

Ὁ περί τῆς Συμβάσεως περί τοῦ Διακυβερνητικοῦ Ναυτιλιακοῦ Συμβουλευτικοῦ Ὄργανισμοῦ (Κυρωτικός) Νόμος τοῦ 1973 ἐκδίδεται διὰ δημοσιεύσεως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ ἄρθρῳ 52 τοῦ Συντάγματος.

Ἄριθμός 73 τοῦ 1973

ΝΟΜΟΣ ΚΥΡΩΝ ΤΗΝ ΣΥΜΒΑΣΙΝ  
ΠΕΡΙ ΤΟΥ ΔΙΑΚΥΒΕΡΝΗΤΙΚΟΥ ΝΑΥΤΙΛΙΑΚΟΥ  
ΣΥΜΒΟΥΛΕΥΤΙΚΟΥ ΟΡΓΑΝΙΣΜΟΥ

Ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολούθως :

1. Ὁ παρῶν Νόμος θὰ ἀναφέρηται ὡς ὁ περί τῆς Συμβάσεως περί τοῦ Διακυβερνητικοῦ Ναυτιλιακοῦ Συμβουλευτικοῦ Ὄργανισμοῦ (Κυρωτικός) Νόμος τοῦ 1973. Συνοπτικός τίτλος.

2. Ἐν τῷ παρόντι Νόμῳ, ἐκτὸς ἐὰν ἐκ τοῦ κειμένου προκύπτῃ διάφορος ἔννοια— Ἑρμηνεία.

«Σύμβασις» σημαίνει τὴν Σύμβασιν περί τοῦ Διακυβερνητικοῦ Ναυτιλιακοῦ Συμβουλευτικοῦ Ὄργανισμοῦ, τῆς ὁποίας τὸ κείμενον ἐν τῷ ἀγγλικῷ πρωτοτύπῳ ἐκτίθεται εἰς τὸ Πρῶτον Μέρος τοῦ Πίνακος καὶ ἐν μεταφράσει εἰς τὴν ἐλληνικὴν εἰς τὸ Δεύτερον Μέρος τοῦ Πίνακος : Πίναξ.

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξύ τῶν δύο κειμένων ὑπερισχύει τὸ εἰς τὸ Πρῶτον Μέρος τοῦ Πίνακος ἐκτιθέμενον κείμενον.

3. Ἡ Σύμβασις, τῆς ὁποίας ἡ ὑπὸ τῆς Κυπριακῆς Δημοκρατίας ἀποδοχὴ ἀπεφασίσθη διὰ τῆς ὑπ' ἀριθμὸν 12.183 καὶ ἡμερομηνίαν 15ην Μαρτίου 1973, Ἀποφάσεως τοῦ Ὑπουργικοῦ Συμβουλίου, διὰ τοῦ παρόντος Νόμου κυροῦται. Κύρωσις Συμβάσεως.

ΠΙΝΑΞ  
("Αρθρον 2)  
ΠΡΩΤΟΝ ΜΕΡΟΣ

CONVENTION ON THE INTER-GOVERNMENTIAL MARITIME  
CONSULTATIVE ORGANIZATION

(Done in Geneva on 6 March 1948 and amended in accordance with Assembly Resolutions adopted on 15 September 1964 and 28 September 1965)

The States parties to the present Convention hereby establish the Intergovernmental Maritime Consultative Organization (hereinafter referred to as "the Organization").

PART I

Purposes of the Organization

Article 1

The purposes of the Organization are :

- (a) To provide machinery for co-operation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade, and to encourage the general adoption of the highest practicable standards in matters concerning maritime safety and efficiency of navigation ;
- (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 discrimination ; assistance and encouragement given by a Government for the development of its national shipping and for 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 Part II ;
- (d) to provide for the consideration by the Organization of any matters concerning shipping 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.

PART II

Functions

Article 2

The functions of the Organization shall be consultative and advisory.

Article 3

In order to achieve the purposes set out in Part I, the functions of the Organization shall be :

- (a) Subject to the provisions of Article 4, to consider and make recommendations upon matters arising under Article 1 (a), (b) and (c) 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 Article 1 (d) ;

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

#### Article 4

In those matters which appear to the Organization capable of settlement through the normal processes of international shipping business the Organization 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 processes of international shipping business, or has in fact so proved, and provided it shall first have been the subject of direct negotiations between the Members concerned, the Organization shall, at the request of one of those Members consider the matter.

### PART III

#### Membership

#### Article 5

Membership in the Organization shall be open to all States, subject to the provisions of Part III.

#### Article 6

Members of the United Nations may become Members of the Organization by becoming parties to the Convention in accordance with the provisions of Article 57.

#### Article 7

States not Members of the United Nations which have been invited to send representatives to the United Nations Maritime Conference convened in Geneva on 19 February 1948, may become Members by becoming parties to the Convention in accordance with the provisions of Article 57.

#### Article 8

Any State not entitled to become a Member under Article 6 or 7 may apply through the Secretary-General of the Organization to become a Member and shall be admitted as a Member upon its becoming a party to the Convention in accordance with the provisions of Article 57 provided that, upon the recommendation of the Council, its application has been approved by two-thirds of the Members other than Associate Members.

#### Article 9

Any Territory or group of Territories to which the Convention has been made applicable under Article 58, by the Member having responsibility for its international relations or by the United Nations, may become an Associate Member of the Organization by notification in writing given by such Member or by the United Nations, as the case may be, to the Secretary-General of the United Nations.

#### Article 10

An Associate Member shall have the rights and obligations of a Member under the Convention except that it shall not have the right to vote in the Assembly or be eligible for membership on the Council or on the Maritime Safety Committee and subject to this the word "Member" in the Convention shall be deemed to include Associate Member unless the context otherwise requires.

## Article 11

No State or Territory may become or remain a Member of the Organization contrary to a resolution of the General Assembly of the United Nations.

## PART IV

## Organs

## Article 12

The Organization shall consist of an Assembly, a Council, a Maritime Safety Committee, and such subsidiary organs as the Organization may at any time consider necessary; and a Secretariat.

## PART V

## The Assembly

## Article 13

The Assembly shall consist of all the Members.

## Article 14

Regular sessions of the Assembly shall take place once every two years. Extraordinary sessions shall be convened after a notice of sixty days whenever one-third of the Members give notice to the Secretary-General that they desire a session to be arranged, or at any time if deemed necessary by the Council, after a notice of sixty days.

## Article 15

A majority of the Members other than Associate Members shall constitute a quorum for the meetings of the Assembly.

## Article 16

The functions of the Assembly shall be:

- (a) To elect at each regular session from among its Members, other than Associate members, its President and two Vice-Presidents who shall hold office until the next regular session;
- (b) to determine its own Rules of Procedure except as otherwise provided in the Convention;
- (c) to establish any temporary or, upon recommendation of the Council, permanent subsidiary bodies it may consider to be necessary;
- (d) to elect the Members to be represented on the Council, as provided in Article 17, and on the Maritime Safety Committee as provided in Article 28;
- (e) to receive and consider the reports of the Council, and to decide upon any question referred to it by the Council;
- (f) to vote the budget and determine the financial arrangements of the Organization, in accordance with Part IX;
- (g) to review the expenditures and approve the accounts of the Organization;
- (h) to perform the functions of the Organization, provided that in matters relating to Article 3 (a) and (b), the Assembly shall refer such matters to the Council for formulation by it of any recommendations or instruments thereon; provided further that any recommendations or instruments submitted to the Assembly by the Council and not accepted by the Assembly shall be referred back to the Council for further consideration with such observations as the Assembly may make;

- (i) to recommend to Members for adoption regulations concerning maritime safety, or amendments to such regulations, which have been referred to it by the Maritime Safety Committee through the Council ;
- (j) to refer to the Council for consideration or decision any matters within the scope of the Organization, except that the function of making recommendations under paragraph (i) of this Article shall not be delegated.

PART VI  
The Council  
Article 17

The Council shall be composed of eighteen Members elected by the Assembly.

Article 18

In electing the Members of the Council, the Assembly shall observe the following principles :

- (a) Six shall be Governments of States with the largest interest in providing international shipping services ;
- (b) six shall be Governments of other States with the largest interest in international seaborne trade ;
- (c) six shall be Governments of States not elected under (a) or (b) above, which have special interests in maritime transport or manigation, and whose election to the Council will ensure the representation of all major geographic areas of the world.

Article 19

Members represented on the Council in accordance with Article 17 shall hold office until the end of the next regular session of the Assembly. Members shall be eligible for re-election.

Article 20

(a) The Council shall elect its Chairman and adopt its own Rules of Procedure except as otherwise provided in the Convention.

(b) Twelve Members of the Council shall constitute a quorum.

(c) The Council shall meet upon one month's notice as often as may be necessary for the efficient discharge of its duties upon the summons of its Chairman or upon request by not less than four of its Members. It shall meet at such places as may be convenient.

Article 21

The Council shall invite any Member to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 22

(a) The Council shall receive the recommendations and reports of the Maritime Safety Committee and shall transmit them to the Assembly and, when the Assembly is not in session, to the Members for information, together with the comments and recommendations of the Council.

(b) Matters within the scope of Article 29 shall be considered by the Council only after obtaining the views of the Maritime Safety Committee thereon.

Article 23

The Council, with the approval of the Assembly, shall appoint the Secretary-General. The Council shall also make provision for the appointment of such other personnel as may be necessary, and determine the terms and conditions of service of the Secretary-General and other personnel, which terms and conditions shall conform as far as possible with those of the United Nations and its specialized agencies.

## Article 24

The Council shall make a report to the Assembly at each regular session on the work of the Organization since the previous regular session of the Assembly.

## Article 25

The Council shall submit to the Assembly the budget estimates and the financial statements of the Organization, together with its comments and recommendations.

## Article 26

The Council may enter into agreements or arrangements covering the relationship of the Organization with other organizations, as provided for in Part XII. Such agreements or arrangements shall be subject to approval by the Assembly.

## Article 27

Between sessions of the Assembly, the Council shall perform all the functions of the Organization except the function of making recommendations under Article 16 (i).

## PART VII

## Maritime Safety Committee

## Article 28

The Maritime Safety Committee shall consist of sixteen Members elected by the Assembly from Members, Governments of those States having an important interest in maritime safety of which :

- (a) Eight Members shall be elected from among the ten largest shipowning States ;
- (b) Four Members shall be elected in such manner as to ensure that, under this sub-paragraph, a State in each of the following areas is represented:
  - I. Africa
  - II. The Americas
  - III. Asia and Oceania
  - IV. Europa.
- (c) The remaining four Members shall be elected from among States not otherwise represented on the Committee.

For the purpose of this Article, States having an important interest in maritime safety shall include, for example, States interested in the supply of large numbers of crews or in the carriage of large numbers of berthed or unberthed passengers.

Members of the Maritime Safety Committee shall be elected for a term of four years and shall be eligible for re-election.

## Article 29

(a) The Maritime Safety Committee shall have the duty of considering any matter within the scope of the Organization and 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.

(b) The Maritime Safety Committee shall provide machinery for performing any duties assigned to it by the Convention, or by the Assembly, or any duty within the scope of this Article which may be assigned to it by any other inter-governmental instrument.

(c) Having regard to the provisions of Part XII, the Maritime Safety Committee shall have the duty of maintaining such close relationship with other inter-governmental bodies concerned with transport and communications as may further the object of the organization in promoting maritime safety and facilitate the co-ordination of activities in the fields of shipping, aviation, telecommunications and meteorology with respect to safety and rescue.

#### Article 30

The Maritime Safety Committee, through the Council, shall :

- (a) Submit to the Assembly at its regular sessions proposals made by Members for safety regulations or for amendments to existing safety regulations, together with its comments or recommendations thereon ;
- (b) Report to the Assembly on the work of the Maritime Safety Committee since the previous regular session of the Assembly.

#### Article 31

The Maritime Safety Committee shall meet once a year and at other times upon request of any five of its Members. It shall elect its officers once a year and shall adopt its own Rules of Procedure. A majority of its Members shall constitute a quorum.

#### Article 32

The Maritime Safety Committee shall invite any Member to participate, without vote, in its deliberations on any matter of particular concern to that Member.

### PART VIII

#### The Secretariat

#### Article 33

The Secretariat shall comprise the Secretary-General, a Secretary of the Maritime Safety Committee and such staff as the Organization may require. The Secretary-General shall be the chief administrative officer of the Organization, and shall, subject to the provisions of Article 23, appoint the above-mentioned personnel.

#### Article 34

The Secretariat shall maintain all such records as may be necessary for the efficient discharge of the functions of the Organization and shall prepare, collect and circulate the papers, documents, agenda, minutes and information that may be required for the work of the Assembly, the Council, the Maritime Safety Committee, and such subsidiary organs as the Organization may establish.

#### Article 35

The Secretary-General shall prepare and submit to the Council the financial statements for each year and the budget estimates on a biennial basis, with the estimates for each year shown separately.

#### Article 36

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

#### Article 37

In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any Government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials. Each Member on its part undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

## Article 38

The Secretary-General shall perform such other tasks as may be assigned to him by the Convention, the Assembly, the Council and the Maritime Safety Committee.

## PART IX

## Finances

## Article 39

Each Member shall bear the salary, travel and other expenses of its own delegation to the Assembly and of its representative on the Council, the Maritime Safety Committee, other committees and subsidiary bodies.

## Article 40

The Council shall consider the financial statements and budget estimates prepared by the Secretary-General and submit them to the Assembly with its comments and recommendations.

## Article 41

(a) Subject to any agreement between the Organization and the United Nations, the Assembly shall review and approve the budget estimates.

(b) The Assembly shall apportion the expenses among the Members in accordance with a scale to be fixed by it after consideration of the proposals of the Council thereon.

## Article 42

Any Member which fails to discharge its financial obligation to the Organization within one year from the date on which it is due, shall have no vote in the Assembly, the Council, or the Maritime Safety Committee unless the Assembly, at its discretion, waives this provision.

## PART X

## Voting

## Article 43

The following provisions shall apply to voting in the Assembly, the Council and the Maritime Safety Committee:

(a) Each Member shall have one vote.

(b) Except as otherwise provided in the Convention or in any international agreement which confers functions on the Assembly, the Council, or the Maritime Safety Committee, decisions of these organs shall be by a majority vote of the Members present and voting and, for decisions where a two-thirds majority vote is required, by a two-thirds majority vote of those present.

(c) For the purpose of the Convention, the phrase "Members present and voting" means "Members present and casting an affirmative or regative vote". Members which abstain from voting shall be considered as not voting.

## PART XI

## Headquarters of the Organization

## Article 44

(a) The headquarters of the Organization shall be established in London.

(b) The Assembly may by a two-thirds majority vote change the site of the headquarters if necessary.

(c) The Assembly may hold sessions in any place other than the headquarters if the Council deems it necessary.



## PART XII

Relationship with the United Nations  
and other Organizations

## Article 45

The Organization shall be brought into relationship with the United Nations in accordance with Article 57 of the Charter of the United Nations as the specialized agency in the field of shipping. This relationship shall be effected through an agreement with the United Nations under Article 63 of the Charter of the United Nations, which agreement shall be concluded as provided in Article 26.

## Article 46

The Organization shall co-operate with any specialized agency of the United Nations in matters which may be the common concern of the Organization and of such specialized agency, and shall consider such matters and act with respect to them in accord with such specialized agency.

## Article 47

The Organization may, on matters within its scope, co-operate with other inter-governmental organizations which are not specialized agencies of the United Nations, but whose interests and activities are related to the purposes of the Organization.

## Article 48

The Organization may, on matters within its scope, make suitable arrangements for consultation and co-operation with non-governmental international organizations.

## Article 49

Subject to approval by a two-thirds majority vote of the Assembly, the Organization may take over from any other international organizations, governmental or non-governmental, such functions, resources and obligations within the scope of the Organization as may be transferred to the Organization by international agreements or by mutually acceptable arrangements entered into between competent authorities of the respective organizations. Similarly, the Organization may take over any administrative functions which are within its scope and which have been entrusted to a Government under the terms of any international instrument.

## PART XIII

## Legal Capacity, Privileges and Immunities

## Article 50

The legal capacity, privileges and immunities to be accorded to, or in connection with, the Organization, shall be derived from and governed by the General Convention on the Privileges and Immunities of the Specialized Agencies approved by the General Assembly of the United Nations on 21 November 1947, subject to such modifications as may be set forth in the final (or revised) text of the Annex approved by the Organization in accordance with Section 36 and 38 of the said General Convention.

## Article 51

Pending its accession to the said General Convention in the respect of the Organization, each Member undertakes to apply the provisions of Appendix II to the present Convention.

## PART XIV

## Amendments

## Article 52

Texts of proposed amendments to the Convention shall be communicated by the Secretary-General to Members at least six months in advance of their consideration by the Assembly. Amendments shall be adopted by a two-thirds majority vote of the Assembly, including the concurring votes of a majority of the Members represented on the Council. Twelve months after its acceptance by two-thirds of the Members of the Organization, other than Associate Members, each amendment shall come into force for all Members except those which, before it comes into force, make a declaration that they do not accept the amendment. The Assembly may by a two-thirds majority vote determine at the time of its adoption that an amendment is of such a nature that any Member which has made such a declaration and which does not accept the amendment within a period of twelve months after the amendment comes into force shall, upon the expiration of this period, cease to be a party to the Convention.

## Article 53

Any amendment adopted under Article 52 shall be deposited with the Secretary-General of the United Nations, who will immediately forward a copy of the amendment to all Members.

## Article 54

A declaration or acceptance under Article 52 shall be made by the communication of an instrument to the Secretary-General for deposit with the Secretary-General of the United Nations. The Secretary-General will notify Members of the receipt of any such instrument and of the date when the amendment enters into force.

## PART XV

## Interpretation

## Article 55

Any question or dispute concerning the interpretation or application of the Convention shall be referred for settlement to the Assembly, or shall be settled in such other manner as the parties to the dispute agree. Nothing in this Article shall preclude the Council or the Maritime Safety Committee from settling any such question or dispute that may arise during the exercise of their functions.

## Article 56

Any legal question which cannot be settled as provided in Article 55 shall be referred by the Organization to the International Court of Justice for an advisory opinion in accordance with Article 96 of the Charter of the United Nations.

## PART XVI

## Miscellaneous Provisions

## Article 57. Signature and Acceptance

Subject to the provisions of Part III the present 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.

## Article 58. Territories

(a) Members may make a declaration at any time that their participation in the Convention includes all or a group or a single one of the Territories for whose international relations they are responsible.

(b) The Convention does not apply to Territories for whose international relations Members are responsible unless a declaration to that effect has been made on their behalf under the provisions of paragraph (a) of this Article.

(c) A declaration made under paragraph (a) of this Article shall be communicated to the Secretary-General of the United Nations and a copy of it will be forwarded by him to all States invited to the United Nations Maritime Conference and to such other States as may have become Members.

(d) In cases where under a Trusteeship Agreement the United Nations is the administering authority, the United Nations may accept the Convention on behalf of one, several, or all of the Trust Territories in accordance with the procedure set forth in Article 57.

## Article 59. Withdrawal

(a) Any Member may withdraw from the Organization by written notification given to the Secretary-General of the United Nations, who will immediately inform the other Members and the Secretary-General of the Organization of such notification. Notification of withdrawal may be given at any time after the expiration of twelve months from the date on which the Convention has come into force. The withdrawal shall take effect upon the expiration of twelve months from the date on which such written notification is received by the Secretary-General of the United Nations.

(b) The application of the Convention to a Territory or group of Territories under Article 58 may at any time be terminated by written notification given to the Secretary-General of the United Nations by the Member responsible for its international relations or, in the case of a Trust Territory of which the United Nations is the administering authority, by the United Nations. The Secretary-General of the United Nations will immediately inform all Members and the Secretary-General of the Organization of such notification. The notification shall take effect upon the expiration of twelve months from the date on which it is received by the Secretary-General of the United Nations.

## PART XVII

## Entry into Force

## Article 60

The Present Convention shall enter into force on the date when 21 States, of which seven shall each have a total tonnage of not less than 1,000,000 gross tons of shipping, have become parties to the Convention in accordance with Article 57.

## Article 61

The Secretary-General of the United Nations will inform all States invited to the United Nations Maritime Conference and such other States as may have become Members, of the date when each State becomes party to the Convention, and also of the date on which the Convention enters into force.

## Article 62

The present Convention, of which the English, French and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who will transmit certified copies thereof of each of the States invited to the United Nations Maritime Conference and to such other States as may have become Members.

## Article 63

The United Nations is authorized to effect registration of the Convention as soon as it comes into force.

IN WITNESS WHEREOF the undersigned being duly authorized by their respective Governments for that purpose have signed the present Convention.

Done in Geneva on 6 March 1948.

Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Rumania, Saudi Arabia, Siam, Sweden, Switzerland, Syria, Trans-Jordan, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

## APPENDIX I

## Composition of the First Council

In accordance with the principles set forth in Article 17 the first Council shall be constituted as follows:

(a) The six Members under Article 17 (a) being

Greece	Sweden
Netherlands	United Kingdom
Norway	United States

(b) The six Members under Article 17 (b) being

Argentine	Canada
Australia	France
Belgium	India

(c) Two Members to be elected by the Assembly under Article 17 (c) from a panel nominated by the six Members named in paragraph (a) of this Appendix.

(d) Two Members elected by the Assembly under Article 17 (d) from among the Members having a substantial interest in international seaborne trade.

(This Appendix, referred to in the text of Article 17 prior to its amendment on 17 October 1967, provided for the composition of this first Council of the Organization and has no relevance to the existing text of Article 17.)

## APPENDIX II

(Referred to in Article 51)

## Legal Capacity, Privileges and Immunities

The following provisions on legal capacity, privileges and immunities shall be applied by Members to, or in connection with, the Organization pending their accession to the General Convention on Privileges and Immunities of Specialized Agencies in respect of the Organization.

Section 1. The Organization shall enjoy in the territory of each of its Members such legal capacity as is necessary for the fulfilment of its purposes and the exercise of its functions.

Section 2.—(a) The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes and the exercise of its functions.

(b) Representatives of Members including alternates and advisers, and officials and employees of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

Section 3. In applying the provisions of Sections 1 and 2 of this Appendix, the Members shall take into account as far as possible the standard clauses of the General Convention on the Privileges and Immunities of the Specialized Agencies.

## ΔΕΥΤΕΡΟΝ ΜΕΡΟΣ

### ΣΥΜΒΑΣΙΣ ΠΕΡΙ ΤΟΥ ΔΙΑΚΥΒΕΡΝΗΤΙΚΟΥ ΝΑΥΤΙΛΙΑΚΟΥ ΣΥΜΒΟΥΛΕΥΤΙΚΟΥ ΟΡΓΑΝΙΣΜΟΥ

(Γενομένη εν Γενεύη την 6ην Μαρτίου 1948 και τροποποιηθείσα συμφώνως προς τας ληφθείσας την 15ην Σεπτεμβρίου 1964 και την 28ην Σεπτεμβρίου 1965 Ἀποφάσεις τῆς Συνελεύσεως).

Τὰ Κράτη—Μέλη τῆς παρούσης Συμβάσεως ἀποφασίζουν ὡς ἑξῆς νὰ ἰδρῶσιν τὸν Διακυβερνητικὸν Ναυτιλιακὸν Συμβουλευτικὸν Ὄργανισμὸν (ἐν τοῖς ἐφεξῆς ἀναφερόμενον ὡς «Ὁ Ὄργανισμός»).

## ΜΕΡΟΣ I

### Σκοποὶ τοῦ Ὄργανισμοῦ

#### Ἄρθρον 1

Σκοποὶ τοῦ Ὄργανισμοῦ εἶναι—

- (α) ὅπως προνοήσῃ διὰ τὴν καθιέρωσιν μηχανισμοῦ διὰ συνεργασίαν μεταξὺ Κυβερνήσεων εἰς τὸν τομέα τῶν κυβερνητικῶν κανονισμῶν καὶ μεθόδων σχετικῶς πρὸς παντὸς εἶδους τεχνικά ζητήματα ἐνδιαφέροντα τὴν ἀπασχολουμένην εἰς τὸ διεθνὲς ἐμπόριον ναυτιλίαν καὶ ἢ ἐνθάρρυνσις καθολικῆς ἀποδοχῆς ὅσον τὸ δυνατόν ἀνωτέρων ἐπιπέδων εἰς θέματα ἀφορῶντα εἰς τὴν ναυτικὴν ἀσφάλειαν καὶ τὴν ἰκανότητα τῆς ναυσιπλοΐας·
- (β) ὅπως ἐνθαρρύνῃ τὴν ἄρσιν μέτρων διακρίσεως καὶ μὴ ἀπαραιτήτων περιορισμῶν ἐφαρμοζομένων ὑπὸ τῶν Κυβερνήσεων ἐπὶ τῆς ἀσχολουμένης εἰς τὸ διεθνὲς ἐμπόριον ναυτιλίας, πρὸς τὸν σκοπὸν τῆς θέσεως τῶν ναυτιλιακῶν ὑπηρεσιῶν εἰς τὴν διάθεσιν τοῦ διεθνοῦς ἐμπορίου ἀνευ διακρίσεως· βοήθεια καὶ ἐνθάρρυνσις παρεχόμεναι ὑπὸ Κυβερνήσεως τινος πρὸς τὸν σκοπὸν ἀναπτύξεως τῆς ἐθνικῆς τῆς ἐμπορικῆς ναυτιλίας καὶ διὰ σκοποὺς ἀσφαλείας δὲν ἀποτελοῦσιν αὐταὶ καθ' ἑαυτὰς διάκρισιν, ὑπὸ τὸν ὄρον ὅπως ἡ βοήθεια καὶ ἐνθάρρυνσις αὐταὶ μὴ θασίζωνται ἐπὶ μέτρων σχεδιασθέντων πρὸς τὸν σκοπὸν περιορισμοῦ τῆς ἐλευθερίας τῶν πάσης σημαίας ναυτιλιῶν ὅπως συμμετέχωσιν εἰς τὸ διεθνὲς ἐμπόριον·
- (γ) ὅπως προνοήσῃ διὰ τὴν ὑπὸ τοῦ Ὄργανισμοῦ ἐξέτασιν ζητημάτων σχετικῶν πρὸς τὰς ἀθεμίτους περιοριστικὰς ἐνεργείας ναυτιλιακῶν ἐπιχειρήσεων συμφώνως πρὸς τὸ Μέρος II·
- (δ) ὅπως προνοήσῃ διὰ τὴν ὑπὸ τοῦ Ὄργανισμοῦ ἐξέτασιν παντὸς ζητήματος σχετικοῦ πρὸς τὴν ναυτιλίαν, ὅπερ ἤθελε παραπεμφθῆ εἰς αὐτὸν ὑφ' οἰουδήποτε ὄργανου ἢ εἰδικευμένης ὀργανώσεως τῶν Ἠνωμένων Ἐθνῶν·
- (ε) ὅπως προνοήσῃ διὰ τὴν ἀνταλλαγὴν πληροφοριῶν μεταξὺ Κυβερνήσεων ἐπὶ ζητημάτων ἐξεταζομένων ὑπὸ τοῦ Ὄργανισμοῦ.

## ΜΕΡΟΣ II

## Λειτουργία

## "Άρθρον 2

Αί λειτουργία του Όργανισμού είναι συμβουλευτικά και γνωμοδοτικά.

## "Άρθρον 3

Πρός επίτευξιν τών έκτιθεμένων εις τὸ Μέρος I σκοπῶν, αἱ λειτουργίαι τοῦ Όργανισμού ἔσονται αἱ ἑξῆς :

- (α) ὑπὸ τὴν ἐπιφύλαξιν τῶν διατάξεων τοῦ "Άρθρου 4, νὰ ἐξετάζη καὶ νὰ ποιῆται συστάσεις ἐπὶ ζητημάτων ἀνακυπτόντων κατὰ τὸ "Άρθρον 1(α), (β) καὶ (γ) ἄτινα ἤθελον παραπεμφθῆ εἰς αὐτὸν ὑπὸ Μελῶν, ὑφ' οἰουδήποτε ὄργάνου ἢ εἰδικευμένης ὀργανώσεως τῶν Ἠνωμένων Ἐθνῶν ἢ ὑπὸ παντός ἄλλου διακυβερνητικοῦ ὀργανισμοῦ ἢ ἐπὶ ζητημάτων παραπεμπομένων εἰς αὐτὸν κατὰ τὸ "Άρθρον 1(δ).
- (β) νὰ μεριμνᾷ διὰ τὴν σύνταξιν σχεδίων συμβάσεων, συμφωνιῶν ἢ ἄλλων καταλλήλων ἐγγράφων καὶ νὰ συνιστᾷ ταῦτα εἰς τὰς Κυβερνήσεις καὶ εἰς τοὺς διακυβερνητικούς ὀργανισμούς καὶ νὰ συγκαλῆ τὰς ἀναγκαίας πρὸς τὸν σκοπὸν τοῦτον διασκέψεις.
- (γ) νὰ προνοήσῃ διὰ τὴν καθιέρωσιν μηχανισμοῦ δι' ἀνταλλαγὴν ἀπόψεων μεταξὺ τῶν Μελῶν καὶ ἀνταλλαγὴν πληροφοριῶν μεταξὺ Κυβερνήσεων.

## "Άρθρον 4

Εἰς τὰς περιπτώσεις ζητημάτων τὰ ὁποῖα φαίνονται εἰς τὸν Όργανισμόν ἐπιδεκτικά διακανονισμοῦ διὰ τῶν συνήθων μεθόδων τῆς διεθνοῦς ναυτιλιακῆς ἐπιχειρήσεως, ὁ Όργανισμὸς θὰ συνιστᾷ τοῦτο. Ὅσακις, κατὰ τὴν γνώμην τοῦ Όργανισμοῦ, οἰονδήποτε ζήτημα ἀφορῶν εἰς ἀθεμίτους περιοριστικὰς μεθόδους τῶν ναυτιλιακῶν ἐπιχειρήσεων δὲν εἶναι ἐπιδεκτικὸν ἢ ἀπεδείχθη πραγματικῶς ὅτι δὲν εἶναι ἐπιδεκτικὸν λύσεως διὰ τῶν συνήθων μεθόδων τῆς διεθνοῦς ναυτιλιακῆς ἐπιχειρήσεως, καὶ νοουμένου ὅτι τὸ ζήτημα τοῦτο ἐγένετο προηγουμένως ἀντικείμενον διαπραγματεύσεων ἀπ' εὐθείας μεταξὺ τῶν ἐνδιαφερομένων Μελῶν, ὁ Όργανισμὸς θέλει, τῇ αἰτήσει τοῦ ἑνὸς τῶν Μελῶν αὐτοῦ, ἐπιληφθῆ τοῦ ζητήματος.

## ΜΕΡΟΣ III

## Μέλη

## "Άρθρον 5

"Ἀπαντα τὰ Κράτη δύνανται νὰ γίνωσι Μέλη τοῦ Όργανισμοῦ τηρουμένων τῶν διατάξεων τοῦ Μέρους III.

## "Άρθρον 6

Τὰ Μέλη τῶν Ἠνωμένων Ἐθνῶν δύνανται νὰ γίνωσι Μέλη τοῦ Όργανισμοῦ καθιστάμενα συμβαλλόμενα μέρη τῆς Συμβάσεως συμφώνως πρὸς τὰς διατάξεις τοῦ "Άρθρου 57.

## "Άρθρον 7

Κράτη μὴ Μέλη τῶν Ἠνωμένων Ἐθνῶν, ἄτινα ἐκλήθησαν ὅπως ἀποστείλωσιν ἀντιπροσώπους εἰς τὴν συγκληθεῖσαν ἐν Γενεύῃ τὴν 19ην Φεβρουαρίου 1948 Ναυτιλιακὴν Διάσκεψιν τῶν Ἠνωμένων Ἐθνῶν, δύνανται νὰ γίνωσι Μέλη καθιστάμενα συμβαλλόμενα μέρη τῆς Συμβάσεως συμφώνως πρὸς τὰς διατάξεις τοῦ "Άρθρου 57.

## "Άρθρον 8

Οἰονδήποτε Κράτος μὴ δικαιούμενον νὰ γίνῃ Μέλος θάσει τοῦ "Άρθρου 6 ἢ 7 δύνανται νὰ αἰτησθῶσι μέσῳ τοῦ Γενικοῦ Γραμματέως τοῦ Όργανισμοῦ νὰ γίνῃ Μέλος καὶ θέλει γίνῃ δεκτὸν ὡς Μέλος, ἀφοῦ ἀποδεχθῆ τὴν Σύμβασιν συμφώνως πρὸς τὰς διατάξεις τοῦ ἄρθρου 57, νοουμένου ὅτι, τῇ συστάσει τοῦ Συμβουλίου, ἢ αἰτησίς του θὰ ἐγκριθῆ ὑπὸ τῶν δύο τρίτων τῶν Μελῶν ἐξαιρουμένων τῶν Ἑταρικῶν Μελῶν.

## "Αρθρον 9

Οίαδήποτε Έδαφική Περιοχή ή όμως Έδαφικῶν Περιοχῶν ἐφ' ἧς ἡ Σύμβασις ἔχει καταστή ἐφαρμόσιμος δυνάμει τοῦ "Αρθρου 58, ὑπὸ τοῦ Μέλους ὅπερ ἔχει εὐθύνην διὰ τὰς διεθνεῖς τῆς σχέσεις ἢ ὑπὸ τῶν Ἠνωμένων Ἐθνῶν, δύναται νὰ γίνῃ Ἑταιρικὸν Μέλος τοῦ Ὄργανισμοῦ διὰ γραπτῆς γνωστοποιήσεως κοινοποιουμένης πρὸς τὸν Γενικὸν Γραμματέα τῶν Ἠνωμένων Ἐθνῶν ὑπὸ τοῦ Μέλους ἢ, ἀναλόγως τῆς περιπτώσεως, ὑπὸ τῶν Ἠνωμένων Ἐθνῶν.

## "Αρθρον 10

Ἑταιρικὸν Μέλος ἔχει τὰ δικαιώματα καὶ ὑποχρεώσεις Μέλους δυνάμει τῆς Συμβάσεως πλὴν τοῦ ὅτι δὲν ἔχει δικαίωμα νὰ ψηφίζῃ εἰς τὴν Συνέλευσιν, ἢ νὰ εἶναι ἐκλέξιμον ὡς μέλος τοῦ Συμβουλίου ἢ τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας, ὑπὸ τὴν ἐπιφύλαξιν δὲ ταύτην ἢ λέξις «Μέλος» ἐν τῇ Συμβάσει θεωρεῖται ὡς περιλαμβάνουσα καὶ Ἑταιρικὸν Μέλος ἐκτὸς ἐὰν ἐκ τοῦ κειμένου προκύπτῃ διάφορος ἔννοια.

## "Αρθρον 11

Οὐδὲν Κράτος ἢ Περιοχή δύναται νὰ γίνῃ ἢ νὰ παραμείνῃ Μέλος τοῦ Ὄργανισμοῦ ἀντιθέτως πρὸς ἀπόφασιν τῆς Γενικῆς Συνελεύσεως τῶν Ἠνωμένων Ἐθνῶν.

## ΜΕΡΟΣ IV

## "Οργανα

## "Αρθρον 12

Ὁ Ὄργανισμὸς θὰ συνίσταται ἐκ Συνελεύσεως, Συμβουλίου, Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας καὶ τοιούτων βοηθητικῶν ὀργάνων ὡς ὁ Ὄργανισμὸς ἤθελε θεωρήσει ἀναγκαῖα καὶ Γραμματείας.

## ΜΕΡΟΣ V

## Ἡ Συνέλευσις

## "Αρθρον 13

Ἡ Συνέλευσις θὰ ἀποτελῆται ἐξ ὄλων τῶν Μελῶν.

## "Αρθρον 14

Τακτικαὶ σύνοδοι τῆς Συνελεύσεως θὰ συγκροτοῦνται κατὰ διετίαν. Ἐκτακτοὶ σύνοδοι θὰ συγκαλῶνται, κατόπιν ἐξηκονταήμερου εἰδοποιήσεως, ὡσάκις τὸ ἐν τρίτον τῶν Μελῶν δώση εἰδοποίησιν πρὸς τὸν Γενικὸν Γραμματέα ὅτι ἐπιθυμοῦσι τὴν σύγκλησιν συνόδου, ἢ κατὰ πάντα χρόνον ἐὰν τὸ Συμβούλιον θεωρήσῃ ἀναγκαῖον, κατόπιν ἐξηκονταήμερου εἰδοποιήσεως.

## "Αρθρον 15

Ἡ πλειοψηφία τῶν Μελῶν, ἐξαιρουμένων τῶν Ἑταιρικῶν Μελῶν, θὰ συσταῖ ἀπαρτίαν διὰ τὰς συνεδρίας τῆς Συνελεύσεως.

## "Αρθρον 16

Αἱ λειτουργίαι τῆς Συνελεύσεως θὰ εἶναι—

- (α) νὰ ἐκλέγῃ εἰς πᾶσαν τακτικὴν σύνοδον ἐκ τῶν Μελῶν τῆς, ἐξαιρουμένων τῶν Ἑταιρικῶν Μελῶν, τὸν Πρόεδρον αὐτῆς καὶ δύο Ἀντιπροέδρους, οἵτινες θὰ κατέχωσι τὸ ἀξίωμα αὐτῶν μέχρι τῆς ἐπομένης τακτικῆς συνόδου
- (β) νὰ καθορίζῃ τοὺς ἰδίους αὐτῆς Κανόνας Διαδικασίας, πλὴν ὡς πρὸς τὰ ἄλλως προβλεπόμενα ἐν τῇ Συμβάσει
- (γ) νὰ ἰδρῆ οἰαδήποτε προσωρινὰ ἢ, τῇ συστάσει τοῦ Συμβουλίου, μόλιμα βοηθητικὰ σώματα τὰ ὁποῖα ἤθελε κρίνει ἀναγκαῖα

- (δ) νά ἐκλέγη τὰ Μέλη ἄτινα θά ἀντιπροσωπεύονται εἰς τὸ Συμβούλιον, ὡς προβλέπεται εἰς τὸ ἄρθρον 17, καὶ εἰς τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας, ὡς προβλέπεται εἰς τὸ ἄρθρον 28.
- (ε) νά λαμβάνη καὶ μελετᾷ τὰς ἐκθέσεις τοῦ Συμβουλίου καὶ νά ἀποφασίζῃ ἐπὶ παντὸς ζητήματος παραπεμπομένου εἰς αὐτὴν ὑπὸ τοῦ Συμβουλίου.
- (στ) νά ψηφίζῃ τὸν προϋπολογισμόν καὶ νά καθορίσῃ τὰς οικονομικὰς διευθετήσεις τοῦ Ὄργανισμοῦ, συμφώνως πρὸς τὸ Μέρος ΙΧ.
- (ζ) νά ἐλέγχῃ τὰ ἔξοδα καὶ νά ἐγκρίνῃ τοὺς λογαριασμοὺς τοῦ Ὄργανισμοῦ.
- (η) νά ἐκτελῇ τὰς λειτουργίας τοῦ Ὄργανισμοῦ, νοουμένου ὅτι προκειμένου περὶ ζητημάτων σχετικῶν πρὸς τὸ ἄρθρον 3(α) καὶ (β) ἢ Συνέλευσις θά παραπέμπῃ τὰ τοιαῦτα ζητήματα εἰς τὸ Συμβούλιον διὰ τὴν ὑπ' αὐτοῦ διατύπωσιν συστάσεων ἢ ἔγγραφων ἐπ' αὐτῶν νοουμένου περαιτέρω ὅτι πᾶσαι αἱ ὑποβαλλόμεναι εἰς τὴν Συνέλευσιν ὑπὸ τοῦ Συμβουλίου καὶ μὴ γενόμεναι ἀποδεκταὶ ὑπὸ τῆς Συνελεύσεως συστάσεις ἢ ἔγγραφα θά ἐπαναπέμπωνται εἰς τὸ Συμβούλιον πρὸς περαιτέρω ἐξέτασιν ὁμοῦ μετὰ τοιούτων παρατηρήσεων οἷας ἡ Συνέλευσις ἤθελε κάμει.
- (θ) νά συνιστᾷ εἰς τὰ Μέλη πρὸς ἀποδοχὴν κανονισμοὺς ἀφορῶντας εἰς τὴν ναυτικὴν ἀσφάλειαν, ἢ τραιοποιήσεις τῶν τοιούτων κανονισμῶν, οἵτινες παρεπέμφθησαν εἰς αὐτὴν ὑπὸ τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας μέσῳ τοῦ Συμβουλίου.
- (ι) νά παραπέμπῃ εἰς τὸ Συμβούλιον πρὸς μελέτην ἢ λήψιν ἀποφάσεως πᾶν ζήτημα ἐντὸς τῶν σκοπῶν τοῦ Ὄργανισμοῦ, ἐκτὸς τοῦ ὅτι ἡ λειτουργία τοῦ νά ποιῆται συστάσεις συμφώνως πρὸς τὴν παράγραφον (θ) τοῦ παρόντος ἄρθρου δὲν θά ἐκχωρηθῇ.

## ΜΕΡΟΣ VI

### Τὸ Συμβούλιον

#### ἄρθρον 17

Τὸ Συμβούλιον θά ἀποτελεῖται ἐκ δεκαοκτῶ Μελῶν ἐκλεγομένων ὑπὸ τῆς Συνελεύσεως.

#### ἄρθρον 18

Κατὰ τὴν ἐκλογὴν τῶν Μελῶν τοῦ Συμβουλίου ἡ Συνέλευσις θά λάθῃ ὄψιν τὰς ἀκολουθοῦσας ἀρχάς :

- (α) ἔξ θά εἶναι Κυβερνήσεις Κρατῶν ἐχόντων τὸ μέγιστον συμφέρον εἰς τὴν παροχὴν διεθνῶν ναυτιλιακῶν ὑπηρεσιῶν.
- (β) ἔξ θά εἶναι Κυβερνήσεις ἄλλων Κρατῶν ἐχόντων τὸ μέγιστον συμφέρον εἰς τὸ διεθνὲς διὰ θαλάσσης μεταφερόμενον ἐμπόριον.
- (γ) ἔξ θά εἶναι Κυβερνήσεις Κρατῶν, μὴ ἐκλεγεμένων συμφώνως πρὸς τὰ (α) καὶ (β) ἀνωτέρω, τὰ ὁποῖα ἔχουσιν εἰδικὰ συμφέροντα εἰς θαλασσίαν μεταφορὰς ἢ ναυτιλίαν, καὶ τῶν ὁποίων ἡ ἐκλογὴ εἰς τὸ Συμβούλιον θά διασφαλίσῃ τὴν ἀντιπροσώπευσιν ὄλων τῶν μεγάλων γεωγραφικῶν περιφερειῶν τῆς ὕδρογειοῦ.

#### ἄρθρον 19

Μέλη ἀντιπροσωπευόμενα εἰς τὸ Συμβούλιον συμφώνως πρὸς τὸ ἄρθρον 17 θά κατέχωσι τὸ ἀξίωμα αὐτῶν μέχρι τέλους τῆς ἐπομένης τακτικῆς συνόδου τῆς Συνελεύσεως. Τὰ Μέλη θά δικαιῶνται εἰς ἐπανεκλογὴν.

#### ἄρθρον 20

(α) Τὸ Συμβούλιον θά ἐκλέγῃ τὸν Πρόεδρον αὐτοῦ καὶ θά υἱοθετῇ τοὺς ἰδίους αὐτοῦ κανόνας διαδικασίας πλὴν ὡς πρὸς τὰ ἄλλως προβλεπόμενα ἐν τῇ Συνελεύσει.

(β) Δώδεκα μέλη τοῦ Συμβουλίου θά συνιστῶσιν ἀπαρτίαν.



(γ) Τὸ Συμβούλιον θὰ συνέρχηται, κατόπιν προειδοποιήσεως ἐνὸς μηνός, ὡσάκις εἶναι ἀναγκαῖον διὰ τὴν ἀποτελεσματικὴν ἐκπλήρωσιν τῶν καθηκόντων του, κατόπιν προσκλήσεως τοῦ Προέδρου τοῦ ἢ τῆ αἰτήσῃ οὐχὶ ὀλιγωτέρων τῶν τεσσάρων Μελῶν αὐτοῦ. Τοῦτο θὰ συνέρχηται εἰς τοιοῦτους τόπους οἳ ἤθελον εἶναι πρόσφοροι.

#### Ἄρθρον 21

Τὸ Συμβούλιον θὰ καλῆ οἰονδήποτε Μέλος νὰ συμμετάσχη ἄνευ δικαιώματος ψήφου, εἰς τὰς συζητήσεις ἐπὶ παντός ζητήματος ἐνδιαφέροντος ἰδιαιτέρως τὸ Μέλος τοῦτο.

#### Ἄρθρον 22

(α) Τὸ Συμβούλιον θὰ λαμβάνῃ τὰς συστάσεις καὶ τὰς ἐκθέσεις τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας καὶ θὰ διαβιβάσῃ ταύτας εἰς τὴν Συνέλευσιν, ὅταν δὲ ἡ Συνέλευσις δὲν εὑρίσκεται ἐν συνόδῳ θὰ διαβιβάσῃ ταύτας εἰς τὰ Μέλη πρὸς ἐνημέρωσιν, ὁμοῦ μετὰ τῶν παρατηρήσεων καὶ συστάσεων τοῦ Συμβουλίου.

(β) Ζητήματα ἀναγόμενα εἰς τοὺς σκοποὺς τοῦ Ἄρθρου 29 θὰ ἐξετάζονται ὑπὸ τοῦ Συμβουλίου μόνον κατόπιν λήψεως τῶν ἀπόψεων τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας ἐπ' αὐτῶν.

#### Ἄρθρον 23

Τὸ Συμβούλιον, τῆ ἐγκρίσει τῆς Συνελεύσεως, θὰ διορίζῃ τὸν Γενικὸν Γραμματέα. Τὸ Συμβούλιον θὰ προβῆ ὡσαύτως εἰς τὴν ἀναγκαίαν πρόβλεψιν διὰ τὸν διορισμὸν τοιοῦτου ἐτέρου προσωπικοῦ οἷον δυνατὸν νὰ ἀναγκαιοῖ καὶ θὰ καθορίζῃ τοὺς ὄρους ὑπηρεσίας τοῦ Γενικοῦ Γραμματέως καὶ τοῦ λοιποῦ προσωπικοῦ οἷτινες δέον νὰ συνάδουν κατὰ τὸ δυνατόν πρὸς ἐκείνους τῶν ἠνωμένων Ἐθνῶν καὶ τῶν εἰδικευμένων αὐτοῦ ὀργανώσεων.

#### Ἄρθρον 24

Εἰς ἐκάστην τακτικὴν σύνοδον τῆς Συνελεύσεως τὸ Συμβούλιον θὰ ὑποβάλλῃ ἐκθεσιν ἐπὶ τῶν πεπραγμένων τοῦ Ὄργανισμοῦ ἀρχομένων ἀπὸ τῆς προηγούμενης τακτικῆς συνόδου τῆς συνελεύσεως.

#### Ἄρθρον 25

Τὸ Συμβούλιον θὰ ὑποβάλλῃ εἰς τὴν Συνέλευσιν τὸν προϋπολογισμὸν καὶ τοὺς λογαριασμοὺς τοῦ Ὄργανισμοῦ συνοδευομένους ὑπὸ τῶν παρατηρήσεων καὶ συστάσεών του.

#### Ἄρθρον 26

Τὸ Συμβούλιον δύναται νὰ συνομολογῆ συμφωνίας ἢ νὰ προβαίῃ εἰς διευθετήσεις καλυπτούσας τὰς σχέσεις τοῦ Ὄργανισμοῦ μετ' ἄλλας ὀργανώσεις, ὡς προνοεῖται εἰς τὸ Μέρος XII. Αἱ συμφωνίαι καὶ διευθετήσεις αὗται θὰ ὑπὸκεινται εἰς ἐγκρίσιν ὑπὸ τῆς Συνελεύσεως.

#### Ἄρθρον 27

Μεταξὺ τῶν συνόδων τῆς Συνελεύσεως, τὸ Συμβούλιον θὰ ἀσκήσῃ ὅλας τὰς λειτουργίας τοῦ Ὄργανισμοῦ ἐκτὸς τῆς λειτουργίας τοῦ νὰ ποιῆται συστάσεις δυνάμει τοῦ Ἄρθρου 16(θ).

### ΜΕΡΟΣ VII

#### Ἐπιτροπὴ Ναυτικῆς Ἀσφαλείας

#### Ἄρθρον 28

Ἡ Ἐπιτροπὴ Ναυτικῆς Ἀσφαλείας θὰ ἀποτελῆται ἐκ δεκαῆξ ἑξ ἑκλεγομένων ὑπὸ τῆς Συνελεύσεως ἐκ Μελῶν, αἱ Κυβερνήσεις τῶν ὁποίων ἔχουν οὐσιώδεις συμφέρον εἰς τὴν ναυτικὴν ἀσφάλειαν, ἐκ τῶν ὁποίων—

(α) ὅκτώ Μέλη θὰ ἐκλέγωνται μεταξὺ τῶν δέκα μεγαλύτερων εἰς ἐμπορικὸν στόλον Κρατῶν

(β) τέσσαρα Μέλη θά ἐκλέγωνται κατὰ τοιοῦτον τρόπον ὥστε νά διασφαλίζηται ὅτι, συμφώνως πρὸς τὴν παροῦσαν ὑποπαράγραφον, ἀντιπροσωπεύεται ἕν Κράτος ἐξ ἐκάστης τῶν ἀκολουθῶν περιφερειῶν :

- I. Ἀφρικῆς
- II. Ἀμερικῆς
- III. Ἀσίας καὶ Ὠκεανίας
- IV. Εὐρώπης

(γ) τὰ ὑπόλοιπα τέσσαρα Μέλη θά ἐκλέγωνται μεταξύ Κρατῶν μὴ ἄλλως ἀντιπροσωπευομένων εἰς τὴν Ἐπιτροπῇ.

Διὰ τοὺς σκοποὺς τοῦ παρόντος ἄρθρου, Κράτη ἔχοντα οὐσιῶδες ἐνδιαφέρον εἰς τὴν ναυτικὴν ἀσφάλειαν θά περιλαμβάνωσιν, ἐπὶ παραδείγματι, Κράτη ἐνδιαφερόμενα εἰς τὴν προσφορὰν μεγάλου ἀριθμοῦ πληρωμάτων ἢ εἰς τὴν μεταφορὰν μεγάλου ἀριθμοῦ ἐπιβατῶν θέσεως ἢ καταστρώματος.

Τὰ Μέλη τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας θά ἐκλέγωνται διὰ περίοδον τεσσάρων ἐτῶν καὶ θά δικαιοῦνται εἰς ἐπανεκλογίην.

#### Ἄρθρον 29

(α) Ἡ Ἐπιτροπὴ Ναυτικῆς Ἀσφαλείας ὀφείλει νά ἐξετάζη πᾶν ζήτημα ἐμπύπτον εἰς τοὺς σκοποὺς τοῦ Ὄργανισμοῦ καὶ ἀφορῶν εἰς τὰ βοηθήματα ναυσιπλοίας, τὴν ναυπήγησιν καὶ ἐξάρτισιν τῶν πλοίων, τὴν ἐπάνδρωσιν ἀπὸ ἀπόψεως ἀσφαλείας, τοὺς κανόνας πρὸς ἀποφυγὴν συγκρούσεως, τὸν χειρισμὸν ἐπικινδύνων φορτίων, τὰς μεθόδους καὶ ἀπαιτήσεις ἀσφαλείας ἐν θαλάσῃ, τὰς ὑδρογραφικὰς πληροφορίας, τὰ ἡμερολόγια πλοίων καὶ τὰ ἔγγραφα ναυσιπλοίας, τὰς ἀνακρίσεις ἐπὶ ναυτικῶν ἀτυχημάτων, τὴν διάσωσιν περιουσίας καὶ προσώπων καθὼς καὶ πᾶν ἄλλο ζήτημα ἔχον ἄμεσον σχέσιν πρὸς τὴν ναυτικὴν ἀσφάλειαν.

(β) Ἡ Ἐπιτροπὴ Ναυτικῆς Ἀσφαλείας θά διαθέτῃ μηχανισμόν διὰ τὴν ἐκτέλεσιν οἰωνδήποτε καθηκόντων ἀνατιθεμένων εἰς αὐτὴν ὑπὸ τῆς Συμβάσεως ἢ ὑπὸ τῆς Συνελεύσεως ἢ οἰουδήποτε καθήκοντος ἐν τῷ πλαισίῳ τοῦ παρόντος Ἄρθρου τὸ ὁποῖον ἤθελεν ἀνατεθῆ εἰς αὐτὴν δι' οἰασδήποτε ἄλλης διακυβερνητικῆς πράξεως.

(γ) Λαμβανομένων ὑπ' ὄψιν τῶν διατάξεων τοῦ Μέρους XII, ἡ Ἐπιτροπὴ Ναυτικῆς Ἀσφαλείας ὀφείλει νά διατηρῇ τοιαύτας στενάς σχέσεις μετ' ἄλλων διακυβερνητικῶν σωμάτων ἅτινα ἀσχολοῦνται εἰς μεταφορὰς καὶ συγκοινωνίας οἷα ἤθελον προωθήσει τὸν σκοπὸν τοῦ Ὄργανισμοῦ διὰ τὴν προαγωγὴν τῆς ἀσφαλείας ἐν θαλάσῃ καὶ τῆς διευκολύνσεως, ἀπὸ ἀπόψεως ἀσφαλείας καὶ διασώσεως, τοῦ συντονισμοῦ τῶν δραστηριοτήτων εἰς τὰ πεδία τῆς ναυτιλίας, τῆς ἀεροπορίας, τῶν τηλεπικοινωνιῶν καὶ τῆς μετεωρολογίας.

#### Ἄρθρον 30

Ἡ Ἐπιτροπὴ Ναυτικῆς Ἀσφαλείας, μέσω τοῦ Συμβουλίου—

(α) θά ὑποβάλλῃ εἰς τὴν Συνέλευσιν, κατὰ τὰς τακτικὰς τῆς συνόδου προτάσεις τῶν Μελῶν διὰ κανονισμοὺς ἀσφαλείας ἢ διὰ τροποποιήσεις τῶν ὕφισταμένων κανονισμῶν ἀσφαλείας, ὁμοῦ μετὰ τῶν παρατηρήσεων καὶ συστάσεων τῆς

(β) θά ὑποβάλλῃ ἔκθεσιν εἰς τὴν Συνέλευσιν ἐπὶ τῶν ἐργασιῶν τῆς ἀπὸ τῆς τελευταίας τακτικῆς συνόδου τῆς Συνελεύσεως.

#### Ἄρθρον 31

Ἡ Ἐπιτροπὴ Ναυτικῆς Ἀσφαλείας θά συνέρχεται ἅπαξ τοῦ ἔτους καὶ εἰς ἄλλους χρόνους τῇ αἰτήσῃ πέντε ἐκ τῶν Μελῶν τῆς. Θά ἐκλέγῃ τοὺς λειτουργοὺς τῆς ἅπαξ τοῦ ἔτους καὶ θά υἱοθετῇ τοὺς ἰδίους αὐτῆς Διαδικαστικούς Κανόνας. Ἀπαρτίαν θά συνιστᾷ ἡ παρουσία τοῦ ἡμίσεος τῶν Μελῶν τῆς πλέον ἑνός.

## "Αρθρον 32

Ἐξαιτίας ἢ Ἐπιτροπὴ Ναυτικῆς Ἀσφαλείας ἐξετάζη οἰονδήποτε ζήτημα ἐν-  
διαφέρον ἰδιαιτέρως Μέλος τι, θὰ προσκαλῆ τοῦτο νὰ λάθῃ μέρος εἰς τὰς συζη-  
τήσεις ἄνευ δικαιώματος ψήφου.

## ΜΕΡΟΣ VIII

## Ἡ Γραμματεία

## "Αρθρον 33

Ἡ Γραμματεία θὰ περιλαμβάνῃ τὸν Γενικὸν Γραμματέα, Γραμματέα τῆς  
Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας καὶ τοιοῦτο προσωπικὸν οἷου δυνατόν νὰ ἔχῃ  
ἀνάγκην ὁ Ὄργανισμός. Ὁ Γενικὸς Γραμματεὺς θὰ εἶναι ὁ ἀνώτερος διοικη-  
τικὸς λειτουργὸς τοῦ Ὄργανισμοῦ καί, τηρουμένων τῶν διατάξεων τοῦ "Αρθρου  
23, θὰ διορίζῃ τὸ ἄνω ἀναφερόμενον προσωπικόν.

## "Αρθρον 34

Ἡ Γραμματεία θὰ τηρῇ ἅπαντα τὰ ἀρχεῖα τὰ ὁποῖα δυνατόν νὰ ἀπαιτοῦνται  
διὰ τὴν ἀποτελεσματικὴν ἐκπλήρωσιν τῶν λειτουργιῶν τοῦ Ὄργανισμοῦ καὶ θὰ  
παρασκευάζῃ, συγκεντρῶνῃ καὶ διανέμῃ τὰ ἔγγραφα, ἡμερησίας διατάξεις,  
πρακτικὰ καὶ πληροφορίας αἰτινες δυνατόν νὰ ἀπαιτῶνται διὰ τὰς ἐργασίας  
τῆς Συνελεύσεως, τοῦ Συμβουλίου, τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας καὶ  
τοιούτων βοηθητικῶν ὀργάνων οἷα ὁ Ὄργανισμός ἤθελε καθιδρῦσει.

## "Αρθρον 35

Ὁ Γενικὸς Γραμματεὺς θὰ καταρτίζῃ καὶ ὑποβάλλῃ εἰς τὸ Συμβούλιον  
τοὺς ἐτήσιους λογαριασμοὺς καθὼς καὶ τὸν προϋπολογισμὸν ἐπὶ διετοῦς θάσεως,  
δεικνύοντα κεχωρισμένως τὰς προβλέψεις δι' ἕν ἕκαστον ἔτος.

## "Αρθρον 36

Ὁ Γενικὸς Γραμματεὺς θὰ τηρῇ ἐνήμερα τὰ Μέλη σχετικῶς πρὸς τὰς δρα-  
στηριότητας τοῦ Ὄργανισμοῦ. Πᾶν Μέλος δύναται νὰ διορίσῃ ἕνα ἢ περισσο-  
τέρους ἀντιπροσώπους πρὸς τὸν σκοπὸν ἐπικοινωνίας μετὰ τοῦ Γενικοῦ Γραμ-  
ματέως.

## "Αρθρον 37

Ἐν τῇ ἐκτελέσει τῶν καθηκόντων των, ὁ Γενικὸς Γραμματεὺς καὶ τὸ προ-  
σωπικόν δὲν θὰ ζητῶσιν ἢ λαμβάνωσιν ὀδηγίας παρ' οἰασδήποτε Κυβερνήσεως  
ἢ ἄλλης ἀρχῆς ἐκτὸς τοῦ Ὄργανισμοῦ. Θὰ ἀπέχωσι πάσης πράξεως ἥτις  
δυνατὸν νὰ ἀντανაკλᾷ δυσμενῶς ἐπὶ τῆς θέσεώς των ὡς διεθνῶν λειτουργῶν.  
Ἐκαστον Μέλος ἀναλαμβάνει νὰ σέβηται τὸν ἀποκλειστικῶς διεθνή χαρακτήρα  
τῶν ὑποχρεώσεων τοῦ Γενικοῦ Γραμματέως καὶ τοῦ προσωπικοῦ καὶ νὰ μὴ  
ζητῇ νὰ ἐπηρεάσῃ αὐτοὺς ἐν τῇ ἐκτελέσει τῶν ὑποχρεώσεων των.

## "Αρθρον 38

Ὁ Γενικὸς Γραμματεὺς θὰ ἐκτελῇ τοιαῦτα ἕτερα καθήκοντα οἷα δυνατόν  
νὰ ἀνατεθῶσιν εἰς αὐτὸν ὑπὸ τῆς Συμβάσεως, τῆς Συνελεύσεως, τοῦ Συμβου-  
λίου καὶ τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας.

## ΜΕΡΟΣ IX

## Οἰκονομικά

## "Αρθρον 39

Ἐκαστον Μέλος ἀναλαμβάνει τὴν μισθοδοσίαν, τὰ ὀδοιπορικὰ καὶ λοιπὰ  
ἐξοδα τῆς Ἀντιπροσωπείας του ἐν τῇ Συνελεύσει καὶ τῶν ἀντιπροσώπων του  
παρὰ τῷ Συμβουλίῳ, τῇ Ἐπιτροπῇ Ναυτικῆς Ἀσφαλείας καὶ παρὰ ταῖς λοιπαῖς  
Ἐπιτροπαῖς καὶ βοηθητικοῖς ὀργανοῖς.

## "Αρθρον 40

Τὸ Συμβούλιον ἐξετάζει τοὺς ὑπὸ τοῦ Γενικοῦ Γραμματέως καταρτισθέντας  
λογαριασμοὺς καὶ προβλέψεις τοῦ Προϋπολογισμοῦ καὶ ὑποβάλλει αὐτοὺς εἰς  
τὴν Συνέλευσιν ὁμοῦ μετὰ τῶν παρατηρήσεων καὶ συστάσεων του.

## "Αρθρον 41

(α) Ὑπὸ τὴν ἐπιφύλαξιν οἰασδήποτε συμφωνίας μεταξύ τοῦ Ὄργανισμοῦ καὶ τῶν Ἠνωμένων Ἐθνῶν, ἢ Συνέλευσις θὰ ἐξετάζη καὶ ἐπικυρώνη τὰς προβλέψεις Προϋπολογισμοῦ.

(β) Ἡ Συνέλευσις θὰ κατανέμη τὸ ποσὸν τῶν δαπανῶν μεταξύ τῶν Μελῶν συμφώνως πρὸς κλίμακα καταρτιστέαν ὑπ' αὐτῆς, λαμβανομένων ὑπ' ὄψιν τῶν προτάσεων τοῦ Συμβουλίου ἐπ' αὐτῶν.

## "Αρθρον 42

Οἰοδήποτε Μέλος τὸ ὁποῖον παραλείπει νὰ ἐκπληρώσῃ τὰς οικονομικὰς ὑποχρεώσεις του πρὸς τὸν Ὄργανισμὸν ἐντὸς ἐνὸς ἔτους ἀπὸ τῆς ἡμερομηνίας καθ' ἣν κατέστησαν ἀπαιτητὰ δὲν θὰ ἔχη δικαίωμα ψήφου εἰς τὴν Συνέλευσιν, τὸ Συμβούλιον, ἢ τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας ἐκτὸς ἐὰν ἡ Συνέλευσις κατὰ τὴν κρίσιν αὐτῆς παραιτηθῇ τῆς ἐφαρμογῆς τῆς διατάξεως ταύτης.

## ΜΕΡΟΣ X

## Ψηφοφορία

## "Αρθρον 43

Αἱ ἀκόλουθοι διατάξεις θὰ ἐφαρμόζονται κατὰ τὰς ψηφοφορίας εἰς τὴν Συνέλευσιν, τὸ Συμβούλιον καὶ τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας :

(α) Ἐκαστὸν Μέλος θὰ διαθέτῃ μίαν ψήφον.

(β) Ἐκτὸς ἐὰν ἄλλως προνοῖται ὑπὸ τῆς Συμβάσεως ἢ οἰασδήποτε διεθνούς συμφωνίας χορηγούσης ἀρμοδιότητος εἰς τὴν Συνέλευσιν, τὸ Συμβούλιον ἢ τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας, αἱ ἀποφάσεις τῶν ὀργάνων τούτων θὰ λαμβάνονται κατὰ πλειοψηφίαν τῶν παρόντων καὶ ψηφίζοντων Μελῶν, προκειμένου δὲ περὶ ἀποφάσεων ἀπαιτουσῶν πλειοψηφίαν τῶν δύο τρίτων, κατὰ πλειοψηφίαν τῶν δύο τρίτων, τῶν παρόντων Μελῶν.

(γ) Διὰ τοὺς σκοποὺς τῆς Συμβάσεως, ἢ φράσις «Μέλη παρόντα καὶ ψηφίζοντα» σημαίνει «Μέλη παρόντα καὶ ὑπερψηφίζοντα ἢ καταψηφίζοντα». Μέλη ἄτινα ἀπέχουσι τῆς ψηφοφορίας θὰ θεωρῶνται ὡς μὴ ψηφίζοντα.

## ΜΕΡΟΣ XI

## Ἔδρα τοῦ Ὄργανισμοῦ

## "Αρθρον 44

(α) Ἡ ἔδρα τοῦ Ὄργανισμοῦ θὰ ἐγκατασταθῇ ἐν Λονδίῳ.

(β) Ἐὰν καταστῇ ἀναγκαῖον, ἡ Συνέλευσις δύναται, διὰ πλειοψηφίας τῶν δύο τρίτων, νὰ ἀλλάξῃ τὸν τόπον τῆς ἔδρας τοῦ Ὄργανισμοῦ.

(γ) Ἐὰν τὸ Συμβούλιον κρίνῃ τούτο ἀναγκαῖον, ἡ Συνέλευσις δύναται νὰ συνέλθῃ εἰς πάντα τόπον ἕτερον ἔδρας.

## ΜΕΡΟΣ XII

## Σχέσεις μετὰ τῶν Ἠνωμένων Ἐθνῶν καὶ ἄλλων Ὄργανισμῶν

## "Αρθρον 45

Ὁ Ὄργανισμὸς θὰ ἔλθῃ εἰς σχέσιν μετὰ τῶν Ἠνωμένων Ἐθνῶν συμφώνως πρὸς τὸ Ἄρθρον 57 τοῦ Καταστατικοῦ Χάρτου τῶν Ἠνωμένων Ἐθνῶν ὡς ἡ ἐιδικευμένη ὀργάνωσις εἰς τὸν τομέα τῆς ναυτιλίας. Ἡ σχέσις αὕτη θὰ πραγματοποιηθῇ διὰ συμφωνίας μετὰ τῶν Ἠνωμένων Ἐθνῶν δυνάμει τοῦ Ἄρθρου 63 τοῦ Καταστατικοῦ Χάρτου τῶν Ἠνωμένων Ἐθνῶν, ἧτις θὰ συνομολογηθῇ ὡς προνοεῖται εἰς τὸ Ἄρθρον 26.

## "Αρθρον 46.

Ὁ Ὄργανισμὸς θὰ συνεργασθῆ μεθ' οἰασδήποτε εἰδικευμένης ὀργανώσεως τῶν Ἠνωμένων Ἐθνῶν ἐπὶ ζητημάτων κοινῶ ἐνδιαφέροντος διὰ τὸν Ὄργανισμὸν καὶ τὴν εἰδικευμένην αὐτὴν ὀργάνωσιν καὶ θὰ προβῆ εἰς τὴν ἐξέτασιν τῶν ζητημάτων τούτων καὶ θὰ λάβῃ ἐπ' αὐτῶν μέτρα ἐκ συμφώνου μετὰ τῆς εἰδικευμένης ταύτης ὀργανώσεως.

## "Αρθρον 47

Ὁ Ὄργανισμὸς δύναται, ἀναφορικῶς πρὸς ζητήματα ἐμπύπτοντα εἰς τοὺς σκοποὺς αὐτοῦ, νὰ συνεργασθῆ μετ' ἄλλων διακυβερνητικῶν ὀργανισμῶν οἱ ὁποῖοι δὲν εἶναι εἰδικευμένοι ὀργανώσεις τῶν Ἠνωμένων Ἐθνῶν ἀλλὰ τῶν ὁποίων τὰ συμφέροντα καὶ αἱ δραστηριότητες σχετίζονται πρὸς τοὺς σκοποὺς τοῦ Ὄργανισμοῦ.

## "Αρθρον 48

Ὁ Ὄργανισμὸς δύναται, ἀναφορικῶς πρὸς ζητήματα ἐμπύπτοντα εἰς τοὺς σκοποὺς αὐτοῦ, νὰ προβῆ εἰς καταλλήλους διευθετήσεις πρὸς τὸν σκοπὸν διαβουλεύσεως καὶ συνεργασίας μετὰ μὴ κυβερνητικῶν διεθνῶν ὀργανισμῶν.

## "Αρθρον 49

Ὑπὸ τὴν ἐπιφύλαξιν τῆς ἐγκρίσεως τῆς Συνελεύσεως κατὰ πλειοψηφίαν τῶν δύο τρίτων, ὁ Ὄργανισμὸς δύναται νὰ ἀναλάβῃ παρ' οἰωνδήποτε ἄλλων διεθνῶν Ὄργανισμῶν, κυβερνητικῶν ἢ μὴ, τοιαύτας λειτουργίας, πόρους καὶ ὑποχρεώσεις ἐντὸς τῶν σκοπῶν αὐτοῦ οἵα ἤθελον μεταβιβασθῆ εἰς τὸν Ὄργανισμὸν διὰ διεθνῶν συμφωνιῶν ἢ ἀμοιβαίως ἀποδεκτῶν διευθετήσεων συμφωνηθειῶν μετὰ τῶν ἀρμοδίων ἀρχῶν τῶν οἰκειῶν ὀργανισμῶν. Ὁμοίως ὁ Ὄργανισμὸς δύναται νὰ ἀναλάβῃ οἰασδήποτε διοικητικὰς λειτουργίας ἐμπιπτούσας εἰς τοὺς σκοποὺς αὐτοῦ καὶ ἀνατεθείσας εἰς Κυβέρνησιν τινα δυνάμει τῶν ὄρων οἰουδήποτε διεθνῶν ἐγγράφου.

## ΜΕΡΟΣ XIII

## Νομικὴ Ἰκανότης, Προνόμια καὶ Ἀσυλία

## "Αρθρον 50

Ἡ νομικὴ ἰκανότης, τὰ προνόμια καὶ αἱ ἀσυλίας αἵτινες θέλουσιν ἀναγνωρισθῆ εἰς τὸν Ὄργανισμὸν ἢ ἐν σχέσει πρὸς αὐτὸν θὰ ἀπορρέωσιν ἐκ τῆς Γενικῆς Συμβάσεως ἐπὶ τῶν Προνομίων καὶ Ἀσυλιῶν τῶν εἰδικευμένων Ὄργανώσεων ἡτις ἐνεκρίθη ὑπὸ τῆς Γενικῆς Συνελεύσεως τῶν Ἠνωμένων Ἐθνῶν τὴν 21ην Νοεμβρίου 1947 καὶ θὰ διέπωνται ὑπ' αὐτῆς, ὑπὸ τὴν ἐπιφύλαξιν τοιούτων τροποποιήσεων οἵα δυνατὸν νὰ περιληφθῶσιν εἰς τὸ τελικὸν (ἢ ἀναθεωρημένον) κείμενον τοῦ Παραρτήματος ὄπερ θέλει ἐγκριθῆ ὑπὸ τοῦ Ὄργανισμοῦ συμφώνως πρὸς τὰ Ἄρθρα 36 καὶ 38 τῆς εἰρημένης Γενικῆς Συμβάσεως.

## "Αρθρον 51

Ἐκκρεμούσης τῆς προσχωρήσεώς του εἰς τὴν ρηθείσαν Γενικὴν Σύμβασιν ἐν σχέσει πρὸς τὸν Ὄργανισμὸν, ἕκαστον Μέλος ἀναλαμβάνει νὰ ἐφαρμόξῃ τὰς διατάξεις τοῦ Παραρτήματος II τῆς παρούσης Συμβάσεως.

## ΜΕΡΟΣ XIV

## Τροποποιήσεις

## "Αρθρον 52

Τὰ κείμενα τῶν προτεινομένων τροποποιήσεων τῆς Συμβάσεως θὰ κοινοποιῶνται ὑπὸ τοῦ Γενικοῦ Γραμματέως εἰς τὰ Μέλη ἕξ τοῦλάχιστον μηνῶς πρὸ τῆς ἐξετάσεώς των παρὰ τῆς Συνελεύσεως. Αἱ τροποποιήσεις θὰ γίνωνται ἀποδεκταὶ διὰ πλειοψηφίας τῶν δύο τρίτων τῆς Συνελεύσεως, περιλαμβανομένων ἐκείνων τῆς πλειοψηφίας τῶν ἀντιπροσωπευομένων ἐν τῷ Συμβουλίῳ Μελῶν. Δώδεκα μῆνας μετὰ τὴν ἀποδοχὴν τῆς ὑπὸ τῶν δύο τρίτων τῶν Μελῶν τοῦ

Ὁργανισμοῦ, ἐξαιρουμένων τῶν Ἑταιρικῶν Μελῶν, ἐκάστη τροποποίησις θέλει τεθῆ ἐν ἰσχύϊ δι' ἅπαντα τὰ Μέλη ἐκτὸς ἐκείνων τὰ ὁποῖα, προτοῦ αὕτη τεθῆ ἐν ἰσχύϊ, θὰ δηλώσουν ὅτι δὲν ἀποδέχονται τὴν τροποποίησιν. Ἡ Συνέλευσις δύναται, διὰ πλειοψηφίας τῶν δύο τρίτων, νὰ καθορίσῃ κατὰ τὸν χρόνον τῆς ἀποδοχῆς τῆς ὅτι τροποποίησις τις εἶναι τοιαύτης φύσεως ὥστε πᾶν Μέλος τὸ ὁποῖον προέβη εἰς τοιαύτην δήλωσιν καὶ τὸ ὁποῖον δὲν θὰ ἀποδεχθῆ τὴν τροποποίησιν ταύτην ἐντὸς προθεσμίας δώδεκα μηνῶν ἀφ' ὅτου αὕτη ἐτέθη ἐν ἰσχύϊ, θὰ παύσῃ, ἅμα τῇ λήξει τῆς προθεσμίας ταύτης, νὰ ἀποτελῆ συμβαλλόμενον μέρος τῆς Συμβάσεως.

Ἄρθρον 53

Οἰαδήποτε τροποποίησις γενομένη ἀποδεκτὴ συμφώνως πρὸς τὸ Ἄρθρον 52 θὰ κατατίθεται παρὰ τῷ Γενικῷ Γραμματεῖ τῶν Ἠνωμένων Ἐθνῶν, ὅστις θὰ ἀποστέλλῃ πάραυτα ἀντίγραφον τῆς τροποποιήσεως εἰς ἅπαντα τὰ Μέλη.

Ἄρθρον 54

Δήλωσις ἢ ἀποδοχὴ συμφώνως πρὸς τὸ ἄρθρον 52 θὰ γίνεται διὰ κοινοποιήσεως ἐγγράφου πρὸς τὸν Γενικὸν Γραμματέα διὰ νὰ κατατεθῆ παρὰ τῷ Γενικῷ Γραμματεῖ τῶν Ἠνωμένων Ἐθνῶν. Ὁ Γενικὸς Γραμματεὺς θὰ ἀναγγέλλῃ εἰς τὰ Μέλη τὴν λήψιν παντὸς τοιοῦτου ἐγγράφου καὶ τὴν ἡμερομηνίαν κατὰ τὴν ὁποίαν ἢ τροποποίησις τίθεται ἐν ἰσχύϊ.

ΜΕΡΟΣ XV

Ἑρμηνεία

Ἄρθρον 55

Οἰονδήποτε ζήτημα ἢ διαφωνία ἀναφορικῶς πρὸς τὴν ἐρμηνείαν ἢ τὴν ἐφαρμογὴν τῆς Συμβάσεως θὰ παραπέμπηται πρὸς λύσιν εἰς τὴν Συνέλευσιν ἢ θὰ ἐπιλύηται καθ' ἕνα ἄλλον τρόπον ἢθελον συμφωνήσῃ τὰ διαφωνοῦντα μέρη. Οὐδὲν ἐν τῷ παρόντι Ἄρθρῳ κωλύει τὸ Συμβούλιον ἢ τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας τοῦ νὰ λύσῃσι οἰονδήποτε τοιοῦτον ζήτημα ἢ διαφωνίαν ἣτις δυνατόν νὰ ἐγερθῆ κατὰ τὴν ἀσκήσιν τῶν λειτουργιῶν τῶν.

Ἄρθρον 56

Οἰονδήποτε νομικὸν ζήτημα μὴ δυνάμενον νὰ λυθῆ ὡς προνοεῖται ἐν τῷ Ἄρθρῳ 55 θὰ παραπέμπηται ὑπὸ τοῦ Ὁργανισμοῦ εἰς τὸ Διεθνὲς Δικαστήριον πρὸς γνωμοδότησιν συμφώνως πρὸς τὸ ἄρθρον 96 τοῦ Καταστατικοῦ Χάρτου τῶν Ἠνωμένων Ἐθνῶν.

ΜΕΡΟΣ XVI

Ποικίλαι Διατάξεις

Ἄρθρον 57

Ἐπογραφή καὶ Ἀποδοχὴ

Τηρουμένων τῶν διατάξεων τοῦ Μέρους III, ἢ παροῦσα Σύμβασις θὰ παραμείνῃ ἀνοικτὴ πρὸς ὑπογραφήν ἢ ἀποδοχὴν καὶ τὰ Κράτη δύναται νὰ καταστῶσι συμβαλλόμενα μέρη τῆς Συμβάσεως—

(α) δι' ὑπογραφῆς ἀνευ ἐπιφυλάξεως ὡς πρὸς τὴν ἀποδοχὴν

(β) δι' ὑπογραφῆς ὑπὸ τὴν ἐπιφύλαξιν ἀποδοχῆς, ἀκολουθουμένης ὑπὸ ἀποδοχῆς ἢ

(γ) δι' ἀποδοχῆς.

Ἡ ἀποδοχὴ θὰ πραγματοποιηθῆ διὰ τῆς καταθέσεως ἐγγράφου παρὰ τῷ Γενικῷ Γραμματεῖ τῶν Ἠνωμένων Ἐθνῶν.

Ἄρθρον 58

Ἐδαφικαὶ Περιοχαί

(α) Τὰ Μέλη δύναται κατὰ πάντα χρόνον νὰ προβῶσιν εἰς δήλωσιν ὅτι ἢ συμμετοχὴ τῶν εἰς τὴν Σύμβασιν περιλαμβάνει ἅπαντα ἢ ὁμάδα ἢ μόνον ἐν τῶν ἐδαφικῶν περιοχῶν διὰ τὰς διεθνεῖς σχέσεις τῶν ὁποίων εἶναι ὑπεύθυνα.

(β) Ἡ Σύμβασις δὲν ἐφαρμόζεται ἐπὶ τῶν ἐδαφικῶν περιοχῶν διὰ τὰς διεθνεῖς σχέσεις τῶν ὁποίων τὰ Μέλη εἶναι ὑπεύθυνα ἐκτὸς ἐὰν γίνῃ δῆλωσις πρὸς τοῦτο ἐκ μέρους τῶν περιοχῶν τούτων, συμφώνως πρὸς τὰς διατάξεις τῆς παραγράφου (α) τοῦ παρόντος "Ἀρθρου.

(γ) Δῆλωσις γενομένη συμφώνως πρὸς τὴν παράγραφον (α) τοῦ παρόντος "Ἀρθρου θὰ κοινοποιῆται πρὸς τὸν Γενικὸν Γραμματέα τῶν Ἠνωμένων Ἐθνῶν καὶ ἀντίγραφον ταύτης θὰ ἀποστέλληται ὑπ' αὐτοῦ εἰς ἅπαντα τὰ προσκληθέντα εἰς τὴν Ναυτιλιακὴν Διάσκεψιν τῶν Ἠνωμένων Ἐθνῶν Κράτη καὶ τοιαῦτα ἄλλα Κράτη οἷα δυνατόν νὰ ἔχῃσι καταστῆ Μέλη.

(δ) Εἰς περιπτώσεις καθ' ἃς θάσῃ Συμφώνου τινὸς Κηδεμονίας τὰ Ἠνωμένα Ἐθνη εἶναι ἡ διοικοῦσα ἀρχή, τὰ Ἠνωμένα Ἐθνη δύνανται νὰ ἀποδεχθῶσι τὴν Σύμβασιν ἐκ μέρους ἑνός, πλειόνων, ἢ ἀπάντων τῶν ὑπὸ Κηδεμονίαν Ἐδαφῶν συμφώνως πρὸς τὴν περιγραφομένην ἐν τῷ Ἀρθρῷ 57 διαδικασίαν.

#### "Ἀρθρον 59

#### Ἀποχώρησις

(α) Οἷονδήποτε Μέλος δύνανται νὰ ἀποχωρήσῃ τοῦ Ὄργανισμοῦ δι' ἐγγραφοῦ κοινοποιήσεως πρὸς τὸν Γενικὸν Γραμματέα τῶν Ἠνωμένων Ἐθνῶν, ὅστις θὰ πληροφορήσῃ ἀμέσως τὰ λοιπὰ Μέλη καὶ τὸν Γενικὸν Γραμματέα τοῦ Ὄργανισμοῦ περὶ τῆς τοιαύτης κοινοποιήσεως. Κοινοποιήσις ἀποχωρήσεως δύνανται νὰ δοθῇ κατὰ πάντα χρόνον μετὰ τὴν πάροδον δώδεκα μηνῶν ἀπὸ τῆς ἡμερομηνίας καθ' ἣν ἡ Σύμβασις ἐτέθη ἐν ἰσχύϊ. Ἡ ἀποχώρησις θὰ λάθῃ ἰσχὺν ἅμα τῇ παρόδῳ δώδεκα μηνῶν ἀπὸ τῆς ἡμερομηνίας καθ' ἣν ἡ ἔγγραφος κοινοποιήσις ἐλήφθη ὑπὸ τοῦ Γενικοῦ Γραμματέως τῶν Ἠνωμένων Ἐθνῶν.

(β) Ἡ ἐφαρμογὴ τῆς Συμβάσεως εἰς Ἐδαφικὴν τινὰ Περιοχὴν ἢ ὁμάδα Ἐδαφικῶν Περιοχῶν δυνάμει τοῦ "Ἀρθρου 58 δύνανται νὰ τερματισθῇ ὅποτεδήποτε δι' ἐγγραφοῦ κοινοποιήσεως διδομένης εἰς τὸν Γενικὸν Γραμματέα τῶν Ἠνωμένων Ἐθνῶν ὑπὸ τοῦ ὑπευθύνου διὰ τὰς διεθνεῖς σχέσεις τῆς Μέλους ἢ ὑπὸ τῶν Ἠνωμένων Ἐθνῶν ἐν περιπτώσει Ἐδάφους ὑπὸ Κηδεμονίαν τοῦ ὁποίου ἡ διοικοῦσα ἀρχὴ εἶναι τὰ Ἠνωμένα Ἐθνη. Ὁ Γενικὸς Γραμματεὺς τῶν Ἠνωμένων Ἐθνῶν θὰ πληροφορήσῃ ἀμέσως ἅπαντα τὰ Μέλη καὶ τὸν Γενικὸν Γραμματέα τοῦ Ὄργανισμοῦ περὶ τῆς τοιαύτης κοινοποιήσεως. Ἡ κοινοποιήσις θὰ λάθῃ ἰσχὺν ἅμα τῇ παρόδῳ δώδεκα μηνῶν ἀπὸ τῆς ἡμερομηνίας καθ' ἣν αὕτη ἐλήφθη ὑπὸ τοῦ Γενικοῦ Γραμματέως τῶν Ἠνωμένων Ἐθνῶν.

### ΜΕΡΟΣ XVII

#### Θέσις ἐν ἰσχύϊ

#### "Ἀρθρον 60

Ἡ παροῦσα Σύμβασις θὰ τεθῇ ἐν ἰσχύϊ τὴν ἡμερομηνίαν καθ' ἣν 21 Κράτη, ἐξ ὧν 7 κατέχοντα ἕκαστον ὀλικὴν χωρητικότητα ναυτιλίας οὐχὶ μικροτέραν 1,000,000 κόνων ὀλικῆς χωρητικότητος, θὰ καταστῶσι συμβαλλόμενα μέρη τῆς Συμβάσεως συμφώνως πρὸς τὸ "Ἀρθρον 57.

#### "Ἀρθρον 61

Ὁ Γενικὸς Γραμματεὺς τῶν Ἠνωμένων Ἐθνῶν θὰ πληροφορήσῃ ἅπαντα τὰ Κράτη τὰ προσκληθέντα εἰς τὴν Ναυτιλιακὴν Διάσκεψιν τῶν Ἠνωμένων Ἐθνῶν, καὶ τοιαῦτα ἄλλα Κράτη οἷα δυνατόν νὰ ἔχῃσι καταστῆ Μέλη, περὶ τῆς ἡμερομηνίας καθ' ἣν ἕκαστον Κράτος καθίσταται συμβαλλόμενον μέρος τῆς Συμβάσεως, ὡς ἐπίσης καὶ περὶ τῆς ἡμερομηνίας καθ' ἣν ἡ Σύμβασις τίθεται ἐν ἰσχύϊ.

#### "Ἀρθρον 62

Ἡ παροῦσα Σύμβασις, ἥς τὸ Ἀγγλικόν, Γαλλικόν καὶ Ἰσπανικόν κείμενον εἶναι ἐξ ἴσου αὐθεντικά, θὰ κατατεθῇ παρὰ τῷ Γενικῷ Γραμματεῖ τῶν Ἠνωμένων Ἐθνῶν, ὃ ὁποῖος θὰ διαβιβάσῃ κεκυρωμένα ἀντίγραφα ταύτης εἰς ἕκαστον Κράτος προσκληθὲν εἰς τὴν Ναυτιλιακὴν Διάσκεψιν τῶν Ἠνωμένων Ἐθνῶν καὶ εἰς τοιαῦτα ἄλλα Κράτη οἷα δυνατόν νὰ ἔχῃσι καταστῆ Μέλη.

## "Άρθρον 63

Ο Ὄργανισμός Ἠνωμένων Ἐθνῶν ἐξουσιοδοτεῖται νά προβῆ εἰς τήν κατάρτησιν τῆς Συμβάσεως μόλις αὕτη τεθῆ ἐν ἰσχύϊ.

Εἰς ΜΑΡΤΥΡΙΑΝ ΤΩΝ ΑΝΩΤΕΡΩ οἱ ὑπογεγραμμένοι, ὄντες δεόντως ἐξουσιοδοτημένοι παρὰ τῶν οἰκείων Κυβερνήσεων αὐτῶν πρὸς τὸν σκοπὸν τοῦτον, ὑπέγραψαν τὴν παροῦσαν Σύμβασιν.

Ἐγένετο ἐν Γενεύῃ τῇ 6ῃ Μαρτίου 1948.

Ἀφγανιστάν, Ἀλβανία, Ἀργεντινὴ, Αὐστραλία, Αὐστρία, Βέλγιον, Βολιβία, Βραζιλία, Βουλγαρία, Σοβιετικὴ Σοσιαλιστικὴ Δημοκρατία τῆς Λευκορωσίας, Καναδάς, Χιλή, Κίνα, Κολομβία, Κόστα—Ρίκα, Κούβα, Τσεχοσλοβακία, Δανία, Δομινικανὴ Δημοκρατία, Ἰσημερινός, Αἴγυπτος, Ἑλ Σαλβαντόρ, Αἰθιοπία, Φινλανδία, Γαλλία, Ἑλλάς, Γουατεμάλα, Αἴτή, Ὀνδούραι, Οὐγγαρία, Ἰσλανδία, Ἰνδία, Ἰράν, Ἰράκ, Ἰρλανδία, Ἰταλία, Λίβανος, Λιθερία, Λουξεμβούργον, Μεξικόν, Κάτω Χῶραι, Νέα Ζηλανδία, Νικαράουα, Νορβηγία, Πακιστάν, Παναμάς, Παραγουάη, Περού, Φιλιππῖνοι, Πολωνία, Πορτογαλλία, Ρουμανία, Σαουδικὴ Ἀραβία, Σιάμ, Σουηδία, Ἑλβετία, Συρία, Ὑπεριορδανία, Τουρκία, Σοβιετικὴ Σοσιαλιστικὴ Δημοκρατία τῆς Οὐκρανίας, Νοτιοαφρικανικὴ Ἐνωσις, Ἐνωσις Σοβιετικῶν Σοσιαλιστικῶν Δημοκρατιῶν, Ἠνωμένον Βασίλειον τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας, Ἠνωμένοι Πολιτεῖαι, Οὐραγουάη, Βενεζουέλα, Ἰεμένη, Γιουγκοσλαυία.

## ΠΑΡΑΡΤΗΜΑ I

## Σύνθεσις τοῦ πρώτου Συμβουλίου

Συμφώνως πρὸς τὰς ἐκτιθεμένας ἐν τῷ Ἄρθρῳ 17 ἀρχάς, τὸ πρῶτον Συμβούλιον θὰ συγκροτηθῆ ὡς ἀκολούθως :

(α) Τὰ ἕξ μέλη κατὰ τὸ Ἄρθρον 17(α) ἔσονται—

Ἑλλάς	Σουηδία
Ὀλλανδία	Ἠνωμένον Βασίλειον
Νορβηγία	Ἠνωμένοι Πολιτεῖαι.

(β) Τὰ ἕξ Μέλη κατὰ τὸ Ἄρθρον 17(β) ἔσονται—

Ἀργεντινὴ	Καναδάς
Αὐστραλία	Γαλλία
Βέλγιον	Ἰνδία.

(γ) Δύο Μέλη θὰ ἐκλεγῶσιν ὑπὸ τῆς Συνελεύσεως δυνάμει τοῦ Ἄρθρου 17(γ) ἀπὸ πίνακα καταρτισησόμενον ὑπὸ τῶν ἕξ ἀναφερομένων ἐν τῇ παραγράφῳ (α) τοῦ παρόντος Παραρτήματος Μελῶν.

(δ) Δύο Μέλη θὰ ἐκλεγῶσιν ὑπὸ τῆς Συνελεύσεως δυνάμει τοῦ Ἄρθρου 17(δ) μεταξὺ τῶν Μελῶν τῶν ἐχόντων οὐσιώδεις ἐνδιαφέρον εἰς τὸ διεθνὲς διὰ θαλάσσης μεταφερόμενον ἐμπόριον. (Τὸ παρὸν Παράρτημα, ἀναφερόμενον εἰς τὸ κείμενον τοῦ Ἄρθρου 17 πρὸ τῆς τροποποιήσεως τοῦ τῆν 17ην Ὀκτωβρίου 1967, προνοεῖ περὶ τῆς συνθέσεως τοῦ πρώτου Συμβουλίου τοῦ Ὄργανισμοῦ καὶ δὲν ἔχει σχέσιν πρὸς τὸ ὑφιστάμενον κείμενον τοῦ Ἄρθρου 17).

## ΠΑΡΑΡΤΗΜΑ II

(Ἀναφερόμενον εἰς τὸ Ἄρθρον 51)

Νομικὴ Ἰκανότης, Προνόμια καὶ Ἀσυλία

Αἱ ἀκόλουθοι διατάξεις ἐπὶ τῆς Νομικῆς Ἰκανότητος, προνομίων καὶ ἀσυλιῶν θὰ ἐφαρμόζωνται ὑπὸ τῶν Μελῶν εἰς τὸν Ὄργανισμὸν ἢ ἐν σχέσει πρὸς αὐτὸν ἐν ἀναμονῇ τῆς προσαρμογῆς τῶν εἰς τὴν Γενικὴν Σύμβασιν ἐπὶ τῶν Προνο-



μίων και Ἄσυλιῶν τῶν Εἰδικευμένων Ὀργανώσεων ἀναφορικῶς πρὸς τὸν Ὀργανισμόν.

Ἄρθρον 1. Ὁ Ὀργανισμὸς θὰ ἀπολαύη ἐν τῷ ἐδάφει ἐκάστου τῶν Μελῶν του τοιαύτης νομικῆς ἱκανότητος οἷα εἶναι ἀναγκαῖα διὰ τὴν ἐκπλήρωσιν τῶν σκοπῶν του καὶ τὴν ἄσκησιν τῶν λειτουργιῶν του.

Ἄρθρον 2.—(α) Ὁ Ὀργανισμὸς θὰ ἀπολαύη ἐν τῷ ἐδάφει ἐκάστου τῶν Μελῶν του τοιούτων προνομίων καὶ ἀσυλιῶν οἷα εἶναι ἀναγκαῖα διὰ τὴν ἐκπλήρωσιν τῶν σκοπῶν του καὶ τὴν ἄσκησιν τῶν λειτουργιῶν του.

(β) Οἱ ἀντιπρόσωποι τῶν Μελῶν, περιλαμβανομένων τῶν ἀναπληρωματικῶν καὶ συμβούλων, καὶ οἱ λειτουργοὶ καὶ ὑπάλληλοι τοῦ Ὀργανισμοῦ θὰ ἀπολαύωσιν ὁμοίως τοιούτων προνομίων καὶ ἀσυλιῶν οἷα εἶναι ἀναγκαῖα διὰ τὴν ἀνεξάρτητον ἄσκησιν τῶν λειτουργιῶν των ἐν σχέσει μὲ τὸν Ὀργανισμόν.

Ἄρθρον 3. Ἐν τῇ ἐφαρμογῇ τῶν διατάξεων τῶν Ἄρθρων 1 καὶ 2 τοῦ παρόντος Παραρτήματος, τὰ Μέλη θὰ λάβωσιν ὑπ' ὄψιν, ἐφ' ὅσον εἶναι δυνατόν, τὰς καθιερωμένας διατάξεις τῆς Γενικῆς Συμβάσεως ἐπὶ τῶν Προνομίων καὶ Ἄσυλιῶν τῶν Εἰδικευμένων Ὀργανώσεων.