



IHB File No. S1/5058

**CIRCULAR LETTER 33/2011
19 May 2011**

**MEMORANDUM OF UNDERSTANDING
between the INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO)
and the INTERNATIONAL HYDROGRAPHIC ORGANIZATION (IHO)**

Reference A: IHB CL102/2005 dated 10 October 2005 - *Memorandum of Understanding between the International Organization for Standardization (ISO) and the International Hydrographic Organization (IHO)*.

Dear Hydrographer,

1. In 2005 Reference A informed Member States of discussions between the Secretariat of the International Organization for Standardization (ISO) and the Directing Committee concerning a proposed Memorandum of Understanding between the two organizations. The proposed MoU was endorsed by the IHO Committee on Hydrographic Requirements for Information Systems (CHRIS) (now HSSC) and supported by Member States at the time. However, due to a lapse in communications between the IHB and the secretariat of the ISO, the MoU was never signed.
2. ISO is a non-governmental organization comprising a network of national standards institutes and is the world's largest developer of standards. ISO Technical Committee 211 (ISO/TC 211) establishes international standards for Geographic Information/Geomatics through a national body balloting process.
3. The proposed MoU covers cooperation between ISO/TC 211 and the IHO to enable the development and alignment of agreed joint standards and profiles based on some or all of the parts of the ISO 19100 series of standards or other related standards. In view of the IHO's recent adoption of S-100 and the deliberate close alignment of S-100 with the ISO 19100 series of standards, establishing a good cooperative arrangement with ISO is more important than ever.
4. Recent discussions between the Directing Committee, the Secretariat of the ISO and the Chairman of ISO/TC 211 have resulted in an updated draft MoU. The draft has been closely derived from the earlier draft of 2005 and there are no substantive changes. A copy of the draft MoU is attached at Annex A.
5. Noting that there are no substantive changes to the previously agreed text and subject to any further comments received from IHO Member States, it is proposed that the President of the Directing Committee signs the revised Memorandum text on behalf of the IHO.

6. You are kindly requested to review the proposed text at Annex A and to provide your comments, if any, to the IHB **by 1 July 2011**.

On behalf of the Directing Committee
Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Robert Ward', with a stylized flourish at the end.

Robert WARD
Director

Annex A: Draft Memorandum of Understanding between the International Organization for Standardization (ISO) and the International Hydrographic Organization (IHO)

DRAFT

MEMORANDUM OF UNDERSTANDING

between

the International Organization for Standardization, ISO

1, ch de la Voie-Creuse, Case Postale 56
CH-1211 Geneva, Switzerland (ISO)

and

the International Hydrographic Organization (IHO)

4, quai Antoine 1er
98011 MONACO Cedex
Principauté de MONACO

(hereinafter referred to as the Parties of this agreement)

This Memorandum of Understanding (MoU) is made and entered into by and between the International Organization for Standardization (ISO) and the International Hydrographic Organization (IHO) relating to cooperation between ISO/ TC 211 and the IHO to strengthen the joint development of International Standards (hereinafter referred to as jointly developed International Standards) and to avoid duplication of work on standards related to hydrography and nautical charting and related data, products and services. The resulting jointly developed International Standards and profiles may be published by the ISO as ISO deliverables subject to the ISO/IEC Directives and separately by the IHO as IHO publications. The IHO will continue to support existing IHO standards and specifications. Existing IHO specifications for geographic information will however be aligned wherever possible with the ISO 19100 series of standards.

WHEREAS, the IHO is an intergovernmental consultative and technical organization that was established in 1921 to support the safety of navigation and the protection of the marine environment. The IHO is committed to the promotion of international standards, necessary for ensuring uniformity of products and for facilitating the exchange of information.

WHEREAS, ISO is a worldwide federation of national standards bodies and is the world's largest developer of International Standards. Technical Committee 211 of ISO (ISO/TC 211) produces ISO International Standards for Geographic Information/Geomatics through a national body balloting process.

WHEREAS, the IHO has recognized the ISO as a Non Governmental International Organization in accordance with IHO Resolution 5/1957.

WHEREAS, the IHO seeks to jointly develop International Standards with ISO/TC 211 for certain aspects of geographic information and align working practices with ISO/TC 211 while retaining its user responsiveness.

WHEREAS, ISO/TC 211 seeks to access relevant international user specifications as input to the ISO standards development process and to co-operate with IHO in assisting the alignment of life cycle working practices within the constraints of the ISO/IEC Directives.

WHEREAS, ISO/TC 211 and the IHO wish to harmonize their respective work programmes, achieve mutual benefit from sharing expertise of domain experts of the two organizations and welcome cross-project participation where appropriate.

Now THEREFORE, the parties hereto mutually agree as follows:

GENERAL

The Directing Committee of IHO and the Secretary-General of ISO, with the aim of effectively attaining the objectives set forth in their respective constituent instruments, will act in close cooperation with each other and will consult each other regularly in regard to matters of common interest.

Both organizations agree to keep each other informed on current and planned activities in which there may be mutual interest.

The IHO and ISO agree to exchange publications concerning these and related fields.

LIAISON

As a category A liaison organization to ISO/TC 211, IHO members, IHO technical staff, and IHO nominated experts may attend ISO/TC 211 working groups and plenary meetings and participate in the work in a non-voting capacity. IHO liaison to ISO/TC 211 provides overall co-ordination of this activity within IHO.

As an accredited Non Governmental International Organization ISO/TC 211 representatives may participate as non-voting liaison members in the IHO committees and working groups so that reciprocal liaison is achieved. Notification of intended participation should be communicated between the ISO/TC 211 secretariat and the IHO secretariat or pertinent Working Group chairs.

Reports on the work of the IHO will be given at each relevant ISO/TC 211 plenary or working group meeting; reciprocally, and conversely, reports on the work of ISO/TC 211 will be given at each relevant IHO meeting.

The principal points of contact between the ISO and the IHO shall be via the respective Secretariat as follows:

For the ISO:

ISO Central Secretariat
1, ch de la Voie-Creuse
Case postale 56
CH-1211
Geneva 20
Switzerland

For the IHO:

The Directing Committee
Bureau Hydrographique International
4, quai Antoine 1er
BP 445
98011 Monaco CEDEX
Principauté de Monaco

COLLABORATIVE DEVELOPMENT

The IHO and ISO/TC 211 desire that any IHO specification that is input into the formal ISO/TC 211 process for the jointly developed International Standards is as close to meeting ISO style and quality requirements as possible. Because user specifications require extra care in styles, the IHO agrees to follow the ISO style guide as given in Part 2 of the ISO/IEC Directives as far as is applicable.

New IHO work items that are intended for processing as jointly developed International Standards will be submitted by the IHO as soon as possible to ISO/TC 211 as a New Work Item Proposal (NWIP). The NWIP will be submitted along with the available documentation and with the nomination of an IHO Project Leader or one that is acceptable to IHO. The NWIP will be sent out for ballot and comments as set out in the ISO/IEC Directives.

At the time that an IHO specification is submitted to ISO/TC 211 for processing as a jointly developed International Standard, the IHO shall identify the base document(s) supporting and justifying the work.

All drafts and working documents will be made freely available to the IHO and ISO/TC 211 committee and working group members according to each party's normal practices.

Formal comments received by ISO/TC 211 will be forwarded to the IHO liaison. IHO

Secretariat will forward to the ISO/TC 211 Secretariat the results of IHO commenting and voting processes.

PARALLEL APPROVAL/JOINT STATUS

Approval of jointly developed International Standards will be by parallel voting in accordance with the voting procedures of each organization. If a document is voted yes by both Parties then it has joint status. If one Party votes “no”, then the document is not joint, and only the Party that voted yes might adopt the document.

INTELLECTUAL PROPERTY RIGHTS (IPR)

Submitted documents and content

The Parties grant each other for the full term of copyright a non-exclusive, royalty free, world-wide license to use the documents and content that the Parties submit into the standard development process. The licence includes the right to reproduce, to deliver, to make available to the public, to amend, to translate, and to adapt, parts or the entirety of the documents or content for the purpose of inclusion into the jointly developed International Standard, and subsequent publication or other exploitation in any format or media, or any other manner each Party wishes to exploit the content of the jointly developed International Standard. For clarification, the copyright owner of the submitted documents or content remains the copyright owner and may exploit its documents or content otherwise. If the documents or content or parts thereof are owned by a third party and not by the submitting Party then the submitting Party shall ensure and be responsible to obtain all rights necessary for the inclusion in and exploitation of the jointly developed International Standard before submitting the documents or content.

Drafts and final versions of the jointly developed International Standards

Copyright in the jointly developed International Standards will be jointly owned by the Parties. However, each Party shall have the individual and separate right to fully exploit the jointly developed International Standards, irrespective of whether such jointly developed International Standard enjoys joint status. This exploitation right includes but is not limited to the publishing of the jointly developed International Standard in any format or media, in parts or entirely, alone or in connection with other standards, to using the content for the development of other standards, and to revising and allowing members to adopt the jointly developed International Standard. For clarification, both Parties shall publish their own version of the jointly developed International Standard even if it has joint status. Each Party will publish the jointly developed International Standard in its own name, with its own short name in the title, its own copyright notice, its own layout, and shall not use the other Party’s logo in the standard.

Referencing

ISO/TC 211 agrees that the resulting ISO International Standard, or other deliverable, will contain a suitable statement indicating that any jointly developed standard was derived from the relevant IHO documents and developed jointly with IHO and IHO will include a similar statement identifying any documents developed together with ISO. Published ISO documents under this agreement will be referenced, within any IHO equivalent documents. These references will contain sufficient information for those wishing to obtain the ISO equivalent documents to be able to do so. Publishing arrangements between ISO and ISO members are unchanged by this agreement.

The respective rights and responsibilities of the ISO and the IHO regarding use, distribution and reproduction of all working documents and final products used or developed in accordance with this Memorandum of Understanding shall continue notwithstanding termination of, withdrawal from or expiration of this Memorandum of Understanding.

MAINTENANCE OF JOINTLY DEVELOPED INTERNATIONAL STANDARDS

It is recognized that both the IHO and the ISO may develop registries independent of each other, even based on jointly developed International Standards: however, each organization will inform the other of such developments and co-operate where appropriate.

ENTRY INTO FORCE, TERMINATION AND AMENDMENT

This Memorandum of Understanding shall enter into force upon signature and shall remain in force unless terminated by either party upon three months' written notice. Changes may be proposed by a resolution from one Party and agreed by resolution from the other.

Signed by <<name in here>>

For and on behalf of the International Organization for Standardization

<<Signature>>

<<position in here>>

<<Date in here>>

Signed by Alexandros Maratos

For and on behalf of the International Hydrographic Organization

<<Signature>>

President, Directing Committee of the IHO

<<Date in here>>