



ΕΦΗΜΕΡΙΣ ΤΗΣ ΚΥΒΕΡΝΗΣΕΩΣ

ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ

Ἐν Ἀθήναις
τῇ 31 Ὀκτωβρίου 1949

ΤΕΥΧΟΣ ΠΡΩΤΟΝ

Ἀριθμὸς φύλλου 294

ΝΟΜΟΘ. ΔΙΑΤΑΓΜΑ ὑπ' ἀριθ. 1287.

Περὶ κυρώσεως τῆς ὑπογραφείσης ἐν Γενεύῃ τὴν 6 Μαρτίου 1948 Διεθνοῦς Συμβάσεως «περὶ Διακυβερνητικοῦ Ναυτιλιακοῦ Συμβουλευτικοῦ Ὁργανισμοῦ» (Δ.Ν.Σ.Ο.).

ΠΑΥΛΟΣ ΒΑΣΙΛΕΥΣ ΤΩΝ ΕΛΛΗΝΩΝ

Ἐχόντες ὑπ' ὄψει τὸ ψήφισμα ΕΞ' τῆς 29 Ἰουλίου 1949 τῆς Δ' Ἀναθεωρητικῆς Βουλῆς τῶν Ἑλλήνων «περὶ ἐξουσιοδοτήσεως πρὸς ἔκδοσιν Ψηφισμάτων καὶ Νομοθετικῶν Διαταγμάτων κατὰ τὴν διάρκειαν τῶν διακοπῶν τῆς Δ' Ἀναθεωρητικῆς Βουλῆς» τὴν κατὰ τὴν συνεδρίαν τῆς ΑΕ' τῆς 21 Ὀκτωβρίου 1949 ληφθεῖσαν ἀπόφασιν τῆς Ἐπιτροπῆς Ἐξουσιοδοτήσεως τῆς Βουλῆς, προτάσει τοῦ Ἡμετέρου Ὑπουργικοῦ Συμβουλίου, ἀπεφασίσαμεν καὶ διατάσσομεν :

Ἄρθρον 1.

Κυροῦται τὸ ὑπὸ τῆς Ἑλλάδος ὑπογραφέν τὴν 6 Μαρτίου 1948 σχέδιον Διεθνοῦς Συμβάσεως «περὶ Διακυβερνητικοῦ Ναυτιλιακοῦ Συμβουλευτικοῦ Ὁργανισμοῦ» (Intergovernmental Maritime Consultative Organization-IMCO-Δ.Ν.Σ.Ο.), ἥς τὸ κείμενον ἔχει ὡς κατωτέρω Ἀγγλιστὶ καὶ ἐν Ἑλληνικῇ μεταφράσει.

CONVENTION ON THE INTER-GOVERNMENTAL

MARITIME CONSULTATIVE ORGANIZATION

The States parties to the present Convention hereby establish the Inter-governmental 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 matters 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 held at Geneva in February-March, 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 nor 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 functions of making recommendations under paragraph (i) of this Article shall not be delegated.

PART VI.

The Council.

Article 17.

The Council shall consist of sixteen Members and shall be composed as follows:

(a) six shall be Governments of the nations with the largest interest in providing international shipping services;

(b) six shall be Governments of other nations with the largest interest in international seaborne trade;

(c) two shall be elected by the Assembly from among the Governments of nations having a substantial interest in providing international shipping services, and

(d) two shall be elected by the Assembly from among the Governments of nations having a substantial interest in international seaborne trade.

In accordance with principles set forth in this Article, the first Council shall be constituted as provided in Appendix I to the present Convention.

Article 18

Except as provided in Appendix I to the present Convention, the Council shall determine for the purpose of Article 17(a), the Members, Governments of nations with the largest interest in providing international shipping services and shall also determine, for the purpose of Article 17(c), the Members, Governments of nations having a substantial interest in providing such services. Such determinations shall be made by a majority vote of the Council including the concurring votes of a majority of the Members represented on the Council under Article 17(a) and (c). The Council shall further determine for the purpose of Article 17(b), the Members, Governments of nations with the largest interest in international seaborne trade. Each Council shall make these determinations at a reasonable time before each regular session of the Assembly.

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 month's notice as often as may be necessary for the efficient discharge of its duties upon the summons of its Chair-

man 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 provisions 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 shall conclude the 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.

(a) The Maritime Safety Committee shall consist of fourteen Members elected by the Assembly from the Members, Governments of those nations having an important interest in maritime safety, of which not less than eight shall be the largest ship-owning nations, and the remainder shall be elected so as to ensure adequate representation of Members, Governments of other nations with an important interest in maritime safety, such as nations interested in the supply of large numbers of crews or in the carriage of large numbers of berthed and unberthed passengers, and of major, geographical areas.

(b) Members 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 naviga-

tion, 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 facilitating 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 own 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 for 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 representatives 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.

Subject to any agreement between the Organization and the United Nations, the Assembly shall review and approve the budget estimates. 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 negative 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 the approval by a two-thirds majority vote of the Assembly, the Organization may take over from any other international organization, 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 November 21st, 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 Sections 36 and 38 of the said General Convention

Article 51.

Pending its accession to the said General Convention in 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 7 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 that 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 to each of the Governments 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 at Geneva this sixth day of March 1948.

APPENDIX I

(Referred to in Article 17)

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:

Argentina	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.

APPENDIX II

(referred to in Article 51).

Legal Capacity, Privileges and Immunities.

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

Section 1. The Organisation 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 exercise of its functions and the fulfilment of its purposes.

(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 Privileges and Immunities of the Specialized Agencies.

ΣΥΜΒΑΣΙΣ ΠΕΡΙ ΙΔΡΥΣΕΩΣ ΔΙΑΚΥΒΕΡΝΗΤΙΚΟΥ ΣΥΜΒΟΥΛΕΥΤΙΚΟΥ ΝΑΥΤΙΛΙΑΚΟΥ ΟΡΓΑΝΙΣΜΟΥ

Τὰ ἐν τῇ παρούσῃ Συμβάσει Κράτη-Μέλη ἀποφασίζουν νὰ ἰδρῦσουν τὸν Διακυβερνητικὸν Συμβουλευτικὸν Ναυτιλιακὸν Ὀργανισμόν (ἐπονομαζόμενον κατωτέρω «Ὀργανισμόν»).

ΜΕΡΟΣ I

Σκοποὶ τοῦ Ὀργανισμοῦ.

Ἄρθρον 1.

Σκοποὶ τοῦ Ὀργανισμοῦ εἶναι:

(α) Ἡ καθιέρωσις συστήματος συνεργασίας μεταξύ Κυβερνήσεων εἰς τὸν τομέα τῶν κανονισμῶν καὶ ἐφαρμογῆς τούτων σχετικῶς πρὸς τὰ παντὸς εἶδους τεχνικὰ ζητήματα τὰ ἐνδιαφέροντα τὴν ἐμπορικὴν ναυτιλίαν τὴν ἀπασχολουμένην εἰς τὸ διεθνὲς ἐμπόριον καὶ ἡ ἐνθάρρυνσις καθολικῆς ἀποδοχῆς ὅσον τὸ δυνατόν ἀνωτέρων ἐπιπέδων (Standards) εἰς θέματα ἀφορῶντα τὴν ναυτικὴν ἀσφάλειαν καὶ τὴν ἰκανότητα τοῦ ναυσιπλοεῖν.

(β) Ἡ ἐνθάρρυνσις πρὸς ἐγκατάλειψιν μέτρων διακρίσεως καὶ μὴ ἀπαραιτήτων περιορισμῶν ἐφαρμοζομένων ὑπὸ τῶν Κυβερνήσεων ἐπὶ τῆς Ναυτιλίας τῆς ἀσχολουμένης μετὰ τὸ διεθνὲς ἐμπόριον, πρὸς τὸν σκοπὸν τῆς θέσεως τῶν πηγῶν τῶν ναυτιλιακῶν ὑπηρεσιῶν εἰς τὴν διάθεσιν τοῦ διεθνoῦς ἐμπορίου, ἀνευ διακρίσεως. Βοήθεια καὶ ἐνθάρρυνσις παρεχόμεναι ὑπὸ Κυβερνήσεως τινος πρὸς τὸν σκοπὸν ἀναπτύξεως τῆς ἐθνικῆς τῆς ἐμπορικῆς ναυτιλίας καὶ διὰ σκοποῦς ἀσφαλείας δὲν ἀποτελοῦν αὐταὶ καθ' ἑαυτὰς διάκρισιν, ὑπὸ τὸν ὅρον ὅπως ἡ βοήθεια καὶ ἐνθάρρυνσις μὴ βασίζονται ἐπὶ μέτρων σχεδιασθέντων πρὸς τὸν σκοπὸν περιορισμοῦ τῆς ἐλευθερίας τῶν πάσης σημαίας ναυτιλιῶν ὅπως συμμετέχουσιν εἰς τὸ διεθνὲς ἐμπόριον.

(γ) Ἡ ἐξέτασις συμφώνως πρὸς τὸ Μέρος II ζητημάτων σχετικῶν πρὸς τὰς κακοπίστους περιοριστικὰς ἐνεργείας τῶν ναυτιλιακῶν ἐπιχειρήσεων.

(δ) Ἡ ἐξέτασις παντὸς ζητήματος σχετικοῦ πρὸς τὴν ναυσιπλοίαν, ὅπερ ἤθελε παραπεμφθῇ εἰς τὸν Ὀργανισμόν ὑπὸ οἰοῦντι ὅργανου ἢ Εἰδικοῦ Ὀργανισμοῦ (Specialized Agency) τῶν Ἠνωμένων Ἐθνῶν.

(ε) Ἡ φροντίς περὶ ἀνταλλαγῆς πληροφοριῶν μεταξύ Κυβερνήσεων ἐπὶ ζητημάτων ἐξεταζομένων ὑπὸ τοῦ Ὀργανισμοῦ.

ΜΕΡΟΣ II

Καθήκοντα

Ἄρθρον 2.

Αἱ λειτουργίαι τοῦ Ὀργανισμοῦ εἶναι συμβουλευτικαὶ καὶ γνωμοδοτικαί.

Ἄρθρον 3.

Πρὸς ἐπίτευξιν τῶν ἐκτιθεμένων εἰς τὸ Μέρος I σκοπῶν, αἱ λειτουργίαι τοῦ Ὀργανισμοῦ εἶναι αἱ ἐξῆς:

(α) Ὑπὸ τὴν ἐπιφύλαξιν τῶν διατάξεων τοῦ Ἀρθροῦ 4, νὰ ἐξετάζῃ καὶ νὰ ποιῇται συστάσεις ἐπὶ ἀνακυπτόντων ζητημάτων κατὰ τὸ ἄρθρον 1 (α), (β) καὶ (γ) ἅτινα ἤθελον παραπεμφθῇ εἰς αὐτὸν ὑπὸ Μελῶν, ὑπὸ παντὸς ὀργάνου ἢ Εἰδικοῦ Τμήματος τῶν Ἠνωμένων Ἐθνῶν ἢ ὑπὸ παντὸς ἄλλου διακυβερνητικοῦ ὀργανισμοῦ ἢ ἐπὶ ζητημάτων ἅτινα ἤθελον παραπεμφθῇ εἰς αὐτὸν κατὰ τὸ ἄρθρον 1 (δ).

(β) Νὰ μεριμνᾷ διὰ τὴν σύνταξιν σχεδίων Συμβάσεων, συμφωνιῶν (Agreements) ἢ ἄλλων καταλλήλων ἐγγράφων (Suitable Instruments) καὶ νὰ συνιστᾷ ταῦτα εἰς τὰς Κυβερνήσεις καὶ εἰς τοὺς διακυβερνητικοὺς ὀργανισμοὺς καὶ συγκαλῇ τὰς ἀναγκαίας πρὸς τοῦτο Διασκέψεις.

(γ) Νὰ ἐξεύρῃ μηχανισμὸν δι' ἀνταλλαγὴν ἀπόψεων μεταξύ Μελῶν καὶ ἀνταλλαγὴν πληροφοριῶν μεταξύ Κυβερνήσεων.

Ἄρθρον 4.

Ὅσάκις ὁ Ὀργανισμὸς θεωρεῖ ἑαυτὸν ἰκανὸν νὰ λύσῃ ζήτημά τι διὰ τῶν κανονικῶν μεθόδων (Normal Processes)

τῆς διεθνoῦς ναυτιλιακῆς ἐπιχειρήσεως, θὰ συνιστᾷ τοῦτο. Ὅσάκις ὅμως, κατὰ τὴν γνώμην τοῦ Ὀργανισμοῦ, προκείμενου περὶ ζητημάτων ἀφορῶντων κακοπίστους περιοριστικὰς μεθόδους τῶν ναυτιλιακῶν ἐπιχειρήσεων, δὲν εἶναι οὗτος ἰκανὸς ἢ ἀπεδείχθη πραγματικῶς, ὅτι δὲν εἶναι ἰκανὸς νὰ τὰ λύσῃ διὰ τῆς κανονικῆς μεθόδου τῆς διεθνoῦς ναυτιλιακῆς ἐπιχειρήσεως, ὑπὸ τὸν ὅρον ὅτι τὰ ζητήματα ταῦτα ἐγένοντο προηγουμένως ἀντικείμενον διαπραγματεύσεων ἀπ' εὐθείας μεταξύ τῶν ἐνδιαφερομένων Μελῶν, ὁ Ὀργανισμὸς θέλει, τῇ αἰτήσει τοῦ ἐνὸς τῶν Μελῶν, ἐπιληφθῇ τοῦ ζητήματος.

ΜΕΡΟΣ III

Μέλη.

Ἄρθρον 5.

Ἀπαντὰ τὰ Κράτη δύνανται νὰ γίνουν Μέλη τοῦ Ὀργανισμοῦ συμφώνως πρὸς τὰς διατάξεις τοῦ Μέρους 3ου

Ἄρθρον 6.

Τὰ Μέλη τῶν Ἠνωμένων Ἐθνῶν δύνανται νὰ γίνουν Μέλη τοῦ Ὀργανισμοῦ ἀφοῦ ἀποδεχθῶσι (Becoming Parties) τὴν Σύμβασιν συμφώνως πρὸς τὰς διατάξεις τοῦ Ἀρθροῦ 57.

Κράτη μὴ Μέλη τῶν Ἠνωμένων Ἐθνῶν, ἅτινα ἐκλήθησαν νὰ ἀποστείλωσιν ἀντιπροσώπους εἰς τὴν Ναυτιλιακὴν Διάσκεψιν τῶν Ἠνωμένων Ἐθνῶν, τὴν συγκαληθεῖσαν ἐν Γενεύῃ τὴν 19ην Φεβρουαρίου 1948, δύνανται νὰ γίνουν Μέλη ἀποδεχόμενα τὴν Σύμβασιν συμφώνως πρὸς τὰς διατάξεις τοῦ Ἀρθροῦ 57.

Ἄρθρον 8.

Πᾶν Κράτος μὴ δικαιούμενον νὰ γίνῃ Μέλος συμφώνως πρὸς τὸ Ἀρθρον 6 ἢ 7 δύναται νὰ ζητήσῃ μέσῳ τοῦ Γενικοῦ Γραμματέως τοῦ Ὀργανισμοῦ νὰ γίνῃ Μέλος καὶ θέλει γίνῃ δεκτὸν ὡς Μέλος, ἀφοῦ ἀποδεχθῇ τὴν Σύμβασιν συμφώνως πρὸς τὸ ἄρθρον 57, ὑπὸ τὸν ὅρον ὅτι, τῇ συστάσει τοῦ Συμβουλίου, ἡ αἴτησις του ἐνεκρίθη ὑπὸ τῶν δύο τρίτων τῶν μελῶν οὐχὶ τῶν ἐταίρων μελῶν.

Ἄρθρον 9.

Πᾶσα Ἐπικράτεια (TERRITORY) ἢ ὁμάς Ἐπικρατειῶν, ἐφ' ᾧ ἡ Σύμβασις ἔχει ἐφαρμογὴν συμφώνως πρὸς τὸ Ἀρθρον 58 διὰ τῆς παραδοχῆς τῆς Συμβάσεως ὑπὸ τοῦ Μέλους ὅπερ ἐκπροσωπεῖ τὰς διεθνεῖς τῆς σχέσεις ἢ ὑπὸ τῶν Ἠνωμένων Ἐθνῶν, δύναται νὰ γίνῃ Μέλος-Ἐταῖρος τῆς Ὀργανώσεως διὰ γραπτῆς εἰδοποιήσεως κοινοποιουμένης πρὸς τὸν Γενικὸν Γραμματέα τοῦ Ὀργανισμοῦ τῶν Ἠνωμένων Ἐθνῶν ὑπὸ τοῦ ὑπευθύνου Μέλους ἢ ἐν ἀνάγκῃ, ὑπὸ τοῦ Ὀργανισμοῦ τῶν Ἠνωμένων Ἐθνῶν.

Ἄρθρον 10.

Τὰ Μέλη-Ἐταῖροι ἔχουν ἐκ τῆς Συμβάσεως τὰ αὐτὰ δικαιώματα καὶ ὑποχρεώσεις μετὰ τὰ λοιπὰ Μέλη. Δὲν δύνανται, ἐν τούτοις, νὰ λάβουν μέρος εἰς ψηφοφορίας τῶν Συνελεύσεων, οὔτε νὰ ἀποτελέσουν μέρος τοῦ Συμβουλίου ἢ τῆς Ἐπιτροπῆς τῆς Ναυτικῆς Ἀσφαλείας. Ὑπὸ τὴν ἐπιφύλαξιν ταύτην, ἡ λέξις «Μέλος» ἐν τῇ παρούσῃ Συμβάσει, θεωρεῖται, ἐκτὸς ἀντιθέτου ἐνδείξεως ἐκ τῆς πλοκῆς τοῦ λόγου (CONTEXT), ὡς δηλοῦσα ἐξ ἴσου καὶ τὰ Μέλη-Ἐταῖρους.

Ἄρθρον 11.

Οὐδὲν Κράτος ἢ Ἐπικράτεια δύναται νὰ γίνῃ ἢ νὰ παραμείνῃ Μέλος τοῦ Ὀργανισμοῦ, παρὰ τὴν ἀπόφασιν τῆς Γενικῆς Συνελεύσεως τῶν Ἠνωμένων Ἐθνῶν.

Μέρος IV

Ὀργανα.

Ἄρθρον 12.

Ὁ Ὀργανισμὸς συμπεριλαμβάνει τὴν Συνέλευσιν, τὸ Συμβούλιον καὶ τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας, τὰ βοηθητικὰ ὄργανα ἅτινα ὁ Ὀργανισμὸς ἤθελε θεωρήσῃ ἀναγκαῖον νὰ ἰδρῦσῃ, καθὼς καὶ τὴν Γραμματεῖαν.

Μέρος V

Ἡ Συνέλευσις.

Ἄρθρον 13.

Ἡ Συνέλευσις ἀποτελεῖται ἐξ ὅλων τῶν Μελῶν.

*Αρθρον 14.

Ἡ Συνέλευσις συγκαλεῖται εἰς τακτικὴν Σύνοδον ἀπαξ κατὰ διετίαν.

Ἐκτακτοὶ Συνεδριάσεις δύνανται νὰ συγκληθῶσι κατόπιν ἐξηκονταήμερου εἰδοποιήσεως τοῦ ἐνὸς τρίτου τῶν Μελῶν πρὸς τὸν Γεν. Γραμματέα, οἱ ἐπιθυμοῦσι τὴν σύγκλησιν συνόδου ἢ εἰς πάντα χρόνον τὸν ὅποιον τὸ Συμβούλιον ἤθελε θεωρήσει ἀναγκαῖον κατόπιν ἐξηκονταήμερου εἰδοποιήσεως.

*Αρθρον 15.

Ἡ πλειοψηφία τῶν Μελῶν, οὐχὶ τῶν Μελῶν-Ἐταίρων, ἀποτελεῖ ἀπαρτίαν κατὰ τὰς συνόδους (Meetings) τῆς Συνελεύσεως.

*Αρθρον 16.

Αἱ λειτουργίαι τῆς Συνελεύσεως εἶναι :

α) Νὰ ἐκλέγῃ κατὰ πᾶσαν τακτικὴν σύνοδον μεταξὺ τῶν Μελῶν τῆς, οὐχὶ τῶν Μελῶν-Ἐταίρων, τὸν Πρόεδρον αὐτῆς καὶ δύο Ἀντιπροέδρους, οἵτινες κατέχουν τὸ ἀξίωμα τοῦτο μέχρι τῆς προσεχοῦς τακτικῆς συνόδου.

β) Νὰ καθορίζῃ τοὺς ἰδίους τῆς κανόνας διαδικασίας, πλὴν τῶν περιπτώσεων καθ' ἃς προβλέπεται ἄλλως ἐν τῇ Συμβάσει.

γ) Νὰ ἰδρῇ πᾶν προσωρινόν ἢ, τῇ συστάσει τοῦ Συμβουλίου, διαρκές βοηθητικὸν σῶμα ὅπερ ἤθελε κρίνει ἀναγκαῖον.

δ) Νὰ ἐκλέγῃ τὰ Μέλη ἅτινα θὰ τὴν ἀντιπροσωπεύουν εἰς τὸ Συμβούλιον, ὡς προβλέπεται ὑπὸ τοῦ ἄρθρου 17 καὶ εἰς τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας, ὡς προβλέπεται εἰς τὸ ἄρθρον 28.

ε) Νὰ δέχεται καὶ μελετᾷ τὰς ἐκθέσεις τοῦ Συμβουλίου καὶ νὰ ἀποφασίζῃ ἐπὶ παντὸς ζητήματος παραπεμπομένου εἰς αὐτὴν ὑπὸ τοῦ Συμβουλίου.

στ) Νὰ ψηφίζῃ τὸν προϋπολογισμὸν καὶ νὰ καθορίζῃ τὰ οἰκονομικὰ ζητήματα τοῦ Ὁργανισμοῦ, συμφῶνως πρὸς τὸ Μέρος ΙΧ.

ζ) Νὰ ἐλέγχῃ τὰ ἔξοδα καὶ νὰ ἐγκρίνῃ τοὺς λογαριασμοὺς τοῦ Ὁργανισμοῦ.

η) Νὰ ἐκτελῇ τὰς λειτουργίας τοῦ Ὁργανισμοῦ, ὑπὸ τὸν ὅρον ὅπως εἰς ζητήματα σχετικὰ πρὸς τὸ ἄρθρον 3 (α) καὶ (β), ἡ Συνέλευσις παραπέμπῃ τὰ τοιαῦτα ζητήματα εἰς τὸ Συμβούλιον διὰ τὴν διατύπωσιν συστάσεων ἢ ἐγγράφων ἐπ' αὐτῶν. Ἐπίσης ὑπὸ τὸν ὅρον ὅπως πᾶσαι αἱ ὑποβαλλόμεναι εἰς τὴν Συνέλευσιν ὑπὸ τοῦ Συμβουλίου συστάσεις ἢ ἐγγράφα, ἅτινα δὲν ἐγένοντο δεκτὰ παρὰ τῆς Συνελεύσεως, ἐπαναφέρονται εἰς τὸ Συμβούλιον διὰ περαιτέρω ἐξέτασιν μὲ τὰς γενομένας τυχὸν ἐκ μέρους τῆς Συνελεύσεως παρατηρήσεις.

θ) Νὰ συνιστᾷ εἰς τὰ Μέλη τὴν ἀποδοχὴν κανονισμῶν ἀφορῶντων τὴν ναυτικὴν ἀσφάλειαν ἢ τροποποιήσεις τῶν τοιούτων κανονισμῶν, οἵτινες παρεπέμφθησαν εἰς αὐτὴν ὑπὸ τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας μέσῳ τοῦ Συμβουλίου.

ι) Νὰ παραπέμπῃ εἰς τὸ Συμβούλιον πρὸς μελέτην ἢ λήψιν ἀποφάσεων πᾶν ζήτημα ἐντὸς τῶν σκοπῶν τοῦ Ὁργανισμοῦ. Ἐξαιρεῖται ἡ περίπτωσις τοῦ νὰ ποιῇται συστάσεις συμφῶνως πρὸς τὴν παράγραφον (θ) τοῦ παρόντος ἄρθρου, ἡτις ἐνέργεια δὲν δύναται νὰ ἀνατίθεται εἰς ἕτερον ὄργανον.

ΜΕΡΟΣ VI

Τὸ Συμβούλιον.

*Αρθρον 17.

Τὸ Συμβούλιον θὰ ἀποτελῇται ἐκ δεκαεξὶ Μελῶν καὶ θὰ εἶναι συντεθειμένον ὡς ἀκολούθως :

(α) ἑξ ἑσονται Κυβερνήσεις Ἑθνῶν ἐχόντων μέγιστον συμφέρον εἰς τὴν παροχὴν διεθνῶν ναυτιλιακῶν ὑπηρεσιῶν.

(β) ἑξ ἑσονται Κυβερνήσεις ἄλλων Ἑθνῶν ἐχόντων μέγιστον συμφέρον εἰς τὸ διεθνὲς διὰ θαλάσσης μεταφερόμενον (Seaborne) ἐμπόριον.

(γ) δύο ἐκλεγῇσονται ὑπὸ τῆς Συνελεύσεως μεταξὺ τῶν Κυβερνήσεων τῶν Ἑθνῶν τῶν ἐχόντων οὐσιώδεις συμφέρον εἰς τὴν παροχὴν διεθνῶν ναυτιλιακῶν ὑπηρεσιῶν, καὶ

(δ) δύο ἐκλεγῇσονται ὑπὸ τῆς Συνελεύσεως μεταξὺ τῶν Κυβερνήσεων τῶν Ἑθνῶν τῶν ἐχόντων οὐσιώδεις συμφέρον εἰς τὸ διεθνὲς διὰ θαλάσσης μεταφερόμενον ἐμπόριον.

Συμφῶνως πρὸς τὰς ἐκτιθεμένας ἐν τῷ παρόντι ἄρθρῳ ἀρχάς, τὸ πρῶτον Συμβούλιον θὰ ἀποτελεσθῇ ὡς προβλέπεται ἐν τῷ Παραρτήματι Ι τῆς παρούσης Συμβάσεως.

*Αρθρον 18.

Ἐξαιρέσει τῶν προβλεπομένων ἐν τῷ Παραρτήματι Ι τῆς παρούσης Συμβάσεως, τὸ Συμβούλιον θὰ ὑποδείξῃ διὰ τὴν ἐφαρμογὴν τοῦ ἄρθρου 17 (α) τὰ Μέλη-Κυβερνήσεις Ἑθνῶν ἐχόντων μέγιστον συμφέρον διὰ τὴν παροχὴν διεθνῶν ναυτιλιακῶν ὑπηρεσιῶν καὶ θὰ ὑποδείξῃ ἐπίσης, διὰ τὴν ἐφαρμογὴν τοῦ ἄρθρου 17 (γ), τὰ Μέλη-Κυβερνήσεις Ἑθνῶν ἐχόντων οὐσιώδεις συμφέρον εἰς τὴν παροχὴν τοιούτων ὑπηρεσιῶν.

Τοιαῦται ὑποδείξεις θὰ γίνωνται διὰ πλειοψηφίας τοῦ Συμβουλίου συμπεριλαμβανομένων πρὸς κατάρτισιν τῆς πλειοψηφίας τῶν ψήφων τῶν συμπραττόντων Μελῶν τῶν ἀντιπροσωπευομένων ἐν τῷ Συμβουλίῳ συμφῶνως πρὸς τὸ ἄρθρον 17 (α) καὶ (γ).

Τὸ Συμβούλιον θέλει περαιτέρω ὑποδείξῃ διὰ τὴν ἐφαρμογὴν τοῦ ἄρθρου 17 (β) τὰ Μέλη-Κυβερνήσεις τῶν Ἑθνῶν τῶν ἐχόντων μέγιστον συμφέρον εἰς τὸ διεθνὲς διὰ θαλάσσης μεταφερόμενον ἐμπόριον. Ἐκαστὸν Συμβούλιον θὰ προβαίνει εἰς τὰς ὑποδείξεις ταύτας, εἰς λογικὸν χρόνον πρὸ ἐκάστης τακτικῆς συνόδου τῆς Συνελεύσεως.

*Αρθρον 19.

Μέλη ἀντιπροσωπευόμενα εἰς τὸ Συμβούλιον συμφῶνως πρὸς τὸ ἄρθρον 17 θὰ κατέχουν τὸ ἀξίωμα μέχρι τέλους τῆς ἐπομένης τακτικῆς συνόδου τῆς Συνελεύσεως. Τὰ Μέλη εἶναι ἐκλέξιμα πρὸς ἐπανεκλογὴν.

*Αρθρον 20.

(α) Τὸ Συμβούλιον θὰ ἐκλέγῃ τὸν Πρόεδρον αὐτοῦ καὶ θὰ υἱοθετῇ τοὺς κανόνας διαδικασίας του πλὴν τῶν περιπτώσεων δι' ἃς προβλέπεται ἄλλως ἐν τῇ Συμβάσει.

(β) Δώδεκα μέλη τοῦ Συμβουλίου θὰ ἀποτελοῦν ἀπαρτίαν.

(γ) Τὸ Συμβούλιον θὰ συνέρχεται κατόπιν προειδοποιήσεως ἐνὸς μηνὸς ὁσάκις εἶναι ἀναγκαῖον διὰ τὴν ἀποτελεσματικὴν ἐκπλήρωσιν τῶν καθηκόντων του, κατόπιν προσκλήσεως τοῦ Προέδρου τοῦ ἢ τῇ αἰτήσῃ οὐχὶ ὀλιγώτερων τῶν τεσσάρων μελῶν αὐτοῦ. Τοῦτο θὰ συνέρχεται εἰς τὸν τόπον τὸν ὅποιον θὰ κρίνῃ κατάλληλον.

*Αρθρον 21.

Τὸ Συμβούλιον θὰ καλῇ πᾶν Μέλος νὰ συμμετέχῃ, ἄνευ ψήφου, εἰς τὰς συζητήσεις ἐπὶ παντὸς ζητήματος ἀφορῶντος τὸ Μέλος τοῦτο.

*Αρθρον 22.

(α) Τὸ Συμβούλιον θὰ δέχεται τὰς συστάσεις καὶ τὰς ἐκθέσεις τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας, θὰ διαβιβάζῃ αὐτὰς εἰς τὴν Συνέλευσιν καὶ ἐάν ἡ Συνέλευσις δὲν εὐρίσκεται ἐν συνόδῳ εἰς τὰ Μέλη, ἵνα λάβωσι γνῶσιν, συνοδεῦον αὐτὰς μὲ τὰς παρατηρήσεις καὶ συστάσεις του.

(β) Ζητήματα ἀναγόμενα εἰς τοὺς σκοποὺς τοῦ ἄρθρου 29 δὲν θὰ ἐξετάζωνται ὑπὸ τοῦ Συμβουλίου εἰμὴ μόνον κατόπιν ἐκφράσεως τῶν ἀπόψεων τῆς Ἐπιτροπῆς Ναυτικῆς Ἀσφαλείας.

*Αρθρον 23.

Τὸ Συμβούλιον, τῇ ἐγκρίσει τῆς Συνελεύσεως, θὰ ὀνομάζῃ τὸν Γενικὸν Γραμματέα.

Τὸ Συμβούλιον θὰ προβῇ εἰς τὴν ἀναγκαίαν πρόβλεψιν πρὸς τὸν σκοπὸν προσλήψεως τοῦ καταλλήλου προσωπικοῦ καὶ καθορίσει τοὺς ὅρους προσλήψεως τοῦ Γενικοῦ Γραμματέως καὶ τοῦ λοιποῦ προσωπικοῦ, διαπνεόμενον κατὰ τὸ μᾶλλον δυνατὸν ὑπὸ τῶν ἀρχῶν τοῦ Ὁργανισμοῦ τῶν Ἑνωμένων Ἑθνῶν καὶ τῶν Εἰδικευμένων αὐτοῦ Ὁργανισμῶν (Specialized Agencies).

"Αρθρον 24.

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

"Αρθρον 25.

Τὸ Συμβούλιον θὰ ὑποβάλλῃ εἰς τὴν Συνέλευσιν, τὸν προϋπολογισμόν καὶ τοὺς λογαριασμοὺς τοῦ Ὁργανισμοῦ συνοδευόμενους ἀπὸ τὰς παρατηρήσεις καὶ συστάσεις του.

"Αρθρον 26.

Τὸ Συμβούλιον δύναται νὰ συνομολογῇ συμφωνίας ἢ νὰ λαμβάνῃ μέτρα ὡς πρὸς τὰς σχέσεις τοῦ Ὁργανισμοῦ μετὰ ἄλλας ὁργανώσεις, συμφώνως πρὸς τὰς διατάξεις τοῦ Μέρους XII, Αἱ συμφωνίαι καὶ τὰ μέτρα ταῦτα θὰ ὑπόκεινται ὑπὸ τὴν ἐγκρίσιν τῆς Συνελεύσεως.

"Αρθρον 27.

Μεταξὺ δύο συνόδων τῆς Συνελεύσεως, τὸ Συμβούλιον θὰ ἀσκήσῃ τὰς λειτουργίας τοῦ Ὁργανισμοῦ ἐκτὸς τῆς λειτουργίας τοῦ νὰ ποιῇται συστάσεις συμφώνως πρὸς τὸ "Αρθρον 16 (θ).

ΜΕΡΟΣ VII

"Επιτροπὴ Ναυτικῆς Ἀσφαλείας

"Αρθρον 28.

(α) Ἡ "Επιτροπὴ Ναυτικῆς Ἀσφαλείας ἀποτελεῖται ἐκ δεκατεσσάρων μελῶν ἐκλεγομένων ὑπὸ τῆς Συνελεύσεως, μεταξὺ τῶν Μελῶν-Κυβερνήσεων χωρῶν ἔχουσῶν μέγιστον συμφέρον εἰς ζητήματα ναυτικῆς ἀσφαλείας. Ὁκτὼ τοῦλάχιστον ἐκ τῶν χωρῶν τούτων πρέπει νὰ κατέχουν τοὺς μεγαλύτερους ἐμπορικοὺς στόλους. Ἡ ἐκλογή τῶν λοιπῶν δέον νὰ ἐξασφαλίζῃ κατὰλληλον ἀντιπροσώπευσιν μέρους τῶν Μελῶν-Κυβερνήσεων τῶν ἄλλων χωρῶν, αἵτινες ἔχουν οὐσιῶδες ἐνδιαφέρον εἰς ζητήματα ναυτικῆς ἀσφαλείας, ὡς ἐπὶ παραδειγματι τῶν χωρῶν τῶν ὁποίων οἱ ὑπῆκοι ὑπηρετοῦν εἰς μεγάλον ἀριθμὸν ὡς πληρώματα ἢ ἐνδιαφέρονται εἰς τὰς μεταφορὰς μεγάλου ἀριθμοῦ ἐπιβατῶν θέσεων καὶ καταστρώματος ὡς καὶ τῶν χωρῶν τῶν κυριωτέρων γεωγραφικῶν περιοχῶν.

β) Τὰ μέλη τῆς "Επιτροπῆς Ναυτικῆς Ἀσφαλείας ἐκλέγονται διὰ περίοδον τεσσάρων ἐτῶν καὶ εἶναι ἐπανεκλέξιμα.

"Αρθρον 29.

α) Ἡ "Επιτροπὴ Ναυτικῆς Ἀσφαλείας ὀφείλει νὰ ἐξετάζῃ πᾶν ζήτημα ἀναγόμενον εἰς τὴν ἀρμοδιότητα τοῦ Ὁργανισμοῦ, ὡς ἐπὶ παραδειγματι τὰ βοηθήματα ναυσιπλοίας, τὴν ναυπήγησιν καὶ ἐξαρτισμὸν τῶν πλοίων, τὴν ἐπὶ ἀνδρῶν ἀπὸ ἀπόψεως ἀσφαλείας, τοὺς κανονισμοὺς πρὸς ἀποφυγὴν συγκρούσεως, τὸν χειρισμὸν ἐπικινδύνων φορτίων, τοὺς κανονισμοὺς ἀσφαλείας ἐν θαλάσῃ, τὰς ὑδρογραφικὰς πληροφορίας, τὰ ἡμερολόγια πλοίων καὶ τὰ ἐνδιαφέροντα τὴν ναυσιπλοίαν ἔγγραφα, τὰς ἀνακρίσεις ἐπὶ ναυτικῶν ατυχημάτων, τὴν διάσωσιν περιουσίας καὶ προσώπων καθὼς καὶ πᾶν ἄλλο ζήτημα ἔχον ἀμεσον σχέσιν πρὸς τὴν ναυτικὴν ἀσφάλειαν.

β) Ἡ "Επιτροπὴ Ναυτικῆς Ἀσφαλείας θὰ ἐξεύρῃ τρόπον ἵνα φέρῃ εἰς πέρας τὴν ἀποστολὴν ἥτις τῇ ἀνατίθεται ὑπὸ τῆς Συμβάσεως ἢ ὑπὸ τῆς Συνελεύσεως ἢ νὰ ἐκπληρώσῃ τὰ καθήκοντα ἐν τῷ πλαισίῳ τοῦ παρόντος ἀρθροῦ, ἅτινα θὰ τῇ ἀνετίθεντο δι' οἰασδήποτε ἄλλης διακυβερνητικῆς πράξεως.

γ) Ἐχούσα ὑπ' ὄψιν τὰς διατάξεις τοῦ XII Μέρους, ἡ "Επιτροπὴ Ναυτικῆς Ἀσφαλείας ὀφείλει νὰ διατελῇ εἰς στενὰς σχέσεις μετὰ τοὺς ἄλλους διακυβερνητικοὺς Ὁργανισμοὺς οἵτινες ἀσχολοῦνται μετὰ μεταφορὰς καὶ συγκοινωνίας ὑποχρεωμένους νὰ βοηθοῦν τὸν Ὁργανισμόν εἰς τὴν ἐπίτευξιν τοῦ σκοποῦ του διὰ τῆς αὐξήσεως τῆς ἀσφαλείας ἐν θαλάσῃ καὶ τῆς διευκολύνσεως, ἀπὸ ἀπόψεως ἀσφαλείας καὶ διασώσεως, τοῦ συντονισμοῦ τῆς δραστηριότητος εἰς τὸ πεδίον τῆς θαλασσίας ναυσιπλοίας, τῆς ἀεροπορίας, τῆς τηλεπικοινωνίας καὶ τῆς μετεωρολογίας.

"Αρθρον 30

Ἡ "Επιτροπὴ Ναυτικῆς Ἀσφαλείας, μέσω τοῦ Συμβουλίου

(α) θὰ ὑποβάλλῃ εἰς τὴν Συνέλευσιν, κατὰ τὰς τακτικὰς συνόδους προτάσεις τῶν Μελῶν ἐπὶ τῶν κανονισμῶν ἀσφαλείας ἢ τροποποιήσεις τῶν ὑφισταμένων κανονισμῶν ἀσφαλείας καὶ τὰς παρατηρήσεις τῆς καὶ συστάσεις.

(β) θὰ ὑποβάλλῃ ἐκθεσιν εἰς τὴν Συνέλευσιν ἐπὶ τῶν ἐργασιῶν τῆς "Επιτροπῆς ἀπὸ τῆς τελευταίας τακτικῆς συνόδου τῆς Συνελεύσεως.

"Αρθρον 31.

Ἡ "Επιτροπὴ Ναυτικῆς Ἀσφαλείας συνέρχεται ἀπαξ τοῦ ἔτους καὶ εἰς ἄλλας περιστάσεις τῇ αἰτῇσι πέντε ἐκ τῶν μελῶν τῆς. Ἐκλέγει τὸ Προεδρεῖον τῆς καθ' ἐκάστην ἐτήσιαν σύνοδον καὶ ψηφίζει τὸν ἐσωτερικὸν τῆς κανονισμὸν διαδικασίας. Πρὸς συγκρότησιν ἀπαρτίας ἀπαιτεῖται ἡ παρουσία τοῦ ἡμίσεος τῶν Μελῶν πλέον ἑνός.

"Αρθρον 32.

Ἡ "Επιτροπὴ Ναυτικῆς Ἀσφαλείας ὁσάκις ἐξετάζει ζήτημα τι ἀφορῶν ἰδιαίτερος Μέλος τι τοῦ Ὁργανισμοῦ, προσκαλεῖ τοῦτο νὰ λάβῃ μέρος εἰς τὰς συζητήσεις ἀνευ ψήφου.

Μέρος VIII

Γραμματεία.

"Αρθρον 33.

Ἡ Γραμματεία περιλαμβάνει τὸν Γενικὸν Γραμματέα, τὸν Γραμματέα τῆς "Επιτροπῆς Ναυτικῆς Ἀσφαλείας καὶ τὸ προσωπικόν, τοῦ ὁποίου ἔχει ἀνάγκη ὁ Ὁργανισμός. Ὁ Γεν. Γραμματεὺς εἶναι ὁ ἀνώτερος λειτουργὸς τοῦ Ὁργανισμοῦ καὶ ὑπὸ τὴν ἐπιφύλαξιν τῶν διατάξεων τοῦ ἀρθροῦ 23, διορίζει τὸ ὡς ἄνω ἀναφερόμενον προσωπικόν.

"Αρθρον 34.

Ἡ Γραμματεία ὑποχρεοῦται νὰ τηρῇ ἐνήμερα ἅπαντα τὰ ἀρχεῖα διὰ τὴν ἀποτελεσματικὴν ἐκπλήρωσιν τῶν σκοπῶν τοῦ Ὁργανισμοῦ καὶ νὰ προπαρασκευάζῃ, συγκεντρῶνῃ καὶ διανέμῃ τὰ ἔγγραφα, ἡμερησίας διατάξεις, πρακτικὰ καὶ πληροφορίας ἅτινα εἶναι χρήσιμα εἰς τὰς ἐργασίας τῆς Συνελεύσεως, τοῦ Συμβουλίου, τῆς "Επιτροπῆς Ναυτικῆς Ἀσφαλείας καὶ τῶν βοηθητικῶν ὁργάνων ἅτινα ἐνδεχομένως ὁ Ὁργανισμός ἤθελεν ιδρύσει.

"Αρθρον 35.

Ὁ Γεν. Γραμματεὺς καταρτίζει καὶ ὑποβάλλει εἰς τὸ Συμβούλιον τοὺς ἐτήσιους λογαριασμοὺς καθὼς καὶ τὸν Προϋπολογισμόν διετίας δεικνύοντα κεχωρισμένως τὰς προβλέψεις, αἵτινες ἀντιστοιχοῦν εἰς ἕκαστον ἔτος.

"Αρθρον 36.

Ὁ Γεν. Γραμματεὺς εἶναι ὑποχρεωμένος νὰ τηρῇ ἐνήμερα τὰ Μέλη σχετικῶς μετὰ τὴν δρᾶσιν τοῦ Ὁργανισμοῦ. Πᾶν Μέλος δύναται νὰ ὀνομάσῃ ἓνα ἢ περισσοτέρους ἀντιπροσώπους οἵτινες θὰ εὐρίσκωνται εἰς σχέσιν μετὰ τὸν Γενικὸν Γραμματέα.

"Αρθρον 37.

Ἐν τῇ ἐκτελέσει τῶν καθηκόντων των, ὁ Γεν. Γραμματεὺς καὶ τὸ Προσωπικόν δὲν ζητοῦν οὔτε λαμβάνουν ὁδηγίας παρ' οὐδεμιᾶς Κυβερνήσεως ἢ ἄλλης ἀρχῆς ἐκτὸς τοῦ Ὁργανισμοῦ. Ἀπέχουν ἀπὸ πάσης πράξεως ἀσυμβιβάστου πρὸς τὴν ιδιότητα ὡς διεθνῶν λειτουργῶν καὶ δὲν εἶναι ὑπεύθυνοι εἰμὴ μόνον ἀπέναντι τοῦ Ὁργανισμοῦ. Ἐκαστον μέλος τοῦ Ὁργανισμοῦ ὑποχρεοῦται νὰ σέβεται τὸν ἀποκλειστικῶς διεθνή χαρακτῆρα τῶν καθηκόντων τοῦ Γενικοῦ Γραμματέως καὶ τοῦ Προσωπικοῦ καὶ νὰ μὴ ζητῇ νὰ τοὺς ἐπηρεάξῃ ἐν τῇ ἐκτελέσει τῶν καθηκόντων των.

"Αρθρον 38.

Ὁ Γενικός Γραμματεὺς ἀναλαμβάνει πάσας τὰς λοιπὰς λειτουργίας αἵτινες δυνατόν νὰ τῷ ἀνατεθῶσιν ὑπὸ τοῦ Ὁργανισμοῦ, τῆς Συνελεύσεως, τοῦ Συμβουλίου καὶ τῆς "Επιτροπῆς Ναυτικῆς Ἀσφαλείας.

Μέρος ΙΧ

Οικονομικά.

"Αρθρον 39.

"Εκαστον Μέλος αναλαμβάνει την μισθοδοσίαν, τὰ οδοιπορικά καὶ λοιπὰ ἔξοδα τῆς Ἀντιπροσωπείας του ἐν τῇ Συνελεύσει καὶ τῶν ἀντιπροσώπων του παρὰ τῷ Συμβουλίῳ, τῇ Ἐπιτροπῇ Ναυτικῆς Ἀσφαλείας ὡς καὶ παρὰ ταῖς λοιπαῖς Ἐπιτροπαῖς καὶ βοηθητικοῖς ὀργάνοις.

"Αρθρον 40.

Τὸ Συμβούλιον ἐξετάζει τοὺς λογαριασμοὺς καὶ τὰς προβλέψεις τοῦ Προϋπολογισμοῦ, οἵτινες κατηρτίσθησαν παρὰ τοῦ Γ. Γραμματέως καὶ τοὺς ὑποβάλλει εἰς τὴν Συνέλευσιν συνοδευομένους μετὰ τὰς παρατηρήσεις καὶ τὰς συστάσεις του.

"Αρθρον 41.

(α) Ὑπὸ τὴν ἐπιφύλαξιν πάσης συμφωνίας δυναμένης νὰ συνομολογηθῇ μεταξὺ τοῦ Ὄργανισμοῦ καὶ τοῦ Ὄργανισμοῦ τῶν Ἠνωμένων Ἐθνῶν, ἡ Συνέλευσις ἐξετάζει καὶ ἐπικυρώνει τὰς προβλέψεις Προϋπολογισμοῦ.

(β) Ἡ Συνέλευσις κατανέμει τὸ ποσὸν τῶν δαπανῶν μεταξὺ πάντων τῶν Μελῶν συμφώνως πρὸς κλίμακα (SCALE) καταρτιστέαν ὑπ' αὐτῆς λαμβανομένων ὑπ' ὄψιν τῶν προτάσεων τοῦ Συμβουλίου ἐπὶ τοῦ ἀντικειμένου.

"Αρθρον 42.

Πᾶν Μέλος μὴ πληροῦν τὰς οἰκονομικὰς ὑποχρεώσεις του ἀπέναντι τοῦ Ὄργανισμοῦ ἐντὸς προθεσμίας ἐνδὸς ἔτους ἀπὸ τῆς ἡμερομηνίας καθ' ἣν κατέστησαν ἀπαιτηταὶ δὲν ἔχει δικαίωμα ψήφου οὔτε εἰς τὴν Συνέλευσιν, οὔτε εἰς τὸ Συμβούλιον, οὔτε εἰς τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας. Ἡ Συνέλευσις δύναται ἐν τούτοις, ἐὰν τὸ θελήσῃ, νὰ ἄρῃ τὰς διατάξεις ταύτας.

ΜΕΡΟΣ Χ

Ψηφοφορία.

"Αρθρον 43.

Ἡ ψηφοφορία εἰς τὴν Συνέλευσιν, τὸ Συμβούλιον καὶ τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας διέπεται ὑπὸ τῶν ἀκολουθῶν διατάξεων.

(α) Ἐκαστον Μέλος διαθέτει μίαν ψήφον.

(β) Ἐὰν ἡ Σύμβασις ἢ διεθνὴς τις συμφωνία, παρέχουσα δικαιώματα εἰς τὴν Συνέλευσιν, τὸ Συμβούλιον ἢ τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας δὲν προβλέπῃ ἄλλως, αἱ ἀποφάσεις τῶν ὀργάνων τούτων λαμβάνονται κατὰ πλειοψηφίαν, τῶν παρόντων καὶ ψηφίζοντων Μελῶν, ὡσάκις δὲ ἀπαιτεῖται πλειοψηφία τῶν δύο τρίτων, κατὰ πλειοψηφίαν τῶν δύο τρίτων τῶν παρόντων καὶ ψηφίζοντων Μελῶν.

(γ) Διὰ τοὺς σκοποὺς τῆς παρούσης Συμβάσεως, ἡ ἔκφρασις «Μέλη παρόντα καὶ ψηφίζοντα» σημαίνει «Μέλη παρόντα καὶ ὑπερψηφίζοντα ἢ καταψηφίζοντα». Τὰ Μέλη, ἅτινα ἀπέχουν θεωροῦνται ὡς μὴ ψηφίζοντα.

ΜΕΡΟΣ ΧΙ

"Ἐδρα τοῦ Ὄργανισμοῦ.

"Αρθρον 44.

(α) Ἐδρα τοῦ Ὄργανισμοῦ ὀρίζεται τὸ Λονδίνον.

(β) Ἐὰν καταστῇ ἀναγκαῖον, ἡ Συνέλευσις δύναται, μετὰ πλειοψηφίαν τῶν δύο τρίτων, νὰ ὀρίσῃ τὴν ἔδραν τοῦ Ὄργανισμοῦ ἄλλαχού.

(γ) Ἐὰν τὸ Συμβούλιον τὸ κρίνῃ ἀναγκαῖον, ἡ Συνέλευσις δύναται, νὰ συνέλθῃ εἰς πᾶν ἄλλο μέρος ἐκτὸς τῆς ἔδρας.

ΜΕΡΟΣ ΧΙΙ

Σχέσεις μετὰ τὰ Ἠνωμ. Ἐθνη καὶ τοὺς ἄλλους Ὄργανισμούς.

"Αρθρον 45.

Ἡ σχέσις καὶ ἡ σύνδεσις τοῦ Ὄργανισμοῦ πρὸς τὸν Ο.Η.Ε. συμφώνως πρὸς τὸ ἀρθρον 57 τοῦ Καταστατικοῦ Χάρτου τῶν Η.Ε. ἔσεται σχέσις Ὄργανισμοῦ εἰδικοῦ εἰς τὸν τομέα τῆς ναυτιλίας. Αἱ σχέσεις θέλουσι καθορισθῇ διὰ συμφωνίας συνομολογηθεμένης μετὰ τοῦ Ο.Η.Ε., δυνάμει τοῦ ἀρθρου 63 τοῦ Χάρτου τῶν Η.Ε. καὶ κατὰ τὰς διατάξεις τοῦ ἀρθρου 26 τῆς Συμβάσεως.

"Αρθρον 46.

Ἐπὶ ζητημάτων κοινοῦ ἐνδιαφέροντος διὰ τὸν Ὄργανισμὸν καὶ τοὺς εἰδικευμένους ὀργανισμοὺς τῶν Ἠνωμένων Ἐθνῶν, ὁ Ὄργανισμὸς θὰ συνεργασθῇ μετὰ τοὺς ὀργανισμοὺς αὐτοὺς θὰ προβῇ εἰς τὴν ἐξέτασιν τῶν ζητημάτων τούτων καὶ θὰ λάβῃ ἐπὶ τοῦ προκειμένου μέτρα ἀπὸ κοινοῦ μετὰ τῶν εἰδικευμένων τούτων ὀργανισμῶν.

"Αρθρον 47.

Διὰ πᾶν ζήτημα ἀναγόμενον εἰς τὴν ἀρμοδιότητά του, ὁ Ὄργανισμὸς δύναται νὰ συνεργασθῇ μετὰ ἄλλας ὀργανώσεις διακυβερνητικὰς αἰτινες, χωρὶς νὰ εἶναι εἰδικευμένοι ὀργανισμοὶ τῶν Ἠνωμένων Ἐθνῶν, ἔχουσι συμφέροντα καὶ δρασίμους (Activities) σχέσιν ἔχοντα πρὸς τοὺς σκοποὺς τοὺς ὁποίους ἐπιδιώκει ὁ Ὄργανισμός.

"Αρθρον 48.

Ὁ Ὄργανισμὸς δύναται νὰ προβῇ εἰς τὰς ἀναγκαῖας ἐνεργείας πρὸς τὸν σκοπὸν συνεργασίας μετὰ τῶν διεθνῶν ὀργανώσεων, οὐχὶ διακυβερνητικῶν, ἐπὶ παντὸς ζητήματος ἀναγομένου εἰς τοὺς σκοποὺς του.

"Αρθρον 49.

Ὑπὸ τὴν ἐπιφύλαξιν τῆς ἐγκρίσεως ὑπὸ τῆς Συνελεύσεως, κατὰ πλειοψηφίαν τῶν δύο τρίτων τῶν ψήφων, ὁ Ὄργανισμὸς ἐξουσιοδοτεῖται νὰ ἀναλάβῃ παρ' ὅλων τῶν ἄλλων διεθνῶν ὀργανισμῶν, κυβερνητικῶν καὶ μὴ, τὰς λειτουργίας, πόρους καὶ ὑποχρεώσεις ἐντὸς τῶν σκοπῶν αὐτοῦ, αἰτινες ἤθελον μεταβιβασθῇ εἰς αὐτὸν δυνάμει διεθνῶν συμφωνιῶν ἢ συνεννοήσεων ἱκανοποιητικῶν δι' ἀμφοτέρω τὰ μέρη καὶ ὑπογραφισῶν παρὰ τῶν ἀρμοδίων ἀρχῶν τῶν ἐνδιαφερομένων ὀργανισμῶν. Ἐπίσης ὁ Ὄργανισμὸς δύναται νὰ ἀναλάβῃ πάσας τὰς διοικητικὰς λειτουργίας, ἐντὸς τῶν σκοπῶν του, αἰτινες ἀνετέθησαν εἰς Κυβερνήσιν τινα, δυνάμει διεθνῶν ἐγγράφων.

ΜΕΡΟΣ ΧΙΙΙ

Νομικὴ ιδιότης, προνόμια καὶ ἀτέλεια.

"Αρθρον 50.

Ἡ νομικὴ ιδιότης καθὼς καὶ τὰ προνόμια καὶ αἱ ἀτέλεια αἰτινες θέλουσιν ἀναγνωρισθῇ εἰς τὸν Ὄργανισμὸν ἢ ἤθελον παραχωρηθῇ λόγῳ τῆς ὑπάρξεώς του, καθορίζονται εἰς τὴν Γενικὴν Σύμβασιν προνομίων καὶ ἀτελειῶν τῶν εἰδικευμένων ὀργανισμῶν, ἡτις ἐνεκρίθη παρὰ τῆς Γενικῆς Συνελεύσεως τῶν Ἠνωμένων Ἐθνῶν κατὰ τὴν 21 Νοεμβρίου 1947 καὶ διέπονται ὑπὸ ταύτης (τῆς Συμβάσεως), ὑπὸ τὴν ἐπιφύλαξιν τῶν τροποποιήσεων αἰτινες δυνατόν νὰ ἐπενεχθῶσιν εἰς τὸ τελικὸν ἢ τροποποιημένον κείμενον, τοῦ Παραρτήματος ὕπερ θέλει ἐγκριθῇ ὑπὸ τοῦ Ὄργανισμοῦ συμφώνως πρὸς τὰ Μέρη (Sections) 36 καὶ 38 τῆς εἰρημένης Γενικῆς Συμβάσεως.

"Αρθρον 51.

Πᾶν Μέλος ὑποχρεοῦται νὰ ἐφαρμόσῃ τὰς διατάξεις τοῦ Παραρτήματος II τῆς παρούσης Συμβάσεως, ἐφ' ὅσον δὲν προσεχώρησεν εἰς τὴν Γενικὴν Σύμβασιν ὅσον ἀφορᾷ τὸν Ὄργανισμὸν.

ΜΕΡΟΣ ΧΙV

Τροποποιήσεις.

"Αρθρον 52.

Τὰ κείμενα τῶν προτεινομένων τροποποιήσεων τῆς Συμβάσεως θὰ κοινοποιοῦνται ὑπὸ τοῦ Γενικοῦ Γραμματέως εἰς τὰ Μέλη τουλάχιστον ἕξ μῆνας πρὸ τῆς ἐξετάσεώς των παρὰ τῆς Συνελεύσεως. Αἱ τροποποιήσεις θὰ γίνονται ἀποδεκταὶ διὰ πλειοψηφίας τῶν δύο τρίτων τῶν ψήφων τῆς Συνελεύσεως, συμπεριλαμβανομένων ἐκεῖνων τῆς πλειοψηφίας τῶν ἀντιπροσωπευομένων ἐν τῷ Συμβουλίῳ Μελῶν. Δώδεκα μῆνας μετὰ τὴν ἀποδοχὴν τῆς ὑπὸ τῶν δύο τρίτων τῶν Μελῶν τοῦ Ὄργανισμοῦ—οὐχὶ τῶν Μελῶν—Ἐταίρων—ἐκάστη τροποποίησις θέλει τεθῇ ἐν ἰσχύϊ διὰ πάντα τὰ Μέλη ἐκτὸς δι' ἐκεῖνα τὰ ὁποῖα, προτοῦ τεθῇ ἐν ἰσχύϊ, θὰ δηλώσουν ὅτι δὲν δέχονται τὴν τροποποίησιν. Ἡ Συνέλευσις δύναται διὰ πλειοψηφίας τῶν δύο τρίτων νὰ καθορίσῃ κατὰ τὸν χρόνον τῆς ἀποδο-

χής-της, ότι τροποποιήσις της είναι τιαύτης φύσεως ὥστε πᾶν Μέλος ὑπερ ἔκαμε τὴν ἀνωτέρω δήλωσιν καὶ τὸ ὁποῖον δὲν δέχεται τὴν τροποποίησιν ἐντὸς προθεσμίας δώδεκα μηνῶν ἀφ' οὗ ἡ τροποποίησις ἐτέθη ἐν ἰσχύι, θὰ παύσῃ, μετὰ τὴν λήξιν τῆς προθεσμίας ταύτης, νὰ ἀποτελῇ Μέλος τῆς Συμβάσεως.

Ἄρθρον 53.

Πᾶσα τροποποίησις γενομένη δεκτὴ συμφώνως πρὸς τὸ ἄρθρον 52 θὰ κατατεθῇ παρὰ τῷ Γεν. Γραμματεῖ τῶν Ἑνωμένων Ἐθνῶν, ὅστις θὰ κοινοποιῇ ἄνευ καθυστέρησεως ἀντίγραφον τῆς τροποποιήσεως εἰς πάντα τὰ Μέλη.

Ἄρθρον 54.

Ἡ δήλωσις ἢ ἀποδοχὴ συμφώνως πρὸς τὸ ἄρθρον 52 θὰ γίνεται διὰ κοινοποιήσεως ἐγγράφου πρὸς τὸν Γεν. Γραμματέα διὰ νὰ κατατεθῇ παρὰ τῇ Γεν. Γραμματεῖα τῶν Ἑνωμένων Ἐθνῶν. Ὁ Γεν. Γραμματεὺς θὰ ἀναγγέλλῃ εἰς τὰ Μέλη τὴν λήξιν παντὸς τοιοῦτου ἐγγράφου καὶ τὴν ἡμερομηνίαν τῆς θέσεως ἐν ἰσχύι τῆς τροποποιήσεως.

Μέρος XV

Ἑρμηνεία.

Ἄρθρον 55.

Πᾶν ζήτημα ἢ διαφωνία ἀναφυομένη ἀναφορικῶς πρὸς τὴν ἑρμηνείαν ἢ τὴν ἐφαρμογὴν τῆς Συμφωνίας ὑποβάλλεται πρὸς λύσιν εἰς τὴν Συνέλευσιν ἢ ἐπιλύεται καθ' ὅν ἄλλον τρόπον ἠθελον συμφωνήσῃ τὰ διαφωνοῦντα μέλη. Οὐδὲν ἐν τῷ παρόντι Ἄρθρῳ θέλει ἐμποδίσῃ τὸ Συμβούλιον καὶ τὴν Ἐπιτροπὴν Ναυτικῆς Ἀσφαλείας νὰ λύσουν πᾶν τοιοῦτον ἐγερθισόμενον ζήτημα ἢ διαφωνίαν κατὰ τὸ διάστημα τῆς ἀσκήσεως τῶν καθηκόντων των.

Ἄρθρον 56.

Πᾶν νομικὸν ζήτημα μὴ διακανονιζόμενον συμφώνως πρὸς τὸ ἄρθρον 55 θὰ παραπέμπηται ὑπὸ τοῦ Ὁργανισμοῦ εἰς τὸ Διεθνὲς Δικαστήριον πρὸς γνωμοδότησιν συμφώνως πρὸς τὸ ἄρθρον 96 τοῦ Χάρτου τῶν Ἑνωμένων Ἐθνῶν.

Μέρος XVI

Διάφοροι διατάξεις.

Ἄρθρον 57.

Υπογραφή καὶ Ἀποδοχή.

Συμφώνως πρὸς τὰς διατάξεις τοῦ Μέρους III ἡ παροῦσα Σύμβασις θὰ παραμείνῃ ἀνοικτὴ πρὸς ὑπογραφήν ἢ ἀποδοχὴν καὶ τὰ Κράτη δύνανται νὰ γίνουν Μέλη τῆς Συμβάσεως.

(α) Δι' ὑπογραφῆς ἄνευ ἐπιφυλάξεως ὅσον ἀφορᾷ τὴν ἀποδοχὴν

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

(γ) Δι' ἀποδοχῆς.

Ἡ ἀποδοχὴ θὰ πραγματοποιηθῇ διὰ τῆς κατάθεσεως ἐγγράφου παρὰ τῷ Γεν. Γραμματεῖ τῶν Ἑνωμένων Ἐθνῶν.

Ἄρθρον 58.

Ἑδαφικαὶ Περιοχαὶ (TERRITORIES).

(α) Τὰ Μέλη δύνανται εἰς πᾶσαν στιγμὴν νὰ ὑποβάλουν δήλωσιν ὅτι ἡ συμμετοχὴ των ἐν τῇ Συμβάσει περιλαμβάνει ἅπαντα ἢ ὁμάδα ἢ μόνον ἐν τῶν ἐδαφῶν διὰ τὰς διεθνεῖς σχέσεις τῶν ὁποίων εἶναι ὑπεύθυνα.

(β) Ἡ Σύμβασις δὲν ἐφαρμόζεται ἐπὶ τῶν ἐδαφῶν διὰ τὰς διεθνεῖς σχέσεις τῶν ὁποίων τὰ Μέλη εἶναι ὑπεύθυνα ἐκτὸς ἐὰν γίνῃ δήλωσις πρὸς τὸν σκοπὸν αὐτόν, διὰ λογαριασμὸν τούτων, συμφώνως πρὸς τὰς διατάξεις τῆς παραγράφου (α) τοῦ παρόντος ἁρθροῦ.

(γ) Πᾶσα δήλωσις γενομένη συμφώνως πρὸς τὴν παράγραφον (α) τοῦ παρόντος ἁρθροῦ θὰ κοινοποιῇται πρὸς τὸν Γεν. Γραμματέα τῶν Ἑνωμένων Ἐθνῶν καὶ ἀντίγραφον ταύτης θὰ διαβιβάζεται παρ' αὐτοῦ εἰς πάντα τὰ Κράτη τὰ προσκληθέντα εἰς τὴν Ναυτιλιακὴν Διάσκεψιν τῶν

Ἑνωμ. Ἐθνῶν, καὶ εἰς τὰ λοιπὰ Κράτη τὰ ὁποῖα εἰς τὸ μέλλον θὰ ἐγίνοντο Μέλη.

(δ) Ἐν περιπτώσει καθ' ἣν συμφώνως πρὸς Σύμφωνον Κηδεμονίας τὰ Ἑνωμένα Ἐθνη εἶναι ἢ Διοικοῦσα Ἀρχὴ ὀρισμένων ἐδαφῶν, τὰ Ἑνωμένα Ἐθνη δύνανται νὰ δεχθῶν τὴν Σύμβασιν διὰ λογαριασμὸν ἐνός, πλειόνων, ἢ ὅλων τῶν ὑπὸ κηδεμονίαν ἐδαφῶν συμφώνως πρὸς τὴν διαδικασίαν τὴν περιγραφομένην ἐν τῷ ἁρθρῷ 57.

Ἄρθρον 59.

Ἀποχώρησις

(α) Πᾶν Μέλος δύναται νὰ ἀποχωρήσῃ τοῦ Ὁργανισμοῦ δι' ἐγγράφου δηλώσεως πρὸς τὸν Γεν. Γραμματέα τῶν Ἑνωμ. Ἐθνῶν, ὅστις ἀμέσως θέλει εἰδοποιῇ τὰ λοιπὰ Μέλη καὶ τὸν Γεν. Γραμματέα τοῦ Ὁργανισμοῦ περὶ τῆς τοιαύτης εἰδοποιήσεως. Δήλωσις ἀποχωρήσεως δύναται νὰ δοθῇ εἰς πάντα χρόνον μετὰ τὴν ἐκπνοὴν περιόδου δώδεκα μηνῶν ἀπὸ τῆς ἡμερομηνίας καθ' ἣν ἡ Σύμβασις ἐτέθη ἐν ἰσχύι. Ἡ ἀποχώρησις θὰ ἰσχύῃ ἅμα τῇ ἐκπνοῇ τῶν δώδεκα μηνῶν ἀφ' ἧς ἡμερομηνίας ἡ γραπτὴ δήλωσις ἐλήφθη ὑπὸ τοῦ Γεν. Γραμματέως τῶν Ἑνωμένων Ἐθνῶν.

(β) Ἡ ἐφαρμογὴ τῆς Συμβάσεως εἰς ἐδάφος τι ἢ ὁμάδα ἐδαφῶν συμφώνως πρὸς τὸ ἄρθρον 58 δύναται νὰ τερματισθῇ ὅποτεδήποτε διὰ γραπτῆς δηλώσεως ἀπευθυνομένης πρὸς τὸν Γ. Γραμματέα τῶν Ἑνωμένων Ἐθνῶν ὑπὸ τοῦ ὑπευθύνου διὰ τὰς διεθνεῖς σχέσεις τῶν Μέλους ἢ ὑπὸ τῶν Ἑνωμ. Ἐθνῶν ἐν περιπτώσει ἐδάφους ὑπὸ κηδεμονίας, τοῦ ὁποῖου ἢ Διοικοῦσα Ἀρχὴ εἶναι τὰ Ἑνωμένα Ἐθνη. Ὁ Γεν. Γραμματεὺς τῶν Ἑνωμ. Ἐθνῶν θὰ εἰδοποιῇ ἀμέσως ἅπαντα τὰ Μέλη καὶ τὸν Γεν. Γραμματέα τοῦ Ὁργανισμοῦ περὶ τῆς τοιαύτης δηλώσεως. Ἡ δήλωσις θὰ ἰσχύῃ ἅμα τῇ ἐκπνοῇ τῶν δώδεκα μηνῶν ἀφ' ἧς ἡμερομηνίας ἐλήφθη ὑπὸ τοῦ Γεν. Γραμματέως τῶν Ἑνωμ. Ἐθνῶν.

ΜΕΡΟΣ XVII

Θέσις ἐν ἰσχύι

Ἄρθρον 60.

Ἡ παροῦσα Σύμβασις θὰ τεθῇ ἐν ἰσχύι τὴν ἡμέραν καθ' ἣν 21 Κράτη, ἐξ ὧν 7 κατέχουν ἕκαστον ὀλικὴν χωρητικότητα ναυτιλίας οὐχὶ μικροτέραν τοῦ 1.000.000 τόνων ὀλικῆς χωρητικότητος, θὰ γίνουν Μέλη τῆς Συμβάσεως συμφώνως πρὸς τὸ ἄρθρον 57.

Ἄρθρον 61.

Ὁ Γενικὸς Γραμματεὺς τῶν Ἑνωμένων Ἐθνῶν θὰ εἰδοποιῇ ἅπαντα τὰ Κράτη τὰ προσκληθέντα εἰς τὴν Ναυτιλιακὴν Διάσκεψιν τῶν Ἑνωμένων Ἐθνῶν καὶ πᾶν ἄλλο Κράτος, τὸ ὁποῖον εἰς τὸ μέλλον θὰ ἐγίνετο Μέλος, περὶ τῆς ἡμερομηνίας καθ' ἣν ἕκαστον Κράτος ἐγένετο Μέλος τῆς Συμβάσεως καθὼς ἐπίσης καὶ περὶ τῆς ἡμερομηνίας καθ' ἣν ἡ Σύμβασις θὰ τεθῇ ἐν ἰσχύι.

Ἄρθρον 62.

Ἡ παροῦσα Σύμβασις, ἧς τὸ Ἀγγλικόν, Γαλλικόν καὶ Ἰσπανικόν κείμενον εἶναι ἐξ ἴσου αὐθεντικά, θὰ κατατεθῇ παρὰ τῷ Γεν. Γραμματεῖ τῶν Ἑνωμ. Ἐθνῶν, ὁ ὁποῖος θὰ διαβιβάζῃ κεκυρωμένα ἀντίγραφα τούτων πρὸς πᾶν Κράτος προσκληθὲν εἰς τὴν Ναυτιλιακὴν Διάσκεψιν τῶν Ἑνωμ. Ἐθνῶν καὶ πρὸς πᾶν ἄλλο Κράτος ὅπερ εἰς τὸ μέλλον θὰ ἐγίνετο Μέλος.

Ἄρθρον 63.

Ὁ Ὁργανισμὸς Ἑνωμ. Ἐθνῶν ἐξουσιοδοτεῖται νὰ προβῇ εἰς τὴν καταχώρησιν τῆς Συμβάσεως μόνις τεθῇ αὕτη ἐν ἰσχύι.

Εἰς ΠΙΣΤΩΣΙΝ ΤΩΝ ΑΝΩΤΕΡΩ οἱ κάτωθι ὑπογεγραμμένοι ὄντες, δεόντως ἐξουσιοδοτημένοι ἀπὸ τῶν οἰκείων

των Κυβερνήσεων πρὸς τὸν σκοπὸν τοῦτον, ὑπέγραψαν τὴν παροῦσαν Σύμβασιν.

Ἐγένετο ἐν Γενεύῃ τῇ 6 Μαρτίου 1948.

ΠΑΡΑΡΤΗΜΑ Ι.

(ἀναφερόμενον εἰς τὸ ἄρθρον 17)

Σύνθεσις τοῦ πρώτου Συμβουλίου

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

(α) Τὰ ἑξ ἑξ μὲλη κατὰ τὸ ἄρθρον 17 (α) ἔσονται :

Ἑλλάς	Σουηδία
Ὁλλανδία	Ἡνωμ. Βασίλειον
Νορβηγία	Ἡνωμ. Πολιτεῖαι

(β) Τὰ ἑξ Μέλη κατὰ τὸ ἄρθρον 17 (β) ἔσονται :

Ἀργεντινὴ	Καναδᾶς
Αὐστραλία	Γαλλία
Βέλγιον	Ἰνδία

(γ) Δύο Μέλη θὰ ἐκλεγῶσιν ὑπὸ τῆς Συνελεύσεως, κατὰ τὸ ἄρθρον 17 (γ) ἀπὸ πίνακα καταρτισθησόμενον ὑπὸ τῶν ἑξ ἀναφερομένων ἐν τῇ παραγράφῳ (α) τοῦ παρόντος Παραρτήματος Μελῶν.

(δ) Δύο Μέλη θὰ ἐκλεγῶσιν ὑπὸ τῆς Συνελεύσεως συμφώνως πρὸς τὸ ἄρθρον 17 (δ) μεταξὺ τῶν Μελῶν τῶν ἔχοντων οὐσιῶδες ἐνδιαφέρον εἰς τὸ διεθνὲς διὰ θαλάσσης μεταφερόμενον ἐμπόριον.

ΠΑΡΑΡΤΗΜΑ ΙΙ.

(ἀναφερόμενον εἰς τὸ ἄρθρον 51)

Νομικὴ Ἰδιότης, Προνόμια καὶ Ἀτέλειαι

Αἱ ἀκόλουθοι διατάξεις ἐπὶ τῆς Νομικῆς ἰδιότητος, προνομίων καὶ ἀτελειῶν θὰ ἐφαρμόζωνται ὑπὸ τῶν Μελῶν ἐν σχέσει μὲ τὸν Ὄργανισμὸν ἐν ἀναμονῇ τῆς προσχωρήσεώς των εἰς τὴν Γεν. Σύμβασιν Προνομίων καὶ Ἀτελειῶν τῶν εἰδικευμένων ὁργανισμῶν.

Τμῆμα Ι. Ὁ Ὄργανισμὸς θὰ ἀπολαύῃ ἐν τῷ ἐδάφει ἐκάστου τῶν Μελῶν τοῦ τοιαύτην νομικὴν ἰδιότητα ὅση εἶναι ἀναγκαία διὰ τὴν ἐκπλήρωσιν τῶν σκοπῶν του καὶ τὴν ἀσκήσιν τῶν λειτουργιῶν του.

Τμῆμα 2. (α). Ὁ Ὄργανισμὸς θὰ ἀπολαύῃ εἰς τὸ ἔδαφος τῶν Μελῶν τοῦ τοιαῦτα προνόμια καὶ ἀτελείας ὅσαι

εἶναι ἀναγκαῖαι διὰ τὴν ἐκπλήρωσιν τῶν σκοπῶν του καὶ τὴν ἀσκήσιν τῶν λειτουργιῶν του.

β) Οἱ Ἀντιπρόσωποι τῶν Μελῶν συμπεριλαμβανομένων τῶν ἀναπληρωματικῶν καὶ συμβούλων, καὶ ἀνωτέρων ὑπαλλήλων καὶ ὑπαλλήλων τοῦ Ὄργανισμοῦ, θέλουν ἐπίσης ἀπολαύει τῶν προνομίων καὶ ἀτελειῶν ὅσαι εἶναι ἀναγκαῖαι διὰ τὴν ἀνεξάρτητον ἀσκήσιν τῶν καθηκόντων των ἐν σχέσει μὲ τὸν Ὄργανισμὸν.

Τμῆμα 3. Ἐν τῇ ἐφαρμογῇ τῶν διατάξεων τῶν Τμημάτων 1 καὶ 2 τοῦ παρόντος Παραρτήματος, τὰ Μέλη θὰ λάβουν ὑπ' ὄψιν, ἐφ' ὅσον εἶναι δυνατὸν, τὰς καθιερωμένας διατάξεις τῆς Γεν. Συμβάσεως ἐπὶ τῶν Προνομίων καὶ Ἀτελειῶν τῶν Εἰδικευμένων Ὄργανισμῶν.

Ἀρθρον 2.

1. Ἀρμόδιον Ὑπουργεῖον διὰ τὴν παρακολούθησιν καὶ ἐφαρμογὴν τῆς Συμβάσεως ὀρίζεται τὸ Ὑπουργεῖον Ἐμπορικῆς Ναυτιλίας.

2. Ἡ δαπάνη συμμετοχῆς τῆς Ἑλλάδος εἰς τὰ ἔξοδα τοῦ Διακυβερνητικοῦ Ναυτιλιακοῦ Συμβουλευτικοῦ Ὄργανισμοῦ (Δ.Ν.Σ.Ο.) περὶ ὧν τὰ ἄρθρα 39-42 τῆς Συμβάσεως βαρύνει τὸν προϋπολογισμὸν τοῦ Ὑπουργείου Ἐμπορικῆς Ναυτιλίας εἰς ὃν ἐγγράφεται ἐτησίως ἡ οἰκεία πίστωσις.

Ἐν Ἀθήναις τῇ 29 Ὀκτωβρίου 1949.

ΠΑΥΛΟΣ

Β.

Τὸ Ὑπουργικὸν Συμβούλιον

Ὁ Πρόεδρος

ΑΛΕΞΑΝΔΡΟΣ ΔΙΟΜΗΔΗΣ

Τὰ Μέλη

Π. ΚΑΝΕΛΛΟΠΟΥΛΟΣ, Γ. ΜΕΛΑΣ, ΣΤ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ, Φ. ΖΑΓΜΗΣ, Κ. ΡΕΝΤΗΣ, ΣΤ. ΝΙΚΟΛΑΪΔΗΣ, Δ. ΒΟΥΡΔΟΥΜΠΑΣ, Π. ΧΑΤΖΗΠΑΝΟΣ, ΧΡ. ΓΟΥΛΟΠΟΥΛΟΣ, ΕΥΑΓΓ. ΑΒΕΡΩΦ, ΕΜΜΑΝ. ΜΑΡΙΝΑΚΗΣ, ΕΜΜ. ΛΟΥΛΑΚΑΚΗΣ, ΑΡ. ΠΡΩΤΟΠΑΠΑΔΑΚΗΣ, Μ. ΜΑΥΡΟΓΟΡΔΑΤΟΣ.

Ἐθεωρήθη καὶ ἐτέθη ἡ Μεγάλη τοῦ Κράτους σφραγίς.

Ἐν Ἀθήναις τῇ 29 Ὀκτωβρίου 1949.

Ὁ ἐπὶ τῆς Δικαιοσύνης Ὑπουργὸς

Γ. ΜΕΛΑΣ