

COUNCIL  
108th session  
Agenda item 15(c)

C 108/15(c)/1  
15 March 2012  
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## EXTERNAL RELATIONS

### (c) Relations with intergovernmental organizations

#### Note by the Secretary-General

##### SUMMARY

*Executive summary:* This document reports on three new requests for Agreements of Co-operation between IMO and the International Copper Study Group (ICSG), the International Lead and Zinc Study Group (ILZSG) and the International Nickel Study Group (INSG), respectively

*Strategic direction:* 1.2

*High-level action:* 1.2.1

*Planned output:* 1.2.1.2

*Action to be taken:* Paragraph 4

*Related documents:* None

1 On 7 November 2011, the Secretariat received a communication (annex 1) from Mr. Don Smale, Secretary-General of three different intergovernmental international organizations, namely, the International Copper Study Group (ICSG), the International Lead and Zinc Study Group (ILZSG) and the International Nickel Study Group (INSG), seeking observer status with IMO for all three organizations. In so doing he noted, in particular, the potential impact of IMO's work, which might result in additional regulatory and administrative obligations for the global copper, lead, zinc and nickel industries.

2 Following careful consideration, the relevant technical divisions within the Secretariat concluded that the expert advice these organizations might bring to IMO may assist in current efforts to draw attention to concerns related to ship losses reportedly due to liquefaction of cargoes, an issue which is not anticipated to be an ongoing item on IMO meeting agendas. Moreover, Government members of the Study Groups may make individual or joint submissions through their respective delegations at IMO, taking into account that approximately 40 countries are represented across the Study Groups.

3 It may be noted that non-governmental international organizations in consultative status with IMO, such as the International Association of Dry Cargo Shipowners (INTERCARGO), which, for example, launched earlier this year a "Guide for the Safe Loading of Nickel Ore", and the International Iron Metallurgy Association (IIMA), already provide views on related issues at IMO meetings.

**Action requested of the Council**

4 The Council is invited to decide on the proposed Agreements of Co-operation with each of the three Study Groups; a draft of which is attached (annex 2).

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**ANNEX 1**

**ORIGINAL REQUEST**

**From:** "Don Smale" <don\_smale@ilzsg.org>  
**To:** <info@imo.org>  
**Date:** 07/11/2011 18:37  
**Subject:** Query from International Organisation

International Maritime Organisation  
Dear Sir/Madam

I am writing as Secretary-General of three intergovernmental international organizations based in Lisbon, Portugal - the International Copper Study Group, the International Lead and Zinc Study Group and the International Nickel Study Group - to inquire how we can apply for observer status at IMO.

Each of the Study Groups was set up initially under the UN umbrella but are all now independent of the UN. The Groups are co-located in Lisbon but each Group has separate membership and separate budgets and some shared resources and activities. In total around 40 countries are represented across the three Study Groups.

At our recent meetings a number of member countries raised the issue of the potential impact of maritime transport regulations and requirements on the economics of transporting ores, mineral concentrates and metals by sea, and asked me as Secretary-General to approach IMO to seek possible observer status at IMO for the three Study Groups.

I would be very grateful if you could advise me please of the steps we need to take to seek observer status at IMO within a reasonable speedy timeframe.

Yours sincerely

Don Smale

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Don Smale  
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[www.ilzsg.org](http://www.ilzsg.org); <<http://www.insg.org>> [www.insg.org](http://www.insg.org)

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## ANNEX 2

### **DRAFT TERMS OF AN AGREEMENT OF CO-OPERATION BETWEEN THE INTERNATIONAL MARITIME ORGANIZATION (IMO) AND [THE INTERNATIONAL COPPER STUDY GROUP (ICSG)] [THE INTERNATIONAL LEAD AND ZINC STUDY GROUP (ILZSG)] [THE INTERNATIONAL NICKEL STUDY GROUP (INSG)]**

1 The International Maritime Organization (hereinafter referred to as "IMO") and [the International Copper Study Group] [the International Lead and Zinc Study Group] [the International Nickel Study Group] (hereinafter referred to as ["ICSG"] ["ILZSG"] ["INSG"]) 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 [ICSG] [ILZSG] [INSG] 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 [ICSG] [ILZSG] [INSG] to send representatives to observe meetings or conferences convened by or under the auspices of IMO to consider matters in which [ICSG] [ILZSG] [INSG] has an interest, in accordance with procedures applicable to each meeting or conference. Conversely, the Secretary-General of [ICSG] [ILZSG] [INSG] will invite the Secretary-General of IMO to send observers to meetings or conferences convened by or under the auspices of [ICSG] [ILZSG] [INSG] 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 [ICSG] [ILZSG] [INSG] 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 [ICSG] [ILZSG] [INSG].

5 IMO will, at the request of [ICSG] [ILZSG] [INSG], render assistance to [ICSG] [ILZSG] [INSG] with respect to matters within the scope of activities of [ICSG] [ILZSG] [INSG]; and [ICSG] [ILZSG] [INSG] 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 [ICSG] [ILZSG] [INSG] 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 [ICSG] [ILZSG] [INSG].

8 The Secretary-General of IMO and the Secretary-General of [ICSG] [ILZSG] [INSG] 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 [ICSG] [ILZSG] [INSG].

Agreed for [ICSG] [ILZSG] [INSG] by:                      Agreed for IMO by:

D. SMALE  
Secretary-General

K. SEKIMIZU  
Secretary-General

Date: .....

Date: .....

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