to undertake full responsibility and make arrangements for detecting, monitoring and preventing or mitigating pollution by ships,

*Believing* that the promotion of technical co-operation on an inter-governmental level will hasten the implementation of the Convention by States not already possessing the necessary or adequate technical and scientific expertise,

*Urges* Governments to promote, in consultation with the Inter-Governmental Maritime Consultative Organization and other international bodies, and with assistance and co-ordination by the Executive

Director of the United Nations Environment Programme, support for those States which request technical assistance for:

(a) The training of scientific and technical personnel;

(b) The supply of necessary equipment and facilities for monitoring;

(c) The facilitation of other measures and arrangements to prevent or mitigate pollution of the marine environment by ships; and

(d) The encouragement of research,

*Urges further* Governments to initiate action in connexion with the above without awaiting the entry into force of the Convention.

#### RESOLUTION 23. NATURE AND EXTENT OF STATES' RIGHTS OVER THE SEA

*The Conference,*

*Bearing in mind* that a United Nations Conference on the Law of the Sea is to be convened pursuant to Resolution 2750 C (XXV) of the General Assembly of the United Nations,

*Taking into account* the specialized character of the present Conference,

*Considering* that the International Convention for the Prevention of Pollution from Ships, 1973, establishes technical requirements relating to the operation, design and equipment of ships with regard to the prevention of marine pollution, and that, wherever necessary, these international standards should be progressively amended and further improved within the framework of that Convention,

*Mindful* of paragraph (2) of Article 9 of the Convention,

*Noting* that the Convention deals mainly with technical questions such as operation, equipment and design of ships,

*Being convinced* that the appropriate forum to deal with the question of the nature and extent of States' rights over the sea is the above-mentioned Conference on the Law of the Sea,

*Declares* that the decision of the present Conference reflects a clear intention to leave that question to the above-mentioned Conference on the Law of the Sea,

*Declares further* that the rights exercised by a State within its jurisdiction in accordance with the Convention do not preclude the existence of other rights of that State under international law.

#### RESOLUTION 24. CO-ORDINATION OF ACTIVITIES ON THE PREVENTION AND CONTROL OF MARINE POLLUTION

*The Conference,*

*Noting* that the International Convention for the Prevention of Pollution from Ships, 1973, has conferred upon the Inter-Governmental Maritime Consultative Organization and its Secretary-General, important functions to be performed under the Convention,

*Recognizing* the need for effective co-ordination of activities carried out by different international organizations concerned with the prevention and control of marine pollution,

*Recommends* that the Organization, where necessary, consult with and seek assistance from other international organizations and expert bodies concerned within the United Nations system in order to achieve the objectives of the present Convention.

#### RESOLUTION 25. TRANSMISSION OF THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 TO THE UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

*The Conference,*

*Bearing in mind* that a United Nations Conference on the Law of the Sea will be convened pursuant to Resolution 2750 C (XXV) of the General Assembly of the United Nations,

*Noting* that, in accordance with the foregoing Resolution, international law concerning marine pollution forms a part of the Law of the Sea,

*Requests* the Secretary-General of the Inter-Governmental Maritime Consultative Organization to forward the International Convention for the Prevention of Pollution from Ships, 1973, to the United Nations Conference on the Law of the Sea, so that this Convention can be taken into account in the broader context of that Conference.