

ASSEMBLY  
32nd session  
Agenda item 5

A 32/5  
16 September 2021  
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## CONSIDERATION OF AMENDMENTS TO THE CONVENTION ON THE INTERNATIONAL MARITIME ORGANIZATION

### Note by the Secretary-General

#### SUMMARY

*Executive summary:* This document provides draft amendments to Articles 16, 17, 18, 19(b) and 81 of the IMO Convention, and the associated draft Assembly resolution, for consideration and adoption by the Assembly

*Strategic direction,  
if applicable:* Not applicable

*Output:* Not applicable

*Action to be taken:* Paragraph 5

*Related documents:* A 31/D, C/ES.33/D and NV.036

#### Introduction

1 The Assembly will recall that, at its thirty-first regular session held in 2019, it instructed the Council to prepare relevant amendments to the IMO Convention, for consideration at this session, to extend the term of the Members of the Council to four years; expand the size of the Council to 52 Members; and allocate 12 seats to categories (a) and (b) each and 28 seats to category (c), for the purposes of Article 17 of the IMO Convention (A 31/D, paragraph 8(b).1(ii)).

2 In this context, the Council, at its thirty-third extraordinary session held in April 2021, approved draft amendments to Articles 16, 17, 18 and 19(b) of the IMO Convention related to the Council size, distribution, term and quorum, as well as draft amendments to Article 81 in order to provide for authentic texts of the Convention in all six official languages of the Organization. The Council recommended the draft amendments and associated draft Assembly resolution to the Assembly for adoption (C/ES.33/D, paragraphs 3.3.1 and 3.3.2).

3 The Council requested the Secretary-General to communicate the draft Assembly resolution on the amendments to the IMO Convention, with the draft amendments in an annex to Members at least six months in advance of their consideration by the thirty-second regular session of the Assembly, in accordance with Article 71 of the IMO Convention. This was done under cover of Note Verbale number NV.036 dated 6 May 2021.

4 The proposed amendments to the IMO Convention, together with the associated draft Assembly resolution, are reproduced in the annex to this document.

**Action requested of the Assembly**

5 The Assembly is invited to consider and adopt the draft amendments to Articles 16, 17, 18, 19(b) and 81 of the IMO Convention and the associated draft Assembly resolution, as set out in the annex to this document.

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**ANNEX**

**DRAFT RESOLUTION A.XXX(32) adopted on [...] December 2021**

**AMENDMENTS TO THE CONVENTION ON  
THE INTERNATIONAL MARITIME ORGANIZATION**

THE ASSEMBLY,

RECALLING that at its thirtieth regular session, the Assembly noted the comments received from Member States on possible changes to the relevant rules of the Organization in relation to the work of the Council, and decided that detailed proposals on such changes be submitted for consideration at the 120th session of the Council,

NOTING that the Council, at its 120th session, agreed that it was timely to consider reforms to the Council to better position the Organization to achieve its objectives, and that to this end, the Council established an open-ended Working Group on the Reform of the Council that was open to all Members, Associate Members and intergovernmental organizations and non-governmental organizations in consultative status with IMO,

NOTING ALSO that the Convention on the International Maritime Organization (IMO Convention), previously known as the Convention on the Inter-Governmental Maritime Consultative Organization, was adopted on 6 March 1948 in the English, French and Spanish languages, each text being equally authentic, as provided for in Article 81 of the IMO Convention,

NOTING FURTHER that the six official languages of the Organization are Arabic, Chinese, English, French, Russian and Spanish, thus promoting the effective and increased participation of all Members in the work of the Organization,

RECOGNIZING the need to provide for equally authentic texts of the IMO Convention, including consolidated texts, in the Arabic, Chinese, English, French, Russian and Spanish languages to ensure the authoritative interpretation of the Convention in all the six official languages of the Organization,

NOTING WITH SATISFACTION that the needed revisions in the IMO Convention have all been initiated within the Organization and have been considered in a spirit of goodwill and mutual accommodation and adopted with the general agreement of Members,

HAVING CONSIDERED the amendments to the IMO Convention recommended by the open-ended Working Group on the Reform of the Council and approved by the Council at its thirty-third extraordinary session,

1 ADOPTS amendments to Articles 16, 17, 18, 19(b) and 81 of the IMO Convention in the Arabic, Chinese, English, French, Russian and Spanish languages, the texts of which are contained in the annex to this resolution, each text being equally authentic;

2 REQUESTS the Secretary-General of the Organization to deposit the adopted amendments with the Secretary-General of the United Nations in accordance with Article 72 of the IMO Convention and to receive instruments of acceptance and declarations as provided for in Article 73;

3 INVITES the Secretary-General of the United Nations, for the purposes of Article 72 of the IMO Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Parties to the IMO Convention;

4 INVITES the Members of the Organization to accept these amendments at the earliest possible date after receiving copies thereof by communicating the appropriate instrument of acceptance to the Secretary-General in accordance with Article 73 of the Convention; and

5 REQUESTS the Secretary-General, in consultation with the Secretary-General of the United Nations, to prepare a consolidated version of the IMO Convention in the Arabic, Chinese, English, French, Russian and Spanish languages incorporating all amendments in force, for adoption by the Assembly at its thirty-third regular session.

ANNEX

**AMENDMENTS TO THE CONVENTION ON  
THE INTERNATIONAL MARITIME ORGANIZATION**

PART VI

The Council

**Article 16**

Replace the text of Article 16 with:

"The Council shall be composed of fifty-two Members elected by the Assembly."

**Article 17**

Replace the text of Article 17 with:

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

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

**Article 18**

Replace the text of Article 18 with:

"Members represented on the Council in accordance with Article 16 shall hold office until the end of the next two consecutive regular sessions of the Assembly. Members shall be eligible for re-election."

**Article 19(b)**

Replace the text of Article 19(b) with:

"(b) Thirty-four Members of the Council shall constitute a quorum."

PART XXI

Entry into force

**Article 81**

In Article 81, replace the words "of which the English, French and Spanish texts are equally authentic" with "of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic".