

*CONVENTION ON THE
INTERNATIONAL HYDROGRAPHIC ORGANIZATION
AS AMENDED BY THE PROTOCOL DATED 14 APRIL 2005
THAT ENTERED INTO FORCE ON 8 NOVEMBER 2016*

Record of changes			
Date	Reference	Effective date	Subject
/	CL 83/2005	8 November 2016	Consolidated version as amended by the Protocol dated 14 April 2005

CONVENTION ON THE INTERNATIONAL HYDROGRAPHIC ORGANIZATION

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**CONVENTION
ON THE
INTERNATIONAL HYDROGRAPHIC ORGANIZATION**

THE STATES PARTIES TO THIS CONVENTION,

CONSIDERING that the International Hydrographic Bureau was established in June 1921 to contribute to making navigation easier and safer throughout the world by improving nautical charts and documents;

CONSIDERING that the International Hydrographic Organization is a competent international organization, as referred to in the United Nations Convention on the Law of the Sea, which coordinates on a worldwide basis the setting of standards for the production of hydrographic data and the provision of hydrographic services and which facilitates capacity building of national hydrographic services;

CONSIDERING that the vision of the International Hydrographic Organization is to be the authoritative worldwide hydrographic body which actively engages all coastal and interested States to advance maritime safety and efficiency and which supports the protection and sustainable use of the marine environment;

CONSIDERING that the mission of the International Hydrographic Organization is to create a global environment in which States provide adequate and timely hydrographic data, products and services and ensure their widest possible use; and

DESIRING to pursue on an intergovernmental basis their cooperation in hydrography;

HAVE AGREED AS FOLLOWS:

ARTICLE I

There is hereby established an International Hydrographic Organization, hereinafter referred to as the Organization, the seat of which shall be in Monaco.

ARTICLE II

The Organization shall have a consultative and technical nature. It shall be the object of the Organization:

- (a) To promote the use of hydrography for the safety of navigation and all other marine purposes and to raise global awareness of the importance of hydrography;
- (b) To improve global coverage, availability and quality of hydrographic data, information, products and services and to facilitate access to such data, information, products and services;
- (c) To improve global hydrographic capability, capacity, training, science and techniques;
- (d) To establish and enhance the development of international standards for hydrographic data, information, products, services and techniques and to achieve the greatest possible uniformity in the use of these standards;
- (e) To give authoritative and timely guidance on all hydrographic matters to States and international organizations;
- (f) To facilitate coordination of hydrographic activities among the Member States; and
- (g) To enhance cooperation on hydrographic activities among States on a regional basis.

ARTICLE III

The Member States of the Organization are the States Parties to this Convention.

ARTICLE IV

The Organization shall comprise:

- (a) The Assembly;
- (b) The Council;
- (c) The Finance Committee;
- (d) The Secretariat, and
- (e) Any subsidiary organs.

ARTICLE V

- (a) The Assembly is the principal organ and shall have all the powers of the Organization unless otherwise regulated by the Convention or delegated by the Assembly to other organs.
- (b) The Assembly shall be composed of all Member States.

- (c) The Assembly shall meet in ordinary session every three years. Extraordinary sessions of the Assembly may be held at the request of a Member State or of the Council or of the Secretary-General, subject to the approval of the majority of the Member States.
- (d) A majority of the Member States shall constitute a quorum for the meetings of the Assembly.
- (e) The functions of the Assembly shall be to:
 - (i) Elect its Chair and Vice-Chair;
 - (ii) Determine its own rules of procedure and those of the Council, the Finance Committee and any subsidiary organ of the Organization;
 - (iii) In accordance with the General Regulations, elect the Secretary-General and the Directors and determine the terms and conditions of their service;
 - (iv) Establish subsidiary organs;
 - (v) Decide the overall policy, strategy and work programme of the Organization;
 - (vi) Consider reports put to it by the Council;
 - (vii) Consider the observations and recommendations put to it by any Member State, the Council or the Secretary-General;
 - (viii) Decide on any proposals put to it by any Member State, the Council or the Secretary-General;
 - (ix) Review the expenditures, approve the accounts and determine the financial arrangements of the Organization;
 - (x) Approve the three-year budget of the Organization;
 - (xi) Decide on operational services;
 - (xii) Decide on any other matters within the scope of the Organization; and
 - (xiii) Delegate, where appropriate and necessary, responsibilities to the Council.

ARTICLE VI

- (a) One-fourth of, but not less than thirty, Member States shall take seats in the Council, the first two-thirds of whom shall take their seats on a regional basis and the remaining one-third on the basis of hydrographic interests, which shall be defined in the General Regulations.
- (b) The principles for the composition of the Council shall be laid down in the General Regulations.
- (c) Members of the Council shall hold office until the end of the next ordinary session of the Assembly.
- (d) Two-thirds of the members of the Council shall constitute a quorum.
- (e) The Council shall meet at least once a year.
- (f) Member States not being members of the Council may participate in Council meetings but shall not be entitled to vote.
- (g) The functions of the Council shall be to:
 - (i) Elect its Chair and Vice-Chair, each of whom shall hold office until the end of the next ordinary session of the Assembly;
 - (ii) Exercise such responsibilities as may be delegated to it by the Assembly ;
 - (iii) Coordinate, during the inter-Assembly period, the activities of the Organization within the framework of the strategy, work programme and financial arrangements, as decided by the Assembly;
 - (iv) Report to the Assembly at each ordinary session on the work of the Organization;

- (v) Prepare, with the support of the Secretary-General, proposals concerning the overall strategy and the work programme to be adopted by the Assembly;
- (vi) Consider the financial statements and budget estimates prepared by the Secretary-General and submit them for approval to the Assembly with comments and recommendations regarding programmatic allocations of the budget estimates;
- (vii) Review proposals submitted to it by subsidiary organs and refer them:
 - To the Assembly for all matters requiring decisions by the Assembly;
 - Back to the subsidiary organ if considered necessary; or
 - To the Member States for adoption, through correspondence;
- (viii) Propose to the Assembly the establishment of subsidiary organs; and
- (ix) Review draft agreements between the Organization and other organizations, and submit them to the Assembly for approval.

ARTICLE VII

- (a) The Finance Committee shall be open to all Member States. Each Member State shall have one vote.
- (b) The Finance Committee shall normally be convened in conjunction with each ordinary session of the Assembly and may convene additional meetings as appropriate.
- (c) The functions of the Finance Committee shall be to review the financial statements, budget estimates and reports on administrative matters prepared by the Secretary-General and to present its observations and recommendations thereon to the Assembly.
- (d) The Finance Committee shall elect its Chair and Vice-Chair.

ARTICLE VIII

- (a) The Secretariat shall comprise a Secretary-General, Directors and such other personnel as the Organization may require.
- (b) The Secretary-General shall maintain all such records as may be necessary for the efficient discharge of the work of the Organization and shall prepare, collect, and circulate any documentation that may be required.
- (c) The Secretary-General shall be the chief administrative officer of the Organization.
- (d) The Secretary-General shall:
 - (i) Prepare and submit to the Finance Committee and the Council the financial statements for each year and budget estimates on a three-year basis, with the estimates for each year shown separately; and
 - (ii) Keep Member States informed with respect to the activities of the Organization.
- (e) The Secretary-General shall perform such other tasks as may be assigned by the Convention, the Assembly or the Council.
- (f) In the performance of their duties, the Secretary-General, the Directors and the personnel shall not seek or receive instructions from any Member State or from any authority external to the Organization. They shall refrain from any action that may be incompatible with their positions as international officials. Each Member State on its part undertakes to respect the exclusively international character of the responsibilities of the Secretary-General, the Directors and the personnel and not seek to influence them in the discharge of their responsibilities.

ARTICLE IX

Where decisions cannot be reached by consensus, the following provisions shall apply:

- (a) Except as otherwise provided in this Convention, each Member State shall have one vote.
- (b) For the election of the Secretary-General and the Directors, each Member State shall have a number of votes determined by a scale established in relation to the tonnage of their fleets.
- (c) Except as otherwise provided in this Convention, decisions shall be taken by a simple majority of Member States present and voting, and if the votes are tied the Chair shall decide.
- (d) Decisions taken on matters related to the policy or finances of the Organization, including amendments to the General and Financial Regulations, shall be taken by a two-thirds majority of Member States present and voting,
- (e) With respect to sub-paragraphs (c) and (d) of this Article and sub-paragraph (b) of Article XXI below, the phrase “Member States present and voting” means Member States present and casting an affirmative or negative vote. Member States that abstain from voting shall be considered as not voting.
- (f) In the case of a submission to Member States in accordance with Article VI (g) (vii), the decision shall be taken by a majority of the Member States who cast a vote, with the minimum number of affirmative votes being at least one-third of all Member States.

ARTICLE X

In relation to matters within its scope, the Organization may cooperate with international organizations whose interests and activities are related to the purpose of the Organization.

ARTICLE XI

The functioning of the Organization shall be set forth in detail in the General and Financial Regulations, which are annexed to this Convention but do not form an integral part thereof. In the event of any inconsistency between this Convention and the General or Financial Regulations, this Convention shall prevail.

ARTICLE XII

The official languages of the Organization shall be English and French.

ARTICLE XIII

The Organization shall have legal personality. In the territory of each of its Member States it shall enjoy, subject to agreement with the Member State concerned, such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its object.

ARTICLE XIV

The expenses necessary for the functioning of the Organization shall be met:

- (a) From the ordinary annual contributions of Member States in accordance with a scale based on the tonnage of their fleets; and
- (b) From donations, bequests, subventions and other sources, with the approval of the Assembly.

ARTICLE XV

Any Member State which is two years in arrears in its contributions shall be denied all voting rights and benefits conferred on Member States by the Convention and the Regulations until such time as the outstanding contributions have been paid.

ARTICLE XVI

- (a) The Government of His Serene Highness the Prince of Monaco shall serve as Depositary.
- (b) This original of the Convention shall be held by the Depositary, which shall transmit certified copies of this Convention to all States that have signed it or acceded thereto.
- (c) The Depositary shall:
 - (i) Inform the Secretary-General and all Member States of applications for accession received by it from States referred to in Article XX (b); and
 - (ii) Inform the Secretary-General and all States which have signed this Convention or acceded thereto of:
 - Each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;
 - The date of entry into force of this Convention or any amendment thereto; and
 - The deposit of any instrument of denunciation of the Convention, together with the date on which it was received and the date on which the denunciation takes effect.

As soon as any amendment of this Convention enters into force it shall be published by the Depositary and registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

ARTICLE XVII

Any dispute concerning the interpretation or application of this Convention which is not settled by negotiation or by the good offices of the Secretary-General of the Organization shall, at the request of one of the parties to the dispute, be referred to an arbitrator designated by the President of the International Court of Justice.

ARTICLE XVIII¹

- (1) This Convention shall be open in Monaco on 3 May 1967, and subsequently at the Legation of the Principality of Monaco in Paris from 1 June until 31 December 1967, for signature by any Government which participates in the work of the Bureau on 3 May 1967.

¹ Historical provision.

- (2) The Governments referred to in paragraph (1) above may become Parties to the present Convention:
- (a) By signature without reservation as to ratification or approval, or
 - (b) By signature subject to ratification or approval and the subsequent deposit of an instrument of ratification or approval.
- (3) Instruments of ratification or approval shall be handed to the Legation of the Principality of Monaco in Paris to be deposited in the Archives of the Government of the Principality of Monaco.
- (4) The Government of the Principality of Monaco shall inform the Governments referred to in paragraph (1) above, and the President of the Directing Committee, of each signature and of each deposit of an instrument of ratification or approval.

ARTICLE XIX²

- (1) This Convention shall enter into force three months after the date on which twenty-eight Governments have become Parties in accordance with the provisions of Article XVIII, paragraph 2.
- (2) The Government of the Principality of Monaco shall notify this date to all signatory Governments and the President of the Directing Committee.

ARTICLE XX

- (a) This Convention shall be open for accession by any State that is a member of the United Nations. The Convention shall enter into force for such a State on the date on which it has deposited its instrument of accession with the Depositary, which shall inform the Secretary-General and all Member States.
- (b) A State that is not a member of the United Nations may only accede to this Convention by applying to the Depositary, and by having its application approved by two-thirds of the Member States. The Convention shall enter into force for such a State on the date on which it has deposited its instrument of accession with the Depositary, which shall inform the Secretary-General and all Member States.

ARTICLE XXI

- (a) Any Member State may propose amendments to this Convention. Proposals of amendments shall be transmitted to the Secretary-General not less than six months prior to the next session of the Assembly.
- (b) Proposals of amendments shall be considered by the Assembly and decided upon by a majority of two-thirds of the Member States present and voting. When a proposed amendment has been approved by the Assembly, the Secretary-General of the Organization shall request the Depositary to submit it to all Member States.
- (c) The amendment shall enter into force for all Member States three months after notifications of consent to be bound by two-thirds of the Member States have been received by the Depositary.

² Historical provision.

ARTICLE XXII

Upon expiration of a period of five years after its entry into force, this Convention may be denounced by any Contracting Party by giving at least one year's notice, in a notification addressed to the Depositary. The denunciation shall take effect upon 1 January next following the expiration of the notice and shall involve the abandonment by the State concerned of all rights and benefits of membership in the Organization.

ARTICLE XXIII³

After the present Convention enters into force it shall be registered by the Government of the Principality of Monaco with the Secretariat of the United Nations in accordance with Article 102 of its Charter.

Note: See Annex A.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Convention. DONE

at Monaco on the third day of May nineteen hundred and sixty-seven, in a single copy in the English and French languages, each text being equally authentic, which shall be deposited in the Archives of the Government of the Principality of Monaco, which shall transmit certified copies thereof to all signatories and acceding Governments and to the President of the Directing Committee.

³ Historical provision.

Annex A to the IHO Convention

**CERTIFICATE OF REGISTRATION OF THE IHO CONVENTION AND GENERAL
REGULATIONS WITH THE U.N. SECRETARIAT**

<p>CERTIFICATE of REGISTRATION No. <u>16427</u></p> <p>The SECRETARY-GENERAL of the UNITED NATIONS Hereby certifies that the Government of the Principality of Monaco has registered with the Secretariat in accordance with Article 102 of the Charter of the United Nations the Convention on the International Hydrographic Organization (with general regulations). Signed at Monaco on 3 May 1967.</p>	<p>CERTIFICAT d'ENREGISTREMENT</p> <p>Le SECRETARE GENERAL des NATIONS UNIE Certifie par la presente que le Gouvernement de la Principauté de Monaco a enregistré au Secrétariat conformément aux termes de l'Article 102 de la Charte des Nations Unies la Convention relative à l'organisation hydrographique internationale (avec réglement général). Signée à Monaco le 3 mai 1967.</p>
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The registration took place on 22 September 1970
under No. 10764
Done at New York, on 25 January 1971

L'enregistrement a eu lieu le 22 septembre 1970
sous le n° 10764
Fait à New York, le 25 janvier 1971

To the Government of the
Principality of Monaco

For the **SECRETARY - GENERAL**
Pour le **SÉCRÉTAIRE GENERAL**

Au Gouvernement de la
Principauté de Monaco



Article 102 of the Charter of the United Nations

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.
2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.