

Guidance on the Role and Activities of Representatives on Council

(NIOHC6 Action 15.2 on NIOHC Chairman)

Context

1. Action derives from discussion under agenda Item 15 (SPWG Report and Development of procedure for selecting representatives to Council).
2. Relevant extract from minutes of NIOHC 6:
*“49. ... Under the proposed Rules of Procedure, all IHO Member States should have the opportunity to be represented on Council, or to vote for who will represent them. UK stated that it would not put itself forward as a candidate for representative of the NIOHC. India expressed its wish to become the NIOHC representative. The meeting decided that the subject should be discussed again at the next meeting of the NIOHC when a definite procedure for selection of NIOHC representatives would need to be agreed. **The Chairman pointed out the need for an awareness of the responsibilities of representation in respect of input, resourcing and time.**”*

Guidance

Member States holding a seat on Council

- Member States holding a seat on Council may be represented at Council meetings by one or more representatives, one preferably the head of the hydrographic office.
- Member States holding a seat on Council should attend all meetings of IHO Council (at least once a year, normally not more than 3 working days), normally in Monaco.
- Council meetings will include consideration of: election of Chair and Vice-Chair, items requested by Assembly, items requested by subsidiary organs, three-year budget of the IHO, annual financial statements, annual IHO Work Programme, items proposed by MS or Secretary-General.
- Member States holding a seat on Council should ensure adherence to the working procedures set out in the documents, and timely responses to IHB requests for contributions.
- Responsibilities of representation at Council include active participation within the forum, input, resourcing (both staff and finance) and time.

IHO Member States holding regional representation seat on Council

There are additional obligations on those Member States which hold one of the regional representation seats on Council (two thirds of the total seats):

- To ensure that they represent the interests of, and inputs from, the RHC they have been selected to represent
- To report back to the RHC on the Council activities and discussions, and, more specifically, on the implications for their region.

IHO Member States not holding a seat on Council

- May participate in all meetings of Council.
- Should provide full support, input and views to their Regional Hydrographic Commission representative(s) with a seat on Council.

Selection of Members of Council

General Regulations of the International Hydrographic Organization (IHO) cover, at Article 17, the selection of members of Council. A copy is provided as an Annex to these notes.

Other RHCs have discussed the matter, and, if considered relevant to facilitate NIOHC's discussion, their decisions and actions can be provided.

It is important to remember that this discussion relates to NIOHC's consideration of its preferred means of selecting appropriate representation for its region on Council.

NIOHC Secretariat

February 2007

Extract from General Regulations of the IHO

Selection of Members of the Council

ARTICLE 17

The Council shall be composed of Member States. Its composition shall be determined in accordance with the following principles.

- (a) No Member State may hold more than one Council seat;
- (b) Two-thirds of Council seats shall be held by Member States selected by the RHCs. Each RHC shall be entitled to select at least one Member State, subject to the following:
 - (i) a Member State may only apply to be selected by a RHC of which it is a full member;
 - (ii) a Member State may only apply to be selected by one RHC;
 - (iii) a Member State must apply to the RHC for selection, copying its application to the Secretary-General, at least six months before an ordinary session of the Assembly;
 - (iv) the number of seats allocated to each RHC shall be calculated by the Secretary-General based on the principle of a proportional representation in order to arrive at the required two thirds of Council seats provided for in this sub-paragraph (b);
 - (v) for the purpose of deciding how many Council seats are allocated to a RHC, no Member State applying for selection shall be considered a member of any RHC other than the one to which it has applied for selection;
 - (vi) three months before the ordinary session of the Assembly, the Secretary-General shall inform all Member States of the number of seats allocated to each RHC and those Member States eligible for selection by each RHC; and
 - (vii) each RHC shall declare to the Secretary-General, before the last day of each ordinary session of the Assembly, the Member States it has selected to take seats on the Council from among those eligible for selection.
- (c) The remaining one-third of Council seats shall be held by Member States that have the greatest interest in hydrographic matters and have not been selected under the procedure described in sub-paragraph (b) above. The definition of what constitutes an interest in hydrographic matters shall be reconsidered at the latest at the second Assembly meeting. Meanwhile, the scale by which an interest in hydrographic matters is measured shall be national flag tonnage. The table of national flag tonnages is derived in accordance with the procedures set forth in Articles 5 and 6 of the Financial Regulations. The Secretary-General shall determine which Member States will hold this one third of Council seats by identifying them in descending order of their national flag tonnages, referring to the table of current national flag tonnages produced in accordance with Article 6(a) of the Financial Regulations, and by having ascertained the willingness of each of them to hold a seat on the Council.
- (d) Before the end of the ordinary session the Secretary-General shall submit the full list of Council members to the Assembly.
- (e) The Assembly shall review and endorse the selection process to ensure that these principles have been correctly followed.
- (f) In the event that a Member State holding a seat on the Council should be denied voting rights and benefits in accordance with Article XV of the Convention, that Member State shall immediately forfeit its seat and the Secretary-General shall initiate the appropriate procedure to replace it in accordance with this Article 17.