**14th Conference of the IHO Hydrographic Commission on Antarctica (HCA)**

**Tromsø, Norway, 28 – 30 June 2016**

**Proposal to Amend the Statutes of the IHO HCA**

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| ***Submitted by:*** | France |
| ***Executive Summary:*** | This paper proposes some amendments to the Statutes, the most of important of them being to adjust the periodicity of the HCA Conferences, in alignment with the cycle of the IHO Assembly when the revised Convention enters into force. |
| ***Related documents:*** | Nil |

## Background

1. The Statutes of the IHO HCA Work HCA Statutes were adopted at the 3rd HCA Conference, IHB, Monaco, 8-10 September 2003. They were revised at the 7th HCA Conference, Buenos Aires, Argentina, 3-5 October 2007. A further revision of Article 3 (adding a mission statement) and Article 6.1 was agreed at the 12th HCA Conference, Montevideo, Uruguay, 10-12 October 2012. Articles 1.2 and 3.6 were also reviewed at the 13th HCA Conference, Cadiz, Spain, 3-5 December 2013.

## Analysis

1. France takes note that the Protocol of Amendments to the Convention on the IHO is likely to be approved by the required majority of IHO Member States in the near future. When the amended Convention comes in to force, several changes to the names of bodies of the Organization, such as the title *Conference* becoming *Assembly*, together with a reduction in the programme cycle from five years to three years.
2. These changes will require several adjustments to be made to the Statutes of the HCA, in order to provide consistency with the amended Convention. These are shown as proposed changes in the Annex to this proposal.
3. The coordination role of the HCA now includes ENC as well as paper chart coverage. This is therefore reflected in the proposed changes to clauses 2.1 and 2.2.
4. Taking in to account the shorter period between sessions of the assembly, it is proposed that the periodicity of Conferences of the HCA be amended in clause 4.1.
5. The opportunity has also been taken to include reference to the more recent revisions to the Statutes.
6. No changes are being proposed to the Annexes to the Statutes.

## Proposals

1. HCA is invited to:
   1. **Discuss and Approve** the changes proposed in the Annex (red-line version of the Statutes - without appendices - only).
   2. **Take** any other actions as it considers appropriate.

**STATUTES OF THE IHO HYDROGRAPHIC COMMISSION ON ANTARCTICA (HCA)**

(As approved at HCA-14, Tromsø, Norway – 28-30 June 2016)

Notes: 1) HCA Statutes were adopted at the 3rd HCA Conference, IHB, Monaco, 8-10 September 2003. They were revised at the 7th HCA Conference, Buenos Aires, Argentina, 3-5 October 2007. A further revision of Article 3 (adding a mission statement) and 6.1 was agreed at the 12th HCA Conference, Montevideo, Uruguay, 10-12 October 2012. Articles 1.2 and 3.6 were reviewed at the 13th HCA Conference, Cadiz, Spain, 3-5 December 2013.

2) Signature Pages are on pp. 6-8, updated to 6 February 2009.

3) Annex C (ATCM Resolution) and section 3.2 updated 25 November 2009.

Article 1

**GENERAL**

1.1 The IHO Hydrographic Commission on Antarctica (hereinafter referred to as “HCA”) is a special Hydrographic Commission of the International Hydrographic Organisation (IHO). The HCA is established in conformity with IHO Resolution 2/1997, as amended *“Establishment of Regional Hydrographic Commissions (RHC)”* (Appendix A) and shall be governed according to these statutes.

* 1. The HCA is the coordinating body for hydrographic surveying and nautical charting matters in International Region M. The geographic limits of this region are illustrated at Appendix B.

Article 2

**MEMBERSHIP**

2.1 Membership of the HCA is open to any IHO Member State whose government has acceded to the Antarctic Treaty and which contributes resources and/or data to IHO INT Chart and ENC coverage of Region M (see Appendix B) and which becomes a signatory to the Statutes of the HCA.

2.2 Associate Membership is open to any non-IHO Member State whose government has acceded to the Antarctic Treaty and which contributes resources and/or data to IHO INT Chart and ENC coverage of Region M, and which becomes a signatory to the Statutes of the HCA. Associate Members may take part in the discussions but shall not have voting rights, except as contained in Articles 4.2 and 4.3.

2.3 Observer status in the HCA is open to any other IHO Member State, to the representatives of any national or international organisation, and to individual experts, having professional involvement in hydrographic surveying or nautical charting in Region M either by contributing to those activities, or by providing support to those activities, or as users of derived products. The participation of Observers in any activity of the HCA will be subject to the prior approval of the Chair of the HCA. The Observers may take part in the discussions but shall not have voting rights.

Article 3

**AIMS**

The mission of the HCA is:

“To achieve the improvement of the quality, coverage and availability of nautical charting and other hydrographic information and services covering the region”.

This mission will be achieved by the following aims:

3.1 To promote technical co-operation in the domain of hydrographic surveying, marine cartography, and nautical information within the region.

3.2 To stimulate the Members, Associate Members and Observers forming the HCA to widen hydrographic activity in the region in accordance with Antarctic Treaty Consultative Meeting (ATCM) Resolution 5 of 2008 (Appendix C), and to encourage them to seek technical advice and assistance from the International Hydrographic Bureau (IHB) / Secretariat of the IHO in establishing and strengthening their hydrographic capabilities in order to promote safe navigation in the region.

3.3 To facilitate the exchange of information between Hydrographic Authorities and with other organisations concerning surveys, research or scientific, technical and operational developments, to aid in the planning and organization of hydrographic activities in the widest sense of the term.

3.4 To encourage Members, Associate Members and Observers forming the HCA to participate actively, of their own free will, on all possible occasions – whether in the form of advice or of assistance – in those hydrographic programmes requiring concerted action, but without prejudice to or interference with their national activities.

3.5 To examine the implications, in its area of interest, of matters of general interest with which the IHO is concerned, avoiding any interference with the prerogatives of the IHB and of any other Regional Commissions set up by the IHO.

3.6 To coordinate INT chart and ENC schemes for the region and to monitor their suitability.

3.7 To define the needs for new surveys and if necessary to develop co-operative approaches to meet those needs.

3.8 To facilitate the provision and wide dissemination of information for scientific purposes (for example through the GEBCO programme).

3.9 To establish working groups to carry out studies, when considered appropriate.

3.10 To develop an annual report of the status and plans for hydrographic surveys in the region, including updating and amplifying relevant IHO Publications.

3.11 The HCA may appoint working groups of Members and Associate Members interested in particular projects with the object of examining and executing such projects.

Article 4

**CONFERENCES**

4.1 The HCA shall meet in plenary conference in the country of one of its Members or Associate Members, or such other venue as may be selected, at least twice between two successive ordinary sessions of the International Hydrographic Conference (IHC) or once between successive ordinary sessions of the IHO Assembly.

4.2 At the end of each conference the Members and Associate Members desirous of hosting the following conference shall put forward their candidatures. Priority shall be given to a country that has not yet hosted a conference, or to the one that did so the longest time ago. In cases of equal priority a vote shall be held, the decision being taken by a simple majority of Members and Associate Members present.

4.3 If it is in the interest of the HCA, and agreed upon by a simple majority of Members and Associate Members, an alternative venue may be selected.

4.4 Members and Associate Members shall be represented at conferences by heads of Hydrographic Services or their nominees or, where such services do not exist, by heads of national authorities responsible for hydrography and navigation. They may be accompanied by advisors, but it is most desirable that their number be kept to a minimum.

4.5 The presence of a third (1/3) of the Members of the HCA shall constitute a quorum at all conferences.

Article 5

**CHAIR, VICE-CHAIR AND SECRETARIAT**

5.1 The activities of the Committee shall be conducted by the Chair, who shall be a Director of the IHB appointed by the President of the Directing Committee of the IHB / by the Secretary General of the IHO. The Chair shall also preside over the conference.

5.2 The Chair shall be assisted by a Vice-Chair from a Member State of the HCA. The Vice-Chair shall be elected at the beginning of each conference by a simple majority of those Members present.

5.3 The IHB/Secretariat of the IHO shall provide the Secretariat for the Commission regarding all questions to be dealt with by correspondence. The Chair will prepare a Provisional Agenda for the next conference and will present, as the first item, his report on the activities of the Commission since the last conference.

5.4 The Chair will report the activities and future plans of the HCA to the relevant bodies of the IHO. Between sessions, reports of studies or other activities, which may be considered of general interest to all Member States, should be reported through the Chair to the IHB/Secretariat of the IHO for general dissemination.

Article 6

**ORGANISATIONS OF CONFERENCES**

6.1 The Chair shall issue invitations at least six months before the conference.

6.2 Proposals to be included in the agenda of a conference shall be sent to the Chair and Secretary at least four months before the date fixed for the opening of the conference.

6.3 The Chair shall prepare the Provisional Agenda in consultation with the Vice-Chair and host nation, and forward it to the participants at least eight weeks before the opening of the conference.

6.4 The Chair shall be responsible for the organisation of the conference, in conjunction with the Vice-Chair and host nation.

6.5 The host nation shall provide the Rapporteur and the secretarial facilities for the conference.

6.6 The host nation shall be responsible for the expenses of the conference except those expenses described in Article 6.8 below.

6.7 The host nation will assist with the arrangement of authorisations and visas, so as to facilitate attendance at the conference.

6.8 All expenses connected with the participation of the Chair and the delegates in the conference shall be defrayed by their respective organizations.

Article 7

**CONFERENCE AGENDA**

7.1 The Agenda shall be adopted by the HCA at the beginning of each conference.

7.2 The HCA may modify in the course of the conference the order in which Agenda items are to be discussed.

Article 8

**DECISIONS AND RESOLUTIONS**

8.1 Decisions taken during each conference should be prepared in written form by the Chair and presented the next day to the participants present.

8.2 At the end of the conference, the Chair shall circulate the decisions taken during the conference. These decisions shall be adopted by means of a simple majority of the members present. Votes in favour shall be indicated by a show of hands unless a secret ballot is requested by any Member present. However, when the Chair, or a majority of Members present, decide that the decision so requires, the decision shall be made by correspondence. Such decision will be approved by a simple majority of the Members who have responded by the due date, provided that the number of votes received is at least equal to the quorum indicated in Article 4.5.

8.3 Only Members are entitled to vote, each having the right to one vote. The exception to this rule is found at Articles 4.2 and 4.3.

8.4 All decisions become operative immediately, except in the case where a Member objects and asks that the matter be referred to the IHO. However, such a procedure shall not be applicable to the provisions of articles 4.2 and 4.3, concerning the hosting of conferences.

8.5 The Chair shall dispatch within one month of the close of the conference a copy of the Summary Report containing the discussions, decisions and recommendations of the conference for verification or comment, to each Member, Associate Member and Observer. Comments are to reach the Chair within one month of the receipt of the Summary Report. The final version of the Minutes shall be forwarded within four months of the close of the Conference.

8.6 Any decision, which may be of interest to the Member States of the IHO as a whole, shall be brought to the attention of the IHB / Secretariat of the IHO. This fact shall be mentioned as part of the text of the decisions reached.

Article 9

**EXTRAORDINARY MEETINGS**

9.1 The Chair may call a meeting of the Members and Associate Members of the HCA when their representatives are assembled for a session of the IHC/ IHO Assembly, inviting others qualified to attend as Observers.

9.2 In the case of urgent matters, which cannot be treated by correspondence and which cannot be postponed until the next conference, the Chair, or a majority decision of the conference may request that an extraordinary meeting be held in a place considered most appropriate.

9.3 The provisions applicable to the conference shall apply to all extraordinary meetings.

9.4 When these extraordinary meetings do not include all Members, the decisions reached shall be reported by correspondence.

Article 10

**STATUTES**

10.1 The IHB / Secretariat of the IHO shall be the custodian of these Statutes.

10.2 Members of the HCA may propose amendments to the Statutes. The Chair shall submit the proposal(s) by correspondence to all Members for voting. A simple majority of Members of HCA is required for approval. If an amendment is approved, the Chair will update the Statutes and circulate them to all Members, Associate Members and Observers.

10.3 Updated versions of the IHO and ATCM resolutions will be added to the Statutes, as appropriate, by the Chair without the approval of the Members of the HCA. The changes would not constitute formal amendments to the Statues.

Article 11

**LANGUAGE OF THE HCA**

11.1 The working language of the HCA shall be English.

Approved by the Commission at the IHB, Monaco, September 2003.

Amendments approved at the HCA-7, Buenos Aires, Argentina, October 2007.

Amendments approved at the HCA-12 Montevideo, Uruguay, October 2012

Amendments approved at the HCA-13 Cadiz, Spain, December 2013

Amendments approved at the HCA-14 Tromsø, Norway, June 2016

**Appendices:**

A. Resolution 2/1997 of the IHO, as amended

B. Geographic Limits of IHO INT Chart Region M

C. Resolution 5 of the 31st Antarctic Treaty Consultative Meeting 2008