

2nd Meeting of the IHO S-23 Working Group
Singapore, 5-7 July 2010

WG ON THE REVISION OF IHO PUBLICATION S-23
“LIMITS OF OCEANS AND SEAS” (S-23 WG)
First Meeting, Monaco, 1st June 2009

FINAL MINUTES

1.- **OPENING**

Docs: S-23WG1-01A *List of Documents (also Annex B)*
S-23WG1-01B *List of Participants (also Annex A)*
S-23WG1-01C *Membership (also Annex D)*

The 1st Meeting of the IHO WG on the Revision of IHO Publication S-23 “Limits of Oceans and Seas” (S-23 WG) took place at the Auditorium Rainier III, Monaco, on 1st June 2009 from 1400. The meeting was hosted and organized by the IHB. Fourteen Member States¹, were represented at this meeting. In total, 39 delegates were in attendance.

Participants were welcomed by Vice Admiral Alexandros MARATOS, IHB President. He emphasized the importance of the S-23 WG and hoped that its work will allow progress on pending matters and achieve tangible results and the publication of a 4th edition of S-23. He drew attention to the documents available, i.e. a draft agenda, draft terms of reference and rules of procedure, and a membership list.

Australia thanked the IHB for arranging this meeting and stressed the need for S-23 to be published for the benefit of the global community.

Outcome:

- The WG noted the documents introduced.

2.- **APPROVAL OF THE AGENDA**

Docs: S-23WG1-02A *Agenda (also Annex C)*

VAdm MARATOS introduced the agenda, which was adopted without change.

Outcome:

- The WG approved the agenda without change.

3.- **ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

VAdm MARATOS asked for volunteers, reminding that the WG should elect its Chair and Vice Chair, preferably from the WG members.

¹ Argentina, Australia, China, France, Greece, Korea (Rep of), Japan, Morocco, Oman, Singapore, South Africa, Turkey, UK and USA.

The Rep of Korea, citing the UK's comment in IHB Circular Letter 22/2009, suggested strong leadership as the condition for the position of the Chair. Japan advocated the need for a neutral/impartial Chair. France proposed that an IHB Director be the Chair.

Australia felt that the amount of work needed to chair this WG will be significant, which could be difficult for a MS representative. As a result, he supported France's proposal. Argentina expressed the same view.

Capt Robert WARD, IHB Director, felt that the lack of volunteers to chair the WG may reflect a lack of enthusiasm from WG members to participate in/contribute to the S-23 work.

VAdm MARATOS stated that, in the absence of a volunteer, he had no choice but to accept France's proposal, generally supported by other members of the WG. He was elected Chairman of the S-23 WG by acclamation. He added that Ing en chef Michel HUET, from the IHB, will act as Secretary for the WG.

VAdm MARATOS then asked for candidates for Vice-Chair. RAdm Christian ANDREASEN (USA) kindly volunteered to take this post; he was elected by acclamation.

Outcome:

- VAdm Alexandros MARATOS (IHB) elected as Chairman of S-23 WG. RAdm Christian ANDREASEN elected as Vice-Chairman. Ing en chef Michel HUET to serve as Secretary.

4.- BACKGROUND HISTORY

The Chair reported briefly on the history of the draft 4th edition of S-23, as reproduced in Annex E.

Japan inquired on why the 1986 draft 4th edition of S-23 was not approved. The Chair answered that this was because it did not received sufficient support, as reported in CL 45/1988. One of the most contentious points was the area around Antarctica.

Australia noted the improvement of the process from 1998 onwards, compared to what it was in 1986.

Outcome:

- The WG noted the report.

5.- TERMS OF REFERENCE AND RULES OF PROCEDURE

Docs: S-23WG1-05A TOR and ROP for S-23 WG – Initial draft (also Annex F)
S-23WG1-05B TOR and ROP for S-23 WG – Final (also Annex G)

The Chair referred to the draft Terms of Reference and Rules of Procedure, resulting from CLs 3bis/2009 and 22/2009 (see Annex F), and asked for comments.

- Terms of Reference

The Rep of Korea suggested taking into consideration all constructive proposals and relevant resolutions of the IHO and UN Conferences on the Standardization of Geographical Names (UNCSGN). Following a proposal by France, supported by Australia, it was agreed to include a new item referring to the UNGEGN publication "Standardization of Geographical Names" and Section B-500 of IHO publication M-4.

- Rules of Procedure

The delegate of France (Ms Elizabeth CALVARIN) suggested that, as she was the Vice-Chair of the UNGEGN francophone group, she could represent this group in the S-23 WG. This did not give rise to any objections from the WG members.

The Chair reminded the meeting that WG members need to have the support of their State. France concurred that delegates must have a mandate from their country, while acting as qualified experts. There was a consensus that it is up to each Member State whom it nominates as its WG member.

There followed a discussion on the meaning of “open to all Member States”. The Chair clarified that any MS can join the WG at any time through contact with the Secretary. He suggested opening an S-23 WG section on the IHO website, where all WG meeting reports and documents would be posted. This was agreed.

The number of representatives per Member State permitted in face-to-face meetings was discussed. It was decided not to restrict the number, though at first there was also the opinion that the number of participants should be one.

The number of representatives per Member State in the membership list was also discussed. Although some members stated that the number should be limited, it was finally decided not to restrict the number of representatives per Member State.

Referring to item 2.6 on the involvement of Regional Hydrographic Commissions, Greece was not in favour of consulting RHCs. Issues should be addressed at a global level only. If RHCs wish to express their views, they could do so through the WG members who represent the member countries of the RHCs. France supported this view. After discussion, it was agreed to remove this item.

The Rep of Korea suggested removing the 2nd and 3rd sentences of item 2.7 (voting procedures). All options expressed within the WG should be submitted to all IHO Member States. Japan and USA supported removing these two sentences. The Chair, supported by Australia, said this was standard IHO wording which is used in the RoP of most IHO bodies. After discussion, it was agreed to delete both sentences.

Outcome:

- Revised Terms of Reference and Rules of Procedure, as in Annex G, are adopted.

6.- WAYS OF PROGRESSING THE WORK OF THE WG

The Chair asked for proposals on the best ways to progress S-23 matters.

Greece suggested focusing on contentious issues. Australia agreed and proposed to use the latest draft 4th edition of S-23 which was circulated in 2002 as a starting point. USA proposed to segment the publication into several parts, similarly to what is being done for the revision of M-3 *IHO Resolutions*, in order to facilitate the review process. The Rep of Korea agreed to use the latest 2002 draft. Japan expressed its objection to using the 2002 draft as a basis for the discussion, pointing out the fact that it was not a full-fledged final draft, with certain pages missing. The Circular Letter forwarding the 2002 draft was withdrawn by the then Directing Committee.

The Chair proposed that the S-23 WG work will be based on the 2002 draft, with reference to the 1986 draft as appropriate. He suggested that both drafts be posted on the IHO website.

Australia proposed to proceed in two steps as follows:

1. In order to identify possible areas of concern, Member States to be invited to comment on the adequacy of the content of the most recent draft 4th edition of S-23 depicting their region of interest.
2. The WG to examine the responses received, along with any other relevant documents brought to its notice, with a view to developing possible solutions.

There followed a lengthy discussion on whether MS should be asked to comment on the 2002 draft (or 1986 draft if appropriate), as proposed by Australia, or whether the WG itself would work on identifying the areas of concern. The 2nd option was eventually preferred and the following plan of actions, proposed by the Chair and reflected in Annex G, was agreed:

1. IHB to circulate a list of areas of possible concern to WG members by end July 2009.
2. WG members to comment on this list by end September 2009.
3. IHB to circulate a final list to WG members. Member States in any areas of possible concern then to be asked to provide their comments/positions.
4. Based on the comments received from interested Member States in any areas of concern, IHB to draft a paper on the matter, circulate it to WG members and consider whether a face-to-face meeting is appropriate.

Referring to step 4 above, Australia suggested that identifying technical solutions to mitigate the areas of concern will be needed. To assist in this exercise, France offered to provide the IHB with standards, definitions and rules of procedure for toponymy.

Outcome:

- Ways of progressing the work of the S-23 WG, as outlined in Annex H, are adopted.

7.- SUMMARY OF ACTIONS

A list of agreed actions is contained in Annex H.

8.- CLOSURE

The Chair thanked all participants for their contribution to the meeting. He felt it was successful and said the IHB would do its best to progress the work according to the agreed plan of actions.

The meeting closed at 17:00 on 1st June 2009.

LIST OF PARTICIPANTS

Member States	Name	Organization	Email
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IHB	Name		Email
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LIST OF DOCUMENTS

Document No	Document Title
S-23WG1-01A	List of Documents
S-23WG1-01B	List of Participants
S-23WG1-01C	S-23 WG – Membership
S-23WG1-02A	Agenda
S-23WG1-05A	Terms of Reference for S-23 WG
S-23WG1-06A	Ways of Progressing the Work of the S-23 WG

AGENDA

- 1.- **Opening**
- 2.- **Adoption of the Agenda**
- 3.- **Election of Chairman and Vice-Chairman (Secretary/Secretariat)**
- 4.- **Background history (IHB President)**
- 5.- **Term of Reference and Rules of Procedure**

Finalize the ToR and RoP. Consider issues raised by Member States and not included in the ToR and RoP:

 - Whether the WG will be open to MS to participate at any time or whether the WG will be restricted to those that they have indicated their participation;
 - Number of representatives per Member State;
 - Invitation of experts by other Organizations, as the UNGEGN.
- 6.- **Ways of progressing the work of the WG**
- 7.- **Summary of actions agreed**
- 8.- **Closure**

MEMBERSHIP OF THE S-23 WG

Member States	Name	Organization	Email
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BACKGROUND HISTORY

(Verbatim of VAdm Maratos' statement at the 1st S-23 WG meeting)

The XIth International Hydrographic Conference in 1977 by Decision No. 17 tasked the Bureau to undertake a revision of the IHO Publication S-23, Limits of Oceans and Seas, a technical publication of interest to maritime and academic communities. Regrettably, more than thirty years later, this work has not yet been completed. The 3rd edition of 1953 is still the only valid one, but is out of stock and outdated. The following is a brief description of the events since the XIth IHC :

1. Following the XIth IHC a Working Group was established, Chaired by a Member of the Directing Committee, and started working on the Publication.
2. Following the XIIth IHC in 1982 and with a new Director in the Chair of the Working Group, a rough draft was submitted to its Members in 1983, but it was not until 1986 that a final draft of the 4th edition of S-23 was submitted to all Member States with CL No. 6/1986 dated 27 February 1986.
3. There were replies from 37 Member States : 28 replied affirmatively and 9 negatively. However the draft 4th edition does not appear to have been approved.
4. Following the XIIIth IHC in 1987 the new President of the Directing Committee did considerable work in trying to resolve contentious issues, but the work was not completed.
5. After the XVth IHC in 1997 the Directing Committee, in order to progress the work, decided to contract the services of a consultant. The initial work was based on the draft of the 4th edition which had not been approved in 1986. In 2001 a new draft of the 4th edition was sent to Member States with CL No. 55/2001 dated 7 November 2001 for comments. In August 2002 a final draft of the 4th edition was sent to Member States for approval with CL No. 30/2002 dated 9 August 2002. In the second part of this CL, the Directing Committee indicates that.
 - the two pages referring to the name of "Japan Sea" as it appears in the 1953 edition, were not included in this 4th edition;
 - for three years the IHB had endeavored to finalize these two pages without success;
 - this matter is of a highly sensitive political nature and is not a technical one; and
 - an addendum could be issued covering this matter at a later stage.
6. During the first three weeks after the Directing Committee took up its post on 1st September 2002, following the XVIth IHC, comments and questions were received from Hydrographic Offices, Ministries and Embassies of the Member States regarding the omitted two pages, as the result of contacts made by Japan and the Republic of Korea with Member States. The Directing Committee not knowing the details on this subject, faced with issues beyond the technical purpose of the Organization and not being in position to respond to the numerous questions, decided to interrupt the voting of the 4th edition, in order to study the details of the subject. Member States were informed of this action taken by the Directing Committee with CL 38/2002 dated 19 September 2002. At the time that the voting was interrupted, the Bureau had not received any voting response from Member States to the CL 30/2002.
7. In January 2003, during the SPWG meeting in Goa, India, the Heads of the Delegations of Japan and the Republic of Korea met with the President of the Directing Committee and informed him that the two States had decided to start discussions on this issue and requested the Directing Committee not to take any action waiting for the outcome of their bilateral discussions.
8. From the reports provided by the Hydrographers of the two States, the DC concluded, in his report to the XVII IHC, that no significant progress had been made in their discussions.

9. After the XVII IHC and in the absence of an agreement between the interested Member States on the suggestion offered by the President of the Conference for S-23 to be published in two volumes, the first of which would contain all the data agreed upon and could be published immediately and the second one containing the disputed portion to be withheld until an agreement will be reached, the Directing Committee with CL 86/2007 dated 26 September 2007, informed Member States on this outcome. With the same CL the Directing Committee circulated comments received from Japan, Republic of Korea and Democratic People's Republic of Korea, highlighting the new proposal by Japan and inviting the interested Member States and all other Member States to comment. The new proposal by Japan was rejected by Republic of Korea. No other Member State offered comments.
10. The Directing Committee with CL 78/2008 dated 6 October 2008 provided details on a BSHC proposal indicating that "if it was not possible to publish a fourth edition of S-23 for whatever reason then the BSHC suggested that consideration should be given to the publication of an IHO document organized on a regional basis, which would list those names agreed and recommended by the relevant RHC". The BSHC invited the Directing Committee to seek the opinion - but not the approval of Member States regarding their suggestion. CL 78/2008 indicated that "Based on the responses and comments the Directing Committee will inform Member States on how the matter can be further progressed".
11. CL 03/2009/bis provided the responses of the 36 Member States commenting on the BSHC proposal. From the responses received it was noted that:
 - There was not a general agreement to support the proposal suggested by the BSHC;
 - All Member States responding indicated that S-23 is an important publication, its update is long overdue, there is a need for a new edition as soon as possible and delaying the publication of a new edition of S-23 has negative effects on the IHO.

Based on these observations the Directing Committee proposed in CL 03/2009/bis the establishment of a working group to come up with a revision of S-23 which will be considered by Member States for approval. The CL further proposed draft ToR and RoP for the WG.

12. The proposal for the establishment of the WG received overwhelming support from Member States, who also provided comments for the improvement of the ToR and RoP that have been taken into consideration by the Directing Committee. Member States' responses were circulated with CL 22/2009/rev1 dated 8 April 2009. The first meeting of the WG is organized in conjunction with the 4th EIHC, as requested by some Member States.

WG ON THE REVISION OF SPECIAL PUBLICATION 23 “LIMITS OF OCEANS AND SEAS” (S-23 WG)

Initial Draft

Terms of Reference

The S-23 WG shall:

- 1.1 Produce a revised edition of Special Publication S-23, Limits of Oceans and Seas, making use of :
 - a) the current 3rd edition of S-23;
 - b) the work that has been done in the past years;
 - c) the positions and comments expressed by States in response to CL 78/2008,
 - d) other views that may come forward during the deliberations of the WG;
 - e) any other documents or material that may be considered appropriate.
- 1.2 Submit a Report of the work of the WG together with a draft 4th edition of Special Publication S-23 to the IHB no later than June 2011, for the subsequent approval of Member States.

Rules of Procedure

- 2.1 Participation in the WG is open to all Member States;
- 2.2 The Chair and Vice-Chair shall be elected by the Members of the WG;
- 2.3 The IHB will participate as an observer and provide secretarial support;
- 2.4 The WG should work primarily by correspondence. Face-to-face meetings may be arranged if considered necessary by the WG;
- 2.5 If needed, experts can be invited to participate with the agreement of the Members of the WG;
- 2.6 RHCs should be involved, if required, to support the work of the WG.
- 2.7 Decisions should generally be made by consensus. If votes are required on issues or to endorse proposals presented to the WG, only Member States may cast a vote. Votes shall be on the basis of one vote per Member State.

Note: The IHB, under the guidance of the Chair, shall open a section on the IHO website where the List of Members of the WG as well as all the working documents will be posted.

WG ON THE REVISION OF IHO PUBLICATION S-23 “LIMITS OF OCEANS AND SEAS” (S-23 WG)

As agreed by the 1st S-23 WG Meeting

Terms of Reference

The S-23 WG shall:

- 1.1 Produce a revised draft 4th edition of IHO Publication S-23, Limits of Oceans and Seas, making use of :
 - f) the 3rd edition of S-23 (1953);
 - g) the work that has been done in the past years;
 - h) the positions and comments expressed by States in response to CL 78/2008,
 - i) other views that may come forward during the deliberations of the WG;
 - j) the UNGEGN publication “Standardization of Geographical Names” and IHO publication M-4 (Section B-500); and
 - k) any other documents or material that may be considered appropriate.
- 1.2 Submit it together with a Report of the work of the WG to the IHB no later than June 2011, for the subsequent approval of Member States.

Rules of Procedure

- 2.1 Participation in the WG is open to all Member States;
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- 2.5 If needed, experts can be invited to participate with the agreement of the Members of the WG;
- 2.6 Decisions should generally be made by consensus.

Note: The IHB, under the guidance of the Chair, shall open a section on the IHO website where the List of Members of the WG as well as all the working documents will be posted.

WAYS OF PROGRESSING THE WORK OF THE S-23 WG

- Step 1 - IHB to set up an S-23 WG on the IHO website.
- Step 2 - France (SHOM) to provide the IHB with standards, definitions and rules of procedure for toponymy. IHB to post these documents on the IHO website.
- Step 3 - IHB to circulate a list of areas of possible concern to WG members by end July 2009.
- Step 4 - WG members to comment on this list by end September 2009.
- Step 5 - IHB to circulate a final list to WG members. Member States in any areas of possible concern then to be asked to provide their comments/positions.
- Step 6 - Based on the comments received from interested Member States in any areas of concern, IHB to draft a paper on the matter, circulate it to WG members and consider whether a face-to-face meeting is appropriate.
-