



ROYAL AUSTRALIAN NAVY

Australian Hydrographic Service

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Admiral Maratos

Chair IHO S-23 Working Group

International Hydrographic Bureau

Dear Admiral Maratos,

Australia Response to S-23 Working Group Letter No. 03/2011

Reference:

- A. S-23 Working Group Letter No 03/2011 dated 24 May 2011
- B. S-23 Working Group Letter No 02/2011 dated 21 March 2011
- C. S-23 Working Group Letter No 06/2010 dated 20 December 2010

1. The summary of Australia's response to S-23 Working Group letter No 2, that is presented at the third dot point of S-23 Working Group letter No. 3 is incorrect and misleading. As stated in my two letters of 27 April and 6 May, Australia has been committed to reaching consensus that would enable a 4th edition of S-23 to be published. However Australia presented a proposal with two options at the 2nd S-23 Working Group Meeting in Singapore. The first, "*to provide reservations in an Annex*" was presented to S-23 WG Members at paragraph 2.4 of S-23 working Group Letter 06/2010, and was rejected by Republic of Korea and others thus did not gain consensus. Australia later agreed that our second option, "*to include a separate page with alternative naming immediately following the first*" need not be formally presented to all working group members as it became clear that this option would not lead to consensus when Japan advised me that it was not acceptable.

2. With regard to the draft report. Paragraph 3.3 second dot point correctly indicates that the Australian proposal could form a possible basis for naming of the sea area but does not make it clear that the Australian proposal provided two options for detailing reservations; either use of an "*Annex*" or "*a second page immediately following the first*". Other than this, the content of the Draft report from paragraph 1 to 3 inclusive is agreed.

3. With regard to paragraph 4.1. It is clear, though regrettable, that consensus has not been reached amongst S-23 Working Group Members on all the "areas of concern". Also, the main task of the S-23 Working Group was to "Produce a revised draft 4th edition of IHO Publication S-23", this has not been done. Thus, I do not agree with the statement at paragraph 4.1 that "the work of the S-23 WG has been completed". In these circumstances I do not think there is any value to be gained by requesting all Member States to comment on the dot points at paragraph 4.1.

4. **A Political Matter Rather Than a Technical Hydrographic Matter.** It is apparent that the root cause of not reaching consensus on S-23 is due to political pressures relation to strong national positions rather than differences over technical depiction of names and limits. France's withdrawal from the working group highlighted this fact and subsequent statements by working group members have confirmed it. There are already internationally recognised means for displaying differing names for the same geographical feature in use by UNGEGN and adopted by the IHO, these are both included as references in the terms of reference of the S-23 WG at sub-paragraph 1.1e). These methods have been rejected by members of the S-23 WG due to entrenched national political positions despite the consensus that has been reached on the inclusion of an "Important Notice" rejecting any political purposes in the Preface of S-23, as described in paragraph 4.1, fifth dot point.

5. With great regret I conclude that the S-23 WG still has work to do. Quite simply it must decide whether S-23 is to be a technical hydrographic publication and thus proceed to resolve national disagreements using the technical methods provided under paragraph 1.1e) of the S-23 WG terms of reference (K2.48), or accept that political imperatives have the over-riding importance, accept that these cannot be solved by the IHO and recommend the withdraw the S-23 publication from the IHO catalogue.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Rod Nairn". The signature is fluid and cursive, with the first name "Rod" and the last name "Nairn" clearly distinguishable.

R. NAIRN
Commodore, RAN
Hydrographer of Australia

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24 June 2011