

19th Meeting of Mediterranean and Black Seas Hydrographic Commission (MBSHC)
Batumi, Georgia, 30 June - 2 July 2015

Paper for consideration by MBSHC

**A coastal state has the exclusive right to survey/ chart and issue ENCs
for the waters within its national jurisdiction**

Submitted by:	GR
Executive Summary:	The MBSHC is invited to reaffirm the respect to the WEND principles and endorse the implementation of Annex to IHO Resolution 1/1997 as amended (K.2.19) 'Guidance for the Establishment of ENC Production Boundaries' in Mediterranean regarding the right of HOs to be the sole producer of ENCs within waters of national jurisdiction.
Related Documents:	a. IMO Convention for the Safety of Life at Sea (SOLAS) b. IHO WEND Principles c. IHO S-66 d. Third United Nations Convention on the Law Of the Sea (UNCLOS III)
Related Projects:	
Enclosure:	

Introduction/ Background

1. The purpose of HOs is to provide mariners with the most up to date data aiming to the safety of navigation, in line with the obligations arising from SOLAS. Regarding ENCs production, IHO assumed the responsibility to provide mariners with an adequate and up-to-date seamless database. One of the fundamental principles for the realization of that purpose is the respect to HOs' sole right to chart the waters of its national jurisdiction.

Analysis / Discussion

2. Showing respect to the coastal state's exclusive right to surveying/ charting/ issuing ENCs for the waters of national jurisdiction has the following advantages:

- a. Less overlaps among ENCs issued by neighboring coastal states.
- b. Provide the mariners with the most accurate data possible.
- c. Ensure the dissemination of updated data to the mariners.
- d. Consistency with the WEND principles.

3. The impingement of the basic principle that the coastal state is the producing ENC country for waters within its national jurisdiction, poses a threat to the following:

- a. Products updating (insufficient ENC updates).
- b. ECDISs' performance (creation of extended overlaps), and to
- c. The safety of navigation overall.

4. IHO's decisions are recommendations to the Member States and as such only the mutual understanding among HOs and respect to the IHO's decisions can protect its purpose.

Recommendations

5. MBSHC members are invited to re-affirm their respect to WEND principles and that, unless responsibility has been officially delegated to another country or as bilaterally agreed, each coastal state has the exclusive right to survey/ chart and issue ENC's for waters within its national jurisdiction.

Action required of MBSHC

6. The MBSHC is invited to endorse the implementation of WEND Principles in Mediterranean with respect to the right of HO's to be the sole producer of ENC's within waters of national jurisdiction.