



MACHC Letter 22/2015

Date, 30 October 2015

To: MACHC members and Associate members

Subject: MACHC Statutes amendment

Dear colleagues,

This letter addresses agenda item 1.6 of the 16th MACHC Conference in December: MACHC Statutes amendments. Four MACHC action items have the MACHC statutes as their subject matter (see action list).

- *Action 15.4.* The IHB to submit a written proposal to be discussed at the XVIth MACHC Conference regarding the amendment of article 11a MACHC Statutes.
- *Action 15.4.2.1.*
 - The MACHC will draft a formal proposal to IRCC 7 on Spanish as a working language.
 - Mexico to assist the Chair in drafting the proposal.
 - The proposal will be submitted as a MACHC paper to the IRCC 7 meeting.
- *Action 15.4.2.2.* Mexico to engage other RHC's where they use Spanish as working language.
- *Action 15.5.2.1.* Drafting of a MACHC paper "Spanish as working language.

Below I will formulate a proposal for amendment of the MACHC Statutes following these action items.

Amendment related to Action 15.4

I have received the proposal from the IHB. It is intended to clarify the division of responsibilities between the Chair, the Host country and participants of the MACHC Conference.

ARTICLE 11: OF EXPENSES

- a) The Chair and the host country shall be responsible for the organisation of the Conferences ~~and shall pay the expenses except those described below.~~
- b) Travelling, hotel and per diem expenses of ~~the delegates~~ participants at Conferences shall be ~~the responsibility of the participants~~ or their respective organizations.
- c) ~~All expenses related to the provision of the venue and associated facilities for Conferences shall be the responsibility of the host country.~~

A similar proposal was introduced during the 15th MACHC Conference in Manzanillo. The proposed amendment describes the actual situation more truthfully and is therefore an improvement. Consequently I support this proposal.

Amendment related actions 15.4.2.1, 15.4.2.2 and 15.5.2.1

Spanish is a widely used language in the MACHC region. In order to advance the achievement of the objectives of the IHO and in particular the aims of the MACHC region, the use of the Spanish language, wherever possible, would be beneficial.

Since the last MACHC Conference discussions on this subject have continued, also during the IRCC7. In this respect it must be noted that the language policy of a Regional Hydrographic Commission should be treated separately to the language policy of the IHO. This is because the language policy of the IHO does not apply directly to Regional Hydrographic Commissions since they are guided by, but operate independently of, the IHO under their own Statutes.

So the various regulations of the IHO specify official languages and then allow for working languages for its subordinate bodies. Below this is described in more details.

- An official language of the IHO is a language specified in Article XII of the Convention on the IHO. This is currently English and French. To add an additional official language requires an amendment to the Convention on the IHO in accordance with article XXI of the Convention. This would take many years with an uncertain outcome. Of note: any Contracting Party may propose amendments to the Convention .
- A working language can be designated for each subordinate body of the IHO as part of the Terms of Reference for that body. The details such as resourcing, can be specified in the Terms of Reference. This allows for a case-by-case approach, taking into account the specifics of the body and the character of the event. For example English, French, Spanish and Russian are the working languages of the International Hydrographic Conference.

Within the context of the MACHC we should therefore focus on working language issues, not official language issues.

As noted during the last MACHC conference there is support "*to have some kind of inclusiveness of Spanish as working language*". There are however significant budgetary constraints in terms of supporting such inclusiveness. I therefore propose to amend the MACHC Statutes to reflect the special position of the Spanish language as follows.

ARTICLE 11: OF EXPENSES

- d) In order to support Spanish speaking participants at meetings of the Commission (see Article 13), all participants are strongly encouraged to provide in-kind and/or financial support to enable continuous interpretation at the meetings.

ARTICLE 13: Of THE LANGUAGES OF THE COMMISSION

- a) The working language of the Commission shall be English, with continuous interpretation at meetings to and from Spanish being provided whenever resources allow (see Article 11d).

This proposal mirrors the current situation in the IHO capacity building programme, where Spanish-speaking events are organised to meet specific needs as resources allow. The proposal also matches the experience gained during recent MACHC Conferences, where a continuous interpretation service between English and Spanish was successfully provided.

One of the other outstanding challenges for the MACHC-region is support for written communication in the two languages - English and Spanish. Not all Member States are fully proficient in the working language of English. Services like *Google Translate*, while improving in their quality, do not yet work well for technical details and nuances. So, there is a requirement for at least some translation services, in addition to continuous interpretation during MACHC Conferences. It may be appropriate to seek volunteers to take on a role in providing written translations of some or all of the MACHC-documents.

Proposed way ahead of actions Items

Action 15.4. Following the amendment, I propose to close this action item.

Actions 15.4.2.1, 15.4.2.2 and 15.5.2.1. Following the amendment, I propose to close these action items. These actions are ambiguous as to what their objectives are. They have characteristics of an official IHO language approach that is beyond the remit of the MACHC. Adding another official language of the IHO should be proposed separately by one or more Member States of the IHO. Meanwhile, the regional challenges of the MACHC are addressed in the proposed amendment to the Statutes and need no further IRCC intervention.

New action item. I propose to add as a new MACHC action item: "Member States to consider how to provide written translations of MACHC documents to and from Spanish, for instance as a voluntary service by a Member State".

Conclusion

As Chair I invite the Member States to consider and accept the proposals for the amendment of the Statutes and the way ahead for the action items.

Yours sincerely,



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