



COUNCIL
90th session
Agenda item 28

C 90/28
25 February 2003
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RELATIONS WITH INTERGOVERNMENTAL ORGANIZATIONS

Note by the Secretary-General

SUMMARY

- Executive summary:* This document submits an amended draft Agreement of Co-operation with the Pacific Community for approval by the Council.
- Action to be taken:* Paragraph 5
- Related documents:* C 89/25 and C 89/D, paragraph 5.

Co-operation with the Pacific Community

1 At its eighty-ninth session, the Council approved an Agreement of Co-operation with the Secretariat of the Pacific Community (SPC) for submission to the Assembly for consideration and approval at its twenty-third session in November 2003.

2 In the light of the Déclaration de Tahiti Nui, which has come to the attention of the IMO Secretariat, the Secretary-General noted that it would be necessary for the draft Agreement with the SPC to be consistent with the change of name of the "South Pacific Commission" to the "Pacific Community" as the organization, and the use of the terms "Secretariat of the Pacific Community" as its Secretariat and "Committee of Representatives of Governments and Administrations (CRGA)" as its governing body.

3 The amended text of the Agreement indicating these changes, which have been the subject of consultations between representatives of the respective Secretariats, is annexed to this document for approval by the Council. Thereafter, the draft Agreement with the changes approved by the Council will be submitted to the Assembly for its approval, in accordance with the requirements of the IMO Convention.

4 In the meantime, pursuant to the decision of the Council at its eighty-ninth session, the privileges and facilities envisaged under the Agreement have been extended to the Pacific Community on a provisional basis and on the understanding that they will be withdrawn if the proposed Agreement is not concluded as envisaged.

Action requested of the Council

5 The Council is invited to approve the changes to the draft Agreement of Co-operation with the Pacific Community and to endorse the action taken by the Secretary-General for the draft Agreement to be consistent with the Déclaration de Tahiti Nui.

ANNEX

* To delete words crossed out and to add words in bold.

**DRAFT TERMS OF AN AGREEMENT OF CO-OPERATION BETWEEN
THE INTERNATIONAL MARITIME ORGANIZATION (IMO) AND
~~THE SECRETARIAT OF THE SOUTH PACIFIC COMMUNITY (SPC)~~**

1 The Secretary-General of the International Maritime Organization (hereinafter referred to as "IMO") and the Director-General of the ~~Secretariat of the South Pacific Community~~ (hereinafter referred to as ~~SPC~~) 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 ~~SPC~~ **the Pacific Community** 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 ~~SPC~~ **the Pacific Community** to send representatives to observe meetings or conferences convened by or under the auspices of IMO to consider matters in which ~~SPC~~ **the Secretariat of the Pacific Community** has an interest, in accordance with procedures applicable to each meeting or conference. The Secretariat of ~~SPC~~ **the Pacific Community** will invite the Secretariat of IMO to send representatives to observe meetings or conferences convened by or under the auspices of ~~SPC~~ **the Pacific Community** 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 the Secretariat of ~~SPC~~ **the Pacific Community** 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 ~~SPC~~ **the Pacific Community**.

5 **The Secretariat of IMO** will, at the request of ~~SPC~~ **the Secretariat of the Pacific Community**, render assistance to ~~SPC~~ **it** with respect to matters falling within the scope of ~~SPC's~~ **its** activities and ~~SPC~~ **the Secretariat of the Pacific Community** will, at the request of IMO, render assistance to ~~IMO~~ **it** with respect to matters falling within the scope of ~~IMO's~~ **its** 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 ~~SPC~~ **the Pacific Community** 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-General of ~~SPC~~ **the Pacific Community**.

8 The Secretary-General of IMO and the Director-General of ~~SPC~~ **the Pacific Community** 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 ~~Commission of SPC~~ **Committee of Representatives of Governments and Administrations of the Pacific Community**.
