



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

Article 17

Submitted jointly by Canada, Federal Republic of
Germany, Netherlands, United Kingdom and United
States of America

The above-mentioned delegations recommend that, in considering Article 17, the Committee should address itself to the following questions prior to establishing a drafting group to prepare a final text in accordance with the decisions of the Committee:

- (1) The Committee is asked to decide whether amendments to the Articles, Annexes, or Appendices should be initially prepared and adopted by the appropriate body of IMCO, which could be the Marine Environment Protection Committee, if established by the Assembly.
- (2) Once the Marine Environment Protection Committee has acted, should there be a further reference to the Assembly with regard to amendments to the Articles, Annexes or Appendices. The answer may be different in each case. (Note: the answer to this question is directly related to the outcome of question(1).
- (3) The Committee is asked to decide whether non-IMCO Member States, Parties to the Convention, should have the right to participate and vote when amendments are considered and decided.
- (4) In this connexion, the Committee is also asked to decide upon the voting rights of IMCO Member States, not Parties to the Convention.

MP/CONF/C.1/WP. 53

- (5) With regard to acceptance of amendments to Appendices, Annexes and Articles, the Committee is asked to decide by what method this could be undertaken, i.e. tacit or explicit acceptance. The answer may be different in each case.
 - (6) The Committee is asked to quantify the majority with regard to an explicit acceptance procedure and the blocking minority with regard to tacit acceptance procedure (number of Contracting Parties, tonnage requirements or international seaborne trade).
 - (7) The Committee is asked to decide whether amendments which either have been accepted by a majority or have not been rejected by a minority, enter into force for all Contracting Parties.
 - (8) If those States which object are not bound should there then be the "important nature" procedure or should we have a provision excluding them from the benefits of the Convention.
 - (9) The Committee is asked to decide whether the requirements for the entry into force of new Annexes should be as those pertaining to amendment procedures for Annexes or as those required for the entry into force of the Convention.
-