

International Organizations

The International Conference on the Establishment of an International Maritime Satellite System, which met in three sessions in 1975 and 1976, concluded its work by adopting and opening for signature on September 3, 1976, the "Convention on the International Maritime Satellite Organization (INMARSAT)" and the "Operating Agreement on the International Maritime Satellite Organization (INMARSAT)". The Organization which will be established upon the entry into force of these documents has a number of interesting features.

The Organization is to provide the space segment necessary for an international system for communication with ships by satellite, in effect a maritime counterpart to INTELSAT, though some significant differences are noted below.

For most governments taking part in the Organization, the financial contribution to the Organization's expenses will be from public funds. Because the U.S.A. was unable to provide its contribution from public funds, however, the structure of the Organization was designed to permit U.S.A. participation through a designated private commercial agency.

The Parties to the Convention will be sovereign states. The Signatories to the Operating Agreement will be public or private entities designated by the states parties to assume certain obligations in the Organization. The division of the "constitution" of the Organization into two documents reflects the distinction between those obligations which must be assumed by governments, and which are found in the Convention, and those which may be assumed by private entities, found in the Operating Agreement. The significance of this division is underlined by the fact that the financial rights and obligations are contained in the Operating Agreement and it is the designated Signatories to that document who will sit on the Council, which is to be the effective operational organ of INMARSAT. The use of the term "member state" was deliberately avoided in the documents in order to avoid any suggestion that designated entities were not members of the Organization.

Not only is INMARSAT an operational (as distinct from a consultative, advisory or regulatory) organization, its purpose is largely, though not entirely, commercial. Whereas the basic objective of INTELSAT's operation is the provision of the space segment of a public telecommunications service by satellite "on a commercial basis",