



IHB File N° S1/4719

CIRCULAR LETTER 36/2015
7 May 2015

**APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN
THE INTERNATIONAL HYDROGRAPHIC ORGANIZATION AND
THE ORGANISATION OF EASTERN CARIBBEAN STATES**

Reference: IHO CL 15/2015 dated 19 February – *Proposed Memorandum of Understanding between the IHO and the Organisation of Eastern Caribbean States (OECS)*

Dear Hydrographer,

1. The Directing Committee is pleased to report that the proposed text contained in the referenced Circular Letter to establish closer ties between the IHO and the OECS through a Memorandum of Understanding (MoU) has raised no objection from the Member States.
2. The Directing Committee thanks the following Member States: Canada, Chile, Ecuador, Netherlands, Portugal, Suriname and the United Kingdom, who have expressed explicitly their support of the proposal. Their comments are reproduced in Annex A together with the outcome of their review when appropriate.
3. In the absence of any objection and noting that the editorial amendments proposed by Canada and the UK would not introduce any substantive changes to the intention or meaning of the MoU, the Directing Committee considers that requesting a new round of negotiation with the OECS would be difficult to justify.
4. Accordingly, the President of the Directing Committee will inform the Director-General of OECS of the acceptance of the MoU by the IHO Member States and will arrange a mutually convenient date and venue for the signature of the document.
5. As soon as the MoU has been officially signed by the two organizations, a copy will be posted on the IHO website at Home>Letters&Documents>MOU&Agreements>Organisation of Eastern Caribbean States.

On behalf of the Directing Committee
Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Robert Ward', is written over a light blue circular stamp.

Robert WARD
Director

Annex A: Member States' responses to CL 15/2015 and IHB comments.

MEMBER STATES' RESPONSES TO CL 15/2015 AND IHB COMMENTS

*Proposed Memorandum of Understanding
between the IHO and the Organisation of Eastern Caribbean States (OECS)*

CANADA

Canada supports the proposed Memorandum of Understanding between the IHO and the Organisation of Eastern Caribbean States.

In Canada's opinion, it is important for the IHO to continue to engage organizations such as the OECS and to actively encourage all States, that have not already done so, to join the IHO. Canada appreciates the Bureau's efforts in building these relationships.

Regarding the text of the MOU itself, in paragraph (2) under, "Entry into Force", Canada suggests replacing "periodically" with a defined term for revision, e.g. every five years. This will prompt the parties to review the document on a regular basis.

IHB Comment: See general comment in paragraph 3 of the CL.

CHILE

We have analyzed CL15/2015 and strongly support all actions the IHB Directing Committee takes in order to improve the Caribbean Sea States' awareness of the importance of having some basic hydrographic capacities to comply with their international obligations. We are aware of the persisting efforts that the IHB, MACHC and particularly the CBSC have made and continue to make in this line in the Caribbean.

After reading the text of the proposed MoU, we note that there is not any reference to the existing MoU signed in 2010/2011 between the IHO and the Association of Caribbean States (ACS). We are concerned about it, as both organizations, the Organisation of Eastern Caribbean States (OECS) and the ACS, are intergovernmental organizations and both cover a common geographic area. We suggest it would be wise to consider this issue, in order to avoid possible future interferences, such as having two different interlocutors referring to the same particular geographic area.

IHB Comment: All but one member of OECS are members of the wider ACS. Yet there are no formal relations between the two organizations. As the OECS treaty does not refer to or recognize the ACS, there is no objective reason to refer to the ACS in an MoU with the OECS.

ECUADOR

This Member State agrees with the proposal presented.

THE NETHERLANDS

We compliment the IHB on the draft Memorandum of Understanding between the IHO and the OECS. The NLHO has no suggestions for changes and expects that this MoU will enable the MACHC to further strengthen its regional cooperation with OECS. Thank you for your efforts. We are available in our role as MACHC Chair to assist in shaping the cooperation with OECS.

PORTUGAL

The Portuguese Hydrographic Institute has no relevant comments on the proposed text. Nevertheless, this Institute congratulates both organizations, the International Hydrographic Organization and the Organisation of Eastern Caribbean States, for this MoU that will doubtlessly increase the cooperation in matters of common interest to both and, consequently, between the respective Member States.

SURINAME

Suriname does not have any objections against the signing of the proposed Memorandum of Understanding between the IHO and the OECS.

UNITED KINGDOM

The UK fully supports the Memorandum of Understanding between the IHO and the Organisation of Eastern Caribbean States. We have made some minor amendments to the text.

IHB Comment: See general comment in paragraph 3 of the CL.