

Paper for consideration by MACHC

Procedure for the MACHC to designate representatives to the IHO council

Submitted by:	France
Executive Summary:	this paper comments the adaptations proposed by the MACHC letter 23/2015 to the generic template proposed by IHB for the selection of members of the Council on a regional basis
Related documents:	<ul style="list-style-type: none"> a) IHO convention as amended by the protocol of amendments b) IHO publication P-6 – Report of Proceedings of the EIHC-5 – Decision 6 (Council selection process) c) MACHC statutes, as amended (December 2013) d) MACHC Letter 23/2015, dated 6 November 2015

Background

1. The MACHC letter 23/2015 proposes a procedure for the selection of MACHC representative(s) to the IHO council. This procedure takes into account the guidance adopted by the EIHC-5 on the process by which the Secretary General shall allocate the number of seats within each RHC, and is based on a generic procedure proposed by IHB for the selection of regionally selected members of the Council. It proposes for the MACHC the two following adaptations:

- a) Automatic selection of the Member State (MS) from which is the chair of the MACHC, in case it is candidate.
- b) Removal of the “2/3 required quorum” proposed by IHB for the selection of representatives.

Analysis and discussion

On the automatic selection of MACHC chair

2. It reduces the possibilities of Member States’ choice, without clear advantage from their perspective. Of course, these possibilities includes the one to select the MS from which is the chair, if MS wish to do so.

3. The IHO convention, as amended by the protocol of amendments, states that “*Member States shall take seats in the Council ... Members of the Council shall hold office until the end of the next ordinary session of the Assembly*”, which meets every three years. On the other hand, the MACHC statutes set that “*The Chair and Vice Chair of the Commission shall be from a Full Member State of the Commission, elected on a rotational basis. Under normal circumstances, the term for the Chair and Vice Chair will be two years*”. It follows that MACHC Chair will change between two ordinary session of the Assembly, while this is not possible for a member of the Council, thereby preventing to maintain identity between the two offices.

4. In case two seats would be awarded to MACHC's MS, it is recommended to conduct a same selection process at the same time for both seats.

On the quorum for the election of MACHC representatives

5. It is understood the removal of the '2/3 required quorum' results in selecting the region representatives at the IHO council with the MACHC Conference quorum. Thus, in case that a vote is necessary, a MS might be selected by MACHC with just 25% of the MS votes (simple majority of a 50% MS quorum according to MACHC statutes), or less if more than two MS are candidates to one seat. In order to improve the representativeness of the selected MS, MACHC could consider having a higher quorum for a postal vote than for a Conference vote.

Recommendations

6. It is recommended:

- a) To conduct the selection process without putting the MS which happens to provide the MACHC chair at the opening of the IHO council, in a particular position.
- b) To adopt the 2/3 required quorum in order for the member(s) of the Council selected by MACHC not to be less representative as members from other region that will respect this criterion.
- c) More generally, that MACHC sticks to IHB proposals in order to have a process for the selection of its representatives as homogenous as possible with other RHC's and to adapt the process only when there are strong specific reasons.