

# International Maritime Organization (IMO)

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## I. INTRODUCTION

1. On 6 March 1948 the United Nations Maritime Conference in Geneva, reflecting the wish of maritime and other nations to consolidate and improve on the forms of international co-operation in the field of shipping, adopted the Convention which established the Intergovernmental Maritime Consultative Organization as the first intergovernmental body devoted exclusively to maritime matters. It took ten years, however, for the main requirement for the entry into force of the Convention - acceptance by twenty-one states, including seven states with at least one million gross tons of shipping each - to be met. The Organization thus came officially into existence in 1958. The lapse of ten years was due to differences of opinion as to its proper role: in particular whether it should engage in technical matters alone or in both technical and economic matters. The Organization changed its name in 1982 to the International Maritime Organization (IMO).
2. The new Organization held its inaugural session in 1959 in London and its Headquarters continues to be located in that city. The Organization now has 125 States Members and one Associate Member, who together possess over 99 per cent of the world's shipping, i.e. about 70,000 ships of different types, aggregating 400 million gross tons. With a Headquarters staff of approximately 260 in all grades and an annual budget of about US\$ 13 million, IMO is one of the smaller specialized agencies of the United Nations system. It has resisted the temptation of bureaucratic expansion and has stuck firmly to its technical functions.
3. The 1948 Convention laid down that the Organization would have consultative and advisory responsibilities in technical fields related to shipping, primarily the safety of life at sea, the efficiency of navigation, and the removal of discriminatory action and unnecessary restrictions by governments. The Organization continues to discharge responsibilities in the technical fields mentioned above, but the words "consultative and advisory" were removed from the Convention by amendments which have recently entered into force; and there has been a significant broadening of the Organization's technical work, which has also been reflected in amendments to the Convention. The prevention and control of marine pollution from ships was added to its constitutional responsibilities in 1975. Another amendment, adopted in 1977 and due to enter into force on 10 November 1984, will add technical co-operation to the formal functions of the Organization and give constitutional recognition to an activity which IMO has been performing for some time.
4. In the course of their study of the Organization the Inspectors had many useful discussions with IMO officials, including the Secretary-General, and also with officials of other organizations, both inside and outside the United Nations system, whose work impinges on that of the IMO. They thank all these for their helpful collaboration. The Inspectors were also able to attend the November 1982 meeting of the IMO Council, a few sessions of the March 1983 meeting of the Marine Environment Protection Committee, and the second week of the 1983 (thirteenth) Session of the Assembly.

## II. PURPOSES AND FUNCTIONS

5. As amended in successive steps since 1948 (the latest amendments are effective from 10 November 1984), Article 1 of the Convention on the Organization lays down that 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 the 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 ...

(c) to provide for the consideration by the Organization of matters concerning unfair restrictive practices by shipping concerns ...

(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; and

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

6. The Convention further provides that for the achievement of these purposes, the Organization shall fulfil the following functions:-

consider and make recommendations upon matters referred to it; provide for the drafting of conventions etc., recommend them to Governments and intergovernmental organizations and convene any necessary conferences; provide for consultation and exchange of information; perform functions under international maritime or environmental instruments; and facilitate technical co-operation on maritime matters.

7. From the beginning, amongst the purposes laid down in the Convention IMO has given the highest priority to maritime safety and the prevention of marine pollution. In this connection, it has to be recalled that when the establishment of a specialized agency of the United Nations concerned solely with maritime affairs was first proposed, the main concern was to evolve international machinery to improve safety at sea. In the ten years between the adoption of the Convention and its entry into force, other problems, related to safety but requiring slightly different emphasis, attracted international attention. One of the more important was the threat of marine pollution from ships, particularly by oil carried in tankers. Although an international convention on this subject was adopted in 1954, and IMO from its inception assumed the responsibility for administering and promoting it, it was evident that more vigorous measures were required. In 1967 the wreck of the tanker Torrey Canyon, 118.225 tonnes deadweight, which caused extensive oil pollution on the coast of Great Britain, both aroused the world to the new threat of massive marine pollution and demonstrated the inadequacy of existing international measures to prevent it.

8. Much of IMO's work, especially with regard to safety at sea and the preservation of the marine environment, has taken the form of the development and adoption of numerous international conventions, most if not all of which have

been modified by subsequent protocols and amendments: the International Convention on Load Lines of 1966, amended in 1971, 1975 and 1979; the International Convention for the Safety of Life at Sea of 1974, amended in 1978, 1980 and 1981 (SOLAS); and the International Convention for the Prevention of Pollution from Ships of 1973, amended in 1978 (MARPOL), are examples. Not all the amendments mentioned are yet in force but the major modifications in the SOLAS and MARPOL Conventions have entered into force.

9. The various Conventions have involved IMO in three functions deriving from them: keeping track of acceptances and ratifications of the conventions and amendments, and notifying Member States when these came into effect; encouraging Member States to accomplish the formal actions of acceptance and ratification; and, through technical assistance, enabling the maritime administrations and industries of developing countries to accept and implement the continuously rising standards of safety, sophistication and environmental protection required by the various conventions. Apart from conventions, IMO also adopts rules and regulations, as well as Codes of Practices, which greatly influence, amongst other things, the design and installation of marine equipment and the operation of ships, the prevention of collisions in areas of high traffic density and arrangements and procedures for dealing with incidents posing a risk of major pollution of the sea.

10. Towards the end of the 1970s it was realized that the development of new international conventions, particularly on safety and environmental matters, was in danger of outpacing the ability of governments and shipping industries to implement and comply with them. In November 1981, the IMO Assembly adopted resolution A.500(XII) entitled "Objectives of the Organization in the 1980s", in which it called for a substantial slowing down in the development of new conventions and the amendment of existing ones, until maritime administrations and shipping industries should have caught up with the situation, and laid down that IMO would entertain proposals for new conventions or the amendment of existing ones only on the basis of clear demonstration of compelling needs. The Organization is therefore at present devoting its efforts chiefly to making sure that its existing Conventions and Protocols are accepted and implemented, and to helping Member States to accept and implement them, before entering on more legislation. The annual number of meetings has been drastically reduced.

### III. INTERGOVERNMENTAL ORGANS

11. The Organization has six main intergovernmental organs: the Assembly, the Council, the Maritime Safety Committee, the Marine Environment Protection Committee, the Legal Committee, and the Technical Co-operation Committee. All these organs are now recognized under the IMO Convention. The institutionalization of the Technical Co-operation Committee has made IMO unique in the United Nations system as the only body with formal constitutional provisions on the objectives and operations of its technical co-operation programme.

12. The Assembly, composed of all the Member States, is the main legislative organ of IMO. It meets regularly every two years and can also be called to extraordinary sessions. Only the Assembly can adopt resolutions which will be recommended to Member States for action; it does this for such substantive matters as regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships. It adopts the Organization's work programme and budget, and the long-term work plan of the Organization. The Assembly also takes decisions in regard to convening any international conference for the adoption of international conventions or for most amendments to conventions. It also elects the members of the Council. Up to the present, 13 regular and 5 extraordinary Assembly sessions have been held. The latter dealt with urgent matters relative to the operation of international instruments and IMO conventions. The fifth extraordinary session (1974), is generally considered as one of the most important landmarks in IMO's history. As a result of its deliberations, significant changes were made in the structure of IMO, its objectives and purposes were clarified and action in pursuit of these objectives was streamlined. With the entry into force of amendments adopted in 1977 and 1979, the process of amending and up-dating the IMO Convention will be completed, enabling the Organization to utilize the improved structure and procedures to meet the tasks which confront IMO in the 1980s.

13. The Council, which will have 32 members in November 1984, is the governing intergovernmental body and meets twice a year as a rule. Between Assembly sessions it exercises all the functions of the Assembly except that of recommending to Member States regulations and guidelines for maritime safety and the control of pollution. The Council holds extraordinary sessions when need arises. 51 regular and 12 extraordinary sessions have so far taken place.

14. The Inspectors were impressed by the work of the Assembly and the Council. All their meetings begin on schedule. Delegations make their statements briefly, directly to the point and without irrelevant elaborations. The Secretary-General participates actively and offers clear and helpful guidance. The Assembly and Council have the benefit of brief, clear, easy-to-read documents for review and consideration. A willingness to seek co-operative and practical solutions to practical problems, to prevent political factors, however deeply felt, from impeding progress on the technical matters in hand, a recognition that safety at sea and the preservation of the marine environment are questions of universal importance and urgency, a recognition also that IMO is the property and servant of all countries without distinction - in a word, the often invoked "IMO spirit" - is much in evidence, and goes far to explain the observance in the Assembly of formalities which might in some places appear over-elaborate. The Assembly and the Council are well-managed, constructive and very useful intergovernmental bodies and could be looked upon in many respects as examples for other organizations in the UN system.

15. The Committees are committees of the whole. They meet twice a year as a rule, for a week each time. They report to the Assembly through the Council on matters within their province, often on the basis of work done, and reports submitted, by technical sub-committees of their own. From what the Inspectors



were able to see of the proceedings of the Marine Environment Protection Committee, they believe that the Committees are no less well-conducted than the Council. Much of the work of the Maritime Safety Committee and the Marine Environment Protection Committee takes the form of proposals for new, elaborated or amended international instruments in these two technical areas. They also consider the interpretation of the conventions and instruments, and elaborate uniform procedures for the implementation of their provisions.

16. The Maritime Safety Committee (MSC) deals with the largest area of IMO's activities. The range of work can be judged from the titles of its ten Sub-Committees.

- Sub-Committee on Safety of Navigation (NAV)
- Sub-Committee on Radiocommunications (COM)
- Sub-Committee on Life-Saving Appliance (LSA)
- Sub-Committee on Standards of Training and Watchkeeping (STW)
- Sub-Committee on the Carriage of Dangerous Goods (CDG)
- Sub-Committee on Containers and Cargoes (BC)
- Sub-Committee on Fire Protection (FP)
- Sub-Committee on Ship Design and Equipment (DE)
- Sub-Committee on Bulk Chemicals (BCH) (subsidiary of MSC and MEPC)
- Sub-Committee on Stability and Load Lines and Fishing Vessels Safety (SLF).

17. The MSC is responsible for ten out of a total of 21 International Conventions administered by IMO, and for two protocols. The first instrument developed under the auspices of the MSC was the 1960 International Convention on the Safety of Life at Sea (SOLAS), which became the basic international instrument on this subject, until in 1974 IMO adopted a new SOLAS Convention; operation of the previous convention had become difficult due to the large number of amendments approved, some of which never received the necessary acceptances to become binding. In 1966 IMO adopted the International Convention on Load Lines, prescribing limitations on the draught to which a ship may be loaded. The 1960 SOLAS Convention has appended to it International Regulations for Preventing Collisions at Sea but since these needed revision in 1972 IMO adopted a new convention on this subject introducing inter alia regulations concerning traffic separation schemes. Their adoption in areas with congested maritime traffic was particularly beneficial. Other conventions adopted by IMO in the field of maritime safety include those dealing with containers, the International Maritime Satellite Organization (INMARSAT) and fishing vessels. In 1978 IMO convened a conference on crew standards, which adopted the International Convention on Standards of Training Certification and Watchkeeping for Seafarers (STCW) and thus established internationally acceptable minimum standards. The International Convention on Maritime Search and Rescue (SAR) adopted by IMO in 1979 is designed to improve existing arrangements, and to introduce internationally agreed procedures, for carrying out search and rescue operations following accidents at sea. The STCW Conventions will enter into force in April 1984; the SAR Convention needs only one more acceptance and is likely to enter into force during 1984. All other conventions for which MSC is responsible, except one concerning the safety of fishing vessels, are operational or on the verge of becoming so. MSC's work also involves the adoption of numerous codes, recommendations and other instruments dealing with safety. These

do not have the same legal power as conventions, whose requirements are mandatory for nations which ratify them, but they can be used, and often are, by individual governments as a basis for domestic legislation or in other ways.

18. As a result of IMO Assembly resolution A.500(XII) (see paragraph 10) the MSC has reviewed its work and established priorities, so as to emphasise the interpretation and implementation of instruments already approved, rather than the elaboration of new instruments or the amendment of existing ones. A new long-term meeting plan has also been established, envisaging 26 weeks of meetings in each biennium.

19. The Marine Environment Protection Committee (MEPC), which has no sub-committees with the exception of the Sub-Committee on Bulk Chemicals, is responsible for all matters relating to the prevention and control of marine pollution. In particular it is responsible for the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78). In recent years MEPC has devoted the major part of its efforts to a full-scale examination of the provisions of MARPOL 73/78, in order to ensure their effective, global and uniform implementation by governments. These painstaking efforts to a great extent were conducive to MARPOL 73/78's entry into force in 1983. MARPOL 73/78 provides for the most important and comprehensive international treaty régime ever developed in the struggle against pollution.

20. Concurrently with the review of MARPOL 73/78, MEPC has continued with the development of manuals and guidelines intended to assist governments and industry to take measures against marine pollution. Notable among these are the Manual on Oil Pollution, the Guidelines on the Provision of Adequate Reception Facilities in Ports, etc.

21. Another principal activity of MEPC is the promotion of technical co-operation, including the development of regional arrangements on co-operation to combat pollution in cases of emergency. MEPC also promotes the organization of seminars, symposia, workshops and training courses in various aspects of marine pollution prevention.

22. The Legal Committee is responsible for consideration of any legal matter within the scope of the Organization. The Committee was established in the aftermath of the Torrey Canyon disaster of 1967 to deal with the legal problems which were brought to light by that incident. From a purely ad hoc body established as a subsidiary organ of the Council, the Committee was later made a permanent body of the Organization and subsequently institutionalized as one of the principal organs of the Organization by the amendments to the IMO Convention adopted by the Assembly in 1975. These amendments entered into force on 22 May 1982. As a result of the work of the Legal Committee, seven international conventions and other treaty instruments have been adopted by diplomatic conferences convened under the auspices of IMO. These are:

- (a) the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969;
- (b) the International Convention on Civil Liability for Oil Pollution Damage, 1969;
- (c) the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971;
- (d) the International Convention on Civil Liability in the field of Maritime Carriage of Nuclear Material, 1971;

- (e) the Protocol relating to Intervention on the High Seas in Cases of Pollution Casualties involving Substances other than Oil, 1973;
- (f) the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, and
- (g) the International Convention on Limitation of Liability for Maritime Claims, 1976.

23. In 1976 three Protocols prepared by the Legal Committee were adopted for the purpose of replacing the unit of account provisions in the conventions at (b), (c) and (f) above. These Protocols substitute for the "gold franc" used in the conventions a new unit of account based on the Special Drawing Rights (SDR) of the International Monetary Fund.

24. The Legal Committee has just completed the preparation of a new draft Convention on Liability and Compensation in connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS Convention) and two draft protocols to revise the 1969 Civil Liability and the 1971 Fund Conventions. The draft convention and protocols are to be considered for adoption by a diplomatic conference which will be held from 30 April to 25 May 1984.

25. The Technical Co-operation Committee (TCC) supervises the multifarious technical assistance work of the secretariat (see Chapter IV below) and meets once a year. Technical co-operation is an inseparable part of IMO's work. Since the Organization's main functions are executed in the form of international legally-binding regulatory and standard-setting instruments, its achievements would be deprived of substance if all countries possessing sea-going ships were unable for technical reasons to adhere to them. It is therefore essential that assistance should be available to enable developing countries to adhere to the conventions and protocols and keep abreast of the ever-rising standards of safety and pollution control established by IMO.

26. None of the committees is active on discriminatory and restrictive practices in maritime matters (see paragraph 3 above). The reason for this is that the third session of the Preparatory Committee of the Organization recommended that "... in the early stages, the Organization should concentrate its activities on technical aspects - primarily on matters concerning safety at sea, the prevention of the pollution of the sea, and standard regulations for the tonnage measurement of ships". The "early stages" can certainly be considered as finished, and these words therefore appear to be no formal obstacle to an expansion into this field. But IMO has over the years become the UN system's specialized body dealing with the technical aspects of maritime affairs, and other bodies, notably UNCTAD, have taken up responsibilities for the economic and commercial aspects, so that the practical obstacles would be considerable.

27. The Facilitation Committee, which supervises work in connection with the 1965 Convention on the Facilitation of International Maritime Traffic, meets occasionally as required.

#### IV. TECHNICAL CO-OPERATION

28. While the adoption of conventions, codes and recommendations has in the past been IMO's most important function, in recent years the Organization has been devoting increasing attention to helping States, mostly developing countries, to reach the high standards laid down in IMO Conventions and other instruments, through technical co-operation. In 1975 IMO was the first UN body to take steps to institutionalize its Committee on Technical Co-operation. Since then the Organization's technical co-operation programme has grown threefold in financial terms (see paragraph 35). Assistance is provided in many aspects of maritime activity, including the establishment and running of competent maritime safety administrations, the formulation of appropriate maritime legislation, the upgrading of merchant ship-building and repairing facilities, etc.

29. The problems in maritime affairs facing developing countries generally revolve around one crucial factor: the shortage, and sometimes the complete lack, of trained and experienced personnel. Therefore, by unanimous decision of the Assembly, the highest priority in IMO's technical co-operation programme is accorded to maritime training at all levels. The programme comes to a total of approximately US\$ 9 million a year outside the regular budget. At the global level, the most important project is the new World Maritime University at Malmö, Sweden, which opened on 4 July 1983. The University will provide two-year top-level training for personnel from developing countries who occupy senior positions in maritime administration, maritime training institutions and shipping companies. Annual expenditure on the University is projected at US\$ 3.6 million. The Swedish authorities have generously provided facilities for training and housing accommodation and have agreed to make a financial contribution representing one-third of the total cost, up to one million dollars. The balance of US\$ 2.6 million is expected to be met from UNDP (\$800,000) and other sources. The Assembly has appealed for support to governments and institutions, including institutions in the private sector, and has recommended the organization, with the help of a working group of the Assembly, of a consortium to secure the recurring contributions which will be necessary.

30. There have been eight interregional advisers and consultants, all based in London. Officers appointed to these posts are expected to meet high qualifications in their respective fields. The duties of interregional advisers consist mainly of providing technical advice to governments of developing countries on a great variety of problems, for example, setting up effective maritime administration and ship inspection, organizing and improving training of nationals, taking measures to formulate the necessary legislation affecting their merchant fleets, etc. These advisers also assist in organizing regional and interregional seminars on technical and administrative matters in the maritime field. In 1981 the interregional advisers carried out 389 missions. The information on the degree to which their advice is successfully implemented, the monitoring of results, follow-up to their visits, and continuity of assistance is somewhat less clear.

31. At the regional level, there are seven regional maritime advisers, three resident in Africa, three in Latin America and one in London. The Organization is also responsible for assisting in the development of a number of regional maritime training academies, including the Academy for Sciences of the Sea in Abidjan (for French-speaking African countries) and the Nautical College in Accra (for English-speaking countries).

32. At the national level, IMO has assisted in the development and execution of numerous projects in maritime training. In recent years country projects have tended to be fairly substantial. The largest are "Training of Merchant Marine Personnel at CIABA" (Centro de Instrução Almirante Braz Aguiar) in Brazil,

whose total cost is US\$ 8,713,981 and duration six years, and "Research and Control of Marine Pollution" in Cuba, total cost US\$ 3,607,478 over a period of three years.

33. IMO has also organized a Fellowship Programme, through which students from developing countries can receive training in centres in both developing and developed countries in such matters as marine surveying, ship design, ship inspection, hydrographic surveying, navigation, marine engineering, review of maritime training institutions, and modern maritime teaching/training techniques. The duration of fellowships varies from short-term study tours of maritime facilities to four-year diploma courses on marine engineering and navigation; they are generally financed by UNDP, which bears 70 to 80 per cent of the foreign costs. Other contributors are SIDA, the World Bank, Norway, UN Trust Funds, and a number of countries who have put special scholarships at IMO's disposal. The Fellowship Programme expanded very rapidly in 1982 when 85 fellowships for nationals of 19 developing countries were implemented, as compared with about 50 in previous years. In 1983, IMO received financial assistance for the same number of fellowships as in 1982, including UNDP (58 awards), Norway (12 awards), SIDA (5 awards), the World Bank (7 awards), and UN Trust Funds (3 awards).

34. The impact of the Fellowship Programme needs to be evaluated. Most fellows return to their country of origin and thus constitute a significant body of trained personnel. Some however do not return and some are transferred to non-maritime duties. This problem - which is common to all the specialized agencies - is a cause of some concern and a solution is hard to find. IMO has set up a directory of IMO Fellows, to enable former fellows and the organization to keep in touch.

35. The table below shows the development of IMO's technical co-operation activities between 1976 and 1981.

Technical Co-operation Activities 1976-1981

Expenditure in US \$

Year	UNDP	UNEP	Funds in Trust	Total
1976	2,747,548	78,850	280,578	3,106,976
1977	2,498,548	161,653	632,275	3,292,476
1978	2,422,103	362,996	1,644,620	4,429,719
1979	3,052,915	276,348	3,090,968	6,420,231
1980	6,898,319	484,230	2,152,317	9,534,866
1981	8,052,368	276,401	2,320,250	10,649,019
Total:	25,671,801	1,640,478	10,121,008	37,433,287

The IMO Secretariat believes that UNDP, despite its financial difficulties, will continue to be the largest contributor to the technical co-operation programme, even if not on the scale of 1979-80. It is also attempting to attract increased voluntary contributions from other sources, and the Assembly has appealed to UNDP, other international agencies and donor countries to maintain and increase their assistance. The Assembly has also strongly urged Member States to instruct their representatives at the UNDP Governing Council to convey to the UNDP their support for the provision of funds for IMO's technical co-operation activities. The

Assembly has in addition strongly urged Member States to give adequate priority to maritime projects in their UNDP country programmes.

36. IMO also co-operates with UNEP in the execution of certain projects financed by UNEP, mainly related to the latter's Regional Seas Programme. IMO has been providing the necessary technical and administrative backstopping to the largest of the projects, the Regional Oil Combating Centre (ROCC) located in Malta. Unlike UNDP, which allows 13 per cent support costs and, in the case of IMO and other small executing agencies, "flexibility" allowances as well, UNEP is unable to allow anything for agency overheads and this inevitably has consequences for IMO's regular budget.

37. Some projects are also executed from funds-in-trust contributed by various donors, notably the Nordic countries. Total funds from this source may in 1984 come to about US\$ 3 million a year, on which IMO will charge 13 per cent support costs.

38. Other UN organizations are active in the maritime technical assistance field, notably ILO in relation to the work and living conditions of ships' officers and ratings, and UNCTAD in relation to the economic and commercial aspects of shipping and ports. The three organizations have jointly put out a useful booklet "Technical Co-operation in Maritime Transport", informing potential recipients of technical co-operation available from each body. Some joint projects with ILO or UNCTAD have been successfully implemented.

39. There is no systematic evaluation of technical co-operation projects or of the technical co-operation programme as whole. This is the result partly of the Organization's policy of keeping the number of staff down to the minimum, and partly of the increase of its responsibilities. The Inspectors suggest in paragraph 89 below that evaluation might be among the first functions to be expanded as a result of any increase in the technical co-operation staff. IMO does engage in "evaluation" to the extent that UNDP and other funding sources require it but these undertakings are limited to the normal monitoring of projects through tripartite reviews, visits to project sites, and the review of mission reports of advisers and consultants. In its report on the Status of Internal Evaluation in the United Nations System (JIU/REP/81/5) JIU noted that although IMO did not need an elaborate internal evaluation system, it should nevertheless give continuing consideration to evaluation ideas, approaches, and techniques being developed by other UN system organizations both large and small, in order to find and adapt those which could be simply and effectively applied to improve its overall programming assessment and reporting processes. The Inspectors hope that this recommendation will be energetically pursued.

## V. RELATIONSHIPS

40. IMO maintains extensive and useful relations with other organizations within and without the United Nations system. In the United Nations system, through participation at the meetings of the Administrative Committee on Co-ordination (ACC) and the Committee for Programme and Co-ordination (CPC), IMO contributes to the system-wide machinery for co-operation and co-ordination in matters related to the mandate and activities of the Organization. The Secretary-General of IMO reports to the General Assembly and to ECOSOC on major developments in IMO and informs IMO's Assembly and Council on the discussions and decisions taken in the UN relative to the activities of IMO. In 1981, in accordance with a previous request by the General Assembly in 1979, special reports by IMCO and UNEP on marine pollution were before the thirty-sixth session of the General Assembly, but no decision on them appears to have been taken. Much attention was given to IMO in the reports of the United Nations Secretary-General on the cross-organizational programme analysis of activities of the United Nations system, submitted to the twenty-third session of CPC. The recommendations adopted by CPC following the discussion of this report are dealt with in appropriate parts of the present chapter.

41. Fifteen major organizational units of the United Nations and ten specialized agencies are involved in marine activities to a greater or lesser extent. The possibility of overlap is therefore high, and co-operation is needed to avoid duplication wherever possible. IMO accordingly co-operates on a continuing basis with other UN organizations, particularly UNDP, UNEP, UNCTAD and the regional economic commissions, and with certain specialized agencies, notably ILO, ICAO, ITU and UNESCO. The IMO Secretariat played an active role in the work of the United Nations Conference on the Law of the Sea (UNCLOS), and on 12 October 1983 the Secretary-General issued a joint appeal with the UN High Commissioner for Refugees concerning the rescue of asylum-seekers and refugees in distress at sea.

### Relations with the United Nations and its subsidiary organs

#### UNDP

42. Close contacts are maintained with UNDP. As mentioned above, UNDP is the chief source of finance for the Technical Co-operation Programme, and accounted in 1980 for 72.3 per cent and in 1981 for 75.6 per cent of the funds provided by the three major sources (UNDP, UNEP, Funds-in-Trust).

#### UNEP

43. A memorandum of understanding between UNEP and IMO concerning their roles and responsibilities was signed in November 1976 at Nairobi by the IMO Secretary-General and by the Executive Director of UNEP. It recognizes that while UNEP has a co-ordinating and catalytic role within the United Nations in relation to matters concerning the environment, IMO is responsible for implementing specific programmes relating to the prevention and control of pollution of the marine environment from ships and is responsible for developing standards and projects through joint action plans sponsored by UNEP in various areas. IMO also participates in UNEP's Regional Seas Programme (see paragraph 36). The General Assembly discussed the IMO/UNEP relationship in 1979 and 1981.

44. The question of the financing of overhead costs associated with UNEP's projects comes up from time to time at the sessions of the IMO Council, because UNEP provides no overhead support costs to co-operating organizations for its projects, by decision of UNEP's Governing Council. The Secretary-General of IMO intends to maintain contact with UNEP on this question.

UNCTAD

45. The general line of demarcation between IMO and UNCTAD in matters affecting shipping and ports is that UNCTAD is responsible for economic and commercial matters, whilst IMO is responsible for technical and environmental matters. This division of responsibility was laid down in an IMO/UNCTAD agreement in June 1977 and also appears in recommendations made by CPC in 1977. Both documents recognized that IMO and UNCTAD have separate but complementary responsibilities and are engaged in parallel efforts which require adequate co-ordination to be effective.

46. At present there are a number of joint projects conducted by IMO and UNCTAD, especially regional maritime training institutions in West Africa, the Caribbean and in Latin America.

47. Problems in the field of co-operation and co-ordination between IMO and UNCTAD do exist, however, in particular the possibility of overlap and duplication of work in the area of maritime legislation. This is evident at present in relation to three subjects: maritime liens and mortgages; arrest of vessels and other sanctions; and registration of rights in respect of ships under construction. The two Organizations are active on these subjects at the intergovernmental and secretarial levels, and both Organizations consider that each subject contains a sufficient number of elements to bring it within their respective fields of competence.

48. There is an urgent need for IMO and UNCTAD to co-operate fully to prevent friction and waste of resources, while keeping in mind the distinctive concerns of Member States of each Organization. In this regard, the Inspectors believe that the more similar the issues addressed and disciplines applied, the higher should be the intensity of co-operation between the Organizations dealing with the same issues or working in the same areas. IMO and UNCTAD are a case in point. It is encouraging that recent consultations between IMO and UNCTAD in which the Secretary-General of IMO and the Secretary-General of UNCTAD participate have been intensified. The Secretary-General of IMO told the tenth session of the UNCTAD Committee on Shipping, on 24 June 1982, "... the fact that IMO had considered the problem did not necessarily mean that other organizations could not consider the problem in areas appropriate to their field of competence". This may be regarded as evidence of the flexibility of IMO's position. The Director of the Shipping Division of UNCTAD in turn stated that there was "no impingement intended on the fields of undisputed concern to the two specialized agencies" (ref: TD/B/C.4(X)/MISC.4, p.76) and wherever "foreseeable overlapping of subjects in their treatment appeared likely, it behoved both Organizations, and particularly their secretariats, to co-operate with each other to prevent unnecessary friction and waste of resources, while keeping in mind the distinctive concerns of Member States of each Organization".

49. At meetings between IMO and UNCTAD in December 1982 and March 1983, an agreement <sup>1/</sup> was reached on arrangements and procedures to be followed by the two secretariats in further consultation as well as on the preparation of a list of principal issues for in-depth examination, in order to determine whether the respective issues involve essentially economic, commercial and related matters, or whether they involve essentially technical and technical-related matters. Issues attributed to the first group would be for treatment in UNCTAD, and the second for IMO.

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<sup>1/</sup> C.50/17(d), 8 March 1983, Annex



50. Pursuant to this agreement a list has been established identifying issues in various areas and subjects of concern to both Organizations, but the question of overlap has yet to be officially determined. A judicious approach to this problem is required. A number of issues call for joint or co-operative action, and the particular form of co-operation will have to be elaborated carefully. Depending upon the prevailing content of the activities (technical, economic or commercial) a "lead agency" might possibly be designated. Account will also need to be taken of the work that each Organization has already done on the subjects at issue.

51. The Inspectors urge that both secretariats take action as soon as possible in order to reach agreement first on the designation of issues and then on the responsible Organization for each, subject to confirmation by the intergovernmental bodies. The Inspectors are in full agreement with the CPC recommendation made in 1983, following the consideration of the Secretary-General's cross-organizational analysis of activities of the United Nations system, to the effect that "IMO and UNCTAD should increase their level of co-operation in the field of maritime transport which should be based on compliance with existing agreements and ensure that duplication and overlap of activities will be avoided" 2/, and with the requirement that they should report to CPC at its twenty-fourth session in 1984 on their joint efforts. They also consider as particularly relevant another CPC recommendation to the effect that "if conflicting mandates are approved, these should be implemented by the responsible secretariat on the basis of a careful review of existing programmes in other organizations and with close co-operation with other relevant secretariat entities, keeping the appropriate intergovernmental bodies informed" 3/. The Secretary-General of IMO has pointed out that it is desirable that member governments should take a consistent line on this matter in IMO and in UNCTAD.

#### UNCLOS

52. Pursuant to the decisions of the Council and the Assembly the IMO Secretariat co-operated closely with UNCLOS throughout the years of the Law of the Sea Conference. The work of IMO in the promotion of maritime safety and the prevention of marine pollution from ships and by dumping was brought to the attention of the Conference and the interests and concerns of the Organization were taken into account in the Conference's decisions affecting IMO's areas of competence. IMO's interests were safeguarded by the constant use in the Law of the Sea Convention of the phrase "generally accepted rules and standards" as well as by other relevant provisions. Specifically, Article 2 of Annex VIII (Special Arbitration) of the Convention provides that the list of experts to compose special arbitral tribunals to settle disputes "in the field of navigation including pollution from vessels and by dumping" shall be drawn up and maintained by IMO or "by the appropriate subsidiary body concerned to which it (IMO) has delegated this function".

53. The Assembly has expressed the opinion that a careful and detailed examination of the implications of the United Nations Convention on the Law of the Sea for the conventions and work of IMO should be conducted with a view to determining the scope and areas of appropriate IMO assistance to Member States and other agencies in respect of the Convention's provisions on matters within the competence of IMO. Such an examination would also enable the Organization to develop suitable and necessary collaboration with the Secretary-General of the United Nations on the

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2/ E/AC.51/1983/L.3/Add. 3, p.3

3/ Ibid.

provision of information, advice and assistance to developing countries on law of the sea matters falling within the competence of IMO. With reference to the future International Sea-Bed Authority, established by the Convention, the Secretary-General of IMO was requested and authorized to provide the advice and assistance which would be required by the Preparatory Commission for the International Sea-Bed Authority on matters falling within the competence of IMO.

#### United Nations Industrial Development Organization (UNIDO)

54. IMO's relations with UNIDO rest on a memorandum of understanding signed on 23 January 1978. Under this instrument IMO and UNIDO agreed to co-ordinate their programmes of technical co-operation and assistance in the following major areas of common interest:- (a) Establishment and development of port equipment, services and facilities such as mechanical, electrical, maintenance, etc. workshops; (b) Establishment and development of shipbuilding and ship repairing facilities including associated supporting industries; (c) The development, where appropriate, of joint programmes of assistance and co-operation, particularly where this is considered necessary or useful to integrate assistance in the field of shipping with programmes that are related to or dependent upon shipping; (d) Development of human capacity through jointly developed fellowship or other training programmes, as may be appropriate. In order to ensure a co-ordinated approach and joint action, where necessary, the Secretary-General of IMO and the Executive Director of UNIDO also agreed to keep each other informed of ongoing and planned programmes, activities and projects in the field of technical co-operation at all levels at the earliest possible time, preferably at the preplanning stage.

#### Office of the United Nations Disaster Relief Co-ordinator (UNDRO)

55. IMO and UNDRO have agreed to harmonize their efforts in disaster-related activities and to undertake joint action in the field as well as to exchange information on all matters of mutual interest. The Memorandum of Understanding between IMO and UNDRO signed on 17 March 1978 also provides that IMO will not allocate financial resources of its own for disaster relief. When funds are provided to IMO by UNDRO for action in disaster-related emergencies, no "overhead cost levy" or other fee will be charged to UNDRO.

#### Regional economic commissions

56. Co-operation with regional economic commissions on the basis of specific arrangements and of the 1959 Agreement of Relationship between the United Nations and the International Maritime Organization, which also covers the relationship between IMO and regional economic commissions, is regarded in IMO as being of great importance for both sides. IMO assists the regional economic commissions in their efforts to develop and complement maritime programmes at regional levels and the latter promote IMO standards in their respective regions. Regional commissions also provide IMO regional advisers and consultants with offices and other logistic support.

57. IMO proceeds from the premise that whilst the regional economic commissions can organize discussions on schemes for supplementing the global standards, such discussions do not imply or lead to the assumption that regional or sub-regional standards can be developed or that internationally accepted standards can be modified within the regional commissions or other regional groupings.

58. IMO is contributing to the Transport and Communications Decade for Africa, particularly through participating in the proceedings of the Inter-Agency Committee and technical consultative meetings. It is working with ESCAP on the development of guidelines for national maritime legislation in the ESCAP region. IMO's relationships with ECLA have acquired special significance at the present

time, when the ECLA region is suffering from a particularly drastic reduction of UNDP resources. Joint efforts are being made in this region to build up cost-sharing programmes in the maritime field; the First Meeting on Regional Maritime Co-operation among South American countries, organized by IMO and ECLA in October 1983 at ECLA Headquarters, is a recent example. At this meeting, a Provisional Secretariat of the Regional Co-operation Network of Maritime Authorities was established.

#### Relations with specialized agencies

##### ILO

59. IMO has maintained long-standing relations with ILO. ILO has been involved in standard setting in the maritime field for about 60 years, well before the creation of IMO. ILO's special interests are involved in the conditions of work and living in maritime industry, matters affecting ships' crews, safety of personnel and benefits for maritime employees, etc. At an early stage certain demarcation difficulties arose between the two Organizations, but in 1958 a general agreement between the two secretariats provided for the establishment of joint committees. This general agreement was followed by three other understandings: in 1972 on training of sea-going personnel; in 1974 concerning the terms of reference, responsibilities and working arrangements of the joint IMCO/ILO committee on training; and a third in 1975 on the convening of a conference on marine training, qualifications or certification of mariners. The purpose of these agreements is to keep both Organizations informed of what each is doing and to help them to work together when need arises.

60. The Inspectors believe that these agreements and understandings have assisted in removing difficulties between the two Organizations and have strengthened co-operation. There have been a number of useful joint ILO/IMO projects on the training of port personnel where ILO was the lead agency. IMO has also concluded an agreement with ILO and FAO, delineating fields of competence in relation to work on the safety of fishermen and fishing vessels.

##### ITU

61. IMO has a number of common concerns with ITU in consequence of the role which telecommunications play in ensuring the safety and efficiency of shipping operations. The two Organizations have no joint projects at present, but constant contact is maintained between IMO's Sub-Committee on Radiocommunications, and ITU's Study Group 8 of the International Radio Consultative Committee (CCIR), the International Frequency Registration Board (IFRB) and general secretariat. The measures designed by IMO to contribute to ITU's World Communication Year (WCY) 1983 were considered particularly useful by ITU.

62. At its forty-eighth session, IMO's Council decided to adopt for World Maritime Day in 1983 the theme "Maritime Telecommunications for Safety, Efficiency and Seafarers' Welfare", to hold an exhibition on maritime telecommunications on the occasion of the thirteenth regular session of the Assembly, and to do its utmost to ensure the success of WCY 1983. One of the aims of these measures is to emphasize the usefulness of collaboration between IMO and ITU in the development of telecommunications systems to meet the requirements of maritime transport, and in the promotion of maximum safety and pollution prevention.

63. The Inspectors believe that the results of the World Administrative Radio Conference for mobile services (WARC-MCB 1983), which completed the first preparatory phase of the introduction of the Future Global Maritime Distress and Safety System (FGMDSS), and which placed a heavy responsibility on both IMO and ITU, will be conducive to the further development of relations between these Organizations.

64. Both ITU and IMO of course execute policies laid down by intergovernmental bodies. There is policy consistency between the two Organizations partly because many technical government representatives serve on the intergovernmental bodies of both Organizations.

#### ICAO

65. IMO is co-operating with ICAO, in particular in respect of (a) safety of helicopter operations to and from ships and other marine vehicles and (b) aeronautical and maritime search and rescue services. Draft Memoranda of Understanding between the Secretariats of IMO and ICAO concerning co-operation on these two issues were endorsed by the Maritime Safety Committee at its forty-eighth session (June 1983). They provide for demarcation of responsibilities between both Organizations, for collaboration when respective areas cannot be clearly defined and for the exchange of information and documentation. The IMO Secretariat would have an observer on relevant ICAO groups, in particular the Helicopter Operations Panel and the Visual Aids Panel insofar as Helicopter Operations are concerned. The Secretary-General of IMO was invited by the Maritime Safety Committee to initiate appropriate consultations with the Secretary-General of ICAO with a view to concluding the above-mentioned instruments.

#### Other agencies

66. In addition to the bilateral modes of co-operation described above, IMO co-operates with FAO, UNESCO, WMO, WHO, IAEA and UNEP through its sponsorship of the Joint Group of Experts on Scientific Aspects of Marine Pollution (GESAMP) which was established in 1969. This multidisciplinary body, composed of experts in their individual capacity, provides advice on marine pollution problems, including the development of standards for evaluating the hazards from harmful substances carried in ships; the development of criteria determining the harmlessness - or otherwise - of materials listed in Annex 1 to the London Dumping Convention; and the development of guidelines for identifying substances that may be particularly harmful in sensitive sea areas. There is also close co-operation with IAEA in respect of the safety of nuclear merchant ships and port entry requirements for these vessels.

#### Intergovernmental and non-governmental organizations

67. Since its inception, IMO has had special institutional arrangements which enable the organs and bodies of the Organization to take into account the views and requirements of different entities which may be interested in or affected by the decisions or conclusions reached in those organs and bodies. Through agreements with approved intergovernmental organizations and through the grant of consultative status to carefully selected international non-governmental organizations, a large number of international bodies representing groups of governments or specialized industrial and professional interests can participate in and contribute to the deliberations of the organs and committees of IMO and other aspects of its work.

68. IMO has arrangements for co-operation with some 30 global and regional intergovernmental organizations with a variety of interests. These arrangements provide, as a general rule, for consultations on matters of common interest, exchange of information and documentation and mutual invitations to meetings dealing with subjects in which IMO and the intergovernmental organizations are interested.

69. Forty-two (as of 4 March 1983) non-governmental organizations enjoy consultative status with IMO and are thus entitled to participate in IMO's technical and other functions. The NGO's include bodies representing mostly technical shipowner interests, such as the International Chamber of Shipping (ICS), the

International Shipowners' Association (INSA), and the International Association of Independent Tanker Owners (INTERTANKO). In addition, associations of ports and harbour authorities, lighthouse authorities, organizations of insurance companies or interests, the International Transport Workers' Federation (ITF), the International Chamber of Commerce (ICC), and others, are actively associated with IMO.

70. The legal basis for NGO participation in IMO's activities was approved by the Assembly in the "Rules Governing Relations with Non-Governmental International Organizations" and "Guidelines on the Grant of Consultative Status" (ref: AX1/28(b) Annex). They provide that, subject to approval by the Assembly, the Council may grant consultative status to any non-governmental international organization, if it can reasonably be expected to make significant contribution to the work of IMO. In determining whether an organization can make such a contribution, reference is made, inter alia, to: (a) whether the purposes of the organization are directly related to IMO and in harmony with its spirit and functions; (b) whether the activities of the organization have a direct bearing on the main purposes of IMO as a whole, or on the work of any of the organs or committees or on the matters dealt with in any convention for which IMO is responsible; and (c) whether there are any programmes or projects of the organization, past, current or projected, which can reasonably be considered as demonstrating the relevance of its work and interests to those of IMO. Consultative status is normally not granted to an NGO if it already has access to IMO through another organization.

71. The Secretariat maintains a record of NGOs' activities including their attendance at IMO's meetings and their contributions to the work of the Council and the Committees. On the basis of this information, the Council from time to time reviews the list of NGOs to which consultative status has been granted, in order to determine whether the continuance of that status is desirable.

72. Some NGOs take part in the discussions of the committees and sub-committees on the same scale as full members, and provide substantial inputs to IMO's activities. They are a useful source of expertise for the secretariat as well as for the committees and the Council. The Inspectors believe that the established practice of co-operation between IMO and the NGOs is beneficial to both sides, for there is a joint interest in close collaboration. IMO has acted wisely in adopting a selective approach to granting consultative status.

VI. ORGANIZATION AND RELATED MATTERS

73. The Secretariat has been built up around the requirements of the IMO Convention. It is primarily responsible for serving the Assembly, the Council, the Maritime Safety Committee and its Sub-Committees, the Legal Committee, the Marine Environment Protection Committee, the Technical Co-operation Committee and ad hoc bodies and conferences convened by IMO. Four substantive Divisions, namely the Maritime Safety, Marine Environment, Legal Affairs and External Relations, and Technical Co-operation Divisions, serve their respective committees and sub-committees and process their decisions. Senior and highly qualified technical officers, heads of Divisions, and members of their sections or offices usually function as secretaries of the Committees, Sub-Committees and working groups. The Legal Affairs and External Relations Division has two offices, the Legal Office serving the Legal Committee, and the External Relations Office dealing with inter-agency and other outside relations. There are two other Divisions, namely the Administrative Division and the Conference Division. A detailed organizational chart at Annex 1 shows the sub-divisions and sections of the Divisions.

74. The Secretariat maintains close contact with Member States, in particular to urge them to make continuous progress on the ratification and implementation of the various international conventions and instruments. Contact is also maintained with other governmental and non-governmental organizations showing interest in and contributing to IMO's work. As in the intergovernmental organs, the "IMO spirit" mentioned in paragraph 14 is equally to be felt in the Secretariat.

75. The manning of the various Divisions as of 1 January 1983 was:-

	<u>Office of Sec-Gen.</u>	<u>Maritime Safety</u>	<u>Marine Environ.</u>	<u>Legal Affairs &amp; External Relations</u>	<u>Admin.</u>	<u>Conf.</u>	<u>Tech. Co-op</u>	<u>Total</u>
P and above	6	14	9	10	8	30	10	87
GS	2	13	6	8	48	70	22	169
Total	<u>8</u>	<u>27</u>	<u>15</u>	<u>18</u>	<u>56</u>	<u>100</u>	<u>32</u>	<u>256</u>

The size of the Conference Division reflects the preponderance of conference work in the Headquarters' activities.

Languages

76. As from 1 January 1984, six official (Arabic, Chinese, English, French, Russian and Spanish) and three working (English, French and Spanish) languages are used in IMO. The recent introduction of Chinese and Arabic as official languages implies that apart from interpretation in these two languages, translation will have to be provided for a gradually increasing number of documents. Chinese and Arabic translation sections have therefore been established by decisions of the Assembly and the Council, each section initially comprising a translator and a secretary. The positions have not yet been filled. The necessary appropriations have also been included in the budget to meet, in the 1984-85 biennium, the expenses of a team of two Chinese interpreters (15 meeting weeks per year and two return journeys from China) costing US\$ 19,000 in 1984 and US\$ 84,000 in 1985; and to provide interpretation in Arabic for the Council and the Committee on Technical Co-operation in 1984, and the Assembly, the Council, the Committee on Technical Co-operation and the Maritime Safety Committee in 1985. The Assembly

has recognized the desirability of making maximum use of the Arabic terminology already developed in other UN organizations, particularly in the context of the new Convention on the Law of the Sea.

#### Documentation

77. All IMO's documentation is available in English and French; increasing amounts are also available in Spanish (about 50 per cent). There is only a small volume of translation into Russian and Chinese (mostly Assembly resolutions and reports of main bodies). Limited translation into Arabic is foreseen for 1984. The financial impact of translation and revision is substantial, at about US\$ 65 per page, and considerable economies would arise if there were fewer pages to translate. However, a decrease of 20 per cent in documentation, which it was hoped would result from the fall in the number of meetings agreed in 1979, was not achieved; the reduction was only about 10 per cent. The 20 per cent target was only achieved in respect of the number of pages printed, as a result of a reduction of the number of copies produced. The high level of the volume of documentation may be attributed to the large number of items on the agendas of IMO's bodies, and the frequent revisions of codes, manuals etc. Nevertheless, further efforts will be made during the 1984-85 biennium to reduce documentation to the desired level. The Inspectors urge that every effort be made to reduce both the number of documents and the number of pages per document.

#### Publications

78. IMO has a publication programme of moderate size in comparison with the larger UN system organizations. In 1982, 140,000 copies of 72 books were produced, and 28,000 copies of IMO News (cf. FAO's 678,000 copies of 276 books and ILO's 164,000 copies of 60 periodicals in 1981). Forty per cent of printing of publications is done by outside contractors and 60 per cent in the Headquarters' own printing section, where the unit cost is low.

79. With the exception of IMO News, a free periodical about IMO's activities issued four times a year, the Organization only publishes texts which are a direct result of the work of the Organization, such as technical documents related to the various International Conventions: texts of the Conventions themselves and of amendments to them, international codes, procedures and regulations affecting shipping, and documents relating to IMO itself and to the conferences at which the various conventions were evolved and adopted. There are also a few handbooks on maritime matters not directly related to the International Conventions. The programme of printing and sales is at present dominated by the publication of the International Maritime Dangerous Goods Code (IMDGC), of which 35,000 volumes were sold in 1982. The catalogue of publications includes over 130 titles. All IMO publications are covered by copyright. Permission to reproduce extracts (or even complete publications) for inclusion in new publications is granted liberally and without charge, whilst permission for reproduction of a complete IMO publication by itself (i.e. not for inclusion in another publication) is granted only in exceptional circumstances such as for free distribution to schools or administrations. Translations into other languages for publication are authorized subject to royalties.

80. The publications programme may be considered as a particularly successful part of IMO's work. It is not financed by the regular budget, apart from a nominal US\$ 100 per year. All transactions relating to publications go through the semi-autonomous Printing Fund (established in 1965). A sum of US\$ 400,000 was transferred in 1982 from printing profits to the Working Capital Fund, thus supporting the general activities of the Organization. In 1982, thanks to better utilization of internal resources and to increased sales of publications, in particular the International Maritime Dangerous Goods Code (IMDGC) which

exceeded all forecasts, sales revenue for the first time passed the threshold of one million dollars at US\$ 1,023,000 and the number of volumes sold rose to 128,000. The credit balance of the Printing Fund as at 31 December 1982 amounted to about US\$ 595,000, a considerably higher figure than had been anticipated. The Printing Fund finances one professional (translator) post and six general service posts at Headquarters. Although the financial situation of the Fund is expected to continue to be sound, its credit balance is likely to decrease, at least in the short-term, because of the planned purchase of new equipment, (though the introduction of new photo-composition and other machinery may lead to a reduction of outside printing and to longer-term economies) and of the financing of IMO News, previously borne by the regular budget, as well as because peak sales of the best-selling IMDGC are over.

81. With the approval of the Assembly and Council, the Secretariat has recently begun to accept paid advertising in IMO News, in order to reduce the financial burden - about US\$ 60,000 a year - of this free publication. In the first seven months of 1983, more than US\$ 15,000 was received from this source and was credited to the Printing Fund. Stringent requirements ensure the suitability and inoffensiveness of all advertisements.

#### Staffing

82. As of 1 January 1983 a total of 316 professional and general service staff was employed at the Headquarters and in the field. The Headquarters secretariat accounted for 85 professional posts, of which 25 were linguistic. Of the 57 staff members occupying the remaining 60 posts of professional category and above (all subject to geographical distribution), 39 (68 per cent) held fixed-term and 18 (32 per cent) permanent appointments. Among staff members with permanent contracts, seven have been promoted from the general service category.

83. In the 1970s IMO staff grew rapidly and in that decade the number of professionals doubled. This reflected the increase in membership and the growth in IMO's activities and responsibilities. Now, however, the Organization has entered a phase of consolidation. The Secretary-General in his biennial budget proposals has always made a very careful review of the staffing situation, the guiding principle of which has been to observe strict economy and stringent control on staff establishment while ensuring the efficient running of the Organization. The increased emphasis on implementation has placed new responsibilities on the secretariat, but the Secretary-General has proposed no additions in the secretariat since the 1978/79 biennium, apart from very small additions to staff to fill four language posts. There may be a case for some adjustment to the technical co-operation staff (see paragraph 89 below).

84. The grade distribution of professional staff in IMO Headquarters is somewhat different from that in other specialized agencies (apart from WHO), where as a rule the number of P.5 professional posts is less than those at the P.4 and sometimes P.3 levels. In IMO the number of professionals at P.5 level (27) is 35 per cent higher than that at P.4 (20) and 69 per cent higher than that at P.3 (16). The reason for this appears to be that in consequence of the highly technical character of much of the work IMO has gradually evolved a structure in which the higher grades predominate. Section Heads in particular have to have specialized technical qualifications and extensive work experience and must combine their supervisory roles with direct personal involvement in complex technical work. There has also been some upgrading of posts over the years, pari passu with the growth of the Organization's membership and responsibilities. Most professionals are recruited at the P3/P4 level, at an average age of over 40 years, after some experience in national maritime administrations, and it is possible to recruit only a few generalists as P2s.



85. Age distribution: Another peculiarity of IMO staff is the absence of young members. In fact, there is no professional staff under the age of 25 and only two, representing less than 5 per cent of the staff, in the 25-30 and 30-35 age groups. The number of staff approaching or having passed the age of retirement is relatively high: 7 (8.75 per cent) are over 60 and 14 (17.5 per cent) are over 55. The majority of staff members belong to the 41-45 and 46-50 age groups: 21 per cent in each case.

86. One reason for this age distribution is the high average age of recruitment and the relatively small turnover in professional posts. Another is that junior professional posts tend to be filled by the promotion from the general service category of people who already have many years' experience with the Organization. The stage at which the Organization finds itself at the present time also affects the situation. Many professionals were recruited 10-15 years ago and are reaching, or in some cases have even passed, the age of retirement. This factor may change in the near future, as increasing numbers of staff are likely to retire.

#### Geographical distribution

87. On 1 March 1983, 57 out of 60 Professional and higher posts subject to geographical distribution were occupied. The distribution by nationality was:-

Algeria	1
Australia	1
Belgium	1
Burma	1
Canada	2
Chile	1
China	1
Denmark	1
Egypt	2
Finland	1
France	1
Germany, Fed. Rep. of	3
Ghana	1
Greece	2
India	2
Italy	2
Japan	2
Liberia	1
Mexico	1
Netherlands	1
Norway	2
Pakistan	1
Poland	2
Spain	1
Sri Lanka	1
Sweden	2
Switzerland	1
Trinidad & Tobago	1
Union of Soviet Socialist Republics	3
United Kingdom	12
United States of America	3
31 Nationalities	<hr/> 57 <hr/>

88. From the point of view of geographical distribution, Member States are now better represented (31 nationalities) than ten years ago (24 nationalities). Since IMO has only 60 posts subject to geographical distribution and 125 Member States, geographical balance at the country level is not practicable. A certain general imbalance persists, however, with about one-quarter of the posts subject to geographical distribution being filled by nationals of developing countries. This is partly due to the relatively slow turnover of professional staff. The Inspectors note the progress already made and consider that IMO should continue to bring in a wider range of nationalities, especially non-represented developing countries, when recruiting Professionals for new posts and in replacement of staff who leave the Organization, due regard being given to recruiting persons of the high standard of qualifications and experience required.

Technical co-operation staff and experts

89. Technical co-operation continues to grow in volume and significance. There has been no growth in the TCD staff for several years despite the increase in UNDP funding until 1981. It might have been expected that some of this increased funding would have provided some additional TCD positions. Desk officers and regional and interregional advisers need to be maintained and in some cases strengthened. There has been one desk officer for each area since 1974 despite the increase of IMO technical assistance responsibilities. The Inspectors believe that IMO should examine the staff needs for technical co-operation, taking into account the prospect that UNDP funding may fall but that bilateral funding may increase. IMO has controlled the growth of its staff in recent years with considerable success but perhaps this unusual action may have been maintained too rigidly and as a result some of its functions, particularly on the technical co-operation side, may have suffered. Evaluation in particular could usefully be expanded.

90. IMO uses small teams of experts to move from country to country for short visits. This approach is used in order to maintain a consistent standard in the IMO technical field. The advisory service is made up of regional advisers and interregional advisers as well as consultants. The regional advisers consist of seven experts: three in Africa and three in Latin America including one in the Caribbean area and one regional maritime legislation adviser for Spanish and Portuguese speaking countries who is based in London.

91. IMO projects are carried out by experts recruited by the Organization, after host governments have made their choice from lists of candidates submitted to them. The Organization keeps a roster of about 2,000 experts and consultants in various fields. Seventy-one of these were in post in March 1983, coming from 24 countries. Of these 71, 42 experts came from 12 developed countries and 29 from 12 developing countries. The largest numbers are from the United Kingdom (27 experts and consultants) and India (11 experts and consultants). The geographical spread of experts is more level than that of the secretariat; but the net could probably be cast still wider, consistently with the secretariat's obligation to offer experts having the necessary high qualifications and with each host government's right to pick from each list of candidates the one it thinks will suit it best.

Deputy to the Secretary-General

92. This position continues to be maintained but has not been occupied since 1976. At present the Assistant Secretary-General acts for the Secretary-General in his absence. The Inspectors consider that there is no reason at present to fill this position.

#### Liaison officers

93. IMO has maintained a part-time liaison officer in Geneva for some time (the post is temporarily vacant). This officer attends meetings at IMO's request and when it appears unnecessary to send someone from Headquarters. He is also in a position quickly to obtain documentation from the United Nations and the specialized agencies in Geneva, for use by IMO.

94. The Inspectors believe that it would be useful for IMO to appoint a part-time liaison officer in New York similar to the one in Geneva. This officer could, when requested by IMO, attend General Assembly subsidiary bodies, ECOSOC, CPC and others. He would be in a position to provide documentation and information to IMO more promptly than the regular machinery. He could also make available as necessary to delegations and officials in the UN Secretariat documentation and information on IMO. The Inspectors believe that this would be an economical way of keeping IMO better informed on New York UN activities and of ensuring its representation in the various meetings that take place in New York. The job could probably be done on a part-time basis at relatively small expense.

#### Combined administrative services

95. The Conference Division and the Technical Co-operation Division recruit their own specialized staff and experts, and TCD handles the administration and financial management of the technical assistance programme, independently of the central administrative machinery of IMO. These functions were kept separate for reasons of speed and convenience, which was justifiable when the Technical Co-operation Division was in a separate building. The Inspectors believe that now that all the Divisions are under one roof, this factor no longer applies. Serious consideration should therefore be given to the possibility of combining, in the Administrative Division, the recruitment, administration and financial functions now performed by the Technical Co-operation and Conference Divisions with those already performed in the Administrative Division; such a development would of course be accompanied by a transfer of personnel resources. In the Inspectors' view, there is a particularly strong case for having all the financial functions computerized (see paragraph 98 below) and performed in one place, with probable economies in staff time.

#### Word-processing

96. The first experiment with word-processing in IMO began in 1981 with the acquisition of a small central processing unit with two work stations. This was made available for general use in the Headquarters and the demand for time on it was so great, especially from the Safety and Environment Divisions, that in 1982 the equipment was upgraded. Two officials from UN and UNESCO, both of them experienced in the use of word-processing in international organizations, were invited to assess the position, to make recommendations for improving the use of the equipment and to design a plan for the future acquisition and development of an expanded word-processing capability. The two officials submitted their report in March 1983.

97. The report recommended that control of the use of the existing equipment should be the explicit responsibility of the Administrative Division (strengthened by the engagement of a technical specialist in word-processing equipment), with appropriate decentralization of the equipment amongst the user offices. A systematic training programme was advocated, and further applications of word-processing were envisaged in all Divisions, especially the Conference Division and in terminology work and publications. The experts also recommended a controlled expansion of the word-processing equipment: first, the addition of supplementary devices to the existing central processing unit, then the acquisi-

tion of a new central processing unit for the Conference Division and finally - by 1985 - the replacement of the 1982 central processing unit by a new modern unit serving the rest of the Headquarters. The total capital cost of this programme will be between US\$ 187-225,000; the Secretary-General proposes to meet this from an expected surplus in the special fund set up to finance the move to the new Headquarters.

#### Computers

98. A small computer (IBM System 34) for finance and accounts was purchased in 1981, on the basis of a feasibility study reflecting the needs of the Organization in this area. The programming of the software proved to be a long and difficult process. However, the payroll application has been in operation for almost two years and the other applications are being tested. The Organization has no system analysts or software programmers but a number of staff in the Finance Section have been trained as computer operators. The Inspectors believe that when the financial and accounts applications are in operation, the utilization of the computer should be reviewed, with a view to the fuller exploitation of its potential, with additional hardware and appropriate programming, for applications such as the storage and retrieval of information.

#### Programme budget

99. Programme budgets in the UN system have long been a topic of discussion and action, particularly in ECOSOC and ACC(CCAQ). The principal function of a programme budget is to provide Member States and governing bodies with a statement of priorities, programmes and resources allocation proposed for approval and implementation in a given period, so that it is possible to see what each Division etc. of the secretariat is expected to achieve in relation to the human and financial resources made available to it. CCAQ at its forty-second session in 1975 agreed that all organizations should include in their budget documents certain standard annexes, i.e. a breakdown of regular budget expenditures by appropriation line cross-analyzed by object-of-expenditure categories, a breakdown of expenditures by appropriation line cross-analyzed by main sources of funds, an analysis of regular budget increases and decreases, and a table showing man-power resources by appropriation line 4/. The question of information annexes to programme budgets was also considered by ACC in 1977/78, and further decisions were taken 5/. Should IMO establish a full programme budget rather than a budget which, like the present document, reflects little more than the general cost of "in-puts": staff, travel, etc? The Organization has hitherto accepted the secretariat view that IMO does not need a programme budget like those of the large organizations, because there is no expenditure on programmes in the field and because the budget covers only meetings, the secretariat and Headquarters facilities. Three of the five Annexes to the IMO budget go some way towards meeting the CCAQ objectives: Annex II gives a breakdown of appropriations, covering two biennia, by object of expenditure (meetings, staff, general services, etc.); Annex III gives a breakdown of expenditure, divided for the individual years of the coming biennium, by main activities (governing bodies, Office of the Secretary-General, technical Divisions, etc.); Annex IV gives a breakdown of man-power resources by Division. Moreover, the section on Printing and Publications provides a clearer view of the publications programme than is the case in many organizations of the system. However, a full programme budget would give more detail about the outputs expected from each Division. The Inspectors understand the reasons why a fully fledged programme budget has not been

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4/ Co-ordination/Rlll4, 12 September 1975

5/ E/1978/43/Add.2, paragraphs 25-27, 20 April 1978

constructed, but they wonder whether the Council and Assembly might not in future be interested to have a more detailed budget showing some of the specific outputs which different parts of the secretariat are expected to achieve as a result of actions by intergovernmental bodies. A page or two on the activities foreseen for each technical Division in the biennium would suffice to give member governments a clearer picture. This question should be reviewed by the Secretary-General and the Council.

100. The Assembly has recently adopted a new long-term work plan for the period up to 1990. This is a list of subjects to be considered by the various Committees as and when their programmes permit. There are no financial estimates in the work plan and it is the intention that estimates should be submitted in biennial budgets as and when the various subjects can be taken up in the work programme.

#### Finance

101. Total gross appropriations proposed for the 1984-85 biennial regular budget come to just under US\$ 25.8 million; after deduction of US\$ 1.4 million miscellaneous income and of US\$ 2.2 million from the surplus arising from 1982/83, a net assessment of US\$ 22.1 million is reached. This is an increase of 7 per cent in appropriations over the previous biennium and of 0.4 per cent in assessments. Most of the increase is accounted for by the effects of inflation, and by expenses related to the new Headquarters building; only US\$ .5 million relates to new expenditure: on the forthcoming Legal Conference, and on two language posts made necessary by the Assembly's decision to adopt Arabic as an official language.

102. In addition to the regular budget, the "Technical Co-operation Budget" covers the administrative costs of the technical co-operation programme (and of servicing the intergovernmental bodies in relation to technical co-operation matters). This comes to US\$ 2.8 million for the biennium, in relation to a technical co-operation programme that is tentatively estimated at US\$ 10-15 million. This budget will be met largely from UNDP support costs and flexibility allowance and from support costs from projects executed under funds-in-trust arrangements. The remainder, some US\$ .4 million, arises mostly from a commitment undertaken by the Council to strengthen the Headquarters staff supporting the interregional and regional advisers financed by UNDP, and will be met from the regular budget.

103. IMO has no technical co-operation programme in the regular budget. The regular budget and the "technical co-operation budget" together amount to approximately US\$ 30 million for the 1984-85 biennium. This figure is of course very small in comparison with the budgets of most other organizations in the UN system. Even in 1982/83 the United Nations regular budget, with extrabudgetary funds, totalled over US\$ 3,000 million; FAO US\$ 1,000 million; ICAO US\$ 203 million; WIPO US\$ 45 million (but UPU US\$ 24 million) 6/.

104. The regular budget and the "technical co-operation budget" are administered, under the close supervision of the Secretary-General and the D1/D2 Director of the Administrative Division, by a Finance Section consisting of a P5 Head of Section, a P3 Finance Officer and ten General Service officers ranging from G8 to G5. The Organization has a P4 Internal Auditor, who reports directly to the Secretary-General. The Internal Auditor also reviews the technical assistance budget, the use of UNDP funds, and other administrative matters.

105. The technical co-operation programme proper, on behalf of which the Assembly has appealed for voluntary contributions, is controlled financially from the Technical Co-operation Division which has its own finance section as part of project administrative services, under a P5 staff member. Now that all the Divisions are in one building, there seems to be little justification for this arrangement, and the Inspectors are recommending (see paragraph 95) that serious consideration should be given to transferring this section to, and merging it in, the Administrative Division.

106. IMO shares one difficult problem with other UN system organizations not located in New York. Its budget is expressed in US dollars, but most of its expenditure (at least 90 per cent in IMO's case) is made in another currency, in this instance the pound sterling. A given rate for the pound-dollar ratio has to be notionally assumed for the biennial budget, but the actual rate, during at least the last decade, has fluctuated widely above and below the notional one. Over the last biennium, the difference between the highest and lowest rates has shown a fall in the dollar value of sterling by 36 per cent; this has given rise to a substantial budget surplus. Conversely, a mere one US cent rise in the value of the pound sterling is estimated to add about US\$ 72,500 a year to budget expenditure. To obviate the need to call on Member States for supplementary contributions, the Assembly decided in 1977 to establish an Exchange Reserve Fund of US\$ 1.2 million from the budgetary surplus that had arisen in the previous biennium. This fund was used to compensate for deficits arising from changes in the exchange rate in 1979 and 1981 (in which year it was exhausted) and was replenished in 1980 and 1982. It will now be replenished further from the budgetary surplus arising from the 1982/83 biennium, which will bring it to a total of US\$ 2 million. This sum, though by no means excessive, can reasonably be expected to prevent any need for supplementary estimates for exchange rate reasons during the biennium 1984-85. The Assembly has decided that a rate of \$1.54 to the pound shall be used for the 1984-85 biennial budget, subject to correction by the Council in the light of events.

107. As with other organizations, the rate of inflation, in this instance the rate of domestic inflation in the United Kingdom, poses another unavoidable problem. The Organization has to assume a rate for the biennium covered by the budget, even though the assumption is invariably falsified by events. An annual rate of 6 per cent over the 1984-85 biennium has been assumed, as compared with the actual rate of about 5.5 per cent now prevailing in the United Kingdom.

#### Assessment of members' contributions

108. Hitherto, members have been assessed for contributions under a system dating from 1963. Under it, each member's contribution consisted of two parts: (a) basic assessment, which was a constant sum of US\$2,000, \$4,000 or \$10,000, depending on that member's percentage assessment for the United Nations budget; and (b) additional assessment, determined by dividing the rest of the budget (i.e. the budget after deducting the basic assessment of all members and miscellaneous income) according to the proportion which that member's merchant fleet bore to the total of world tonnage.

109. This system had for some time been inadequate, in particular because the basic assessments, being fixed sums, represented a constantly shrinking proportion of the total budget: about 2.5 per cent in 1983 as opposed to 18 per cent twenty years earlier. An intergovernmental working group was accordingly set up and reported in November 1982 with proposals for an amended system. These have recently been adopted by the Assembly.

110. The amended system retains the concepts of basic assessment and additional assessment, but envisages that basic assessments will always cover 10 per cent of the net budget. Each member's basic assessment will be worked out by a system rather more complicated than the previous one, but still based essentially

on United Nations assessments; this will place a member in one of eight categories, rather than one of three, for the calculation of its share of the 10 per cent of the budget to be covered by the basic assessments. Additional assessment is calculated on the same tonnage basis as before, but in order to help Member States who are just beginning to build up a merchant fleet, each member's fleet is notionally reduced by 50,000 tons before the ratio between its fleet and the total of world tonnage is calculated.

111. The effect of the amended system will be to bring about small increases for most members, with some decreases amongst the countries with the smallest and largest fleets.

#### Travel funds

112. IMO travel funds for 1982 were US\$ 166,900 and for 1983 US\$ 184,400, the volume of travel having been cut by 15 per cent from the previous biennium. There is an increasing number of invitations to IMO to attend conferences and meetings, and there is a growing trend towards a wider spread of meeting locations. IMO has also had to use money from the regular budget for travel connected with technical assistance projects. The Inspectors commend the Organization for keeping its travel within the reduced figure for the biennium, but suggest that the use and need for travel funds be reviewed in detail. The results should be presented to the Council for a possible increase of funds.

#### Headquarters building

113. IMO moved into its new building in November 1982. The move will undoubtedly make the Organization more efficient, with all its Divisions and conference facilities under one roof. Agreement has been reached with the United Kingdom Government, whereby IMO pays only a modest annual rental. The large Conference room and a certain amount of office space are available for permanent or temporary rental, which could bring some financial benefit to IMO. The administration is actively seeking tenants and the 1983 session of the Assembly has adopted guidelines for the renting out of the main conference room and related areas.

## VII. CONCLUSIONS AND RECOMMENDATIONS

114. During its 25 years of existence IMO has developed into an efficient, well-run, UN specialized agency. Though other members of the UN family are also concerned with various maritime issues, IMO is the only intergovernmental global organization that brings together all the technical aspects of shipping. As is shown by the 27 international conventions and protocols in respect of which it performs depository and secretariat functions, IMO has now taken at least the basic legislative action on virtually all aspects of maritime safety and marine pollution. In resolution A.500 of the twelfth session of the Assembly, IMO decided to give priority in the 1980s to promoting the ratification and implementation of the various legislative instruments, and thus entered a period of consolidation. It is relevant to observe that one of the purposes of the Organization is to promote the "highest practicable", and not the "highest possible" or conceivable standards (according to the English text of the Convention). This prudent decision of the Assembly will give the maritime countries of the world the necessary time to carry out the undertakings made in the various legal instruments, before the Organization takes further standard-setting action; the Organization is providing substantial technical assistance to enable countries that need it, to meet the standards laid down in the existing instruments.

### RECOMMENDATIONS

#### Relations with UNCTAD

115. In general, IMO maintains close and fruitful relations with other UN agencies and bodies concerned with maritime matters, particularly ILO, ITU, UNESCO, ICAO and UNEP. The only exception appears to be UNCTAD, with which there are some difficulties of demarcation in relation to certain issues in the field of maritime legislation (in other respects, such as technical assistance projects, there is good co-operation between the two Organizations).

#### RECOMMENDATION 1

The Inspectors fully agree with CPC's recommendation that "IMO and UNCTAD should increase their level of co-operation in the field of maritime transport which should be based on compliance with existing agreements and ensure that duplication and overlap of activities should be avoided", and recommend that: the IMO and UNCTAD secretariats should jointly take all measures to expedite agreement, subject to confirmation by their respective intergovernmental bodies, first on the designation of contentious issues in the field of maritime legislation, and then on the responsible Organization for each, taking account, inter alia, of work already carried out on these issues by IMO and UNCTAD (paragraphs 47-51).

#### Liaison officers

#### RECOMMENDATION 2

In order to keep itself better in touch with developments at UN Headquarters in New York, and to ensure its representation at meetings there, IMO should appoint a part-time liaison officer in New York, similar to the one it already maintains in Geneva (paragraphs 93-94).

#### Personnel and Financial Services

#### RECOMMENDATION 3

It no longer seems necessary for the administration and financial management of the technical assistance programme, and the recruitment of specialized staff and experts, to be done by the Technical Co-operation Division and the Conference



Division independently of the central administrative machinery of IMO. Serious consideration should be given to the possibility of combining, in the Administrative Division, the recruitment, administration and financial functions now performed by the Technical Co-operation and Conference Divisions with those already performed in the Administrative Division; such a development would of course be accompanied by a transfer of personnel resources. In the Inspectors' view, there is a particularly strong case for having all the financial functions computerized and performed in one place, with probable economies in staff time (paragraph 95).

#### Staff and experts

##### RECOMMENDATION 4

(a) The small size of IMO's staff imposes limits on what can be done to improve the geographical distribution of the staff, but efforts should continue to be made to bring in a wider range of nationalities, especially non-represented and developing countries, when professional staff are being recruited for new posts or in replacement of existing staff, due regard being given to the need to recruit persons of the high standard of quality and experience required (paragraphs 86-87).

(b) Measures could also be taken to widen the geographical range of experts recruited, consistently with the secretariat's obligation to offer highly qualified experts and with host governments' right to choose the most suitable candidate (paragraph 91).

#### Programme budget

##### RECOMMENDATION 5

The principal function of a programme budget is to provide Member States and governing bodies with a statement of priorities, programme and resources allocation, proposed for approval and implementation in a given period. The current presentation of the IMO budget does not fully correspond to this function, though it is probably not necessary for IMO to have a fully fledged programme budget. The Secretary-General and the Council should consider whether the addition to the Work Programme and Budget of a page or two on the activities foreseen for each technical Division would be desirable, in order to give member governments a clearer picture of what the technical Divisions are expected to achieve in the coming biennium, as a result of decisions by intergovernmental bodies (paragraph 99).



INTERNATIONAL MARITIME ORGANIZATION

ORGANIZATIONAL CHART 1984/85



