

Pre-DIPCON

18-19 April 2017
Paris

3.1 (E) – Status of the IGO-Project

Note by the Secretariat

1. GENERAL

In May 2014 the IALA General Assembly adopted a resolution, stating its firm belief that International Intergovernmental Organisation (IGO) status will best facilitate IALA's aims in the 21st century and determining that the status should be achieved as soon as possible, through the development of an international convention (GA Resolution A.01 of 27 May 2014). See link: http://www.iala-aism.org/content/uploads/2016/10/ga_res_a01_1.pdf

A multilateral convention to create IALA as an IGO has been determined to be the path to achieve this outcome. The Legal Advisory Panel has been assisting Council in the development of a suitable instrument for this purpose. In December 2014 Council established a Change of Status Advisory Group to give high level advice on the project.

The envisaged "Convention on the International Organization for Marine Aids to Navigation" will supersede the existing IALA Constitution and meet the requirements of the Vienna Convention for International Treaties and will be open for signature by all members of the United Nations (UN).

2. TRANSITION ARRANGEMENTS

The envisaged IALA Convention will provide arrangements for a smooth transition that will ensure that the IALA's work as a technical organization in the area of marine aids to navigation will continue uninterrupted and that its responsibilities towards the maritime community will be both undiminished and maintained with the customary high level of commitment.

As predicted in the draft Convention Article 18 all current National members, who are not Contracting Parties, shall upon the entry into force of the Convention, with the approval of the Council and subject to their agreement, become Associate members of the Organization.

All parties holding financial, non-suspended status as an Associate member or Industrial member of the association, shall, with the approval of Council and subject to their agreement become Affiliate members of the Organization.

This will ensure that AtoN Authorities in Countries that for one reason or another cannot immediately become Contracting Parties to the Convention can still contribute to and benefit from the work of IALA.

The proposed high number of Contracting Parties required for the Convention to enter into force will also ensure a smooth transition.

3. FINANCIAL ASPECTS

IALA is a not for profit organization and its legal status derives from the French Law of Associations of 1901. In 2015 the total budget mainly originating from membership contributions and approved by Council was at approx. 2 Mio €.



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The contribution is the same for each member in each category (National, Associate and Industrial). For National members the annual contribution for 2017 is 15.240 €. Based on the assumption that the number of future members of IALA as an IGO will remain the same (Contracting Parties, Associate or Affiliate members) in accordance with the transition arrangements in para 2 above, the contribution will remain at the same level after entry into force of the new Convention.

It is important to note that there are no foreseen investment costs as IALA already exists and owns the HQ premises, fixtures etc.

4. ENTRY INTO FORCE ARRANGEMENTS

In the draft text it is proposed that the Convention enters into force on the 30th day after the date of the deposit of the 30th instrument of ratification, acceptance, approval or accession. Council has agreed on this rather high number to assure a sufficient number of Contracting Parties to run the organization and in order to form a Council of proposed 24 members.

5. THE CONFERENCE IS INVITED TO

- **Note** the information provided.