

IALA COUNCIL 2nd session



9-13 June 2025
Nice, France

8 – Strategy and Policy

8.3.1 – Policy on submission and co-sponsoring of documents

Note by the Secretariat

1. INTRODUCTION

At the 3rd meeting of the Transition Council 10-13 December 2024 during discussion on point 12.3.2 the Councillors from Ireland and Sweden requested that the IALA Council, in collaboration with the IALA Secretariat, undertake an analysis of the co-sponsoring procedures and their potential future implications for IALA Member States. The objective is to develop a formal policy for IALA, as an IGO, regarding the submission and co-sponsorship of documents to other international organizations.

The following action item was agreed:

The Secretariat to undertake the analysis for further discussion on the development of a possible procedure for online council document approval.

2. DISCUSSION

Sweden has kindly followed up with the following information:

Sweden is an IALA Member State (MS), an IMO MS and an EU MS which is a situation equal to some other IALA MS. Subject to approval of Council, IALA as an NGO, has co-sponsored input papers to intergovernmental organizations such as the IMO. In general, Sweden is supportive of the content of the input papers. However, during 2024 Sweden did not support that IALA would co-sponsor two input papers addressed to IMO. Not because Sweden objected to the content in general of the input papers but because the IALA co-sponsoring mechanism by silent approval does not comply with the formal procedure Sweden has for preparations for IMO meetings, a procedure which is scheduled after the due date for input papers.

Historically there has been occasions where Sweden has experienced meetings when a State that is both a MS of IHO and IMO has had to change its position in IMO after being reminded that the same MS has supported another position in IHO and later has had to divagate from its position about an issue in IMO.

Relevant in this context is that IALA MS that also are EU MS have to take into account that EU has a procedure, EU coordination, for approving documents to IMO that all EU MS are bound to. Relevant in this case is also that all IALA EU MS are bound by so called EU competence, i.e. areas regulated by the EU through, for example, EU regulations and/or directives. EU competence can, during a EU coordination meeting, lead to a situation when an EU MS must change a previous position only a few weeks before an IMO meeting. The possible challenge of IALAs co-sponsoring of input papers to other intergovernmental organizations is therefore an issue that concerns all IALA MS that are also EU MS.

By having an IALA policy about submissions and co-sponsorship of documents in place situations can be avoided where a MS in a meeting of another IGO is strictly bound by an earlier decided IALA position. With an IALA policy situations for an IALA EU MS can also be avoided that may emerge during EU-coordination meetings prior to a meeting of another IGO - if an IALA EU MS may need to change its/their position in relation to a co-sponsoring previously worked out by IALA.

Subject to the approval of IMO Assembly, IALA as an IGO shall be allowed to observe and submit documents to IMO meetings or conferences. That is in accordance with the first meeting of the General Assembly (GA01) which in February 2025 adopted IALA Resolution GA01.13 RESOLUTION ON AGREEMENT WITH IMO AND IHO and IMO Assembly Resolution A.1168(32) RELATIONS WITH INTERGOVERNMENTAL ORGANIZATIONS.

As an alternative, to not co-sponsoring, Sweden at the two occasions mentioned above, suggested that IALA supported the input papers from the floor which can give better impact during the meeting and shows that IALA is a committed organization.

With the support of the Secretariat Sweden offers to analyse and discuss this issue further together with a smaller group of IALA Council MS representing the global nature of IALA.

3. RELATION TO THE EUROPEAN UNION

After a meeting between the EC/DG MOVE and the Commission Legal Service and IALA on 7 April 2017 it was agreed that it is doubtful that the work of IALA falls directly within EU competence and demands EC coordination as in IMO. It was the view that a MoU giving EC observer status will probably be the best way forward. The EC has a similar arrangement with IHO. It was agreed that the EC would come back with a possible text for inclusion in the draft Convention if needed.

The EC never came back with comments.

EMSA is an Affiliate Member of IALA (IGO) and participates often in IALA events and meetings.

4. PROPOSED WAY AHEAD

It is proposed to establish a Council correspondence group consisting of interested Council members, with Sweden as the Chair, to draft a policy. The draft policy would then be presented to the Policy Advisory Group at their meeting in September, with the aim of securing Council approval at C03 in December 2025.

The Secretary to the group will be appointed from the IALA Secretariat.

5. THE COUNCIL IS INVITED TO

Note the information and agree on the way ahead for the policy.