



INTERNATIONAL MARITIME ORGANIZATION

SECRETARY-GENERAL

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30 November 1999

Dear Mr. de Wetering,

In accordance with the provisions of Article 25(a) of the IMO Convention and further to the approval by the IMO Council in November 1998, the proposed Agreement of Co-operation between the International Maritime Organization and OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic was submitted to the IMO Assembly at its twenty-first regular session held from 15 to 26 November 1999. The text was contained in Assembly document A 21/26, a copy of which is attached.

The Assembly approved the Agreement on Thursday, 25 November 1999. As provided in Article 9, the Agreement entered into force on that date, as it had previously been approved by the OSPAR Commission at its annual meeting held in Kingston-upon-Hull, from 21 to 24 June 1999. Therefore, the OSPAR Commission is now fully entitled to receive the privileges and facilities extended to it on a provisional basis since November 1998.

I look forward to the close co-operation of IMO and the OSPAR Commission under the Agreement.

Yours sincerely,

W.A. O'NEIL
Secretary-General

Mr. Ben van de Wetering
Executive Secretary
OSPAR Commission
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48 Carey Street
London WC2A 2JQ

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ASSEMBLY
21st session
Agenda item 26

A 21/26
27 July 1999
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RELATIONS WITH INTERGOVERNMENTAL ORGANIZATIONS

Note by the Secretary-General

SUMMARY

<i>Executive summary:</i>	Proposed Agreements of Co-operation with 1) the South Pacific Regional Environment Programme; 2) the Central American Commission on Maritime Transport; 3) the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic; and 4) the International Mobile Satellite Organization, for approval by the Assembly.
<i>Action to be taken:</i>	Paragraph 9
<i>Related documents:</i>	C 80/20, C 80/D, paragraph 20, C 81/16/Add.1, C 81D, paragraph 16, C82/23, C 82/D, paragraph 23

South Pacific Regional Environment Programme (SPREP) and Central American Commission on Maritime Transport (COCATRAM)

1 At its eightieth session in June 1998, the Council approved the terms of the proposed Agreements of Co-operation with the following intergovernmental organizations:

South Pacific Regional Environment Programme (SPREP)

Central American Commission on Maritime Transport (COCATRAM)

2 The Secretary-General has been advised by the Executive Secretary of COCATRAM that the proposed Agreement of Co-operation was approved by the Directorate of COCATRAM at its 25th Meeting held on 20 August 1998.

OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic

3 At its eighty-first session in November 1998, the Council approved the terms of the proposed Agreement of Co-operation with the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic. This is a new organization, which has taken over the former responsibilities of the Oslo Commission established by the Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft and the Paris Commission established by the Convention for the Prevention of Marine Pollution

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ANNEX 1

**DRAFT TERMS OF AN AGREEMENT OF CO-OPERATION BETWEEN THE
INTERNATIONAL MARITIME ORGANIZATION AND THE SOUTH
PACIFIC REGIONAL ENVIRONMENT PROGRAMME**

- 1 The Secretary-General of the International Maritime Organization (hereafter referred to as "IMO") and the Director of the South Pacific Regional Environment Programme (hereafter referred to as "SPREP") will consult each other on matters of common interest to the two Organizations with a view to ensuring maximum co-ordination of the work and activities of the respective Organizations in respect of such matters.
- 2 Subject to such arrangements as may be necessary for safeguarding confidential information, the Secretariat of IMO and the Secretariat of SPREP will exchange information and keep each other fully informed of projected activities and programmes of work in fields of common interest. Accordingly, when either Organization proposes to initiate a programme or activity on a subject which the other has or may have a substantial interest, consultation will be initiated between the Secretariats with a view to harmonizing their efforts as far as possible, taking into account their respective responsibilities and any decisions or wishes of the appropriate governing bodies of the respective Organizations.
- 3 The Secretariat of IMO will invite the Secretariat of SPREP to send representatives to meetings or conferences convened by or under the auspices of IMO to consider matters in which SPREP has an interest in accordance with procedures applicable to each meeting or conference. The Secretariat of SPREP will invite the Secretariat of IMO to send observers to meetings or conferences convened by or under the auspices of SPREP to consider matters in which IMO has an interest, in accordance with the procedures applicable to each meeting or conference.
- 4 The Secretariat of IMO and SPREP may consult, where appropriate, on the use of personnel, material, services, equipment and facilities for joint undertakings which may be agreed between them in fields of common interest to IMO and SPREP.
- 5 IMO will, at the request of SPREP, render assistance to SPREP with respect to matters within the scope of activities of SPREP; and SPREP will, at the request of IMO, render assistance to IMO in matters falling within the scope of IMO's activities. Where assistance which is required by either party under the terms of this Agreement involves substantial expenditure, consultation will take place with a view to determining the most equitable manner for meeting such expenditure.
- 6 It is further agreed that nothing in this Agreement shall bind any of the Member States of SPREP jointly or severally. Similarly, the Agreement shall not bind any of the Member States of IMO jointly or severally.
- 7 This Agreement shall be subject to revision by agreement between the Secretary-General of IMO and the Director of SPREP.
- 8 The Secretary-General of IMO and the Director SPREP may terminate this Agreement by giving six months written notice to the other party.
- 9 This Agreement shall come into force on its approval by the Assembly of IMO and the SPREP Meeting.

ANNEX 2**DRAFT TERMS OF AN AGREEMENT OF CO-OPERATION BETWEEN
THE INTERNATIONAL MARITIME ORGANIZATION (IMO)
AND THE CENTRAL AMERICAN COMMISSION
ON MARITIME TRANSPORT (COCATRAM)**

1 The Secretary-General of the International Maritime Organization (hereafter referred to as "IMO") and the Executive Secretary of the Central American Commission on Maritime Transport (hereafter referred to as COCATRAM) will consult each other on matters of common interest to the two Organizations with a view to ensuring maximum co-ordination of the work and activities of the respective Organizations in respect of such matters.

2 Subject to such arrangements as may be necessary for safeguarding confidential information, the Secretariat of IMO and the Secretariat of COCATRAM will exchange information and keep each other fully informed of projected activities and programmes of work in fields of common interest. Accordingly, when either Organization proposes to initiate a programme or activity on a subject in which the other has or may have a substantial interest, consultation will be initiated between the Secretariats with a view to harmonizing their efforts as far as possible, taking into account their respective responsibilities and any decisions or wishes of the appropriate governing bodies of the respective Organizations.

3 The Secretariat of IMO will invite the Secretariat of COCATRAM to send representatives to meetings or conferences convened by or under the auspices of IMO to consider matters in which COCATRAM has an interest in accordance with procedures applicable to each meeting or conference. The Secretariat of COCATRAM will invite the Secretariat of IMO to send observers to meetings or conferences convened by or under the auspices of COCATRAM to consider matters in which IMO has an interest, in accordance with the procedures applicable to each meeting or conference.

4 The Secretariat of IMO and COCATRAM may consult, where appropriate, on the use of personnel, material, services, equipment and facilities for joint undertakings which may be agreed between them in fields of common interest to IMO and COCATRAM.

5 IMO will, at the request of COCATRAM, render assistance to COCATRAM with respect to matters within the scope of activities of COCATRAM; and COCATRAM will, at the request of IMO, render assistance to IMO in matters falling within the scope of IMO's activities. Where assistance which is required by either party under the terms of this Agreement involves substantial expenditure, consultation will take place with a view to determining the most equitable manner for meeting such expenditure.

6 It is further agreed that nothing in this Agreement shall bind any of the Member States of COCATRAM jointly or severally. Similarly, the Agreement shall not bind any of the Member States of IMO jointly or severally.

7 This Agreement shall be subject to revision by agreement between the Secretary-General of IMO and the Executive Secretary of COCATRAM.

8 The Secretary-General of IMO and the Executive Secretary of COCATRAM may terminate this Agreement by giving six months written notice to the other party.

9 This Agreement shall come into force on its approval by the Assembly of IMO and the Directorate of COCATRAM.

ANNEX 3

**DRAFT TERMS OF AN AGREEMENT OF CO-OPERATION BETWEEN
THE INTERNATIONAL MARITIME ORGANIZATION (IMO)
AND THE OSPAR COMMISSION FOR THE PROTECTION OF
THE MARINE ENVIRONMENT OF THE NORTH-EAST
ATLANTIC (OSPAR COMMISSION)**

- 1 The Secretary-General of the International Maritime Organization (hereinafter referred to as "IMO") and the Executive Secretary of the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic (hereinafter referred to as the "OSPAR Commission") will consult each other on matters of common interest to the two Organizations with a view to ensuring maximum co-ordination of the work and activities of the respective Organizations in respect of such matters.
- 2 Subject to such arrangements as may be necessary for safeguarding confidential information, the Secretariat of IMO and the Secretariat of the OSPAR Commission will exchange information and keep each other fully informed of projected activities and programmes of work in fields of common interest. Accordingly, when either Organization proposes to initiate a programme or activity on a subject in which the other has or may have a substantial interest, consultation will be initiated between the Secretariats with a view to harmonizing their efforts as far as possible, taking into account their respective responsibilities and any decisions or wishes of the appropriate governing bodies of the respective Organizations.
- 3 The Secretariat of IMO will invite the Secretariat of the OSPAR Commission to send representatives to observe meetings or conferences convened by or under the auspices of IMO to consider matters in which the OSPAR Commission has an interest, in accordance with procedures applicable to each meeting or conference. The Secretariat of the OSPAR Commission will invite the Secretariat of IMO to send representatives to observe meetings or conferences convened by or under the auspices of the OSPAR Commission to consider matters in which IMO has an interest, in accordance with procedures applicable to each meeting or conference.
- 4 The Secretariats of IMO and the OSPAR Commission may consult, where appropriate, on the use of personnel, material, services, equipment and facilities for joint undertakings which may be agreed between them in fields of common interest to IMO and the OSPAR Commission.
- 5 IMO will, at the request of the OSPAR Commission, render assistance to the OSPAR Commission with respect to matters within the scope of activities of the OSPAR Commission; and the OSPAR Commission will, at the request of IMO, render assistance to IMO in matters falling within the scope of IMO's activities. Where assistance which is required by either party under the terms of this Agreement involves substantial financial or human resources, consultation will take place with a view to determining the most equitable manner for meeting such resources and, if necessary, to obtaining prior approval of the OSPAR Commission and/or the IMO Council.
- 6 It is further agreed that nothing in this Agreement shall bind any of the Member States of the OSPAR Commission jointly or severally. Similarly, the Agreement shall not bind any of the Member States of IMO jointly or severally.
- 7 This Agreement shall be subject to revision by agreement between the Secretary-General of IMO and the Executive Secretary of the OSPAR Commission.

ANNEX 4

**DRAFT TERMS OF AN AGREEMENT OF CO-OPERATION BETWEEN THE
INTERNATIONAL MARITIME ORGANIZATION (IMO) AND THE
INTERNATIONAL MOBILE SATELLITE ORGANIZATION (IMSO)**

The International Maritime Organization (hereinafter referred to as "IMO") and the International Mobile Satellite Organization (hereinafter referred to as "IMSO"),

HAVING REGARD to Article 25 of the Convention on the International Maritime Organization (IMO) and to Article 8(c) of the Convention on the International Mobile Satellite Organization, as amended,

RECOGNIZING the purview of both Organizations in the fields of maritime communications, maritime safety and efficiency of navigation,

DESIRING to facilitate the attainment of their respective objectives in these fields through the maximum possible co-ordination on their efforts, **HAVE AGREED AS FOLLOWS:**

- 1 IMO and IMSO agree to establish and maintain co-operation relative to matters of common interest to both Organizations, in particular, IMO and IMSO agree to consult on all matters arising in the exercise by IMO and its Secretary-General of depositary and other functions in respect of the Convention on the International Mobile Satellite Organization.
- 2 IMO and IMSO agree to exchange information and documentation and to keep each other fully informed of their activities and programmes of work in the field of maritime communications for maritime safety and efficiency of navigation, subject always to such arrangements as may be necessary for safeguarding or withholding of information of a confidential nature.
- 3 With a view to facilitate attainment of their respective objectives as set forth in their constituent instruments, IMO and IMSO agree to establish and maintain regular consultation in regard to matters of common interest in the field of maritime communications for maritime safety and efficiency of navigation.

Accordingly, when either Organization proposes to initiate a programme or activity on a subject in which the other Organization has or may have substantial interest, it shall consult the latter Organization taking into account the respective objectives of both Organizations.

- 4 IMO may propose matters for consideration by the organs of IMSO. Such proposals shall be submitted by the Secretary-General of IMO to the Director of IMSO for appropriate action. Similarly, IMSO may propose subjects for consideration by the organs of IMO. Such suggestions will be submitted by the Director to the Secretary-General of IMO for appropriate action.
- 5 (i) IMO may be invited to be represented in meetings of IMSO organs or their subsidiary bodies. Such participation shall be in accordance with the applicable Rules of Procedure.