

INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

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REPORT OF THE ASSEMBLY ON THE FINAL TEXT OF THE ANNEX TO THE GENERAL CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES

RESOLUTION A.10 (I)

Adopted on 16 January 1959 at the tenth meeting

A.

THE ASSEMBLY

Accepts the standard clauses of the General Convention on the privileges and immunities of the Specialized Agencies adopted by the General Assembly of the United Nations on 21 November 1947 as modified by the following Annex applicable to the Inter-Governmental Maritime Consultative Organization:

Annex

1. The privileges and immunities, exemptions and facilities referred to in Article VI, Section 21 of the standard clauses, shall be accorded to the Secretary-General of the Organization and to the Secretary of the Maritime Safety Committee, provided that the provisions of this paragraph shall not require the Member in whose territory the Organization has its Headquarters to apply article VI, Section 21 of the standard clauses to any person who is its national.

2. (a) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and

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immunities so far as is necessary for the effective exercise of their functions, including time spent on journeys in connexion with service on such committees or missions:

- (i) immunity from personal arrest or seizure of their personal baggage;
- (ii) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for the Organization;
- (iii) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;
- (iv) inviolability for all papers and documents relating to the work on which they are engaged for the Organization.
- (v) the right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the Inter-Governmental Maritime Consultative Organization.

In connexion with Section 2 (a) (iv) and (v) above the principle contained in the last sentence of Section 12 of the standard clauses shall be applicable.

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(b) Privileges and immunities are granted to such experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and duty to waive the immunity of any expert in any case where, in its opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.

B.

THE ASSEMBLY

Having regard to the provisions of Section 18 of Part VI of the Convention on the Privileges and Immunities of the Specialized Agencies;

And having considered the proposal made by the United Kingdom that the categories of officials to whom the provisions of Articles VI and VIII shall apply should include all officials of the Organization, with the exception of those who are recruited locally and are assigned to hourly rates;

Approves the granting of the privileges and immunities referred to in Articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies to all officials of the Organization, with the exception of those who are recruited locally and assigned to hourly rates.

