

COMMENTS FROM CANADA ON THE DRAFT IALA CONVENTION

The analysis that follows pertains to the draft document, Annex - Draft Convention on the International Organization for Marine Aids to Navigation (IALA) (December 2016). The supporting document, Draft General Regulations for the International Organization for Marine Aids to Navigation (IALA) is addressed in a separate document.

ARTICLE	COMMENT	PROPOSED ACTION
Preamble The States party to this Convention, hereafter referred to as the Contracting Parties:		
RECALLING that the International Association of Lighthouse Authorities was established on 1st July 1957 following a conference of national lighthouse authorities held in Scheveningen, Netherlands;	Very detailed. Question whether all the information is useful.	Shorten and merge with the next paragraph.
NOTING that the International Association of Lighthouse Authorities was renamed the International Association of Marine Aids to Navigation and Lighthouse Authorities by its General Assembly in Hamburg, Germany in 1998;	Very detailed. Question whether all the information is useful.	Shorten and merge with the above paragraph, to say “RECALLING that the International Association of Lighthouse Authorities was established on 1st July 1957 and renamed the International Association of Marine Aids to Navigation and Lighthouse Authorities in 1998;”.
RECOGNISING the role of the International Association of Marine Aids to Navigation and Lighthouse Authorities in the improvement and continued harmonisation of marine aids to navigation for the safe, economic and efficient movement of vessels;	This refers to the old IALA and is rather detailed. Question whether the information is useful.	Consider deleting.
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;		

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CONSIDERING that the International Association of Marine Aids to Navigation and Lighthouse Authorities is formed as an association under French law; and	This speaks to the old IALA not the new IALA. If this clause is supposed to be referring to the new IALA, it seems to contradict para. 1(2).	Consider removing the paragraph given it speaks to the old IALA. If a strong desire to keep the paragraph, at a minimum change “is” to “was” to make this an historical statement, that is “CONSIDERING that the International Association of Marine Aids to Navigation and Lighthouse Authorities <u>was</u> formed as an association under French law;”.
CONSIDERING FURTHER that the Contracting Parties agree that the will of Governments to develop, improve and harmonise marine aids to navigation for the benefit of the maritime community and the protection of the environment is best coordinated by one responsible international organisation; HAVE AGREED as follows:	Delete the unusual wording about the will of Governments. This paragraph raises the question of IALA’s relationship with the IMO. Is IALA’s role reflected accurately here? Consider whether and where in the Convention IMO’s role vs IALA’s role could be clarified.	Change to the following: “CONSIDERING FURTHER that the Contracting Parties agree that the will of Governments to develop <u>ing</u> , improv <u>ing</u> and harmonis <u>ing</u> marine aids to navigation for the benefit of the maritime community and the protection of the environment is best coordinated by one responsible international organisation;”.
Article 1 - Establishment of the International Organization 1. The International Organization for Marine Aids to Navigation is hereby established as an international organization and shall be known as IALA (hereinafter ‘the Organization’).	According to para. 1(1), the acronym of the new International Organization for Marine Aids to Navigation is “IALA.” This is the same acronym as the existing NGO. The NGO and the new organization are supposed to coexist during a transition period described in Art. 18. It may be confusing if the two bodies simultaneously have the same acronym.	It would be preferable to come up with a new acronym for the organisation to distinguish it from the NGO. It would be clearer to have an acronym that better links to the new title of the organization and is more reflective of the modern content of the subject matter. Consider, for example IOMAtON.
2. The Organization shall have its seat in France unless otherwise decided by the General Assembly.		
3. The official languages of the Organization shall be English, French and Spanish. The working languages of the Organization shall be English and French.		
4. The operation of the Organization shall be as set out in the General Regulations. ⁱ	“Operation” may not be appropriate wording.	Consider replacing “operation” with “ <u>functioning</u> .”

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<p>Article 2 – Aims</p> <p>1. The Organization shall have a consultative and technical nature.</p>	<p>Article 2 on Aims is fundamental as it represents the building blocks of IALA. Given it is easier to reword on the front end than to amend the Convention later, there should be careful review. Also, the relationship with and role of the IMO should be made clear in this Convention, and this may be appropriate for Article 2.</p> <p>“Consultative” can be interpreted to mean non-decisional, and “technical” to mean non-policy. Is a different meaning intended?</p> <p>Also, para. 2(1) may fit better under Art. 3 Functions of the Organization.</p>	<p>Carefully review Aims to ensure understanding and agreement.</p> <p>Consider clarifying.</p> <p>Suggest moving to Art. 3. This could be para. 3(1), and the existing text could be para. 3(2)(a) to (g).</p>
<p>2. The aims of the Organization are to:</p> <ul style="list-style-type: none"> a) foster the safe and efficient movement of vessels through the improvement and harmonisation of marine aids to navigation worldwide and by other appropriate means; b) bring together governments, services and organisations concerned with the regulation, provision, maintenance or operation of marine aids to navigation and allied activities; c) promote access to technical cooperation on all matters related to development and transfer of expertise, science and technology in relation to marine aids to navigation; d) encourage and facilitate the general adoption of the highest practicable standards in matters concerning marine aids to navigation; and e) provide for the exchange of information among governments and intergovernmental organizations on matters under consideration by the Organization. 	<p>Para. 2(b) seems to fit better when integrated into the chapeau.</p>	<p>Collapse para. 2(b) into the chapeau of Article 2, to say the following, with appropriate lettering:</p> <p>“2. The aims of the Organization are to bring together governments, services and organisations concerned with the regulation, provision, maintenance or operation of marine aids to navigation and allied activities, <u>with a view</u> to: (a) fostering ..., (c) promoting ..., (d) encouraging and facilitating ..., and (e) providing for ...”</p>

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<p>3. For the purposes of this Convention the term ‘marine aids to navigation’ means a device, system or service, external to a vessel, designed and operated to enhance safe and efficient navigation of all vessels and/or vessel traffic.</p>	<p>“Marine aids to navigation” is the only term defined. Are there other terms that should be defined? It is common in conventions to have a separate article on definitions.</p> <p>In this context, does vessel traffic add anything to navigation of all vessels? That is, is vessel traffic needed? If it is needed, consider a clearer phrasing.</p>	<p>Review the Convention for other potential terms to define, and if appropriate, create a separate article on definitions.</p> <p>Consider striking out “and/or vessel traffic.”</p> <p>Or, consider “...designed and operated to enhance <u>the safety and efficiency of vessel traffic and vessel navigation.</u>”</p>
<p>Article 3 - Functions of the Organization The functions of the Organization, to achieve the aims referred to in Article 2, are to:</p> <p>a) provide standards, recommendations, guidelines and manuals or other suitable instruments and to commend these to governments, intergovernmental organizations and members as appropriate;</p>	<p>It seems a similar formulation to art. 3(b) would be appropriate.</p> <p>The text refers broadly to “governments” rather than Contracting Parties, and to “members.” Is this appropriate?</p> <p>How does para. 3(a) compare to the role of the IMO?</p> <p>Does the relationship with the IMO have to be spelled out, and if so here, or in Article 2?</p>	<p>Consider instead “a) <u>develop and make recommendations on voluntary</u> standards, guidelines, manuals, and other suitable <u>voluntary</u> instruments, and commend these to governments, intergovernmental organizations, and members as appropriate.”</p> <p>Determine whether “governments” and “members” should be changed, and if so, make the changes.</p>
<p>b) consider and make recommendations on standards, recommendations, guidelines and other documents that may be remitted to it by members, by any organ or specialised agency of the United Nations or by any other intergovernmental organization;</p>	<p>“Recommendations” is repeated in para. 3(b).</p> <p>Add “manuals” and “instruments” for consistency with (a).</p> <p>Here too should the caveat “voluntary” be inserted, or would IALA review incoming non-voluntary items but only “commend” voluntary items?</p>	<p>Consider instead the following:</p> <p>“b) Consider and make recommendations on <u>voluntary</u> standards, guidelines, <u>manuals</u>, and other <u>voluntary instruments</u> that may be <u>provided to the Organization</u> by any organ or specialised agency of the United Nations, or by any other intergovernmental organization.”</p>

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c) provide mechanisms for consultation and exchange of information including about the activities of Contracting Parties, members and recent developments;	Para. 3(c) refers to “information, including about the activities of Contracting Parties, members, and recent developments.” The word “activities” cannot apply to “members” without also applying to “recent developments.” It does not make sense, however, to say “the activities of [...] recent developments.”	Suggest redrafting to say the following: “provide mechanisms for consultation and exchange of information, including about <u>recent developments and</u> the activities of Contracting Parties <u>and</u> members.”
d) develop international cooperation by promoting close working relationships and assistance between its Contracting Parties and members;		
e) facilitate assistance to governments, services and other organizations requesting help with marine aids to navigation, whether technical, organisational or training;	What is envisioned by technical assistance, organisational assistance, and training assistance? Given this could result in potentially costly expenditures, consider a requirement for Council approval.	Consider adding the following at the end of para. 3(e): “ <u>, as approved by Council;</u> ”
f) organise conferences, symposia, seminars, workshops and other events relevant to its work; and		
g) liaise and cooperate with relevant intergovernmental, international and other organisations, offering specialised advice where appropriate.		
Article 4 – Membership 1. The Organization shall be comprised of Contracting Parties and members as described in Article 4.2.		

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<p>2. Members shall include, and the General Regulation may make provision for all matters related to, associateⁱⁱ and affiliateⁱⁱⁱ members.</p>	<p>“Include” implies there may be membership categories in addition to associate and affiliate. Is this accurate? Also, break para. 4(2) into two thoughts, for precision.</p> <p>“General Regulation” is singular here but plural throughout the rest of the text. Suggest pluralizing.</p> <p>“provision for all matters related to” is a very broad formulation. What is intended to be captured by this, and can this be reworded to be more precise?</p> <p>Given the footnotes, does para. 4(2) allow for <i>new</i> associate and affiliate members? General Regulation 2.1 is clearer than the footnotes that new associate and affiliate members are intended to be captured in para. 4(2).</p> <p>The use of footnotes should generally be avoided in a treaty.</p>	<p>Consider instead a new 4(2): “<u>The two categories of members are</u> associateⁱⁱ and affiliateⁱⁱⁱ members.”</p> <p>Consider a new 4(3): “Members shall include, and <u>The General Regulation</u>s may make provision for all matters related to associateⁱⁱ and affiliateⁱⁱⁱ members.”</p> <p>Reword, based on what is intended to be captured.</p> <p>Review the footnotes with this in mind and specify that new members are to be captured in para. 4(2).</p> <p>Incorporate the content of the footnotes in the body of the Convention.</p>

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<p>3. Any Contracting Party may claim Associate membership for a territory or group of territories for which it has responsibility and which is legally responsible for the regulation, provision, maintenance and/or operation of marine aids to navigation, by notification in writing to the Secretary-General of the Organization.</p>	<p>In order to keep a form of control over membership, it may be more appropriate to have Contracting Parties “submit” names for consideration, rather than having any Contracting Party <u>claiming</u> such status. See Article 18(1) which does that, for the transition.</p> <p>How will Affiliate members be approved to join IALA?</p> <p>Should there not be the ability for Contracting Parties to terminate their membership?</p> <p>How can Associate and Affiliate members terminate memberships?</p>	<p>Instead consider saying the following:</p> <p>“Any Contracting Party may <u>submit to the Council requests for</u> claim Associate membership <u>to be granted</u> for a territory or group of territories for which it has responsibility and which is legally responsible for the regulation, provision, maintenance and/or operation of marine aids to navigation, by notification in writing to the Secretary-General of the Organization.”</p> <p>Consider adding language to make clearer. See some clarity in draft General Regulation 2.3.</p> <p>Consider adding language on this point.</p> <p>Consider adding clarity from draft General Regulation 2.7.</p>

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<p>4. Each Contracting Party shall pay a contribution^{iv} to the Organization on an annual basis in the amount determined in accordance with in Article 7.6 (e) and Article 10.</p>	<p>The adoption of funding decisions is identified as being done by majority. Rather than by simple majority, the adoption of funding decisions should be by a higher standard, such as consensus.</p> <p>The General Regulations should also address payments of fees by members.</p> <p>Footnote iv states “contributions to be according to the principle of equal sharing, which will be specified in the General Regulations.” Equal sharing is not addressed in the General Regulations.</p>	<p>Redraft to say the following:</p> <p>“Each Contracting Party shall pay a contribution^{iv} to the Organization on an annual basis in the amount determined <u>by consensus decision</u> in accordance with in Article <u>[XX]</u> and Article 10.”</p> <p>Suggest adding to para. 4(4) “<u>The General Regulations shall also provide for the payments of fees by members.</u>”</p> <p>Consider whether all prospective Contracting Parties would support the payment of contributions amounting to equal sharing, however the term may be defined. If so, suggest including the concept equal sharing in the General Regulations along with its explanation, and remove the reference from Footnote iv.</p>
<p>5. Contracting Party contributions and member fees shall be due and payable in accordance with the General Regulations.</p>	<p>Prior to para. 4(5), the concept of member fees should be introduced, as was done in para. 4(4) for contributions.</p>	<p>Include a paragraph to introduce member fees, such as the following:</p> <p><u>“Each member shall pay fees to the Organization ...”</u></p>
<p>6. Failure to make a contribution when such payment becomes due may result in the Contracting Party being charged interest, the rate of which will be determined by the Council.</p>		
<p>7. Any Contracting Party which is two years in arrears in making contributions shall, after notification, be denied the rights and benefits conferred on Contracting Parties by this Convention until such time as the outstanding contributions have been paid.</p>		

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8. No Contracting Party or member shall be liable, by reason of its status or participation in the Organization, for acts, omissions or obligations of the Organization.		
Article 5 - Structure of the Organization 1. The Organization shall have as its organs: a) the General Assembly; b) the Council; c) Committees and other subsidiary bodies necessary to support the Organization's activities; and d) the Secretariat.	Who can create "Committees and other subsidiary bodies necessary to support the Organization's activities"? See comments on Article 8 on this point. Also consider also the cost implications of creating the bodies, and having the General Assembly rather than Council have this ability.	Consider and ensure clarity on who, the General Assembly or Council, can create Committees and other subsidiary bodies.
2. There shall be a President and a Vice President of the Organization elected in accordance with Article 7.	Is the intention to have a President and a Vice President of the General Assembly? Or of Council? Or of both? Or be the President and a Vice President of both? This is not clear from the General Regulations either.	Consider indicating the following: "There shall be a President and a Vice President of the <u>General Assembly...</u> "

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<p>3. Where decisions of the General Assembly or the Council cannot be reached by consensus, the following provisions shall apply:</p> <p>a) Only Contracting Parties have voting rights, which will be executed by the representative designated by each Contracting Party;</p> <p>b) Except where otherwise specified, decisions are taken on a simple majority of the votes cast.</p>	<p>Strengthen the text on reaching consensus to make clear that all efforts should be made to attain consensus.</p> <p>Should decisions of Committees and other subsidiary bodies also be included, or will terms of reference cover this?</p> <p>While it is appropriate to specify that only Contracting Parties have voting rights, execution by a designated representative is not needed.</p> <p>For decisions to the exclusion of budgetary matters, the preference is for at least a 2/3 majority. Also, different decisions could have different thresholds, but 2/3 should be the minimum majority.</p>	<p>Add to the start of para. 5(3) the following:</p> <p><u>“All efforts shall be made for the General Assembly and the Council to make decisions by consensus.”</u></p> <p>Consider adding the following:</p> <p>“Where decisions of the General Assembly, <u>Council, committees, or other subsidiary bodies</u> cannot be reached by consensus...”</p> <p>Remove the last part from para. 5(3)(a): “Only Contracting Parties have voting rights, which will be executed by the representative designated by each Contracting Party.”</p> <p>The text further down in the Convention should reflect that consensus rather than a simple majority should be applied to decisions on budgetary matters. Also consider a blanket change for at least a 2/3 majority for all decisions.</p>
<p>4. The General Regulations shall detail the Rules of Procedure that will apply for each organ.</p>		

ARTICLE	COMMENT	PROPOSED ACTION
Article 6 - The General Assembly 1. The General Assembly is the principal decision-making organ of the Organization and attendance shall be open to all Contracting Parties and members.	For a more clear text, divide para. 6(1) into 2 paragraphs, and merge the second part of the current para. 6(1) with the current para. 6(2).	Consider redrafting paras. 6(1) and (2) as follows: “1. The General Assembly is the principal decision-making organ of the Organization. <u>2.</u> Attendance shall be open to all Contracting Parties and members. 2- Each Contracting Party shall designate one of its delegates, preferably the head of a national authority legally responsible for the regulation, provision, maintenance or operation of marine aids to navigation, or his or her representative, as its principal delegate at the General Assembly.”
2. Each Contracting Party shall designate one of its delegates, preferably the head of a national authority legally responsible for the regulation, provision, maintenance or operation of marine aids to navigation, or his or her representative, as its principal delegate at the General Assembly.		
3. Regular sessions of the General Assembly shall take place at least once every four years.		
4. Extraordinary sessions shall be convened whenever one third of the Contracting Parties 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.		

ARTICLE	COMMENT	PROPOSED ACTION
5. A majority of the Contracting Parties excluding any Contracting Party denied by Article 4.7 the rights and benefits conferred on Contracting Parties, shall constitute a quorum for the sessions of the General Assembly.		
6. The General Assembly shall be chaired by the President or the Vice President and operate in accordance with this Convention and the General Regulations.		

ARTICLE	COMMENT	PROPOSED ACTION
<div>7. The General Assembly shall:<div>a) Decide the overall policy and the strategic vision of the Organization;</div><div>b) Determine the General Regulations of the Organization and the rules of procedure of the General Assembly, Council, Committees and other subsidiary bodies of the Organization;</div><div>c) Elect the Council in accordance with Article 7;</div><div>d) Determine and review the financial arrangements of the Organization;</div><div>e) Consider the reports and proposals put to it by any Contracting Party, the Council or the Secretary-General;</div><div>f) Adopt standards;</div><div>g) Make recommendations to Contracting Parties and members on matters within the scope of the Organization;</div><div>h) Decide on any other matters within the scope of the Organization; and</div><div>i) Delegate, where appropriate and necessary, responsibilities to the Council.</div></div>	<div>Re para. 6(7): Remove mandatory language of “shall.”</div> <div>Re para. 6(7): As written, it is not clear that the General Assembly creates or terminates committees and other subsidiary bodies. Suggest inserting text on this point.</div> <div>Re para. 6(7)(b): The General Assembly ought to be characterized as taking on adopting and reviewing functions, rather than determining.</div> <div>Re para. 6(7)(c): See comments on para. 7(3) below</div> <div>Re para. 6(7)(d): The General Assembly ought to be characterized as taking on adopting and reviewing functions, rather than determining.</div> <div>Re para. 6(7)(d): What is meant by “financial arrangements”? The expression “financial arrangements” is used in the IMO Convention where it says that the IMO Assembly shall “vote the budget and determine the financial arrangements of the organization” (Art. 15). This ensures the IMO Assembly has a clear role in financial oversight. What is the role being conferred on the General Assembly of IALA? Does “determine” and “review” mean that there will be a vote? Para. 7(6)(c) refers to “budget estimates, as decided by the General Assembly,” suggesting the GA will decide (vote) on the budget, but this information is indirect as Art. 7 is about the Council, not the GA.</div> <div>Re para. 6(7)(f): What is meant by “standards”? Does this refer to the standards in paras. 3(a) and (b), which we suggest should be voluntary? If referring to paras. 3(a) and (b), what about guidelines, manuals, other documents, and other suitable voluntary instruments also mentioned? How do the standards link to para. 7(6)(k) “the Council shall ... Approve recommendations, guidelines, manuals and other appropriate papers”?</div> <div>Re para. 6(7)(g): Similar comment as for para. 6(7)(f).</div> <div>Re para. 6(7)(i): When would it be “and necessary” to delegate to Council, a group of 24? “Where appropriate” seems fine on its own, without “and necessary.”</div>	<div>Re para. 6(7): “The General Assembly shall.”</div> <div>Re para. 6(7): Turn the opening verb of each para. into the following: (a) “Decides,” (b) “<u>Adopts and reviews</u>,” (c) “<u>Elects</u>,” (d) “<u>Adopts</u> and reviews,” (e) “<u>Considers</u>,” (f) “<u>Adopts</u>,” (g) “<u>Makes</u>,” (h) “<u>Decides</u>,” and (i) “<u>Delegates</u>.”</div> <div>Re para. 6(7): Suggest inserting a new para., that is “<u>Creates or terminates committees and other subsidiary bodies of the Organization.</u>”</div> <div>Re para. 6(7)(b): Suggest changing to say “Determine <u>Adopt and review</u> the General Regulations of the Organization and the rules of procedure of the General Assembly, Council, Committees and other subsidiary bodies of the Organization;”</div> <div>Re para. 6(7)(d): Change to say “Determine <u>Adopt</u> and review the financial arrangements of the Organization;”</div> <div>Re para. 6(7)(d): Determine what is meant by “financial arrangements” and use more precise wording.</div> <div>Re para. 6(7)(d): Overall a clearer definition of the General Assembly’s financial role is desirable.</div> <div>Re para. 6(7)(f): Consider how to redraft.</div> <div>Re para. 6(7)(g): Consider the same redraft as for para. 6(7)(f), in line with the wording of Art. 3.</div> <div>Re para. 6(7)(i): Delete “and necessary...”</div>

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Article 7 - The Council		
1. The Council is the executive organ of the Organization and shall be responsible for directing the activities of the Organization.	Ensure that the role of the General Assembly is reflected.	Consider adding “, <u>pursuant to the guidance of the General Assembly.</u> ”
2. The Council shall consist of up to twenty three (23) Councillors elected from amongst the Contracting Parties and one (1) non-elected Councillor.	<p>If the majority rule from para. 5(3)(b) was maintained, para. 7(2) means 13 or fewer Councillors (depending how many Councillors are elected from the Contracting Parties) could impose decisions on all Parties.</p> <p>Also, given the potential growth of IALA as an IGO, this may be a provision that Contracting Parties may wish to be able to change more easily than via Convention amendment.</p>	<p>Suggest at least a 2/3 majority as the minimum required for decision-making.</p> <p>Consider removing from the Convention and inserting in the General Regulations.</p>
3. Elected Councillors shall be elected by ballot by the General Assembly in accordance with the General Regulations.	<p>Neither Art. 6 nor Art. 7 actually explain when the Council is to be elected, but the General Regulations at para. 3.5 do, suggesting Council is elected at each General Assembly meeting. These meetings are expected to take place “at least once every four years,” but according to Convention para. 6(4) it is also possible to have an “extraordinary session” of the General Assembly. An extraordinary session would presumably not trigger new elections. It would be useful to insert a provision explaining when elections take place and for how long the elected Council members stay in office. By virtue of being housed in the General Regulations, these important elements of IALA’s structure would be open to change without amending the Convention. As it stands, it seems the General Regulations could be changed by a simple majority vote. The election method for Councillors provided in para. 7(3) is similarly vague and subject to the content of the General Regulations.</p> <p>If the intention is for elections to be at regular sessions only, reflect that elections by ballot will be at regular sessions of the General Assembly.</p>	<p>Consider inserting provisions explaining when elections to Council are to take place, and other important provisions on elections, rather than having them in the General Regulations. Consider adding “<u>Council will be elected at each regular meeting of the General Assembly.</u>”</p> <p>Consider inserting “Elected Councillors shall be elected by ballot <u>at regular sessions of the</u> General Assembly in accordance with the General Regulations.”</p>
4. The Contracting Party of the State in which the seat of the Organization is located (“Host Nation”) shall be the non-elected Councillor.		

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<p>5. At the Council Contracting Parties shall preferably be represented by the head of a national authority legally responsible for the regulation, provision, maintenance or operation of marine aids to navigation of that Contracting Party, or his or her representative.</p>	<p>The inclusion of the word “regulation” does not appear appropriate or necessary. It may also serve to confuse the role of IALA versus the IMO.</p> <p>For example, the Canadian Coast Guard does not have regulatory powers. However, the Canadian Coast Guard is the appropriate participant at IALA, given the technical and consultative nature of the organization.</p>	<p>Suggest that the word “regulation” be deleted.</p>
<p>Suggested new sub-paragraph on attendees at Council meetings</p>	<p>Who, if anyone, can attend Council meetings apart from Council members? Any observers from Contracting Parties who are not Council members? Any other observers? This would be appropriate to include in Article 7, at least in general terms, to be elaborated on in the General Regulations. The General Regulations do not seem to address this.</p>	<p>Insert text specifying who can attend Council meetings as observers.</p>

ARTICLE	COMMENT	PROPOSED ACTION
<div>6. The Council shall:</div> <div><div>a) Elect the President and the Vice President from amongst its members;</div><div>b) Exercise such responsibilities as may be delegated to it by the General Assembly;</div><div>c) Coordinate the activities of the Organization within the framework of the overall policy, the strategic vision and the budget estimates, as decided by the General Assembly;</div><div>d) Approve the annual budget and accounts and the annual report;</div><div>e) Determine the rate of contributions for Contracting Parties and members;</div><div>f) Convene the General Assembly;</div><div>g) Report to the General Assembly on the work of the Organization;</div><div>h) Appoint a Secretary-General in accordance with the General Regulations;</div><div>i) Review proposals submitted to it in accordance with the General Regulations;</div><div>j) Refer to the General Assembly all matters requiring decision by the General Assembly;</div><div>k) Approve recommendations, guidelines, manuals and other appropriate papers;</div><div>l) Approve submissions to other organizations;</div><div>m) Determine the terms of reference for committees and other subsidiary bodies;</div><div>n) Approve and review the work programmes of the Committees; and</div><div>o) Decide the venue and the year of the Organization’s Conferences and symposia as described in the General Regulations.</div></div>	<div>Re para. 7(6)(a): There may be confusion in using the term “member.”</div> <div>Re para. 7(6)(d): It does not seem appropriate to have a small group of Councillors adopt the budget, with funding implications for all Contracting Parties. Also, clarify what the relationship is between the annual budgets (approved by Council, para. 7(6)(d)) and the budget estimates to be “decided” by the General Assembly (para. 7(6)(c)). Note para. 10(2) says “The budget estimates and the financial statements on the accounts of the Organization shall be approved by the Council.”</div> <div>Re para. 7(6)(e): Throughout the draft Convention a distinction is made between the “contributions” paid by “Contracting Parties” and the “fees” paid by members. It seems this is the only provision where it says “members” pay “contributions.”</div> <div>Re para. 7(6)(f): Rather than Council, should it not be the Secretary- General who convenes the General Assembly?</div> <div>Re para. 7(6)(h): Should the General Assembly not Council appoint a Secretary-General?</div> <div>Re para. 7(6)(i): Proposals on what? As this Council is a limited group, there should be more clarity on its powers.</div> <div>Re para. 7(6)(k): How does that relate to para. 6(7)(f), which indicates the General Assembly is to adopt standards? Are standards meant to be separate? Ensure consistency with the wording chosen for Art. 3.</div> <div>Re para. 7(6)(m): This is to be read in parallel with para. 6(7)(b) and Art. 8. Should this be clarified?</div>	<div>Re para. 7(6)(a): “Members” does not seem appropriate in para. 7(6)(a). Suggest changing para. 7(6)(a) to “Elect the President and the Vice President from amongst its members <u>Councillors</u>.” Also suggest including text clarifying which members can attend Council.</div> <div>Re para. 7(6)(d): Consider consensus as the standard required for budgetary decisions and draft the necessary changes. Also revisit the text on annual budgets and budget estimates.</div> <div>Re para. 7(6)(e): To ensure consistency and clarity, consider changing to “Determine the rate of contributions for Contracting Parties and <u>the fees for</u> members.” Also, what is the interface with footnote iv which identifies equal sharing? Also recall that equal sharing does not appear in the General Regulations.</div> <div>Re para. 7(6)(f): If so, draft into the Secretary-General’s functions, perhaps in Article 9. Also, perhaps Council could convene extraordinary sessions of the General Assembly, meaning in para. 7(6)(f) insert “<u>extraordinary sessions of</u> the General Assembly.”</div> <div>Re para. 7(6)(h): If so, draft into the Secretary-General’s functions, perhaps in Article 9.</div> <div>Re para. 7(6)(i): Redraft to specify what the proposals relate to.</div> <div>Re para. 7(6)(k): If these are responsibilities for the General Assembly, then remove from Council’s list of responsibilities. Also ensure consistency with wording from Art. 3, no matter what the wording ends up being for Art. 3.</div> <div>Re para. 7(6)(m): Review para. 6(7)(b) and Art. 8, and bring further clarity to para. 7(6)(m).</div>

ARTICLE	COMMENT	PROPOSED ACTION
<p>Article 8 - Committees and Other Subsidiary Bodies</p> <p>Committees and other subsidiary bodies may be established by the General Assembly or the Council to support the endeavours of the Organization and shall operate in accordance with this Convention and the General Regulations.</p>	<p>This must be consistent with paras. 6(7)(b) and 7(6)(m). As currently written, the Convention allows the General Assembly to “Determine the General Regulations of the Organization and the rules of procedure of the General Assembly, Council, Committees and other subsidiary bodies of the Organization” (para. 6(7)(b)), but only Council can “Determine the terms of reference for committees and other subsidiary bodies” (para.7(6)(m)). Art. 8 seems to contradict this. Also, what if anything is the difference between rules of procedure and terms of reference?</p>	<p>Ensure the Convention is consistent and clear on whom, whether the General Assembly or Council, may establish committees and other subsidiary bodies, as well as for the adoption of their respective terms of reference.</p>
<p>Article 9 - Secretariat</p> <p>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.</p> <p>a) The Secretary-General shall be appointed for a term of four years and may be reappointed for one additional term not exceeding four years;</p> <p>b) The Secretary-General shall be responsible for the day to day management of the Organization, subject to any guidance issued by the Council or the General Assembly;</p>	<p>Para. 9(1) suggests a wide ability to hire as deemed fit. Considering the potentially high budgetary implications, suggest including a reference to budgetary considerations or something similar, to act as an appropriate parameter.</p> <p>See comments on para. 7(6)(h). Should the General Assembly not Council appoint a Secretary-General?</p>	<p>Suggest adding to para. 9(1) the following:</p> <p>“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, <u>within the approved budgetary framework</u>.”</p> <p>Wherever it is indicated who will be doing the appointment, consider a cross-reference at para. 9(1)(a) to the paragraph where that is indicated.</p>

ARTICLE	COMMENT	PROPOSED ACTION
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.	To appropriately qualify para. 9(2), suggest adding qualifying text.	Consider adding “...may determine, <u>to fulfil the aims and functions of the Organization.</u> ”
3. The Secretariat shall: <ul style="list-style-type: none"> a) Maintain all such records as may be necessary for the efficient discharge of the work of the Organization and shall prepare, collect, and circulate any documentation that may be required; b) Manage the Organization’s finances under the direction of the Council, in accordance with the General Regulations; c) Prepare the annual budget and accounts for submission to the Council; d) Keep Contracting Parties and members informed with respect to the activities of the Organization; e) Organize and support meetings of the General Assembly, the Council and Committees and other subsidiary bodies; f) Organize conferences and symposia, seminars, workshops and other events; and g) Perform such other tasks as may be assigned by the Convention, the General Regulations, the General Assembly or the Council. 	<p>The Secretariat would prepare the annual budget <i>proposal</i>. The budget later would have to be approved. See earlier comments on the adoption of the budget at paras. 5(3)(b) and 7(6)(d).</p> <p>To qualify this role, add language.</p>	<p>Add the following to para. 9(3)(c): “Prepare the annual budget <u>proposal</u> and accounts for submission to <u>[XX]</u>,” Do these go to Council, or to the General Assembly? See the comment at para. 10(2).</p> <p>Consider adding “Organize conferences and symposia, seminars, workshops and other events, <u>as approved by Council.</u>”</p>

ARTICLE	COMMENT	PROPOSED ACTION
Article 10 - Funding and Expenditure 1. The expenditure available for the functioning of the Organization shall meet the amount of financial resources provided by: a) Contracting Party contributions; b) member annual fees; c) donations, bequests, grants, gifts; and d) other sources approved by the Secretary-General.	<p>“...the amount of financial resources...” is an unfamiliar formulation.</p> <p>What is “other sources” intended to capture? Could this be carry-overs from previous years and interest gains, for example?</p>	<p>Consider redrafting to “The expenditure available for the functioning of the Organization shall meet the amount of <u>be met by the</u> financial resources provided by...”</p> <p>Consider whether to specify potential other sources. Determine whether approval should be specified to be by the Secretary-General, or whether approval by Council would be more appropriate.</p>
	<p>2. The budget estimates and the financial statements on the accounts of the Organization shall be approved by the Council.</p> <p>More clarity is needed on budgetary and financial matters, including terminology and roles played by Council and the General Assembly.</p> <p>Para. 10(2) refers to budget estimates and financial statements (not clear on the meaning of budget estimates and financial statements). Para. 7(6)(d) indicates Council shall “Approve the annual budget and accounts and the annual report.” Para. 7(6)(c) indicates Council shall “Coordinate the activities of the Organization within the framework of the overall policy, the strategic vision and the budget estimates, as decided by the General Assembly,” which seems to entrust the adoption of budget estimates (not sure what budget estimates are) to the General Assembly. Para. 6(7)(d) indicates the General Assembly shall “Determine and review the financial arrangements of the Organization” (not sure what financial arrangements are).</p>	<p>Once there is clarity on terminology and the roles that are to be played by Council and the General Assembly, consider redrafting for clarity accordingly.</p>
3. Following the Council’s approval of the Organization’s audited financial statements those statements shall be distributed to all Contracting Parties and members by the Secretariat.	<p>Para. 10(3) refers to Council’s approval of “the Organization’s audited financial statements.” This is the only reference in the Convention to financial statements being audited. Suggest there be a general statement indicating the requirement that an audit be carried out.</p>	<p>Consider drafting text for addition to the Convention on the requirement that an audit be carried out.</p>

ARTICLE	COMMENT	PROPOSED ACTION
Article 11 - Legal Personality, Privileges and Immunities 1. The Organization has international legal personality and has the capacity to: <ol style="list-style-type: none"> contract; acquire and dispose of immovable and movable property; and institute legal proceedings. 		
2. Subject to the agreement of each Contracting Party, the Organization shall enjoy in the territory of the Contracting Party such privileges and immunities as may be necessary for the fulfilment of its aim and for the exercise of its functions. In the territory of any state which is party to the Convention on the Privileges and Immunities of the Specialized Agencies adopted by the General Assembly of the United Nations on 21 November 1947, such legal capacity, privileges and immunities shall be those defined in the said Convention.	<p>How useful or relevant is it to seek privileges and immunities on the territories of all Contracting Parties? Put another way, is there a need for this? Also, are there experts, and are they too in need of protection? Also, of interest, note that Canada is not a party to the convention identified, so that part of para. 11(2) would not apply to Canada.</p> <p>Rather than the suggested para. 11(2), it seems that a provision on a headquarters agreement could be included.</p>	<p>Consider deleting para. 11(2) outright or replacing it with the following:</p> <p><u>“The privileges and immunities which the Organization and its officers shall enjoy in the territory of a Contracting Party shall be subject to agreement between the Organization and the Contracting Party including, in particular, a headquarters agreement between the Organization and the host Contracting Party.”</u></p>
3. The Organization may cooperate with governments, organisations and other bodies, and conclude agreements with them.		
Article 12 – Amendments 1. Any Contracting Party may propose an amendment to this Convention, in writing, to [the Government of France, in its role as] the Depository.	<p>Art. 12 contains the first use of the term “Depository.” At an appropriate place in the Convention, recommend inserting an additional article entitled “Depository,” specifying who the depository is. Also, throughout, the preference is to refer to “the Depository” (rather than the Government of X state) since it is the function that is important, rather than which state happens to hold that role.</p>	<p>Suggest adding an article saying the following:</p> <p><u>“The Depository of the present Convention is the Government of France.”</u></p> <p>Also, delete references to the Government of France that appear otherwise.</p>

ARTICLE	COMMENT	PROPOSED ACTION
2. The Depositary [Government of France] shall circulate the amendment proposal to all Contracting Parties and the Secretary-General at least six months in advance of its consideration by the General Assembly.	This is acceptable, with the understanding that the General Assembly could consider and eventually approve the proposed amendment, but that State Parties would subsequently have to formally accept the amendment to make it applicable to them.	Please confirm our understanding.
3. The proposed amendment shall be accepted by vote of the General Assembly upon approval by a two-thirds majority of Contracting Parties present and voting, excluding Contracting Parties denied by Article 4.7.	<p>Paras. 12(3) and 12(4) use problematic language. Para. 12(3) starts by saying that amendments shall be “accepted” by a 2/3rd majority of Contracting Parties at the General Assembly, but para. 12(4) then talks about amendments being “adopted.” The switch from “accepted” to “adopted” is problematic because para. 12(4) goes on to say that an amendment is deemed “accepted” at the end of a period of 12 months. “Adopted” should be used for what happens at the General Assembly and “accepted” should be used to describe the situation after the 12 months waiting period. This is important for Canada (and potentially other Contracting Parties) because “acceptance” has the legal implication that Canada consents to be bound, and Canada would not want to be bound simply by a vote at the General Assembly. Canada needs the 12 month period to complete the necessary internal procedures.</p> <p>Also, para. 12(3) can be simplified. See the suggested text.</p>	<p>Suggest redrafting para. 12(3) to the following:</p> <p>“The proposed amendment shall be accepted adopted by vote of the at the General Assembly upon approval by a two thirds majority of Contracting Parties present and voting, excluding Contracting Parties denied by Article 4.7.”</p>
4. Any amendment adopted in accordance with Article 12.3 shall be notified by the Depositary [Government of France] to all Contracting Parties and the Secretary General. The amendment shall be deemed to have been accepted at the end of a period of twelve months after the date of notification, unless within that period not less than one-fourth of the States that were Contracting Parties at the time of the adoption of the amendment have communicated to the Depositary that they do not accept the amendment, in which case the amendment is rejected and shall have no effect.	Is there a strong justification to proceed as set out in paras. 12(4) and (5), which reflects a highly exceptional approach? The preferred approach, which is the more standard approach, is to have amendments come into force only for those Contracting Parties having accepted the amendments, subsequent to their adoption by the General Assembly.	<p>Delete “The amendment shall be deemed to have been accepted at the end of a period of twelve months after the date of notification, unless within that period not less than one-fourth of the States that were Contracting Parties at the time of the adoption of the amendment have communicated to the Depositary that they do not accept the amendment, in which case the amendment is rejected and shall have no effect.”</p> <p>See below for a suggested redraft.</p>

ARTICLE	COMMENT	PROPOSED ACTION
5. An amendment deemed to have been accepted in accordance with Article 12.4 shall enter into force six months after its acceptance.	See the comment immediately above. Suggest paras. 12(4) and 12(5) be redrafted to something akin to the text immediately to the right.	Suggest redrafting to something akin to the following: <u>“An amendment to this Convention shall come into force for Contracting Parties having accepted the amendment six months after written notification of acceptance to the Depositary by ¾ of Contracting Parties and thereafter for each remaining Contracting Party upon acceptance by it.”</u>
Article 13 - Interpretation and Disputes Any question or dispute concerning the interpretation or application of the present Convention arising between or amongst Contracting Parties which is not settled through consultation or negotiation or by the good offices of the Council may be referred to a panel of three independent arbitrators appointed by the Secretary-General of the Permanent Court of Arbitration, unless the parties to the dispute agree upon another mode of settlement.	This dispute settlement provision is not clear on whether the dispute settlement scheme is intended to be mandatory or not mandatory (that is, do both/all parties to the dispute have to agree to go to arbitration or can only one party make the dispute go to arbitration), and whether the dispute settlement scheme is intended to result in decisions that are binding or non-binding on the parties. Considering the content of the Convention, there does not seem to be the need for a mandatory and binding scheme. There also does not seem to be a need for a mandatory or a binding dispute settlement mechanism.	Consider redrafting Article 13 to the following: <u>“Contracting Parties 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 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>
Article 14 - Signature, Ratification and Accession 1. This Convention shall open for signature by Members of the United Nations at [xxx] and remain open until [xxx].		
2. This Convention is subject to ratification, acceptance or approval by the signatory States.	Is para. 14(2) accurate, that is while ratification is appropriate for signatory states, are acceptance and approval also appropriate for signatory states?	Confirm whether acceptance and approval are also accurate in the context of signatory states.

ARTICLE	COMMENT	PROPOSED ACTION
3. This Convention shall be open for accession by any Member of the United Nations which has not signed the Convention from the day after the date on which the Convention closes for signature.		
4. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary [Government of France], who shall then notify each Contracting Party and the Secretary-General thereof.		
5. Ratification, acceptance, or approval of, or accession to, this Convention shall be without reservation.	This seems to be a complicated formulation, and there is a simpler way to say this. Also, such provisions are usually found in a separate Article.	Consider instead saying, in a new Article titled " <u>Reservations</u> ," the following: " <u>No reservation can be made to this Convention.</u> "
Recommended new article <u>Reservations</u>	Insert a new article on Reservations.	Consider the following text: " <u>No reservation can be made to this Convention.</u> "
Article 15 - Entry into Force		
1. The present Convention shall enter into force on the thirtieth day after the date of deposit of the 30th ^y instrument of ratification, acceptance, approval or accession.		
2. For each State ratifying, accepting, approving or acceding to the 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.		

ARTICLE	COMMENT	PROPOSED ACTION
Article 16 – Withdrawal		
1. Any Contracting Party may withdraw from this Convention by giving at least twelve month written notice to the Depositary [Government of France], who will immediately inform all Contracting Parties of such notification.		
2. Notification of withdrawal may be given at any time after the expiration of twelve months from the date on which the Convention has come into force.		
3. The withdrawal shall take effect on 31 December following the expiration of the notice.	Reading paras. 16(2) and (3) together, it could take almost 2 years before the notice of withdrawal takes effect. This does not seem appropriate.	Consider redrafting to shorten the timeframe in which a withdrawal from the Convention will be effective, for example by merging paras. 16(1), (2), and (3) to say the following: <u>“A Contracting Party may, by written notification addressed to the Depositary, withdraw from this Convention. The Depositary will immediately inform all Contracting Parties of such notification. The withdrawal shall take effect 1 year after the date of receipt of the notification by the Depositary.”</u> (Can end it here or add <u>“unless the notification specifies a later date.”</u>)
Article 17 – Termination		
1. This Convention may be terminated by decision of the General Assembly upon a two-thirds majority of Contracting Parties present and voting, excluding any Contracting Party denied by Article 4.7 the rights and benefits conferred on Contracting Parties.		

ARTICLE	COMMENT	PROPOSED ACTION
<p>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.</p>		
<p>Article 18 - Transitional Arrangements</p> <p>1. Upon the entry into force of this Convention all National members of the International Association of Marine Aids to Navigation and Lighthouse Authorities, who are not Contracting Parties, shall, with the approval of the Council and subject to their agreement, become Associate members of the Organization.</p>	<p>Remove “Upon the entry into force of this Convention” due to a redundancy. If kept, this contradicts this happening with approval, because implies this will happen as of right, which is not the desire.</p>	<p>Remove “Upon the entry into force of this Convention” and start at “All National members”</p>
<p>2. Upon the entry into force of this Convention all parties holding financial, non-suspended status as an associate member or industrial member of the International Association of Marine Aids to Navigation and Lighthouse Authorities, shall, with the approval of the Council and subject to their agreement become Affiliate members of the Organization, in accordance with the General Regulations.</p>	<p>“...all parties” should read “all entities” because associate and industrial members are more appropriately referred to as entities not parties.</p> <p>Given it is likely the General Regulations will not exist at the time of the transition referred to in para. 18(2), delete the reference to General Regulations.</p>	<p>Change para. 18(2) to say “Upon the entry into force of this Convention all parties <u>entities</u> holding financial, ...”</p> <p>Delete the reference to “in accordance with the General Regulations” from para. 18(2).</p>

ARTICLE	COMMENT	PROPOSED ACTION
<p>3. Upon the entry into force of this Convention the Council of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall become the transitional Council of the Organization and will operate as such until the first General Assembly convened under this Convention, which must be within a period not exceeding six (6) months.</p>	<p>Wording changes are required for accuracy.</p> <p>Also, consider what is to happen should the first General Assembly not be ready to be convened within 6 months of entry into force of the Convention.</p>	<p>Suggested changes to para. 18(3):</p> <p>“Upon the entry into force of this Convention the Council of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall become <u>the act as a</u> transitional Council of the Organization and will operate as such until the first General Assembly convened under this Convention, which must be within a period not exceeding six (6) months.”</p> <p>Consider whether to amend the time frame criteria to accommodate potential delays in readiness.</p>
<p>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.</p> <p>5. The Committees of the International Association of the Marine Aids to Navigation and Lighthouse Authorities shall become the transitional Committees of the Organization and will operate until the equivalent Committees are established under this Convention.</p>	<p>How does this relate to paras. 18(1) and (2)? Does this cover only those who are identified as approved by para. 18(1)?</p> <p>Delete “the” between “of” and “Marine Aids,” and a wording change is recommended for consistency. Also, reflect that Council can decide on the status of the Committees.</p>	<p>Suggested change to para. 18(5):</p> <p>“The Committees of the International Association of the Marine Aids to Navigation and Lighthouse Authorities shall become the transitional Committees of the Organization and <u>shall</u> will operate until the equivalent Committees are established under this Convention <u>a decision is made by Council on their status under the Convention.</u>”</p>

ARTICLE	COMMENT	PROPOSED ACTION
<p>6. In the event that a State which has Associate membership becomes a Contracting Party the Associate membership will cease on the date on which the Convention enters into force for that State. In the case of a Contracting Party having more than one Associate membership that Contracting Party may decide to retain Associate memberships.</p>	<p>It is not clear on how a State which has an Associate membership becomes a Contracting Party. This is referenced in para. 18(6) but does not seem to be explained in the Convention or General Regulations.</p> <p>Also, see one wording change for consistency.</p> <p>Overall, it is not clear who and what are associate members. There are references to states, territories, and “more than one” membership. Also, there should not be the ability for a province to become a member, which could also be interpreted here.</p>	<p>Partial suggested change to para. 18(6):</p> <p>“In the event that a [State – need to clarify what is meant here] which has Associate membership becomes a Contracting Party the Associate membership will <u>shall</u> cease on the date on which the Convention enters into force for that State. In the case of a Contracting Party having more than one Associate membership that Contracting Party may decide to retain Associate memberships.”</p>
<p>7. After the entry into force of this Convention the transitional Council shall initiate negotiations with the International Association of Marine Aids to Navigation and Lighthouse Authorities on the transfer of the latter’s activities, records, documents, publications, archives, rights, interests, funds, assets and liabilities to the Organization.</p>	<p>What does para. 18(7) mean, and is “negotiate” appropriate here? Para. 18(7) says that after the Convention comes into force the transitional Council, which is the Council of the old IALA, will negotiate with the old IALA the transfer of the old IALA’s activities, records, documents, publications, archives, rights, interests, funds, assets and liabilities to the new IALA. What does this list include, and does the new IALA want to take all of the above on?</p> <p>Note that “Organization” is IALA, as set out in para. 1(1).</p>	<p>Para. 1(1) ought to be redrafted once its purpose, and the meaning of each of “activities, records, documents, publications, archives, rights, interests, funds, assets and liabilities,” is clarified.</p> <p>Consider whether it would be more appropriate for para. 18(7) to say the following:</p> <p>“After the entry into force of this Convention, the <u>International Association of Marine Aids to Navigation and Lighthouse Authorities, facilitated by</u> the transitional Council, <u>will work in cooperation with the Organization to transfer its</u> [activities, records, documents, publications, archives, rights, interests, funds, assets and liabilities]to the Organization.”</p>

ARTICLE	COMMENT	PROPOSED ACTION
<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 Council appoints the Secretary-General in accordance with Article 7.</p>		
<p>IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed the present Convention.</p> <p>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 [Government of France] Depositary. The Depositary [Government of France] shall transmit certified copies thereof to all the [signatory and acceding] Governments and to the Secretary-General of the Organization.</p>		
<p>Notes:</p> <ul style="list-style-type: none"> i. General Regulations will include Financial Regulations. ii. Associate members are territories or groups of territories and current IALA national members transferred in accordance with Article 18. iii. Affiliate members are associate and industrial members of the current IALA. iv. Contributions to be according to the principle of equal sharing, which will be specified in the General Regulations. v. 30 signatures have been proposed in order to have enough members to elect and form a Council of up to 24 members in accordance with article 7.2. 	<p>The use of footnotes should generally be avoided in a treaty.</p>	<p>Review, and incorporate the content of the footnotes into the body of the Convention.</p>