

No. 9632

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
INTER-GOVERNMENTAL MARITIME
CONSULTATIVE ORGANIZATION**

**Agreement regarding the Headquarters of the Organization.
Signed at London on 28 November 1968**

Authentic text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 16 June 1969.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
ORGANISATION INTERGOUVERNEMENTALE
CONSULTATIVE DE LA NAVIGATION MARITIME**

**Accord relatif au Siège de l'Organisation. Signé à Londres le
28 novembre 1968**

Texte authentique: anglais.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 16 juin 1969.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION REGARDING THE HEADQUARTERS OF THE ORGANIZATION

The Government of the United Kingdom of Great Britain and Northern Ireland and the Inter-Governmental Maritime Consultative Organization:

Considering that the United Kingdom undertook on 4 November, 1959 to apply to the Organization the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations,² including its Annex XII;³

Considering that the Assembly of the Organization by its Resolution A.56 (III), adopted on 23 October, 1963, has envisaged the conclusion of a supplemental agreement or agreements based on accepted principles established in similar agreements concerning the United Nations, the Specialized Agencies and the International Atomic Energy Agency, to ensure that the Organization's legal status in the United Kingdom should be defined and the content of certain privileges, concessions and courtesies as well as the measures for their implementation should be formulated in detail;

Have agreed as follows:

PART I

DEFINITIONS AND INTERPRETATION

Article 1

In this Agreement:

¹ Came into force on 28 November 1968 by signature, in accordance with article 18 (1).

² United Nations, *Treaty Series*, vol. 33, p. 261. For the final and revised texts of annexes published subsequently, see vol. 71, p. 318; vol. 79, p. 326; vol. 117, p. 386; vol. 275, p. 298; vol. 314, p. 308; vol. 323, p. 364; vol. 327, p. 326; vol. 371, p. 266, vol. 423, p. 284; vol. 559, p. 348, and vol. 645, p. 340.

³ *Ibid.*, vol. 327, p. 326, and vol. 645, p. 340.

(a) “the IMCO Convention” means the Convention on the Inter-Governmental Maritime Consultative Organization opened for signature at Geneva on 6 March, 1948;¹

(b) “the Convention” means the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations adopted by the General Assembly of the United Nations on 21 November, 1947, including its Annex XII; the text of which was received by the Secretary-General of the United Nations on 12 February, 1959, and any subsequent revision of that Annex approved by the Organization and acceded to by the United Kingdom;

(c) “Organization” means the Inter-Governmental Maritime Consultative Organization;

(d) “Government” means the Government of the United Kingdom of Great Britain and Northern Ireland;

(e) “Secretary-General” means the Secretary-General of the Organization and, during his absence from duty, the Deputy Secretary-General and, in the absence of both, any other official specially designated to act on his behalf;

(f) “appropriate authorities” means the national, regional or local authorities of the United Kingdom, as the context may require, in accordance with the laws, regulations and customs of the United Kingdom;

(g) “law of the United Kingdom” includes Acts of Parliament, Orders in Council and all subordinate legislation;

(h) “emoluments” means all sums in respect of employment by the Organization paid to, vested in or accruing to an official’s benefit in any form whatsoever;

(i) “Headquarters of the Organization” means the headquarters referred to in Article 44 (a) of the IMCO Convention;

(j) “premises of the Organization” means land, buildings and parts of buildings normally occupied by the Organization for the fulfilment of its official functions;

(k) “Member” means a Member of the Organization as defined in the IMCO Convention;

(l) “representatives of Members” means heads of delegations of Members, participating in meetings convened by the Organization;

¹ United Nations, *Treaty Series*, vol. 289, p. 3.

(m) “members of delegations” means representatives, alternates, advisers, technical experts and secretaries of delegations, participating in meetings convened by the Organization;

(n) “meetings convened by the Organization” means sessions of the Assembly, Council, and Maritime Safety Committee, and conferences or other gatherings convened by the Organization including those of any committee, sub-committee, group of experts or other subordinate body established by any of these bodies;

(o) “officials” means the Secretary-General, and persons in the categories specified under Article VI, Section 18, of the Convention, with the exception of those recruited locally and assigned to hourly rates;

(p) “senior officials” means all officials designated by the Secretary-General as possessing a rank equivalent to that of a diplomatic agent and recognised as such by the Government.

Article 2

(1) This Agreement shall be interpreted in the light of its primary objective of enabling the Organization at its Headquarters in the United Kingdom fully and efficiently to discharge its responsibilities and fulfil its purposes and functions.

(2) To the extent that they deal with the same subject matter, this Agreement and the Convention or any treaty conferring immunities and privileges upon the Organization shall be complementary, but in cases of adjustment of the provisions of the Convention or the grant of privileges and immunities not previously accorded, the present Agreement shall be interpreted in the light of the Parties' intention to supplement the Convention in accordance with its Article X, Section 39.

PART II

PREMISES OF THE ORGANIZATION

Article 3

(1) For the purpose of Article III of the Convention, but not as a condition of its application, the location of the premises and the archives of the Organization shall be made known to the appropriate authorities by the Secretary-

General who shall also inform the appropriate authorities of any change in the location or extent of such premises or archives and of any temporary occupation of premises for the fulfilment of its official functions. Where premises are temporarily used or occupied by the Organization for the fulfilment of its official functions, these premises shall, with the agreement of the appropriate authorities, be accorded the status of premises of the Organization.

(2) The Government undertake to assist the Organization in the acquisition of premises by gift, purchase or lease or the hire of premises at such time as they may be needed.

(3) The inviolability conferred by Article III, Section 6, of the Convention extends to all archives, correspondence, documents, manuscripts, photographs, films and recordings belonging to or held by the Organization and to all information contained therein.

(4) The immunity conferred by Article III, Section 5, of the Convention extends to the means of transport of the Organization. Means of transport which the Organization hires or borrows shall be immune from search, requisition, confiscation or expropriation. The Organization shall identify as such means of transport being used for official purposes.

(5) The Government shall do their utmost to ensure that the premises shall be supplied with necessary public services, including electricity, water, sewerage, gas, post, telephone, telegraph, drainage, collection of refuse and fire protection and that such public services shall be supplied on reasonable terms. In case of any interruption or threatened interruption to any such services, the Government shall consider the needs of the Organization as being of equal importance with those of diplomatic missions and shall accordingly take all reasonable steps to ensure that the Organization is not prejudiced.

(6) Any preferential rates or tariffs which may be granted to diplomatic missions in the United Kingdom for supplies of the services mentioned in paragraph (5) of this Article shall, subject to paragraph (2) of Article 8 of this Agreement, also be accorded to the Organization.

Article 4

The Organization shall be entitled to display its flag and emblem, or the flag and emblem of the United Nations, on the premises and means of transport of the Organization and of the Secretary-General.