

IALA COUNCIL
70th session



9-13 December 2019
Noumea
New Caledonia

8 – STRATEGY AND POLICY

8.5 – Change of Status

8.5.1 – Preparation of the Diplomatic Conference February 2020

Note by the Secretariat

INTRODUCTION

In the General Assembly resolution of 27 May 2014 in La Coruna, Spain, it was decided that international intergovernmental organization status would best facilitate IALA's aims into the future, and it determined that IALA should strive to achieve such status as soon as is possible by supporting the development of an international convention.

The French Republic hosted a First Preparatory Conference in Paris on 18-19 April 2017, where the preparation of a consolidated text of a draft Convention of the International Organization for Marine Aids to Navigation began.

A Second Preparatory Conference took place in Marrakesh on 7-8 February 2018 hosted by the Kingdom of Morocco, followed by a Third Preparatory Conference in Istanbul on 12-14 March 2019 hosted by the Republic of Turkey, where the preparation of the consolidated text of a draft Convention continued.

The Third Preparatory Conference agreed that the prepared text of a draft Convention on the establishment of the International Organization for Marine Aids to Navigation was sufficiently advanced for consideration at a Diplomatic Conference.

This Diplomatic Conference will be convened in Kuala Lumpur from 25-28 February 2020, following the kind invitation of the Government of Malaysia.

DISCUSSION

The Secretary-General has invited National members, the Points of Contact and relevant international organizations to attend by letter of 20 September 2019. As attachments to the invitation were the draft Rules of Procedure and a Credentials form. The procedure of the Diplomatic Conference follows the procedures agreed and used at every diplomatic conference organized by the International Maritime Organization.

The Conference will be held at Grand Hyatt Kuala Lumpur Hotel, from Tuesday 25 February to Friday 28 February 2020. The opening session of the Conference will take place at 10 (or 10.30) a.m. on Tuesday 25 February 2020. This will be preceded by an informal meeting of the Heads of Delegation at 9 a.m.

The Conference will use as the basis for its deliberations the text of the draft Convention on the International Organization for Marine Aids to Navigation, as agreed by the Preparatory Diplomatic Conference 14 March 2019 in Istanbul.



C70-8.5.1

The main objective of the Conference is to finalize and adopt the text of the draft Convention and sign the Final Act.

Signature of the Final Act

The Final Act may be signed by any or all members of the governmental delegation at the discretion of the delegation itself. No commitment is involved in signing the Final Act and, therefore, only signatures are inscribed, no other statement or declaration should be added to the document.

Signature of the Final Act attests to the work and structure of the Conference and records the adoption, by the Conference, of an agreement on the Convention of the International Organization for Marine Aids to Navigation. However, the Final Act is not itself a treaty instrument and, therefore signing the Final Act does not constitute a legal commitment on the part of the country of the signing delegations with regard to the instrument adopted. Any such commitment will need to take place in accordance with the provisions of the Agreement and principles of the treaty law as well as the practice and legal arrangements followed by each national Government.

Signature of the Convention

The Convention and the draft Final Act will already before the Conference be translated in French and Spanish with the help of our member in France and Spain.

The Adopted Convention will then be open for signatures in Paris preferably later in 2020 and in the Ministry of Foreign Affairs.

Credentials

According to Rule 4 of the Rules of Procedure, participating States must send the credentials of their representatives to the Secretary-General before the opening of the meeting. When States send these credentials in, they are formally notifying the Secretary-General that these representatives are entitled to speak on their behalf. They must be sent by the Head of State, Head of Government or by the Minister for Foreign Affairs. The Conference formally acknowledges the representatives of the States by approving their credentials as proposed by the Credentials Committee.

The Secretary General will give more information at the meeting under agenda point 8.4. A plan for the Conference and information normally contained in the Final Draft can be found in the Annex.

THE COUNCIL IS REQUESTED TO

NOTE and/or comment on the information provided.



ANNEX

Overall plan (Structure of the Conference):

24th February:

World-Wide Academy Seminar, Grand Saloon

18.00-19.30 Welcome reception, Pool Side Residence

25th February:

08.30-10.00 Registration

09.00-10.00 Meeting of Heads of Delegations, Grand Ball Room

Decide on:

Structure of the meeting and Rules of Procedures

President, Vice presidents

Chairs of Committee of the Whole and Drafting Committee

Composition of Credentials and Drafting Committees

10.00-12.30 Opening of the Conference (Minister of Transport of Malaysia and SG)

Agenda points 1-5:

Election of President (SG)

Adoption of agenda

Adoption of Rules of Procedure

Election of Vice Presidents and other officers

Appointment of Credentials Committee

Organization of the Conference, including establishment of Committee of the Whole and other Committees

12.30-14.00 Lunch

14.00-17.30 Committee of the Whole

Agenda points 6-7:

Consideration of the draft Convention

Consideration of the draft resolution (English as working language)

26th February:

09.30-17.30 Work of the Committee of the Whole

Evening Conference Dinner



Example of a DRAFT FINAL ACT OF THE DIPLOMATIC CONFERENCE ON THE INTERNATIONAL ORGANIZATION OF MARINE AIDS TO NAVIGATION

1. The International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA), in its resolution of 27 May 2014 in La Coruna, Spain, believing that international intergovernmental organization status would best facilitate IALA's aims into the future, determined that IALA should strive to achieve such status as soon as is possible by supporting the development of an international convention.
2. The French Republic hosted a First Preparatory Conference in Paris on 18-19 April 2017, where the preparation of a consolidated text of a draft Convention of the International Organization for Marine Aids to Navigation began.
3. A Second Preparatory Conference took place in Marrakesh on 7-8 February 2018 hosted by the Kingdom of Morocco, followed by a Third Preparatory Conference in Istanbul on 12-14 March 2019 hosted by the Republic of Turkey, where the preparation of the consolidated text of a draft Convention continued.
4. The Third Preparatory Conference agreed that the prepared text of a draft Convention on the establishment of the International Organization for Marine Aids to Navigation was sufficiently advanced for consideration at a Diplomatic Conference.
5. The Diplomatic Conference on the Convention of the International Organization for Marine Aids to Navigation met in Kuala Lumpur from 25-28 February 2020, following the kind invitation of the Government of Malaysia.
6. The following 82 States were represented at the Conference by the following delegations:

STATE1
STATE 2
Etc.

7. The following intergovernmental organization sent observers to the Conference:
[INTERNATIONAL MARITIME ORGANIZATION (IMO).....]
8. The following non-governmental organizations sent observers to the Conference:
[COMITE INTERNATIONAL RADIO-MARITIME (CIRM).....]
9. The Conference was opened by Mr. Loke Siew Fook, Minister of Transport of Malaysia, and he welcomed the participants on behalf of the Government of Malaysia. The Secretary-General of the International Association of Marine Aids to Navigation and Lighthouse Authorities also welcomed the delegations and thanked the host Country for the generous support.
10. The Conference elected XX, of Malaysia, as President of the Conference.
11. The Vice-Presidents elected by the Conference were:
[XX; and YY]
12. The Secretariat of the Conference consisted of the following officers:
Secretary-General: Mr. Francis Zachariae,
Secretary-General, IALA
Executive Secretary: Ms. Christina Schneider,



Chair of the Legal Advisory Panel

Deputy Executive Secretaries:

Mr. Henning Teigene Osnes,

Vice Chair of the Legal Advisory Panel

Ms. Marie-Hélène Grillet,

IALA Secretariat

13. The Conference established a Committee of the Whole with the mandate to consider the draft Convention on the International Organization for Marine Aids to Navigation, and any related recommendations and resolutions.

14. The Drafting Committee established by the Conference was composed of representatives of the following **nine** States:

[STATE 1

STATE 2

Up to, but not more than

STATE 9]

15. A Credentials Committee was appointed to examine the credentials of representatives attending the Conference. The Committee was composed of representatives of the following five States:

[STATE 1

STATE 2

STATE 3

STATE 4

STATE 5]

16. The officers elected for the Committees were as follows:

Committee of the Whole

Chairman: [XX

First Vice-Chairman: YY

Second Vice-Chairman: ZZ]

Drafting Committee

Chairman: [XX

Vice-Chairman: YY]

Credentials Committee

Chairman: [XX]

17. The Conference used as the basis of its work the draft Convention on the International Organization for Marine Aids to Navigation of March 2019, produced at the Third Preparatory Conference held in Istanbul on 12-14 March 2019.

18. As a result of its deliberations, recorded in the reports of the respective Committees and in the records of decisions of plenary meetings of the Conference and meetings of the Committee of the Whole, the Conference adopted the Convention of the International Organization for Marine Aids to Navigation, which constitutes attachment 1 to this Final Act.



19. The Conference also adopted the Resolution on the working language of the Organization and the Resolution on Preparation of the Convention and Signature Ceremony set forth in attachment 2 to this Final Act.

20. This Final Act is established in a single original text in the [English, French and Spanish] languages and is deposited, including its attachments, with the French Republic.

21. The French Republic shall send certified copies of this Final Act and its attachments and certified copies of the authentic text of the Convention of the International Organization for Marine Aids to Navigation, to the Governments of the States invited to be represented at the Conference.

IN WITNESS WHEREOF the undersigned have affixed their signatures to this Final Act.

DONE AT Kuala Lumpur this twenty eighth day of February two thousand and twenty.

Country and signature without printed name