



IN THE NAME OF GOD

Ministry of Road & Urban Development  
**Ports and Maritime Organization**

No.: 24151

Date: .....

Ref.: 20.9.2017

**To: IALA Secretariat**

**E-mail: [secgen@iala-aism.org](mailto:secgen@iala-aism.org)**

**Subject: *Iranian Comments on Draft IALA Convention***

Dear Sir,

On behalf of the Iranian maritime community, we would like to express our gratitude for the hospitality of the French Government during the Pre-Diplomatic Conference, and the tireless efforts of the Secretariat in regard to transforming IALA from a non-governmental organization into an intergovernmental entity.

We would also like to propose the following comments on the Draft IALA Convention, which were also presented by the Iranian delegation during the Pre-Diplomatic Conference:

- 1. Definition:** In order to maintain consistency with other international instruments, it is proposed that a separate article be dedicated at the beginning of the Convention to defining the terms and expressions used in the text that require further clarification. For instance, the terms "marine aids to navigation" or "affiliated or associated or industrial members" have been defined within other articles, which highlight the need for a special article for definitions.
- 2. Membership (Article 4):** In some cases where a member government is unable to pay its contribution due to technical problems beyond its control, namely banking issues, it is proposed that the Secretariat attempt to find a solution and resolve the issue. Moreover, similar to international organizations such as IMO, the right of "waiver" is proposed to be granted to those states that are not in a position to pay their outstanding contribution in due time.

In many international organizations including IMO, IHO, IAPH, etc, no interest is levied on overdue contributions, and the charging of the interest itself may cause further problems for the member government involved. It is therefore proposed that the charging of the interest referred to in paragraph 6 be deleted.



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**3. Rule of Procedure and Structure of the Organization (Articles 5 and 7):** With regard to the organizational chart and the administrative structure of the IALA, it is proposed that the procedures followed by other international organizations, such as IMO be adopted for the appointment of Secretary-General, administration of the Secretariat, election of the President and Vice-President, chairpersons, and the like.

**4. Composition of the Council (Article 7):** In order to provide a basis for all contracting parties in different areas of the world to take part in the decision-making process of the Council, it is proposed that the need to observe the "geographical distribution principle" be clearly stated in the text of the Convention.

With regard to paragraphs 2 and 4 of the same article, it is proposed that some clarification be provided about the seats of the Council, and that the procedures of similar international organizations such as IMO and IHO for designating a seat for the hosting State be taken into consideration.

**5. Reservation (Article 14):** Governments have different legal systems for accession and ratification of the IALA Convention, and their rights in this regard needs to be respected, taking into account the fact that "one size cannot fit all". The Islamic Republic of Iran thus expresses its concern about the absence of a reservation right at the time of ratification, acceptance, approval or the accession to the IALA Convention.

**6. Transitional Arrangements (Article 18):** In connection with transitional arrangements, it is proposed that all existing national members of the IALA become associate members of the Organization, solely subject to their request and agreement. This would render the Council's approval not required for the transitional period. Likewise, a similar procedure is proposed to be applied to paragraph 2 with regard to affiliate members and industrial members of the IALA.

**7. Technical Assistance and Capacity Building:** Taking into account the importance and role of technical assistance and capacity building for the contracting governments, especially those of developing technological knowledge transfer, it is proposed that a separate article be dedicated for this purpose, while



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clearly stating that such technical assistance would be provided to the contracting governments upon their request, with due regard to the priorities and requirements of each requesting party. The following text can be proposed as a draft to build upon:

***"Article X: Technical Assistance and Capacity Building***

*The Parties shall promote support for those Parties which request technical assistance for the following aspects, in consultation with the Organization and other international bodies, and in cooperation with affiliate members active in technical, operational and industrial fields:*

- a) the training of technical and scientific personnel;*
- b) the supply of necessary equipment and facilities;*
- c) the encouragement of research; and*
- d) visits to the related industrial, research and operation centers and complexes;*

*preferably within the countries concerned, so furthering the aims and purposes of the present Convention."*

Sincerely yours,

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