



Report of the 2nd meeting of the IALA Advisory Group on Change of Status

November 9, 2015

Executive Summary

The Advisory Group met at IALA Headquarters on 9th November 2015. The meeting was attended by 22 participants, representing 13 Council members.

The participants were updated on the status of the action plan regarding:

- **Communication:** Communication must be high quality, authoritative and transparent. An INF paper was forwarded to the IMO General Assembly, that will also be forwarded to IGOs and NGOs represented at IMO;
- **Diplomacy:** French diplomats will set up a road map after Council's approval of the draft Convention text. Having a panel of supporting countries would be a major step forward. National Members will be again encouraged to identify points of contact for diplomatic actions;
- **Finance:** the three proposed scenarios were reconsidered after advice was received on IGO membership, from which it is clear that IGOs can have members other than contracting parties. The scenarios will be submitted to the IALA Council;
- **Convention text and related documents:** the draft text was amended and will be forwarded with comments to Council for approval.

The project risk register was updated.

The meeting, originally planned for 9 and 10 November, closed on 9th November at 1700.

The next CoS meeting will be held at IALA Headquarters on 10 & 11 May 2016.

TABLE OF CONTENTS



		1
1	General	3
	1.1 Welcome	3
2	Approval of the agenda	3
3	Review of action items from CoS1	3
4	Review of input papers	3
5	Agreed Advisory Group Terms of Reference	3
6	Update on action plan	3
	6.1 Task area: Communication	3
	6.2 Task area: Diplomacy	4
	6.2.1 Update on diplomatic actions by France	4
	6.2.2 Establishment of PoC at National Members	4
	6.2.3 Information paper to IMO	4
	6.3 Task area: Financial aspects	4
	6.3.1 Report on financial issues	4
	6.3.2 Letter on Membership advice	5
	6.4 Task area: Convention text and related documents	5
7	Update of the project risk register	5
8	Review of output papers	5
9	Date and place of next meeting	5
10	Approval of the report	5
11	List of Annexes	5
ANNEX A	CoS2 Agenda	7
ANNEX B	CoS2 Participants	8
ANNEX C	List of input papers	11
ANNEX D	List of Output and Working Papers	12
ANNEX E	Action Items	13



Council Advisory Group on
the IALA Change of Status
2nd meeting

9 November 2015

Draft Report of the 2nd Meeting of the IALA Advisory Group on Change of Status

1 General

The 2nd meeting of the **IALA Advisory Group on Change of Status** was held on 9th November 2015 at the IALA Headquarters with Francis Zachariae, IALA Secretary-General, in the Chair. The Secretary for the meeting was the IALA Technical and Operations Manager, Marie-Helene Grillet. The meeting was attended by 22 participants representing 13 Council Members.

Apologies for absence were received from Portugal.

1.1 Welcome

Mr Zachariae welcomed the participants, who then introduced themselves.

2 Approval of the agenda

The agenda for the meeting was reviewed and approved. The agenda is at Annex 1.

3 Review of action items from CoS1

All action items were reported as completed.

4 Review of input papers

The input papers were reviewed and noted.

5 Agreed Advisory Group Terms of Reference

The Terms of Reference revised at CoS1 and approved by Council 60 were noted.

6 Update on action plan

6.1 Task area: Communication

Input paper CoS2-6.1.1 refers.

It was recognized that IALA communication should be:

1. High quality: up to date and accurate
2. Authoritative: reliable, consistent and clear
3. Transparent

Further communication actions may give more information on merits and demerits but focus on benefits.

6.2 Task area: Diplomacy

6.2.1 Update on diplomatic actions by France

A road map will be set up with French diplomats after the 61st session of the IALA Council subject to the draft Convention text receiving Council's approval. The advice is to develop a draft Convention text that is as complete as possible. The document should reflect IALA's wishes but is not intended to be a ready-to-sign document. It will be used as a supporting paper to the second French diplomatic action to start early 2016, aiming at all maritime States.

Some participants suggested deepening the discussions on the advantages and disadvantages of the change of status before the diplomatic process starts.

The French diplomats will act as facilitators but will not push the project forward. Having a panel of supporting countries would be a major step forward.

6.2.2 Establishment of PoC at National Members

Input paper CoS2-6.2.2 refers.

A letter was circulated by the Secretariat on 25 June 2015 requesting National Members to indicate points of contacts for diplomatic action.

The feedback so far is poor with 22 responses only.

Appropriate points of contact are vital for the success of the diplomatic action and it was suggested re-circulating the request specifying a deadline for responses.

Action item 1: *The Secretariat to issue a new request for diplomatic points of contacts to National Members with a set deadline for responses.*

6.2.3 Information paper to IMO

An information paper (INF) was submitted to IMO General Assembly (input paper CoS2-6.2.3). It was felt desirable to forward it to IGOs and other NGOs as well. It will be introduced to the meeting – which is not the normal procedure – and National Members' representatives should be invited to support it, as well as IGO's representatives.

The delegate for Korea answered positively.

Action item 2: *The Secretariat to forward the IMO General Assembly INF paper to IGOs and NGOs represented at IMO.*

Action item 3: *The Secretary-General to contact National Members inviting their representatives at the IMO General Assembly to react positively to IALA's information paper.*

6.3 Task area: Financial aspects

6.3.1 Report on financial issues

Input paper CoS2-6.3.1 refers.

The paper had been prepared before advice on IGO membership was received (see below). It was agreed that only scenarios 2 and 3, both taking account of affiliate and associate members, were realistic, the difference between the two scenarios being the initial number of contracting parties. Scenario 1 however should be retained as a political decision may be to set up an IGO with contracting parties only.

The representative of Japan argued that scenario 3 showing a risk of a reduced number of members the minimum initial number of contracting parties may be set at 50 to avoid the risk.

It was agreed that an updated report on financial issues would be submitted as part of the report on the status of the action plan to the 61st session of the IALA Council.

6.3.2 Letter on Membership advice

Input paper CoS2-6.3.2 refers.

The letter received from Dr Rosalie Balkin – former Head of IMO Legal and External Relations Department – made clear that nothing in international law including the Vienna Convention on International Treaties prevents an IGO from having members other than contracting parties and accepting membership contributions from all membership categories (other than Honorary).

The paper was noted.

6.4 Task area: Convention text and related documents

Input papers CoS2-6.4.1, CoS2-6.4.2 and CoS2-6.4.3 refer.

The aim of the draft Convention text is not to achieve a perfect diplomatic text but to reflect what IALA thinks is best for its future.

The draft text had been reviewed by CoS1 and LAP15.

It was agreed that provisions for attendance at Council sessions, the use of the official languages and potential conflicts between official languages should be referred to the General Regulations.

The draft Convention text as modified at the meeting, showing comments by both CoS and LAP, would be issued as an output paper and forwarded to Council.

7 Update of the project risk register

Input paper CoS2-7.1 refers.

The Project risk register was reviewed and modified and it was agreed to update the action plan to take account of changes in risk levels.

8 Review of output papers

The list of output papers is at Annex D.

9 Date and place of next meeting

The 3rd meeting of the IALA Advisory Group on Change of Status will be held on 10 and 11 May 2016 at IALA Headquarters.

10 Approval of the report

Approval of the report of CoS2 will be given by correspondence.

11 List of Annexes

A. Agenda

A copy of the agenda is at Annex A.

B. Participants

A list of CoS1 participants is at Annex B.

C. Input Papers

A list of input papers is at Annex C.

D. Output and Working papers

A list of output and working papers is at Annex D.

E. Action Items

A list of action items is at Annex E.

ANNEX A COS2 AGENDA

IALA Council WG on Change of Status

2nd session

Agenda item 2

CoS2-2.1

November 9-10, 2015

IALA Headquarters

The 2nd meeting of the **IALA Change of Status Advisory Group** will be held on 9th and 10th November 2015. The venue for the meeting is IALA Headquarters, 10 rue des Gaudines, 78100 Saint-Germain-en-Laye – France.

The meeting will commence at 0900 hours on 9th November and is expected to finish at 1600 hours on the 10th.

Input papers are, or will be, posted to:

http://www.iala-aism.org/council/private/meetings/cos_working_group/

CoS2 - PROVISIONAL AGENDA

(2015-11-03)

1. Welcome address
2. Approval of the agenda
3. Review of action items from CoS1
4. Review of input papers
5. Agreed Advisory Group Terms of Reference
6. Update on Action Plan
 - 6.1. Task area: Communication
 - 6.1.1. Update on the Communication plan
 - 6.2. Task area: Diplomacy
 - 6.2.1. Update on diplomatic actions by France
 - 6.2.2. Establishment of PoC at National Members
 - 6.2.3. Information paper to IMO
 - 6.3. Task area: Financial aspects
 - 6.3.1. Report on Financial Issues
 - 6.3.2. Letter on Membership Advice
 - 6.4. Task area: Convention text and related documents
 - 6.4.1. Note on Convention text and related documents
 - 6.4.2. Discussion paper on Convention text
 - 6.4.3. Draft Convention text
7. Update of the project risk register
 - 7.1. Draft project risk register
8. Review of output papers
9. Date and place of next meeting
10. Approval of meeting report

ANNEX B COS2 PARTICIPANTS

Australia Australian Maritime Safety Authority
Ms Mary DEAN
Manager Office of Legal Counsel
e-mail (main) : mary.dean@amsa.gov.au

China Ministry of Foreign Affairs
Mr Huang CHEN

Maritime Safety Administration
Mr Liang YANG
Sector Chief
Phone +86 186 1087 6369
Mobile phone: +86 186 1087 6369
e-mail (main): brightman.cmsa@gmail.com
e-mail (alternative) 8460709@qq.com

Maritime Safety Administration
Qingjiang KONG
Legal Advisor
e-mail: qkong2000@hotmail.com

Denmark Danish Maritime Authority
Mr Jan GABRIELSEN
Senior Advisor
e-mail (main) : jga@dma.dk

Finland Finnish Transport Agency
Ms Kaisu HEIKONEN
Senior Technical Advisor
e-mail (main) : kaisu.heikonen@fta.fi

France Direction des Affaires Maritimes
Mr Vincent DENAMUR
Deputy Head of Maritime Affairs
Phone +33 1 43 17 46 92
e-mail (main) : vincent.denamur@developpement-durable.gouv.fr

Germany Federal Waterways and Shipping Agency
Ms Christina SCHNEIDER
Legal Advisor
e-mail (main): christina.schneider@wsv.bund.de

IALA Secretary General
Mr. Francis ZACHARIAE
Phone +33 1 34 51 70 01

e-mail (main): francis.zachariae@iala-aism.org

Chair of the IALA Legal Advisory Panel

Mr. Jon PRICE

Phone +44 20 7481 6913

mobile phone : +44 7785 950541

e-mail (main): jon.price@thls.org

Deputy Secretary General

Mr. Michael CARD

Phone + 33 (0)1 34 51 70 01

e-mail (main): michael.card@iala-aism.org

Technical Operations Manager

Ms Marie-Hélène GRILLET

Phone + 33 (0)1 34 51 70 01

e-mail (main): marie-helene.grillet@iala-aism.org

Ireland Commissioners of Irish Lights

Mr Barry JACKSON

Japan Japan Coast Guard

Capt. Akihiko HIROTA

Director for Research of Maritime Traffic Regime,
Marine Traffic Department

e-mail (mail): jcgchkotsukikakuhousei-9z7s@mlit.go.jp

Korea Ministry of Fisheries, Korean Maritime and Ocean University

Prof. Dr. GUG, Seung-gi

Professor

e-mail (main): cooksg@kmou.ac.kr

Malaysia Marine Department

Mr Dato' Haji Rossid BIN MUSA

e-mail (main): rossid@marine.gov.my

Netherlands Ministry of Infrastructure and the Environment

Mrs Brigit GIJSBERS

Director, Maritime Affairs

e-mail (main): brigit.gijsbers@minienm.nl

Norway Norwegian Coastal Administration

Mr Henning Osnes TEIGENE

e-mail (main): henning.osnes.teigene@kystverket.no

Spain Puertos del Estado

Mr Juan Francisco REBOLLO

e-mail (main :) jfrebollo@puertos.es

Sweden

Swedish Maritime Administration

Mr. Ove ERIKSSON
Director

e-mail (main): ove.eriksson@sjofartsverket.se

USA

US Coast Guard

Mr. Timothy PAVILONIS
Legal Advisor to Director of Marine Transportation Systems

Phone +1 202 372 1520

e-mail (main) : tim.w.pavilonis@uscg.mil

US Coast Guard

Capt. Scott SMITH

e-mail (main) : scott.j.smith2@uscg.mil

ANNEX C LIST OF INPUT PAPERS

Number	Agenda item	Title	Comments
CoS2-2.1	2	Provisional Agenda	
CoS2-5.1	5	CoS Advisory Group ToRs	
CoS2-6.1.1	6	Note on Communication plan	
CoS2-6.2.2	6	Note on establishment of PoC at National Members	
CoS2-6.2.3	6	Note on INF paper to IMO	
CoS2-6.3.1	6	Report on financial issues	
CoS2-6.3.2	6	Letter on membership advice	
CoS2-6.4.1	6	Note on Convention text and related documents	
CoS2-6.4.2	6	Discussion paper on Convention text	
CoS2-6.4.3	6	Draft Convention text	
CoS2-7.1	7	Project risk register	

ANNEX D LIST OF OUTPUT AND WORKING PAPERS

Number	Title	Status
CoS2-8.1.1	Report of CoS2	To Council to note
CoS2-8.1.2	Updated action plan	To Council to note
CoS2-8.1.3	Report on financial aspects	To Council to note
CoS2-8.1.4	Draft Convention text	To Council to approve
CoS2-8.1.5	Project risk register	To Council to note

ANNEX E ACTION ITEMS

Action item 1: *The Secretariat to issue a new request for diplomatic points of contacts to National Members with a set deadline for responses.*

Action item 2: *The Secretariat to forward the IMO General Assembly INF paper to IGOs and NGOs represented at IMO.*

Action item 3: *The Secretary-General to contact National Members inviting their representatives at the IMO General Assembly to react positively to IALA's information paper.*