



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Committee I
Agenda item 3

CONSIDERATION OF THE ARTICLES OF THE DRAFT
INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

Proposed amendments to Article 17

Submitted by the United States of
America

The provisions of Article 17 of the fifth draft for the entry into force of amendments to the Convention and the Annexes are based in part on the gross merchant shipping tonnage of Contracting States. In the view of the United States, that criterion does not fully reflect the legitimate economic and environmental interests of States which have relatively small merchant fleets, but a substantial volume of shipping using their ports. These States should also have a substantial voice in the acceptance of amendments.

The following proposed changes to Article 17 add an additional criterion to the formula for entry into force of amendments based on the volume of goods loaded and unloaded in international seaborne trade. An index for this purpose is maintained in the United Nations Statistical Yearbook for each State.

The effect of including this criterion would be to ensure that the views of all groups of States which are affected by the carriage at sea of oil and other harmful substances are taken fully into account in the process of amending the Convention:

Amend Article 17 (3)(a)(iii) as follows:

- "(iii) Such amendment shall be deemed to have been accepted by a majority of the Contracting States, including:
- (a) States with one-third of the total for all Contracting States of gross merchant shipping tonnage, and
 - (b) States with one-third of the total for all Contracting States of goods loaded and unloaded in international seaborne trade."

Amend Article 17 (3)(b)(iii) as follows:

- "(iii) Such amendment shall be deemed to have been accepted at the end of a period to be determined by the Committee at the time of the adoption, unless within that period objection is communicated to the Organization by:
- (1) more than one-third of the Contracting States, or
 - (2) by Contracting States with:
 - (a) one-third of the total for all Contracting States of gross merchant shipping tonnage, and
 - (b) one-third of the total for all Contracting States of goods loaded and unloaded in international seaborne trade."
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