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Improvement of relationship between the D.P.R. of Korea and IMO

Won Su Li

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WORLD MARITIME UNIVERSITY

Malmo, Sweden

IMPROVEMENT OF RELATIONSHIP BETWEEN THE D.P.R. OF KOREA AND IMO

by

LI WON SU

THE D.P.R. OF KOREA

A paper submitted to the Faculty of the World Maritime University in partial satisfaction of the requirements for the award of a

MASTER OF SCIENCE DEGREE

IN

GENERAL MARITIME ADMINISTRATION

The contents of this paper reflect my personal views and are not necessarily endorsed by the University.

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Visiting Professor, World Maritime University.
ACKNOWLEDGEMENTS

It is great satisfaction to me that, not only for the purposes of this dissertation but also during my two year stay at World Maritime University, I have always received very kind co-operation and encouraging friendship from many of my colleagues, from the University staff especially from the English teachers and the Library personnel, from the permanent professors including visiting professors and the officials of IMO as well as from the member of the Embassy of the D.P.R. of Korea to Denmark and to Sweden.

Likewise, I am very thankful to my course professor, Mr. Mlynarczyk, whose patience and guidance have been of great help for the achievement of our objectives throughout the course.

Last, but not the least, special mention must be made to the officials of my ministry who have helped me tremendously with their invaluable support.

To all of them my profound gratitude.

Malmo in Sweden.
December, 1989.

Mr. Li Won Su
The world oceans, accounting for about two-thirds of the earth's surface, are the only truly international part of our globe. Except for a marginal belt, very few miles wide, touching on the shores of countries, the greater part of the world oceans and maritime resources are the common heritage of all nations, irrespective of whether they are maritime countries or land-locked countries and whether they are developed or developing countries.

It can be said that the shipping industry is characterized as an international business, therefore it is essential to establish and apply standard rules internationally.

The International Maritime Organization which is a specialized agency of the United Nations deals with this matter. IMO discusses and adopts international maritime standards as well as encourages and accelerates the implementation of the standards made by it. IMO is a forum of all member states for this purpose.

The Democratic People’s Republic of Korea which is a maritime country with a long coast line and 650,000 tons of merchant fleet is a new member of IMO.

The history of the shipping industry of the D.P.R of Korea is comparatively short. Under the colonial rule of the Japanese from 1910 to 1945, the shipping industry in Korea was as limited as other industries. At that time
Korea owned small fishing vessels but the Japanese owned the entire merchant fleet. In addition, during the "Korean War" from 1950 to 1953 most fishing vessels and ports were destroyed.

From the end of the 1960's and early 1970's the shipping industry in the D.P.R. of Korea began to develop. Now it is able to construct up to 50,000 ton cargo ships and almost all port facilities. It has entered into broad economic relations with more than 100 countries in the world and engages in brisk trade activities through maritime transport.

Considering that the D.P.R of Korea is a new member of IMO, I am going to mention, in this paper, basic facts of IMO and improvement of the relationship between the D.P.R of Korea and IMO.

Although the paper points out some problems and offers some suggestions and proposals, many of them require further study outside the framework of this presentation.
# ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>IMO</td>
<td>International Maritime Organization</td>
</tr>
<tr>
<td>ECOSOC</td>
<td>Economic and Social Council of the United Nations</td>
</tr>
<tr>
<td>UNCTAD</td>
<td>United Nations Conference on Trade and Development</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNEP</td>
<td>United Nations Environment Programme</td>
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<tr>
<td>MSC</td>
<td>Maritime Safety Committee</td>
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<tr>
<td>MEPC</td>
<td>Marine Environment Protection Committee</td>
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<tr>
<td>WMU</td>
<td>World Maritime University</td>
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<tr>
<td>GMDSS</td>
<td>Global Maritime Distress and Safety System</td>
</tr>
<tr>
<td>TCDC</td>
<td>Technical Co-operation Among Developing Countries</td>
</tr>
<tr>
<td>NAS</td>
<td>United States National Academy of Science</td>
</tr>
<tr>
<td>ITOPF</td>
<td>International Tanker Owners' Pollution Federation</td>
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</table>
INMARSAT Convention on International Maritime Satellite Organization and Operating Agreement

SAR Search and Rescue
OBJECTIVES OF THIS THESIS

Considerations to deep in mind;

A) The D.P.R of Korea is a new member of IMO.

B) It is very difficult to take part in all the IMO meetings because of lack of funding and of understanding of government officials in developing countries.

C) It is very difficult to connect promptly with IMO because there is no mission of the D.P.R of Korea to IMO and no diplomatic relation with the host country.

D) The shipping industry is an international business in character and standards and rules should be agreed and implemented internationally.

E) No country can develop and improve its shipping industry in isolation without international cooperation.

F) One of the objectives of IMO is to assist developing countries to develop and improve their national shipping industry as well as national maritime legislation and its implementation.

The main objectives of my thesis are:

A) to understand all the main facts of IMO such as what it is, what it does, how it works, what and how the
D.P.R of Korea can be assisted from IMO, what and how the D.P.R of Korea can contribute to IMO, .....etc..

B) to find the major problems in order to improve the relationship between the D.P.R of Korea and IMO and suggestions and recommendations to overcome the problems.

C) to find out how the Long Term Work Plan of IMO shall be implemented in the D.P.R of Korea.

In general, all necessary aspects working with IMO should be written for better contribution to and taking assistance from IMO.

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CONTENTS

Acknowledgement
Preface
Abbreviations
Objectives of this thesis
Contents

Chapter 1. Introduction of IMO

1.1. Background of Foundation of IMO
1.2. Structure
1.3. Purposes, Functions and Characteristics

Chapter 2. Work of IMO

2.1. Principle Ways of Work
2.2. Safety
2.3. Pollution Prevention
2.4. Technical Co-operation

Chapter 3. Development of the Relationship between the D.P.R. of Korea and IMO

3.1 The Necessity to join IMO
3.2 Contribution of the D.P.R of Korea to IMO

Chapter 4. Problems and Recommendations for Improving the Relationship between the D.P.R of Korea and IMO

4.1 Active Participation in the Meeting of IMO
4.2 Improvement of Connection with IMO
4.3 Technical Co-operation
Chapter 5. Implementation of the Long Term Work Plan of
IMO in the D.P.R of Korea

5.1 Safety
5.2 Marine Environment Protection
5.3 Technical Co-operation
5.4 Legal Matters
5.5 Facilitation

Conclusion
Appendix
Bibliography
CHAPTER 1. INTRODUCTION TO IMO

1.1. Background of foundation of IMO

Since ancient times, freedom of the seas has been a theoretical ideal rather than reality. In each historic era, the great maritime powers tended to use their national might to dominate the seas. Some of these powers, while serving their own interests of shipping, served the world as a whole as in the great explorations of unknown continents. Private interests of shipping, often supported by their national governments, have been even more competitive, and international co-operation in maritime matters has been very limited.

It is well recognized that shipping is essentially international in character, therefore rules and standards relating to maritime safety and pollution prevention should be discussed, agreed and implemented at an international level.

The idea of establishing an international organization in the field of marine shipping was proposed at the end of the 19th century by a Russian lawyer, P. Kazansky (1). He wrote that

"marine shipping presents an international interest of world-wide character in the direct sense of the word: an international commission or a union should be established which would be authorized with marine police

With the expansion of international merchant shipping at the end of the 19th century and early 20th century there was increasing international activity in this field.

The problems of establishing such an intergovernmental organization in the maritime field were discussed at conferences in Washington in 1889 and in St. Petersburg in 1912. The Conferences adopted many decisions but had no result of establishment of such inter-governmental organization because of the different opinions of the participants in the Conferences. Even though there existed some non-intergovernmental organizations in the maritime field at that time, the scale of their activities were so limited, therefore an inter-governmental organization affecting all maritime matters at the national level was needed.

The need for such an international organization to develop and coordinated international maritime cooperation was expressed by Woodrow Wilson (2) who called for: universal association of the nations to maintain the
inviolate security of the highway of the world. However such inter-governmental organization in the maritime field had not been established until the United Nations came into being.

After World War II the United Nations began to study the problem of establishing a permanent inter-governmental organization for the coordination of efforts of states in the field of shipping.

At its First Session in 1946 the Economic and Social Council of the United Nations established an ad hoc Commission on Transport and Communications which would develop recommendations for the Council on the creation of new inter-governmental agencies or the merging of the acting ones (Resolution 10. adopted on February 16, 1946).

At the Second Session of ECOSOC the ad hoc Commission on Transport and Communications was reorganized into the Permanent Commission on Transport and Communications, and ECOSOC authorized it with the task to consider the question of the coordination of activities in the field of navigation, shipping and telecommunications in relation to safety at sea and in the air in order to submit recommendations for an organ necessary for providing for such activities (Resolution 7 adopted on June 21, 1946).

On October 30, 1946 the Joint Maritime Consultative Council which was established by Anti-Fascist Joint States in order to watch navigation and coordinate the marine
transport, approved the Agreement on the Establishment of the Ad Hoc Maritime Consultative Council. The Council had consultative and advisory functions. One of the main objectives of the Council was to prepare a draft constitutional act for a permanent inter-governmental maritime organization. The Agreement entered into force on April 12, 1947. The contracting parties consisted of 12 countries namely Australia, Belgium, Canada, Chile, Denmark, Great Britain, Greece, France, The Netherlands, Norway, Poland, and the USA.

At its Fourth Session on March 28, 1947 ECOSOC approved Resolution 35 (IV), "Projected Establishment of the International Organization on Navigation".

In accordance with the Resolution the Secretary General of the United Nations was instructed to call a conference of interested states with the aims of considering questions on the establishment of an international organization of navigation. The conference was held in Geneva from February 19 to March 6, 1948. The delegations of 32 states and representatives of 9 international organizations attended the Conference. The Conference discussed and approved the Convention on the Inter-governmental Maritime Consultative Organization and several resolutions prepared by the Joint Maritime Consultative Council.

To start work immediately after the entry of the Convention on IMCO came into force, the Conference established the preparatory Committee, determining its
task in the following way: to convene the First Session of the IMCO Assembly three months after the entry of the Convention on IMCO into force.

The Convention on IMCO entered into force on March 17, 1958. In January of 1959, the Preparatory Committee convened the First Session of the IMCO Assembly at which the procedures for establishing the permanent inter-governmental organization was concluded.

The name of the Organization was changed to IMO in accordance with an amendment to the Convention on IMCO, which entered into force on 22, May 1982.

Footnote
2 Structure

The Organization consists of an Assembly, a Council and four main Committees. There is also a Facilitation Committee and a number of Sub-Committees of the main technical committees.

1.2.1. The Assembly

This is the highest Governing Body of the Organization. It consists of all Member States, and it meets once every two years in regular sessions; but may also meet in extraordinary session if necessary. The Assembly is responsible, inter alia, for approving the work programme, to vote the budget and determine the financial arrangements of the Organization and to perform the functions of the Organization. The Assembly also elects the Members to be represented on the Council.

1.2.2. The Council

The Council is composed of 32 Member States elected by the Assembly for two-year terms beginning after each regular session of the Assembly. The Convention of the Organization provides that in electing the Members of the Council the Assembly shall observe the following criteria:

(a) Eight shall be States with the largest interest in providing international shipping services;

(b) Eight shall be other states with the largest interest in international seaborne trade;
(c) Sixteen shall be States not elected under (a) or (b) above which have special interests in maritime transport or navigation, and whose election to the Council will ensure the representation of all major geographic areas of the world.

The Council is the Executive Organ of IMO and is responsible, under the Assembly, for supervising the work of the Organization. Between sessions of the Assembly the Council performs all the functions of the Assembly, except the function of making recommendations to Governments on maritime safety and pollution prevention which is reserved for the Assembly by Article 15(j) of the Convention. Other functions of the Council are to:

(a) co-ordinate the activities of the organs of the Organization;

(b) consider the draft work programme and budget estimates of the Organization and submit them to the Assembly;

(c) receive reports and proposals of the Committees and other organs and submit them to the Assembly and Member States, with comments and recommendations as appropriate;

(d) appoint the Secretary-General, subject to the approval of the Assembly;

(e) enter into agreements or arrangements concerning
the relationship of the Organization with other organizations, subject to approval by the Assembly.

1.2.3. **Maritime Safety Committee (MSC)**

The MSC is the highest technical body of the Organization. It consists of all Member States. The functions of the Maritime Safety Committee are to "consider any matter within the scope of the Organization concerned with aids to navigation, construction and equipment of vessels, manning from a safety standpoint, rules for the prevention of collisions, handling of dangerous cargoes, maritime safety procedures and requirements, hydrographic information, log-books and navigational records; marine casualty investigation, salvage and rescue, and any other matters directly affecting maritime safety".

The Committee is also required to provide machinery for performing any duties assigned to it by the IMO Convention or any duty within its scope of work which may be assigned to it by under any international instrument and accepted by the Organization. It also has the responsibility for considering and submitting recommendations and guidelines on safety for possible adoption by the Assembly.

The MSC operates with the assistance of 10 Sub-Committees. These are:

1. Bulk Chemicals
2. Carriage of Dangerous Goods
3. Containers and Cargoes
4. Fire Protection
5. Life-saving, Search and Rescue
6. Radiocommunications
7. Safety of Navigation
8. Ship Design and Equipment
9. Stability and Load Lines and Fishing Vessel Safety
10. Standard of Training and Watchkeeping

1.2.4. Legal Committee

The Legal Committee is empowered to deal with Legal matters within the scope of the Organization. The Committee consists of all Member States of IMO. It was established in 1967 as a subsidiary body to deal with legal questions which arose in the aftermath of the Torrey Canyon disaster.

The Legal Committee is empowered to perform any duties within its scope which may be assigned by or under any other international instrument and accepted by the Organization.

1.2.5. Marine Environment Protection Committee (MEPC)

The MEPC, which consists of all Member States, is empowered to consider any matter within the scope of the Organization concerned with prevention and control of pollution from ships. In particular it is concerned with the adoption and amendment of conventions and other regulations and measures to ensure their enforcement.
The Sub-Committee on Bulk Chemicals is also a subsidiary body of the MEPC as far as pollution aspects are concerned.

The MEPC was first established as a subsidiary body of the Assembly and raised to full constitutional status in 1985.

1.2.6. Technical Co-operation Committee

The Technical Co-operation Committee is required to consider any matter within the scope of the Organization concerned with the implementation of technical co-operation projects for which the Organization acts as the executing or co-operating agency and any other matters related to the Organization's activities in the technical co-operation field.

The Technical Co-operation Committee consists of all Member States of IMO, was established in 1972 as a subsidiary body of the Council, and was institutionalized by means of an amendment to the Convention which entered into force in 1984.

1.2.7. Facilitation Committee

The Facilitation Committee is a subsidiary body of the Council. It was established in May 1972 and deals with IMO's work in eliminating unnecessary formalities and "red tape" in international shipping. Participation in the Facilitation Committee is open to all Member States of IMO.
1.2.8. **Secretariat**

The Secretariat of IMO consists of the Secretary-General and a Secretariat personnel based at the headquarters of the Organization.

The Secretariat is headed by the Secretary-General, who is assisted by a staff of some 280 international civil servants.

The secretariat maintains all such records as may be necessary for the efficient discharge of the function of the Organization and prepare, collect and circulate the papers, documents, agenda, minutes and information that may be required for the work of the Organization.

The Secretary-General keeps Members informed with respect to the activities of the Organization. Each Member states may appoint one or more representatives for the purpose of communication with the Secretary-General.

In the performance of their duties the Secretary-General and the staff should not seek or receive instructions from any government or from any authority external to the Organization. They should refrain from any action which might reflect on their position as international officials.
The Assembly may, by a two-thirds majority vote, change the sit of the Headquaters if necessary.

The Secretary-General of IMO has been:

1) Ove Nielsen (Denmark) 1959-1961
2) William Graham (UK) 1961-1963 (Acting Secretary-General)
3) Jean Roullier (France) 1964-1967
4) Colin Goad (UK) 1968-1973
5) C.P.Srivastava (India) 1974-1989
6) O. Neil (Canada) 1990-

1.3 Purposes, Functions and Characteristics of IMO

1.3.1. Purposes of IMO

The purposes of IMO are:

(a) To provide machinery for co-operation among governments in the field of governmental regulations 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 the maritime safety, efficiency of navigation and prevention and control of marine pollution from ships, and to deal with administrative and legal matters relating to the
purpose of IMO.

(b) To encourage the removal of discriminatory action and unnecessary restrictions by governments affecting shipping engaged in international trade so as to promote the availability of shipping services to the commerce of the world without discriminations. Assistance and encouragement given by a government for the development of its national shipping and for the purposes of security does not in itself constitute discrimination provided that such assistance and encouragement is not based on measures designed to restrict the freedom of shipping of all flags to take part in international trade.

(c) To provide for the consideration by the organization of matters concerning unfair restrictive practices by shipping concerns in accordance with the function of IMO.

(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.

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

1.3.2 Functions of IMO

In order to achieve its purposes IMO shall:

(a) consider and make recommendations upon matters arising
under a.b. and c of its purposes that may be remitted to it by members, by any organ or specialized agency of the United Nations or by any other inter-governmental organization or upon matters referred to it under d of its purposes.

(b) provide for the drafting of conventions, agreements, or other suitable instruments, and recommend these to Governments and to inter-governmental organizations, and convene such conferences as may be necessary.

(c) Provide machinery for consultation among Members and the exchange of information among governments.

(d) Perform functions arising in connection with paragraphs a, b, and c of this Article, in particular those assigned to it by or under international instruments relating to maritime matters and the effect of shipping on the marine environment.

(e) Facilitate as necessary, and in accordance with the technical co-operation within the scope of the Organization.

In those matters which appear to the Organization capable of settlement through the normal processes of international shipping business shall so recommend. When, in the opinion of the Organization, any matter concerning unfair restrictive practices by shipping concerns is incapable of settlement through the normal process of international shipping business, or has in fact so provide, and provided it shall first have been the subject of direct negotiations between the Members concerned, the Organization shall, at request of one of those Members,
consider the matter.

1.3.3. Principle Characteristics of IMO

The International Maritime Organization as a specialized agency of the United Nations has three principle characteristics.

(a) IMO is an intergovernmental body, because only states may become full members of the Organization.

The Member States participate in the work of IMO through representatives appointed by their governments. The representatives are generally public officials of the states, but it is possible and usual for the Governments to include in their delegations persons who are not public officials but who may have special expertise in the matters to be discussed at particular meetings.

At every meeting of IMO, all delegations of the member states should present their credentials which indicate that they are appointed as delegations by their governments to the Secretariat in advance of relevant meetings.

(b) The second characteristics of IMO is that it is global in membership. This means that every state with an interest in the matters dealt with in IMO may become a member. IMO is thus a "universal organization".

The procedure of receiving membership of IMO is classified as follows:

Members of the UN may become members of the IMO by
becoming parties to the Convention on IMO in accordance of the provisions of Article 71 of this Convention.

Article 71 says that this Convention shall remain open for signature or acceptance and States may become parties to the Convention by:

(a) Signature without reservation as to acceptance,
(b) Signature subject to acceptance followed by acceptance, or
(c) Acceptance.

Acceptance shall be effected by the deposit of an instrument with the Secretary-general of the United Nations.

Any state neither member of UN nor state which have been invited to send representatives to the United Nations Maritime Conference in 1948 may apply through the Secretary-General of IMO to become a Member of IMO and shall be admitted as a Member upon its becoming a party to the Convention on IMO in 1948 in accordance with the provisions of Article 71 of this Convention provided that, upon the recommendation of the Council its application has been approved by two-thirds of the full members of IMO other than Associate Members.

Any Territory or group of Territories may become an Associate Member of IMO by notification in writing given by such member or by the United Nations as the case may be, to the Secretary-General of UN.

(c) The third essential characteristics of IMO as a
specialized agency is that it operates as part of the UN system. In particular it is required to co-operate with the United Nations and the other agencies and bodies of UN, in promoting the objectives of UN regarding international co-operation in economic, social and related matters as set forth in the Charter of UN. To this end IMO, like the other specialized agencies, recognizes the primary role of the General Assembly of the United Nations and the Economic and Social Council in matters concerning international economic co-operation and development. In particular IMO consciously aligns its work and programmes to the relevant policies, objectives and procedures developed in the UN and other agencies.

The relationship of IMO to UN and procedures by which the relationship is to be operated in particular terms, are set out in an agreement between IMO and UN. Similar agreements have been established with individual specialized agencies and bodies of UN to regulate co-operation in specific areas where special agreements are considered necessary. However, apart from the obligation of coordinate its policies and activities with the UN and to observe other general or specific undertakings which it may have accepted vis-a-vis UN or other agencies, IMO is a sovereign organization, which is legally independent of the United Nations.

IMO has its own separate constitution, its distinctive membership, and its own internal structure and work methods. IMO establishes its budget independently of UN, and it has a special method of assessing the contribution to be made by Member States to the budget which is only marginally related to that of the United Nations.
As a member of common system, most of IMO’s procedures are naturally based on the UN “common system”. However, in each case the decision to apply any particular procedures, with or without change, depends on the wishes of the Member States of IMO as expressed in the relevant intergovernmental organs or bodies of IMO.

In other words, IMO is essentially a standard-setting organization. The Convention on IMO states that its principle objectives is the “promotion of co-operation among governments in the field of governmental regulation and practices relating to technical and related administrative and legal matters of all kinds affecting shipping engaged in international trade”.

27
CHAPTER 2. WORK OF IMO

2.1. Principle Ways of Work

The International Maritime Organization implements its functions by various ways, among them the main ones are: providing for the draft of conventions, agreements or other suitable instruments on international shipping, developing and approving recommendations, codes, standards and manuals on various problems of safety navigation and conservation of marine environment, studies of certain problems of shipping and submission of the results to the interested states.

In order to achieve its objectives IMO has, in the past 30 years promoted the adoption of 32 conventions and protocols, and adopted well over 500 codes and recommendations concerning maritime safety and the prevention of marine pollution and related matters.

In developing treaty instruments, consideration is given to proposals first in the relevant committees or sub-committees of IMO. A result of this discussion draft regulations, in the form considered suitable for eventual application, may be prepared. These draft regulations are then submitted by such committees or sub-committees to a diplomatic conference convened by IMO. Because treaty instruments adopted by such diplomatic conferences are generally intended for global application, participation in these conferences is open to all states including those states which are not members of IMO.

A diplomatic conference usually adopts a treaty
instruments such as a convention, an agreement a protocol, etc. Regardless of the actual name given to the instrument adopted by a particular conference, the legal character of a treaty is more or less the same.

Under international law it will be binding on all states which have agreed to be bound by it. States agree to be bound by a treaty by ratifying, approving, or accepting it. A state which has signed the treaty may ratify, accept, or approve it but those which do not sign it, may accede to it in due course.

A state which becomes a party to an IMO treaty, accepts certain obligations under the convention and also acquires certain rights and privileges vis-a-vis other states which are parties. It undertakes to take certain measures against its ships or ships operating under its jurisdiction and agree that certain measures may be taken by other states against its ships. But such a state secures the agreement of other states that the measures that may be taken against its ships are restricted to those set forth in the treaty as accepted by the state. But a state is entirely free to ratify or not to ratify a treaty. The decision to ratify is a sovereign right of each state.

International regulations which are not treaties are developed by the appropriate committees and are formally adopted by those committees or the Assembly as necessary. These regulations are not legally binding on states but states are urging to accept and apply them. When accepted the standards are applied as part of the laws of the individual states.
These non-treaty instruments are very useful and important for three main reasons:

a) They provide an acceptable yardstick for all states. A state which applies a regulation or standard which has been considered and formally adopted by an IMO body will be able to defend itself against any accusation that it has acted unilaterally or unreasonably.

b) They provide a very useful basis for states which may not have the technical experts to develop their own rules. Such states can apply the IMO rules in the full knowledge that the rules will be accepted worldwide as soundly based.

c) They ensure a reasonable measure of uniformity in the standards applied by all states. States which apply these regulations will know that their ships are likely to receive favorable treatment wherever they go.

IMO adopts non-treaty international regulations when it deals with matters which are not considered to be suitable or ripe for legally binding international treaty treatment. This may be so because:

a) Knowledge or experience on the subject has not developed sufficiently for definitive binding provisions to be agreed upon.

b) There is not enough consensus among Governments on the exact scope and extent of standards to be applied worldwide.
c) The area to be regulated is one in which development and change are still in progress and where, therefore, regulations should be relatively flexible and capable of revision and modification at short notice. Such flexibility can not be achieved if the regulations are incorporated in legally binding conventions.

For entry into force the technical conventions require acceptance or ratification by a stipulated number of states which between them have a certain percentage of the gross tonnage of the world's shipping. This is to ensure that the convention will enter into force only when it covers a sufficient proportion of the ships to which it is intended to apply. Examples:

a) The 1978 SOLAS Convention needs to enter into force 25 states with 50 per cent or more of the gross tonnage of the world's merchant shipping.

b) The 1973/1978 MARPOL Convention needs to enter into force, 15 states with 50 per cent or more of the gross tonnage of the world's merchant shipping.

c) The 1972 COLREG Convention needs for entering into force, 15 states with 65 per cent or less by member or by tonnage of the world's fleet of vessels of 100 gross tons or over.

For amending the provisions of IMO's technical conventions there are two different procedures.

a) For the articles of the convention, for
instance the fundamental provisions which deal with the relations between states and the bringing into force or modifications of the entire framework of the convention, the procedure for amendments is more formal, and any amendment can only come into force after it has been positively approved by not less than two-thirds of the states parties to the convention. The approval of states to such amendments must be explicit and is indicated by a formal communication to the Secretary-General.

b) For the technical regulations in the annexes, the procedure is less formal and can be much more expeditious. This is because it has been agreed by all states that in many cases it is important to ensure safety and efficiency to be able to revise these technical rules more speedily than would be possible by using the traditional treaty procedures.

Amendments to such technical provisions involve consideration of the proposed amendments by one of the organs of IMO such as MSC or MEPC and adoption of the amendments or submission of draft amendments to the Assembly for adoption. The body adopting the amendments also determines the conditions for entry into force and sets a specific time for entry into force. The amendments are then circulated to the parties for consideration. The parties are informed that the adopting body has determined that the amendments shall be deemed to be accepted by the parties unless, by a stipulated date, objections to the
amendments are received from a certain number of parties (usually one-thirds of the parties). If the number of objections are not received by the stipulated date the amendments then enter into force for all state parties.

However the amendments will not apply to a state party if such a state informs the Secretary-General, before the date of entry into force, that it does not wish the amendments to apply to it.

This procedure is referred to as the "tacit acceptance" procedure.

Until the beginning of the 1970s, the only procedure for amendments used in IMO was the express acceptance procedure. The tacit acceptance procedure was introduced because experience showed that it was difficult and often impossible to bring amendments into force by means of the express acceptance procedure.

Since the introduction of the new procedure it has been relatively easy to revise and up-date the technical provisions of the IMO's conventions. (for the first time in the 1972 Collision Regulations Convention.)

2.2 Safety

Maritime safety has the purpose of protecting:

1) Persons on board the ship (i.e. crew, passenger and any others)
2) the ship itself,
3) the cargo on board the ship,
4) other ships at sea or in ports,
5) other legitimate users of the sea, such as fishermen, submarine cables, oceanographic researchers and their equipment, pleasure craft such as yachts, etc.,

6) interests outside the ship:
   a) harbour authorities who run and maintain port facilities or have to remove wrecks if they block access to the ports,
   b) owners of cargo and insurers of cargo,
   c) property owners at the sea or near ports.

In the thirty years that have passed since IMO came into being as a specialized agency of the United Nations, the world of shipping has changed dramatically. Not only has the world fleet grown in size but the ships themselves have become more specialized and complex. Throughout this revolution, IMO has had two principle tasks which are to promote the safety of shipping and to prevent pollution of the seas from the ships.

IMO has sought to achieve these objectives by adopting a series of international conventions, codes and recommendations which now form the basis of shipping legislation in the 133 member states of IMO.

On the safety side there has been a marked improvement in some areas, and the casualty rate has decreased considerably during the 1980s. But accidents still occur and it is clear that more needs to be done, in particular by devoting more attention to more effective shipboard management.

When IMO came into being, its chief priority was to develop a body of international maritime law. It was generally recognized that shipping could only be made
safer through international action, for the industry is so international in nature that effective improvements must be agreed to and implemented by all maritime countries.

In 1958, the year that IMO came into being, the statistical tables issued by Lloyd's Register of Shipping show that there were 35,202 ships in the world totalling 118 million gross tons. In 1986 there were over 75,000 ships of nearly 405 million gross tons.

The reports issued by the Liverpool Underwriters' Association show that during the 1950s under 0.30 percent of world gross tonnage was lost annually. This rose during the 1960s to 0.40 percent in 1969, dropped to 0.31 percent in 1977 and then rose sharply to a peak at the end of the decade (0.56 percent in 1979). Since then the total loss rate has declined substantially and by 1986 was down to 0.30 percent.

It is difficult to explain exactly why this happened, because of the great changes which have occurred in shipping, but there is evidence of the beneficial effect of IMO measures on safety. This is shown most clearly in the case of collisions. According to the Convention on International Regulations for Preventing Collisions at Sea 1972, traffic separation schemes has been introduced to minimize the risk of a head-on collision.

From 1956 to 1961 there were 51 collisions in the Dover Strait, 43 of them involving ships moving in opposite directions. By 1961-1966 the total had risen to 62, 52 of them involving ships moving in opposite directions. But during the next 5 years (during which traffic separation was introduced) the number of head-on
collision was cut by half and during 1976-1981 was down to 4. This figure is a remarkable testimony to the effectiveness of the traffic separation schemes and are even more interesting when compared with collision statistics from areas where the traffic separation schemes have not been introduced.

In order to improve the safety IMO has developed and adopted many conventions, regulations, codes, recommendations etc. and is also taking measures continuously to implement them internationally.

Within IMO there exists a framework of sub-committees manned by the best government and industry experts in the world which continually review the effectiveness of IMO’s regulations as well as their technical and scientific basis. This structure has been shown able to respond very quickly to converting the lessons learned from marine casualties into concrete action for specific improvements in IMO’s regulatory framework.

There is no doubt that in recent years much greater emphasis has rightly been placed on the effective implementation of international standards by the Member States of IMO.

2.3 Pollution Prevention

Environmental protection is needed in respect of:

a) other users of the sea (fishermen) oyster beds, salmon spawning grounds,

b) states and local authorities responsible for
clean-up operations after spills.

c) persons dependent on coastal facilities such as hoteliers, tourist business, etc, and

d) properties near ports and harbours.

In 1958, when IMO came into being, very few people saw maritime transport as being a threat to the environment. Ten years later few people were in any doubt that it was the Torrey Canyon disaster of 1967 had made sure of that. The Torrey Canyon went aground off the coast of Cornwall and spilled more than 120,000 tons of oil into the sea, causing the biggest marine pollution disaster ever known up to that time.

It was clear that, with the oil trade booming, the threat would only get worse in the years ahead. IMO responded to this challenge immediately and within the next few years adopted a series of conventions and recommendations designed to tackle the pollution threat. These measures dealt with pollution by oil, chemical and other substances and are summarized below.

2.3.1 Operational Pollution

When a tanker discharges its cargo of oil, a certain amount of sediment is left behind on the tank sides. This has to be cleaned off before fresh cargo is loaded. In the early days of tanker traffic, this sediment was removed by means of high-pressure water jets. The resulting mixture of oil and water was then pumped overboard into the sea. Various other waters, such as those from the engine room, were disposed in the same way,
including the water pumped into some of the cargo tanks as ballast.

Pollution of this type, resulting from routine shipping operations, is known as operational pollution and in terms of overall pollution is a far greater threat to the sea than pollution resulting from accidents. IMO, therefore, concentrated its early efforts on reducing operational pollution.

According to the MARPOL Convention, one method was to prohibit the discharge of oil into certain sea areas (such as enclosed seas and within 50 miles of land). Later the amount of oil which could be dumped into the sea at all was limited and the rate at which it could be discharged was carefully controlled.

Encouragement was given to a system known as load-on-top, under which the mixture of oil and water resulting from tank cleaning was pumped to a special slop tank. It was left to a separate as the ship proceeded to the loading port and, when it had done so, the water was pumped out, leaving the oil behind. The new cargo of oil was then loaded directly on top of it.

Later still encouragement was given to the complete separation of oil and water. Modern tankers have to be built with separate tanks for oil cargo and water ballast. As a result the ballast water is not contaminated.

Instead of water, modern tankers use crude oil (the cargo itself) for cleaning the sediment of tank sides, it is more effective than water and does not cause pollution since it is then pumped ashore with the rest of the cargo.
Finally, any oil-contaminated waters which remain have to be disposed of into special reception facilities on shore, not into the sea itself.

2.3.2 Accidental Pollution

Although accidents cause only a fraction of the total oil pollution, the fact that the effects are concentrated in a small area means that the consequences can be disastrous. Clean-up costs alone can come to hundreds of millions of pounds. IMO therefore introduced various measures to prevent accidental pollution and also to mitigate the consequences if an accident does occur.

One method was to bring in requirements for tanker to be fitted with an inert gas system. Normally the gas from the ship’s boiler flue is cleaned and pumped into the ship’s empty cargo tank. This gas is non-explosive and prevents explosion in the tanks. The size of cargo tanks is now limited. This means that if a ship is grounded or involved in a collision, the amount of oil which can be poured into the sea from a damaged tank is limited. The tanks used for the carriage of ballast water must also be protectively located—that is, they must be positioned in such a way that they afford maximum protection to the cargo tanks in the event of an accident.

In addition to these measures, IMO has introduced many other requirements designed to improve the safety of tankers—thereby minimizing the risk of accidental pollution. Special deep-water routes have been established in many parts of the world, for example, and the Collision Regulations also recognized the difficulties
faced by large ships in maneuver in confined channels.

2.3.3 The effectiveness of IMO measures

Just how effective have these and other IMO measures been? Although a precise answer is again very difficult, the evidence seems encouraging. Pollution of the seas from ships is far less than it was in the early 1970s and the indications are that it will continue to decline in the future. Among the main reasons for this are IMO's anti-pollution legislation and the manner in which that legislation has been enforced by governments.

The most widely quoted statistics relating to oil pollution are those produced by the United States National Academy of Science which estimated that in 1971 around two million tons of oil entered the sea as a result of marine transport. Between then and 1980 world oil consumption rose from 49 million barrels to 61 million. The world tanker fleet increased from 170 million deadweight tons to 324 million. Yet by 1980, the Academy estimated that oil pollution from ships was down to 1.47 million tons. Of this it was estimated that 400,000 tons resulted from accidents, mainly collisions and groundings and about 700,000 tons from routine tanker operations, such as ballasting and tank cleaning.

The NAS said this decline was due to greater accuracy in gathering date and because "positive steps have been taken to reduce operational and accidental release of petroleum into the sea". The evidence is that this improvement has continued during the 1980s. The International Tanker Owners' Pollution Federation (ITOPF)
reported in 1986 that the trend of oil spills alone had
gone down by as much as 70% since 1980. It reported that
from 1974 to 1979 there were roughly 26 spills a year of
more than 5,000 barrels. From 1980 to 1985 the number had
dropped to around eight a year.

Commenting on the ITOPF report Lloyd's List wrote:
"It is generally felt that the application of the
International Maritime Organization's treaty on oil
pollution prevention has been a major force in reducing
spills. Tanker owners have had to meet more stringent
standards and find these enforced not only by shipping
nations but traders too, in their ports.

In general, IMO has devoted considerable efforts in
promulgating oil spill combating manuals and guidelines as
well as encouraging the development of regional
arrangements for co-operation in dealing with major marine
pollution emergencies. An initiative taken within IMO in
co-operation with UNEP has led to the decision to
establish a marine pollution combating equipment stockpile
and training center to enhance the capabilities of the
countries bordering the Gulf of Aden to respond to such
incidents. Also within IMO new methods on board ships to
minimize the escape of oil in cases of accident are
currently under study.

2.4 Technical Co-operation

The policy of IMO concerning technical assistance was
determined at the 21st Session of the Council in November
1968 and at the 4th Extraordinary Session of the Council
in March 1969.
Resolution C.45 (xxi) of 29 November 1968 noted that IMO should "pay an active role in the matter of assistance to the developing countries in the technical field of maritime transport including ports".

The 4th Extraordinary Session of the Council approved the following resolutions:

Resolution C.49, "Technical Co-operation" determined that "IMO should, within its competence, expand its participation in technical assistance to the developing countries". For a practical implementation of this aim the resolution envisaged the establishment of a Working Group on Technical Co-operation. It has to consider and evaluate the progress achieved in the implementation of projects of technical assistance within the UNDP and in all other matters relating to the rendering of assistance by IMO.

The Working Group was a subsidiary body of the Council and in 1977 IMO took steps to institutionalize the Technical Co-operation Committee as a permanent organ of the Organization.

IMO renders technical assistance in the following fields: maritime administration, maritime legislation, maritime training, safety of navigation, radio and navigational aids, shipyards and shipbuilding, ship design and construction naval architecture, technical administration and operations in port and harbors, harbour piloting, marine pollution, facilitation of maritime traffic, carriage of goods by sea, and effective implementation of various technical conventions to ensure maritime safety according to international standards.
The most important subject of all is training.

IMO measures can only be implemented effectively if the people responsible are fully trained and IMO has helped to develop or improve maritime training academies in many countries around the world.

The UNDP is the most important of these, with other international bodies, such as UNEP contributing in some cases. Individual countries also provide generous funds or help in other ways, for example, by providing training opportunities for cadets and other personnel from developing countries. This has enabled IMO to build up a successful fellowship programme which has helped to train many people.

In the late 1960s IMO technical assistance programme was newly formed and expenditure in this area amounted to around US $ 200,000 a year, but today IMO's assistance to developing countries amounts to some US $ 10 million annually.

The most ambitious and exciting of all IMO's technical assistance projects is World Maritime University.

Considerable progress had already been made towards improving training standards in the past. But these efforts had concentrated on training at relatively junior levels. WMU is the first international effort to provide training opportunities for senior personnel who have already reached positions of some authority-personnel, in fact, who are responsible for the effective implementation
of IMO standards.

The Swedish Government offered the former Malmo Merchant Marine Academy as a site for WMU and in November 1981 the 11th Session of the IMO Assembly unanimously adopted a resolution authorizing the Secretary-General to take all necessary steps for the establishment of WMU.

In February 1983, an agreement concerning the establishment of WMU was formally signed by the Secretary-General of IMO and the Swedish Ambassador in London, which became effective on 1 May and the Charter of WMU was promulgated by the Secretary-General of IMO in June 1983 under the mandate of the IMO Assembly.

The aim of WMU is to provide advanced training for senior specialist maritime personnel. The training of this type is not available in developing countries and there is no comparable institution anywhere in the world.

Significant financial participation in the work of WMU has been made by the developing countries themselves through the provision of Fellowships to students by governments and by companies and by their use of UNDP funds.

Two students from the D.P.R of Korea for the first time, are studying and will be graduated by the end of 1989. According to their experiences, it would be very useful to send more students to WMU with Fellowships from UNDP country programme funds.

The WMU is generally regarded as the most important and ambitious project ever undertaken by IMO.
The contributions in 1989 by donors were:

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<tr>
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<th>Amount</th>
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<tr>
<td>UNDP</td>
<td>US $ 6.7 million</td>
</tr>
<tr>
<td>Norway</td>
<td>2.6</td>
</tr>
<tr>
<td>Sweden</td>
<td>2.6</td>
</tr>
<tr>
<td>UNEP</td>
<td>0.5</td>
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<tr>
<td>Other donors</td>
<td>2.0</td>
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Total US $ 14.4 million.

Since 1983, more than 600 students from over 100 countries have enrolled at WMU, and close to 400 have already graduated. The graduates of the WMU are increasing taking on important assignment in the maritime fields upon returning to their home countries. WMU graduates are also actively participating in international fora, such as IMO Assembly, Council, Committees and sub-committees, as well as UNCTAD, regional and sub-regional organizations.

There have been some important new developments in this field. The IMO International Maritime Academy at Trieste, Italy, intends to provide facilities for the provision of IMO's advanced specialized short courses to personnel from developing countries. The Academy is fully financed by the Government of Italy under the terms of an agreement with IMO which entered into force on 1 July 1988.

The first programme at academy which comprises a number of related short courses, commenced on 27 February 1989 and run for three months. The program was heavily over-subscribed (around 80 candidates from 52 countries)
and the selection of participants for the 20 available places was undertaken by a board comprising Italian and IMO representatives.

The IMO International Maritime Training Academy at Trieste will be in a position to provide specialists from its faculty to developing countries to meet requests for special assistance in the implementation of model courses.

The IMO International Maritime Law Institute at Valleta, Malta, was formally inaugurated by the Secretary-General on 6 October 1988, in a ceremony in Valleta. The Institute provides a ten-month course in maritime law for 20 students from developing countries. The purpose is to provide graduate lawyers with an advanced maritime law training so as to equip them to draft, review and update maritime legislation in their countries in accordance with the relative maritime conventions and in general, to deal with other maritime law questions.

One half of the places on the course is reserved for women. Funding has been obtained from donors for the necessary fellowships, together with part of the core budget, and efforts are continuing to obtain the remainder of the necessary finance.

IMO also implements global, interregional, regional and national project. The execution of projects requires the careful planning, scheduling and delivery in the field of diverse components, such as experts and consultants, fellowship programmes, seminars, courses and workshop as well as equipment and teaching materials. Most projects
are concerned with the enhancement of maritime training institutes, the strengthening of national administrations dealing with maritime safety and marine pollution prevention, and programmes of human resources development in a wide range of technical aspects of shipping and ports.

The IMO Regional Advisers, based in the field, are able to maintain a more contiguous working relationship with government officials of developing countries. They continue to be available at short notice to provide region-specific advisory services and other information relating to a wide range of practical maritime aspects.

IMO has continued to implement its fellowships programme and also organized seminars, courses, workshops and similar training exercises.

IMO continues to promote the implementation of Technical Co-operation Among Developing Countries (TCDC) in the context of its technical co-operation programme. Consistent with the project development criteria of UNDP and other donors, IMO promotes, whenever practicable, the use of inputs and institutional arrangements which are already available in developing countries, such as qualified personnel, training and research facilities and existing multi-national networking arrangements.

Many developing countries with advanced maritime training academies have continued to offer fellowships to students from other developing countries on a bilateral basis. In this connection, donor countries include Argentina, Brazil, China, Egypt, India, Mexico and Singapore. These arrangements provide invaluable training
opportunities to students from countries which do not have advanced maritime training facilities.
CHAPTER 3. DEVELOPMENT OF RELATIONSHIP WITHIMO

3.1 The Necessity to join into IMO

The establishment of IMO resulted from the acceptance by Governments and the international maritime community of general acceptance of two basic facts.

The first of these is that shipping is of major importance to the trade of individual nations and of the world in general and, accordingly, that the regulation of shipping is of legitimate and necessary concern to states individually and collectively.

The Second of the basic facts accepted by Governments in establishing IMO is that shipping is essentially international in character and it can, therefore, be effectively regulated only through co-operation between all the governments which are concerned with shipping operations or services or which are affected by such operations i.e. between those which provide shipping services as well as those which use these services.

The major purpose of IMO is to provide a suitable machinery through which these Governments may discuss and agree on the necessary rules to promote safe and efficient shipping in order to safeguard the ship, its crew, passengers and cargoes and to prevent pollution of the seas from accidents or negligent handling which may result in the discharge of harmful substances into the sea.

Members of IMO have agreed among themselves to take the necessary appropriate measures to ensure that ships flying their flags, or persons operating within their
jurisdiction, will follow the rules and regulations developed in IMO. For this purpose the states utilize their legal and administrative powers available to them, either under the respective constitutional systems or under international treaties and agreements between them and other states.

It is now generally agreed that effective regulation of shipping operations involves a combination of measures taken by both the flag state and the port or coastal state. It is also agreed that this regulation can be effective and fair only if it is undertaken by reference to well-considered and generally agreed international standards and regulations applicable uniformly to all ships and to all shipping operations, regardless of where they may take place.

International standards are needed firstly because safety standards should be applied globally. In shipping safety is not divisible.

A ship which does not follow the prescribed rules of the road can cause a collision which may damage the innocent ship or cause serious harm or danger to persons and cargoes on board both ships. A ship which is badly constructed, poorly equipped or insufficiently manned could run into difficulties at sea and require assistance from other ships. This could put those other ships in danger or at least cause them unnecessary delay or inconvenience.

A sub-standard or carelessly managed or operated tanker could cause pollution damage far from the shores of the state. It is, therefore, essential that the standards
and regulations which are considered to be necessary for safety and pollution prevention should be applicable and applied to all ships for which such standards are deemed necessary.

The second reason for uniform international regulations and standards is that they help to avoid unfair advantage to ships of different states. If some states were to apply more stringent standards while other states were allowed to apply lower standards or no standards at all, the ships of the former would be at a disadvantage since they would have to incur greater expense in meeting the higher standards.

For these reasons, the international community has agreed that international co-operation for the regulation of shipping should be undertaken through the establishment of uniform international regulations and standards which all states concerned will undertake to implement in regulating the shipping and related activities which are undertaken under their authority or within their respective jurisdiction.

It is IMO which provides the international forum for governments to consider and establish these common standards on the basis of which individual states adopt their national regulations. Thus, IMO is described as a standard-setting or regulation-making body, it is in fact nothing more than the international framework within which governments develop the international rules and standards. The rules and regulations are therefore made by governments but IMO provides the platform and the machinery. Without this platform the international adoption of these regulations would be extremely difficult.
and perhaps even impossible.

In the D.P.R of Korea foreign trade by ships began from 1960s and, at that time, the foreign trade largely depended on the export of raw-materials and import machinery with the socialist countries.

However, there were many problems to construct and operate ships because of the lack of maritime legislation as well as skilled people. In order to overcome these problems the Government gave great importance to maritime training. On the other hand the Government, in order to get experiences, operated a joint-shipping company in co-operation with Poland and introduced mainly the Polish maritime legislation into the shipping industry of the D.P.R of Korea in conformity with its reality.

According to the development and expansion of foreign trade with more than 100 countries and national economy the shipbuilding industry and port capacity were improved. Consequently the D.P.R of Korea began to build a large size merchant fleet and the vessels have navigated across the oceans since the early 1970's.

On the other hand, 1,300-1,500 foreign vessels have cast their anchors in the ports of the D.P.R of Korea every year. In this course there were many arguments and controversy. Whenever we met the controversy at the ports both of the D.P.R of Korea and the visiting ports, the D.P.R of Korea was in a disadvantageous position because the D.P.R of Korea was not a member of IMO, therefore there is no relations with IMO. Consequently there were some defects in the national maritime legislations in comparison with the standards of IMO which were already
applied in the partner countries.

From time to time the administrators, surveyors and inspectors had no knowledge of new amendments made by IMO. Eventually there were some defects in the construction and operation of ships. Therefore some ships of the D.P.R of Korea used to be detained at visiting ports which resulted in the delay of ships and loss of money.

There was another problem concerning training. IMO has organized many seminars, workshops etc. but the experts of the D.P.R of Korea were not invited to them. As in most developing countries, the lack of skilled experts is one of the problems in the D.P.R of Korea.

From the commercial point of view, shippers in some countries hesitated to charter vessels from the D.P.R of Korea because they doubted whether the cargo would be delayed and safe. Therefore, some ships had to be navigated without cargo for the next shipment.

IMO does not merely adopt conventions and treaty instruments or other international regulations. IMO also adopts extensive and continuous measures to promote the implementation of these regulations by states and their enforcement at national and international levels. These measures take many forms:

(A) IMO urges governments to ratify the conventions and to incorporate relevant non-treaty provisions into their national legislation and regulatory procedures.

(B) IMO has a comprehensive programme for assisting
states to implement the conventions and other regulations which the states have agreed to implement.

This is done by:

(a) assisting in the preparation and adoption of the legislation needed by the states for the implementation of their program in accordance with the relevant international rules.

(b) assisting in the establishment and improvement of maritime administrations to formulate and enforce the national legislation and procedures.

(c) helping the states to train the manpower needed.

As already mentioned the shipping industry cannot be operated in isolation without international standards.

Once international maritime standards are adopted they are not fixed for ever but they are continuously amended according to the development and improvement of the relevant affairs.

National maritime legislation should also be amended in conformity with the development of the international standards as well as national shipping industry.

In the past years the national legislation of the D.P.R of Korea has not been adapted promptly in comparison with international standards and the national maritime development because of the lack of well trained personnel and of difficulty to contact IMO.
Therefore the admission to IMO was essential for maritime developing countries.

3.2 Contribution of the D.P.R of Korea to IMO

The Democratic People's Republic of Korea is not a member of United Nations and not a state which took part in the United Nations Maritime Conference on IMO, convened in Geneva on 19th February 1948. Therefore the application for the membership of IMO applied by the D.P.R of Korea had to be approved by two-thirds of the members upon the recommendation of the Council.

The requirements for the membership were fully met by the 54th Council and 87 member states representing two-thirds of the member states in 1985 and 1986 respectively.

After becoming a member of IMO the relationship has rapidly been improving.

Taking part in the evolution of standards and in the various meetings of IMO is one of the most important tasks of the member states at the work with IMO.

Representatives of the D.P.R of Korea have participated in the following meetings and assemblies of IMO

-14th Assembly
-15th Assembly
-16th Assembly
-54th Council
-54th Maritime Safety Committee
-56th Maritime Safety Committee
-57th Maritime Safety Committee
-The Conferences of Asia and Pacific Region

As was mentioned above the D.P.R of Korea has been sending its representatives mainly to the sessions of the Assembly and the Maritime Safety Committee.

The reason why representatives are sent mainly to the above mentioned sessions is that most government officials think that even though we do not participate in every meeting convened by IMO, we can understand the results through participation at the Assembly or receiving documents. And also they think that the matters which are discussed and agreed upon at the Maritime Safety Committee are very important matters to be complied with. The other reasons will be described in the next chapter.

According to the development of the shipping industry and the national maritime legislation, the D.P.R of Korea acceded the following conventions and protocols:

1. International Convention for the Safety of Life at Sea 1974 (SOLAS)
   1981 Amendments
   1983 Amendments


3. Convention on the International Regulations for the preventing Collisions at Sea. 1972 as amended (COLREG)
1981 Amendments
1987 Amendments

1984 Amendments

5. International Convention on Standards of Training Certification and Watch-keeping for Seafarers. 1978 (STCW)

At present the Maritime Administration of the D.P.R of Korea is considering some other conventions for accession.

After accession of the conventions above mentioned, the Maritime Administration took certain measures to comply with them. Eventually the number of detained ships flying its flags decreased considerably at the visiting ports after becoming a member of IMO.

However there are some problems to be solved.

One of the problems is the shortage of skilled people who are able to carry out complicated matters so as to comply with the international standards.

In order to train maritime personnel, government officials and other officials engaged in maritime matters, the government has a maritime institute where officials are trained for 6 month or 1 year and where they study international standards.
CHAPTER 4. PROBLEMS AND RECOMMENDATIONS FOR IMPROVING THE RELATIONSHIP BETWEEN THE D.P.R. OF KOREA AND THE INTERNATIONAL MARITIME ORGANIZATION

4.1. Active Participation in the meetings of IMO

The developing maritime countries can mainly make their contribution to the evolution of standards of IMO by their membership of IMO as well as active participation in the various sessions of sub-committees, committees and conferences convened by IMO.

Proposals of treaty instrument for discussion and adoption are usually proposed to the relevant sub-committees or committees. Therefore it is very important and useful to participate in these meetings. However, most members of the developing countries do not participate in the meetings of sub-committees, committees and conferences organized by IMO although they send delegations to the Assembly and MSC which they think are important and interested in.

In order to illustrate this point, the following figures are given, which indicate the attendance of developing countries at some of the recent international conferences convened by IMO, which adopted major international conventions.

(a) International Conference on Loadlines, 1966.
19 developing countries
(b) International Conference on Marine Pollution, 1973. 38 developing countries

(c) International Conference on Safety of Life at Sea, 1974. 33 developing countries.

As against the aforesaid attendance, it may be noted that the developing member states of IMO are about 100 and much fewer developing member states attend the preparatory meetings when the conventions are drafted.

Such non-involvement in the evolution of international standards of IMO leads to the existence of consequential problem. Those countries which are not involved in the evolution of the standards have no choice but to deal with them in isolation.

P.C. Vanchiswar described the reasons why most developing member states of IMO do not intend to take part in the evolution of international standards by IMO as follows:

(a) paucity of funds to cover such expenditure on delegations, and / or

(b) lack of understanding of the implications of non-participation, and / or lack of interest.

The D.P.R of Korea also used to send delegations to the Sessions of the Assembly and MSC mainly. However, it is very difficult to send representatives to every sub-
committee and committee meetings which are continuously organized by IMO all year round.

From my personal point of view, the paucity of funds to cover such expenditure on delegations is one of the main reasons for not sending representatives in the D.P.R of Korea. In the case of the D.P.R of Korea, it is far away from the headquarters and consequently more foreign currency is needed to cover such expenditures.

The second reason may be lack of understanding and interest. Many officials, including high rank officials of the Ministry of Marine Transport and Maritime Administration, think even though we do not participate in the meetings of sub-committees and committees that we can understand the result of the meetings through the reception of materials and documents which are sent to all members by IMO Headquarters and through sending delegations to the Assembly and some important meetings.

P.C. Vanchiswar said that active participation in IMO meetings would ensure the following:

(a) The relevant standards are the highest practicable, taking due note of the situation obtaining in different developing countries and not the highest conceivable.

(b) Whenever and wherever possible alternatives to sophistication, which can be met by developing countries by utilizing indigenous resources,
skills and systems, are also provided for.

(c) The relevant standards do not, even unwittingly tend to prolong indefinitely the dependence on external sources, except by choice, if so desired.

(d) The relevant standards are justifiable on the grounds of safety and/or pollution prevention and not motivated by other considerations.

In this connection it deserves to be mentioned that even though the history of IMO meetings/sessions has been commendable as regards the spirit of compromise and sense of accommodation exhibited by the representatives of governments present, it would not be an exaggeration to state that the non-participation by most of the developing countries would have denied to all concerned the benefit of making known their own view and limitation.

(e) The needs of the developing countries as regards technical assistance and the attendant funding assistance are not only made known but are recognized by the developing countries.

(f) Additional knowledge and experience gained by their officials through discussions and consultations during the sessions, both formal and informal.

(g) Personal contacts are established with their colleagues from other countries, leading to
better understanding and co-operation.

It is a pity that very few developing countries have been participating in the evolution of IMO’s standards even though there are many advantages of participating as mentioned above.

If paucity of funds to cover such expenditure on delegations to the standard-setting meetings of IMO is the main reason for such non-participation, due consideration deserves to be given to the possibility of participation through the representative of a group of countries, or a sub-region, or a region, to whom and through whom specific views of each country or the group of countries can be conveyed. This arrangement may also be rotational, if so desired.

Considering that most developing countries are located far away geographically from the Headquarters of IMO where most of its meetings are held, it can be said that they have to spend more money to approach the Headquarters and their to return home. In this case it would be more economical for those developing countries to delegate their experts to their embassies or any other mission to London. As a matter of fact some developing countries have already delegated one or more specialists to their appropriate missions. The people who are delegated from their government take part in almost all IMO meetings.

On the other hand, if the lack of understanding is one of the reasons of such non-participation, it needs to be
eliminated through concerted and continuous efforts of the officials of the maritime administration in each of the developing countries concerned.

4.2 Improvement of Connection with IMO

Considering that most developing countries do not participate in all meetings and there are great deal of information to be exchanged between the members and IMO in many ways, it is very important to connect with IMO regularly.

The D.P.R of Korea is connected with IMO mainly through the representative of the D.P.R of Korea to Geneva, because there is no diplomatic relation with the UK. Because of this, it takes unnecessary long time to connect with IMO.

In fact, there are some ways to connect with IMO, such as, telephone, mail, telex and telefax, but using these means of communication is sometimes disadvantageous and even impossible.

Normally, IMO mails letters and documents to the members therefore it takes a long time. From time to time, it is very difficult to respond to the letters from IMO, and sometimes impossible considering that it takes a long time for the government to decide their position to the letters from IMO.

It is essential, from my own personal point of view, to establish The Representative Office of the D.P.R of Korea to IMO. According to the agreement between the D.P.R of Korea, the UK and IMO, the D.P.R of Korea shall establish
its Representative office to IMO, but it is still pending because of some problems, such as, limitations from the host country. Now, this matter is being considered in the D.P.R of Korea and IMO. This matter must be amically and promptly solved so that the relationship between the D.P.R of Korea and IMO could be improved and existing disadvantages would be eliminated and more economical rather than sending delegations to every meeting of IMO.

On the other hand, if the Representative Office is established, the experts in the Office can take part in every meeting. Furthermore, it would influence the development of the shipping industry and the overall national economy.

4.3 Technical Cooperation

One of the most serious problems faced by the developing countries for the development of maritime transport is the shortage of maritime skilled personnel who are in charge of IMO standards in maritime administrations, training institutions and shipping industries.

IMO renders technical assistance to developing countries in many ways, among which, the training of expert personnel is the most important cooperation subject.

Only when maritime personnel are well trained can the international maritime standards be effectively implemented.

In order to overcome the lack of well trained personnel, numerous training courses are organized by IMO and its member states together with IMO. These training courses
are very important and useful to the D.P.R of Korea as they are in developing maritime countries.

However, in the case of the D.P. R of Korea the problem is difficult to solve in a short time. Most maritime experts do not understand and speak English, and other appropriate foreign languages. as a result, interpreters are needed. Therefore, the relevant authorities have to send their maritime experts with interpreters to the international and regional meetings and training courses. This means that, the efficiency of the participation of the maritime experts in these meeting and training courses is 50 percent or less.

From my personal point of view, the reasons why maritime experts do not speak English are as follows:

a) Lack of English training time in schools as well as high maritime training institutions

b) reluctance of the students to learn English or any foreign language. People do not like to learn English or any foreign language because it seems very difficult to learn.

c) Lack of training facilities for teachings foreign languages. Usually special foreign language institutions have been well equipped with training facilities of foreign languages but most institutions of maritime education do not have enough facilities or teachers.
d) Lack of sending students who are willing to work in the maritime fields abroad. Many maritime students have been studying abroad in socialist countries, but very few students are trained in English-speaking countries. There is also lack of finance to cover the expenditure on such a training.

Those reasons above may be overcome by the following:

a) The hours of foreign language teaching should be expanded at schools as well as high training maritime institutions.

b) The finance which is allocated by UNDP should be used in the fields of maritime education abroad as well as facilities in the maritime institutions at home.

c) It would be needed temporarily that special English language training courses are run under the Ministry of Marine Transport where relevant officials can be trained intensively for more than 1 year after they graduate from the regular high maritime institutions.

d) In order to overcome the reluctance of the students and maritime personnel to learn foreign languages, it should be encouraged by offering them promotion and higher
salaries.

In order to provide technical assistance to developing countries, IMO has built up a world-wide network of technical advisory services in a variety of fields, such as maritime safety administration, maritime legislation, maritime training and so on.

IMO has also appointed Regional Maritime Advisers in the field in Africa, Asia, Latin America and the services of these advisers are also at the disposal of the developing countries. The specific duties of the Advisers are to make on-the-spot investigation if requested by a government to UNDP for assistance in various fields of IMOs competence.

In addition, taking into consideration the increasing importance of prevention of marine pollution, IMO has appointed a Maritime Pollution Adviser, with his headquarters in London. Under certain arrangements, operational executive and administrative personnel can also be provided to governments to act as their temporary civil servants.

The following should be considered;

a) The history of shipping of the D.P.R of Korea is comparatively short.

b) The D.P.R of Korea is a new member of IMO, and
c) It is difficult to send many experts to IMO and other countries where they can be trained because of lack of finance.

It is desirable to invite maritime advisers to train national maritime experts at the expense of the UNDP country programme. In this case the D.P.R of Korea can obtain valuable assistance in every maritime field, especially in the updating of national maritime legislation which can be regarded as one of the most important matters and in other maritime fields which have to be solved.

4.4. Maritime Administration

After becoming a member of IMO the D.P.R of Korea recognized that it needs to establish a Maritime Administration / Maritime Safety Administration.

Last year, in 1988, the Government of the D.P.R of Korea organized a Maritime Administration by means of which the name of the Registration of Ships has simply been changed into Maritime Administration which has its functions of mainly registration of ships, certification, survey and inspection, draft regulations regarding safety and marine pollution prevention.

Officials who are responsible for these functions need
to be more trained in order to carry out their important roles. And also their functions should be expanded according to the officials capability. In this regard, I would like to explain the functions of the Maritime Administration using the manual written by professor P.C. Vanchiswar.

The Maritime Administration is the specialized executive arm of a maritime government, irrespective of whether it is a developed country or a developing country, to implement the regulatory functions embodied in the national maritime legislation, especially those pertaining to registration of ship, maritime safety, marine personnel, maritime casualty investigations and protection of the marine environment.

The primary functions of the Maritime Administration in developing countries would have to be both developmental and regulatory. The developmental functions contribute directly to maritime development and the regulatory functions also contribute to such development and economic advantages consequently.

The developmental functions can take the form of participation in the process of formulating the policy of the Government as regards maritime development and deciding upon the activities to be undertaken in connection with such development. Such functions are essential contributions to the overall economic policy decisions to be taken by the Government after careful consideration in the economic, trade and planning
ministries and may include:

a) the appropriate analysis/assessment of the most suitable types and numbers of ships required to meet the scale of development planned.

b) development of the man-power needs of the shipping industry.

c) development of ship-building and ship-repair capabilities.

d) development of (marine) ancillary industries.

e) assessment of the suitability of national ports for the intended ships and proposals for required development/implement.

f) development of the man-power needs of the ports, and

g) development of employment opportunities for national seafarers.

The regulatory functions are expected to ensure:

a) safety of lives, ships and property, and
b) protection of the marine environment.

These in turn are expected to ensure in the context of development and economy:

a) maximum efficiency in the operation of ships, with consequential economic advantage,
b) creation, development, protection and prevention of national maritime skills,

c) conservation of national property,

d) reduction in the maintenance costs of ships,

e) conservation of foreign exchange,

f) avoidance of disasters and consequential loss of lives, property, marine resources and heavy expenditure,

g) maintenance of marine insurance promissory notes at an advantageous level,

h) provision of overall impetus to maritime development, and

i) projection of the image of the country in very favorable light in the maritime world.

In order to get maximum profits from and contribute well to IMO, the Maritime Administration in the D.P.R. of Korea needs to have the above mentioned functions. And also the officials who are responsible for these functions need to actively participate in IMO meetings and should also be trained in various courses at WMU.
CHAPTER 5. IMPLEMENTATION OF THE LONG TERM WORK PLAN OF IMO IN THE D.P.R OF KOREA

According to the Resolution A 500 (xii) named Objectives of the Organisation in the 1980s, high priorities were given to the consolidation of the existing conventions, recommendations, codes etc.

It is expected that IMO will give great importance to the development of new conventions and to the continuing amendments of existing conventions in the first half of the 1990s.

In order to implement the long term work plan, it is essential that the legislative office of the Maritime Administration in the D.P.R of Korea should study and discuss the work plan with appropriate authorities and adopt as much of it as possible into the national legislation.

5.1 Safety

Regarding the maritime safety, high priority should be given to the improvement of the national legislation in conformity with IMO standards and national maritime development.

All conventions, recommendations, codes etc. regarding the safety of life at sea should be interpreted and consolidated and then studied and adopted as soon as possible.

a) The Global Maritime Distress and Safety System (GMDSS)
The establishment of INMARSAT as an independent organisation marked a great step forward in maritime radiocommunications. For the first time, there was a communication system reserved solely for its own use and designed for its own purposes. The INMARSAT system utilizes geostationary satellites, positioned above the Atlantic Ocean, the Indian Ocean and the Pacific Ocean. From these three positions satellites virtually cover the globe, as north and south at 75.

From IMO's point of view, the most important function of the INMARSAT is the provision of distress and safety communications. By using the improved INMARSAT system, a ship can send a distress message and know with certainty it will be received.

So far, some 60 countries have joined this system and the equipment needed is only about US $25,000. This matter should again be considered by the appropriate authority in the D.P.R of Korea.

b) Search and Rescue (SAR)

Co-ordination and control of search and rescue operations has been organized by each individual country in accordance with its own requirements and as dictated by its own resources.

In order to harmonize the SAR operations, IMO adopted the International Convention on Maritime Search and Rescue in 1979 (entered into force in 1985), which is designed to establish an agreed international approach to SAR. The aim is to develop an international SAR plan, so that, no
matter where an accident occurs, the rescue of persons in distress at sea will be co-ordinated by a SAR organization and, when necessary, by co-operation between neighboring SAR organisations.

This matter should also be considered as more professional rescue ships and skilled persons are needed.

c) Carriage of Bulk Cargoes Safety in Inlandwater Transport.

After the construction of the West Sea Barrage in front of Nampo Port inland waterway transport is developing and improving. In this regard, rules and standards should be established promptly.

Delegations from the D.P.R of Korea should participate in the MSC at least once a year in order to consider and implement the Long Term Work Plan in conformity with the situation of the D.P.R of Korea.

The following conventions regarding safety are needed to be considered for ratification or accession:


b) Torremolinos International Convention for the Safety of Fishing Vessels 1977 (SFV)

c) International Convention on Maritime Search and Rescue, 1979 (SAR)
5.2 Maritime Environment Protection

After the construction of the West Sea Barrage, the contamination in this area has increased. Therefore, a strict rule is needed in this area and all national ships which carry cargoes through inland waterways should be under control of these standards.

More reception facilities for residues should be constructed in accordance with the expansion of the ships, and oily water separators and an oil discharge monitoring and control system should be established. In particular, this system should be used on those ships which carry cargoes on inland waterways, as well as fishing vessels.

Anti-pollution regulations should be updated in accordance with MARPOL 1973/78.

It is a pity that some shipping operators do not regard the prevention of marine pollution as important as safety; therefore, this non-justified concept should be overcome.

The following Conventions should be considered for ratification or accession by the Maritime Authority.


b) International Convention on Civil Liability for Oil Pollution Damage, 1969
5.3 Technical Co-operation

The work of the Technical Cooperation Committee is expected to give advice and assistance to developing countries in all kinds of maritime matters.

In order to adopt and update national maritime legislations, the Maritime Authority needs to invite appropriate advisers and organize seminars, workshops with the advisers of all officials concerned. On the other hand, surveyors and inspectors should attend regional and international course, workshop and seminars as much as possible. In order to get effective results from these courses, workshops and seminars, an intensive English language course should be established.

As has been mentioned, it is very useful to train appropriate officials at the World Maritime University (WMU) in the future.

5.4 Legal Matters

It is expected that the Legal Committee will develop new conventions for offshore mobile craft; civil jurisdiction; choice of law; recognition and enforcement judgement in matters of collision at sea, wreck removal and related issues; the regime of vessels in foreign ports etc. In this regard, the Maritime Administration of the D.P.R of Korea needs to review existing rules and regulations be prepared to take part in appropriate meetings.
5.5 Facilitation

The Facilitation Committee will examine and consider for adoption, existing conventions and recommendations to minimize unnecessary time for formalities of arrival, stay and departure of ships, people and cargoes in ports.

At present the formalities of arrivals, stay and departure of ships, people and cargoes in the ports of the D.P.R of Korea are mainly observed on the basis of the Convention on Facilitation of International Maritime Traffic 1965 as amended (FAL). However, the D.P.R of Korea is not a party to this Convention.

This Convention should be considered and acceded by the D.P.R of Korea even though it may make reservations to some articles if necessary.
CONCLUSION

My thesis outlined the general work of IMO and emphasizes a part of the requirements for the maritime development of the D.P.R of Korea through becoming a member of IMO and active participation in the evolution and compliance with the international standards. Some of the problems the D.P.R of Korea is facing have been pointed out and some proposals have been made.

The suggestions and proposals made are based on my 10 years experience being in charge of IMO in my ministry and on the reality of the maritime transport of the D.P.R of Korea.

The following are the essential conclusions of this thesis:

A. A standard regulation should be implemented internationally in the maritime field because shipping is an international business. If a ship with passengers, cargoes or oil is damaged for some reasons, it would damage the flag state as well as people, cargo or other maritime operations concerned.

B. It is of great importance that a substantial number of developing countries participate in the evolution of IMO's standards.

C. In the interest of maritime development and in order to ensure the proper functioning of the maritime administration, the merchant shipping legislation in
developing countries as well as in the D.P.R of Korea needs to be up-dated in connection with international standards.

D. It is of vital importance for the purposes of maritime development to have a proper maritime administration in the D.P.R of Korea manned by duly competent officials of the appropriate categories.

E. Since adequate maritime training is expected to have the greatest effect upon efficiency and productivity in national maritime development, this deserves important consideration.

F. In the case of the D.P.R of Korea, it is of vital importance to give intensive English language training to the appropriate officials of maritime personnel.

G. In every maritime institution in the D.P.R of Korea the teaching hours of English should be increased.

H. The means and methods of links between the D.P.R. of Korea and IMO should be improved by the establishment of permanent mission to IMO.

I. Lecturers and teachers of the Maritime University of the D.P.R of Korea should be trained at the WMU in the near future.

IMO has also appreciated the fact that the developing maritime countries have a special need for advanced training for their own nationals in order to take on the various experts maritime tasks themselves and reduce, and eventually eliminate their dependence on foreign experts;
hence the creation of World Maritime University.

I would like to specially emphasize that the problems and suggestions given to this paper are only my personal point of view and were not duly agreed by the relevant authorities of the D.P.R of Korea.

Although there are some problems and defects in my thesis, I would be very grateful if it can contribute to the Democratic Peoples Republic of Korea to enable it to achieve and sustain the required level of such maritime development and to comply with the international standards for the safety of life at sea and prevention of maritime pollution through the active participation in IMO's work.
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3. Ocean Yearbook 6


5. The Europa Yearbook 1988


7. Radi at Sea 1988

8. The Legal Works of IMO 1988

9. International Requirements on Maritime Safety and
   Pollution Prevention 1988

10. Safer Ships and Cleaner Oceans 1988


12. Many papers regularly published by IMO.
## ANNEX 1

MEMBERSHIP OF THE ORGANIZATION

AS AT 31 JULY 1989

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Associate Member

HONG KONG

***
ANNEX 2

Conventions of IMO

The table appended to this annex gives, for each instrument, data on the number of States which have signed or accepted it, including the number of Member States which have not yet deposited the necessary instruments in each case.

(1) International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS (amended) 1974)

Entry into force: 25 May 1980
Entry into force of amendments adopted in 1981: 1 September 1984
Entry into force of amendments adopted in 1983: 1 July 1986
Amendments adopted in 1988 (April): not yet in force
Amendments adopted in 1988 (October): not yet in force
Amendments adopted in 1988 (GMDSS): not yet in force


Entry into force: 1 May 1981
Entry into force of amendments adopted in 1981: 1 September 1984
Amendments adopted in 1988 (GMDSS): not yet in force


Not yet in force

(4) Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended (COLREG (amended) 1972)

Entry into force: 15 July 1977
Entry into force of amendments adopted in 1981: 1 June 1983
Entry into force of amendments adopted in 1987: 19 November 1989

Entry into force: 2 October 1983

Annex I - 2 October 1983
Annex II - 6 April 1987
Annex V - 31 December 1988

Entry into force of amendments adopted in 1984: 7 January 1986

Entry into force of amendments adopted in 1985 (Protocol I) and (Annex II): 6 April 1987

Entry into force of amendments adopted in 1987 (Annex I): 1 April 1989


Entry into force: 5 March 1967

(a) 1973 amendment: Entry into force: 2 June 1984

(b) Amendments to the Annex:

Entry into force of amendments adopted in 1969: 12 August 1971
Entry into force of amendments adopted in 1977: 31 July 1978
Entry into force of amendments adopted in 1986: 1 October 1986
Entry into force of amendments adopted in 1987: 1 January 1989


Entry into force: 21 July 1968

(a) 1971 amendments: not yet in force
(b) 1975 amendment: not yet in force
(c) 1979 amendment: not yet in force
(d) 1983 amendments: not yet in force


Not yet in force


Entry into force: 18 July 1982
(10) International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (INTERVENTION 1969)
Entry into force: 6 May 1975

(11) Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil, 1973 (INTERVENTION PROT 1973)
Entry into force: 30 March 1983

Entry into force: 19 June 1975

Entry into force: 8 April 1981

Not yet in force

(15) Special Trade Passenger Ships Agreement, 1971 (STP 1971)
Entry into force: 2 January 1974

Entry into force: 2 June 1977

(17) Convention relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material, 1971 (NUCLEAR 1971)
Entry into force: 15 July 1975

Entry into force: 16 October 1978
Not yet in force

Not yet in force

(21) International Convention for Safe Containers, 1972, as amended (CSC (amended) 1972)
Entry into force: 6 September 1977
Entry into force of amendments adopted in 1981: 1 December 1981
Entry into force of amendments adopted in 1983: 1 January 1984

(22) Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974 (PAL 1974)
Entry into force: 28 April 1987

(23) Protocol to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974 (PAL PROT 1976)
Entry into force: 30 April 1989

(24) Convention on the International Maritime Satellite Organization (INMARSAT) (INMARSAT C)
Entry into force: 16 July 1979
(a) 1985 amendments: not yet in force
(b) 1989 amendments: not yet in force

(25) Operating Agreement on the International Maritime Satellite Organization (INMARSAT) (INMARSAT OA)
Entry into force: 16 July 1979
(a) 1985 amendments: not yet in force
(b) 1989 amendments: not yet in force
Entry into force: 1 December 1986

Not yet in force

Entry into force: 28 April 1984

Entry into force: 22 June 1985

Not yet in force

Not yet in force.

Entry into force: 30 August 1975

(a) 1978 (Disputes) amendments: not yet in force
(b) Amendments to the Annex:
Entry into force of amendments adopted in 1978: 11 March 1979
Entry into force of amendments adopted in 1980: 11 March 1981

The following four instruments have been superseded by subsequent instruments as indicated below:

(1) International Convention for the Safety of Life at Sea, 1948 (SOLAS 1948)
Entry into force: 19 November 1952

This Convention was superseded, with effect from 26 May 1965, by the International Convention for the Safety of Life at Sea, 1960, as between the States Parties to the later Convention.
(2) International Convention for the Safety of Life at Sea, 1960 (SOLAS 1960)

Entry into force: 26 May 1965

This Convention has been superseded, with effect from 25 May 1980, by the International Convention for the Safety of Life at Sea, 1974, as between the States Parties to the later Convention.

(3) International Regulations for Preventing Collisions at Sea, 1960 (COLREG 60)

Applied with effect from 1 September 1965

These Regulations were superseded, with effect from 15 July 1977, by the Regulations annexed to the Convention on the International Regulations for Preventing Collisions at Sea, 1972, as between the States Parties to the later Convention.


Entry into force: 26 July 1958

This Convention has been superseded, with effect from 2 October 1983, by the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 thereto, as between the States Parties to the later instrument.
Intergovernmental Organizations having concluded Agreements of Co-operation
with IMO

CCC
Customs Co-operation Council
28-38 Rue de l'Industrie
B-1040 Brussels
Belgium

IHO
International Hydrographic Organization
7 Avenue Président J.F. Kennedy
BP 445, MC 98011 Monaco Cedex
Principality of Monaco

UNIDROIT
International Institute for the Unification of Private Law
28 Via Panisperna
I-00184 Roma
Italy

OAU
Organization of African Unity
P.O. Box 3243
Addis Ababa
Ethiopia

ESA
European Space Agency
8-10 Rue Mario Nikis
F-75738 Paris Cedex 15
France

ICEM
Inter-Governmental Committee for European Migration
17 Route des Morillons
P.O. Box 71
CH-1211 Geneva 19
Switzerland

OCTI
Central Office for International Railway Transport
Gryphenhubeliweg 30
CH-3006 Berne
Switzerland

CMEA
Council for Mutual Economic Assistance
Kalihin Avenue 56
SU-Moscow G-205
USSR

OECD
Organization for Economic Co-operation and Development
2 rue André-Pascal
F-75775 Paris Cedex 16
France

CL of E
Council of Europe
BP 431
F-67006 Strasbourg-Cedex
France
EEC  Commission of the European Communities
    Rue de la Loi 200
    B-1049 Brussels
    Belgium

OAS  Organization of American States
    17th Street and Constitution Avenue N.W.
    Washington, D.C. 20006
    USA

COMM SECRETARIAT  Commonwealth Secretariat
    Marlborough House
    Pall Mall
    London SW1Y 5HX
    United Kingdom

CD  Danube Commission
    Benczur Utca 25
    H-1068 Budapest
    Hungary

INTELSAT  International Telecommunications Satellite Organization
    3400 International Drive N.W.
    Washington, D.C. 20008-3098
    USA

WTO  World Tourism Organization
    Capitán Haya 42
    28020 Madrid
    SPAIN

IOPC FUND  International Oil Pollution Compensation Fund
    4 Albert Embankment
    London SE1 7SR
    United Kingdom

CPPS  Permanent Commission for the South Pacific
    Calle 76, No. 9-88
    Bogota
    Colombia

ISCOS  Inter-Governmental Standing Committee on Shipping
    Bima Tower (9th floor)
    Digo Road
    P.O. Box 89112
    Mombasa
    Kenya
OSLO COMMISSION
Commission established by the Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft
New Court
48 Carey Street
London WC2A 2JE
United Kingdom

PARIS COMMISSION
Commission established by the Convention for the Prevention of Marine Pollution from Land-Based Sources
New Court
48 Carey Street
London WC2A 2JE
United Kingdom

OAPEC
Organization for Arab Petroleum Exporting Countries
P.O. Box 20501
Kuwait
Kuwait

AFS
Arab Federation of Shipping
P.O. Box 1161
Baghdad
Iraq

MINCONF
Ministerial Conference of West and Central African States on Maritime Transport
BP U247
Abidjan
Côte d'Ivoire

INMARSAT
International Maritime Satellite Organization
40 Melton Street
London NW1 2EQ
United Kingdom

HELSINKI COMMISSION
The Baltic Marine Environment Protection Commission
Mannerheimintie 12A
SF-00100 Helsinki 10
Finland

ARAB LEAGUE
League of Arab States
37 Ave Khereddine Pacha
Tunis
Tunisia

ICES
International Council for the Exploration of the Sea
Palaegade 2-4
DK-1261 Copenhagen K
Denmark
Liberation Movements

Invitations are issued to the Liberation Movements recognized by the Organization of African Unity (OAU) or the League of Arab States (Arab League) to send observers to meetings and conferences convened by IMO.

Non-governmental organizations in consultative status with IMO

ICS  International Chamber of Shipping
     30/32 St. Mary Axe
     London EC3A 8ET
     United Kingdom

ISO  International Organization for Standardization
     1 rue de Varembe
     CH-1211 Geneva 20
     Switzerland

ISF  International Shipping Federation Ltd.
     30/32 St. Mary Axe
     London EC3A 8ET
     United Kingdom

IEC  International Electrotechnical Commission
     1 rue de Varembe
     CH-1211 Geneva 20
     Switzerland

IUMI  International Union of Marine Insurance
     Deutscher Transport-Versicherungs-Verband
     Rodingsmarkt 16, D-2000
     Hamburg 11
     Federal Republic of Germany
ICC  International Chamber of Commerce  
38 Cours Albert 1er  
F-75008 Paris  
France

ICFTU  International Conference of Free Trade Unions  
37-41 rue Montagne aux Herbes Potagères  
B-1000 Brussels  
Belgium

IALA  International Association of Lighthouse Authorities  
13 rue Yvon-Vallerceau  
F-75116 Paris  
France

CIRM  International Radio-Maritime Committee  
Southbank House  
Black Prince Road  
London SE1 7SJ  
United Kingdom

PIANC  Permanent International Association of Navigation Congresses  
Residence Palace  
155 rue de la Loi  
B-1040 Brussels  
Belgium

IFA  International Fertilizer Industry Association  
28 rue Marbeuf  
F-75008 Paris  
France

EFMA  European Fertilizer Manufacturers' Association  
Bleicherweg 23  
CH-8002 Zürich  
Switzerland

IMC/CMI  International Maritime Committee  
17 Borzestraat  
B-2000 Antwerp  
Belgium

IAPH  International Association of Ports and Harbors  
Kotohira-Kaikan Building  
2-8 Toranomon 1-Chome, Minato-Ku  
J-105 Tokyo  
Japan

BIMCO  Baltic and International Maritime Council  
19 Kristianiaegade  
DK-2100 Copenhagen  
Denmark
IACS
International Association of Classification Societies
Permanent Representative to IMO
2nd floor, 37 Duke Street
St. James's
London SW1V 6DH
United Kingdom

ILA
International Law Association
3 Paper Buildings
The Temple
London EC4Y 7EU
United Kingdom

ICHCA
International Cargo Handling Co-ordination Association
4.15 Bondway Business Centre
71 Bondway
London SW8 1SH
United Kingdom

CEFIC
European Council of Chemical Manufacturers Federations
250 Avenue Louise (Bte 71)
B-1050 Brussels
Belgium

LASA
Latin American Shipowners' Association
Rio Negro 1394 Of. 502
Montevideo
Uruguay

OCIMF
Oil Companies International Marine Forum
6th floor, Portland House
Stag Place
London SW6 5BR
United Kingdom

ETA
European Tugowners' Association
6th floor, Central House
High Street
London E15 2PS
United Kingdom

IMPA
International Maritime Pilots' Association
H.Q.S. Wellington, Temple Stairs
Victoria Embankment
London WC2R 2PN
United Kingdom

INSA
International Shipowners' Association
7 Sierszewskiego
PL-81-376 Gdynia
Poland

ECOR
Engineering Committee on Oceanic Resources
1 Birdcage Walk
London SW1H 9JJ
United Kingdom
FOEI  Friends of the Earth International  
Oosteinde 167  
2611 VD Delft  
The Netherlands

IICL  Institute of International Container Lessors  
P.O. Box 605  
Bedford  
New York 10506  
USA

IADC  International Association of Drilling Contractors  
P.O. Box 4287  
Houston  
Texas 77210  
USA

IAIN  International Association of Institutes of Navigation  
1 Kensington Gore  
London SW7 2AT  
United Kingdom

BIPAR  International Association of Producers of Insurance and Reinsurance  
c/o Biba House  
14 Bevis Marks  
London EC3A 7NT  
United Kingdom

ICOMIA  International Council of Marine Industry Associations  
Boating Industry House  
Vale Road  
Oatlands Village  
Weybridge  
Surrey KT13 9NS  
United Kingdom

IFSMA  International Federation of Shipmasters' Associations  
202 Lambeth Road  
London SE1 7JY  
United Kingdom

ILAMA  International Life-saving Appliance Manufacturers' Association  
P.O. Box 952  
Shoreham  
West Sussex BN43 6AP  
United Kingdom

ISU  International Salvage Union  
Zalmstraat 1  
NL-3016 DS Rotterdam  
The Netherlands

E AND P FORUM  Oil Industry International Exploration and Production Forum  
25-28 Old Burlington Street  
London W1X 1LB  
United Kingdom
AWES
Association of West European Shipbuilders
An Der Alster 1
D-2000 Hamburg 1
Federal Republic of Germany

INTER-TANKO
International Association of Independent Tanker Owners
P.O. Box 1452 - VIKA
N-0116, Oslo 1
Norway

P AND I
International Group of Protection and Indemnity Associations
78 Fenchurch Street
London EC3M 4BT
United Kingdom

ITOPF
International Tanker Owners' Pollution Federation Ltd.
Staple Hall (1st floor), Stonehouse Court
87-90 Houndsditch
London EC3A 7AX
United Kingdom

IUCN
International Union for Conservation of Nature and Natural Resources
Avenue du Mont Blanc
CH-1196 Gland
Switzerland

ACOPS
Advisory Committee on Pollution of the Sea
3 Endsleigh Street
London WC1H 0DD
United Kingdom

SIGTTO
Society of International Gas Tanker and Terminal Operators Ltd.
Staple Hall
87-90 Houndsditch
London EC3A 7AX
United Kingdom

ILF
International Life-boat Federation
c/o Royal National Lifeboat Institution
West Quay Road
Poole
Dorset BH15 1HZ
United Kingdom

IRU
International Road Transport Union
8(IRU) Centre International
BP 44
1211 Geneva 20
Switzerland
### MARITIME TRAINING CENTRES ASSISTED OR ESTABLISHED BY IMO DURING THE 1980s

#### National

<table>
<thead>
<tr>
<th>Institution</th>
<th>Country</th>
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<tbody>
<tr>
<td>Institut Supérieur Maritime</td>
<td>ALGERIA</td>
</tr>
<tr>
<td>Fisheries School at Mocamedes</td>
<td>ANGOLA</td>
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<tr>
<td>Escuela Nacional de Nautica</td>
<td>ARGENTINA</td>
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<tr>
<td>Mercantile Marine Academy</td>
<td>BANGLADESH</td>
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<tr>
<td>Seaman's Training Centre</td>
<td>BANGLADESH</td>
</tr>
<tr>
<td>Centro de Instrução Almirante Blas de Aguilar</td>
<td>BRAZIL</td>
</tr>
<tr>
<td>Centro de Instrução Almirante Graça Aranha</td>
<td>BRAZIL</td>
</tr>
<tr>
<td>Institute of Marine Technology</td>
<td>BURMA</td>
</tr>
<tr>
<td>Centro de Formação Nautica</td>
<td>CAPE VERDE</td>
</tr>
<tr>
<td>Escuela Naval</td>
<td>CHILE</td>
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<tr>
<td>Dalian Marine College</td>
<td>CHINA</td>
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<tr>
<td>Jimei Navigation Institute</td>
<td>CHINA</td>
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<tr>
<td>Quingdao Ocean Shipping Mariners' College</td>
<td>CHINA</td>
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<tr>
<td>Shanghai Maritime Institute</td>
<td>CHINA</td>
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<tr>
<td>Escuela Naval de Cadetes Almirante Padilla</td>
<td>COLOMBIA</td>
</tr>
<tr>
<td>Ratings Training School</td>
<td>COOK ISLANDS</td>
</tr>
<tr>
<td>Instituto Tecnológico para el Transporte Marítimo</td>
<td>CUBA</td>
</tr>
<tr>
<td>Higher Technological Institute</td>
<td>CYPRUS</td>
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<tr>
<td>Maritime Training Centre</td>
<td>DEMOCRATIC YEMEN</td>
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<tr>
<td>Escuela de la Marina Mercante Nacional</td>
<td>ECUADOR</td>
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<tr>
<td>Escuela Superior Politécnica del Litoral</td>
<td>ECUADOR</td>
</tr>
<tr>
<td>Alexandria Maritime Transport Academy</td>
<td>EGYPT</td>
</tr>
<tr>
<td>Fiji Institute of Technology</td>
<td>FIJI</td>
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<tr>
<td>Fiji School of Maritime Studies</td>
<td>FIJI</td>
</tr>
<tr>
<td>Directorate of Marine Engineering Training, Calcutta</td>
<td>INDIA</td>
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<tr>
<td>LBS Nautical and Engineering College, Bombay</td>
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</tr>
<tr>
<td>Training Ship “Rajendra”, Bombay</td>
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<tr>
<td>Maritime Training Institute of the Shipping Corporation of India Ltd., Bombay</td>
<td>INDIA, INDONESIA</td>
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<tr>
<td>AIP in Jakarta</td>
<td>INDONESIA</td>
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<tr>
<td>BPLP – Balai Pendidikan dan Latihan Peleyaran</td>
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<td>KUTIP in Jakarta</td>
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<td>SPM in Ujung Pandang</td>
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<tr>
<td>Arab Gulf Academy for Maritime Studies</td>
<td>IRAQ</td>
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<tr>
<td>Jamaica Maritime Training Institute</td>
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<tr>
<td>Bandary College</td>
<td>KENYA</td>
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<tr>
<td>Maritime Training Centre</td>
<td>KIRIBATI</td>
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<td>Maritime Training Centre</td>
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<tr>
<td>Seamen's Training School</td>
<td>KIRIBATI</td>
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<tr>
<td>Tarawa Technical Institute</td>
<td>KIRIBATI</td>
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<tr>
<td>Institute for Higher Maritime Studies</td>
<td>LEBANON</td>
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<tr>
<td>Marine Training Institute</td>
<td>LIBERIA</td>
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<tr>
<td>Faculty of Maritime Studies</td>
<td>LIBYAN ARAB JAMAHIRIYA</td>
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<tr>
<td>Ecole Nationale d'Enseignement Maritime</td>
<td>MADAGASCAR</td>
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<tr>
<td>Marine Staff Training College</td>
<td>MALAWI</td>
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<tr>
<td>Maritime Academy Malaysia</td>
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<tr>
<td>Ungku Omar Polytechnic</td>
<td>MALAYSIA</td>
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<tr>
<td>Maritime Training Centre</td>
<td>MALDIVES</td>
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<tr>
<td>Escuela de Marina Mercante</td>
<td>MEXICO</td>
</tr>
<tr>
<td>Escuela Nautica Mercante de Tampico</td>
<td>MEXICO</td>
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<tr>
<td>Institut Supérieur des Etudes Maritimes</td>
<td>MOROCCO</td>
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<tr>
<td>Escola Nautica de Moçambique</td>
<td>MOZAMBIQUE</td>
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<tr>
<td>Nautical College of Nigeria</td>
<td>NIGERIA</td>
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<tr>
<td>Pakistan Marine Academy</td>
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<td>Escuela Nautica de Panama</td>
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<tr>
<td>Papua New Guinea Maritime College</td>
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<tr>
<td>Escuela de Pilotines de la Flota Mercante del Estado</td>
<td>PARAGUAY</td>
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<td>National Maritime Polytechnic</td>
<td>PHILIPPINES</td>
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<td>The Philippine Merchant Marine Academy</td>
<td>REPUBLIC OF KOREA</td>
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<td>Korea Maritime University</td>
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<td>Korean Merchant Marine Training Institute</td>
<td>SAMOA</td>
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<td>Ratings Training School</td>
<td>SENEGAL</td>
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<tr>
<td>Ecole Nationale de Formation Maritime</td>
<td>SIERRA LEONE</td>
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<td>Mano River Union Maritime Training Institute</td>
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<td>Singapore Polytechnic</td>
<td>SOLOMON ISLANDS</td>
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<td>College of Higher Education</td>
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<td>Honiara Technical Institute</td>
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<tr>
<td>Marine School</td>
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<td>School of Marine and Fisheries Studies</td>
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<td>Naval and Maritime Academy</td>
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<tr>
<td>Marine Training Unit</td>
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<td>Mbegani Fishery Development Training Centre</td>
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<td>MARITIME TRAINING CENTRES (continued)</td>
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<tr>
<td>Merchant Marine Training Centre</td>
<td>THAILAND</td>
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<td>VANUATU</td>
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<td>Escuela Nautica de Venezuela</td>
<td>VENEZUELA</td>
</tr>
</tbody>
</table>

| Regional |
|----------------------------------|----------|
| Regional Academy of Maritime Science and Technology, Abidjan, Côte d’Ivoire | AFRICA  |
| Regional Maritime Academy, Accra, Ghana | AFRICA  |
| Arab Maritime Transport Academy, Sharjah, U.A.E. | ARAB STATES |

<p>| Interregional |
|----------------|----------|
| World Maritime University, Malmö, Sweden | GLOBAL  |
| International Maritime Academy, Trieste, Italy | GLOBAL  |
| IMO International Maritime Law Institute, Valetta, Malta | GLOBAL  |</p>
<table>
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<th>Year 1</th>
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<tr>
<td>CHILE</td>
<td>1988   (twice)</td>
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<td>CHINA</td>
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<td>ECUADOR</td>
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**IMO ASSISTANCE TO LEAST DEVELOPED COUNTRIES IN MARITIME TRAINING**

The table below shows the type of assistance, involving the training element, that has been provided by IMO to the following LDCs:

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### IMO ASSISTANCE (continued)

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RESOLUTION A.500(XII)

Adopted on 20 November 1981
Agenda item 21

OBJECTIVES OF THE ORGANIZATION IN THE 1980s

THE ASSEMBLY,

RECALLING that at its eleventh session it assigned the highest priority to the promotion of the implementation of the international standards and regulations for the improvement of maritime safety and for the prevention and control of marine pollution from ships,

RECOGNIZING the ceaseless efforts by the Secretary-General in promoting the world-wide implementation of these standards and the results achieved thus far,

RECOGNIZING FURTHER that, during the 1980/81 biennium, the Organization received from its Member States over 300 ratifications and acceptances in respect of IMCO international conventions,

RECOGNIZING FURTHER that many subjects have been assigned high priority on the work programme of the Organization, either because they are part of the implementation process for IMCO instruments or because serious problems require early multilateral solutions, and that these subjects by themselves could be sufficient to absorb all available Committee time and efforts for the remainder of this decade,

CONSIDERING the report of the Secretary-General, supported by statements of delegations at the eleventh and twelfth sessions of the Assembly, that, taking into account the differences in available technical resources and in the processes of legislation among Member States, time is needed for maritime administrations to formulate national rules and regulations for effective implementation of IMCO conventions, and for the maritime industry to comply with them,

CONSIDERING FURTHER the deliberations of the Council concerning the need for the appropriate Committees to take into account the usefulness of amending conventions only after such instruments have been operated for reasonable periods,

BEING DESIROUS of providing an institutional means to assure achievement of defined IMCO objectives while maintaining reasonable flexibility to meet contingencies,

TAKING INTO ACCOUNT the relative infrequency of Assembly sessions and the functions of the Council as defined by Article 27 of the IMCO Convention,

1. DIRECTS the Council to co-ordinate the work of Committees and their subsidiary bodies through assignment of priorities among general subject areas, resolution of conflicts, promulgation of work programme goals, and establishing such procedures and requirements as may be necessary to meet Organization objectives consistent with this resolution and other pertinent resolutions and decisions of the Assembly;

2. DIRECTS FURTHER that the Council, in performing this co-ordinating function, takes into account the views of the Committees on priorities and their responsibilities for substantive technical and legal matters;
3. RECOMMENDS that the Council and the Committees entertain proposals for new conventions or amendments to existing conventions only on the basis of clear and well-documented demonstration of compelling need, taking into account the undesirability of modifying conventions not yet in force or of amending existing conventions unless such latter instruments have been in force for a reasonable period of time and experience has been gained of their operation, and having regard to the costs to the maritime industry and the burden on the legislative and administrative resources of Member States;

4. RECOMMENDS that the Committees carrying out their functions on the basis of the principle that provisions of new conventions or of amendments to existing conventions relating to the structure of ships should apply only to ships built after the entry into force of the instrument or instruments in question and that other provisions should not apply to ships built before the entry into force of the instrument or instruments in question unless there is a compelling need and the costs and benefits of the measures have been fully considered;

5. INVITES Member Governments to bring this resolution to the attention of their representatives who attend meetings of the Organization.
Long Term Work Plan of IMO

The following is an indicative list of subjects for consideration by the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Co-operation Committee and the Facilitation Committee for the period up to 1996. This list is not exhaustive and the subjects are not listed in order of priority.

MARITIME SAFETY COMMITTEE

I Objectives

(i) Pursuant to the provisions of Articles 1 and 28 of the Convention on the International Maritime Organization, to encourage the general adoption of the highest practicable standards in respect of matters concerning maritime safety and efficiency of navigation including any matter within the scope of the Organization concerned with aids to navigation, construction and equipment of vessels (and other marine vehicles), training and qualification of seafarers, manning from a safety standpoint, rules for the prevention of collisions, handling of dangerous cargoes, maritime safety procedures and requirements, hydrographic information, log-books and navigational records, marine casualty investigations, salvage and rescue, and any other matter directly affecting maritime safety (e.g. fire safety, maritime communications and the safe transport of cargoes generally) and with due regard to the context of resolution A.500(XII).

(ii) To provide the necessary machinery for performing any duties assigned to it and to maintain such close relationship with other bodies as may further the purposes of the Organization.

II Specific subjects

(i) Implementation, technical interpretation and improvement of conventions, codes, recommendations and guidelines.
(ii) Procedures for the control of ships including deficiency reports.

(iii) Casualty statistics and investigations into serious casualties.

(iv) Harmonization of survey and certification requirements and authorization granted to non-governmental organizations to conduct surveys.

(v) Training, watchkeeping and operational procedures for maritime personnel, including seafarers, fishermen, maritime pilots and those responsible for maritime safety in mobile offshore units.

(vi) Shipboard and shore-based management for the safe operation of ships.

(vii) Measures to improve navigational safety, including ships' routeing, requirements and standards for navigational aids and ship reporting systems.

(viii) The global maritime distress and safety system and other maritime radiocommunication matters including navigational warning services, shipborne radio equipment and operational procedures.

(ix) Survival in case of maritime casualty or distress, and the provision of maritime search and rescue services.

(x) Safe carriage of solid bulk cargoes, timber, grain and other cargoes by sea, including containers and vehicles.

(xi) Carriage of dangerous goods in packaged form, portable tanks, unit loads, other transport units, shipborne barges and intermediate bulk containers (IBCs).

(xii) Carriage of bulk chemicals in offshore support vessels.

(xiii) Carriage of irradiated nuclear fuel in purpose-built and non-purpose-built ships.
Emergency procedures and safety measures for ships carrying dangerous goods, medical first aid in case of accidents involving dangerous goods and the safe use of pesticides in ships.

Safe handling and storage of dangerous goods in port areas.

Intact stability, subdivision, damage stability and load lines of ships.

Tonnage measurement of ships.

Safety considerations for machinery and electrical installations in ships.

Manoeuvrability of intact and disabled ships.

Control of noise and related vibration levels on board ships.

Matters pertaining to fire safety on board ships.

Safety aspects of the design, construction, equipment and operation of specific types of ships, such as fishing vessels, oil tankers, chemical tankers, gas carriers, dynamically supported craft, mobile offshore drilling units, special purpose ships, offshore supply vessels, nuclear merchant ships, roll-on roll-off ships, barge carriers, barges carrying dangerous chemicals in bulk and diving systems.

Prevention of piracy and unlawful acts against ships.

IMO ship identification number scheme.

Possible revision of the 1977 Torremolinos International Convention.

Co-operation with the United Nations and other international bodies on matters of mutual interest.
A possible single (unified) international instrument (i.e. one comprehensive convention concerning safety of life at sea and marine environment protection) incorporating and superseding relevant conventions and instruments currently applicable, which might include:

1974 SOLAS Convention

1978 SOLAS Protocol

1966 Load Line Convention

MARPOL 73/78

International Bulk Chemical Code.

International Gas Carrier Code.

The possible development of a computer database on the applicable requirements of IMO instruments.

The reduction of the use in ships of ozone-depleting agents.

LEGAL COMMITTEE

(i) Draft convention on offshore mobile craft.

(ii) Arrest of seagoing ships, subject to the results of the work in respect of maritime liens and mortgages and related subjects.

(iii) Draft convention on civil jurisdiction, choice of law, recognition and enforcement of judgements in matters of collision at sea.

(iv) Consideration of the legal status of novel types of craft, such as air-cushion vehicles, operating in the marine environment.

(v) A possible convention on wreck removal and related issues.
A possible convention on the regime of vessels in foreign ports.

Legal status of ocean data acquisition systems (ODAS).

Possible revision of maritime law conventions in the light of proven need and subject to the directives in resolution A.500(XII), including in particular, revision of the 1976 Convention on Limitation of Liability for Maritime Claims in order particularly to update the limitation therein, subject to the conclusions reached in respect of future work on the draft HNS Convention.

MARINE ENVIRONMENT PROTECTION COMMITTEE

I Principal objectives

(i) Solution of problems involved in the implementation of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78) including examination of the problems of implementation of MARPOL 73/78 in relation to the protection of the marine environment in special areas.

(ii) Development of suitable procedures for the enforcement of conventions relating to marine pollution.

(iii) Promotion of technical co-operation, including the development of regional arrangements on co-operation to combat pollution in cases of emergency.

(iv) Entry into force of the optional Annexes to MARPOL 73/78. To promote wider acceptance of MARPOL 73/78.

II Specific subjects

(i) Uniform interpretation and application of the provisions of MARPOL 73/78 and possible amendments thereto.
(ii) Reception facilities for residues.

(iii) Oily-water separators and oil discharge monitoring and control systems.

(iv) Procedures for the control of ships and discharges under MARPOL 73/78.

(v) Survey and certification of ships under MARPOL 73/78.

(vi) Penalties for infringement of convention provisions.

(vii) Casualty investigations in relation to marine pollution.

(viii) Arrangements for combating major incidents or threats of marine pollution.

(ix) Promotion of regional arrangements for combating marine pollution.


(xi) Identification of particularly sensitive sea areas.

(xii) Categorization of noxious liquid substances and harmful substances.

(xiii) Prevention of pollution by noxious solid substances in bulk.

(xiv) Measures on board ships to minimize the escape of pollutants in the case of accidents.

(xv) Shipboard and shore-based management for the prevention of marine pollution.

(xvi) Prevention of air pollution from ships, including fuel oil quality.
(xvii) Recommendation concerning tonnage measurement of ballast spaces in segregated ballast oil tankers.

(xviii) Control of transboundary movements of hazardous wastes.

(xix) Use of Tributyl-tin compounds in anti-fouling paints for ships.

TECHNICAL CO-OPERATION COMMITTEE

In accordance with the provisions of the IMO Convention, the Technical Co-operation Committee will:

(i) consider programmes relating to the implementation of technical co-operation projects for which IMO acts as the executing or co-operating agency;

(ii) consider any other matters relating to IMO's functions in the technical co-operation field; and

(iii) keep under review the work of the Organization's technical co-operation programme.

(iv) In order to optimize the utility of scarce donor resources available for technical co-operation activities, the work plan of the Organization includes the implementation of programmes delineated in the IMO publications entitled Strategy for Maritime Training, Strategy for the Protection of the Marine Environment and Strategy for the Integration of Women in the Maritime Sector. The publications address current and future assistance requirements, and provide outlines of areas in which enhanced technical co-operation activities are required in order to assist developing countries in the effective implementation of international treaty instruments on maritime safety, marine pollution prevention and control, and other technical aspects of shipping and ports.
(v) The highest priority will continue to be placed on maritime training at the basic, certificate-of-competency, advanced and post-graduate levels through the implementation of programmes of human resources development with special emphasis on the promotion of self-reliance.

(vi) The technical co-operation needs of developing countries which will require particular attention during the coming years include the following:

- maritime training equipment and programmes to enhance training standards in the areas of navigation, technical port operations, containerization systems, marine pollution prevention, and related aspects of technical shipping and ports;

- harmonization of maritime legislation with international conventions and regulations;

- waste reception facilities and aerial remote sensing equipment;

- pragmatic plans to facilitate the implementation of:
  - the global maritime distress and safety system (GMDSS);
  - standards relating to safe transport, handling and carriage of dangerous goods in port areas and on board ships;
  - emergency response procedures and safety measures for ships carrying dangerous goods, noxious liquid substances in bulk, harmful chemicals in packaged form, etc.

(vii) The Organization will be involved in the implementation and follow-up of the following principal activities:
- backstopping of ongoing global, interregional, regional and national projects;

- advice and assistance to developing countries relating to the formulation of technical co-operation projects;

- negotiations with donors and Governments relating to the approval of project proposals;

- co-ordinating the implementation of technical co-operation activities with the donors and Governments involved;

- fielding of missions to provide advisory and expert services;

- organization and provision of technical inputs with respect to seminars, workshops, model courses and other training events;

- arrangement of short- and long-term fellowships in various areas dealing with the technical aspects of shipping and ports;

- promoting the integration of women in the maritime sector;

- promoting activities consistent with the concept of technical co-operation among developing countries (TCDC);

- collaboration with other agencies in the longer-term programming exercises of technical co-operation activities for the benefit of developing countries.

(viii) In the context of objectives and activities mentioned above, particular emphasis will be placed on:

- the world-wide implementation of IMO model courses at the Branches of the World Maritime University and other training institutions in all developing regions;
the development and implementation of courses at the IMO International Maritime Training Academy at Trieste, Italy, and the IMO International Maritime Law Institute at Valletta, Malta.

(ix) In order to narrow the gap between the maritime technical co-operation needs of developing countries and the resources available for this purpose, the Technical Co-operation Committee considered it necessary that the Organization:

- enlist the support of traditional donors to maintain at current levels the contributions provided to the IMO technical co-operation programme;

- enlarge the base of donors by enlisting the support of traditional maritime States which could each provide 5% or more of total IMO technical co-operation expenditures;

- increase the co-operation with major multilateral financial institutions such as the World Bank in the programming and implementation of IMO-related project activities for the benefit of developing countries;

- enlist the support of non-governmental organizations;

- further promote technical co-operation among developing countries (TCDC) and;

- appeal to the donor Governments currently providing invaluable training opportunities to maritime administration and port personnel of developing countries to turn these offers into a more permanent programme of human resources development in the technical maritime fields.
FACILITATION COMMITTEE


(ii) Facilitation activities within the Organization including:

- promotional activities carried out in co-operation with Member Governments, Contracting Governments and organizations concerned; and

- facilitation aspects of forms and certificates emanating from other activities of the Organization.

(iii) IMO policy on automatic data processing of shipping documents and documents used for clearance of ships.

(iv) Examination and possible adaptation of elements of conventions, codes and recommendations of a facilitative nature elaborated by other organizations.

(v) Consideration and formulation of proposals for amending the Convention or its Annex including harmonization with other United Nations FAL Conventions.

(vi) Formalities connected with the arrival, stay and departure of ships, persons and cargo.

(vii) Adoption of measures which are not covered by the FAL Convention to facilitate the entry and departure of ships.

(viii) Facilitation aspects of IMO's work on unlawful interference with international maritime traffic.

(ix) Facilitation aspects of methods to control the illicit drug traffic.
(x) Methods of handling inadequately documented passengers.

(xi) International directory of national documentary requirements.

(xii) Facilities for elderly and disabled passengers.