



**DEPARTMENT OF NAVIGATION
AND OCEANOGRAPHY
OF THE MINISTRY OF DEFENCE
OF THE RUSSIAN FEDERATION**

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To: Mr. Francis Zachariae
IALA Secretary-General
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Saint-Petersburg, 01 February 2023

Dear Mr. Zachariae!

I am glad to inform you that representatives of the Russian Federation are going to take part in the 14th IALA General Assembly.

Department of Navigation and Oceanography of the Ministry of Defence of the Russian Federation has prepared a number of proposals that we would like to be discussed at the General Assembly. They are attached to the letter.

Best regards,

Head of Department

A blue ink handwritten signature, appearing to be 'Konstantin Speranskiy', with a stylized, looping script.

Konstantin Speranskiy

**Comments and proposals of the Russian Federation
on including issues in the Agenda
of the 14th IALA General Assembly
June 3, 2023**

I. Introduction of amendments and additions to the existing version of the Regulations on the Disaster Recovery Fund.

The Fund's TOR were approved by the Council in December 2022.

It should be noted that the functions of the Council include establishment of committees and similar bodies. The Council is not authorized to establish any funds. (8.2.3 of the IALA Constitution). The Council shall make any administrative decision, which must be referred to the next General Assembly for confirmation (4.1 of the General Regulations).

At the same time, a special fund could have been established by the Secretary General of the IALA (Article 11 of the Financial Regulations).

Thus, the procedure for establishing the fund was violated: the Fund had been established by the Council, not by the Secretary General. The wording of the Fund's TOR approved by the Council does not take into account the essential aspects concerning the procedure for making a decision on spending funds.

At the same time, since the situation required an urgent solution, the Council considered it possible to go beyond its powers and establish a Fund by initiating the preparation of the Fund's TOR.

The Russian side, generally supporting the idea of creating such a special fund, proposes that the General Assembly approves the Fund's TOR (4.1 of Article 4 of the General Regulations), having previously made substantive amendments to the current TOR edition:

1. the term "disaster" change the term "emergency situation" or "a situation associated with a critical decrease in the level of navigation safety";
2. in the Preamble section, change "to provide support in times of natural disaster or man-made crisis" for "support in eliminating the consequences of a natural or man-made crisis";
3. The Budget section should be supplemented with the phrase "such a decision can be made by a contributor only after the IALA WWA takes the decision to provide aid for this specific purposes. This means that the IALA WWA takes the decision first,

and only after that the contributor has the right to use the Fund for transferring the contribution”;

4. The list of aspects to be taken into account in the decision-making on the provision of help (Section “The Role of the WWA), add:

4.1 “the causes of the crisis must be eliminated”;

4.2 “rendering assistance to one of the sides of an armed conflict must not be done without the consent of the second side of the conflict”.

II. Compliance with the financial discipline of the IALA members.

The Council periodically makes decisions to waive contributions of IALA members. It should be reminded, that in accordance with Article 10 of the Financial Regulations, violation of the financial discipline may entail application of sanctions in the form of deprivation of the right to vote and exclusion from the organization.

The Council did not take such extreme measures. The Council made “waiving” decisions.

However, in accordance with paragraph 2.4 of Article 2 of the General Regulations, the contributions established by the Council shall be the same for each member within each membership category.

It is necessary to take into account that any waived contribution in fact is distributed among all the other IALA members who are regular payers to the organization’s budget.

It is proposed:

the Council should analyze the dependence of contribution waiving on the financial situation of the organization;

to urge the Council and the Secretariat to maintain financial discipline of the IALA members and strict compliance with the Financial Regulations.