1. Draft International Agreement
2. DRAFT GENeral regulations

**ANNEX C**

General Assembly Approval

Agenda item XXX

Submitted by Council

Approval of text of draft International Agreement

# Summary

This paper presents the text of the draft International Agreement for approval by the General Assembly.

## 1.1 Purpose of the paper

The purpose of this paper is to provide the opportunity for the General Assembly to review and approve the text of the draft International Agreement.

## 1.2 Related documents

Annex A contains proposed text of the draft International Agreement

Annex B contains proposed text of the General Regulations.

# Background

IALA’s aim is to assist in the development and harmonisation of aids to navigation, worldwide. This aim 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 treaty to create IALA as an Intergovernmental organisation has been determined to be an appropriate path to achieve this outcome.

Strong arguments for the change of status have been developed and circulated to all IALA members in the publication *IALA – an International Organization – safely navigating the future*. IALA has also gained valuable support from other international organisations and member governments in making this important change.

Council, at its Meeting 55, approved the roadmap for the implementation of an International Agreement that would change the status of IALA from that of a non-governmental organization to that of an intergovernmental organization.

Council’s Legal Advisory Panel (LAP) has been assisting Council in the development of a suitable instrument for this purpose.

# Discussion

## 3.1 Development of the draft International Agreement

### Council 55 was provided with a draft version of the International Agreement for consideration, and some Council members provided comments on that document.

### Council determined that it was appropriate to circulate the draft International Agreement to all National Members for comment. This task was undertaken in August 2013, in conjunction with the distribution of the new IALA publication entitled *IALA – an International Organisation – safely navigating the future.*

### In order to facilitate the widest possible consultation on the wording of the draft International Agreement, all National members were invited to attend an extraordinary LAP meeting convened in Copenhagen in October 2013, the purpose of which was to further consider and develop the draft International Agreement.

### Valuable discussions were held in Copenhagen and an updated version of the draft International Agreement was developed. The comments of National members not able to be present in Copenhagen were also sought and taken into account in developing this document.

### Work on the development of the General Regulations that support the draft International Agreement continued after the LAP meeting, taking to account comments provided by National Members. The draft General Regulations are provided at Annex B.

## Council Approval

### Council is of the view that all National members were provided the opportunity to engage in the development of the revised version of the draft International Agreement, and that, as a result, that document is a well understood, sound and workable legal instrument.

### Council approved the text of the draft International Agreement as provided in Annex A at its meeting in Goa in December 2013.

## Next Steps

### Should the General Assembly approve the text of the draft International Agreement the next step toward bringing the Agreement into force is to have the text considered by delegates of National member Governments.

### The output of such consideration would be an adopted final text for the International Agreement. This instrument would then be available to Governments for treaty action.

### The date for entry into force of the International Agreement cannot be known, but will require acceptance by 15 governments, including the Government of the French Republic.

# References

Nil.

# Action requested of General Assembly

General Assembly is requested to:

# Approve the text of the draft International Agreement provided in Annex A.

# Authorise Council to undertake the actions necessary to facilitate the adoption of the text of the draft International Agreement by National Member Governments.