

**5TH MEETING OF THE HYDROGRAPHIC SERVICES AND STANDARDS COMMITTEE
Shanghai, China, 5-8 November 2013**

Report of the Advisory Board on Law of the Sea (ABLOS)

ABLOS is a joint board established by the International Hydrographic Organization (IHO)
and the International Association of Geodesy (IAG)

Submitted by:	Chair, ABLOS
Related Documents:	C-51
Related Projects:	None

Chair:	Sunil Bisnath, Canada (IAG Member)
Vice-Chair:	John Brown, United Kingdom (IHO Member)
Secretary:	David Wyatt, IHB
Members IHO:	Brazil, Japan, Republic of Korea, United Kingdom
Members IAG:	Canada, Chile, Denmark, Indonesia
Ex Officio:	UN DOALOS and IHB
Observers:	Australia, Bangladesh, Brazil, India, United Kingdom
<i>see Annex A for full details</i>	

Meetings Held During Reporting Period

ABLOS 19 and 7th ABLOS Conference 1 – 6 October 2012 Monaco

Future Meetings

ABLOS 20 28 – 29 October 2013 Muscat, Oman

Work Program

The 7th ABLOS Conference was held at the Princess Grace Theatre, Salle du Ponant, Monaco 3-5 October 2012 with the theme “UNCLOS in a Changing World”. The ABLOS 7 Conference was held in conjunction with GEBCO Science Day at the same venue, which was jointly opened by His Highness Prince Albert II. The ABLOS Conference comprised a full programme with 30 papers delivered across 12 sessions in 3 days. Professor Robert Beckman from Singapore, Director of the Centre for International Law and Associate Professor Faculty of Law at the National University of Singapore gave the Keynote Address.

Under Work Plan Item C1 and as part of the IHO CB programme, a LoS workshop was conducted in Vietnam in November 2012 for the East Asia Regional Hydrographic Commission. A request was also received from the Sultanate of Oman for a similar workshop for the ROPME Sea Area Regional Hydrographic Commission; it is planned to hold a seminar following the ABLOS 20 meeting in October 2013.

The drafting of the 5th Edition of the TALOS Manual (C-51) has been undertaken as Work Item B2 with the final draft completed and available on the IHO website publications section. The revised version is submitted to HSSC 5 for endorsement prior to circulation to IHO Member States for approval, on completion of which it will be

circulated to IAG Members for their final approval and subsequent full publication via the IHO and IAG websites. The following significant amendments and changes have been included with respect to the current 4th Edition:

- a. Upon review of the old text, the Editorial Group determined that Chapter 2 (Geodesy) was most in need of substantial revision in order to better reflect current theory and practice in surveying and satellite-based positioning. This has been achieved and that Chapter has been re-written in its entirety.
- b. Minor changes were recommended and implemented for Chapters 4 and 6 (Baselines and Bilateral Boundaries, respectively); recommended alterations to Chapters 3 and 5 (Nautical Charts and Outer Limits, respectively) were identified but in light of scheduling issues, their implementations were deferred to the 6th Edition.
- c. In a significant departure from previous editions, selected illustrations throughout the Manual have been rendered as animations by Andi Arsana (Gadjah Mada University) and Clive Schofield (Wollongong University), with a view to better explaining certain concepts and procedures. Where appropriate, figure captions contain links to the website of the International Hydrographic Organization where the animations may be accessed.

Progress on HSSC Action Items

N/A

Problems Encountered

N/A

Any Other Items of Note

Professor Sunil Bisnath, Canada, assumed the position of Chair of ABLOS following the closure of the 7th ABLOS Conference in October 2012 and Mr John Brown, United Kingdom, was elected as Vice-Chair. Both positions are for a 2 year period expiring at the closure of the 21st ABLOS Business Meeting in 2014. Due to the programmed 5th Extraordinary International Hydrographic Conference taking place in Monaco 6-10 October 2014, it was decided to postpone the 8th ABLOS Conference until October 2015.

Conclusions and Recommended Actions

N/A

Justification and Impacts

N/A

Action Required of HSSC

The HSSC is invited to:

- a. Note this report
- b. Approved the revised Terms of Reference for ABLOS at Annex C
- b. Endorse the continuation of ABLOS to pursue its work under its revised Terms of Reference
- c. Endorse the draft Edition 5.0.0 of the TALOS Manual, C-51 and circulate to IHO Member States for final approval
- d. Review and endorse the work program at Annex B

MEMBERS OF ABLOS

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John Brown (Vice-Chair) {October 2012 – October 2014}

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12. ABLOS WORK PLAN 2013-14

12.1 ABLOS Tasks

A	Organise the 8 th ABLOS Conference in 2015 (IHO Task 2.12.2)
B	Maintain IHO Publication C-51 "Technical Aspects of the Law of the Sea (TALOS) Manual" (IHO Task 2.12.3)
C	Deliver a standard training program on the hydrographic aspects of maritime delimitation (IHO Task 3.5.2)
E	Provide advice and guidance on the technical aspect of the Law of the Sea to relevant organizations, bodies and Member States (IHO Task 2.12.3)
F	Organise and prepare ABLOS business meetings in 2013 and 2014 (IHO Task 2.12.1)

Task	Work item	Priority H-high M-medium L-low	Next milestone	Start Date	End Date	Status P-planned O-ongoing C-completed	Contact Person(s) * indicates leader	Related Pubs / Standard	Remarks
A1	Organise 8 th ABLOS Conference	H	Finalize title by BM 20 Organizing committee formed by BM 20 Dates confirmed by BM 20 Begin advertising	2013 2013 2013 2013	2015	O P P P	All members of ABLOS through Niels Andersen*	N/A	
B1	Prepare draft 5 th Edition of C-51 (TALOS Manual) for adoption by Member States	H	Review chapters 3 & 5 by 15 Nov 2012 Review full draft edition by 31 Dec 2012 Complete all amendments by 31 Jan 2013 Pass to HSSC for endorsement by 15 Feb 2013 CL to MS for approval 1 May 2013 Circulate to IAG 1 Jul 2013	2011 2012 2013 2013 2013 2013	2012 2013 2013 2013 2013 2014	C C C O P P	Chris Carleton*, Sunil Bisnath, John Brown, Shin Tani and I Made Andi Arsana	IHO Publication C-51	

Task	Work item	Priority H-high M-medium L-low	Next milestone	Start Date	End Date	Status P-planned O-ongoing C-completed	Contact Person(s) * indicates leader	Related Pubs / Standard	Remarks
B2	Review C-51 5 th Edition for any necessary updating.	H	Identify areas requiring updating by BM 20	2013	2015	P	Chris Carleton*, Sunil Bisnath, John Brown, David Wyatt	IHO Publication C-51	
B3	Prepare draft 6 th Edition of C-51 (TALOS Manual) for adoption by Member States	M		2013	2015	P	Chris Carleton*, Sunil Bisnath, John Brown	IHO Publication C-51	
C1	Deliver standard training programmes for the CBSC	H		2011	Continuous	O	John Brown*		Workshops planned in 2013, 2014, 2016 and 2017 in the CBSC Work Plan.
E1	Provide advice and guidance on the technical aspect of the Law of the Sea	H		Continuous		O	All members of ABLOS through the Chair		

12.2 ABLOS Meetings (Tasks A & D)

Date	Location	Activity
1 & 6 October 2012	IHB, Monaco	ABLOS 19 and 7 th ABLOS Conference
28-29 October 2013	Muscat, Oman	ABLOS 20
October 2014		ABLOS 21
2015	IHB, Monaco	ABLOS 22 and 8 th ABLOS Conference

Chair: Sunil Bisnath
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Secretary: David Wyatt

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TERMS OF REFERENCE
For the Advisory Board on the Law of the Sea (ABLOS)
of the
International Hydrographic Organization (IHO) and
the International Association of Geodesy (IAG)
(as amended 28 October 2013)

Ref: 5th HSSC Meeting (Shanghai, China, 2009)

OBJECTIVE:

To provide advice on technical aspects of the Law of the Sea.

1. Terms of Reference

- 1.1. To provide advice, guidance and, where applicable, offer expert interpretation of the technical aspects of the Law of the Sea to the parent Organizations (IHO/IAG), their Member States or to other organizations on request.
- 1.2. To review State practice and jurisprudence on Law of the Sea matters which are relevant to the work of ABLOS so as to be in a position to provide expert advice when needed.
- 1.3. To study, promote and encourage the development of appropriate techniques in the application of the technical provisions contained within the UN Convention on the Law of the Sea.
- 1.4. To review and update IHO Special Publication C-51 "A Manual on Technical Aspects of the United Nations' Convention on the Law of the Sea - 1982" (TALOS Manual).
- 1.5. To prepare, review and update other ABLOS publications as required by the parent organizations (IHO/IAG).

2. Rules of Procedure

- 2.1. ABLOS shall be composed of eight full members, preferably chosen with wide geographic representation. Each parent Organization (IHO/IAG) shall appoint four members. The Division for Ocean Affairs and the Law of the Sea of the UN Office of Legal Affairs (DOALOS), and the International Hydrographic Bureau (IHB) ("*the International Hydrographic Bureau (IHB)*") to be replaced by "*the IHO Secretariat*" when the Secretariat is established) shall have representatives in an ex-officio capacity without voting rights.
- 2.2. ABLOS should normally take decisions by consensus. Should a vote be necessary then a simple majority of those present and voting is required, subject to a minimum of 4 voting members being present. In the case of a tied vote the Chair shall have a casting vote.

- 2.3. The Member States of the IHO, the IAG and ABLOS through its Chair may nominate additional observers to ABLOS. Observers may participate in correspondence and attend meetings but may not vote.
- 2.4. ~~The term of office of a full member is four years, after which he/she may be re-appointed or replaced by his/her parent organization (IHO/IAG).~~ Appointed Members shall serve for a term of four years, renewable by a recommendation of the Board for one additional four-year term and with the approval of the corresponding parent organization. The Chair shall inform the relevant parent organization of any foreseeable vacancy in a timely manner. Members and Observers are expected to attend every meeting of ABLOS. Where a Member fails to attend two consecutive meetings the Chair should raise the matter with the parent Organization (IHO/IAG) with a view to rectifying the situation.
- 2.5. Whilst members of ABLOS are appointed by their parent Organizations (IHO/IAG), to whom they are accountable, members are expected to serve as individual experts in their own right. No statements or publications may be issued in the name of ABLOS without ABLOS's prior approval.
- 2.6. The Chair and Vice-Chair shall be elected by ABLOS and should normally come from different parent Organizations (IHO/IAG) on a rotational basis. They will serve for a two-year period, after which the Vice-Chair becomes Chair and a new Vice-Chair is elected. If the Chair is not present or available, the Vice-Chair shall act in this capacity until the next meeting. Should the Vice-Chair not be available to take office as Chair when required, a new Chair and Vice-Chair should be elected.
- 2.7. ABLOS may establish Working Groups to carry out specific tasks.
- 2.8. ABLOS will have its permanent Secretariat at the IHB (*"the IHB"* to be replaced by *"the IHO Secretariat"* when the Secretariat is established), Monaco. The Secretariat will publish the documents and publications produced by the Board as required.
- 2.9. Members and Observers of ABLOS are expected to be supported by their own host organizations or governments for travel expenses and work. Exceptionally an ABLOS appointed observer may be supported by ABLOS for a specific task.
- 2.10. ABLOS will normally meet once a year at a venue and time that minimizes cost and conduct business by correspondence between meetings.
- 2.11. ABLOS may organise conferences and seminars. A biennial technical conference will normally be held in Monaco in conjunction with an ABLOS Meeting. ABLOS may operate a fund to cover the receipts and expenses of running such a conference. Guidelines for the operation of this fund are appended to these terms of reference.
- 2.12. The Chair shall report on the activities of the Board to the annual meeting of the IHO Hydrographic Services and Standards Committee (HSSC) and to each ordinary session of the International Hydrographic Conference (*"each ordinary session of the International Hydrographic Conference"* to be replaced by *"each ordinary session of the Assembly through the Council"* when the Council and Assembly are established). The Chair shall also provide an annual report on ABLOS's activities to the IAG and a report covering the inter-sessional period to the General Assembly of the IAG.
- 2.13. These TOR should be reviewed by ABLOS as required and not less frequently than every 4 years. Amendments, recommended by ABLOS, are to be submitted to the parent Organizations (IHO/IAG) for approval.

ABLOS CONFERENCE FUND GUIDELINES

(As amended 15 October 2008)

1. Introduction

1.1 The Advisory Board on the Law of the Sea (ABLOS) is formed by four representatives from each of the following bodies: The International Hydrographic Organization (IHO) and the International Association of Geodesy (IAG). Secretarial support for ABLOS is provided by the International Hydrographic Bureau (IHB) (*“the International Hydrographic Bureau (IHB)”* to be replaced by *“the IHO Secretariat”* when the Secretariat is established). The parent organizations (IHO/IAG) approve the Terms of Reference (TOR) for ABLOS. The UN Division of Ocean Affairs and Law of the Sea (DOALOS) and the IHB (*“the IHB”* to be replaced by *“the IHO Secretariat”* when the Secretariat is established) attend ABLOS meetings in an ex-Officio capacity.

2. Biennial Conference

2.1 The TOR invite ABLOS to organise seminars and technical conferences and permit the operation of a fund to support such activities.

3. Income

3.1 The primary source of income for the fund will be from the registration fees of delegates attending such seminars / conferences. ABLOS should set the level of registrations fees in order to provide a modest excess of income over expenditure given an estimated attendance.

4. Expenditure

4.1 The primary expenditure for the fund will be to cover the costs of running the seminars / conferences. Expenditure may include but is not limited to: assistance to speakers / tutorial leaders, conference equipment, documentation, proceedings, staff overtime, reception and tea breaks.

4.2 ABLOS may use any funds in excess of 3000 Euros remaining after all expenses for a seminar / conference have been settled, to fund other activities conducted by ABLOS. Limited support for travel / subsistence in connection with production of a new edition of C-51 ‘A Manual on Technical Aspects of the Law of the Sea’ might be considered such an activity. Such expenditure must be approved by a simple majority of the ABLOS Membership.

4.3 Routine expenditure in support of a seminar / conference may be transacted by the IHB (*“the IHB”* to be replaced by *“the IHO Secretariat”* when the Secretariat is established) and reported in the fund accounts.

5. Operation

5.1 The fund will be operated by the IHB (*“the IHB”* to be replaced by *“the IHO Secretariat”* when the Secretariat is established) on behalf of ABLOS. A copy of the fund accounts will be provided to the Annual Business Meeting of ABLOS and immediately after finalising the accounts following a seminar / conference.

6. Review

6.1 This guidance should be reviewed, and amended as necessary, by ABLOS at intervals not exceeding 4 years.