INTERNATIONAL HYDROGRAPHIC ORGANIZATION



ORGANISATION HYDROGRAPHIQUE INTERNATIONALE

THIS CIRCULAR LETTER REQUIRES YOU TO VOTE

IHB File No. S3/6000

CIRCULAR LETTER 62/2009 08 September 2009

REVIEW OF IHO RESOLUTIONS BY THE IHB

Dear Hydrographer,

1 The IHB has continued to review and evaluate the content of the IHO Technical and Administrative Resolutions (M-3), concluding that the following 30 resolutions should be retained unchanged:

K3.2; K3.3; K4.1; K4.2; K4.3; K4.4; K4.5; R1.1; R1.3; R1.4; R1.7; R2.1; R3.1; R4.2; R5.1; R5.2; R5.3; R6.1; R6.2; R6.3; R6.4; S1.3; T1.1; T1.3; T1.4; T1.6; T2.1; T2.3; T3.1; and T4.2.

The IHB proposes to delete the following 11 resolutions that are either obsolete or the information that they contain is included in other IHO publications:

K1.3; K1.4; K1.5; K1.8; K2.9; K2.14; K2.15; R1.5; S3.1; S4.1; and T4.1.

Finally the IHB proposes that the following 11 resolutions should be amended as shown in Annex A:

Q2.3; Q2.4; Q3.1; Q3.2; Q3.3; Q3.4; Q3.5; S1.1; T1.2; T1.5; and T2.2.

The deleted / amended resolutions are at Annex A. Deleted text is shown in strikethrough and new text in *italics*. In the electronic version all amended text is in red.

4 Member States are requested to review the proposals and complete and return the attached voting form (Annex B) to the IHB **by Friday 09 October 2009**.

On behalf of the Directing Committee Yours sincerely,

Vice Admiral Alexandros MARATOS, President

Annex A. Deleted / amended resolutions

Annex B. Voting form

IHB Proposal: Delete K1.3; K1.4; K1.5; K1.8; K2.9; K2.14; K2.15; R1.5; S3.1; S4.1; and T4.1

K1.3 TIME ZONES 1. It is strongly recommended that Member States submit to the IHB all information about standard time zones in their countries, including the appropriate details and dates of any seasonal variations in the time kept in those zones, and it is resolved that the IHB shall make every effort to obtain such information from non Member States. It is resolved that the IHB shall publish all information on time zones, including seasonal changes, in the I.H. Bulletin and Yearbook. **K1.4** PUBLICATIONS OF IHB The IHB shall not, as a rule, publish lists of data which have already been published by the national Hydrographic Offices. 2.- It is recommended that the IHB continue to publish those publications which the Directing Committee considers advisable. K1.5 DISSEMINATION OF RADIO NAVIGATION SYSTEM CONSTANTS It is resolved that the IHB shall establish an expedient means for exchanging data pertaining to radio navigation systems. A dissemination procedure for information on these navigation systems is needed to help to insure uniform use of propagation constants, geodetic co-ordinates of transmitters, and other charting parameters. K1.8 REPRODUCTION OF PUBLICATIONS BY IHB It is resolved that the IHB shall be authorized to re-publish in English and French any interesting publication concerning hydrography, provided that permission is first obtained from the authors. K2.9 PROGRESS OF HYDROGRAPHIC SURVEYS WORLD WIDE It is resolved that for the purpose of improving the safety of navigation world wide, and to determine the requirements for additional hydrographic surveys, the IHB periodically shall undertake a detailed study and compile an index of those sea areas of interest to navigation which have not been surveyed to a standard suitable for modern navigational requirements and for which no plans exist for their survey. —It is strongly recommended that Member States co-operate actively with the IHB in this work. It is recommended that the IHB establish close cooperation in this matter with the United Nations and other interested agencies, in order to further the technical assistance activity in

K2.14 RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

It is resolved that the International Hydrographic Organization and the International Hydrographic Bureau shall develop a mechanism to forge stronger links with the non-governmental hydrographers through Member States' national Hydrographic Offices.

See also the Convention on the IHO Article VIII(h).

the field of hydrographic surveying.

K2.15 RELATIONS WITH WORLD BANK - HARBOUR ENGINEERING PROJECTS

1.— It is resolved that the IHB contact the World Bank and other international lending institutions and recommend the inclusion - subject to the approval of the nation concerned - of a specific clause in all loan agreements pertaining to port and harbour development. Such a clause would require the borrower to provide port engineering and related chart information appropriate for inclusion on a nautical chart to the national Hydrographic Office concerned. If there is no national Hydrographic Office in the country concerned, that information would be passed to the IHB for dissemination amongst IHO Member States, as soon as possible.

R1.5 BUDGETARY ESTIMATES FOR THE NEXT FIVE YEAR PERIOD

- 1. It is resolved that at regular Conferences the Directing Committee shall submit, in rounded figures, the IHB budgetary estimates for the next five year period, taking into consideration the proposals on the future activity of the Bureau affecting its financial situation
- 2.- The estimated future financial situation of the IHB should be considered by the Conference in order to decide whether some decisions are necessary toward the increase, or decrease, of Member States' contributions for the next five year period.

S3.1 EXHIBITION OF INSTRUMENTS AND MODELS AT IHB

- 1.— It is recommended that, on the occasion of I.H. Conferences, Hydrographic Offices and manufacturers of hydrographic equipment send to the IHB, for temporary exhibition, any material which could offer interesting information on the more recent hydrographic methods in use or in the process of being tested.
- 2. It is resolved that the programme of I.H. Conferences shall allow for at least two days' adjournment of sessions so that delegates may have opportunity to visit the exhibition of instruments and to attend demonstrations and lectures.

S4.1 LECTURES IN THE COURSE OF I.H. CONFERENCES

- 1. It is resolved that, in the course of I.H. Conferences, delegates shall be offered the opportunity of giving lectures or informative talks on subjects of general interest.
- 2.- It is recommended that the lectures be illustrated, where possible, by any kind of appropriate documents, such as films, photographs, or other material.

T4.1 SELECTION OF IHB STAFF MEMBERS

- 1. It is resolved that vacancies for a post of Professional Assistant at the IHB shall be made known to Member States by circular letter, accompanied by a job description and an application form for the post. Any candidate interested in this post may apply directly to the Bureau at Monaco.
- 2. It is, however, strongly recommended that candidates submit their candidatures through the Hydrographic Office of a Member State, which will include its opinion and, if possible, any further information concerning the candidate.

IHB Proposal: Amend resolutions Q2.3; Q2.4; Q3.1; Q3.2; Q3.3; Q3.4; Q3.5; S1.1; T1.2; T1.5; and T2.2

Q2.3 YEARBOOK OF THE IHO

- 1.- The Yearbook should be printed every year. The following information should be given:
 - a) The date, month and year of establishment of the Hydrographic Office of every Member State;
 - b) The tonnage, shares and votes of the Member States.
- 2. The following information should also be given:
 - a) Department of which the Hydrographic Office is a part, when this is not the Marine Department;
 - Principal attributions of the various Hydrographic Offices (hydrographic surveys, nautical charts, aeronautical charts, harbours, aids to navigation, marine meteorology, tidal studies, etc.);
 - c) Authorities responsible for services mentioned in b) when these services are independent from the Hydrographic Offices, for instance: aids to navigation, tidal studies, oceanography, marine meteorology, etc.

See also General Regulations of the IHO, Art. 33.

1.- The Year book is intended for general purpose use. It contains general information on Hydrographic Offices of Member States, as well as some information on Hydrographic Offices of Non-Member States, plus Appendices with information on Reported Tonnages for IHO Member States; Tables of Shares, Contributions and Votes; ; List of Governments that have participated in the work of the Organization since its creation, and Non-Governmental International Organizations (NGIO) accredited as Observers to the IHO. The Year book is distributed through the IHO Website and is continuously updated.

Q2.4 REPORTS OF PROCEEDINGS OF I.H. CONFERENCES

- 1. In order to reduce the cost of the Reports of Proceedings of Conferences and to hasten their publication, the 1929 Conference decided as follows:
 - a) The Report of Proceedings will be a summary report only.
 - b) The summary report of each session (whether plenary session or session of a committee) will be drawn up and distributed to the delegates within 24 hours of the closing of the session.
 - c) Delegates will be enabled to have important statements, which are made during the sessions, inserted in extenso in the Report of Proceedings.
- 2. The 1947 Conference recommended that the Report of Proceedings of the Conference should be drawn up and published in the same manner as were those for the previous Conferences.
- <u>IHB Note</u> The "summary report" recommended by the 1929 Conference appears to have lengthened with each Conference so that by 1967 it had become virtually a full verbatim report. Reports have always been issued in published book form.
- 1.- The Proceedings of International Hydrographic Conferences will be prepared by the IHB and shall comprise summary reports of the different sessions of the Conference. It will be made available in digital form after the Conference. The IHB will prepare a limited number of printed copies for the IHB Library.

Q3.1 REPERTORY OF RESOLUTIONS

- 1.- All resolutions adopted by I.H. Conferences *or by correspondence* shall be compiled in one volume.
- 2.- It is resolved that the IHB shall continue with the work of keeping the Repertory of Resolutions up to date by periodically submitting, through circular letters to Member States, amendments to existing resolutions and new resolutions on any subject, provided that they do not concern matters which would be more appropriately handled by Conferences.

a) These amendments or new resolutions may be proposed either by a Member State or by the IHB. They may also concern subjects which were submitted to an I.H. Conference, but were considered by the delegates to be more suitably dealt with by circular letter than by Conference discussion.

(For the procedure to be followed when dealing with questions by correspondence, see T2.1).

- b) When a technical proposal is not accepted by Member States, it will be included in the Inactive Resolutions section of the Repertory of T.R. as a matter of record for future reference.
- 3.- It is strongly recommended that the IHO Hydrographic Dictionary be used to standardize terminology of the Resolutions.

Q3.2 CONVENTION ON THE INTERNATIONAL HYDROGRAPHIC ORGANIZATION

1. Two draft Convention texts were submitted to the 1967 I.H. Conference and, on the basis of these, experts from Foreign Ministries drew up a text in the course of the Conference. This was approved by the Conference and laid before the Member Governments.

2.- The 9th International Hydrographic Conference,

Having examined the texts of the Convention on the International Hydrographic Organization and of the General Regulations and Financial Regulations which are annexed thereto;

Satisfied that these texts reproduce the principal provisions and rules under which the International Hydrographic Bureau operates at present, together with the appropriate additional provisions and rules to enable the work of the Bureau to be continued within the framework of an inter-governmental consultative organization;

Decided to treat the Statutes of the International Hydrographic Bureau as having lost all force and effect on the date on which the Convention on the International Hydrographic Organization entered into force:

Decided, in consequence, that all the assets of the Bureau at that date shall continue to be administered by the Bureau as the property of the International Hydrographic Organization under the terms of the Convention on that Organization and its Regulations.

3.- The 9th International Hydrographic Conference,

Considering that the Convention on the International Hydrographic Organization might, by the operation of paragraph 1 of Article XIX thereof, enter into force when only a limited number of Governments whose hydrographic services now participated in the work of the International Hydrographic Bureau had become Parties to it;

Confident that it is the intention of all Governments concerned to become Parties to the Convention with the shortest possible delay consistent with the constitutional and other legal requirements prevailing in their respective countries;

Expressed the wish that any Government whose hydrographic service now participated in the work of the Bureau and which had not yet become a Party to the Convention on the date of its entry into force continue to be treated by the Members of the International Hydrographic Organization as a full Member exercising all the rights appertaining to membership for a period of two years thereafter, on condition that the Government undertakes to fulfil all the obligations consequent on membership.

4. The 9th International Hydrographic Conference,

Noting that not all countries currently participating in the work of the International Hydrographic Bureau were represented at that Conference;

Instructed the Directing Committee to inform at the earliest possible time, the countries not represented at the Conference of the proceedings bearing on the Convention on the International Hydrographic Organization, and, in particular, of the dates and places at which that Convention was open for signature.

5. In October 1967 the Bureau notified those countries not represented at the 1967 I.H. Conference of the proceedings of the Conference bearing on the Convention on the IHO.

6. On 22 June 1970 the Convention as drafted during the 1967 Conference had been accepted by two thirds (28) of the States that were Members in 1967 and consequently the Convention entered into force three months after that date, i.e. on 22 September 1970.

7. The 10th International Hydrographic Conference,

Noting that Administrative Resolution Q3.23, which provides for transitional rights for those Governments' Members of the Bureau who were Members at the time when that Resolution was adopted by the 9th International Hydrographic Conference, but who might not have become Parties to the Convention on the International Hydrographic Organization by the date of its entry into force, does not apply to certain Governments which joined the Bureau after the Convention closed for signature;

Expressed the wish that any Government admitted to membership of the Bureau after the Convention closed for signature but before it had entered into force shall continue to be treated by the Members of the International Hydrographic Organization as a full Member exercising all the rights appertaining to membership for a period of two years after the entry into force of the Convention, on condition that the Government undertakes to fulfil all the obligations consequent upon membership.

1.- On 22 June 1970 the IHO Convention had been accepted by two thirds (28) of the States that were Members in 1967 and consequently the Convention entered into force three months after that date, i.e. on 22 September 1970.

The proposed amendments adopted during the XIIIth and XVth Conferences have not entered into force and according to the Protocol of Amendments to the Convention of the IHO approved at the 3^{rd} Extraordinary International Hydrographic Conference in 2005, shall not hereafter enter into force.

The 1970 IHO Convention shall be amended by the Protocol of 2005 and shall enter into force for all Contracting Parties three months after notification of approval by two-thirds of the Member States have been received by the Government of Monaco (Depositary of the Convention).

O3.3 GENERAL REGULATIONS OF THE IHO

1.- Simultaneously with the Convention on the IHO (see Q3.2), the 1967 I.H. Conference approved the text of a set of General Regulations, containing a number of detailed provisions (with the exception of any concerning finance) intended to supplement the provisions of the Convention. These general regulations are kept updated through review and revision by MS and the IHB.

Q3.4 FINANCIAL REGULATIONS OF THE IHO

1.- Simultaneously with the Convention on the IHO (see Q3.2), the 1967 I.H. Conference approved the text of a set of Financial Regulations, containing a number of provisions of a financial nature intended to supplement the provisions of the Convention. *These regulations are kept updated through review and revision by MS and the IHB*.

Q3.5 RULES OF PROCEDURE FOR I.H. CONFERENCES

- 1.- The XIth Conference directed the Bureau to publish, in due course, a single document containing the Convention, the General and Financial Regulations, and the Rules of Procedure.
 - a)—Before doing this, the Bureau is to perfect and confirmed by correspondence that the Rules of Procedure are were acceptable to Member States.

These rules are kept updated through review and revision by MS and the IHB.

S1.1 PREPARATIONS FOR I.H. CONFERENCES

- 1.- The IHB is directed to prepare I.H. Conferences in a detailed manner in order to have the maximum effect and for the purpose of saving the time of the delegates, and to supply the delegates in advance with as much detailed information as possible on the subjects to be discussed.
- 2.- It is resolved that the Bureau shall prepare the schedule of I.H. Conferences so that their length normally does not exceed one week. If the questions to be handled are many and long, the schedule shall allow for meetings of appropriate length and, where necessary, meetings on Saturday mornings and afternoons as well. Furthermore, the President of the Conference may avail himself of the possibility, in exceptional cases, of calling extraordinary meetings in the evening after 21.00.
- 3.- a) It is resolved that the Bureau shall suggest to the submitting State that a proposal be withdrawn from the agenda of the Conference and handled by correspondence when such a solution would appear to be more appropriate.
 - b) It is resolved that in the printed booklet of proposals the Bureau shall divide the proposals assigned to each Committee into two categories: the first shall include those proposals that the Bureau considers cannot be handled by correspondence and must of necessity be discussed at the Conference; the second shall include those proposals that the Bureau considers might be dealt with by correspondence if necessary.
 - e) It is resolved that after having discussed the proposals in the first category, and taking into account the remaining time available, each Committee shall select from among the proposals in the second category those which might be referred to the Bureau, if necessary, providing the proposing Member States agreed.

4. It is strongly recommended that Member States limit their official representation on Committees to a minimum.

T1.2 IHO RELATIONS WITH OTHER ORGANIZATIONS

1.- The relations of the IHO with other organizations, whose activities are likely to be of interest, are normally conducted by the Directing Committee in accordance with the Convention, Article VIII. The Directing Committee may delegate this function to a Member State.

- 2.- In conducting relations with other organizations, the Directing Committee should consult with Member States on relevant issues and shall ensure that it reflects the corporate views of the IHO.
- 3.- When the importance of subjects of common interest justify it, the Directing Committee may propose to Member States the formation of a consultative body consisting of representatives of the IHO and of one or several external organization(s). The title, TOR and composition of such a body may not be in conformity with the provisions of Administrative Resolution T 1.1. They shall, nevertheless, be approved by the Member States in accordance with the procedure laid down in the Convention, Article VI (paragraphs 5 and 6).
- 4.- <u>Accreditation to the IHO of Non-Governmental International Organizations</u>. Any Non-Governmental International Organization, which is able to make a substantial contribution to the work of the IHO may be accredited and granted observer status. The regulations to be followed are:

Rule 1 Applicability

Subject to approval by the Conference or by Circular Letter, the IHO may grant observer status to any non-governmental international organization which is able to make a substantial contribution to the work of the IHO.

Rule 2 Purpose

Decisions to grant observer status to any non-governmental international organization shall be based on the principles that the purpose for entering into observer status shall be:

- (a) to enable the IHO to obtain information, help or expert advice from the non-governmental international organizations with special knowledge in the Organization's activities. Such information, help or advice can include (but not be limited to):
 - (1) consolidated strategic advice on the technical work program of the Organization, such as the needs of the user community, emerging technologies, required standards, data requirements and future trends:
 - (2) co-operation on technical programs of mutual interest including the proposal of new programs that fall under the responsibility of IHO;
 - (3) the effectiveness of the implementation of the technical activities of IHO, such as standards, specifications and capacity building;
 - (4) advice on issues relevant to the IHO, on request;
 - (5) support to the technical program of the IHO for capacity building;
 - (6) provision of representatives with special knowledge to IHO working groups.
- (b) to enable such NGIOs whose activities have an important and direct bearing on the work of the IHO to express their points of view to the Organization. They may request information of interest from the IHO to be distributed to their members.

Rule 3 Objectives and activities of the NGIO

Before granting observer status to any non-governmental international organization, the IHO must be satisfied that the objectives and functions of the non-governmental international organization are in harmony with the objectives of the IHO, as defined in Article II of the Convention.

Rule 4 General Undertaking by the NGIOs

Observer status may not be granted to a non-governmental international organization unless it undertakes to support the activities of the IHO and to promote the dissemination of its principles and work, bearing in mind the objectives and functions of the IHO on the one hand and the competence and activities of the non-governmental international organization on the other.

Rule 5 Constitution and Structure of the NGIOs

Observer status may not be granted to any non-governmental international organization unless it has a permanent headquarters, a governing body and an executive officer and a secretariat. It must also be authorized under its constitution to speak for its members through accredited representatives.

Rule 6 Privileges conferred by Observer Status

The granting of observer status to a non-governmental international organization shall confer the following privileges on that organization:

- (a) the right to receive the provisional agenda for information the Circular Letters and documentation for the sessions of the Conference and the subsidiary bodies of the IHO;
- (b) the right to submit written statements on items of the Agenda of the Conference and subsidiary bodies which are of interest to the non-governmental international organization concerned, after appropriate consultation with the IHB Directing Committee, provided that such submission does not impede the smooth functioning of the IHO organ involved. The non-governmental/international organization concerned shall give due consideration to any comment which the Directing Committee may make in the course of such consultations before transmitting the statement in final form;
- (c) the right to be represented by an observer at any meeting of the IHO at which matters of special interest to the non-governmental international organization concerned are to be considered:
- (d) the right to receive the texts of resolutions adopted by the Conference and of the appropriate supporting documents.

Rule 7 Status of the NGIOs at Meetings of the IHO

Normally one observer from each non-governmental international organization shall be admitted to any session or meeting. Such observer shall have no voting rights but may, on the invitation of the Chairman and with the approval of the body concerned, speak on any item of the agenda of special interest to the non-governmental international organization of which he is the representative.

Rule 8 Granting of Reciprocal Privileges to the IHO

Any non-governmental international organization to which observer status is granted shall keep the IHB informed of those aspects of its own activities which are likely to be of interest to the IHO, and shall accord to the IHO privileges corresponding to those which are granted to the NGIO by the IHO.

Rule 9 Consideration of Application

The Directing Committee shall only consider applications for observer status from nongovernmental international organizations twice a year (March and September) and shall not consider re-applications from such organizations until at least two years have elapsed since the Conference or through Circular Letter the IHO took a decision on the original application.

Rule 10 Periodic Review of the List of Observer NGIOs

The Directing Committee shall review from time to time the list of non-governmental international organizations to which IHO has granted observer status, in order to determine whether or not the continuance of their status in any particular case is necessary and desirable. The Directing Committee shall report to the Conference accordingly.

T1.5 **DOCUMENTATION**

- 1.— It is recommended that Member States provide the IHB with bibliographical notices for the books and principal articles issued in their countries. These notices should, as far as possible, be written in English, French and Spanish or at least in one of these three languages.
- 2. It is resolved that the IHB shall publish periodically an International Hydrographic Bibliography in English, French and Spanish, made up of the assembled notices, after having translated any which require it.
- 13.- It is resolved that the IHB shall publish the reports and publications referred to in Articles 32 to 35 of the General Regulations in either bilingual (English/French) or in separate English and French versions. In addition, the Bureau should (without increasing for this reason the present number of Category B Staff) publish at least its Annual Report (Parts 1 and 2) and the monthly periodic I.H. Bulletin in Spanish and should also seek the assistance of Spanish-speaking countries in the preparation and production of other IHO publications in Spanish.

T2.2 MEMBERSHIP IN IHO AND CO-ORDINATION OF HYDROGRAPHIC SERVICES THROUGHOUT THE WORLD

- 1.- The Conference is aware that certain countries with important hydrographic interests are not yet Members of the IHO. In this connection, the delegates in plenary session expressed the unanimous opinion that the co-operation of these countries would result in a considerable and increasingly effective co-ordination of hydrographic services throughout the world, a co-ordination which would lead to a greater degree of standardization of charts and nautical documents and would considerably improve the theory and practice of the science of hydrography.
- 2. Therefore, the Conference directs the Directing Committee to prepare and send to non-member States a letter expressing the above consideration and cordially requesting these States to join with the Member States in carrying out the work entrusted to the latter.
- 3. It is recommended that efforts be continued to encourage all maritime States with Hydrographic Offices to join the IHO. The 7th I.H. Conference commends the IHB for its great efforts and the results obtained since 1947.
- 24.- Furthermore, it is strongly recommended that the IHB stimulate in all maritime States without Hydrographic Offices an interest in, and an appreciation of the importance of, setting up such an organization in their country.

VOTING FORM

(to be returned to the IHB **by 9 October 2009** E-mail: info@ihb.mc - Fax: +377 93 10 81 40)

Member State:		
Contact:	E-mail:	
ADOPTION OF NEW / AMENDED TECHNICAL RESOLUTIONS		
Do you agree to the deletion of TRs K1.3; K1.4; K T4.1?	K1.5; K1.8; K2.9; K2.14; K2.15; R1.5; S3.1; S4.1; and	
Yes or No		
If the answer for any resolution is NO, please ide	entify the resolution and indicate the reason.	
Do you agree to the amended resolution Q2.3? Comments if any:	Yes or No	
Do you agree to the amended resolution Q2.4? Comments if any:	Yes or No	
Do you agree to the amended resolution Q3.1? Comments if any:	Yes or No	
Do you agree to the amended resolution Q3.2? Comments if any:	Yes or No	

Do you agree to the amended resolution Q3.3 Comments if any:	Yes or No
Do you agree to the amended resolution Q3.4 Comments if any:	Yes or No
Do you agree to the amended resolution Q3.5 Comments if any:	Yes or No
Do you agree to the amended resolution S1.1 Comments if any:	Yes or No
Do you agree to the amended resolution T1.2 Comments if any:	Yes or No
Do you agree to the amended resolution T1.5 Comments if any:	Yes or No
Do you agree to the amended resolution T2.2 Comments if any:	Yes or No
Name / Signature	<u>Date</u> :