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**UNITED NATIONS
(OFFICE OF THE UNITED NATIONS
DISASTER RELIEF CO-ORDINATOR)
and
INTER-GOVERNMENTAL MARITIME
CONSULTATIVE ORGANIZATION**

Memorandum of understanding on the harmonization of the activities of IMCO and UNDRO in the prevention, control and handling of maritime disasters. Signed at London on 17 March 1978

Authentic text: English.

Filed and recorded by the Secretariat on 17 March 1978.

**ORGANISATION DES NATIONS UNIES
(BUREAU DU COORDONNATEUR
DES NATIONS UNIES POUR LES SECOURS
EN CAS DE CATASTROPHE)**

et

**ORGANISATION INTERGOUVERNEMENTALE
CONSULTATIVE DE LA NAVIGATION MARITIME**

Mémorandum d'accord sur l'harmonisation des activités de l'OMCI et du Bureau du Coordonnateur des Nations Unies pour les secours en cas de catastrophe concernant les mesures de prévention, de lutte et de secours en cas de catastrophes maritimes. Signé à Londres le 17 mars 1978

Texte authentique : anglais.

Classé et inscrit au répertoire par le Secrétariat le 17 mars 1978.

MEMORANDUM OF UNDERSTANDING¹ BETWEEN THE SECRETARY-GENERAL OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION AND THE UNITED NATIONS DISASTER RELIEF CO-ORDINATOR

The Secretary-General of the Inter-Governmental Maritime Consultative Organization (IMCO) and the United Nations Disaster Relief Co-ordinator,

Recalling paragraph 3 of article IV and paragraph 1 of article XVI of the Agreement signed in February 1959² between the United Nations and IMCO by which IMCO affirmed its intention of co-operating in measures necessary for the effective co-ordination of the activities of the Specialized Agencies with those of the United Nations, and both Parties agreed to take these and other measures necessary to make liaison between them fully effective;

Noting the mandate and functions assigned to the United Nations Disaster Relief Co-ordinator (UNDRO) by General Assembly Resolution 2816 (XXVI);³

Having determined that the common objectives of IMCO and UNDRO in the prevention, control and handling of maritime disasters will be materially advanced by the harmonization of the activities of IMCO and UNDRO in this field;

Have agreed on the following arrangements:

1. *Disaster-related activities in which UNDRO and IMCO will co-operate*

(i) *Disaster prevention*

(a) UNDRO through its programme of technical advisory missions in disaster prevention will, whenever appropriate, urge Governments of Member States to accept and implement international conventions (and amendments thereto) concerned with the safety of human life at sea and with the protection of the marine environment. At the request of a Government or of UNDRO, IMCO will endeavour, within such resources as may be available to it for this purpose, to provide or assist in providing expert advice specifically needed to enable a Government to comply with these conventions.

(b) Subject to the wishes of the Government or Governments concerned, UNDRO will be provided with the opportunity to advise on IMCO projects involving planning, construction or expansion of port facilities, particularly with regard to the use of composite risk analysis for site selection purposes and the need to ensure, as far as practicable, compliance with building standards appropriate to the risks.

(ii) *Disaster preparedness*

(a) In the disaster preparedness activities of UNDRO, technical co-operation missions are sent to disaster-prone countries to give advice to Governments on the establishment or improvement of disaster relief machinery, the formulation of emergency plans, the training of personnel, and other measures which should be taken in advance of a disaster. Where there is determined to be a risk that maritime disasters might affect a country (whether or not that country is otherwise disaster prone) IMCO will, at the request of the Government or of UNDRO, provide or assist in procuring advice on the special precautions which should be taken. The maritime disasters referred to in this paragraph include those likely to affect ships in port, such as accidents to nuclear-powered vessels, and explosions caused by mishandling of dangerous cargoes, and those likely to affect

¹ Came into force on 17 March 1978 by signature, in accordance with paragraph 7.

² United Nations, *Treaty Series*, vol. 324, p. 273.

³ United Nations, *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 29 (A/8429)*, p. 85.

ships or marine installations in port or at sea, such as accidents resulting in oil spillage from ships or from off-shore oil production platforms.

(b) In the context of disaster preparedness, and of UNDRO's role as a co-ordinating body, and subject to the wishes of the Government or Governments concerned, IMCO will provide UNDRO with appropriate information on national or regional arrangements for co-operation to combat pollution in cases of emergency, operated wholly or partly by IMCO.

(c) In the context of its work in the field of facilitation of maritime traffic, IMCO will, at the request of UNDRO, take such steps as may be appropriate to promote acceptance by its Member States of Annex F.5 to the International Convention on the Simplification and Harmonization of Customs Procedures¹ which relates to urgent consignments of goods and particularly to relief consignments sent in the event of disasters.

(d) IMCO will co-operate with UNDRO in establishing a list of experts who will be available at short notice, at the request of a Government of a disaster-stricken country or of UNDRO, to advise and assist in relief operations following maritime disasters and, in the case of those or other disasters, to assist in the organization of mass evacuation of persons by ship, in loading and unloading and carriage of relief goods to and from the affected area, and in search and rescue operations.

(iii) *Disaster relief*

After a maritime disaster IMCO and UNDRO will co-operate with respect to relief assistance. IMCO will, at the request of a Government or of UNDRO, assist in providing or procuring advice on the use of pollution control equipment and the disposition of coastal defence teams should they be required, and advise on the possibilities of and necessity for intergovernmental co-operation in pollution emergencies.

2. *Requests for disaster relief assistance*

(i) Requests received by UNDRO from Governments of stricken countries for assistance following disasters are regarded as having been addressed to the United Nations system in general. Should a request be made to UNDRO following a maritime disaster UNDRO will immediately inform IMCO, and UNDRO and IMCO will then consult together on the appropriate action to be taken.

(ii) IMCO will inform UNDRO as soon as possible of any request for emergency assistance and, as appropriate, consult with UNDRO on further steps to be taken.

(iii) Wherever appropriate, IMCO and UNDRO will keep each other informed of resources made available for disaster relief assistance undertaken by the other Party.

3. *Joint action in the field and missions to disaster areas*

(i) UNDRO has arranged for the establishment in developing countries of standing United Nations Disaster Teams (as referred to in the "Guidelines to Resident Representatives" attached to this Memorandum of Understanding) under the responsibility of the UNDP Resident Representative and with the participation of other UN Agencies and other interested parties present in these countries, including diplomatic missions. In an emergency situation following a maritime accident, IMCO will arrange for a suitable expert or experts to join the Disaster Team and to contribute to the assessment of relevant technical and scientific requirements. The action to be taken in respect of these requirements will be determined by IMCO and will be subject to the resources available to it.

¹ United Nations, *Treaty Series*, vol. 950, p. 269.

4. *Exchange of information*

(i) IMCO and UNDRO recognize that the rapid exchange of information on all matters of mutual interest is of paramount importance. To this end IMCO and UNDRO will in all cases keep each other fully informed of any action they are taking and will, where appropriate, provide each other with copies of relevant communications in connexion with such action. IMCO and UNDRO will take the necessary measures to ensure that communications reach the other as rapidly as possible.

(ii) It is expressly understood by IMCO and UNDRO that information on assistance being provided to any Government or group of Governments by either Party shall be made available to the other Party subject to the wishes of the Government or Governments concerned.

5. *Financial arrangements*

(i) It is specifically recognized that IMCO has no financial resources of its own for disaster relief. Accordingly assistance provided by IMCO to Governments or to UNDRO will be subject to the requisite funds being available. Such funds may be provided or procured by or with the assistance of the Government concerned or UNDRO, as the case may be.

(ii) When funds are transferred to IMCO by UNDRO for the implementation of action related to a disaster emergency, no "overhead cost levy" or other fee will be charged. Interest on funds held pending actual disbursement will be credited to a Trust Fund set up for the particular operation for which the funds are destined in accordance with the Financial Regulations, Rules or Practices of IMCO. Final accounting of such transactions will be rendered as soon as practicable after the conclusion of the operation. Any unspent balance will be returned to UNDRO. Narrative reports of action taken and results achieved by IMCO in using funds originally contributed to UNDRO will, whenever practicable, be furnished so that they may be communicated to donors.

6. *Review of collaboration*

The Secretary-General of IMCO and the United Nations Disaster Relief Co-ordinator or their representatives will from time to time review and evaluate the effectiveness of their collaboration in disaster-related matters and, where necessary, evolve any improvements that may prove desirable in the light of the experience gained.

7. *Entry into force, amendment and duration*

This Memorandum of Understanding will enter into force upon its signature by the Secretary-General of the Inter-Governmental Maritime Consultative Organization and the United Nations Disaster Relief Co-ordinator, and may be amended by mutual agreement. It will remain in force until such time as it is terminated by one Party giving the other three months' written notice of termination.

[Signed]

17-3-1978¹

C. P. SRIVASTAVA

Secretary-General

Inter-Governmental Maritime
Consultative Organization

[Signed]

17 March 1978

FARUK N. BERKOL

Under-Secretary-General

Disaster Relief Co-ordinator

¹ 17 March 1978.