

# GUIDELINES FOR THE GRANTING OF CONSULTATIVE STATUS

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## **GUIDELINES FOR THE GRANTING OF CONSULTATIVE STATUS<sup>1</sup>**

### **Introduction**

The following guidelines have been approved by the Council for the consideration of applications from non-governmental organizations to be granted consultative status with IMO and for the review of organizations enjoying such status.

In accordance with rule 2 of the Rules Governing Relationship with Non-Governmental International Organizations (hereinafter referred to as "the Rules") the purposes of consultative status are to enable IMO to obtain information or expert advice from non-governmental organizations with special knowledge in a particular section of IMO's activities and to enable such non-governmental organizations representing large groups whose activities have an important and direct bearing on IMO's work to express their points of view to IMO.

Rule 3 of the Rules states that the activities of non-governmental international organizations granted consultative status shall be related directly to the purposes of IMO as defined in Article I of the Convention and that the objectives and functions of such organizations shall be fully in harmony with the spirit, functions and principles of IMO.

Rule 10 of the Rules states that the Council shall review from time to time and report accordingly to the Assembly on whether the continuance of consultative status to any particular non-governmental organization is necessary and desirable.

These guidelines are intended to supplement the provisions of the Rules and are to be applied subject to those provisions. Their purpose is to enable the Council and the Committees of IMO to assess applications for consultative status in order to ascertain whether any organization applying for such status meets the requirements stipulated in the Rules. It is intended that these guidelines shall be applied by the Committees with a degree of flexibility in respect of individual applications. Where an applicant organization meets most but not all the requirements in the guidelines a Committee considering the application may, if it considers that the circumstances so warrant, make a positive recommendation, including the grant of consultative status on a provisional basis, to the Council, drawing attention to any requirements which may not be fulfilled in the case of any particular organization.

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<sup>1</sup> 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.  
Amendments 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.

Guidelines for the Granting of Consultative Status

**A. GUIDELINES FOR THE GRANTING OF CONSULTATIVE STATUS**

- I.** Consultative status shall only be granted to a non-governmental international organization if it can reasonably be expected to make significant contribution to the work of IMO. In determining whether an organization can make such a contribution, reference shall 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; and
  - (c) whether there are any programmes or projects of the organization, past, current or projected, which can reasonably be considered as demonstrating the relevance of the organization's work and interests to those of IMO.
- II.** Consultative status shall not normally be granted to a non-governmental organization if that organization already has access to IMO through another organization. An organization shall 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 appropriate Committee or to the Council that the specific interests it represents cannot adequately be represented by any organization already in consultative status.
- III.** Consultative status shall not be granted to a non-governmental organization where such grant could lead to clear duplication or conflict. In particular, no grant of consultative status shall be made where each of two or more rival organizations purports to represent a particular interest to the exclusion of the others.
- IV.** Consultative status shall only be granted to non-governmental organizations which are truly international and are active and effective in their field. An organization shall be deemed to be an international organization for this purpose only if it has members, component branches or affiliated bodies in a sufficient number of countries, depending on the nature of the interest or interests represented by that organization.
- V.** Consultative status shall not be granted to a non-governmental organization whose composition or membership are considered to be inconsistent with a decision of the IMO Assembly or Council.

**B. GUIDELINES FOR THE WITHDRAWAL OF CONSULTATIVE STATUS**

- VI.** In the context of the periodic review under rule 10 of the Rules, consultative status may be withdrawn from any organization which in respect of the years since the last periodic review had not, in the opinion of the Council or Assembly, made a significant 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 shall be taken of the following factors:
- (a) attendance by the representatives of the organization concerned at 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 documentation or other information provided in connection with such meetings or conferences; and
  - (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.
- VII.** In the context of the periodic review under rule 10 of the Rules, consultative status may be withdrawn from a non-governmental 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;
  - (b) the establishment or emergence of a new organization more representative of the particular interest or interests concerned.
- VIII.** In the context of the periodic review under rule 10 of the Rules or at any other time the Council or Assembly may consider necessary, consultative status to an organization may be withdrawn or suspended as appropriate 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.
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