



COUNCIL
89th session
Agenda item 25

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RELATIONS WITH INTERGOVERNMENTAL ORGANIZATIONS

Note by the Secretary-General

SUMMARY

Executive summary: This document reports on matters related to the Agreement of Co-operation between IMO and the International Oil Pollution Compensation Fund (1971 Fund) and the Agreement of Co-operation between IMO and the Organization of African States (OAU)

Action to be taken: Paragraph 6

Related documents: IFC.5/Circ.24

International Oil Pollution Compensation Fund (1971 Fund)

1 At its eleventh session in November 1979, the Assembly endorsed the terms of an Agreement of Co-operation between IMO and the 1971 Fund, which were previously approved by the Council at its forty-second session in May 1979. On 1 December 1980, the Secretary-General of IMO on behalf of IMO and the Director of the 1971 Fund on behalf of the 1971 Fund concluded the Agreement of Co-operation between the two Organizations. Upon signature, the Agreement came into force.

2 By circular IFC.5/Circ.24 dated 30 May 2002, the Secretary-General in his depositary capacity advised the Contracting States to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971, of the cessation of the Convention for all States Parties on 24 May 2002. The Director of the 1971 Fund was also advised. The Agreement of Co-operation between IMO and the 1971 Fund will, however, continue to exist while the 1971 Fund still has legal personality. The 1992 Fund with which IMO concluded an Agreement of Co-operation in 1997 is also in operation.

Organization of African Unity (OAU)

3 At its seventh session in October 1971, the Assembly endorsed the terms of an Agreement of Co-operation between IMO and the OAU, which were previously approved by the Council at its sixth extraordinary session in October 1971. On 21 February 1974, the Secretary-General of IMO on behalf of IMO and the Administrative Secretary-General of the OAU on behalf of the OAU signed the Agreement of Co-operation between the two Organizations at Addis Ababa. Upon signature, the Agreement came into force.

4 The Secretary-General has noted that the Secretary-General of the United Nations had received a communication from the Interim Chairperson of the Commission of the African Union that, as of 8 July 2002, the OAU has ceased to exist and that in its place the African Union has come into force, since 9 July 2002, by decision of the Assembly of the Union, which met in its first ordinary session in Durban, South Africa, in July 2002. Since the OAU Charter has now been abrogated and replaced by the Constitutive Act of the African Union, the Agreement of Co-operation between IMO and the OAU has lapsed.

5 In the light of this information and in accordance with Article 25 of the IMO Convention, the Secretary-General will need to receive a formal communication from the Interim Chairperson of the Commission of the African Union regarding the intention of the African Union to assume the privileges and responsibilities of the OAU under the provisions of the Agreement of Co-operation between IMO and the OAU. On receipt of such communication, the Council will be advised in an appropriate manner.

Action requested of the Council

6 The Council is invited to note the above information, in particular, the information regarding the OAU.
