

BASWG-9 MEETING FINAL REPORT

1. Opening and Administrative Details

The 9th meeting of the Working Group on Safety of Navigation in the Black and Azov Seas (BASWG-9) took place in the Military Hotel in Constanza, Romania, under the Chairmanship of Rear Admiral Mustafa İPTEŞ, Director of the TN-OHNO (Turkish Navy-Office of Navigation, Hydrography and Oceanography) to discuss hydrographic, cartographic and MSI dissemination issues and cooperation between the Black Sea countries in order to fulfill SOLAS requirements and IHO recommendations throughout the region. Bulgaria, Romania, Turkey, Ukraine, Spain (NAVAREA-III Co-ordinator), and IHB (the President of the IHB Directing Committee) representatives attended the meeting.

Director of Maritime Hydrographic Directorate (MHD) of Romania, Dr. Capt. Romeo BOŞNEAGU, welcomed all participants. Then, the meeting was opened by the Chairman, who pointed out the important works that should be done by the BASWG, especially to finalize the Terms of Reference (ToR) in order to define the status, works and rules of procedures of the WG, to solve the INT Chart production responsibility problems, to agree on ENC scheme in the Black Sea to cover whole region with high quality and consistent ENCs, to facilitate a cooperation between Black Sea countries by bilateral agreements and to improve capabilities for surveying, charting and Marine Safety Information (MSI) dissemination. The Chairman also emphasized that the BASWG is a good platform and would enable general discussions on all "Safety of Navigation in the Black Sea"-related subjects and to draw conclusions that will be reported consequently to Mediterranean and Black Sea Hydrographic Commission (MBSHC).

2. Adoption of the Agenda

No comment or suggestion for changing the proposed agenda was expressed. The WG adopted the agenda (see Appendix-1).

3. Status of the action list from previous meetings and Terms of Reference

a. List of actions of the 8th BASWG meeting:

No.	Decisions	Actions
BASWG8/01	BASWG Member States (MS) to approve and/or to develop new comments for the final draft of status, terms of reference and rules of procedure of the BASWG by the end of July 2008.	No comments Superceded
BASWG8/02	BASWG MS to present national updates concerning surveying, charting and MSI dissemination activities in the next WG meeting.	Done
BASWG8/03	BASWG MS (Bulgaria, Georgia, Romania and Russian Federation) to update the IHO Special Publication No. S-55 as soon as possible and all MS to update S-55 each year or anytime needed.	Ongoing

BASWG8/04	Ukraine to send the draft bilateral agreement to the other BASWG MS concerning not to pay royalty for paper charts, BASWG MS to sign bilateral agreement to achieve surveying, charting and MSI dissemination in conformity with the IHO standards and to consider the draft bilateral agreement proposed by Ukraine.	Done Superceded
BASWG8/05	BASWG MS to send amendments, new charts and joint production requirements for the INT Chart Catalogue to MEDINCHART Co-ordinator by the end of July 2008 and to attend a technical meeting in September 2008 to discuss and finalize INT chart producing responsibility problems.	Superceded
BASWG8/06	BASWG MS to consider and/or develop new comments for the Black Sea ENC scheme proposed by Turkey by the end of July 2008.	Superceded
BASWG8/07	Romania to distribute their ENCs through RENCs, Bulgaria and Georgia to consider Turkey proposal concerning partnership in ENC production.	Superceded
BASWG8/08	Turkey to inform MS concerning process of establishing NAVAREA-III sub-area in the Black Sea.	Superceded
BASWG8/09	Chairman to send a letter regarding especially MSI training and technical visits possibilities of CBC for the Black Sea to the chairman of the CBC.	Done
BASWG8/10	Romania to write to the chairman specific dates of the next BASWG meeting which will be held in Constanza, Romania by the end of 2008.	Done

b. Terms of Reference (ToR) for the BASWG

During the 8th meeting of the WG, the draft Terms of Reference (ToR) concerning the status, tasks and rules of procedures of the BASWG was prepared with the valuable contributions of the participants and the president of the IHB. No comment has been received for the draft ToR by the end of July 2008 regarding the relevant decision (BASWG 08/01). Under the agenda of the meeting, the draft ToR was reviewed for the last time and finalized with minor changes (see Appendix-2). In this regard, Black Sea countries are kindly requested to submit any objection and comment no later than 30 June 2009 on the final draft, and then it will be submitted by the Chairman before the next meeting of the MBSHC for endorsement (BASWG-9/01 and BASWG-9/02).

4. National Updates

National updates of the Black Sea countries concerning the hydrographic surveys, charts, publications, MSI dissemination, oceanographic and capacity building activities in the Black Sea region were presented by the representatives of the Member States. In a summary; modern hydrographic survey coverage and ENC coverage has not been achieved in Bulgaria, Georgia and Romania's areas of responsibility in the region according to the presentations (no information about Russian Federation's area of responsibility). But, the representatives of Bulgaria and Romania indicated that their HO's

were equipped with modern systems and multi beam survey and ENC coverage will be completed soon.

On the other hand, about the IHO Special Publication No. 55 (Status of Hydrographic Surveying and Nautical Charting Worldwide, S-55); the importance of updating the S-55 for the Black Sea coastal states in order to evaluate the current status and progress of hydrographic surveys and nautical charting in the region was emphasized by the Chairman. In this regard, he noted that only Turkey has updated the relevant pages of the document from the last WG meeting and it was requested from the Black Sea countries to update the S-55 according to the relevant decision of the WG (BASWG-8/03).

The Chairman also pointed out that there is no text format for national updates and, therefore the presentations are not standard. It was decided that Turkey to prepare the text format for national updates in line with the format for MBSHC before the next WG meeting (BASWG-9/03).

5. Cooperation Activities

The current status of bilateral agreements of the Black Sea countries was presented in national updates under the agenda.

During the last WG meeting, Ukraine stated that current Ukrainian internal law, rules and/or regulations do not permit State Hydrographic Service of Ukraine to pay royalty for hydrographic and cartographic issues. Therefore, it was proposed that the bilateral agreements between Black Sea countries should be exempt from royalties only for paper charts, like the draft agreement between Ukraine and Russian Federation, which can be used as a template for this purpose. Then, the draft bilateral agreement concerning not to pay royalty for paper charts was sent to the other BASWG MS' consideration by Ukraine, according to the relevant decision (BASWG 08/04).

The importance of working in collaboration and improving our partnership through bilateral agreements and joint hydrographic surveys in order to achieve surveying, charting and MSI dissemination in conformity with the IHO standards, especially on the main navigational routes in the Black Sea was stressed by the Chairman, and Black Sea countries were encouraged to sign the bilateral agreements which are under progress, and then, to considered the draft agreement to proposed by Ukraine (BASWG 08/04).

6. Black Sea INT Charts

“INT chart scheme of the Black Sea” and the “proposals for amendments/new chart proposal to the INT Chart Catalogue” topics were discussed under this agenda.

As discussed in the previous WG meeting, the current Black Sea area in INT Chart Catalogue (IHO publication no. M-11) is not up to date. Especially, after the disintegration of former USSR, producing nation for the relevant charts has been changed and therefore the catalogue needs to be updated accordingly. In this regard, it was decided that BASWG MS to send amendments, new charts and joint production requirements for the INT Chart Catalogue to MEDINCHART Co-ordinator by the end of July 2008 and to attend a technical meeting in September 2008 to discuss and finalize INT chart producing responsibility problems (BASWG 08/05).

Then, the MEDINTCHART activities were suspended due to cancellation of the technical meeting, which would be held in Paris in September 2008. Therefore, no progress has been achieved up to now regarding updating the relevant pages of the INT Chart Catalogue and publishing the new version of it. But, as explained by the Chairman, MEDINCHART activities will be continued after the next MBSHC meeting in Odessa in September 2009. Therefore, the WG will continue to work on updating the Black Sea INT Scheme and to present new proposals and amendments to the Catalogue.

As a result, BASWG MS were invited to reach an agreement for the proposals and amendments to the INT Chart Catalogue and to send agreed proposals and amendments to Chairman and the Chairman to send agreed proposals and amendments for the Catalogue to the Chairman of the MBSHC and INT Chart Coordinator (BASWG-9/04).

7. ENC Issues

“ENC coverage status in the Black Sea”, “ENC scheme of the Black Sea (Production responsibilities, consistency etc.)” and “Co-operation on ENC production (BSHC Model – CL 89/2008)” topics were discussed under this agenda.

Regarding the status of ENC coverage in the Black Sea, the gaps (Bulgarian and Romanian waters) and overlaps (Ukrainian ENCs) were projected in the brief presentation given by Turkey. The relevant decisions of IMO bodies concerning the ECDIS mandating commencing in 2012 and the IHO commitment to achieve adequate coverage, availability, consistency and quality of ENCs by 2010 in order to support mandatory ECDIS carriage and promote the usage of ENC by the mariners were reminded to BASWG Members by the Chairman.

Concerning the Ukrainian ENC coverage in the Black Sea, Ukrainian representative stated that all overlapping Ukrainian cells will be removed with new ENC scheme in 2010. On the other hand, for the gaps in both Bulgarian and Romanian waters will be covered soon with new ENCs produced by State Hydrographic Service of Bulgaria and Maritime Hydrographic Directorate of Romania stated by Bulgarian and Romanian representatives.

Regarding the ENC scheme of the Black Sea, the draft scheme, based on current Black Sea INT charts and agreed Economic Exclusive Zone (EEZ) limits, proposed by Turkey in the previous meetings were discussed. All members were agreed on the draft scheme in general, all participants demanded the specific coordinates of the production responsibility area limits to be determined.

As a result, BASWG MS were invited to prepare the specific coordinates of the production responsibility area limits by correspondence and to reach an agreement by the end of August 2009 and then the Chairman to send agreed Black Sea ENC Scheme to the Chairman of the MBSHC before the next MBSHC meeting for endorsement (BASWG-9/05). Only the production responsibility area limits in the Azov Sea will be agreed by Russian Federation and Ukraine together, as Ukrainian representative demanded. It was also recommended by the WG, Romania and Bulgaria to distribute their ENCs through Regional ENC Coordination Centres (RENCs) (BASWG-9/09).

8. Status of MSI coverage in the Black Sea

The Chairman briefly explained progress on establishing sub-area of NAVAREA-III in the Black Sea and the presentation, which was presented in the last CPRNW meeting in Brazil, concerning the need for establishing sub-area in the Black Sea and Turkey's capabilities, was given by Turkey and the proposal to serve as the sub-area coordinator was reiterated.

Spanish representative, as a NAVAREA-III Coordinator, stated that to establish a sub-area in the Black Sea will probably facilitate the improvement of the safety of navigation in the region.

Bulgarian representative stated that they had informed about the proposal first time and will forward this proposal to the relevant Bulgarian maritime authority. He also added that Turkey should send this proposal formally through diplomatic channels containing the detailed information like advantages of establishing sub-area, responsibilities and duties of coordinator, etc.

Romanian representative stated that MHD's approach is positive for the proposal in general, but he also added that MHD is not the relevant authority to decide.

Ukraine stated that it is not necessary to establish a sub-area in the Black Sea.

As a result, it was decided that Turkey to send to the Member States detailed information concerning proposal of establishing NAVAREA-III sub-area in the Black Sea (BASWG-9/06). And then, the final decision for establishing NAVAREA-III sub-area in the Black Sea will be given by the relevant commissions of the IMO and IHO.

9. Capacity Building

The Chairman gave an overview brief about the past capacity building activities of the BASWG and reminded that the technical visits, as a part of approved IHB Five-Year Work Programme, will be discussed in the frame of MBSHC works. Therefore, the only opportunities for the Black Sea countries to benefit from the hydro-cartographic training programmes in the "International Maritime Safety, Security and Environment Academy" (IMSSEA), which will be formed in Genoa and be operational in the period 2010/2011 (IHB CL 88/2008) and the capacity building projects such as Japan Capacity Building Project, he added.

As a result, Member States are recommended to send nominees to capacity building projects of the IHO such as Japan Capacity Building Project (BASWG-9/10).

10. Any Other Business

The President of the IHB Directing Committee, as a IHB representative, gave a brief information about "Reports and Proposals for the 4th Extraordinary International Hydrographic Conference" and "Establishment of the Working Group on the Revision of Special Publication-23 Limits of Oceans and Seas" and he encouraged the MSs to attend the upcoming Extraordinary International Hydrographic Conference and to take part in Working Group on S-23 in order to publish new edition of S-23, which seems a big challenge for the IHB, because of the disputed sea areas.

11. Date and Venue of the Next Meeting

Turkey offered to host the next BASWG meeting (10th meeting) in Istanbul in 2010. The specific dates and venue of the BASWG-10 meeting will be announced by the Chairman.

12. Decisions and Recommendations

The following decisions and recommendations have been decided by the WG:

No.	Decisions
BASWG-9/01	BASWG Member States to approve and/or to develop new comments for the final draft of status, terms of reference and rules of procedure of the BASWG by the end of June 2009.
BASWG-9/02	Chairman to send the approved status, terms of reference and rules of procedure of the BASWG to the Chairman of the MBSHC no later than July 2009 for endorsement in the next meeting of MBSHC in September
BASWG-9/03	Turkey will prepare text format for "National Update" in line with the format for MBSHC before the next meeting.
BASWG-9/04	Member States are invited to reach an agreement for the proposals and amendments to the INT Chart Catalogue and to send agreed proposals and amendments to Chairman Chairman to send agreed proposals and amendments for the INT Chart Catalogue to the Chairman of the MBSHC and INT Chart Coordinator
BASWG-9/05	Member States to consider and/or develop new comments for the Black Sea ENC Scheme proposed by Turkey and are invited to reach an agreement by the end of August 2009. Chairman to send agreed Black Sea ENC Scheme to the Chairman of the MBSHC before the next MBSHC meeting for endorsement
BASWG-9/06	Turkey to send to the Member States detailed information concerning proposal of establishing NAVAREA-III sub-area in the Black Sea.
BASWG-9/07	Chairman to inform the Member States concerning the date and venue for the next BASWG meeting.

No.	Recommendations
BASWG-9/08	Member States to sign bilateral agreement to achieve surveying, charting and MSI dissemination in conformity with the IHO standards / recommendations and to consider the draft bilateral agreement proposed by Ukraine.
BASWG-9/09	Romania and Bulgaria to distribute their ENC's through Regional ENC Coordination Centres (RENCs).
BASWG-9/10	Member States to send nominees to capacity building project of the IHO such as Japan Capacity Building Project.
BASWG-9/11	Chairman to invite the representative of United Kingdom Hydrographic Office (UKHO) as an observer as appropriate.

13. Closing

In closing the meeting, the Chairman expressed his gratitude to all the participants for their very active and valuable contributions to the meeting. He also thanked the Director of Maritime Hydrographic Directorate (MHD) of Romania, Dr. Capt. Romeo BOȘNEAGU for his excellent support and hospitality during the meeting.

The 9th meeting of the BASWG closed at 1400 on Friday, 24 April 2009.

APPENDIX :

Appendix-1 (Agenda Items)

Appendix-2 (Terms of Reference)

Provisional Agenda of 9th BASWG Meeting (Rev.3)

1. Opening and administrative arrangements
 - Administrative details,
 - List of participants,
 - Opening remark (Chairman).
2. Adoption of the agenda
 - Agenda items.
3. Status of the action list from previous meetings
 - List of actions arising from the 8th BASWG meeting,
 - Terms of Reference for the BASWG.
4. National Updates
 - Status of hydrographic surveys, charts, publications and MSI dissemination,
 - Capacity building activities,
 - Oceanographic activities,
 - Discussion of key points arising from national reports.
 - Contributions of Black Sea countries to S-55
5. Co-operation activities
 - Status of bilateral arrangements,
 - Projects,
 - Proposal for further co-operation.
6. Black Sea INT Charts
 - INT chart scheme of the Black Sea,
 - Proposals for amendments/new chart proposal to the INT Chart Catalogue
7. ENC issues
 - ENC coverage status in the Black Sea,
 - ENC scheme of the Black Sea (Production responsibilities, consistency etc.),
 - Co-operation on ENC production (BSHC Model – CL 89/2008).
8. Status of MSI coverage in the Black Sea
 - MSI dissemination activities in the Black Sea
 - Progress on establishing sub-area of NAVAREA-III

9. Capacity building

- Capacity building activities,
- Training requirements.

10. Any other business

- Reports and Proposals for the 4th Extraordinary International Hydrographic Conference
- Establishment of the Working Group on the Revision of Special Publication 23 "Limits of Oceans and Seas"

11. Date and venue of the next meeting

12. Decisions and recommendations

13. Closing

**WORKING GROUP ON THE SAFETY OF NAVIGATION
IN THE BLACK AND AZOV SEAS**

1. STATUS

This Working Group is constituted within the framework of the Mediterranean and the Black Seas Hydrographic Commission (MBSHC).

2. OBJECTIVE

The main objective of the WG shall be to consider the hydrographic, cartographic, navigational and maritime safety information needs (MSI) and requirements of the States in the region and coordinate the appropriate actions.

3. TERMS OF REFERENCE

The WG shall specifically examine the following issues:

- a. Status and needs of hydrographic surveying
- b. Status and needs for the production of paper and electronic navigational charts (ENCs)
- c. Status and needs for the promulgation of MSI
- d. Status of aids to navigation
- e. Capacity building and training needs and requirements
- f. Cooperation arrangements of the States in the region
- g. Coordination of needed actions to implement the above

4. RULES OF PROCEDURE

- a. Members of the WG shall be the countries bordering the Black and Azov Seas who are members of the IHO
- b. The countries bordering the Black and Azov Seas who are not members of the IHO, but who wish to cooperate in the work of the WG
- c. Other Member States of the IHO outside the region may become associate members, if they contribute in the topics of interest to the work of the WG
- d. Associate members shall have the same rights and obligations as the members of the working groups, except the right to vote
- e. Representatives from other international organizations (IMO, IALA, IMSO, IOC etc.) contributing to the work of the WG may be invited to participate in the meetings
- f. Chairman of the WG will be elected among the IHO members of the WG for a period of two years. He may stand for re-election
- g. The representative of the country hosting the meeting will act as Vice Chairman
- h. A representative of the IHO Directing Committee shall participate in the meetings of the WG
- i. The Chairman of the MBSHC and the NAVAREA-III Coordinator will also be invited to participate

- j. The WG will meet the year after the meetings of the MBSHC, between the meetings of the MBSHC or as it may be deemed appropriate by the WG,
- k. Decisions shall be taken by unanimity of the members
- l. The letter of invitation of the meetings, a draft agenda and any required documents will be dispatched by the Chairman three months before the meeting
- m. The minutes of the meetings, decisions and activities of the WG will be sent to the Chairman of the MBSHC, NAVAREA-III Coordinator, MEDINTCHART Coordinator and the IHB in order to be considered as appropriate