

Proposals from Norway to the Draft Convention on the International Organization for Marine Aids to Navigation

Article	Proposal
<p>Article 7 The General Assembly</p> <p>7. The General Assembly shall:</p> <p style="padding-left: 40px;">(c) Review and approve the General Regulations of the Organization;</p>	<p>Art. 7.7 (c) refers only to “the General Regulations of the Organization”, and not to “the Financial Regulations”. As long as the Financial Regulations are adopted as an Annex to the General Regulations, the current wording of Art. 7.7 (c) also includes the Financial Regulations. However, it is not yet certain that the Financial Regulations will be adopted as an Annex to the General Regulations. Also, some articles, such as Art. 6.3, refers to both “The General Regulations and Financial Regulations”. There thus seems to be a lack of coherence between different articles in the Convention. Norway therefore suggest to consider if a reference to the Financial Regulations should be included in Art. 7.7 (c). The clause would then read:</p> <p><i>«Review and approve the General Regulations and the Financial Regulations of the Organization;»</i></p>
<p>Article 7 The General Assembly</p> <p>7. The General Assembly shall:</p> <p style="padding-left: 40px;">(m) Approve formal agreements with States and international organizations; and</p>	<p>Art. 7.7 (m) states that the General Assembly shall approve formal agreements with States and international organizations. Currently the Convention does not explicitly state which organ shall have the competence to <i>conclude</i> formal agreements with States and international organizations on behalf of IALA. For clarification purposes, Norway suggests to include a clause on this in the Convention. Norway assumes that it is the Council that will have this competence, and therefore suggest to consider adding the following to Art. 8.7, perhaps as a new (f):</p> <p><i>“Conclude formal agreements with States and international organizations;”</i></p>
<p>Article 17 Signature, Ratification and Accession</p>	<p>Art. 17 refers to “Member States”. According to Art. 2.2 «Member State means a State<i>[, which has consented to be bound by this Convention and] for which this Convention is in force.</i>» Norway assumes that the intention is</p>

<p>4. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary, who shall then notify all Member States and the Secretary-General thereof.</p>	<p>that the Depositary shall notify all States that have deposited instruments of ratification, acceptance, approval or accession with the Depositary, also before the Convention has entered into force. Norway therefore suggests the following adjustment of the text:</p> <p><i>“Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary, who shall then notify all Member States having deposited such instruments with the Depositary and the Secretary-General thereof.”</i></p>
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