

Comments of Japan on the draft Convention

Article	Comment	Suggested texts
2.3	The second paragraph is grammatically incorrect.	Associate Member means a territory or group of territories for which a Member State has responsibility for its international relations and for which it has requested membership which has been approved by the General Assembly <u>and</u> National members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States in accordance with the Annex paragraph 5.
5.4	Japan proposes a deletion of 5.4 and instead a new text (see the right column) to replace current 1.4. This is because the current wording of 5.4, especially “obligations” misleads the reader as if the General Regulation is legally binding and thus it requires signature, ratification or accession. Technical matters which require frequent amendment should be contained in the Organization’s internal regulations which do not have legally-binding effect. With the new text of 1.4 we propose, the relationship between the Convention and other documents is clear.	New <u>1.4 The functioning of the Organization shall be set forth in detail in the General Regulations, which are subject to the provisions of this Convention but do not form an integral part thereof. In the event of any inconsistency between this Convention and the General Regulations or any other basic documents covering the governance of the Organization, this Convention shall prevail.</u>
15.5	Japan supports the bracketed text ([The amendment shall come into force for all Member States ...]) to streamline the process for amendment to take effect and thus ensure legal stability of the Convention. Concerns by a member country who prefers the amendment to enter into force for it only after a notification of its own acceptance can be addressed by the proposed text.	<u>The amendment shall enter into force for all Member States six months after written notifications of acceptance by two-thirds of the Member States have been received by the Depositary, except the Member States which has notified the Depositary, prior to the entry into force of such amendment, that the amendment shall enter into force for it only after a subsequent notification of its acceptance.</u>
Annex	Grammatical correction.	As a consequence, Article 13 of the Constitution... 1. Upon the entry into force of this Convention, the President...