

Input paper: IMC 4.c.

Agenda item 4

Status from IALA Secretariat to IMC

Author(s) / Submitter(s) Secretariat

Draft Convention text and related documents.

Background

IALA General Assembly has agreed that IALA’s aim to assist in the development and harmonisation of aids to navigation worldwide can best be achieved if IALA has a strong, international legal framework that ensures transparency and good governance, that positions IALA to work in close collaboration with governments and other intergovernmental organisations, and that fosters the work of IALA as the peak international technical body in its field.

A multilateral convention to create IALA as an International Intergovernmental Organisation (IGO) has been determined to be the path to achieve this outcome. The Legal Advisory Panel (LAP) has been assisting Council in the development of a suitable instrument for this purpose. In December 2014 Council established a Change of Status Advisory Group (CoS AG) to give high level advice on the project.

This paper introduces the draft IALA Convention text which has been considered by the CoS AG in Madrid in April 2015 and by the LAP in September 2015.

The CoS AG agreed at its first meeting on a draft of the Convention text with some comments, food notes and unfinished paragraphs and asked the LAP to finalize the draft for their next meeting 9-10 November 2015.

Discussion

Completion of the draft text of the IALA Convention is an essential step which will enable the Government of France to undertake further diplomatic activities.

The current draft IALA Convention is attached. The document includes two columns– headed References and Notes - in addition to the draft text. The Reference column provides references to various instruments used in the development of articles in the draft. Links to these instruments are provided below. The Notes column provides additional information about the drafting of the Article.

A concern has been the status of the Industrial members in a new IGO. The SG has sought legal advice on this question. The advice clearly states, that Industrial membership (affiliate membership) is possible and that it exist in other IGO under UN.

References links

|  |  |
| --- | --- |
| **Organization** | **Web link** |
| **EFI** (European Forest Institute) | <http://www.efi.int/portal/about_efi/organisation/convention___hca/> |
| **GGGI** (Global Green Growth Institute) | <http://gggi.org/wp-content/uploads/2012/10/Agreement-on-the-Establishment-of-the-GGGI.pdf> |
| **IALA** Constitution | <http://www.iala-aism.org/about/constitution.html> |
| **IHO** (International Hydrographic Organization) | <http://www.iho.int/mtg_docs/com_wg/ISPWG/Documents/R11_iho_convention.pdf> |
| **IOM** (International Organization for Migration) | <http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/about_iom/iom_constitution_eng_booklet.pdf> |
| **UNCLOS** (United Nations Convention on the Law of the Sea) | <http://www.un.org/depts/los/convention_agreements/texts/unclos/UNCLOS-TOC.htm> |
| **Vienna Convention** on Treaties | <http://untreaty.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf> |
| **WMO** (World Meteorological Organization) | <http://library.wmo.int/pmb_ged/wmo_15-2012_en.pdf> |
| **UNWTO** (World Tourism Organization) | <http://www2.unwto.org/content/who-we-are-0> |

Related documents

Development of draft General Regulation and a draft HQ agreement has been started by the Secretariat. These documents will be further developed in January 2016 by a LAP drafting group.

Action requested from the Industrial Members Committee

The Secretariat asks the IMC to consider the draft Convention text.

Supporting documents

* Draft Convention text
* Legal advice on membership categories.