



IHB File N° S3/0103

**CIRCULAR LETTER 71/2009
28 October 2009**

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
IHO AND THE ASSOCIATION OF CARIBBEAN STATES**

Dear Hydrographer,

1 The Minister of Foreign Affairs of Haiti and Chairman of the Association of Caribbean States (ACS) invited the IHO to give a presentation at the 14th Session of the Ministers' Council of the ACS, which took place in Haiti in January 2009; the IHO was represented by Captain GORZIGLIA.

2 Under the agenda item "Dialogue on Cooperation", the President of the Council invited the IHO representative to give a presentation. The presentation covered: the IHO's objectives; general concepts of Hydrography and its applications; the international scenario related to Hydrography; the Hydrographic situation in the Caribbean Sea; the International Hydrographic Organization and finished with a set of proposals. One of these proposals was that an MoU could be concluded between the IHO and ACS, if it were found that such a mechanism could help joint initiatives to develop hydrography in the region. This proposal was well received by the Council of Ministers and, since then, the text of an MoU has been worked out by the IHB and the Secretariat of the ACS. The agreed text is provided in the annex to this Circular Letter.

3 The ACS has 25 Member States and 3 Associate Members. It is an intergovernmental international organization aiming at concerted actions towards advancement in cultural, economic, social, scientific and technical matters in the Caribbean Region. The structure of the ACS consists of the President of the Council of Ministers; a Secretary General and 6 Committees: Transport, Natural Hazards, Commerce Development, Sustainable Tourism, Budget and Administration and Special Funds. The Directing Committee believes that an MOU between the IHO and ACS might contribute to improving the hydrographic, nautical cartography and marine safety information situation in this region.

4 Member States are kindly invited to examine the attached draft MoU between the IHO and the ACS and to send their comments, if any, to the Bureau by 01 December 2009.

On behalf of the Directing Committee
Yours sincerely,

A handwritten signature in blue ink, appearing to be 'H. GORZIGLIA', written in a cursive style.

Captain Hugo GORZIGLIA
Director

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MEMORANDUM OF UNDERSTANDING
BETWEEN
THE INTERNATIONAL HYDROGRAPHIC ORGANIZATION (IHO)
AND
THE ASSOCIATION OF CARIBBEAN STATES (ACS)

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE INTERNATIONAL HYDROGRAPHIC ORGANIZATION (IHO)
AND
THE ASSOCIATION OF CARIBBEAN STATES (ACS)**

1. Parties

This Memorandum of Understanding constitutes the formal framework for co-operation between the International Hydrographic Organization (IHO) and the Association of Caribbean States (ACS).

2. Background

The IHO and ACS each recognizes that the other is an international organisation with responsibilities for activities serving related professional constituencies.

IHO is an intergovernmental organization of a consultative and technical nature comprising over 80 Member States represented by their respective national hydrographic offices. IHO objectives include the coordination of national hydrographic offices' activities, standardization of nautical charts and publications and the adoption of reliable and efficient methods to conduct hydrographic surveys, all aiming to contribute to safety of navigation and the protection of the marine environment. In its endeavour, IHO has several Regional Hydrographic Commissions to provide focus on regional issues as well as several Committees and Working Groups to deal with particular technical and policy topics. The International Hydrographic Bureau (IHB) is the secretariat of the IHO.

The Association of Caribbean States (ACS) is an inter-governmental organization of States, Countries and Territories of the Greater Caribbean, established in 1994. The main objective of the Association is to promote consultation, cooperation and concerted action, with the aim of identifying and promoting the implementation of policies and programmes designed to: (a) harness, utilize and develop the collective capabilities of the Greater Caribbean Region to achieve sustained cultural, economic, social, scientific and technological advancement; (b) develop the potential of the Caribbean Sea through interaction among Member States and with third parties; (c) promote an enhanced economic space for trade and investment with opportunities for cooperation and concerted action, in order to increase the benefits which accrue to the peoples of the Caribbean from their resources and assets, including the Caribbean Sea; (d) establish, consolidate and augment, as appropriate, institutional structures and cooperative arrangements responsive to the various cultural identities, developmental needs and normative systems within the region.

The Association has also been assigned the task of prosecuting the thrust by the countries of the Greater Caribbean to have the Caribbean Sea Declared A Special Area in the Context of Sustainable Development and, in that regard, has established a Caribbean Sea Commission, with competencies which permit for positive collaboration with the IHO.

The Association has Members (25); Associate Members (10) and Observers. The Permanent Organs of the Association are the Ministerial Council and the Secretariat.

3. Purpose

The purpose of this Memorandum of Understanding is to provide a framework for a regular liaison between the IHO and the ACS, as well as between the IHO and the Caribbean Sea Commission with a view of improving and consolidating, with their consent and participation, the hydrographic capabilities of the Members of the ACS through the co-ordination of capacity building, training and technical assistance initiatives.

4. Programme of Activities

In accordance with the background and purpose described above, both organizations agree to endeavour to increase their co-operation for mutual benefit. The following steps will be taken, among others:

1. Regular contact is to be established between the Secretariats of the two organizations in order to identify initiatives of common interest and to agree on the appropriate procedures for the development of specific action; establishing their objectives, programmes and control mechanisms.
2. Each organization shall inform the other of relevant areas of its work programme to enable joint participation in agreed events, as appropriate. The ACS shall be invited as an observer to participate in the meetings of the IHO Meso American and Caribbean Hydrographic Commission (MACHC).
3. Both organizations shall identify opportunities to organize specialized seminars, workshops or courses under joint sponsorship.
4. Each organization shall invite, as appropriate, a representative from the other organization to attend respective meetings and offer complimentary registration. The IHO shall be invited to participate in the work of the Caribbean Sea Commission generally, and as appropriate in the work of the Sub-Commissions.

5. Financial Commitment

Neither Party may commit the other to any expenditure, save that arising from the administration of this Memorandum of Understanding, without the explicit written consent of both.

6. Legal Status

This Memorandum does not create a legal link between the two organizations who will maintain their juridical status as subjects of international law.

7. Entry Into Force

This Memorandum of Understanding shall enter into force upon the date of signature.

8. Amendments

Each Party has the right to propose amendments to this Memorandum at any time. Proposed amendments shall be made in writing and subject to mutual consent. Amendments are to be interpreted and applied as being integral to this Memorandum of Understanding.

Any amendment which has a direct or indirect impact on the work of the Caribbean Sea Commission shall be subject to the approval of the Bureau of the Commission before it enters into force.

9. Termination

Any party may at any time propose the termination of this Memorandum of Understanding. Proposals for termination shall be in writing and shall take effect three months after the date of notification by the Party proposing such termination. Termination shall not affect the implementation of any activity entered into prior thereto, nor shall it affect the still existing rights and obligations of the Parties.

Date:

Date:

On behalf of IHO

On behalf of ACS

(signed)

(signed)

Vice-Admiral Alexandros Maratos
President IHB
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Principality of Monaco

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