

Revision of NHC Statutes

[Submitted by Finland]

[25 June 2014]

Introduction

At NHC 57th meeting it was noted that the NHC Statutes were partly outdated and there was some confusion the NHC Co-operation Agreement signed in 2001. At that time it was also estimated that the IHO amended Convention may enter into force in 2014 and that has influences to RHCs. NHC57 Action 12 tasked "*Chair to revise the statutes and iterate by correspondence to NHC members and prepare for decision at NHC58. First iteration in September 2013.*"

In September 2013 Finland forwarded a questionnaire to NHC Members asking for some basic issues for revising the statutes.

Based on the feedback to the questionnaire Finland forwarded in February 2014 a proposal for revised NHC Statutes (Version 0.1) to NHC Members for their review and comments. Comments received to that draft dealt mainly the Chairmanship of NHC.

On 16 April 2014 Finland forwarded the second draft proposal of revised NHC Statutes to NHC Members (Version 0.2). There were proposed some alternative ways for defining the Vice-chairmanship. No comments were received to that draft.

In the proposed Version 0.3 the Vice-chair is defined as the deputy of the Chair. This is justified by the practice that the country chairing the Commission also organises its meetings.

The ratification of IHO Convention is still ongoing. When the new Convention enters into force, the NHC Statutes should be amended at least on those parts dealing with the NHC representative to the IHO Council. Further guidance for that is expected from IHB.

Proposed revised NHC Statutes

Proposed revised NHC Statutes Version 0.3 are in *Annex 1*.

Actions asked from NHC58

The NHC58 is asked to approve the proposed NHC Statutes.

Annex1. Proposed revised NHC Statutes.

Proposed
Draft Revised Statutes
of
the Nordic Hydrographic Commission
(NHC)

Draft Version 0.3

25 June 2014

Notes:

This version contains some references to the amended IHO Convention which was approved 2005. These could be specified more exactly when there is available more information on the status of approval and more guidance from IHB.

Article 1. Preamble

Considering that the International Hydrographic Organization (IHO) is a competent international organization recognized in the United Nations Convention on the Law of the Sea (UNCLOS);

Considering that the IHO has a consultative and technical nature;

Considering that the IHO aims at coordinating on a worldwide basis the setting of standards for the production of hydrographic data and the provision of hydrographic services as well as facilitating capacity building of national hydrographic services;

Considering that the IHO has approved its amended Convention in 2005, and when this enters into force it has implications to Regional Hydrographic Commissions;

Considering the guidance in the IHO Resolution 2/1997 as amended regarding the Establishment of Regional Hydrographic Commissions;

Considering that the Nordic Hydrographic Commission (NHC) has been established in 1929, and has worked actively and successfully since that;

The Hydrographic Offices of Denmark, Finland, Iceland, Norway and Sweden have agreed to continue the existence of the NHC and to review and update these NHC Statutes.

Article 2. Interpretation

- a) These Statutes are not binding under international law. Activities by Members, Associate Members and Observers under the Statutes are undertaken voluntarily, on a consultative basis, and are subject to the availability of funds. The NHC has no authority over Members or Associate Members.

Article 3. Objectives of the NHC

The NHC has the following objectives:

- a) To promote technical cooperation in the domain of hydrographic surveying, marine cartography and nautical information;
- b) To facilitate the exchange of information concerning surveys, research or scientific and technical developments and hydrographic activities; and
- f) To contribute to the work of the IHO, as found feasible.

Article 4. Membership

- a) Full Members are the Hydrographic Offices of Denmark, Finland, Iceland, Norway and Sweden.
- b) Associate Members may be approved according to the IHO Resolution 2/1997 as amended.

- c) Approval of Associate Members will be made by consensus amongst full Members.
- d) IHO representative enjoys the same status as an Associate Member.

Article 5. Chairmanship and Secretary

- a) The NHC Chair and Vice-Chair will be elected on NHC Ordinary meetings.
- b) The Chair should preferably be the head of a Member's Hydrographic Office. Vice-Chair is normally the deputy of the Chair.
- c) The Chair and Vice-Chair assume their responsibilities from closing the Meeting where elected to the closing of the next Ordinary Meeting.
- d) The order of the Chairmanship is Iceland, Norway, Denmark, Sweden, Finland.
- e) The Chair is responsible of the Secretary services for the NHC and its Meetings.

Article 6. Meetings

- a) Normally, only Members may participate to the Meetings.
- b) Observers or Stakeholders may participate on Chair's approval, according to the IHO Resolution 2/1997 as amended.
- c) Ordinary meetings should be held at least twice between IHO Conferences. [When the 2005 approved amended IHO Convention enters into force Ordinary Meetings should be held at least once between Assemblies.](#)
- d) In exceptional cases, the Chair may invite Extraordinary meetings.
- e) The Chair is responsible for organising and preparing the Meetings. The Chair conducting a Meeting is responsible for the Minutes of that Meeting.
- f) Working language of the NHC is English.
- g) In connection to NHC Meetings there may be open forums where Observers or Stakeholders may be invited by the Chair.

Article 7. Decisions and Resolutions

- a) Decisions and Resolutions should be approved as far as possible by consensus amongst the Members.

- b) If voting is needed, each Member has one vote and the decisions will be made by simple majority of votes of all Members.

Article 8. Participation to the IHO Council

[To be specified when the 2005 approved amended IHO Convention enters into force. More guidance expected from IHB].

Article 9. Working Groups

- a) NHC may establish Working Groups when found feasible.

Article 10. Expenses

- b) All expenses connected to meetings or working groups shall be defrayed by the participants.

Article 11. Enter into force, amendments and abrogation

- a) These Statutes enter into force when signed by all Members.
- b) These Statutes replace all previous NHC statutes.
- c) These Statutes may be amended by consensus decision of the Members.
- d) These Statutes may be dissolved by consensus decision of the Members.
- e) The International Hydrographic Bureau (IHB) is the repository of these Statutes. When the 2005 approved amended IHO Convention enters into force the IHB will be replaced by the "IHO Secretariat".

Signatures

Member State	Duly authorized representative	Date	Signature
Denmark	Mrs Anne-Sofie Jensen		
Finland	Mr Rainer Mustaniemi		
Iceland	Georg Kr. Lárusson		
Norway	Mr Evert Flier		
Sweden	Mr Patrik Wiberg		