

COUNCIL
114th session
Agenda item 17(c)

C 114/17(c)
11 May 2015
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EXTERNAL RELATIONS

(c) Relations with intergovernmental organizations

Note by the Secretary-General

SUMMARY

Executive summary: This document reports on a new request for an agreement of cooperation between IMO and the International Seabed Authority (ISA)

Strategic direction: 1.1, 1.2

High-level action: 1.1.2, 1.2.1

Planned output: 1.1.2.1, 1.2.1.1

Action to be taken: Paragraph 4

Related documents: None

New request for an agreement of cooperation

1 The Secretariat received, by letter dated 27 April 2015 from the Secretary-General of the International Seabed Authority (ISA), a request for an Agreement of Cooperation between IMO and ISA. In the letter, ISA's Secretary-General noted that ISA is working towards the formulation of a regulatory framework for the exploitation of seabed resources in the Area and that closer collaboration between the two organizations in fields of common interest would be valuable.

2 The proposed Agreement of Cooperation, as drafted by the Secretariats of IMO and ISA, is attached in the annex. The draft follows the pattern of similar agreements previously concluded between the Organization and interested entities, and is submitted for consideration by the Council, in accordance with Article 25 of the IMO Convention.

3 ISA requires its Council's approval in order to enter into the proposed Agreement of Cooperation with IMO and its Secretary-General indicated in his letter that the proposed Agreement will be submitted for the approval of the ISA Council at its 21st session, to be held in Kingston (Jamaica), from 13 to 24 July 2015.

Action requested of the Council

4 The Council is invited to decide on the proposed Agreement of Cooperation with ISA.

ANNEX 1

DRAFT AGREEMENT OF COOPERATION BETWEEN THE INTERNATIONAL MARITIME ORGANIZATION (IMO) AND THE INTERNATIONAL SEABED AUTHORITY (ISA)

1 The International Maritime Organization (hereinafter referred to as "IMO") and the International Seabed Authority (ISA) (hereinafter referred to as "ISA") will consult each other on matters of common interest to both with a view to ensuring maximum coordination of the work and activities of their respective organizations in respect of such matters.

2 Subject to such arrangements as may be necessary for safeguarding confidential information, the Secretary-General of IMO and the Secretary-General of ISA will exchange information and keep each other informed of projected activities and programmes of work in fields of common interest. Accordingly, when either entity 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 two 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 entities.

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

4 The Secretary-General of IMO and the Secretary-General of ISA may consult on matters of personnel, material, services, equipment and facilities for joint undertakings which may be agreed between them in fields of common interest to IMO and ISA.

5 IMO will, at the request of ISA, render assistance to ISA with respect to matters within the scope of activities of ISA; and ISA 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, consultations 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 ISA 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 Secretary-General of ISA.

8 The Secretary-General of IMO and the Secretary-General of ISA 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 Council of ISA, whichever is the later.

Agreed for ISA by:

Agreed for IMO by:

[Name of the Secretary-General]
Secretary-General

[Name of the Secretary-General]
Secretary-General

Date:

Date:
