



HOUSE OF LORDS

International Agreements Committee

18th Report of Session 2021–22

**Scrutiny of
international
agreements:
Convention on
Marine Aids to
Navigation**

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International Agreements Committee

The International Agreements Committee is appointed by the House of Lords in each session to consider matters relating to the negotiation, conclusion and implementation of international agreements, and to report on treaties laid before Parliament in accordance with Part 2 of the Constitutional Reform and Governance Act 2010.

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The Members of the International Agreements Committee are:

[Lord Astor of Hever](#)

[Lord Morris of Aberavon](#)

[Lord Gold](#)

[Lord Oates](#)

[Baroness Hayter of Kentish Town](#) (Chair)

[Lord Razzall](#)

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[Lord Sandwich](#)

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[Baroness Liddell of Coatdyke](#)

[Lord Watts](#)

Declaration of interests

See Appendix.

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Committee staff

The current staff of the Committee are Jennifer Martin-Kohlmorgen (Clerk), Andrea Ninomiya (Policy Analyst) and Robert Cocks (Committee Operations Officer).

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SUMMARY

This report addresses the following agreement, laid before Parliament in accordance with section 20 of the Constitutional Reform and Governance Act 2010 (CRAG), which we report for the special attention of the House.

- Convention on the International Organization for Marine Aids to Navigation (CP 636, 2022)

We report the Agreement to the special attention of the House because of Russia's potential accession to the Convention, which gives rise to issues of public policy that the House may wish to debate prior to ratification.

Scrutiny of international agreements: Convention on Marine Aids to Navigation

AGREEMENT REPORTED FOR THE SPECIAL ATTENTION OF THE HOUSE

Convention on the International Organization for Marine Aids to Navigation (CP 636, 2022)¹

1. The Convention on the International Organization for Marine Aids to Navigation was laid on 1 March 2022, and the scrutiny period is scheduled to end on 26 April 2022. It was considered by the Committee on 7 April 2022.
2. The purpose of the Convention is to transition the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA), a non-governmental body, to an intergovernmental organisation under international law. It will be known as the International Organization for Marine Aids to Navigation and its role will be to ensure the safety of shipping through effective and harmonised marine aids to navigation, such as lighthouses, buoys and beacons. The Convention sets out its aims, objectives and functions, as well as provisions on membership and administrative arrangements.
3. The Government explains that the key drivers for changing the legal status of the IALA are seen as strengthening international cooperation, facilitating broader participation by states at governmental level and promoting greater uniformity in the provision of marine aids to navigation.²

Membership

4. All Member States of the United Nations are eligible to accede to the Convention. A signing ceremony in January 2022 raised the number of signatories to the Convention to 51.³
5. We note that Russia signed the Convention on 10 January 2022, thus indicating its intention to join. Although it has yet to complete the ratification process, Russia's signature raises wider questions over its continued participation in international organisations and the UK Government's position on this matter.
6. **We call on the Government to set out its policy towards the ongoing participation of Russia in international organisations.**

1 Convention on the International Organization for Marine Aids to Navigation, CP 636, March 2022: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057369/MS_2.2022_Convention_International_Organization_Marine_Aids_Navigation.pdf [accessed 7 April 2022]

2 Department for Transport, Explanatory Memorandum on the Convention on the International Organization for Marine Aids to Navigation, March 2022, p 2: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057559/MS_2.2022_Convention_International_Organization_Marine_Aids_Navigation.odt [accessed 7 April 2022]

3 IALA press release, 'IALA is on its way to intergovernmental status', 27 January 2022: <https://www.iala-aism.org/iala-is-on-its-way-to-intergovernmental-status/> [accessed 7 April 2022]

Governance and amendments

7. The Convention establishes a General Assembly as the principal decision-making body.⁴ Regular sessions of the General Assembly will take place every three years. The Convention also establishes a Council as the executive organ, consisting of a President and Vice-President (elected by the General Assembly) and 23 other Member States.⁵ The Council will meet at least once a year. The Convention also provides for committees and subsidiary bodies to support the aims and objectives of the organisation, and a permanent Secretariat.⁶
8. Amendments to the Convention can be proposed in writing by any Member State.⁷ Amendments require a vote of the General Assembly to be adopted. Where decisions of the General Assembly cannot be adopted by consensus, a two-thirds majority of Member States present and voting through a secret ballot is required.⁸ Amendments enter into force for all Member States six months after two-thirds of Member States submit written notifications of acceptance.⁹ The Government has confirmed that all amendments will be subject to scrutiny under the Constitutional Reform and Governance Act 2010.¹⁰

Entry into force

9. The Convention will enter into force 90 days after the 30th Member State has deposited its instrument of ratification (or equivalent).¹¹ To date, Singapore, Norway, Japan, Malaysia and India have ratified the Convention.¹² Once the Convention has entered into force for the first 30 Member States, it will enter into force for others 30 days after they have deposited their instrument of ratification (or equivalent).
10. The Convention requires that the Organization has legal capacity to enter into contracts, acquire and dispose of property and institute legal proceedings.¹³ The Government has already legislated to give effect to this obligation through the International Organization for Marine Aids to Navigation (Legal Capacities) Order 2022 (SI 2022/146). The Government has confirmed that this is the only legislation necessary for the UK to fully ratify the Convention.¹⁴

Territorial scope and consultation

11. The Convention applies to the UK only, but the EM confirms that the UK Government will continue to represent the Crown Dependencies and British Overseas Territories that are members of the Red Ensign Group of British ship

4 Articles 6 and 7

5 Articles 6 and 8

6 Articles 6, 9, and 10

7 Article 15

8 Article 11

9 Article 15

10 EM, para 4

11 Article 20

12 IALA, 'The IGO Status': <https://www.iala-aism.org/the-igo-project/> [accessed 7 April 2022]

13 Article 14(1)

14 EM, para 5

registries (REG).¹⁵ The EM also states that although the Agreement covers a reserved matter, the Government consulted the Devolved Administrations on the drafting of the Convention and that they are content.¹⁶

12. **We report the Convention on the International Organization for Marine Aids to Navigation to the special attention of the House, on the grounds that it gives rise to issues of public policy that the House may wish to debate prior to ratification.**
13. **We make our report on this Agreement for debate.**

15 EM, para 10. These are: Isle of Man, Guernsey, Jersey, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, St Helena, and Turks and Caicos Islands. See: HM Government, 'Red Ensign Group': <https://www.gov.uk/government/groups/red-ensign-group> [accessed 7 April 2022]. The EM states that the Government presented a policy paper to REG setting out the rationale for IALA's transition from a non-governmental organisation to an intergovernmental organisation and the UK's intended policy position, and that REG is content for the UK to continue to represent the group in the new organisation.

16 *Ibid.*

APPENDIX 1: LIST OF MEMBERS, DECLARATIONS OF INTEREST AND COMMITTEE STAFF

International Agreements Committee Members and staff

Lord Astor of Hever

No relevant interests

Lord Gold

Director, Gold Collins Associates Ltd

Principal, David Gold & Associates LLP

Baroness Hayter of Kentish Town

No relevant interests

Lord Kerr of Kinlochard

No relevant interests

Lord Lansley

Director, LOW Associates Ltd

Chair, UK-Japan 21st Century Group

Trustee, Radix

Baroness Liddell of Coatdyke

Association Member, Bupa

Chair, Annington Ltd

Honorary Vice President, Britain-Australia Society Education Trust

Trustee, Northcote Educational Trust

Lord Morris of Aberavon

No relevant interests

Lord Oates

Chair, Advisory Committee, Weber Shandwick UK

Director, H&O Communications Ltd

Lord Razzall

Director, North Atlantic Mining Associates Limited

Director, ZeU Technologies Inc

Shareholdings, ZeU Technologies Inc

Shareholdings, St-Georges Eco-Mining Corporation

Shareholdings, Tindra plc

Earl of Sandwich

No relevant interests

Lord Udney-Lister

Advisor to the Group Chairman of HSBC

Lord Watts

No relevant interests

The Committee staff are Jennifer Martin-Kohlmorgen (Clerk), Andrea Ninomiya (Policy Analyst), and Robert Cocks (Committee Operations Officer).

The Committee is grateful for the support provided by Nicola Newson (Senior Library Clerk).