



RULES AND GUIDELINES

FOR CONSULTATIVE STATUS OF

NON-GOVERNMENTAL INTERNATIONAL ORGANIZATIONS

WITH THE INTERNATIONAL MARITIME ORGANIZATION

INTRODUCTION

This document provides the rules for applying for consultative status and the ongoing relationship between IMO and non-governmental international organizations. Guidelines are provided for consideration of the applications as well as the periodic review of organizations in consultative status.

The original text of the Rules was adopted by Assembly resolution A.31(II) of 13 April 1961. Amendments to the Rules were adopted by a decision of the Assembly at its fourteenth session on 20 November 1985. Guidelines on the grant of consultative status were adopted by the Council at its fortieth session on 23 May 1978, and endorsed by the Assembly at its eleventh session on 15 November 1979. Further amendments to the original Rules and Guidelines were approved by the Council at its eighty-sixth session on 22 June 2001, and endorsed by the Assembly at its twenty-second session on 29 November 2001.

The Council, at its 109th session on 9th November 2012, approved further amendments to the Rules and the Guidelines, consolidating them in a single document. The Assembly at its twenty-eighth session, on 4 December 2013, endorsed these amendments.

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Rule 1

Subject to approval by the Assembly, the Council may grant consultative status to any non-governmental international organization which is able to make a substantial contribution to the work of the International Maritime Organization. The Council may also grant consultative status on a provisional basis to any non-governmental international organization for a period not exceeding four years.

Guidelines on its application

Consultative status should only be granted to a non-governmental international organization if it can reasonably be expected to make a substantial contribution to the work of IMO. In determining whether an organization can make a substantial contribution, reference should be made inter alia to:

- (a) *whether the purposes of the organization are directly related to the purposes of IMO and fully in harmony with the spirit and functions of IMO;*
- (b) *whether the activities of the organization have a direct bearing on the main purposes of IMO as a whole, or on the work of any of the organs or Committees or on the matters dealt with in any conventions in respect of which IMO performs depositary or other functions;*
- (c) *whether the organization has demonstrated that it has considerable expertise as well as the capacity to contribute, within its field of competence, to the work of IMO; and*
- (d) *whether there are any programmes or projects of the organization which can reasonably be considered as demonstrating the relevance of the organization's work and interests to those of IMO.*

The Council may decide whether or not to seek the advice of the relevant Committee(s); if the latter's advice is sought, the Committee(s) so requested make a further, technical assessment, based, in particular, on the activities carried out by the applicant that are relevant to IMO, as well as on the contribution in terms of skills and expertise it can make to the Organization. In due course, the Committee(s) report to the Council; the Council takes a final decision, which is then submitted to the Assembly for approval.

Where an applicant organization meets most but not all the requirements in the guidelines, the Council when considering the application may, if it considers that the circumstances so warrant, grant consultative status on a provisional basis, drawing attention to any requirements which may not be fulfilled in the case of any particular organization.

Rule 2

Purposes of consultative status

Decisions to grant consultative status to any non-governmental international organization shall be based on the principles that the purposes for entering into consultative status shall be:

- (a) to enable the International Maritime Organization to obtain information or expert advice from non-governmental international organizations with special knowledge in a particular sector of the Organization's activities; and

- (b) to enable such non-governmental international organizations representing large groups whose activities have an important and direct bearing on the work of the International Maritime Organization, to express their points of view to the Organization.

Rule 3

Objectives and activities of the non-governmental international organization

Before granting consultative status to any non-governmental international organization, the Council must be satisfied that:

- (a) the activity of the non-governmental international organization concerned is related directly to the purposes of the International Maritime Organization as defined in Article 1 of the Convention on the International Maritime Organization;
- (b) the objectives and functions of the non-governmental international organization are fully in harmony with the spirit, functions and principles of the International Maritime Organization;
- (c) the non-governmental international organization does not have, or is not eligible for, access to the International Maritime Organization through another organization already in consultative status; and

Guidelines on its application

An organization should be deemed to have access to IMO:

- (a) if it is a member of, affiliated to, or otherwise associated with another organization which enjoys consultative status or has other form of association with IMO; and*
- (b) if the interest or interests it purports to represent are adequately represented in IMO through another organization, unless an applicant organization demonstrates to the satisfaction of the Council that the specific interests it represents cannot adequately be represented by any organization already in consultative status.*

- (d) the granting of consultative status does not lead to duplication or conflict.

Guidelines on its application

Consultative status should not be granted where each of two or more rival organizations purports to represent a particular interest to the exclusion of the others.

Rule 4

General undertaking by the non-governmental international organization

Consultative status may not be granted to a non-governmental international organization, unless it undertakes to support the activities of the International Maritime Organization and to promote the dissemination of its principles and work, bearing in mind the objectives and

functions of the International Maritime Organization on the one hand, and the competence and activities of the non-governmental international organization on the other.

Guidelines on its application

Applicant organizations must demonstrate their ability and intention to promote and disseminate the principles and work of IMO.

Rule 5

Constitution and structure of the non-governmental international organization

Consultative status may not be granted to any non-governmental international organization unless it has permanent headquarters, a governing body and an executive officer, and is truly international with members, or component branches or affiliated bodies in a sufficient number of countries. Where it is not truly international regarding its component branches or affiliated bodies in a sufficient number of countries, consultative status may be granted on a provisional basis. In both cases, it must be authorized under its constitution to speak for its members through accredited representatives.

Guidelines on its application

Consultative status should only be granted to non-governmental organizations which are truly international and are active and effective in their field. An organization should be deemed to be truly international for this purpose only if it has members, component branches or affiliated bodies in a sufficient number of countries, taking into account its field of activity. Admission to membership of that organization should not be geographically limited.

Consultative status should not be granted to a non-governmental international organization whose composition or membership is considered to be inconsistent with a decision of the IMO Assembly or Council.

Rule 6

Privileges conferred by consultative status

The granting of consultative status to a non-governmental international organization shall confer the following privileges on that organization:

- (a) the right to receive the provisional agenda for sessions of the Assembly, the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Co-operation Committee, the Facilitation Committee and other organs of the International Maritime Organization;
- (b) the right to submit documents on items of the agenda of the Assembly, the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Co-operation Committee, the Facilitation Committee and other organs of the International Maritime Organization which are of interest to the non-governmental international organizations concerned. The submission of such documents shall take into account the rules of procedure of the governing bodies and the committees; the guidelines on the organization and method of work of the

various committees and their subsidiary bodies; the High-level Action Plan of the Organization for the biennium, as well as give due consideration to any concerns raised by the Secretary-General;

- (c) the right to be represented by an observer at plenary meetings of the Assembly and, on the invitation of the Secretary-General, at those meetings during sessions of the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Co-operation Committee, the Facilitation Committee and other organs of the International Maritime Organization at which matters of special interest to the non-governmental international organizations concerned are to be considered; and
- (d) the right to receive the texts of resolutions adopted by the Assembly and, at the discretion of the Secretary-General, of recommendations made by the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Co-operation Committee, the Facilitation Committee and other organs of the International Maritime Organization on matters of special interest to the non-governmental international organizations concerned and of the appropriate supporting documents.

Rule 7

Status at meetings of the International Maritime Organization

Normally one observer from each non-governmental international organization shall be admitted to any session or meeting. Such observer shall have no voting rights but may, on the invitation of the Chairman and with the approval of the body concerned, speak on any item of the agenda of special interest to the non-governmental international organization of which the observer is the representative.

Rule 8

Granting of reciprocal privileges to the International Maritime Organization

Any non-governmental international organization to which consultative status is granted shall keep the Secretary-General currently informed of those aspects of its own activities which are likely to be of interest to the International Maritime Organization and accord to the International Maritime Organization privileges corresponding to those which are granted to it by the Organization.

Guidelines on its application

The applicant organization should be able to demonstrate by what means it would be possible for IMO to participate in its activities, e.g. meetings, conferences, documents, publications, etc.

Rule 9

Consideration of applications

The Council shall only consider applications for consultative status from non-governmental international organizations once a year and shall not consider re-applications from such

organizations until at least two years have elapsed since the Council took a decision on the original application.

Rule 10

Periodic review of the list of non-governmental international organizations

The Council shall review from time to time the list of non-governmental international organizations to which it has granted consultative status, in order to determine whether the continuance of their status in any particular case is necessary and desirable and shall report to the Assembly accordingly.

Guidelines on its application

The Council will review the list of non-governmental international organizations in consultative status every two years, before reporting to the Assembly.

In the context of the periodic review under rule 10, consultative status may be withdrawn from any organization which, during the biennium under review, had not made a substantial contribution to the work of IMO, or any of its organs or bodies. In assessing the contribution of an organization in this regard, particular account should be taken of the following factors:

- (a) attendance by the representatives of the organization concerned at relevant meetings of IMO organs or bodies or at conferences and meetings convened by or in association with IMO;*
- (b) participation by the representatives of the organization concerned in the work of meetings and conferences which they may have attended, with particular reference to the number and type of submissions or other information provided in connection with such meetings or conferences;*
- (c) meetings or conferences convened by or under the auspices of the organization concerned to which IMO has found it necessary or useful to send representation; and*
- (d) dissemination and promotion of the work of IMO.*

In order to facilitate the periodic review of the non-governmental international organizations in consultative status, each organization will be requested to provide a summary which reflects whether it has substantially contributed to the work of IMO over the past biennium. The template provided in the annex should be used for this purpose.

In the context of the periodic review under rule 10, consultative status may be withdrawn from a non-governmental international organization if, in the opinion of the Council or Assembly, the organization concerned has ceased to be adequately representative of the interests which it purports to represent as a result, inter alia, of:

- (a) merger of that organization with another organization enjoying consultative status with IMO or eligible for such status; or*
- (b) the establishment or emergence of a new organization more representative of the particular interest or interests concerned.*

In the context of the periodic review under rule 10 or at any other time the Council or Assembly may consider necessary, consultative status to an organization may be withdrawn

if changes occur in the nature, purposes, membership or activities of the organization concerned which, in the opinion of the Council or Assembly, make continuance of consultative status to that organization inappropriate or incompatible with the Rules or any of the guidelines established pursuant to those Rules.

In the event of withdrawal of status, no re-application can be made until at least two years have elapsed since that withdrawal.

* * *

ANNEX

TEMPLATE
TO BE COMPLETED BY
THE NON-GOVERNMENTAL INTERNATIONAL ORGANIZATION
IN THE CONTEXT OF THE BIENNIAL REVIEW

NAME AND ACRONYM:	
DATE:	

1	<p>Briefly outline your organization's interest in and contribution to the work of the relevant bodies of IMO in the past biennium</p> <hr/> <p><i>For example, mention attendance at IMO meetings, working/drafting/correspondence groups, submission of documents, relevant agenda items, etc.</i></p>
2	<p>Briefly outline how your organization disseminates information on and promotes the work of the Organization to its membership and/or beyond</p> <hr/> <p><i>For example, indicate publications, seminars, workshops, information available on your organization's website and social media sites</i></p>