

Consideration of the definition of *Hydrographic Interests*

Submitted by:	Secretary-General
Executive Summary:	This paper invites the Council to incorporate in its work programme the consideration of the use of the terms <i>hydrographic interests</i> and <i>interest in hydrographic matters</i> in relation to the composition of the Council, in order to report to the second session of the Assembly in 2020

Background

1. The IHO, through a Strategic Planning Working Group, undertook an extensive review of the Organization from 1997 to 2007. As a result, in 2005 the 3rd Extraordinary International Hydrographic Conference (EIHC-3) agreed a range of amendments to the Convention on the IHO, and in 2007 the 17th International Hydrographic Conference (IHC-17) adopted the supporting Basic Documents, and several organizational and administrative changes.

2. The amendments and changes included the establishment of a Council. The establishment of the Council is covered in Article VI of the Convention on the IHO. It is further described in Article 16 of the General Regulations.

3. In describing the composition of the Council, clause (a) of Article VI of the Convention on the IHO states:

One fourth of, but not less than thirty, Member states shall take seats on the Council, the first two thirds of whom shall take up their seats on a regional basis and the remaining one third on the basis of hydrographic interests, which shall be defined in the General Regulations.

4. Clause (c) of Article 16 of the General Regulations then states, among other things:

The remaining one-third of the Council seats shall be held by Member States that have the greatest interest in hydrographic matters and have not been selected under the procedure described in sub-paragraph (b) above. The definition of what constitutes an interest in hydrographic matters shall be reconsidered at the latest at the second Assembly meeting. Meanwhile, the scale by which an interest in hydrographic matters is measured shall be national flag tonnage. ...

Discussion

5. The SPWG spent a significant amount of time in considering how to measure “hydrographic interest” as reported in document CONF.17/DOC.1. The size of the area of national waters, the size of the Exclusive Economic Zones, the length of national coastlines, the portfolio of nautical charts and several other possible measures were all considered. All were rejected on the basis that there were no indisputable, authoritative reference values that could be used.

6. In the absence of other options, the SPWG proposed to rely on the long-established IHO formula for calculating the national flag tonnage from which the number of financial shares and votes allocated to Member states are calculated.

7. In proposing to use flag tonnage as the measure to determine *hydrographic interests* or *interest in hydrographic matters*, the SPWG kept the option open to identify other measures in the future. For this reason, a requirement for the second session of the Assembly to reconsider what constitutes an *interest in hydrographic matters* was included in the proposed clause (c) of Article 16 of the General Regulations that was subsequently agreed by the Member States at IHC-17.

Proposal

8. The Council has now been established. It is the primary organ that reports to and advises the Assembly and the Member States. The roles of the Council are set out in Article VI of the Convention on the IHO. As stated in sub clause (g)(v), this includes:

Prepare, with the support of the Secretary-General, proposals concerning the overall strategy and the work programme adopted by the Assembly

9. It therefore follows that the Council, as part of its strategic overview role, is best placed to consider whether alternatives exist as a suitable measure of *hydrographic interests* or *interest in hydrographic matters* and whether or how any changes might be made to existing arrangements in the Organization.

Action Required of the Council

10. The Council is invited to:

- a. **agree** that the Council include in its work programme the consideration of the definition and use of the terms *hydrographic interests* and *interest in hydrographic matters* in relation to the composition of the Council, with a view to reporting to the second session of the Assembly in 2020; and to
- b. **take any other actions** that may be appropriate.