



HRVATSKI SABOR

KLASA: 022-02/23-01/148

URBROJ: 65-23-2

Zagreb, 7. prosinca 2023.

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**ZASTUPNICAMA I ZASTUPNICIMA
HRVATSKOGA SABORA**

**PREDSJEDNICAMA I PREDSJEDNICIMA
RADNIH TIJELA**

Na temelju članaka 178. i 192., a u vezi s člankom 207.a Poslovnika Hrvatskoga sabora u prilogu upućujem ***Konačni prijedlog zakona o potvrđivanju Konvencije o Međunarodnoj organizaciji za sredstva pomorske navigacije***, koji je predsjedniku Hrvatskoga sabora podnijela Vlada Republike Hrvatske, aktom od 7. prosinca 2023. godine.

Za svoje predstavnike, koji će u njezino ime sudjelovati u radu Hrvatskoga sabora i njegovih radnih tijela, Vlada je odredila potpredsjednika Vlade Republike Hrvatske i ministra mora, prometa i infrastrukture Olega Butkovića i državne tajnike Josipa Bilavera, Tomislava Mihotića i dr. sc. Alena Gospočića.

PREDSJEDNIK

Gordan Jandroković



VLADA REPUBLIKE HRVATSKE

KLASA: 022-03/23-11/68
URBROJ: 50301-05/31-23-4

Zagreb, 7. prosinca 2023.

PREDSJEDNIKU HRVATSKOGA SABORA

PREDMET: Konačni prijedlog zakona o potvrđivanju Konvencije o Međunarodnoj organizaciji za sredstva pomorske navigacije

Na temelju članka 85. Ustava Republike Hrvatske („Narodne novine“, br. 85/10. - pročišćeni tekst i 5/14. - Odluka Ustavnog suda Republike Hrvatske) i članka 207.a Poslovnika Hrvatskoga sabora („Narodne novine“, br. 81/13., 113/16., 69/17., 29/18., 53/20., 119/20. - Odluka Ustavnog suda Republike Hrvatske, 123/20. i 86/23. - Odluka Ustavnog suda Republike Hrvatske), Vlada Republike Hrvatske podnosi Konačni prijedlog zakona o potvrđivanju Konvencije o Međunarodnoj organizaciji za sredstva pomorske navigacije.

Za svoje predstavnike, koji će u njezino ime sudjelovati u radu Hrvatskoga sabora i njegovih radnih tijela, Vlada je odredila potpredsjednika Vlade Republike Hrvatske i ministra mora, prometa i infrastrukture Olega Butkovića i državne tajnike Josipa Bilavera, Tomislava Mihotića i dr. sc. Alena Gospočića.



3
PREDSJEDNIK

mr. sc. Andrej Plenković

**KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU KONVENCIJE O
MEĐUNARODNOJ ORGANIZACIJI ZA SREDSTVA POMORSKE NAVIGACIJE**

KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU KONVENCIJE O MEĐUNARODNOJ ORGANIZACIJI ZA SREDSTVA POMORSKE NAVIGACIJE

I. USTAVNA OSNOVA ZA DONOŠENJE ZAKONA

Ustavna osnova za donošenje Zakona o potvrđivanju Konvencije o Međunarodnoj organizaciji za sredstva pomorske navigacije (u daljnjem tekstu: Konvencija) sadržana je u odredbi članka 140. stavka 1. Ustava Republike Hrvatske („Narodne novine“, br. 85/10. – pročišćeni tekst i 5/14. – Odluka Ustavnog suda Republike Hrvatske).

II. OCJENA STANJA I CILJ KOJI SE DONOŠENJEM ZAKONA ŽELI POSTIĆI

Međunarodno udruženje uprava pomorske signalizacije i sredstava za pomorsku navigaciju (International Association of Marine Aids to Navigation and Lighthouse Authorities, u daljnjem tekstu: IALA) je osnovano 1957. godine, nakon konferencije nacionalnih svjetioničarskih tijela održane u Scheveningenu, Nizozemska, kao nevladina međunarodna udruga, sa stalnim Tajništvom, i savjetodavnom zadaćom za poboljšanje i usklađivanje pomorskih navigacijskih sredstava. IALA-om upravlja Opća skupština, a izvršno tijelo je Vijeće od 24 člana. Trenutno IALA ima nacionalne članove (vladine ustanove i nadležna tijela) iz 83 zemlje, 59 pridruženih članova (druge zainteresirane vladine ustanove i organizacije), 131 industrijskog člana (uglavnom proizvođači opreme i pružatelji usluga) i počasne članove.

Vijeće IALA-e je na svojoj 62. sjednici koja se održala 21. lipnja 2016. u Lisabonu potvrdilo pristup Ministarstva mora, prometa i infrastrukture kao punopravnog člana i nacionalnog predstavnika u IALA.

IALA-i je od 1961. dodijeljen savjetodavni status pri Međunarodnoj pomorskoj organizaciji (u daljnjem tekstu: IMO). Njezin značajan doprinos IMO-ovom radu na sigurnosti i učinkovitosti plovidbe proizlazi iz IALA-ine tehničke stručnosti u pomorskim uređajima, sustavima i uslugama kao što su razvoj sustava za automatsku identifikaciju brodova (AIS), diferencijalnog Globalnog sustava za pozicioniranje (GPS), smjernica za usluge nadzora i upravljanja pomorskim prometom (u daljnjem tekstu: VTS), a u novije vrijeme i IMO-ovog koncepta e-navigacije.

IALA obavlja svoj tehnički rad kroz niz stručnih odbora, koji uglavnom pokrivaju četiri široka područja:

- razvoj sredstava za navigaciju
- upravljanje sredstvima za navigaciju
- VTS služba i
- e-navigacija.

Rezolucijom Opće skupštine IALA-e na svojoj XII. sjednici održanoj u La Coruni u Španjolskoj u svibnju 2014., inicirana je transformacija IALA-e u status međunarodne organizacije. Predviđena nova Konvencija IALA-e i njezina transformacija iz nevladine međunarodne udruge (NGO) u vladinu međunarodnu udrugu (IGO), učinit će IALA-u

odgovarajućim pravnim subjektom koji će nastaviti ispunjavati svoje odgovornosti u 21. stoljeću, uz podršku snažnog međunarodnog pravnog okvira.

Konvencija o Međunarodnoj organizaciji za sredstva pomorske navigacije usvojena je na Diplomatskoj konferenciji u Kuala Lumpuru u veljači 2020., a nakon tri pripreme konferencije u Istanbulu u ožujku 2019., u Marakešu u veljači 2018. i u Parizu u travnju 2017. Završni akt konferencije potpisalo je 50 država.

Konvencija je potpisana 27. siječnja 2021. od Francuske Republike, države domaćina i depozitara, kao prve države koja je potpisala Konvenciju. Nakon tog događaja, Konvencija je bila otvorena za potpisivanje na razdoblje od jedne godine. Na ceremoniji potpisivanja u Parizu 26. siječnja 2022., 26 država potpisalo je Konvenciju. Do danas, Konvenciju je ratificiralo, prihvatilo ili joj pristupilo 25 država.

Države koje su potpisale Konvenciju pozvane su da polože isprave o ratifikaciji, prihvatu ili odobrenju Francuskoj Republici, državi depozitaru. Sve države članice Ujedinjenih naroda koje nisu potpisale Konvenciju tijekom razdoblja potpisivanja, mogu pristupiti Konvenciji, koja će stupiti na snagu devedesetog dana nakon datuma polaganja tridesete isprave o ratifikaciji, prihvatu, odobrenju ili pristupu.

Stupanje na snagu Konvencije će državama članicama IALA-e, međunarodnim i međuvladinim organizacijama i pomorskim dionicima dati mogućnost oslanjanja na stručnost IALA-e te da koriste njezine publikacije i drugu dokumentaciju, uključujući standarde, preporuke i smjernice, kao mjerodavni referentni materijal.

Službeno priznavanje IALA standarda na razini vlada pružit će prijeko potreban element predvidljivosti i stvoriti sigurnost za sve uključene dionike, uključujući subjekte pomorske industrije, jer će oni znati što očekivati i što se od njih očekuje u pogledu sredstava pomorske navigacije.

Potrebno je istaknuti kako su u sustav sigurnosti plovidbe Ministarstva mora, prometa i infrastrukture ugrađene preporuke, smjernice i tehnički standardi koje je donijela IALA, i to:

- uređivanje i održavanje plovnih putova
- postavljanje i održavanje objekata sigurnosti plovidbe
- pružanje usluga nadzora i upravljanje pomorskim prometom
- usklađivanje tehničko-tehnološkog sustava za nadzor i upravljanje pomorskim prometom (posebice radarski sustav i sustav obalne automatske identifikacije brodova)
- stručno osposobljavanje djelatnika Nacionalne središnjice za nadzor i upravljanje pomorskim prometom prema IALA standardima.

Republika Hrvatska stranka je Međunarodne konvencije o zaštiti ljudskih života na moru, 1974. (SOLAS) („Narodne novine – Međunarodni ugovori“, broj 1/92.), te u skladu s Glavom V, Pravilom 13. SOLAS Konvencije treba postupati u skladu s preporukama i uputama izdanim od strane IALA-e prilikom označavanja, obilježavanja i održavanja plovnih putova.

Nadalje, u skladu s člankom 50. Pomorskog zakonika („Narodne novine“, br. 181/04., 76/07., 146/08., 61/11., 56/13., 26/15. i 17/19.), Republika Hrvatska radi zaštite ljudskih života i sigurnosti plovidbe u unutarnjim morskim vodama i u teritorijalnom moru Republike Hrvatske osigurava obavljanje, među ostalim, i sljedećih poslova od javnog interesa: uređivanje i održavanje plovnih putova, postavljanje i održavanje objekata sigurnosti plovidbe te nadzor i upravljanje pomorskim prometom.

III. OSNOVNA PITANJA KOJA SE PREDLAŽU UREDITI ZAKONOM

Ovim Zakonom potvrđuje se Konvencija kako bi njene odredbe, u smislu članka 141. Ustava Republike Hrvatske, postale dio unutarnjeg pravnog poretka Republike Hrvatske. Konvencija se sastoji od 22 članka i Dodatka, kojima se utvrđuju definicije, osnovna načela, prava i obveze, tijela organizacije, potpisivanje, ratifikacija, prihvata, odobrenje, pristup i stupanje na snagu.

Također, sadrži i Dodatak u kome se nalaze prijelazni dogovori čija je svrha osigurati stalne napore za razvoj, poboljšanje i usklađivanje sredstava za pomorsku navigaciju te olakšati prijelaz iz Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju u međunarodnu organizaciju.

IV. OCJENA I IZVORI SREDSTAVA POTREBNIH ZA PROVOĐENJE ZAKONA

Troškovi rada IALA-e pokrivaju se financijskim sredstvima koja se, među ostalim, osiguravaju iz godišnjih doprinosa država članica te Republika Hrvatska treba osigurati financijska sredstva za navedeni doprinos, koji je 2023. iznosio 18.200,00 eura. Dodatno, s obzirom na to da će predstavnici Republike Hrvatske prisustvovati sjednicama Opće skupštine (jednom u tri godine) i Vijeća (jedanput godišnje) IALA-e u Francuskoj, potrebno je osigurati financijska sredstva za troškove službenog puta. Navedena financijska sredstva osigurat će se u državnom proračunu Republike Hrvatske, u okviru razdjela Ministarstva mora, prometa i infrastrukture.

V. ZAKONI KOJIMA SE POTVRĐUJU MEĐUNARODNI UGOVORI

Temelj za donošenje ovoga Zakona nalazi se u članku 207.a Poslovnika Hrvatskoga sabora („Narodne novine“, br. 81/13., 113/16., 69/17., 29/18., 53/20., 119/20. – Odluka Ustavnog suda Republike Hrvatske, 123/20. i 86/23. - Odluka Ustavnog suda Republike Hrvatske) prema kojemu se zakoni kojima se, u skladu s Ustavom Republike Hrvatske, potvrđuju međunarodni ugovori donose u pravilu u jednom čitanju, a postupak donošenja pokreće se podnošenjem konačnog prijedloga zakona o potvrđivanju međunarodnog ugovora. S obzirom na prirodu postupka potvrđivanja međunarodnih ugovora, kojim država i formalno izražava spremnost biti vezana već sklopljenim međunarodnim ugovorom, kao i na činjenicu da u ovoj fazi postupka nisu moguće izmjene ili dopune teksta međunarodnog ugovora, predlaže se ovaj Konačni prijedlog zakona raspraviti i prihvatiti u jednom čitanju.

KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU KONVENCIJE O MEĐUNARODNOJ ORGANIZACIJI ZA SREDSTVA POMORSKE NAVIGACIJE

Članak 1.

Potvrđuje se Konvencija o Međunarodnoj organizaciji za sredstva pomorske navigacije, sastavljena u Parizu 27. siječnja 2021. u izvorniku na arapskom, kineskom, engleskom, francuskom, ruskom i španjolskom jeziku.

Članak 2.

Tekst Konvencije iz članka 1. ovoga Zakona, u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik, glasi:

Konvencija o Međunarodnoj organizaciji za sredstva pomorske navigacije

Preambula

Države stranke ove Konvencije:

PODSJEĆAJUĆI da je Međunarodno udruženje uprava pomorske signalizacije osnovano 1. srpnja 1957. i preimenovano u Međunarodno udruženje uprava pomorske signalizacije i sredstava za pomorsku navigaciju 1998.;

PREPOZNAJUĆI ulogu Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju u unaprjeđenju i kontinuiranom usklađivanju sredstava za pomorsku navigaciju za sigurnu, ekonomičnu i učinkovitu plovidbu plovniha objekata na dobrobit pomorske zajednice i zaštite okoliša;

UZIMAJUĆI U OBZIR odredbe Konvencije Ujedinjenih naroda o pravu mora iz 1982. i Međunarodne konvencije o zaštiti ljudskih života na moru iz 1974., kako je izmijenjena i dopunjena; i

NADALJE UZIMAJUĆI U OBZIR da razvoj, unaprjeđenje i usklađivanje sredstava pomorske navigacije na korist pomorske zajednice i zaštite okoliša najučinkovitije koordiniraju međunarodne organizacije;

SPORAZUMJELE SU SE kako slijedi:

Članak 1. Osnivanje

1. Međunarodna organizacija za sredstva pomorske navigacije (dalje u tekstu „Organizacija“) se ovime osniva prema međunarodnom pravu kao međuvladina organizacija.
2. Organizacija ima savjetodavnu i tehničku prirodu.
3. Organizacija ima sjedište u Francuskoj, osim ako Opća skupština ne odluči drukčije.
4. Djelovanje Organizacije detaljno se uređuje Općim pravilima koja podliježu odredbama ove Konvencije, ali ne čine njezin sastavni dio. U slučaju bilo kakve nedosljednosti između ove Konvencije i Općih pravila ili bilo kojih drugih temeljnih dokumenata kojima je obuhvaćeno upravljanje Organizacijom, mjerodavna je ova Konvencija.

Članak 2. Definicije

Za potrebe ove Konvencije:

1. **Sredstvo za pomorsku navigaciju** znači uređaj, sustav ili usluga, smješten izvan plovnog objekta, uspostavljeno i upravljano radi unaprjeđenja sigurne i učinkovite plovidbe pojedinačnih plovnih objekata i pomorskog prometa. Za potrebe Organizacije ova definicija uključuje sustave i usluge za nadzor i upravljanje pomorskim prometom.
2. **Država članica** znači država koja je pristala biti vezana ovom Konvencijom i za koju je ova Konvencija na snazi.
3. **Pridruženi član** znači područje ili skupina područja za koje je država članica odgovorna za međunarodne odnose i za koje je država članica zatražila članstvo koje je odobrila Opća skupština te nacionalni članovi Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju iz država koje nisu države članice, u skladu sa stavkom 5. Dodatka.
4. **Povezani član** znači proizvođač ili distributer sredstava za pomorsku navigaciju, ili organizacija koja pruža usluge upotrebe sredstava za pomorsku navigaciju ili tehničke savjete temeljem ugovora i bilo koja druga organizacija ili znanstvena ustanova čija je djelatnost povezana sa sredstvima za pomorsku navigaciju, koja je podnijela zahtjev za članstvo koji je odobrilo Vijeće.

Članak 3. Svrha i ciljevi

Svrha Organizacije je okupiti vlade i organizacije u čijoj je nadležnosti donošenje propisa, nabava, održavanje ili upravljanje sredstvima za pomorsku navigaciju kako bi se postigli sljedeći ciljevi:

- (a) jačanje sigurne i učinkovite plovidbe plovnih objekata kroz poboljšanje i usklađivanje sredstava za pomorsku navigaciju diljem svijeta za dobrobit pomorske zajednice i zaštitu morskog okoliša;

- (b) promicanje pristupa tehničkoj suradnji i jačanju sposobnosti u svim pitanjima vezanim za razvoj i prijenos stručnih znanja, znanosti i tehnologije u vezi sa sredstvima za pomorsku navigaciju;
- (c) poticanje i olakšavanje općeg usvajanja najviših primjenjivih standarda u pitanjima koja se odnose na sredstva za pomorsku navigaciju; i
- (d) osiguravanje razmjene informacija o pitanjima koja razmatra Organizacija.

Članak 4. Zadaće

Kako bi se postigla svrha i ciljevi navedeni u članku 3., zadaće Organizacije su:

- (a) razvijati i objavljivati neobvezujuće standarde, preporuke, smjernice, priručnike i druge odgovarajuće dokumente;
- (b) razmotriti i dati preporuke o standardima, preporukama, smjernicama, priručnicima i drugim odgovarajućim dokumentima koje joj mogu dostaviti države članice, pridruženi članovi, povezani članovi i bilo koje tijelo ili specijalizirana ustanova Ujedinjenih naroda ili bilo koja druga međuvladina organizacija;
- (c) osigurati mehanizme za savjetovanje i razmjenu informacija koje pokrivaju, između ostalog, trenutni razvoj i aktivnosti država članica, pridruženih članova i povezanih članova;
- (d) razvijati međunarodnu suradnju promicanjem bliskih radnih odnosa i podrške između država članica, pridruženih članova i povezanih članova;
- (e) olakšati podršku, bilo tehničku, organizacijsku ili pri osposobljavanju, vladama, službama i drugim organizacijama koje zatraže pomoć u pogledu sredstava za pomorsku navigaciju;
- (f) organizirati konferencije, simpozije, seminare, radionice i druga događanja; i
- (g) povezati se i surađivati s mjerodavnim međunarodnim i drugim organizacijama pružajući specijalizirane savjete, gdje je to prikladno.

Članak 5. Članstvo

1. Organizaciju čine države članice, pridruženi članovi i povezani članovi.
2. Svaka država članica koja je nadležna za međunarodne odnose nekog područja ili skupine područja, može zatražiti pridruženo članstvo za takvo područje ili skupinu područja pisanom obaviješću glavnom tajniku.
3. Vijeće može zahtijevati ili država članica može zatražiti, da sadržaj zahtjeva za povezanim članstvom pregleda država članica ili države članice u kojima podnositelj zahtjeva obavlja svoje djelatnosti ili ima svoje glavno mjesto poslovanja ili sjedište. Pri odlučivanju o povezanom članstvu, Vijeće uzima u obzir stajališta država članica koje podnose zahtjev i država članica koje isti pregledavaju.

Članak 6. Tijela

1. Organizacija ima sljedeća tijela:
 - (a) Opća skupština;
 - (b) Vijeće;
 - (c) odbori i pomoćna tijela potrebna za podršku aktivnostima Organizacije; i
 - (d) Tajništvo.
2. Organizacija ima predsjednika i potpredsjednika. Predsjednik, ili u slučaju predsjednikove odsutnosti, potpredsjednik predsjedava Općom skupštinom i Vijećem.
3. Opća pravila i Financijska pravila detaljno utvrđuje Poslovnik koji se primjenjuje za svako tijelo te uređuje svakodnevno upravljanje Organizacijom.

Članak 7. Opća skupština

1. Opća skupština je glavno tijelo za donošenje odluka Organizacije i ima sve ovlasti Organizacije, osim ako ovom Konvencijom nije drukčije određeno.
2. Opću skupštinu čine isključivo države članice. Prisutnost je omogućena pridruženim članovima i povezanim članovima.
3. Svaka država članica određuje jednog od svojih predstavnika za glavnog izaslanika pri Općoj skupštini.
4. Redovne sjednice Opće skupštine održavaju se jednom svake tri godine.
5. Izvanredne sjednice Opće skupštine sazivaju se svaki put kad jedna trećina država članica obavijesti glavnog tajnika da želi da se sjednica sazove ili u bilo kojem trenutku, ako Vijeće to smatra potrebnim, o čemu države članice trebaju dobiti obavijest devedeset dana prije sazivanja izvanredne sjednice.
6. Većina država članica čini kvorum Opće skupštine.
7. Opća skupština:
 - (a) bira predsjednika i potpredsjednika među državama članicama u skladu s Općim pravilima;
 - (b) odlučuje o cjelokupnom poslovanju i strateškoj viziji Organizacije;
 - (c) pregledava i odobrava Opća pravila i Financijski pravila Organizacije;
 - (d) bira u skladu s člankom 8. Vijeće među državama članicama koje nisu države članice iz kojih dolaze predsjednik ili potpredsjednik;
 - (e) bira glavnog tajnika među državljanima država članica u skladu s Općim pravilima;
 - (f) uspostavlja i ukida odbore i pomoćna tijela te pregledava i odobrava njihove poslovničke;
 - (g) pregledava i odobrava financijske dogovore Organizacije uključujući okvirni proračun za sljedeće tri godine, stopu doprinosa za države članice i naknade za pridružene članove i povezane članove;
 - (h) razmatra izvješća i prijedloge koje joj dostavlja bilo koja država članica, Vijeće ili glavni tajnik;
 - (i) odobrava standarde;

- (j) odlučuje o pridruženom članstvu;
- (k) donosi odluku o povezanom članstvu na zahtjev jedne ili više država članica;
- (l) daje preporuke državama članicama, pridruženim članovima i povezanim članovima o pitanjima u pogledu svrhe i ciljeva Organizacije;
- (m) odobrava sporazume s državama i međunarodnim organizacijama; i
- (n) odlučuje o ostalim pitanjima u pogledu svrhe i ciljeva Organizacije.

Članak 8.

Vijeće

1. Vijeće je izvršno tijelo Organizacije i odgovorno je za upravljanje aktivnostima Organizacije.
2. Vijeće se sastoji od predsjednika i potpredsjednika te drugih dvadeset i tri država članica.
3. Članovi Vijeća biraju se glasovanjem na svakoj redovnoj sjednici Opće skupštine u skladu s Općim pravilima. Članovi Vijeća bi u načelu trebali biti izabrani iz različitih dijelova svijeta radi postizanja ravnomjerne zastupljenosti.
4. Države članice u Vijeću, ukoliko je to moguće, predstavlja izaslanik nacionalnog tijela nadležnog za donošenje propisa, nabavu, održavanje ili upravljanje sredstvima za pomorsku navigaciju te države članice.
5. Sedamnaest članova Vijeća, od kojih najmanje jedan mora biti predsjednik ili potpredsjednik, čini kvorum za sjednice Vijeća.
6. Vijeće se sastaje najmanje jedanput godišnje.
7. Svaka država članica koja nije zastupljena u Vijeću može sudjelovati na sastancima Vijeća, ali neće imati pravo glasa.
8. Vijeće:
 - (a) provodi zadaće koje mu može povjeriti Opća skupština;
 - (b) koordinira aktivnosti Organizacije u okviru cjelokupne politike poslovanja, strategije razvoja i okvirnog proračuna, prema odluci Opće skupštine;
 - (c) pregledava i odobrava financijska izvješća uključujući godišnji proračun;
 - (d) odlučuje o povezanom članstvu;
 - (e) saziva Opću skupštinu;
 - (f) izvješćuje Opću skupštinu o radu Organizacije;
 - (g) pregledava papire koji su mu podneseni u skladu s Općim pravilima;
 - (h) upućuje Općoj skupštini sva pitanja o kojima odlučuje Opća skupština;
 - (i) odobrava preporuke, smjernice, priručnike i druge odgovarajuće dokumente;
 - (j) odobrava podneske drugim organizacijama;
 - (k) imenuje predsjednike i potpredsjednike odbora i pomoćnih tijela te pregledava i odobrava njihove programe rada;
 - (l) odlučuje o mjestu i godini konferencija i simpozija Organizacije kako je opisano u Općim pravilima; i
 - (m) odobrava Pravilnik o osoblju.
9. Članovi Vijeća mogu, nakon što su obavijestili predsjednika i glavnog tajnika, pozvati povezane članove da sudjeluju kao stručni savjetnici na sastancima Vijeća radi pružanja savjeta i podrške u vezi operativnih i tehničkih pitanja.

Članak 9. Odbori i pomoćna tijela

1. Odbori i pomoćna tijela podupiru svrhu i ciljeve Organizacije.
2. Odbori:
 - (a) sastavljaju i pregledavaju standarde, preporuke, smjernice, priručnike i druge odgovarajuće dokumente navedene u programima rada;
 - (b) prate razvoj u području sredstava za pomorsku navigaciju;
 - (c) olakšavaju dijeljenje stručnih znanja i iskustava između država članica, pridruženih članova i povezanih članova; i
 - (d) provode i druge zadaće u skladu s odlukama Vijeća.

Članak 10. Tajništvo

1. Stalno tajništvo Organizacije sastoji se od glavnog tajnika i osoblja potrebnog za rad Organizacije unutar odobrenog proračunskog okvira.
2. Mandat glavnog tajnika je tri godine. Glavni tajnik može biti ponovno izabran na najviše dva dodatna uzastopna mandata od tri godine svaki.
3. Glavni tajnik je odgovoran za svakodnevno upravljanje Organizacijom u skladu sa svim smjericama koje izdaju Opća skupština ili Vijeće.
4. Glavni tajnik je odgovoran za sklapanje sporazuma s državama i međunarodnim organizacijama uz odobrenje Opće skupštine u skladu s člankom 7.7 (m).
5. Osoblje tajništva imenuje glavni tajnik u skladu s Pravilnikom o osoblju pod uvjetima i s ciljem obavljanja takvih dužnosti koje odredi glavni tajnik.
6. Tajništvo:
 - (a) vodi sve evidencije koje mogu biti potrebne za učinkovit rad Organizacije te priprema, prikuplja i dostavlja svu potrebnu dokumentaciju;
 - (b) upravlja financijama Organizacije pod vodstvom Vijeća u skladu s Općim pravilima;
 - (c) priprema financijske planove i financijska izvješća;
 - (d) obavještava države članke, pridružene članove i povezan članove i druge organizacije o aktivnostima Organizacije;
 - (e) organizira i pruža podršku pri održavanju sjednica Opće skupštine, Vijeća, odbora i pomoćnih tijela;
 - (f) organizira i pruža podršku pri održavanju konferencija i simpozija u skladu s odobrenjima Vijeća;
 - (g) organizira i pruža podršku pri održavanju seminara, radionica i drugih događanja; i
 - (h) obavlja i druge funkcije koje mu mogu biti dodijeljene ovom Konvencijom, Općim pravilima ili koje mu dodijeli Opća skupština ili Vijeće.
7. U obavljanju svojih dužnosti glavni tajnik i osoblje ne smiju tražiti ni primati upute ni od koje vlade ili bilo kojeg drugog izvora izvan Organizacije. Suzdržavaju se od svake radnje koja bi se mogla odraziti na njihov položaj međunarodnih dužnosnika koji

odgovaraju isključivo Organizaciji. Svaka se država članica obvezuje poštovati isključivi međunarodni karakter odgovornosti glavnog tajnika i osoblja te da neće nastojati utjecati na njih u obavljanju njihovih dužnosti.

Članak 11. Glasovanje

1. Opća skupština i Vijeće odluke nastoji donijeti konsenzusom među državama članicama.
2. Ukoliko se odluke Opće skupštine ili Vijeća ne mogu donijeti konsenzusom, iste se donose dvotrećinskom većinom prisutnih država članica tajnim glasovanjem.
3. Isključivo države članice imaju pravo glasovanja. Svaka država članica ima jedan glas, osim kako je navedeno u članku 13.4.
4. Predsjednik, potpredsjednik i glavni tajnik biraju se tajnim glasovanjem, običnom većinom država članica koje su prisutne i glasaju u skladu s Općim pravilima.
5. Vijeće se bira najvećim brojem glasova prisutnih država članica tajnim glasovanjem, u skladu s Općim pravilima.

Članak 12. Jezici

Službeni jezici Organizacije su arapski, kineski, engleski, francuski, ruski i španjolski.

Članak 13. Financije

1. Troškovi rada Organizacije pokrivaju se financijskim sredstvima koja se osiguravaju iz:
 - (a) doprinosa država članica;
 - (b) naknada pridruženih članova i povezanih članova; i
 - (c) donacija, ostavina, potpora, darova i drugih izvora koje odobri Vijeće na preporuku glavnog tajnika.
2. Svaka država članica plaća doprinos, a svaki pridruženi član i povezani član plaćaju naknadu Organizaciji na godišnjoj razini u iznosu utvrđenom u skladu s člankom 7.7 (g). Doprinos se utvrđuje po istoj stopi za svaku državu članicu.
3. Doprinosi država članica i naknade pridruženih članova i povezanih članova dospijevaju i plaćaju se u skladu s Financijskim pravilima.
4. Bilo kojoj državi članici koja dvije godine kasni u plaćanju doprinosa, nakon pisane obavijesti glavnog tajnika bit će uskraćeno pravo glasa i pravo da bude izabrana u Vijeće sve dok ne plati nepodmirene doprinose u skladu s Financijskim pravilima, osim ako se Opća skupština ne odrekne ove odredbe.
5. Nakon što Vijeće odobri revidirana financijska izvješća Organizacije, ta izvješća dostavljaju se svim državama članicama, pridruženim članovima i povezanim članovima u godišnjem izvješću.

Članak 14.**Pravna osobnost, povlastice i imunitet**

1. Organizacija ima pravnu osobnost i ima sposobnost:
 - (a) ugovarati i sklapati ugovore s vladama, organizacijama i drugim tijelima;
 - (b) stjecati i raspolagati nepokretnom i pokretnom imovinom; i
 - (c) pokretati pravne postupke.
2. Na državnom području svake od svojih država članica Organizacija uživa, u mjeri u kojoj je to predviđeno ugovorom s dotičnom državom članicom, takve povlastice i imunitete koji mogu biti potrebne za obavljanje njezinih zadaća i ispunjavanje njezine svrhe i ciljeva.
3. Niti jedna država članica, pridruženi član ili povezani član nisu odgovorni, zbog svog statusa ili sudjelovanja u Organizaciji, za postupke, propuste ili obveze Organizacije.

Članak 15.**Izmjene i dopune**

1. Svaka država članica može predložiti izmjene i dopune ove Konvencije, u pisanom obliku, glavnom tajniku.
2. Glavni tajnik prosljeđuje predloženu izmjenu ili dopunu na službenim jezicima svim državama članicama najmanje šest mjeseci prije njezina razmatranja na Općoj skupštini.
3. Predložena izmjena ili dopuna usvaja se glasovanjem Opće skupštine.
4. Izmjene i dopune usvojene u skladu sa stavkom 3. glavni tajnik šalje depozitaru. Potonji obavještava sve države članice o usvajanju izmjena i dopuna.
5. Izmjene i dopune stupaju na snagu za sve države članice šest mjeseci nakon što depozitar primi pisane obavijesti o prihvatu od strane dvije trećine država članica, osim za državu članicu koja je prije stupanja na snagu takve izmjene ili dopune obavijestila depozitara da izmjena ili dopuna za tu državu članicu stupa na snagu nakon naknadne obavijesti o njezinu prihvatu.
6. Neovisno o stavku 5., Opća skupština može konsenzusom odlučiti da izmjena i dopuna stupa na snagu za sve države članice šest mjeseci nakon što depozitar primi pisane obavijesti o prihvatu od strane dvije trećine država članica. Ako unutar razdoblja od tih šest mjeseci država članica uputi obavijest o povlačenju iz Organizacije zbog izmjene i dopune, njezino povlačenje, neovisno o članku 21., proizvodi učinak na datum na koji takva izmjena i dopuna stupa na snagu.
7. Depozitar obavještava države članice i glavnog tajnika o stupanju na snagu izmjene i dopune navodeći datum stupanja na snagu.

Članak 16.**Rezerve**

Nikakve rezerve ne mogu se staviti na ovu Konvenciju.

Članak 17.

Tumačenje i sporovi

Države članice ulažu svaki napor kako bi spriječile sporove oko tumačenja ili primjene ove Konvencije, te čine sve u njihovoj moći kako bi sve sporove riješile mirnim putem, koji može uključivati konzultacije i pregovore jedne s drugom te bilo koji drugi način dogovoren između stranaka u sporu.

Članak 18.

Potpisivanje, ratifikacija, prihvata, odobrenje i pristup

1. Ova Konvencija otvorena je za potpisivanje svakoj državi koja je članica Ujedinjenih naroda u Parizu od 27. siječnja 2021. i ostaje otvorena za potpisivanje do 26. siječnja 2022.
2. Ova Konvencija podliježe ratifikaciji, prihvatu ili odobrenju država potpisnica.
3. Ova Konvencija otvorena je za pristup svakoj državi koja je članica Ujedinjenih naroda koja nije potpisala ovu Konvenciju od dana nakon datuma na koji je ova Konvencija zatvorena za potpisivanje.
4. Isprave o ratifikaciji, prihvatu, odobrenju ili pristupu polažu se kod depozitara, koji potom obavješćuje sve države koje su položile takve isprave kod depozitara i glavnog tajnika o tome.

Članak 19.

Depozitar

Francuska Republika je depozitar ove Konvencije. Ovu Konvenciju depozitar registrira prema članku 102. Povelje Ujedinjenih naroda.

Članak 20.

Stupanje na snagu

1. Ova Konvencija stupa na snagu devedesetoga dana nakon datuma polaganja tridesete isprave o ratifikaciji, prihvatu, odobrenju ili pristupu.
2. Za svaku državu koja ratificira, prihvati, odobri ili pristupi ovoj Konvenciji nakon njezina stupanja na snagu, ova Konvencija stupa na snagu tridesetoga dana nakon polaganja njezine isprave o ratifikaciji, prihvatu, odobrenju ili pristupu.
3. Prijelazni dogovori koji se primjenjuju nakon stupanja na snagu ove Konvencije navedeni su u Dodatku.

Članak 21.

Povlačenje

1. Svaka država članica se može povući iz ove Konvencije upućivanjem pisane obavijesti depozitaru najmanje dvanaest mjeseci unaprijed, koji odmah obavješćuje sve države članice i glavnog tajnika o takvoj obavijesti.

2. Obavijesti o povlačenju mogu se položiti u svako doba nakon isteka šest mjeseci od datuma na koji je ova Konvencija stupila na snagu.
3. Povlačenje proizvodi učinak na 31. prosinca godine koja slijedi onu tijekom koje obavijest o povlačenju bila položena.

Članak 22. Prestanak

1. Ova Konvencija može biti okončana glasovanjem Opće skupštine nakon najmanje šest mjeseci od obavijesti o takvom glasovanju.
2. Datum prestanka je dvanaest mjeseci nakon datuma gore navedene odluke, a u međuvremenu Vijeće je odgovorno za zatvaranje Organizacije u skladu s Općim pravilima.

U POTVRDU TOGA niže potpisani, propisno ovlašteni od svojih vlada, potpisali su ovu Konvenciju.

SASTAVLJENO u Parizu 27. siječnja 2021. na arapskom, kineskom, engleskom, francuskom, ruskom i španjolskom jeziku, pri čemu je svaki tekst jednako vjerodostojan, izvornik koje se polaže u arhivima depozitara. Depozitar dostavlja njezine ovjerene preslike svim vladama potpisnicama i vladama koje pristupaju te glavnom tajniku Organizacije.

Dodatak

Prijelazni dogovori

Na XII. Općoj skupštini održanoj u La Coruñi od 25. do 31. svibnja 2014., Međunarodno udruženje uprava pomorske signalizacije i sredstava za pomorsku navigaciju usvojilo je Rezoluciju kojom se potvrđuje da će status međunarodne organizacije najbolje služiti njegovim ciljevima te određujući da takav status treba postići što je prije moguće usvajanjem međunarodne konvencije.

Kao posljedica toga, članak 13. Statuta Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju izmijenjen je kako bi se olakšao prestanak rada udruženja i prijenos njegove imovine na Organizaciju.

Svrha prijelaznih dogovora je osigurati stalna međunarodna nastojanja za razvoj, poboljšanje i usklađivanje sredstava za pomorsku navigaciju te olakšati prijelaz iz Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju u Organizaciju.

1. Stupanjem na snagu ove Konvencije predsjednik, potpredsjednik i Vijeće Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju, pozvani su da postanu predsjednik, potpredsjednik i Vijeće Organizacije i djelovati će do prve Opće skupštine sazvane prema ovoj Konvenciji na kojoj se izaberu predsjednik, potpredsjednik i Vijeće, koju je potrebno održati u roku od šest mjeseci.
2. Odbori Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju djeluju do uspostavljanja odbora prema ovoj Konvenciji.
3. Dok se ne uspostavi tajništvo Organizacije, tajništvo Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju pozvano je da služi i obavlja funkcije tajništva. Glavni tajnik Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju djeluje kao glavni tajnik Organizacije dok Opća skupština ne odabere glavnog tajnika u skladu s ovom Konvencijom.
4. Dok Organizacija ne usvoji Opća pravila, djeluje u skladu s Općim pravilima Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju *mutatis mutandis*.
5. Svi nacionalni članovi Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju iz država koje nisu države članice postaju, u skladu sa svojim službenim zahtjevom, pridruženi članovi Organizacije na razdoblje do deset godina od datuma stupanja na snagu ove Konvencije, osim ako Opća skupština ne odluči produžiti to razdoblje.
6. U slučaju da država koja ima bivšeg nacionalnog člana s pridruženim članstvom u skladu sa stavkom 5. postane država članica, pridruženo članstvo prestaje na dan kad ova Konvencija stupa na snagu za tu državu.
7. Svi pridruženi i industrijski članovi Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju koji su redoviti s plaćanjem naknada postaju povezani članovi Organizacije, na svoj službeni zahtjev.

8. Prijenos prava, interesa, imovine i obveza s Međunarodnog udruženja uprava pomorske signalizacije i sredstava za pomorsku navigaciju na Organizaciju, provoditi će se u skladu s francuskim zakonima.

Convention on the International Organization for Marine Aids to Navigation

Preamble

The States Parties to this Convention:

RECALLING that the International Association of Lighthouse Authorities was established on 1st July 1957 and was renamed the International Association of Marine Aids to Navigation and Lighthouse Authorities in 1998;

RECOGNIZING the role of the International Association of Marine Aids to Navigation and Lighthouse Authorities in the improvement and continued harmonization of Marine Aids to Navigation for the safe, economic and efficient movement of vessels for the benefit of the maritime community and the protection of the environment;

CONSIDERING the provisions of the United Nations Convention on the Law of the Sea, 1982 and the International Convention for the Safety of Life at Sea, 1974, as amended; and

CONSIDERING FURTHER that developing, improving and harmonizing Marine Aids to Navigation for the benefit of the maritime community and the protection of the environment is best coordinated by international organizations;

HAVE AGREED as follows:

Article 1 Establishment

1. The International Organization for Marine Aids to Navigation (hereinafter the “Organization”) is hereby established under international law as an intergovernmental organization.
2. The Organization shall have a consultative and technical nature.
3. The Organization shall have its seat in France, unless otherwise decided by the General Assembly.
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.

Article 2 Definitions

For the purposes of this Convention:

1. **Marine Aid to Navigation** means a device, system or service, external to a vessel, designed and operated to enhance safe and efficient navigation of individual vessels and

vessel traffic. For the purpose of the Organization this definition includes Vessel Traffic Services.

2. **Member State** means a State that has consented to be bound by this Convention and for which this Convention is in force.
3. **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, and national members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States, in accordance with paragraph 5 of the Annex.
4. **Affiliate Member** means a manufacturer or distributor of Marine Aids to Navigation equipment for sale, or an organization providing Marine Aids to Navigation services or technical advice under contract and any other organization or scientific agency concerned with Marine Aids to Navigation which has applied for membership, and which has been approved by the Council.

Article 3

Aim and Objectives

The aim of the Organization is to bring together governments and organizations concerned with the regulation, provision, maintenance or operation of Marine Aids to Navigation in order to further the objectives of:

- (a) Fostering the safe and efficient movement of vessels through the improvement and harmonization of Marine Aids to Navigation worldwide for the benefit of the maritime community and the protection of the marine environment;
- (b) Promoting access to technical cooperation and capacity building on all matters related to the development and transfer of expertise, science and technology in relation to Marine Aids to Navigation;
- (c) Encouraging and facilitating the general adoption of the highest practicable standards in matters concerning Marine Aids to Navigation; and
- (d) Providing for the exchange of information on matters under consideration by the Organization.

Article 4

Functions

In order to achieve the aim and objectives set out in Article 3, the functions of the Organization shall be:

- (a) To develop and communicate non-mandatory standards, recommendations, guidelines, manuals and other appropriate documents;
- (b) To consider and make recommendations on standards, recommendations, guidelines, manuals and other appropriate documents that may be remitted to it by Member States, Associate Members and Affiliate Members, by any organ or specialized agency of the United Nations or by any other intergovernmental organization;

- (c) To provide mechanisms for consultation and the exchange of information covering *inter alia*, recent developments and the activities of Member States, Associate Members and Affiliate Members;
- (d) To develop international cooperation by promoting close working relationships and assistance between Member States, Associate Members and Affiliate Members;
- (e) To facilitate assistance, whether technical, organizational or training, to governments, services and other organizations requesting help with Marine Aids to Navigation;
- (f) To organize conferences, symposia, seminars, workshops and other events; and
- (g) To liaise and cooperate with relevant international and other organizations, offering specialized advice, where appropriate.

Article 5 **Membership**

1. The Organization shall be comprised of Member States, Associate Members and Affiliate Members.
2. Any Member State having responsibility for the international relations of a territory or group of territories may request Associate membership for such territory or group of territories, by notification in writing to the Secretary-General.
3. The Council may require or a Member State may request that aspects of an application for Affiliate membership be reviewed by the Member State or Member States where the applicant carries out its activities or has its principal place of business or registered office. The Council shall take into consideration the views of the requesting and reviewing Member States when deciding on Affiliate membership.

Article 6 **Organs**

1. The Organization shall have as its organs:
 - (a) The General Assembly;
 - (b) The Council;
 - (c) Committees and subsidiary bodies necessary to support the Organization's activities; and
 - (d) The Secretariat.
2. There shall be a President and a Vice President of the Organization. The President, or in case of the President's absence, the Vice President shall chair the General Assembly and the Council.
3. The General Regulations and Financial Regulations shall detail the Rules of Procedure that shall apply for each organ and govern the day-to-day management of the Organization.

Article 7
The General Assembly

1. The General Assembly is the principal decision-making organ of the Organization and shall have all the powers of the Organization, unless otherwise provided by this Convention.
2. The General Assembly shall consist only of Member States. Attendance shall also be open to Associate Members and Affiliate Members.
3. Each Member State shall designate one of its delegates as its principal delegate at the General Assembly.
4. Regular sessions of the General Assembly shall take place once every three years.
5. Extraordinary sessions of the General Assembly shall be convened whenever one-third of Member States give notice to the Secretary-General that they desire a session to be convened, or at any time if deemed necessary by the Council, after a notice of ninety days.
6. A majority of Member States shall constitute a quorum for the sessions of the General Assembly.
7. The General Assembly shall:
 - (a) Elect the President and the Vice President from amongst the Member States in accordance with the General Regulations;
 - (b) Decide the overall policy and the strategic vision of the Organization;
 - (c) Review and approve the General Regulations and the Financial Regulations of the Organization;
 - (d) Elect, in accordance with Article 8, the Council from amongst the Member States other than the Member States holding the Presidency or Vice Presidency;
 - (e) Elect the Secretary-General from amongst nationals of the Member States in accordance with the General Regulations;
 - (f) Establish and terminate Committees and subsidiary bodies and review and approve their Terms of Reference;
 - (g) Review and approve the financial arrangements of the Organization, including the outline budget for the following three years and the rate of contributions for Member States and fees for Associate Members and Affiliate Members;
 - (h) Consider the reports and proposals put to it by any Member State, the Council or the Secretary-General;
 - (i) Approve standards;
 - (j) Decide on Associate membership;
 - (k) Rule on Affiliate membership upon the request of one or more Member States;
 - (l) Make recommendations to Member States, Associate Members and Affiliate Members on matters within the aim and objectives of the Organization;
 - (m) Approve agreements with States and international organizations; and
 - (n) Decide on any other matters within the aim and objectives of the Organization.

Article 8
The Council

1. The Council is the executive organ of the Organization and shall be responsible for directing the activities of the Organization.
2. The Council shall consist of the President and the Vice President and twenty-three other Member States.
3. Council members shall be elected by ballot at each regular session of the General Assembly in accordance with the General Regulations. Council members should, in principle, be drawn from different parts of the world, with a view to achieving a worldwide representation.
4. At the Council, Member States shall preferably be represented by a delegate from a national authority responsible for the regulation, provision, maintenance or operation of Marine Aids to Navigation of that Member State.
5. Seventeen members of the Council, at least one of which must be the President or Vice President, shall constitute a quorum for the sessions of the Council.
6. The Council shall meet at least once a year.
7. Any Member State not represented on the Council may participate in the Council meetings, but will not be entitled to vote.
8. The Council shall:
 - (a) Exercise such responsibilities as may be delegated to it by the General Assembly;
 - (b) Coordinate the activities of the Organization within the framework of the overall policy, the strategic vision and the outline budget, as decided by the General Assembly;
 - (c) Review and approve the financial statements, including the annual budget;
 - (d) Decide on Affiliate membership;
 - (e) Convene the General Assembly;
 - (f) Report to the General Assembly on the work of the Organization;
 - (g) Review papers submitted to it in accordance with the General Regulations;
 - (h) Refer to the General Assembly all matters requiring decision by the General Assembly;
 - (i) Approve recommendations, guidelines, manuals and other appropriate documents;
 - (j) Approve submissions to other organizations;
 - (k) Appoint Chairs and Vice Chairs of Committees and subsidiary bodies and review and approve their work programmes;
 - (l) Decide the venue and the year of the Organization's conferences and symposia as described in the General Regulations; and
 - (m) Approve the Staff Rules.
9. Council members may, after having informed the President and the Secretary-General, invite Affiliate Members to participate as technical advisors at Council meetings to provide advice and support on operational and technical matters.

Article 9
Committees and Subsidiary Bodies

1. Committees and subsidiary bodies shall support the aim and objectives of the Organization.
2. The Committees shall:
 - (a) Prepare and review standards, recommendations, guidelines, manuals and other appropriate documents identified in the work programmes;
 - (b) Monitor developments in the area of Marine Aids to Navigation;
 - (c) Facilitate the sharing of expertise and experience amongst Member States, Associate Members and Affiliate Members; and
 - (d) Conduct any other tasks as decided by the Council.

Article 10
The Secretariat

1. The permanent Secretariat of the Organization shall be comprised of the Secretary-General and such staff as may be required for the work of the Organization within the approved budgetary framework.
2. The term of the Secretary-General shall be three years. The Secretary-General may be re-elected for up to two additional consecutive terms of three years each.
3. The Secretary-General shall be responsible for the day-to-day management of the Organization, subject to any guidance issued by the General Assembly or the Council.
4. The Secretary-General shall be responsible for the conclusion of agreements with States and international organizations subject to the approval of the General Assembly in accordance with Article 7.7 (m).
5. The staff of the Secretariat shall be appointed in accordance with the Staff Rules by the Secretary-General on such terms and to perform such duties as the Secretary-General may determine.
6. The Secretariat shall:
 - (a) Maintain all such records as may be necessary for the efficient discharge of the work of the Organization and shall prepare, collect, and circulate any documentation that may be required;
 - (b) Administer the Organization's finances under the direction of the Council, in accordance with the General Regulations;
 - (c) Prepare the financial arrangements and the financial statements;
 - (d) Keep Member States, Associate Members and Affiliate Members and other organizations informed with respect to the activities of the Organization;
 - (e) Organize and support meetings of the General Assembly, the Council, Committees and subsidiary bodies;
 - (f) Organize and support conferences and symposia as approved by the Council;
 - (g) Organize and support seminars, workshops and other events; and
 - (h) Perform such other functions as may be assigned by this Convention, the General Regulations, the General Assembly or the Council.

7. In the performance of their duties, the Secretary-General and the staff shall not seek or receive instructions from any government or from any other source external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each Member State on its part undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 11 **Voting**

1. All efforts shall be made for the General Assembly and the Council to adopt decisions by consensus amongst Member States.
2. Where decisions of the General Assembly or Council cannot be adopted by consensus, they shall be adopted by a two-thirds majority of Member States present and voting through a secret ballot.
3. Only Member States shall have voting rights. Each Member State shall have one vote, except as specified in Article 13.4.
4. The election of the President, Vice President and Secretary-General shall be made by secret ballot with a simple majority of Member States present and voting in accordance with the General Regulations.
5. The election of the Council shall be made with the highest number of votes of the Member States present and voting through a secret ballot, in accordance with the General Regulations.

Article 12 **Languages**

The official languages of the Organization shall be Arabic, Chinese, English, French, Russian and Spanish.

Article 13 **Finance**

1. The expenditure for the functioning of the Organization shall be met by the financial resources provided by:
 - (a) Member State contributions;
 - (b) Associate Member and Affiliate Member fees; and
 - (c) Donations, bequests, grants, gifts and other sources approved by the Council upon recommendation by the Secretary-General.
2. Each Member State shall pay a contribution and each Associate Member and Affiliate Member shall pay a fee to the Organization on an annual basis in the amount determined in accordance with Article 7.7 (g). The contribution shall be set at the same rate for each Member State.

3. Member State contributions and Associate Member and Affiliate Member fees shall be due and payable in accordance with the Financial Regulations.
4. Any Member State which is two years in arrears in making contributions shall, after written notification by the Secretary-General, be denied voting rights and the right to be elected to the Council until such time as the outstanding contributions have been paid, in accordance with the Financial Regulations, unless the General Assembly waives this provision.
5. Following the Council's approval of the Organization's audited financial statements, these statements shall be distributed to all Member States, Associate Members and Affiliate Members in the Annual Report.

Article 14

Legal Personality, Privileges and Immunities

1. The Organization has international legal personality and has the capacity to:
 - (a) Contract and conclude agreements with governments, organizations and other bodies;
 - (b) Acquire and dispose of immovable and movable property; and
 - (c) Institute legal proceedings.
2. In the territory of each of its Member States, the Organization shall enjoy, to the extent provided for in an agreement with the Member State concerned, such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its aim and objectives.
3. No Member State, Associate Member or Affiliate Member shall be liable, by reason of its status or participation in the Organization, for acts, omissions or obligations of the Organization.

Article 15

Amendments

1. Any Member State may propose an amendment to this Convention, in writing, to the Secretary-General.
2. The Secretary-General shall circulate the proposed amendment in the official languages to all Member States at least six months in advance of its consideration by the General Assembly.
3. The proposed amendment shall be adopted by vote of the General Assembly.
4. Any amendment adopted in accordance with paragraph 3 shall be sent by the Secretary-General to the Depositary. The latter shall notify all Member States of the adoption of the amendment.
5. 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 for a Member State which has notified the Depositary, prior to the entry into force of such amendment, that the amendment shall enter into force for that Member State only after a subsequent notification of its acceptance.

6. Notwithstanding paragraph 5, the General Assembly may decide by consensus that the amendment shall come 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. If within this period of six months a Member State gives notification of withdrawal from the Organization on account of an amendment, the withdrawal shall, notwithstanding Article 21, take effect on the date on which such amendment comes into force.
7. The Depositary shall inform the Member States and the Secretary-General of the entry into force of the amendment, specifying the date of its entry into force.

Article 16 **Reservations**

No reservations shall be made to this Convention.

Article 17 **Interpretation and Disputes**

Member States shall make every effort to prevent disputes on the interpretation or application of this Convention, and shall use their best efforts to resolve any disputes by peaceful means which may include consultation and negotiation with each other and any other means as agreed to by the parties to the dispute.

Article 18 **Signature, Ratification, Acceptance, Approval and Accession**

1. This Convention shall be open for signature by any State that is a member of the United Nations at Paris from 27 January 2021 and remain open until 26 January 2022.
2. This Convention is subject to ratification, acceptance or approval by the signatory States.
3. This Convention shall be open for accession by any State that is a member of the United Nations which has not signed this Convention from the day after the date on which this Convention closes for signature.
4. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary, who shall then notify all States having deposited such instruments with the Depositary and the Secretary-General thereof.

Article 19 **The Depositary**

The French Republic shall serve as the Depositary for this Convention. This Convention shall be registered by the Depositary pursuant to Article 102 of the Charter of the United Nations.

Article 20
Entry into force

1. This Convention shall enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession.
2. For each State ratifying, accepting, approving or acceding to this Convention after its entry into force this Convention shall enter into force on the thirtieth day after the deposit of its instrument of ratification, acceptance, approval or accession.
3. The transitional arrangements that shall apply upon entry into force of this Convention are set out in the Annex.

Article 21
Withdrawal

1. Any Member State may withdraw from this Convention by giving at least twelve months' written notice to the Depositary, who shall immediately inform all Member States and the Secretary-General of such notification.
2. Notification of withdrawal may be deposited at any time after the expiration of six months from the date on which this Convention has entered into force.
3. The withdrawal shall take effect on 31st December of the year following that during which the notice of withdrawal was deposited.

Article 22
Termination

1. This Convention may be terminated by a vote of the General Assembly following at least six months' notice of such a vote.
2. The date of termination shall be twelve months after the date of the above decision, and in the intervening period the Council shall be responsible for the winding up of the Organization, in accordance with the General Regulations.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective governments, have signed the present Convention.

DONE at Paris on 27 January 2021 in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic, an original of which shall be deposited in the archives of the Depositary. The Depositary shall transmit certified copies thereof to all the signatory and acceding governments and to the Secretary-General of the Organization.

Annex

Transitional Arrangements

At the XIIth General Assembly held in A Coruña from 25th to 31st May 2014, the International Association of Marine Aids to Navigation and Lighthouse Authorities adopted a Resolution affirming that the status of an International Organization would best serve its objectives and determining that such status should be achieved as soon as possible by the means of the adoption of an international convention.

As a consequence, Article 13 of the Constitution of the International Association of Marine Aids to Navigation and Lighthouse Authorities was amended to facilitate the winding up of the association and the transition of its assets to the Organization.

The purpose of the transitional arrangements is to ensure the uninterrupted international efforts to develop, improve and harmonize Marine Aids to Navigation and to facilitate the transition from the International Association of Marine Aids to Navigation and Lighthouse Authorities to the Organization.

1. Upon the entry into force of this Convention, the President, Vice President and the Council of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall be invited to become the President, Vice President and Council of the Organization and will operate as such until the first General Assembly convened under this Convention has elected a President, Vice President and Council, which must be within a period not exceeding six months.
2. The Committees of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall operate until Committees are established under this Convention.
3. Until such time as the Secretariat of the Organization has been established, the Secretariat of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall be invited to serve as, and perform the functions of, the Secretariat. The Secretary-General of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall serve as the Secretary-General of the Organization until the General Assembly elects the Secretary-General in accordance with this Convention.
4. Until such time as the Organization has adopted General Regulations, it shall function in accordance with the General Regulations of the International Association of Marine Aids to Navigation and Lighthouse Authorities *mutatis mutandis*.
5. All national members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States shall, subject to their formal request, become Associate Members of the Organization for a duration of up to ten years from the date of entry into force of this Convention, unless the General Assembly decides to extend that period.

6. In the event that a State which has a former national member with Associate membership in accordance with paragraph 5 becomes a Member State, the Associate membership shall cease on the date on which this Convention enters into force for that State.
7. All Associate and Industrial Members of the International Association of Marine Aids to Navigation and Lighthouse Authorities up to date with their fees shall, subject to their formal request, become Affiliate Members of the Organization.
8. The transfer of rights, interests, assets and liabilities from the International Association of Marine Aids to Navigation and Lighthouse Authorities to the Organization will take place pursuant to French law.

Članak 3.

Provedba ovoga Zakona u djelokrugu je tijela državne uprave nadležnog za poslove mora.

Članak 4.

Na dan stupanja na snagu ovoga Zakona Konvencija iz članka 1. ovoga Zakona nije na snazi, te će se podaci o njezinom stupanju na snagu u odnosu na Republiku Hrvatsku objaviti u skladu s odredbom članka 30. stavka 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora („Narodne novine“, broj 28/96.).

Članak 5.

Ovaj Zakon stupa na snagu osmoga dana od dana objave u „Narodnim novinama“.

O B R A Z L O Ž E N J E

Člankom 1. Konačnog prijedloga zakona utvrđuje se da Hrvatski sabor potvrđuje Konvenciju, sukladno odredbi članka 140. stavka 1. Ustava Republike Hrvatske („Narodne novine“, br. 85/10. – pročišćeni tekst i 5/14. – Odluka Ustavnog suda Republike Hrvatske) čime se iskazuje formalni pristanak Republike Hrvatske da bude vezana ovom Konvencijom, na temelju čega će ovaj pristanak biti iskazan i na međunarodnom planu.

U članku 2. Konačnog prijedloga zakona, sadržan je tekst Konvencije u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik.

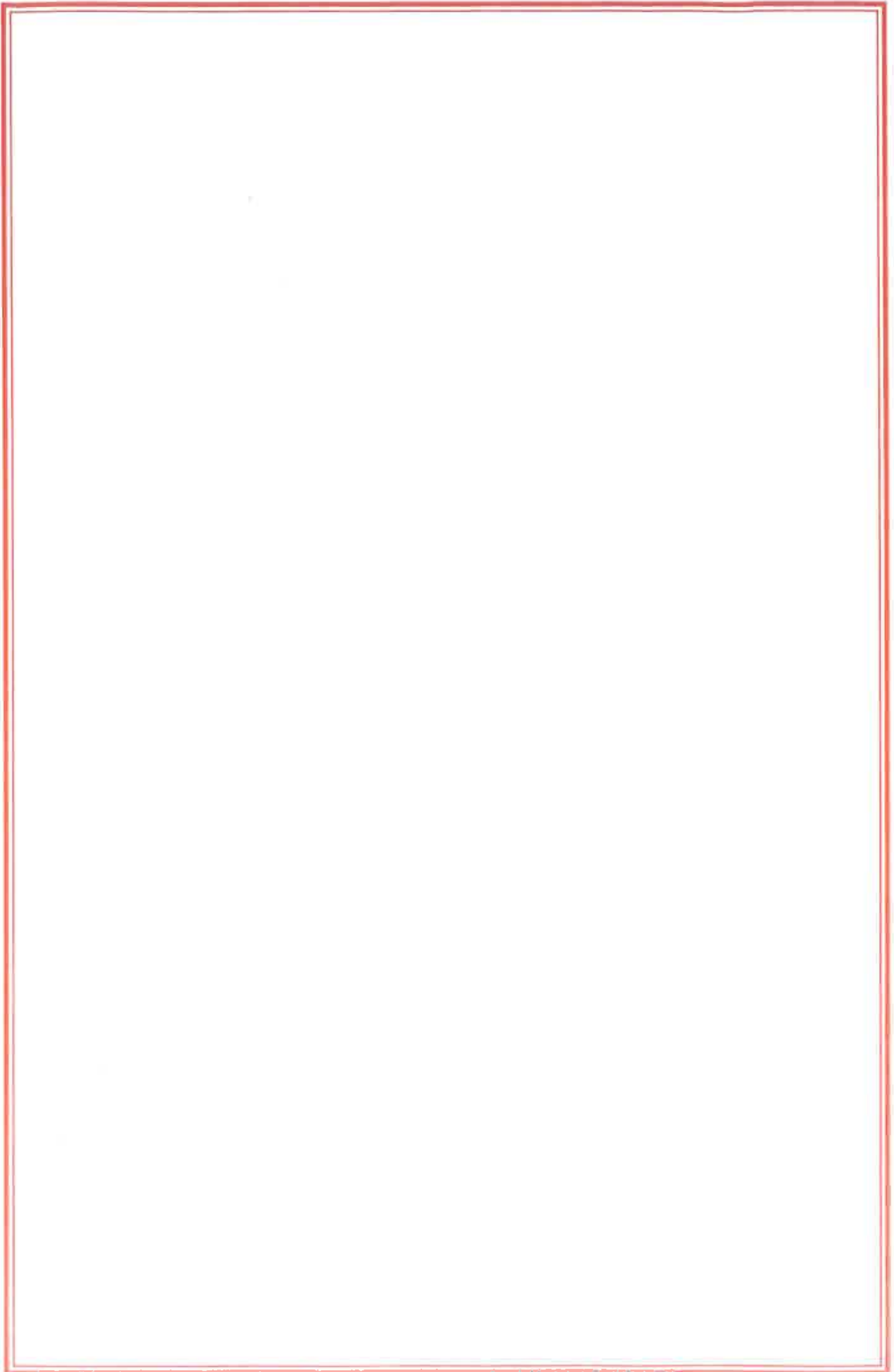
U članku 3. Konačnog prijedloga zakona utvrđuje se da je provedba ovoga Zakona u djelokrugu tijela državne uprave nadležnog za poslove mora.

U članku 4. Konačnog prijedloga zakona utvrđuje se da na dan stupanja na snagu ovoga Zakona, Konvencija iz članka 1. ovoga Zakona nije na snazi u odnosu na Republiku Hrvatsku te će se podaci o njezinom stupanju na snagu objaviti sukladno odredbi članka 30. stavka 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora („Narodne novine“, broj 28/96.).

U članku 5. Konačnog prijedloga zakona uređuje se stupanje na snagu Zakona.

Prilog – Preslika teksta Konvencije u izvorniku na engleskom jeziku

Convention on the International Organization for Marine Aids to Navigation



Preamble

The States Parties to this Convention:

RECALLING that the International Association of Lighthouse Authorities was established on 1st July 1957 and was renamed the International Association of Marine Aids to Navigation and Lighthouse Authorities in 1998;

RECOGNIZING the role of the International Association of Marine Aids to Navigation and Lighthouse Authorities in the improvement and continued harmonization of Marine Aids to Navigation for the safe, economic and efficient movement of vessels for the benefit of the maritime community and the protection of the environment;

CONSIDERING the provisions of the United Nations Convention on the Law of the Sea, 1982 and the International Convention for the Safety of Life at Sea, 1974, as amended; and

CONSIDERING FURTHER that developing, improving and harmonizing Marine Aids to Navigation for the benefit of the maritime community and the protection of the environment is best coordinated by international organizations;

HAVE AGREED as follows:

Article 1 Establishment

1. The International Organization for Marine Aids to Navigation (hereinafter the "Organization") is hereby established under international law as an intergovernmental organization.
2. The Organization shall have a consultative and technical nature.
3. The Organization shall have its seat in France, unless otherwise decided by the General Assembly.
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.

Article 2 Definitions

For the purposes of this Convention:

1. **Marine Aid to Navigation** means a device, system or service, external to a vessel, designed and operated to enhance safe and efficient navigation of individual vessels and vessel traffic. For the purpose of the Organization this definition includes Vessel Traffic Services.
2. **Member State** means a State that has consented to be bound by this Convention and for which this Convention is in force.
3. **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, and national members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States, in accordance with paragraph 5 of the Annex.
4. **Affiliate Member** means a manufacturer or distributor of Marine Aids to Navigation equipment for sale, or an organization providing Marine Aids to Navigation services or technical advice under contract and any other organization or scientific agency concerned with Marine Aids to Navigation which has applied for membership, and which has been approved by the Council.

Article 3 Aim and Objectives

The aim of the Organization is to bring together governments and organizations concerned with the regulation, provision, maintenance or operation of Marine Aids to Navigation in order to further the objectives of:

- (a) Fostering the safe and efficient movement of vessels through the improvement and harmonization of Marine Aids to Navigation worldwide for the benefit of the maritime community and the protection of the marine environment;
- (b) Promoting access to technical cooperation and capacity building on all matters related to the development and transfer of expertise, science and technology in relation to Marine Aids to Navigation;
- (c) Encouraging and facilitating the general adoption of the highest practicable standards in matters concerning Marine Aids to Navigation; and
- (d) Providing for the exchange of information on matters under consideration by the Organization.

Article 4 Functions

In order to achieve the aim and objectives set out in Article 3, the functions of the Organization shall be:

- (a) To develop and communicate non-mandatory standards, recommendations, guidelines, manuals and other appropriate documents;
- (b) To consider and make recommendations on standards, recommendations, guidelines, manuals and other appropriate documents that may be remitted to it by Member States, Associate Members and Affiliate Members, by any organ or specialized agency of the United Nations or by any other Intergovernmental organization;
- (c) To provide mechanisms for consultation and the exchange of information covering *inter alia*, recent developments and the activities of Member States, Associate Members and Affiliate Members;
- (d) To develop international cooperation by promoting close working relationships and assistance between Member States, Associate Members and Affiliate Members;
- (e) To facilitate assistance, whether technical, organizational or training, to governments, services and other organizations requesting help with Marine Aids to Navigation;
- (f) To organize conferences, symposia, seminars, workshops and other events; and
- (g) To liaise and cooperate with relevant international and other organizations, offering specialized advice, where appropriate.

Article 5 Membership

1. The Organization shall be comprised of Member States, Associate Members and Affiliate Members.
2. Any Member State having responsibility for the international relations of a territory or group of territories may request Associate membership for such territory or group of territories, by notification in writing to the Secretary-General.
3. The Council may require or a Member State may request that aspects of an application for Affiliate membership be reviewed by the Member State or Member States where the applicant carries out its activities or has its principal place of business or registered office. The Council shall take into consideration the views of the requesting and reviewing Member States when deciding on Affiliate membership.

**Article 6
Organs**

1. The Organization shall have as its organs:
 - (a) The General Assembly;
 - (b) The Council;
 - (c) Committees and subsidiary bodies necessary to support the Organization's activities; and
 - (d) The Secretariat.
2. There shall be a President and a Vice President of the Organization. The President, or in case of the President's absence, the Vice President shall chair the General Assembly and the Council.
3. The General Regulations and Financial Regulations shall detail the Rules of Procedure that shall apply for each organ and govern the day-to-day management of the Organization.

**Article 7
The General Assembly**

1. The General Assembly is the principal decision-making organ of the Organization and shall have all the powers of the Organization, unless otherwise provided by this Convention.
2. The General Assembly shall consist only of Member States. Attendance shall also be open to Associate Members and Affiliate Members.
3. Each Member State shall designate one of its delegates as its principal delegate at the General Assembly.
4. Regular sessions of the General Assembly shall take place once every three years.
5. Extraordinary sessions of the General Assembly shall be convened whenever one-third of Member States give notice to the Secretary-General that they desire a session to be convened, or at any time if deemed necessary by the Council, after a notice of ninety days.
6. A majority of Member States shall constitute a quorum for the sessions of the General Assembly.
7. The General Assembly shall:
 - (a) Elect the President and the Vice President from amongst the Member States in accordance with the General Regulations;
 - (b) Decide the overall policy and the strategic vision of the Organization;
 - (c) Review and approve the General Regulations and the Financial Regulations of the Organization;
 - (d) Elect, in accordance with Article 8, the Council from amongst the Member States other than the Member States holding the Presidency or Vice Presidency;
 - (e) Elect the Secretary-General from amongst nationals of the Member States in accordance with the General Regulations;
 - (f) Establish and terminate Committees and subsidiary bodies and review and approve their Terms of Reference;
 - (g) Review and approve the financial arrangements of the Organization, including the outline budget for the following three years and the rate of contributions for Member States and fees for Associate Members and Affiliate Members;
 - (h) Consider the reports and proposals put to it by any Member State, the Council or the Secretary-General;
 - (i) Approve standards;
 - (j) Decide on Associate membership;
 - (k) Rule on Affiliate membership upon the request of one or more Member States;
 - (l) Make recommendations to Member States, Associate Members and Affiliate Members on matters within the aim and objectives of the Organization;
 - (m) Approve agreements with States and international organizations; and

- (n) Decide on any other matters within the aim and objectives of the Organization.

Article 8 The Council

1. The Council is the executive organ of the Organization and shall be responsible for directing the activities of the Organization.
2. The Council shall consist of the President and the Vice President and twenty-three other Member States.
3. Council members shall be elected by ballot at each regular session of the General Assembly in accordance with the General Regulations. Council members should, in principle, be drawn from different parts of the world, with a view to achieving a worldwide representation.
4. At the Council, Member States shall preferably be represented by a delegate from a national authority responsible for the regulation, provision, maintenance or operation of Marine Aids to Navigation of that Member State.
5. Seventeen members of the Council, at least one of which must be the President or Vice President, shall constitute a quorum for the sessions of the Council.
6. The Council shall meet at least once a year.
7. Any Member State not represented on the Council may participate in the Council meetings, but will not be entitled to vote.
8. The Council shall:
 - (a) Exercise such responsibilities as may be delegated to it by the General Assembly;
 - (b) Coordinate the activities of the Organization within the framework of the overall policy, the strategic vision and the outline budget, as decided by the General Assembly;
 - (c) Review and approve the financial statements, including the annual budget;
 - (d) Decide on Affiliate membership;
 - (e) Convene the General Assembly;
 - (f) Report to the General Assembly on the work of the Organization;
 - (g) Review papers submitted to it in accordance with the General Regulations;
 - (h) Refer to the General Assembly all matters requiring decision by the General Assembly;
 - (i) Approve recommendations, guidelines, manuals and other appropriate documents;
 - (j) Approve submissions to other organizations;
 - (k) Appoint Chairs and Vice Chairs of Committees and subsidiary bodies and review and approve their work programmes;
 - (l) Decide the venue and the year of the Organization's conferences and symposia as described in the General Regulations; and
 - (m) Approve the Staff Rules.
9. Council members may, after having informed the President and the Secretary-General, invite Affiliate Members to participate as technical advisors at Council meetings to provide advice and support on operational and technical matters.

Article 9 Committees and Subsidiary Bodies

1. Committees and subsidiary bodies shall support the aim and objectives of the Organization.
2. The Committees shall:
 - (a) Prepare and review standards, recommendations, guidelines, manuals and other appropriate documents identified in the work programmes;
 - (b) Monitor developments in the area of Marine Aids to Navigation;

- (c) Facilitate the sharing of expertise and experience amongst Member States, Associate Members and Affiliate Members; and
- (d) Conduct any other tasks as decided by the Council.

Article 10 The Secretariat

1. The permanent Secretariat of the Organization shall be comprised of the Secretary-General and such staff as may be required for the work of the Organization within the approved budgetary framework.
2. The term of the Secretary-General shall be three years. The Secretary-General may be re-elected for up to two additional consecutive terms of three years each.
3. The Secretary-General shall be responsible for the day-to-day management of the Organization, subject to any guidance issued by the General Assembly or the Council.
4. The Secretary-General shall be responsible for the conclusion of agreements with States and international organizations subject to the approval of the General Assembly in accordance with Article 7.7 (m).
5. The staff of the Secretariat shall be appointed in accordance with the Staff Rules by the Secretary-General on such terms and to perform such duties as the Secretary-General may determine.
6. The Secretariat shall:
 - (a) Maintain all such records as may be necessary for the efficient discharge of the work of the Organization and shall prepare, collect, and circulate any documentation that may be required;
 - (b) Administer the Organization's finances under the direction of the Council, in accordance with the General Regulations;
 - (c) Prepare the financial arrangements and the financial statements;
 - (d) Keep Member States, Associate Members and Affiliate Members and other organizations informed with respect to the activities of the Organization;
 - (e) Organize and support meetings of the General Assembly, the Council, Committees and subsidiary bodies;
 - (f) Organize and support conferences and symposia as approved by the Council;
 - (g) Organize and support seminars, workshops and other events; and
 - (h) Perform such other functions as may be assigned by this Convention, the General Regulations, the General Assembly or the Council.
7. In the performance of their duties, the Secretary-General and the staff shall not seek or receive instructions from any government or from any other source external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each Member State on its part undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 11 Voting

1. All efforts shall be made for the General Assembly and the Council to adopt decisions by consensus amongst Member States.
2. Where decisions of the General Assembly or Council cannot be adopted by consensus, they shall be adopted by a two-thirds majority of Member States present and voting through a secret ballot.
3. Only Member States shall have voting rights. Each Member State shall have one vote, except as specified in Article 13.4.

4. The election of the President, Vice President and Secretary-General shall be made by secret ballot with a simple majority of Member States present and voting in accordance with the General Regulations.
5. The election of the Council shall be made with the highest number of votes of the Member States present and voting through a secret ballot, in accordance with the General Regulations.

**Article 12
Languages**

The official languages of the Organization shall be Arabic, Chinese, English, French, Russian and Spanish.

**Article 13
Finance**

1. The expenditure for the functioning of the Organization shall be met by the financial resources provided by:
 - (a) Member State contributions;
 - (b) Associate Member and Affiliate Member fees; and
 - (c) Donations, bequests, grants, gifts and other sources approved by the Council upon recommendation by the Secretary-General.
2. Each Member State shall pay a contribution and each Associate Member and Affiliate Member shall pay a fee to the Organization on an annual basis in the amount determined in accordance with Article 7.7 (g). The contribution shall be set at the same rate for each Member State.
3. Member State contributions and Associate Member and Affiliate Member fees shall be due and payable in accordance with the Financial Regulations.
4. Any Member State which is two years in arrears in making contributions shall, after written notification by the Secretary-General, be denied voting rights and the right to be elected to the Council until such time as the outstanding contributions have been paid, in accordance with the Financial Regulations, unless the General Assembly waives this provision.
5. Following the Council's approval of the Organization's audited financial statements, these statements shall be distributed to all Member States, Associate Members and Affiliate Members in the Annual Report.

**Article 14
Legal Personality, Privileges and Immunities**

1. The Organization has international legal personality and has the capacity to:
 - (a) Contract and conclude agreements with governments, organizations and other bodies;
 - (b) Acquire and dispose of immovable and movable property; and
 - (c) Institute legal proceedings.
2. In the territory of each of its Member States, the Organization shall enjoy, to the extent provided for in an agreement with the Member State concerned, such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its aim and objectives.
3. No Member State, Associate Member or Affiliate Member shall be liable, by reason of its status or participation in the Organization, for acts, omissions or obligations of the Organization.

Article 15
Amendments

1. Any Member State may propose an amendment to this Convention, in writing, to the Secretary-General.
2. The Secretary-General shall circulate the proposed amendment in the official languages to all Member States at least six months in advance of its consideration by the General Assembly.
3. The proposed amendment shall be adopted by vote of the General Assembly.
4. Any amendment adopted in accordance with paragraph 3 shall be sent by the Secretary-General to the Depositary. The latter shall notify all Member States of the adoption of the amendment.
5. 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 for a Member State which has notified the Depositary, prior to the entry into force of such amendment, that the amendment shall enter into force for that Member State only after a subsequent notification of its acceptance.
6. Notwithstanding paragraph 5, the General Assembly may decide by consensus that the amendment shall come 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. If within this period of six months a Member State gives notification of withdrawal from the Organization on account of an amendment, the withdrawal shall, notwithstanding Article 21, take effect on the date on which such amendment comes into force.
7. The Depositary shall inform the Member States and the Secretary-General of the entry into force of the amendment, specifying the date of its entry into force.

Article 16
Reservations

No reservations shall be made to this Convention.

Article 17
Interpretation and Disputes

Member States shall make every effort to prevent disputes on the interpretation or application of this Convention, and shall use their best efforts to resolve any disputes by peaceful means which may include consultation and negotiation with each other and any other means as agreed to by the parties to the dispute.

Article 18
Signature, Ratification, Acceptance, Approval and Accession

1. This Convention shall be open for signature by any State that is a member of the United Nations at Paris from 27 January 2021 and remain open until 26 January 2022.
2. This Convention is subject to ratification, acceptance or approval by the signatory States.
3. This Convention shall be open for accession by any State that is a member of the United Nations which has not signed this Convention from the day after the date on which this Convention closes for signature.
4. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary, who shall then notify all States having deposited such instruments with the Depositary and the Secretary-General thereof.

Article 19
The Depositary

The French Republic shall serve as the Depositary for this Convention. This Convention shall be registered by the Depositary pursuant to Article 102 of the Charter of the United Nations.

Article 20
Entry into force

1. This Convention shall enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession.
2. For each State ratifying, accepting, approving or acceding to this Convention after its entry into force this Convention shall enter into force on the thirtieth day after the deposit of its instrument of ratification, acceptance, approval or accession.
3. The transitional arrangements that shall apply upon entry into force of this Convention are set out in the Annex.

Article 21
Withdrawal

1. Any Member State may withdraw from this Convention by giving at least twelve months' written notice to the Depositary, who shall immediately inform all Member States and the Secretary-General of such notification.
2. Notification of withdrawal may be deposited at any time after the expiration of six months from the date on which this Convention has entered into force.
3. The withdrawal shall take effect on 31st December of the year following that during which the notice of withdrawal was deposited.

Article 22
Termination

1. This Convention may be terminated by a vote of the General Assembly following at least six months' notice of such a vote.
2. The date of termination shall be twelve months after the date of the above decision, and in the intervening period the Council shall be responsible for the winding up of the Organization, in accordance with the General Regulations.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective governments, have signed the present Convention.

DONE at Paris on 27 January 2021 in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic, an original of which shall be deposited in the archives of the Depositary. The Depositary shall transmit certified copies thereof to all the signatory and acceding governments and to the Secretary-General of the Organization.

For the French Republic



Ms Annick GIRARDIN
Minister of Marine Affairs

19/03/2011
11

Annex

Transitional Arrangements

At the XIIth General Assembly held in A Coruña from 25th to 31st May 2014, the International Association of Marine Aids to Navigation and Lighthouse Authorities adopted a Resolution affirming that the status of an International Organization would best serve its objectives and determining that such status should be achieved as soon as possible by the means of the adoption of an international convention.

As a consequence, Article 13 of the Constitution of the International Association of Marine Aids to Navigation and Lighthouse Authorities was amended to facilitate the winding up of the association and the transition of its assets to the Organization.

The purpose of the transitional arrangements is to ensure the uninterrupted international efforts to develop, improve and harmonize Marine Aids to Navigation and to facilitate the transition from the International Association of Marine Aids to Navigation and Lighthouse Authorities to the Organization.

1. Upon the entry into force of this Convention, the President, Vice President and the Council of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall be invited to become the President, Vice President and Council of the Organization and will operate as such until the first General Assembly convened under this Convention has elected a President, Vice President and Council, which must be within a period not exceeding six months.
2. The Committees of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall operate until Committees are established under this Convention.
3. Until such time as the Secretariat of the Organization has been established, the Secretariat of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall be invited to serve as, and perform the functions of, the Secretariat. The Secretary-General of the International Association of Marine Aids to Navigation and Lighthouse Authorities shall serve as the Secretary-General of the Organization until the General Assembly elects the Secretary-General in accordance with this Convention.
4. Until such time as the Organization has adopted General Regulations, it shall function in accordance with the General Regulations of the International Association of Marine Aids to Navigation and Lighthouse Authorities *mutatis mutandis*.
5. All national members of the International Association of Marine Aids to Navigation and Lighthouse Authorities from States that are not Member States shall, subject to their formal request, become Associate Members of the Organization for a duration of up to ten years from the date of entry into force of this Convention, unless the General Assembly decides to extend that period.
6. In the event that a State which has a former national member with Associate membership in accordance with paragraph 5 becomes a Member State, the Associate membership shall cease on the date on which this Convention enters into force for that State.
7. All Associate and Industrial Members of the International Association of Marine Aids to Navigation and Lighthouse Authorities up to date with their fees shall, subject to their formal request, become Affiliate Members of the Organization.
8. The transfer of rights, interests, assets and liabilities from the International Association of Marine Aids to Navigation and Lighthouse Authorities to the Organization will take place pursuant to French law.

POUR COPIE CERTIFIÉE CONFORME À L'ORIGINAL
FAIT À PARIS, LE

5 février 2021

Pierre-Christian SOCCOJA
Directeur adjoint du Protocole d'Etat
et des événements diplomatiques

