

CONVENTION ON THE INTERNATIONAL MARITIME ORGANIZATION

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Note

The present text incorporates the original text of the *Convention on the Inter-Governmental Maritime Consultative Organization* adopted by the United Nations Maritime Conference in Geneva on 6 March 1948, as modified by amendments adopted by Assembly resolutions A.69(ES.II), A.70(IV), A.315(ES.V), A.358(IX)¹, A.400(X) and A.450(XI).

The amendments entered into force on the following dates:

	Date of entry into force
A.69(ES.II) of 15 September 1964	6 October 1967
A.70(IV) of 28 September 1965	3 November 1968
A.315(ES.V) of 17 October 1974	1 April 1978
A.358(IX) of 14 November 1975	22 May 1982 ²
A.400(X) of 17 November 1977	10 November 1984
A.450(XI) of 15 November 1979	10 November 1984

¹ as corrected by resolution A.371(X) of 9 November 1977.

² 28 July 1982 in respect of Article 66.

CONVENTION ON THE INTERNATIONAL MARITIME ORGANIZATION¹

The States parties to the present Convention hereby establish the International Maritime Organization (hereinafter referred to as “the Organization”).

PART I

Purposes of the Organization

Article 1

The purposes of the Organization are:

(a) To provide machinery for co-operation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning maritime safety, efficiency of navigation and prevention and control of marine pollution from ships; and to deal with administrative and legal matters related to the purposes set out in this Article;

(b) To encourage the removal of discriminatory action and unnecessary restrictions by Governments affecting shipping engaged in international trade so as to promote the availability of shipping services to the commerce of the world without discrimination; assistance and encouragement given by a Government for the development of its national shipping and for purposes of security does not in itself constitute discrimination, provided that such assistance and encouragement is not based on measures designed to restrict the freedom of shipping of all flags to take part in international trade;

(c) To provide for the consideration by the Organization of matters concerning unfair restrictive practices by shipping concerns in accordance with Part II;

(d) To provide for the consideration by the Organization of any matters concerning shipping and the effect of shipping on the marine environment that may be referred to it by any organ or specialized agency of the United Nations;

(e) To provide for the exchange of information among Governments on matters under consideration by the Organization.

¹ See note opposite.

PART II

Functions

Article 2

In order to achieve the purposes set out in Part I, the Organization shall:

(a) Subject to the provisions of Article 3, consider and make recommendations upon matters arising under Article 1(a), (b) and (c) that may be remitted to it by Members, by any organ or specialized agency of the United Nations or by any other intergovernmental organization or upon matters referred to it under Article 1(d);

(b) Provide for the drafting of conventions, agreements, or other suitable instruments, and recommend these to Governments and to intergovernmental organizations, and convene such conferences as may be necessary;

(c) Provide machinery for consultation among Members and the exchange of information among Governments;

(d) Perform functions arising in connexion with paragraphs (a), (b) and (c) of this Article, in particular those assigned to it by or under international instruments relating to maritime matters and the effect of shipping on the marine environment;

(e) Facilitate as necessary, and in accordance with Part X, technical co-operation within the scope of the Organization.

Article 3

In those matters which appear to the Organization capable of settlement through the normal processes of international shipping business the Organization shall so recommend. When, in the opinion of the Organization, any matter concerning unfair restrictive practices by shipping concerns is incapable of settlement through the normal processes of international shipping business, or has in fact so proved, and provided it shall first have been the subject of direct negotiations between the Members concerned, the Organization shall, at the request of one of those Members, consider the matter.

PART III

Membership

Article 4

Membership in the Organization shall be open to all States, subject to the provisions of Part III.

Article 5

Members of the United Nations may become Members of the Organization by becoming parties to the Convention in accordance with the provisions of Article 71.

Article 6

States not Members of the United Nations which have been invited to send representatives to the United Nations Maritime Conference convened in Geneva on 19 February 1948, may become Members by becoming parties to the Convention in accordance with the provisions of Article 71.

Article 7

Any State not entitled to become a Member under Article 5 or 6 may apply through the Secretary-General of the Organization to become a Member and shall be admitted as a Member upon its becoming a party to the Convention in accordance with the provisions of Article 71 provided that, upon the recommendation of the Council, its application has been approved by two-thirds of the Members other than Associate Members.

Article 8

Any Territory or group of Territories to which the Convention has been made applicable under Article 72, by the Member having responsibility for its international relations or by the United Nations, may become an Associate Member of the Organization by notification in writing given by such Member or by the United Nations, as the case may be, to the Secretary-General of the United Nations.