



IALA Change of Status Working Group

Terms of Reference

1. Introduction

The aim of IALA is to foster the safe, economic and efficient movement of vessels, through improvement and harmonisation of aids to navigation worldwide and other appropriate means, for the benefit of the maritime community and the protection of the environment.

IALA has been located in France since its creation in 1957 and is established under French national law – the Law of Associations of 1901. This law requires that IALA operate in accordance with its Constitution, which must be registered with the French Authorities. The Association is also subject to other French domestic laws that are relevant to its operations, including those related to employment, taxation, health and safety, and customs and immigration (including working visas).

At the 18th Session of the General Assembly in A Coruna, Spain, on 27 May 2014, the General Assembly adopted a Resolution on IALA's change of status to that of an International Intergovernmental Organization (IGO).

It follows from the resolution that the General Assembly...

BELIEVING that international intergovernmental organization status will best facilitate IALA's aims into the future,

1. *DETERMINES that IALA should strive to achieve such status as soon as is possible by supporting the development of an international convention open to entry by all members of the United Nations;*
2. *DECIDES that through all available means IALA will support its National Members and their Governments in the pursuit of international intergovernmental status for IALA;*

[...]

5. *DIRECTS the IALA Council with the assistance of the IALA Secretary-General to further consider the preparation of IALA for a change of status, including the development and adoption of modern, flexible and efficient administrative practices;*
6. *AUTHORISES the IALA Council to act in fulfilment of this Resolution.*

Whilst recognising that the ultimate creation of IALA as an IGO is a matter for States, Council determines to give effect to the above obligations to the extent that it can, in part, through the establishment of the IALA Change of Status Working Group.

2. Objectives

The IALA Change of Status Working Group shall provide support to the IALA Council in fulfilment of the Resolution on IALA's change of status to that of an IGO including by:

- i. Undertaking high level identification and strategic planning for delivery of the range of activities, and the management of potential risks associated therewith, that will be required to be undertaken by Council to give effect to the Resolution;
- ii. Preparing a draft road map for the transition to IGO taking into account the above activities;
- iii. Recommending the draft text of a Convention that best represents IALA's position on the establishment, function, governance and operation of IALA as an IGO (including supporting documentation) for delivery to National Member and other Governments via diplomatic processes;
- iv. Facilitating liaison with National Member Governments about IGO status, including with those that may be interested and able to undertake diplomatic coordination and activity;
- v. Providing advice to Council in regard to diplomatic activities (including IALA's role in any diplomatic conference to agree the text of a Convention that would create IALA as an IGO); and
- vi. Preparing the IALA Secretariat for transition to an IGO.

3. Composition

The IALA Change of Status Working Group shall function under the direction of the Chairman of the IALA Legal Advisory Panel (LAP). The Vice-Chairman of the Change of Status Working Group shall be the Chairman of the IALA Strategy Working Group. The IALA Secretary-General shall be a member of the IALA Change of Status Working Group.

The Council shall appoint up to six (6) other Councillors to the IALA Change of Status Working Group, each of whom agrees to bring to bear the resources of their organisation to facilitate its success.

The Chairman may also invite experts and representatives from relevant international organisations to its meetings and may further involve them in achieving the objectives of the IALA Change of Status Working Group.

4. Deliverables

The IALA Change of Status Working Group shall produce for Council approval:

- i. A high level Action Plan for the transition of IALA to an IGO;
- ii. A draft Road Map that will give effect to the Action Plan and meet Council's obligations under the Resolution;
- iii. A draft Convention text creating IALA as an IGO, including supporting documentation to facilitate diplomatic activity.

The IALA Change of Status Working Group shall ensure that:

- i. The Action Plan is implemented in accordance with the Road Map;
- ii. The Action Plan and Road Map are reviewed and updated regularly; and
- iii. A status report is prepared for each meeting of the IALA Council on its work and progress, identifying any issues that require action, advice or approval by Council.

5. Working Group Procedures

The IALA Change of Status Working Group shall hold meetings in at least March and October each year. Meetings may be in person or by electronic means and may be held more frequently if deemed necessary by the Chairman.

The IALA Change of Status Working Group shall make use of electronic tools (e-mail, correspondence groups, discussion forums, teleconferences/computer conferences etc.) to augment regular meetings, as required, to progress the work.

The Chairman and Vice-Chairman may create sub-groups or make use of other Council advisory groups to facilitate the tasks of the Working Group. Any sub-group is to operate at the direction of the Chairman or the Vice-Chairman.

Secretariat support for the Working Group will be provided by the IALA Secretariat at the direction of the Secretary-General as required.

6. Timeframes

The high level Action Plan and Road Map are to be delivered to Council by June 2015 and are to include specific timeframes for each activity required to be undertaken by Council.

Completion of the draft text for the Convention shall be treated as a high priority and shall have a preferred delivery date of June 2015.

Other outputs shall be delivered in accordance with the timeframes indicated in the approved Action Plan.