

Draft Convention text after the Istanbul Conference

March 2019

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
Preamble	No changes	
The States party to this Convention:	The States Parties to this Convention:	<u>Change agreed.</u>
RECALLING that the International Association of Lighthouse Authorities was established on 1 st July 1957 and was renamed the International Association of Marine Aids to Navigation and Lighthouse Authorities in 1998;	No changes	
RECOGNISING the role of the International Association of Marine Aids to Navigation and Lighthouse Authorities in the improvement and continued harmonization of Marine Aids to Navigation for the safe, economic and efficient movement of vessels for the benefit of the maritime community and the protection of the environment;	RECOGNIZING the role of the International Association of Marine Aids to Navigation and Lighthouse Authorities in the improvement and continued harmonization of Marine Aids to Navigation for the safe, economic and efficient movement of vessels for the benefit of the maritime community and the protection of the environment;	<u>Change agreed</u>
IN FURTHERANCE of the provisions of the United Nations Convention on the Law of the Sea, 1982 and the International Convention for the Safety of Life at Sea, 1974 as amended;	IN FURTHERANCE of <u>CONSIDERING</u> the provisions of the United Nations Convention on the Law of the Sea, 1982 and the International Convention for the Safety of Life at Sea, 1974 as amended; <u>and</u>	<u>Change agreed</u>
CONSIDERING that the International Association of Marine Aids to Navigation and Lighthouse Authorities was formed as an association under French law; and	CONSIDERING that the International Association of Marine Aids to Navigation and Lighthouse Authorities was formed as an association under French law; and	<u>Change agreed</u>
CONSIDERING FURTHER that developing, improving and harmonizing Marine Aids to Navigation for the benefit of the maritime community and the protection of the environment is best coordinated by international organizations;	No changes	

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HAVE AGREED as follows:	No changes	
Article 1 Establishment	No changes	
1. The International Organization for Marine Aids to Navigation (IALA) is hereby established under international law as an intergovernmental organization (hereinafter 'the Organization').	1. The International Organization for Marine Aids to Navigation [[IALA]] (hereinafter 'the Organization') is hereby established under international law as an intergovernmental organization (hereinafter 'the Organization') .	<u>Change agreed.</u>
2. The Organization shall have a consultative and technical nature.	No changes	
3. The Organization shall have its seat in France unless otherwise decided by the Member States present and voting at the General Assembly.	3. The Organization shall have its seat in France unless otherwise decided by the Member States present and voting at the General Assembly.	<u>Change agreed.</u>
		<u>4.</u> The General Regulations are subject to the provisions of this Convention. Where there is a conflict between the Convention and the General Regulations or any other basic documents covering the governance of the Organization, the Convention shall prevail.
Article 2 Definitions	No changes (All paragraphs are now numbered)	
For the purposes of this Convention:	No changes	
<u>Marine Aid to Navigation means a device, system or service, external to a vessel, designed and operated to enhance safe and efficient navigation of individual vessels and vessel traffic.</u>		<u>1. Marine Aid to Navigation means a device, system or service, external to a vessel, designed and operated to enhance safe and efficient navigation of individual vessels and vessel traffic. For the purposes of the Organization this definition includes Vessel Traffic Services.</u>

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Member State means a State, which has consented to be bound by this Convention and for which this Convention is in force.	Moved to paragraph 2.	2. <u>Member State</u> means a State[, which has consented to be bound by this Convention and] for which this Convention is in force.
Associate Member means a territory or groups of territories for which a Member State has requested membership which has been accepted by the General Assembly.	Moved to paragraph 3. Associate Member means a territory or groups of territories for which a Member State has requested membership, <u>[in accordance with Article 5.2]</u> which has been accepted <u>approved</u> by the General Assembly <u>[and National members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States in accordance with the Annex paragraph 1]</u> .	3. <u>Associate Member</u> means a territory or groups of territories for which a Member State has responsibility for its international relations and for which it has requested membership which has been accepted by the General Assembly. National members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States in accordance with the Annex paragraph 1.
Affiliate Member means a manufacturer or distributor of Marine Aids to Navigation equipment for sale, or an organization providing Marine Aids to Navigation services or technical advice under contract and any other service, organization or scientific agency concerned with Marine Aids to Navigation which has applied for membership which has been accepted by the Council.	Moved to paragraph 4. Affiliate Member means a manufacturer or distributor of Marine Aids to Navigation equipment for sale, or an organization providing Marine Aids to Navigation services or technical advice under contract and any other service, organization or scientific agency concerned with Marine Aids to Navigation which has applied for membership which has been accepted <u>approved</u> by the Council.	4. <u>Affiliate Member</u> means a manufacturer or distributor of Marine Aids to Navigation equipment for sale, or an organization providing Marine Aids to Navigation services or technical advice under contract and any other organization or scientific agency concerned with Marine Aids to Navigation which has applied for membership which has been approved by the Council.
Marine Aid to Navigation means a device, system or service, external to a vessel, designed and operated to enhance safe and efficient navigation of individual vessels and vessel traffic.	Moved to paragraph 1.	
Article 3 Aim and Objectives	No changes	
The aim of the Organization is to bring together governments, services and organizations concerned with the regulation, provision, maintenance or	The aim of the Organization is to bring together governments, services and organizations concerned with the regulation, provision, maintenance or	<u>The aim of the Organization is to bring together governments and organizations concerned with the regulation, provision, maintenance or operation of</u>

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operation of Marine Aids to Navigation with the objectives of:	operation of Marine Aids to Navigation <u>with in order to further</u> the objectives of:	<u>Marine Aids to Navigation in order to further the objectives of:</u>
(a) Fostering the safe and efficient movement of vessels through the improvement and harmonization of Marine Aids to Navigation worldwide;	(a) Fostering the safe and efficient <u>[and environmentally sustainable]</u> movement of vessels through the improvement and harmonization of Marine Aids to Navigation worldwide;	<u>a) Fostering the safe and efficient movement of vessels through the improvement and harmonization of Marine Aids to Navigation worldwide for the benefit of the maritime community and the protection of the marine environment;</u>
(b) Promoting access to technical cooperation and capacity building on all matters related to development and transfer of expertise, science and technology in relation to Marine Aids to Navigation;	No changes	
(c) Encouraging and facilitating the general adoption of the highest practicable standards in matters concerning Marine Aids to Navigation; and	No changes	
(d) Providing for the exchange of information among governments and intergovernmental organizations on matters under consideration by the Organization.	(d) Providing for the exchange of information <u>among governments and intergovernmental organizations</u> on matters under consideration by the Organization.	<u>(d) Providing for the exchange of information on matters under consideration by the Organization.</u>
		<u>[Article 3bis Technical Assistance and Capacity Building</u>
		<u>The Parties shall promote support for those Parties which request technical assistance for the following aspects, in consultation with the Organization and other international bodies, and in cooperation with Affiliate Members active in technical, operational and industrial fields, preferably within the countries concerned, so furthering the aims and purposes of the present Convention:</u> <u>(a) The training of technical and scientific personnel;</u>

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		(b) The supply of necessary equipment and facilities; (c) The encouragement of research; and (d) Visits to the related industrial, research and operation centres and complexes.]
Article 4 Functions	No changes	
In order to achieve the aim and objectives set out in Article 3, the functions of the Organization shall be:	No changes	
(a) To provide non mandatory standards, recommendations, guidelines, manuals or other suitable means and to commend these to governments, intergovernmental organizations, Associate Members and Affiliate Members as appropriate;	(a) To provide non mandatory standards, recommendations, guidelines, manuals <u>and other appropriate documents</u> or other suitable means and to <u>recommend</u> these to governments, <u>internationalgovernmental</u> organizations, Associate Members and Affiliate Members as appropriate;	<u>(a) To develop and communicate non mandatory standards, recommendations, guidelines, manuals and other appropriate documents;</u>
(b) To consider and make recommendations on standards, recommendations, guidelines, manuals and other documents that may be remitted to it by Member States, Associate Members and Affiliate Members, by any organ or specialized agency of the United Nations or by any other intergovernmental organization;	(b) To consider and make recommendations on standards, recommendations, guidelines, manuals and other <u>appropriate</u> documents that may be remitted to it by Member States, Associate Members and Affiliate Members, by any organ or specialized agency of the United Nations or by any other intergovernmental organization;	<u>Change agreed.</u>
(c) To provide mechanisms for consultation and exchange of information covering inter alia recent developments and the activities of Member States, Associate Members and Affiliate Members;	No changes	
(d) To develop international cooperation by promoting close working relationships and assistance between Member States, Associate Members and Affiliate Members;	No changes	
(e) To facilitate assistance, whether technical, organizational or training to governments, services	No changes	

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and other organizations requesting help with Marine Aids to Navigation;		
(f) To organize conferences, symposia, seminars, workshops and other events relevant to its work; and	(f) To organize conferences, symposia, seminars, workshops and other events relevant to its work ; and	<u>Change agreed.</u>
(g) To liaise and cooperate with relevant international and other organizations, offering specialized advice where appropriate.	No changes	
Article 5 Membership	No changes	
1. The Organization shall be comprised of Member States, Associate Members and Affiliate Members.	No changes	
2. Any Member State having responsibility for the international relations of a territory or group of territories may request Associate membership for such territory or group of territories, by notification in writing to the Secretary-General.	2. — [Any Member State having responsibility for the international relations of a territory or group of territories may request Associate membership for such territory or group of territories, by notification in writing to the Secretary-General.]	
3. The Council may require or a Member State may request that aspects of an application for Affiliate Membership be reviewed by the Member State (or Member States) where the applicant carries out its activities or has its principal place of business or registered office. If supported by the Member State (or Member States), who requested the review, the Council shall decide accordingly.	<u>(Alternative text) [Requests for Affiliate membership shall be submitted to Council. Council shall notify the Member State (or Member States) where the applicant carries out its activities or has its principal place of business or registered office of the application. The Member State (or Member States) may review the application. Council shall proceed with its determination on Affiliate membership after having considered any views provided by the Member State (or Member States).]</u>	<u>3. The Council may require or a Member State may request that aspects of an application for Affiliate Membership be reviewed by the Member State (or Member States) where the applicant carries out its activities or has its principal place of business or registered office. If supported by the Member State (or Members States) who requested the review, then Affiliate membership [shall] [may] be granted by Council.</u>
		<u>4. The rights and obligations of the Member States, Associate Members and Affiliate Members are reflected in the General Regulations.</u>

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Article 6 Structure	<u>Organs</u>	
1. The Organization shall have as its organs:	No changes	
(a) The General Assembly;	No changes	
(b) The Council ;	No changes	
(c) Committees and other subsidiary bodies necessary to support the Organization's activities; and	(c) Committees and other subsidiary bodies <u>[of the Council]</u> necessary to support the Organization's activities; and	<u>(c) Committees and subsidiary bodies necessary to support the Organization's activities; and</u>
(d) The Secretariat.	No changes	
2. There shall be a President and a Vice President of the Organization. The President or in his or her absence the Vice President shall chair the General Assembly and the Council.	2. <u>(Alternative text for national capacity) [There shall be a President and a Vice President of the Organization. The President, or in case of absence, the Vice President shall chair the General Assembly and the Council].</u>	<u>Change agreed.</u>
3. All efforts shall be made for the General Assembly and the Council to make decisions by consensus among Member States. Where decisions of the General Assembly or Council cannot be reached by consensus, the following provisions shall apply:	3. All efforts shall be made for the General Assembly and the Council to make decisions by consensus among Member States. Where decisions of the General Assembly or Council cannot be reached by consensus, the following provisions shall apply:	<u>Move to separate article agreed.</u>
(a) Only Member States have voting rights, which will be executed by the representative designated by each Member State. Each Member State will have one vote.	(a) Only Member States have voting rights, which will be executed by the representative designated by each Member State. Each Member State will have one vote.	
(b) Except where otherwise specified, decisions shall be taken by two-thirds of the votes cast.	(b) Except where otherwise specified, decisions shall be taken by two-thirds of the votes cast.	
4. The General Regulations shall detail the Rules of Procedure that will apply for each organ.	<u>34.</u> The General Regulations shall detail the Rules of Procedure that will apply for each organ.	<u>4. The General Regulations and Financial Regulations shall detail the rules of procedure that shall apply to each organ and govern day to day management of the Organization.</u>
Article 7	No changes	

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The General Assembly		
1. The General Assembly of the Member States is the principal decision-making organ of the Organization and shall have all the powers of the Organization unless otherwise regulated by this Convention.	1. The General Assembly of the Member States is the principal decision-making organ of the Organization and shall have all the powers of the Organization unless otherwise regulated <u>provided</u> by this Convention.	<u>Change agreed.</u>
2. Attendance shall be open to all Member States, Associate Members and Affiliate Members.	2. <u>The General Assembly shall consist only of Member States.</u> Attendance shall <u>also</u> be open to all Member States , Associate Members and Affiliate Members.	<u>Change agreed.</u>
3. Each Member State shall designate one of its delegates, preferably a representative from the national authority responsible for the regulation, provision, maintenance or operation of Marine Aids to Navigation as its principal delegate at the General Assembly.	No changes	<u>3. Each Member State shall designate one of its delegates, preferably a representative from the national authority responsible for the regulation, provision, maintenance or operation of Marine Aids to Navigation as its principal delegate at the General Assembly.</u>
4. Regular sessions of the General Assembly shall take place once every three years.	4. Regular sessions of the General Assembly shall take place once every [three years].	
5. Extraordinary sessions shall be convened whenever one-third of Member States 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 ninety days.	5. Extraordinary sessions <u>of the General Assembly</u> shall be convened whenever one-third of Member States 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 ninety days.	<u>Change agreed.</u>
6. A majority of Member States shall constitute a quorum for the sessions of the General Assembly.	No changes	
7. The General Assembly shall :	No changes	
(a) Elect the President and the Vice President from amongst the Member States in accordance with the General Regulations;	(a) Elect the President and the Vice President from amongst <u>nationals of</u> the Member States in accordance with the General Regulations; <u>(Alternative text for national capacity) [Elect the President and the Vice President from amongst</u>	<u>(a) Elect the President and the Vice President from amongst Member States in accordance with the General Regulations;</u>

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	Member States in accordance with the General Regulations];	
(b) Decide the overall policy and the strategic vision of the Organization;	No changes	
(c) Review and approve the General Regulations of the Organization;	No changes	
(d) Elect the Council from amongst the Member States other than the Member State holding the Presidency or Vice Presidency in accordance with Article 8;	(d) Elect, in accordance with Article 8, the Council from amongst the Member States other than the Member States holding from which the Presidency or Vice Presidency are nationals in accordance with Article 8; (Alternative text for national capacity) [Elect the Council from amongst the Member States other than the Member States holding the Presidency or Vice Presidency in accordance with Article 8];	(d) Elect the Council from amongst the Member States other than the Member States holding the Presidency or Vice Presidency in accordance with Article 8;
(e) Elect the Secretary-General from amongst the Member States in accordance with the General Regulations;	€ Elect the Secretary-General from amongst nationals of the Member States in accordance with the General Regulations;	Change agreed.
		(f) Establish and terminate Committees and subsidiary bodies and review and approve their Terms of Reference.
(f) Review and approve the financial arrangements of the Organization, including the outline budget for the following three years and the rate of contributions for Member States and fees for Associate Members and Affiliate Members;	No changes	(g)
(g) Consider the reports and proposals put to it by any Member State, the Council or the Secretary-General;	No changes	(h)
(h) Approve standards ;	No changes	(i)

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(i) Decide on Associate membership ;	No changes	(i)
		(k) <u>Rule on Affiliate membership upon the request of one or more Member States.</u>
(j) Make recommendations to Member States, Associate Members and Affiliate Members on matters within the scope of the Organization;	(j) Make recommendations to Member States, Associate Members and Affiliate Members on matters within the <u>scope aim and objectives</u> of the Organization;	(l) <u>Change agreed</u>
(k) Approve formal agreements with other organizations; and	(k) Approve formal agreements with <u>States and other international</u> organizations; and	(m) <u>Change agreed</u>
(l) Decide on any other matters within the aim and objectives of the Organization.	No changes	(n)
Article 8 The Council	No changes	
1. The Council is the executive organ of the Organization and shall be responsible for directing the activities of the Organization.	No changes	
2. The Council shall consist of the President and the Vice President and up to twenty three (23) Council members, each representing a different Member State.	2. The Council shall consist of the President and the Vice President and <u>up to twenty three (23) Council members, each representing a different</u> Member States. <u>(Alternative text for national capacity) [The Council shall consist of the President and the Vice President and twenty three other Member States].</u>	<u>2. The Council shall consist of the President and the Vice President and twenty three other Member States.</u>
3. Council members shall be elected by ballot at each regular session of the General Assembly in accordance with the General Regulations.	3. Council members shall be elected by ballot at each regular session of the General Assembly in accordance with the General Regulations. <u>[Council members should, as far as possible, be drawn from different parts of the world, with a view to achieve as widespread a representation as possible.]</u>	<u>3. Council members shall be elected by ballot at each regular session of the General Assembly in accordance with the General Regulations. Council members should, as far as possible in principle, be drawn from different parts of the world, with a view to achieve as widespread a worldwide representation as possible.</u>
4. At the Council Member States shall preferably be represented by a delegate	No changes	

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from a national authority responsible for the regulation, provision, maintenance or operation of Marine Aids to Navigation of that Member State.		
	<u>5. Seventeen members of the Council, at least one of which must be the President or Vice President, shall constitute a quorum for the sessions of the Council.</u>	<u>Addition agreed</u>
	<u>6. Any Member State not represented on the Council may participate in the Council meetings, but will not be entitled to vote.</u>	<u>Addition agreed.</u>
5. The Council shall:	<u>7</u> 5. The Council shall:	<u>7.</u>
(a) Exercise such responsibilities as may be delegated to it by the General Assembly;	No changes	
(b) Coordinate the activities of the Organization within the framework of the overall policy, the strategic vision and the outline budget, as decided by the General Assembly;	No changes	
(c) Review and approve the financial statements, including the annual budget;	No changes	
(d) Decide on Affiliate membership ;	No changes	
(e) Convene the General Assembly;	No changes	
(f) Report to the General Assembly on the work of the Organization;	No changes	
(g) Review papers submitted to it in accordance with the General Regulations;	No changes	
(h) Refer to the General Assembly all matters requiring decision by the General Assembly;	No changes	
(i) Approve recommendations, guidelines, manuals and other appropriate documents;	No changes	

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(j) Approve submissions to other organizations;	No changes	<u>(j) Approve submissions on technical matters to other organizations</u>
(k) Establish Committees and other subsidiary bodies and review and approve their respective terms of reference;	(k) Establish Committees and <u>terminate</u> Committees and other subsidiary bodies, <u>appoint their Chairs and Vice Chairs</u> and review and approve their respective terms of reference <u>and work programs</u> ; <u>and</u>	<u>(k) Appoint Chairs and Vice Chairs of Committees and subsidiary bodies and review and approve their work programmes.</u>
(l) Terminate Committees and other subsidiary bodies;	(l) — Terminate Committees and other subsidiary bodies;	<u>Removal agreed</u>
(m) Review and approve the work programmes of the Committees; and	(l) — Terminate Committees and other subsidiary bodies;	<u>Removal agreed</u>
(n) Decide the venue and the year of the Organization's conferences and symposia as described in the General Regulations.	(l) Decide the venue and the year of the Organization's conferences and symposia as described in the General Regulations.	<u>(l)</u>
		<u>8. Council members may, after having informed the President and the Secretary-General, invite Affiliate Members to participate as technical advisors at Council meetings to provide advice and support on operational and technical matters.</u>
Article 9 Committees and Other Subsidiary Bodies	Committees and Other Subsidiary Bodies <u>[of the Council]</u>	<u>Committees and Subsidiary Bodies</u>
1. Committees and other subsidiary bodies shall support the aim and objectives of the Organization.	1. Committees and other subsidiary bodies <u>[of the Council]</u> shall support the aim and objectives of the Organization.	<u>1. Committees and subsidiary bodies shall support the aim and objectives of the Organization.</u>
2. The Committees shall:	No changes	
(a) Prepare and review standards, recommendations, guidelines, manuals and other documents identified in the work programmes;	(a) Prepare and review standards, recommendations, guidelines, manuals and other <u>appropriate</u> documents identified in the work programmes;	<u>Change agreed</u>

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(b) Monitor developments in the area of Marine Aids to Navigation;	No changes	
(c) Facilitate the sharing of expertise and experience among Member States, Associate Members and Affiliate Members; and	No changes	
(d) Conduct any other tasks as decided by the Council.	No changes	
Article 10 Secretariat	No changes	
1. The permanent Secretariat of the Organization shall be comprised of the Secretary-General and such technical and administrative staff as may be required for the work of the Organization within the approved budgetary framework.	1. The permanent Secretariat of the Organization shall be comprised of the Secretary-General and such technical and administrative staff as may be required for the work of the Organization within the approved budgetary framework.	<u>Change agreed</u>
(a) The term of Secretary-General shall be three years. The Secretary-General may be re-elected for up to two additional consecutive terms of three years each.	2.(a) The term of Secretary-General shall be three years. The Secretary-General may be re-elected for up to two additional consecutive terms of three years each.	<u>Change agreed</u>
(b) The Secretary-General shall be responsible for the day to day management of the Organization, subject to any guidance issued by the General Assembly or the Council.	3.(b) The Secretary-General shall be responsible for the day to day management of the Organization, subject to any guidance issued by the General Assembly or the Council.	<u>Change agreed</u>
2. The staff of the Secretariat shall be appointed by the Secretary-General on such terms and to perform such duties as the Secretary-General may determine.	42. The staff of the Secretariat shall be appointed by the Secretary-General on such terms and to perform such duties as the Secretary-General may determine.	<u>4. The staff of the Secretariat shall be appointed in accordance with the Staff Rules by the Secretary-General on such terms and to perform such duties as the Secretary-General may determine.</u>
3. The Secretariat shall:	53. The Secretariat shall:	<u>5.</u>
(a) Maintain all such records as may be necessary for the efficient discharge of the work of the Organization and shall prepare, collect, and	No changes	

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circulate any documentation that may be required;		
(b) Administer the Organization's finances under the direction of the Council, in accordance with the General Regulations;	No changes	
(c) Prepare the financial statements, including the annual budget, for submission to the Council;	(c) Prepare the financial <u>arrangements and the financial</u> statements, <u>including the annual budget, for submission to the Council</u> ;	<u>Change agreed.</u>
(d) Keep Member States, Associate Members and Affiliate Members and other organizations informed with respect to the activities of the Organization;	No changes	
(e) Organize and support meetings of the General Assembly, the Council, Committees and other subsidiary bodies;	(e) Organize and support meetings of the General Assembly, the Council, Committees and <u>other</u> subsidiary bodies;	<u>Change agreed.</u>
(f) Organize and support conferences and symposia as approved by the Council;	No changes	
(g) Organize and support seminars, workshops and other events; and	No changes	
(h) Perform such other tasks as may be assigned by this Convention, the General Regulations, the General Assembly or the Council.	No changes	
	<u>6. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other source external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each Member State on its part undertakes to respect the exclusively international character of the responsibilities of the Secretary-</u>	<u>Addition agreed.</u>

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	<u>General and the staff and not to seek influence them in the discharge of their responsibilities.</u>	
	<u>Article 10 bis</u> <u>Voting</u>	<u>Article 11</u> <u>Voting</u>
	<u>1. All efforts shall be made for the General Assembly and the Council to make decisions by consensus among Member States.</u>	<u>1. All efforts shall be made for the General Assembly and the Council to adopt decisions by consensus among Member States.</u>
	<u>2. Where decisions of the General Assembly or Council cannot be reached by consensus, the following provisions shall apply:</u>	<u>2. Where decisions of the General Assembly or Council cannot be adopted by consensus, they shall be adopted by a 2/3 majority of Members States present and voting through a secret ballot.</u> <u>[2. In the absence of consensus, a group of at least five Member States may request the decision to be put to a vote. The decision shall be adopted by a 2/3 majority of Member States present and voting through a secret ballot.] (Spain)</u>
		<u>3. Only Member States have voting rights. Each Member State shall have one vote, except as specified in Article 13.4.</u>
	<u>(a) Only Member States have voting rights. Each Member State shall have one vote.</u>	<u>4. The election of the President, Vice President and Secretary-General shall be made by secret ballot with a simple majority of Members States present and voting, according to the General Regulations.</u>
		<u>5. The election of the Council shall be made by secret ballot according to the General Regulations. Each Member State shall have one vote per vacant seat on the Council.</u>
	<u>(b) Except where otherwise specified, decisions shall be taken by a two-thirds majority of the votes cast.</u>	<u>Addition not agreed</u>
Article 11	No changes	<u>Article 12</u>

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Languages		
The official languages of the Organization shall be English, French and Spanish.	No changes	
Article 12 Finance	No changes	Article 13
1. The expenditure for the functioning of the Organization shall be met by the financial resources provided by:	No changes	
(a) Member State contributions	No changes	
(b) Associate Member and Affiliate Member fees;	(b) Associate Member and Affiliate Member fees; <u>and</u>	<u>Change agreed.</u>
(c) Donations, bequests, grants, gifts; and	(c) Donations, bequests, grants, gifts; and <u>other sources approved by the Council upon recommendation by the Secretary-General.</u>	<u>Change agreed.</u>
(d) Other sources approved by the Council upon recommendation by the Secretary-General.	(d) Other sources approved by the Council upon recommendation by the Secretary-General.	
2. Each Member State shall pay a contribution and each Associate Member and Affiliate Member shall pay a fee to the Organization on an annual basis in the amount determined in accordance with in Article 7.7 (f). The contribution shall be set at the same rate for each Member State.	2. Each Member State shall pay a contribution and each Associate Member and Affiliate Member shall pay a fee to the Organization on an annual basis in the amount determined in accordance with in Article 7.7 (f). The contribution shall be set at the same rate for each Member State.	
3. Member State contributions and Associate Member and Affiliate Member fees shall be due and payable in accordance with the General Regulations.	No changes	<u>3. Member State contributions and Associate Member and Affiliate Member fees shall be due and payable in accordance with the Financial Regulations.</u>
4. Any Member State which is two years in arrears in making contributions shall, after written notification by the Secretary-General, be denied voting rights and the right to be elected to the	4. Any Member State which is two years in arrears in making contributions shall, after written notification by the Secretary-General, be denied voting rights and the right to be elected to the Council	<u>4. Any Member State which is two years in arrears in making contributions shall, after written notification by the Secretary-General, be denied voting rights and the right to be elected to the Council and</u>

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Council until such time as the outstanding contributions have been paid, in accordance with the General Regulations.	[and remain on Council] until such time as the outstanding contributions have been paid, in accordance with the General Regulations[, unless the General Assembly, at its discretion, waives this provision].	remain on Council until such time as the outstanding contributions have been paid, in accordance with the Financial Regulations, unless the General Assembly, at its discretion, waives this provision.
5. Following the Council's approval of the Organization's audited financial statements, these statements shall be distributed to all Member States, Associate Members and Affiliate Members in the Annual Report.	No changes	
Article 13 Legal personality, privileges and immunities	No changes	Article 14
1. The Organization has international legal personality and has the capacity to:	No changes	
(a) Contract and conclude agreements with governments, organizations and other bodies;	No changes	
(b) Acquire and dispose of immovable and movable property; and	No changes	
(c) Institute legal proceedings.	No changes	
2. In the territory of each of its Member States the Organization shall enjoy, subject to agreement with the Member State concerned, such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its aim and objectives.	2. In the territory of each of its Member States the Organization shall enjoy, to the extent provided for in a subject to agreement with the Member State concerned, such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its aim and objectives.	Change agreed.
3. No Member State or Member shall be liable, by reason of its status or participation in the Organization, for acts, omissions or obligations of the Organization.	3. No Member State, or Associate Member or Affiliate Member shall be liable, by reason of its status or participation in the Organization, for acts, omissions or obligations of the Organization.	Change agreed.

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
Article 14 Depositary	Moved to Article 17 bis.	<u>Change agreed.</u>
The Republic of France shall serve as the Depositary for this Convention.	The Republic of France shall serve as the Depositary for this Convention.	
Article 15 Amendments	No changes	
1. Any Member State may propose an amendment to this Convention, in writing, to the Secretary-General.	No changes	
2. The Secretary-General shall circulate the proposed amendment to all Member States at least six months in advance of its consideration by the General Assembly.	2. The Secretary-General shall circulate the proposed amendment <u>[in the official languages]</u> to all Member States at least six months in advance of its consideration by the General Assembly.	<u>Change agreed.</u>
3. The proposed amendment shall be adopted by vote of the General Assembly.	No changes	
4. Any amendment adopted in accordance with Article 15.3 shall be sent by the Secretary-General to the Depositary of this Convention. The latter shall notify all Member States and the Secretary-General of the adoption of the amendment.	4. Any amendment adopted in accordance with <u>Article 15.3 paragraph 3</u> shall be sent by the Secretary-General to the Depositary of this Convention . The latter shall notify all Member States and the Secretary-General of the adoption of the amendment.	<u>Change agreed.</u>
5. An amendment to this Convention shall come into force for Member States having accepted the amendment six months after written notification of the acceptance to the Depositary by two-thirds of Member States and thereafter for each remaining Member State upon acceptance by it.	<u>[The amendment shall come into force for all Member States six months after written notifications of acceptance by two-thirds of the Member States have been received by the Depositary. The Depositary shall inform the Member States and the Secretary-General of the fact, specifying the date of a entry into force of the amendment.]</u>	
Article 16 Interpretation and disputes	No changes	

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
Member States shall make every effort to prevent disputes, and shall use their best efforts to resolve any disputes by amicable means which may include consultation and negotiation with each other. Disputes that remain unresolved [after a period of three months] may, with the agreement of all parties to the dispute, be referred to a panel of three independent arbitrators appointed by the Secretary-General of the Permanent Court of Arbitration for a non-binding resolution, unless the parties to the dispute agree upon another mode of dispute settlement.	Member States shall make every effort to prevent disputes, and shall use their best efforts to resolve any disputes by amicable means which may include consultation and negotiation with each other. Disputes that remain unresolved [after a period of three <u>[six]</u> months] may, with the agreement of all parties to the dispute, be referred to a panel of three independent arbitrators appointed by the Secretary-General of the Permanent Court of Arbitration for a non-binding resolution, unless the parties to the dispute agree upon another mode of dispute settlement. <u>[Any dispute concerning the interpretation or application of this Convention which is not settled by negotiation or by the good offices of the Secretary-General shall, at the request of one of the parties to the dispute, be referred to an arbitrator designated by the President of the International Court of Justice.]</u>	<u>Member States shall make every effort to prevent disputes on the interpretation or application of this Convention, and shall use their best efforts to resolve any disputes by amicable means which may include consultation and negotiation with each other and any other means as agreed to by the parties to the dispute.</u>
Article 17 Signature, Ratification and Accession	No changes	
1. This Convention shall open for signature by any State that is a member of the United Nations at [xxx] and remain open until [xxx].	1. This Convention shall <u>be</u> open for signature by any State that is a member of the United Nations at [xxx] and remain open until [xxx].	<u>Change agreed.</u>
2. This Convention is subject to ratification, acceptance or approval by the signatory States.	No changes	
3. This Convention shall be open for accession by any member of the United Nations which has not signed this Convention from the day after the date on which this Convention closes for signature.	3. This Convention shall be open for accession by any <u>State that is a</u> member of the United Nations which has not signed this Convention from the day after the date on which this Convention closes for signature.	<u>Change agreed.</u>
4. Instruments of ratification, acceptance, approval or accession shall be deposited with the	4. Instruments of ratification, acceptance, approval or accession shall be deposited with the	<u>Change agreed.</u>

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
Depositary, who shall then notify each Member State and the Secretary-General thereof.	Depositary, who shall then notify each <u>all</u> Member States and the Secretary-General thereof.	
5. No reservation can be made to this Convention.	No changes	
	<u>Article 17bis</u> <u>Depositary</u>	<u>Article 18</u>
	<u>The French Republic shall serve as the Depositary for this Convention.</u>	<u>The French Republic shall serve as the Depositary for this Convention. This Convention shall be registered by the Depositary pursuant to Article 102 of the Charter of the United Nations.</u>
Article 18 Entry into force	No changes	<u>Article 19</u>
1. The present Convention shall enter into force on the thirtieth day after the date of deposit of the [thirtieth] instrument of ratification, acceptance, approval or accession.	1. Th is <u>e present</u> Convention shall enter into force on the [thirtieth day] after the date of deposit of the [thirtieth] instrument of ratification, acceptance, approval or accession.	<u>1. This Convention shall enter into force on the ninetieth day after the date of deposit of the [thirtieth] instrument of ratification, acceptance, approval or accession.</u>
2. For each State ratifying, accepting, approving or acceding to this Convention after its entry into force the Convention shall enter into force on the thirtieth day after the deposit of its instrument of ratification, acceptance, approval or accession.	No changes	
3. The transitional arrangements that shall apply upon entry into force of this Convention are set out in Annex A.	3. The transitional arrangements that shall apply upon entry into force of this Convention are set out in Annex A .	<u>3. The transitional arrangements that shall apply upon entry into force of this Convention are set out in Annex, which shall form an integral part of this Convention.</u>
Article 19 Withdrawal	No changes	<u>Article 20</u>
1. Any Member State may withdraw from this Convention by giving at least twelve month written notice to the Depositary, who will	1. Any Member State may withdraw from this Convention by giving at least twelve month written notice to the Depositary, who will <u>shall</u> immediately	<u>Change agreed.</u>

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
immediately inform all Member States and the Secretary-General of such notification.	inform all Member States and the Secretary-General of such notification.	
2. Notification of withdrawal may be given at any time after the expiration of six months from the date on which this Convention has come into force.	2. Notification of withdrawal may be given at any time after the expiration of six months from the date on which this Convention has come <u>entered</u> into force.	<u>Change agreed.</u>
3. The withdrawal shall take effect on 31st December following the expiration of the notice.	No changes	
Article 20 Termination	No changes	<u>Article 21</u>
1. This Convention may be terminated by a vote of the General Assembly.	1. This Convention may be terminated by a vote <u>at a regular session</u> of the General Assembly.	<u>1. This Convention may be terminated by a vote of the General Assembly following at least a six months notice of such a vote.</u>
2. The date of termination will be twelve months after the date of the above decision, and in the intervening period the Council shall be responsible for the winding up of the Organization in accordance with the General Regulations.	2. The date of termination will <u>shall</u> be twelve months after the date of the above decision, and in the intervening period the Council shall be responsible for the winding up of the Organization in accordance with the General Regulations.	<u>Change agreed.</u>
IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed the present Convention.	IN WITNESS WHEREOF the undersigned, being duly authoriz <u>ed</u> by their respective g Governments, have signed the present Convention.	<u>Changes agreed.</u>
DONE at [xxx] on [xxx] in the English, French and Spanish languages, each text being equally authentic, the original of which shall be deposited in the archives of the Depositary. The Depositary shall transmit certified copies thereof to all the [signatory and	DONE at [xxx] on [xxx] in the <u>[</u> English, French and Spanish <u>]</u> languages, each text being equally authentic, the original of which shall be deposited in the archives of the Depositary. The Depositary shall transmit certified copies thereof to all the [signatory and	

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
acceding] Governments and to the Secretary-General of the Organization.	acceding] g Governments and to the Secretary-General of the Organization.	
ANNEX A Transitional arrangements		
	<p><u>At the XIIth General Assembly held in A Coruña from 25th to 31st May 2014 International Association of Marine Aids to Navigation and Lighthouse Authorities adopted a Resolution affirming that the status of an International Organization would best serve its objectives and determining that such status should be achieved as soon as possible by the means of the adoption of an international convention.</u></p> <p><u>As a consequence the Constitution, Article 13, of the association was amended to facilitate the winding up of the International Association of Marine Aids to Navigation and Lighthouse Authorities and the transition of its assets to the Organization.</u></p> <p><u>The purpose of the Transition Arrangements is to ensure the uninterrupted international efforts to develop, improve and harmonize Marine Aids to Navigation and to facilitate the transition from the International Association of Marine Aids to Navigation and Lighthouse Authorities to the Organization.</u></p>	<p><u>At the XIIth General Assembly held in A Coruña from 25th to 31st May 2014 the International Association of Marine Aids to Navigation and Lighthouse Authorities adopted a Resolution affirming that the status of an International Organization would best serve its objectives and determining that such status should be achieved as soon as possible by the means of the adoption of an international convention.</u></p> <p><u>As a consequence, Article 13 of the Constitution of the International Association of Marine Aids to Navigation and Lighthouse Authorities was amended to facilitate the winding up of the association and the transition of its assets to the Organization.</u></p> <p><u>The purpose of the transitional arrangements is to ensure the uninterrupted international efforts to develop, improve and harmonize Marine Aids to Navigation and to facilitate the transition from the International Association of Marine Aids to Navigation and Lighthouse Authorities to the Organization.</u></p>
		<p><u>1. Upon the entry into force of this Convention the President, Vice President and the Council of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall be invited to become the transitional President, Vice President and Council of the Organization and will operate as such until the</u></p>

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
		<u>first General Assembly convened under this Convention has elected a President, Vice President and Council, which must be within a period not exceeding six months.</u>
		<u>2. The Committees of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall operate until Committees are established under this Convention.</u>
		<u>3. Until such time as the Secretariat of the Organization has been established the Secretariat of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall be invited to serve as, and perform the functions of, the Secretariat. The Secretary-General of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall serve as the Secretary-General of the Organization until the General Assembly elects the Secretary-General in accordance with this Convention.</u>
		<u>4. Until such time as the Organization has adopted General Regulations, it shall function in accordance with the General Regulations of the International Association of Marine Aids to Navigation and Lighthouse Authorities mutatis mutandis.</u>
1. All National members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States shall, with the approval of the Council and subject to their request, become Associate Members of the Organization.	<u>Moved to paragraph 5.</u>	<u>5. All National members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States shall, with the approval of the Council and subject to their request, become Associate Members of the Organization for a duration of up to ten years from the date of entry into force of this Convention.</u>

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
2. All Associate and Industrial Members of the International Association of Marine Aids to Navigation and Lighthouse Authorities holding financial, non-suspended status shall, with the approval of Council and subject to their request become Affiliate Members of the Organization.	<u>Moved to paragraph 7.</u>	<u>7. All Associate and Industrial members of the International Association of Marine Aids to Navigation and Lighthouse Authorities holding financial, non-suspended status shall, with the approval of the Council and subject to their request become Affiliate Members of the Organization.</u>
3. Upon the entry into force of this Convention the President, Vice President and the Council of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall become the transitional President, Vice President and Council of the Organization and will operate as such until the first General Assembly convened under this Convention has elected a President, Vice President and Council, which must be within a period not exceeding six (6) months. Until such time as the Organization has adopted General Regulations, it shall function in accordance with the General Regulations of the International Association of Marine Aids to Navigation and Lighthouse Authorities mutatis mutandis.	<u>Moved to paragraph 1.</u>	
4. For the duration of the transitional Council Associate Members will be permitted to engage in the work of the Council for the benefit of the Organization.	4. For the duration of the transitional Council Associate Members will be permitted to engage in the work of the Council for the benefit of the Organization.	<u>Removal agreed</u>
5. The Committees of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall become the transitional Committees of the Organization and will operate until Committees are established under this Convention.	<u>Moved to paragraph 2.</u>	
6. In the event that a State which has Associate membership under this Convention becomes a		<u>6. In the event that a State which has a former National member with Associate membership in</u>

Current draft text after Morocco	Proposed changes by LAPEX4	Result of Istanbul Conference
<p>Member State the Associate membership shall cease on the date on which this Convention enters into force for that State. In the case of a Member State having more than one Associate membership under this Convention that State may decide to retain Associate memberships.</p>		<p><u>accordance with paragraph 5 becomes a Member State the Associate membership shall cease on the date on which this Convention enters into force for that State.</u></p>
<p>7. After the entry into force of this Convention the International Association of Marine Aids to Navigation and Lighthouse Authorities, facilitated by the transitional Council will work in cooperation with the Organization to transfer its activities, records, documents, publications, archives, rights, interests, funds, assets and liabilities to the Organization.</p>	<p>7. After the entry into force of this Convention the International Association of Marine Aids to Navigation and Lighthouse Authorities, facilitated by the transitional Council will work in cooperation with the Organization to transfer its activities, records, documents, publications, archives, rights, interests, funds, assets and liabilities to the Organization.</p>	<p><u>8. The transfer of rights, interests, assets and liabilities from the International Association of Marine Aids to Navigation and Lighthouse Authorities to the Organization will take place pursuant to French law.</u></p>
<p>8. Until such time as the Secretariat of the Organization has been established the secretariat of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall serve as, and perform the functions of, the Secretariat. The Secretary-General of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall serve as the Secretary- General of the Organization until the General Assembly elects the Secretary-General in accordance with Article 7.</p>	<p><u>Moved to paragraph 3.</u></p>	