INTERNATIONAL HYDROGRAPHIC ORGANIZATION

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IHO COUNCIL – CONSEIL DE L'OHI

1ST MEETING OF THE IHO COUNCIL

IHO C-1

Monaco, 17-19 October 2017

SUMMARY REPORT

(Version dated 31 October 2017)

Note: *while the 1st meeting of the IHO Council was conducted according to the timetable, this summary report is in line with the sections of the agenda.*

Annex A: *List of Participants*

Annex B: *C-1 agenda*

Annex C: *Possible conflict between IHO Convention and Council Rules of Procedure (UK's ad hoc analysis).*

Annex D: *Strategic Plan Review Working Group Terms of Reference and Rules of Procedure (draft)*

Annex E: *List of Decision and Actions*

1. OPENING

1.1. Opening remarks and introductions

Docs: *C1-1.1A* *List of Documents*

C1-1.1B *List of Participants*

C1-1.1C *Membership Contact List*

The Secretary-General, Dr Mathias Jonas, who is the Secretary of the Council, welcomed all participants to the first meeting of the IHO Council (C-1). He highlighted the importance of the Council and the background to its establishment. He noted that the process of establishment did not fully articulate the details of the role and the work processes of the Council. He highlighted the IHO Convention and the guidance contained within the basics documents, which he considered to be a basis from which to proceed. He highlighted the challenges which needed to be addressed in the rapidly changing technical hydrographic world and noted that the Council has an important role to play.

The Chair, Rear Admiral Shepard Smith, thanked the Secretary-General and welcomed all Council Members. He highlighted the presence of the Chair of the IRCC, Dr Parry Oei, and Acting Chair of the HSSC, Mr Michael

Prince. He noted his independent position as Chair of the meeting. He noted the absence of India, Iran (Islamic Republic of) and South Africa and confirmed a quorum was present with 27 of 30 members present. He also welcomed the four IHO Member States (Egypt, Malta, Monaco and Qatar) registered in the meeting.

1.2. Adoption of the Agenda

Docs: *C1-1.2A Rev1* *Agenda*

C1-1.2B *Timetable*

The Chair invited comments on the revised provisional agenda and the timetable. The agenda and timetable were adopted without changes:

Decision C1/01: The Council adopted the agenda and the timetable.

1.3. Confirmation of the results of the election of the Chair and the Vice Chair

The Secretary-General reported on the election of the Chair, Rear-Admiral Shepard Smith (USA), and Vice-Chair, Admiral (Ret) Luiz Fernando Palmer Fonseca (Brazil) (reference Council Circular Letters 04 and 09).

1.4. Administrative arrangements

The Assistant Secretary, Mr Yves Guillam, provided administrative details; he invited all to check the Council membership list and to confirm individual details. He highlighted the list of documents, which were available from the Council website. He explained the Council summary report creation process and the work of the précis-writers and rapporteurs.

Action C1/02: IHO Member States having a seat at the Council are to provide the IHO Secretariat with their updates to the IHO Council List of Contacts. (Permanent)

1.5. Left blank intentionally

Doc: *C1-1.5* *C-1 Redbook*

The Council did agree to continue using the Redbook for Council meetings in the future (See Decision C1/13 below).

1.6. Discussion: The Role and Goals of the IHO Council

Docs: *C1-1.6* *Presentation of the Workflow, Letters from the Council Chair dated 26 July 2017 and 10 October 2017, Presentation of Feedback from MS, Timelines for Assembly & Council.*

The Secretary-General provided a presentation on the role and interrelation between the various IHO organs with special regard to the Council to provide background to the subsequent discussions. He detailed the structure of the Organization and the relationships between each element. He highlighted the tasks and responsibilities of each element. The Secretary-General particularly highlighted the current process for adopting technical standards in accordance with Resolution 2/2007; he asked whether the current process should be continued or the Council should become part of the process which would result in a delay in procedure.

The Chair opened the floor for comments and questions on the Basic Documents as they defined the role of the Council. This initiated a number of questions and a wide ranging discussion on the role of the Council, in particular with respect to the reviewing of the outcomes of the two main Committees IRCC and HSSC. Concern was expressed at the potential delay if all technical standards were required to be reviewed by the Council prior to submission to IHO Member States for formal approval in accordance with Resolution 2/2007, as amended. Some delegates expressed the view that allowing HSSC and IRCC the flexibility to choose whether to submit documents to the Council or directly to Member States, would be appropriate. This flexibility to the IRCC and HSSC would allow those subsidiary organs to progress adoption of standards in a timely fashion.

The Chair requested participants to consider his collation of the responses to his introduction letter before

undertaking further discussion. The report of those responses highlighted the need of the Council to facilitate the work of HSSC and IRCC rather than becoming an extra layer in the process. It highlighted the main comments and issues received in answer to his three questions which were sent to the Council Members previoulsy. (See the C-1 webpage for supporting documents).

These comments initiated a wide ranging discussion during which the provisions relating to the Council contained in the General Regulations of the IHO, the IHO Convention, the Rules of Procedure for the Council and the IHO Resolution 2/2007 as amended were compared. Council members discussed understandings of the Council's scope of operations in its relationships with the Assembly, during intersessional periods, and with the subsidiary bodies of the IHO. All participants agreed that the Council should not introduce a new layer of bureaucracy, which would delay the work of the subsidiary bodies without any apparent benefits.

There was wide support for the comments from Italy and Germany that small groups could and should work intersessionally to speed up processes and the importance of prioritization in updating the work programme for the next Assembly as well as speeding up strategic decisions. Members recognized that the Council does not presently have the authority to stand up working groups or sub-committees except those explicitly instructed by the Assembly to work on specific topics between Council meetings, and noted that this would be a topic to raise to the next Assembly.

There was general support for the thought that the Council should focus on discussion of strategic issues and on building relations and profiling its work with the IMO and the United Nations. By focusing on strategic priorities, the IHO promises to become more relevant global maritime policy.

In order to claim such a recognition a clearer strategic plan was identified as key to helping to deliver priorities. Such priorities could then facilitate the Council to supervise the two subsidiary bodies which had been set up before the Council was established (and hence precedence had been established with respect to working procedures).

It was suggested that it might be useful to request the subsidiary bodies to restructure their work programmes so that the strategic elements were highlighted and the routine activities could be conducted without the involvement of the Council. The Secretary-General and chairs of IRCC and HSCC agreed that the subsidiary bodies could be requested to make a shortlist of strategic priorities from their annual work programmes for each Council meeting review and feedback, allowing the Council to remain focused on strategic issues, and to proactively make recommendations to the subsidiary bodies. It was further requested of the IRCC and HSCC that they draft revisions to their Rules of Procedure for Council endorsement to the second Assembly.

Recognizing the intent of revision process of the IHO Convention to gain flexibility and responsiveness, it was suggested that the subsidiary bodies could continue to work under the precedent that has matured over the prior years and that the Assembly might clarify its intent in delegating to the Council the ability to determine the Terms of Reference of the subsidiary bodies.

The Chair of the IRCC noted that, under its Terms of Reference, the IRCC had responsibility for policy matters, such as the WEND, pending establishment of the Council. In support of retaining the precedent, the Acting Chair of the HSSC noted the last gatekeepers of most decisions are the Member States.

UK noted that the Terms of Reference of native Council Working Groups could be established and adopted by the Council but that while the Terms of Reference of the HSSC and IRCC could be drafted by the Council, they must be submitted for approval to the Assembly. Japan stated that in the interests of transparency, that any correspondence related to prospective Council Working Groups should be placed on the IHO website for all Member States to see.

The Chair noted that the HSSC and the IRCC would be requested to propose draft revisions of their respective Terms of Reference which would be considered by the Council and submitted to the next Assembly for approval.

In discussions, it was clearly identified that the work scope of the Council needed review and clarification by the Assembly to avoid ambiguity in the interpretations of the intent of the Assembly and the basic documents.

The Chair said that the Council should acknowledge the intent of the member states as understood at the Council and Rules of Procedure as drafted together with the need for a pragmatic approach to serving the member states and the Assembly. The issue will be articulated for clarification at C-3 for the next Assembly. Acknowledging requests made for further time to consider the matter, he requested that the UK should draft a

proposal for subsequent consideration.

The Council finally agreed to continue with the current procedures for endorsed IRCC and HSSC proposals whilst acknowledging the contradiction between the guidance given in the Convention, General Regulations, Rules of Procedure and the Terms of Reference in expectation that it would be clarified at the 2nd Session of the Assembly (A-2).

Decision C1/03: The Council agreed to propose to the Member States to pursue until A-2, the procedure[1] that was in force before the establishment of the Council, for approving the recommendations made by HSSC and IRCC, with the concurrence of HSSC and IRCC Chairs. This applies in particular to the standards and publications listed in Appendix 1 of IHO Resolution 2/2007 as amended.

Action C1/04: IHO Secretariat to issue an IHO CL seeking the approval of MS on decision C1/03. (deadline: November 2017)

Action C1/05: HSSC and IRCC to consider their TORs and IHO Resolution 2/2007 as amended, in the view that Council endorsement may not be required in a systematic manner for all standards and publications, and subsequently prepare amendments to their TORs as appropriate for being endorsed at C-3 before submission to A-2. Proposed amendments should take into account that it is up to the HSSC and IRCC Chairs to appreciate and determine the need to go through the Council for recommendations of possible strategic importance. (deadline: HSSC9 and 10, IRCC-10)

Action C1/06: Considering the timelines between HSSC-10 and IRCC-10 meetings in 2018 and the countdown for submission of reports and proposals to C-2, the Council invited HSSC and IRCC Chairs to prepare their 2018 meeting minutes with the view that they will be used/submitted directly as reports and proposals to be considered at C-2. (deadline: July 2018)

2. ITEMS REQUESTED BY THE 1ST IHO ASSEMBLY

2.1. Revision of the Strategic Plan

The revision of the Strategic Plan was considered under agenda item 5.

2.2. Revision of IHO Resolutions 5/1957, 1/1969, 9/1967, 5/1972, 1/2014, 4/1957, 8/1967, 1/1965 and 2/1965

Doc: C1-2.2 *Revision of IHO Resolutions 5/1957, 1/1969, 9/1967, 5/1972, 1/2014, 4/1957, 8/1967, 1/1965 and 2/1965*

The Secretary-General invited the Council to examine the proposals for revisions to IHO Resolutions reflecting amendments to the Convention and other Basic Documents for subsequent submission to the Member States for approval by correspondence. The following discussion followed:

Resolution 5/1957

A proposal to retain the word "technical" in paragraphs a) i); ii); and v) of Rule 2 and a proposal to replace the word "only" in Rule 9 were not supported.

Resolution 1/1969

The view was expressed with reference to paragraph 2.f) that the period of time allowed for replies should not be reduced from three months to two months in order to allow sufficient time for correspondence to be processed during holiday periods. It was considered however, that with modern communication methods, two months should be sufficient.

Decision C1/07: The Council endorsed the proposals for the revision of IHO Resolutions 5/1957, 1/1969.

Resolution 9/1967

[1] Proposals endorsed by HSSC and IRCC to be submitted directly by IHO CL for approval by MS.

It was proposed that the new paragraph 8 should make reference to local time in Monaco. It was further proposed by Brazil and accepted following consultation with the US and Germany that all Member States could nominate scrutineers, not just members of the Council, amending paragraph 8d.

Decision C1/08: The Council endorsed the proposal for the revision of IHO Resolutions 9/1967 and agreed on the suggestion made by Brazil on section 8 to include the possibility of using volunteers from MS that are not a candidate, in the scrutinizing committee.

Action C1/09: IHO Secretariat to streamline the proposal made by Brazil with regard to the proposed Revised IHO Resolution 9/1967 (deadline: November 2017)

Resolution 5/1972

The Secretary-General, responding to a request by UK, provided clarification on the content of the information provided in the annual assessment of the International Maritime Organization (IMO) referred to in paragraph 2.

Decision C1/10: The Council endorsed the proposal for the revision of IHO Resolution 5/1972, with reference of tonnage figures to be given in section 2, for the annual assessment of the IMO.

Resolution 1/2014

The Assistant Secretary confirmed that the term "Internationally Recruited Members of Staff" in paragraph 2.3 was commensurate with the term “Directors” and "Assistant Directors" and the Secretary-General explained that the words "office equipment and administration hardware" referred broadly to the hardware and software present at the IHO Headquarters.

Resolution 4/1957

No comment was made about this proposal.

Decision C1/11: The Council endorsed the proposals for the revision of IHO Resolutions 1/2014, 4/1957.

Resolution 8/1967

Following a discussion about the optimum deadline for the submission of comments on Member States’ proposals to the Assembly, the Secretary-General drew attention to the time required for translation and distribution of proposals and comments, and undertook to provide further details of the workflow involved (see also document C1-2.2, p. 4, Table 1).

Decision C1/12: The Council endorsed the proposal for the revision of IHO Resolution 8/1967, after having agreed on the interpretation of Article VI (g) (vii) of the IHO Convention that the effect of that Article is not to prevent the Council from taking action on proposals put to it by Member States or by the Secretary General.

Decision/Action C1/13: The Council agreed to continue using the Redbook for Council meetings in the future. IHO Secretariat to modify “… six weeks…” to “… ten weeks…” in paragraph 1 of the proposed revised Resolution 8/1967 so the Red Book can be made available at least 2 months prior to Council meetings. (deadline: December 2017)

UK reported that the Council should request the Assembly to clarify a number of ambiguities in and discrepancies between the Convention and the Rules of Procedure of the Council, relating to the proposals which the Council was authorized to endorse and whether a Member State submitting a proposal must also be a current member of the Council. A preliminary analysis by the UK of a possible interpretation of this, and related points, was developed during the meeting for subsequent deliberation. (Annex C refers). The Council agreed to revisit the issue at C-3 and forward a proposal to A-2.

Action C1/14: The Council to seek confirmation of the Council interpretation of Article VI (g) (vii) of the IHO Convention at A-2. (deadline: C-3 for A-2)

Resolutions 1/1965 and 2/1965

One Member State noted that the two Resolutions dealing, respectively, with the procedure for concluding a deadlocked debate and the procedure for taking up a proposal which had been withdrawn by its author had never been invoked. Since those documents were already superseded by the Rules of Procedure for

International Hydrographic Conferences (IHC) that were adopted by the XIth IHC in 1977, it was therefore proposed to rescind them.

Decision C1/15: The Council endorsed the proposals for the withdrawal of IHO Resolutions 1/1965, 2/1965.

Action C1/16: IHO Secretariat to issue an IHO CL seeking the approval of MS on the Council decisions on IHO Resolutions 5/1957, 1/1969, 9/1967, 5/1972, 1/2014, 4/1957, 8/1967, 1/1965 and 2/1965. (deadline: December 2017).

2.3. Consideration of Rule 12 of the Rules of Procedure of the Council

Doc: C1-2.3 Rev 1 *Consideration of Rule 12 of the Rules of Procedure of the Council*

The Secretary-General introduced the proposal for consideration by the Council.

Many members of the Council spoke in support of the proposal to amend Rule 12 of the Rules of Procedure of the Council to allow the Chair and Vice-Chair of the Council to be elected by postal ballot shortly after each ordinary session of the Assembly. UK highlighted a discrepancy between the Convention and the Rules of Procedure of the Council relating to the length of the terms of office of the two officers.

Decision and Action C1/17: The Council agreed to submit the proposed revised Rule 12 of the Council ROP to A-2 and to seek A-2 for clarification for the identified discrepancy. (deadline: C-3 for A-2).

2.4. Methodology and timetable to deal with each year's financial statements and adjustments to the basic documents

Doc: C1-2.4 *Methodology and timetable to deal with each year's financial statements and adjustments to the basic documents*

The Secretary-General provided a brief on the methodology and timetable to deal with each year's financial statements and adjustments to the Basic Documents, including some background detail to provide clarity on the current procedure. He highlighted a number of issues which the Council should address and on which it should make decisions.

USA supported the proposal with some discussion points to be considered for the draft Resolution, as follows:

• Add a deadline to paragraph 3 of the Resolution, indicating that the Secretary-General will provide the forthcoming year's budget estimates and annual Work Programme at least 14 days prior to the Council meeting - or a timeline similar to that of other technical committees.

• Paragraph 7 of the Resolution indicates that the Finance Committee and the Council will review the financial statements concurrently. While the Secretary-General will include the Finance Committee Chair's comments for the Council's consideration, the Council will not have the opportunity to consider the Finance Committee's recommendations.

The new process should allow time for the Finance Committee to provide its recommendations for the Council's consideration, as is best practice across organizations. This could be done by either staggering the circulation of financial documents to allow the Finance Committee to review them first, or the Secretariat can set an earlier date by which the Finance Committee should provide its comments and recommendations to the Council. Preferably, the Council will have sufficient time to consider the Finance Committee's recommendation before the vote deadline.

It was reminded that, following Decision 24.c/ of the 1st Session of the Assembly, the Council is empowered to approve the financial statements and any recommendations for the previous year and the budget estimates and the associated annual Work Programme for each forthcoming year. It was suggested that the approval of the Council should be sought by correspondence shortly after the financial statement and recommendations were published.

It was suggested that a deadline should be set for the Secretary-General to provide the budget estimates, and

that the recommendations of the Finance Committee and information on previous and current Work Programme should be made available to the Council for its consideration before the latter issued its formal approval.

Action C1/18: The Council tasked the IHO Secretariat to consider the suggestions made by the USA on the proposed new Resolution about the methodology and timetable to deal with financial statements (addition of a deadline to paragraph 3, modification in paragraph 7 for allowing the Council to consider Finance Committee's recommendations). (deadline: November 2017)

Action C1/19: IHO Secretariat to issue a Council Circular Letter for Council endorsement by correspondence of the corresponding new Resolution, followed by an IHO CL for approval by MS. (deadline: January 2018)

3. ITEMS REQUESTED BY SUBSIDIARY ORGANS

3.1. Report and proposals from HSSC (Chair HSSC)

Doc: C1-3.1 *Report and proposals from HSSC*

The Acting Chair of the HSSC presented the Committee's report and proposals. IHO Standard S-100 *Universal Hydrographic Data Model* and related activities had accounted for much of its activity over the year. Good progress had been made on S-101 *Electronic Navigational Chart Product Specification*, although progress on other projects, particularly the development of the Portrayal Catalogue Builder (PCB), had generally been slower owing to resource constraints and staff shortages. He suggested that the completion of the development of the PCB would be discussed at the 9th meeting of the Committee (HSSC9), but could be realized through allocation of funds from the IHO Special Projects fund to provide contract support. Support was expressed for the need to fund the continuation of the development of the PCB. It was also noted that the role of S-101 Project Team lead is currently vacant, but it is anticipated that the role will be filled prior to HSSC9.

The Acting Chair of the HSSC called upon the Council to endorse the proposed revisions of three IHO publications (S-11 Part A, S-57 Appendix B.1 Annex A, and S-66) and to proceed to Member States for adoption by IHO Circular Letter. He suggested that the Council may wish to speed up the adoption of a new publication S-67 *Mariners' Guide to Accuracy and Reliability of Electronic Navigational Charts* by endorsing the draft publication for approval by the Committee at HSSC9 in November 2017.

Decision C1/20: The Council endorsed the three proposals submitted by HSSC to C-1 (S-66 Ed. 1.1.0, S-57 Appendix B.1, Annex A, Ed. 4.1.0, S-11 Part A, Ed. 3.1.0).

Action C1/21: IHO Secretariat to issue IHO CL seeking the approval of MS on the decisions made on S-66 Ed. 1.1.0, S-57 Appendix B.1, Annex A, Ed. 4.1.0, S-11 Part A, Ed. 3.1.0. (deadline: December 2017)

HSSC10 will be held in May 2018 in order to establish a timely configuration of future HSSC meetings a few months before the annual IHO Council meeting, meaning that there will be two HSSC meetings before the 2nd IHO Council meeting as an exceptional case in 2017/2018.

The Republic of Korea expressed that the development of S-100 based product specifications encouraged the use of hydrographic information and provided the hydrographic and marine community with new opportunities to use information, promoting the work and value of the IHO.

The Council considered the need for the HSSC to prepare a list of current, future and strategic priorities with respect to standards' development.

Action C1/22 The Council tasked HSSC to establish a prioritized list of work items that need to be supported by the Special Project fund. (deadline: C-2)

The Acting Chair of the HSSC stated that priorities are for the S-100 framework, S-101, interoperability of multiple standards, presentation of dangers, dynamic charting, next generation of S-4 and how to implement the wide expected services by the maritime community. He also stressed the need to address the incentives for shipping to move from S-57 to S-100 and the market pressures.

The Secretary-General underlined that priority is given to in-kind contributions before contracting external

consultants. He suggested that it would be useful to schedule more detailed discussion of the technical and legal implications of the introduction of new technology at C-2 when more would be known about S-101 following HSSC9 and HSSC10.

3.2. Report and proposals from IRCC (Chair IRCC)

Doc: C1-3.2 Rev1 *Report and proposals from IRCC*

The Chair of IRCC presented the Committee's report and proposals, with particular emphasis on the need for greater administrative support for Capacity Building; robust IT-based infrastructure within the IHO Secretariat; a proposed new IHO Resolution on overlapping ENC data; and the benefits of using satellite-derived bathymetry (SDB) for risk assessment.

The Chair invited the Council to consider the list of actions set out in paragraph 24 of document C1-3.2.

Referring to paragraph 24.b), the Chair of IRCC made a plea for the allocation of additional staff to support Capacity Building, which is one of the main pillars and strengths of IHO and which helps to close the gap between hydrographic offices as well as to attract non-Member States to join the IHO.

Other members supported the call of the Chair of IRCC for more Secretariat support, underlining the strategic value of Capacity Building and the need to treat it as a priority issue with respect to funding. It might also be possible for Member States to contribute in-kind funding in the form of expertise to Capacity Building projects.

While praising the work of the IRCC, some members recommended caution before allocating funds on a permanent basis to the funding of Capacity Building posts. Netherlands, speaking on behalf of the MACHC, requested that means be found to fund the provision of Capacity Building activities at a consistent and reliable pace, and Germany underscored the contribution of both in-kind and financial resources to Capacity Building in achieving a sustainable effect.

Members noted that Capacity Building requirements would continue to increase in importance as new Member States joined the Organization, and it was generally agreed that additional management support for Capacity Building was required. However, some members expressed concern about the potential financial long term implications of employing an additional staff member at the IHO Secretariat to support Capacity Building. The Secretary-General stated that no appointment would be made until the necessary funding became available; for instance following the accession of new Member States. He also confirmed that the prospect of capacity building assistance had been successful in attracting some new Member States to the IHO. He was nevertheless hopeful that new Member States would bring more resources to the IHO budget. He would investigate further and report on the financial implications of the proposal to the next Council meeting. The Chair suggested that the Council should, accordingly, express no opinion on the proposed appointment at this meeting.

Decision C1/23: The Council endorsed the proposal for increasing the capacity building support at the IHO Secretariat (Doc. C1-3.2, Annex A refers).

Action C1/24 IHO Secretariat to further investigate and report on the feasibility of recruiting a new staff member at the IHO Secretariat to provide management support for Capacity Building, as a matter of urgency. (deadline: C-2)

Turning to the matters related to overlapping ENCs, the majority strongly supported endorsing the proposed IHO Resolution (Doc. C1-3.2, Annex B refers) to address these issues, although Greece was not in favor of the endorsement. The Council considered that the proposed Resolution might not be ideal, but it was the result of lengthy deliberations and offered a solution that would provide urgently-needed improvement to navigational safety. The development of the draft Resolution is a mature and non-technical solution to reduce overlaps of navigational significance when the solution is not offered by the RHCs. Doing nothing may pose a risk to the reputation of the IHO. The meeting agreed to endorse the decision that will be submitted to the IHO Member States for approval.

Norway noted that the most important issue in relation to overlapping ENC data was to identify the major risks to the safety of navigation. In any future Resolution, the Assembly should call upon Member States to remove such overlaps as soon as possible.

Decision C1/25: The Council endorsed the proposed IHO Resolution to address issues related to the existence of overlapping ENC data (Doc. C1-3.2, Annex B refers).

The other actions set out in paragraph 24 of document C1-3.2 were reviewed and the following decisions were made.

Decision C1/26: The Council endorsed the proposed revocation of IHO Resolution 1/1992 – *Monitoring of INT Charts* – (subsequent decision following Decision C1/20 on S-11 Part A, Ed. 3.1.0).

Decision C1/27: The Council endorsed the proposed withdrawal of IHO Publication B-7 *GEBCO* Guidelines (Doc. C1-3.2, Annex D refers).

The Chair invited the Council to consider the endorsement of the draft new Edition 2.0.0 of the IHO Publication C-17.

Speakers commended the excellent work in producing the publication but indicated that the MSDIWG might wish to consider updating version 2.0.0 with a new section on data security and protection.

Decision C1/28: The Council endorsed the proposed new edition 2.0.0 of IHO Publication C-17 - *Spatial Data Infrastructures "The Marine Dimension" - Guidance for Hydrographic Offices* (Doc. C1-3.2, Annex E refers).

Action C1/29: IHO Secretariat to issue an IHO CL seeking the approval of MS on the decisions C1/23, C1/24, C1/25, C1/26, C1/27 and C1/28. (deadline: December 2017)

In addition…

Decision C1/30: The Council acknowledged the work done by the IBSC in the development of the new Standards of Competence for Hydrographic Surveyors and Nautical Cartographers, endorsed the need for a robust IT-based infrastructure in the IHO Secretariat, acknowledged the benefits of using satellite derived bathymetry for risk assessment including seeking funds from donor agencies, and acknowledged the work already done by both RENCs to reach maturity and stability and for the support provided to hydrographic offices and end-user service providers.

In addressing crowd-sourced bathymetry, the meeting considered and highlighted the useful work conducted by GEBCO and the potential of crowd-sourced bathymetry (CSB) and the need to engage the world community in contributing with quality bathymetric data, in particular in remote areas.

The possibility of using CSB in navigational products and services, and how to provide an incentive for vessels to contribute, was discussed. It was suggested that the IRCC could discuss the possibility of a joint effort between the IHO and ECDIS manufacturers to implement a capability and provide an incentive to coordinate the collection of bathymetry. The Chair of IRCC confirmed his intention to engage IRCC and CSBWG on how to encourage the collection of data.

Action C1/31: The Council invites IRCC to consider enlarging the scope of the Crowd-Sourced Bathymetry Working Group and takes note that crowd-sourced bathymetry should be considered in the revision of the Strategic Plan. (deadline: IRCC-10)

4. IHO ANNUAL WORK PROGRAMME AND BUDGET

4.1. Review of the Current Financial Status of the IHO

Doc: C1-4.1 *Review of the Current Financial Status of the IHO*

Presentation

The Secretary-General (SG) provided a summary presentation of the current financial status of the IHO and the proposed IHO budget for 2018. Travel costs represented 51% of operating costs, which equates to 9.8% of the total budget. Travel costs were considered appropriate for a global inter-governmental organization but savings would continue to be made in order to reduce travel costs by 5%, which would be transferred to operating costs currently devoted to contract support. Decreasing travel costs would also help to reduce the

carbon footprint of the Organization. A total budget surplus of €115K was expected to be achieved by the end of the year: according to past practice, any surplus will be put into the retirement fund or devoted to Capacity Building. Details were provided on the retirement fund and IHO assets. The financial reports of the IHO were closely monitored on a monthly basis by the Secretary-General and Directors.

Decision C1/32: The Council noted the information provided on the current financial status.

4.2. Proposed IHO Work Programme for 2018

Doc: C1-4.2 *Proposed IHO Work Programme for 2018*

Presentation (Proposed Priorities)

In a new approach, the Secretary-General introduced the priorities, which he had defined with the associated issues and risks, for Work Programme 1 (Corporate Affairs). The priorities were to: contribute to the IMO-IHO Harmonization Group on Data Modelling; assess the range and efficiency of participation on events outside the core of hydrographic interest; plan and start a complete overhaul of the IHO website including incorporation of GIS-services; manage the anticipated wave of new IHO membership (possibly 5 new members); and assist the Council in its phase of operational consolidation and contribute to the revision process of the Strategic Plan (Decision A1/03).

In response to questions, the Secretary-General confirmed that updating the website and associated costs would be approached in a structured manner and that any in-kind or technical expertise that could be contributed by Member States would be gratefully accepted. His core remit centred on technical standardization and Capacity Building.

Participants commended the presentation of priorities. It was suggested that further efficiencies in time and travel could be made by delegating representation of the IHO at meetings to regional representatives of individual Member States. The importance of upscaling the visibility of IHO and becoming better at using hydrography to influence decision-makers was highlighted. There was strong support for revision of the Strategic Plan, to focus on marine geospatial information and to identify and participate in keystone events with IMO (UN-GGIM was cited as a priority) and other organizations (OGC and IALA) with respect to GMDSS, to e-navigation and other evolving technologies that would ensure that the IHO remained relevant and up-to-date.

The Secretary-General agreed that, using the Council as a platform, the IHO could build momentum to achieve more efficient global outreach, with Member States becoming ambassadors for the Organization.

The Director in charge of Programme 2 (Hydrographic Services and Standards) presented six key priorities, and associated issues and risks: develop an S-100 Interoperability Specification; develop all the components needed to make S-101 a reality (S-101 Portrayal Catalogue Builder, Test Strategy and Test Beds, implementation guidance, validation checks, etc.); develop S-121 product specifications for maritime limits and boundaries; consider data quality aspects in an appropriate and harmonized way for all S-100 based product specifications; prepare Ed. 6.0.0 of S-44; and develop initial guidance on definition and harmonization of Maritime Service Portfolios.

Progress on S-101 had been slow over the past year due to waiting for infrastructure to be updated and Project Team leader reduction in available time to spend on the task due to promotion. However critical support has been volunteered in the form of a new S-101 Project Team leader (United States) and additional technical resources to advance S-100 data protection (Norway). Issues of data security had been flagged with respect to S-121 Maritime Limits and Boundaries.

Participants expressed strong support for the priorities identified and for sufficient resources to be devoted to them.

The Director in charge of Programme 3 (Inter Regional Coordination and Support) outlined five key priories. With respect to Capacity Building (CB) Provision, there was a need for additional funding to meet the expected increase in requests for CB assistance, which included technical visits, technical support, short courses and seminars. There was a pressing need to nominate permanent CB coordinators for several regions. Gratitude was expressed for the funding provided by the Nippon Foundation (Japan) and Republic of Korea.

With respect to the continued development and maintenance of ENC and INT Chart Schemes, there is a lack of appropriate surveys or re-surveys in areas where there is no satisfactory coverage, and areas yet to be charted were of low priority due to their remoteness. There is also a need to agree about appropriate ENC scheming for technical reasons at the local level. With respect to the development of crowd-sourced bathymetry (CSB) guidelines, there has been a low response from Member States on the draft of CSB guidance; and ongoing scepticism on the CSB concept amid the maritime community. With respect to the Seabed 2030 Project Management Plan it is required to establish robust fund management and supervision of project activities; and to coordinate with the ongoing IHO CSB initiative. Efforts would be made to highlight seabed mapping projects in all relevant platforms. Funding for the Concept Development Study (CDS) for Marine Spatial Data Infrastructures (MSDI) was pending IHO approval and reporting of MSDI activities by Member States was inconsistent. However, the USA confirmed to fund the required budget regarding the CDS. There was low Member State engagement on MSDI-related activities, which included awareness short-courses, meetings with regional bodies, and speaking at industry seminars.

Participants acknowledged the work completed on CSB, while others stated that some countries might question its usefulness given the existence of cheaper or simpler technologies. There was concern that failure to use CSB would undermine the credibility of the IHO. Further efforts should be made to gain support and funding by raising the subjects of CB, CSB and the Seabed 2030 Project Management Plan in international forums. Member State engagement could be enhanced by consideration of the issues in the HSCC and the IRCC. Information on key priorities had proved useful and could be communicated as part of the documentation sent in advance of Council meetings.

The Director in charge of Programme 3 confirmed that four visits had been made to the World Bank in the previous years but that donors required concrete projects before releasing funds.

It was suggested that Member States might be encouraged to adopt an opt-out system for the use of their ENC data to populate the IHO Data Center for Digital Bathymetry (DCDB), which could be contributed for a number of purposes (for instance Seabed 2030). It was considered, however, that data was a sovereign matter and could only be contributed for specific purposes by permission.

As the IHO Work Programme 2 and 3 are the work programmes of the HSCC and IRCC, the Acting Chair of the HSCC and the Chair of IRCC stated that they had been consulted and were in support of the priorities presented by both Directors.

Decision and Action C1/33: The Council endorsed the proposals made by the IHO Secretary-General and Directors on the key priorities in the IHO 2018 programme of work and encouraged MS and the IHO Sec. to:

- consider the engagement with the UN-GGIM Working Group on Marine Geospatial Information (Programme 1);
- re-evaluate the allocation of their resources in the light of key work items to be supported (Programme 2).

Action C1/34: Norway was invited to submit a proposal to the appropriate working groups for the contribution of sounding data extracted from ENC to the IHO Data Centre for Digital Bathymetry in support to Seabed 2030. (deadline: Nov. 2017)

Action C1/35: The Council invited the Chair/Secretary-General to provide IHO Work Programme key priorities in time with the other supporting documents for Council meetings. (deadline: Permanent)

4.3. Proposed IHO Budget for 2018

Doc: C1-4.3 *Proposed IHO Budget for 2018*

Presentation

The proposed budget for 2018 formed part of the three-year budget approved by A1. The budget for 2018 was €3,543,674 (an increase of approximately €100,000 from 2017) and a budget surplus of 0.7% was expected. Income and expenditures were expected to remain stable.

Broad support was given to the format of the presentation and the information summarized by the Secretary-General and satisfaction was expressed as to the prudent financial management of the Organization.

Responding to questions, the Secretary-General confirmed that travel costs and class of travel were governed by Staff Regulations that were in line with those of similar inter-governmental organizations, with economy travel within Europe and business class permitted for long-haul flights. Business travel in long-haul was considered essential for the health of staff who travelling frequently on business. The 5% reduction in travel costs would be achieved partly by increased use of tele- and videoconferencing.

The Secretary-General confirmed that the estimated €15,000 requested by the HSSC for completion of the Portrayal Catalogue Builder would be covered and that every effort would be made to divert further funds to Capacity Building. The Republic of Korea reconfirmed their commitment to the support of Capacity Building, which it has been providing since 2006.

The Secretary-General noted that IHO's modest budget was mainly used for operational activities, although more resources were available for Capacity Building thanks to the generosity of two Member States.

The Secretary-General stated that he would investigate the possibility of utilizing some of the funding for contract support to provide additional resources at the IHO Secretariat for Capacity Building as part of his action on staffing for Capacity Building Management.

The IHO Secretariat Manager, Finance and Administration (MFA), responding to questions on retirement fund, explained that funds had been chosen historically to invest money that was not used in the operational budget of the current financial year but which was allocated to longer-term operational requirements. The IHO had explored participating in a local health insurance scheme but that was not possible within the present structure. Increases in medical premiums were capped at 20% per year and the full 20% had been charged for 2017 due to exceptional costs incurred as a result of one retiree. By their nature, medical costs were unpredictable, but were not expected to increase by 20% each year.

Decision C1/36: The Council confirmed the approval of the IHO budget for 2018 and supported the preliminary intentions given by the Secretary-General on the possible evolution of the Special Project Fund for contract support.

5. IHO STRATEGIC PLAN

5.1. Review of the Strategic Plan

Docs: *C1-5.1* *Review of the Strategic Plan*
C1-1.5 *"Red Book": Compendium of comments submitted by Member States on proposals to be considered by the IHO Council*
Presentation (UK)

UK introduced a set of points for discussion for the comprehensive review of the IHO Strategic Plan requested by the 1st session of the IHO Assembly (Decision A1/03), emphasizing the many changes which had taken place since the previous version adopted in 2009. The revised Strategic Plan should provide guidance for the implementation of priorities; define time-bound outcomes for the six-year planning cycle; and enable more rigorous performance reporting.

Members emphasized the importance of including higher-level strategic considerations and priorities in the revised Strategic Plan. It should reflect the overall object, vision and mission of the IHO; and the topics that can be best addressed as an international community through cooperation, which would not necessarily match those of individual Member States. It should indicate clearly those areas of activity it covered and those it did not. It was agreed that the issues raised in the UK presentation provided a good starting point for the review, in addition to the bullets included in paragraph 6 of paper C1-5.1. The Chair noted the tight timeline for completion of a review of the Strategic Plan before the second session of the IHO Assembly, essentially 24 months from the current Council meeting. Any revised Plan should aim for final approval no later than C-3.

France, seconded by the UK, proposed that the Council should create a Working Group to revise the Strategic Plan for submission to the second session of the IHO Assembly. Based on the decisions of the 1st session of the IHO Assembly, it was determined that the Working Group would need to complete a scoping phase for

presentation to the 2nd IHO Council meeting, and the revised Strategic Plan prepared for consideration at the 3rd IHO Council meeting. An ad-hoc Drafting Group (Canada, France, Italy, Japan, Republic of Korea, Netherlands, Norway, Singapore, UK and the USA) was established to develop draft Terms of Reference for the Working Group for consideration at the meeting.

The Chair invited comments on the Terms of Reference of the Strategic Plan Review Working Group (SPRWG), which had been circulated (reference Annex D).

The Assistant Secretary, responding to questions, expressed that it was planned that an intermediate report would be circulated two months before C-2 so that a final report drafting group could be convened in good time for A-2. The Council agreed that the SPRWG would be open to all Member States and that consultants might be engaged in the scoping phase if sufficient funds could be found.

Council Members emphasized that deliberations should be conducted in a timely manner and suggested that some of the meetings could be held via teleconference or webinar. Singapore underscored the value of holding physical meetings in the regions to collect regional views and suggestions.

Australia, Brazil, Canada, China, Denmark, France, Italy, Japan, Netherlands, Norway, Republic of Korea, Spain, UK and USA volunteered to join the Strategic Plan Review Working Group.

Decision C1/37: The Council decided to establish the Strategic Plan Review Working Group and endorsed the draft TORs developed by the Council drafting group.

All nominations for the positions of Chair, Vice-Chair and Secretary of the SPRWG were received by acclamation.

Decisions C1/38, 39 and 40: The Council endorsed the nominations of Bruno Frachon (France) by Germany for the position of Chair of the SPRWG, of Shigeru Nakabayashi (Japan) by US for the position of Vice-Chair of the SPRWG, of Doug Brunt (Canada) by Norway for the position of Secretary of the SPRWG.

Action C1/41: IHO Secretariat to issue an IHO CL seeking the approval of MS on the decisions C1/37, C1/38, C1/39, and C1/40 . (deadline: December 2017)

5.2. Proposal to evaluate status, requirements and options to integrate the IHO Strategic Plan/Performance Indicators, budget and work programme activities

Doc: *C1-5.2* *Proposal to evaluate status, requirements and options to integrate the IHO Strategic Plan/Performance Indicators, budget and work programme activities*

C1-1.5 *"Red Book": Compendium of comments submitted by Member States on proposals to be considered by the IHO Council*

USA presented a proposal for a small Project Team of interested parties to draw up a simple framework showing the correlation between the IHO Work Programme, the future Performance Indicators, and relevant sections of the IHO budget, for submission to the 2nd IHO Council meeting. It would be a desktop exercise requiring minimum effort and resources.

Members suggested that the task might be taken on by the Strategic Plan Review Working Group during the comprehensive review of the Strategic Plan.

The Chair drew attention to further comments on the issue in the Red Book document (C1-1.5).

Decision C1/42: The Council decided to include the principles raised in the proposal submitted by USA in the TORs of the Strategic Plan Review Working Group. (Completed).

6. OTHER ITEMS PROPOSED BY A MEMBER STATE OR BY THE SECRETARY-GENERAL

6.1. Proposed theme for World Hydrographic Day 2018

Docs: *C1-6.1* *Proposed theme for World Hydrographic Day 2018*

C1-1.5 *"Red Book": Compendium of comments submitted by Member States on proposals to be*

considered by the IHO Council

The Secretary-General introduced the proposal for the theme for World Hydrography Day 2018, highlighting the background and the current procedures. He suggested that the Council could be the most appropriate forum in which to discuss the topic and finalize the themes.

The Chair thanked Member States for their many comments, reproduced in the Red Book. A number of Member States suggested that, rather than attempting to decide on the theme itself, the Council should comment on the possible themes for World Hydrographic Day but leave the final choice to the Secretary-General, with subsequent information of the Member States by correspondence. The Council agreed to adopt the theme proposed for 2018, "Bathymetry - the foundation for sustainable seas, oceans and waterways". The Chair thanked the member states for the alternative themes proposed and suggested these be considered in developing themes for future WHDs.

Member States highlighted the need to improve the overall communications strategy of the IHO and, in particular, to make much greater use of social media. Outreach efforts should not be confined to just one day a year. It was suggested that improvement of the communication strategy should be included in the review of the IHO Strategic Plan, with an indication of the associated financial implications. The UK presented a graphic showing hydrographic data as the "keystone" of implementation of United Nations 2030 Agenda for Sustainable Development Goal 14. The Secretary-General stated that he intended to create a comprehensive and consistent communications and outreach strategy.

Action C1/43: The Council tasked the SPRWG to include communication strategies as part of the way and means of its work plan. (deadline: C-2)

Decision C1/44: The Council agreed that the Secretary-General will continue with the current practise for the adoption of the theme of the World Hydrography Day (IHO CL inviting to comment on a proposed theme, followed by IHO CL for announcing the theme).

Decision and Action C1/45: The Council endorsed the proposed theme for WHD 2018 "*Bathymetry - the foundation for sustainable seas, oceans and waterways*" and invited the IHO Secretariat to issue the corresponding IHO CL. (deadline: November 2017)

6.2. Proposal to amend the General Regulations to address the medical fitness of candidates for election to the positions of Secretary-General or Director, and the conditions of service of Directors

Doc: *C1-6.2* *Proposal to amend the General Regulations to address the medical fitness of candidates for election to the positions of Secretary-General or Director, and the conditions of service of Directors*

C1-1.5 *"Red Book": Compendium of comments submitted by Member States on proposals to be considered by the IHO Council*

The Secretary-General introduced the proposal, providing background to the proposal to clarify the recommendations, indicating the number of documents which would need to be amended.

The UK stated that such amendments should be submitted directly to the Assembly.

Some members expressed that the issue was unlikely to be considered by any other IHO body and that such medical examinations in respect of senior management positions were standard practice in other intergovernmental organizations.

Decision and Action C1/46: The Council endorsed the proposal for amending the General Regulations to address medical fitness of candidates for election and invited the Council Chair to include the proposed amendment in its report and proposals to A-2. (deadline: A-2)

6.3. Council consideration of the definition of the term "hydrographic interest"

Doc: C1-6.3 *Council consideration of the definition of the term "hydrographic interest"*

Useful References (Proceedings Vol. 1, XVIIth IH Conference, May 2007 – Doc. CONF17/DOC.1)

The Secretary-General recalled that this definition was considered at length on how to measure "hydrographic interest" in the process to amend the IHO Convention by the former Strategic Planning Working Group (SPWG) that had opted to rely on the IHO formula for calculating national flag tonnage, but had kept open the option to identify other measures. Therefore, a requirement for the 2nd session of the Assembly to reconsider what constituted an interest in hydrographic matters had been included in Article 16 of the General Regulations. The Council was invited to include consideration of the definition in its Work Programme in order to fulfil its role as an advisory body to the Assembly as set out in Article VI of the Convention. Any change in the formula used to calculate "hydrographic interest" would impact the criteria for selecting the one-third of Council seats currently allocated to Member States on the basis of flag tonnage.

The Chair sought comments on how the Council might consider the definition. Some speakers thought that it could prove difficult and time-consuming for the Council to engage in deliberations on finding a measurable and quantifiable alternative to the current formula and that the issue could best be left to A-2. Council Members considered whether the Secretary-General could be mandated to ask the Assembly for guidance before the Council took matters further. Some Council Members considered that this issue was strategic and merited some consideration by the Council, perhaps through an informal team that could work on it intersessionally. Many Members suggested that the Council should gather experience with the current system for selecting the Council Members.

The majority present expressed satisfaction with the formula of defining hydrographic interest on flag tonnage as it was currently applied and queried the need to address the matter before the Council had received instructions from the Assembly. There was strong support that it would be inappropriate to devote already stretched resources to an issue that was potentially contentious and which would in any event benefit from discussion among the wider membership of the Organization which would take place during A-2. However, it was considered that there was nothing to prevent the Council from reconsidering the matter at a much later date if it chose to do so.

The Council agreed that no formal or cohesive view from the Council as a whole should be communicated on whether or not the definition was acceptable but that the individual views of members of the Council could be communicated as set down in the record of the meeting. The Chair and the Secretary-General confirmed that approach would be adopted.

Action C1/47: IHO Secretariat to raise the issue of the definition of hydrographic interest at A-2 in accordance with Clause (c) of Art. 16 of the General Regulations and request possible guidance on the objectives and ways to reconsider this issue. (deadline: A-2)

Decision C1/48: The Council decided not to include the consideration of hydrographic interest in its current programme of work, pending further guidance from A-2.

6.4. Proposal to amend the General Regulations concerning the election process for electing the Secretary-General and Directors

Doc: C1-6.4 *Proposal to amend the General Regulations concerning the election process for electing the Secretary-General and Directors*

Canada introduced the proposal on behalf of Australia, France and Norway, providing background to the proposal and the rationale behind it.

Canada suggested that an informal group comprising the three proposing Member States and any other interested parties should develop the proposed amendments further and report to the Council meetings in order

to have a draft proposal ready for submission to the second Session of the Assembly.

Council Members generally welcomed the idea of informal discussions.

Action C1/49: The Council thanked Canada supported by Australia, Brazil, France, and Norway and any other interested MS, for offering to pursue informal discussions on possible improvements of the General Regulations with regard to the election process for electing the Secretary-General and Directors. (deadline: C2,C-3, A-2)

7. NEXT MEETING

7.1. Dates and venue for the 2nd Meeting of the IHO Council

Council Member States generally agreed that Council meetings, immediately after and before a Session of the IHO Assembly, should take place in Monaco.

Decision C1/50: The Council welcomed the offer made by the UK to host C-2 in London, UK[2], from 9 – 11 Oct. 2018 (back-up in Monaco).

8. ANY OTHER BUSINESS

8.1. Demonstration of IHO GIS developments

The IHO Secretariat provided a real-time demonstration of the IHO Geographic Information System (GIS), combining country and regional information systems, chart information systems and capacity building and bathymetry information. Parts of the system, including web mapping services, are available only within the Secretariat at this stage, however the goal is to provide secure access for Member States and Regional Commissions. The presentation was welcomed.

8.2. Side-meetings

Responding to a suggestion by Japan that the Secretariat should make rooms available for bilateral and regional meetings during or immediately before or after Council sessions, the Chair said that such arrangements could be made with advanced notice, however meetings must not impede the regular business of the Council.

Action C1/51: In the Council Circular Letter calling for Council meetings in Monaco, IHO Secretariat to remind that MS may use meeting rooms available at the IHO Headquarters, prior and after the Council meetings sessions. (deadline: Permanent)

9. REVIEW OF ACTIONS AND DECISIONS OF THE MEETING

The Council Assistant Secretary presented the draft list of decisions and actions approved by the Council during the meeting and made minor editorial changes in response to members' comments. He noted the establishment of the Strategic Plan Review Working Group and the appointment of its officers, who are appointed in a personal capacity and not as a member State.

One member reinforced the invitation to the Secretary-General to provide additional management support for the Capacity Building programme by adding that it should be treated as a matter of urgency.

10. CLOSURE OF THE MEETING

UK moved a vote of thanks to the IHO Secretariat staff and Council secretariat for preparing for and hosting the meeting.

After the customary exchange of courtesies, the Chair declared the first meeting of the Council closed at 13:00.

[2] Confirmation received on 23 October 2017.

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1ST MEETING OF THE IHO COUNCIL
Monaco, 17-19 October 2017
AGENDA

1. OPENING

1.1 Opening remarks and introductions

1.2 Adoption of the Agenda

1.3 Confirmation of the results of the election of the Chair and the Vice-Chair *(SG)*

1.4 Administrative arrangements

1.5 *Left blank intentionally*

1.6 Discussion: The Role and Goals of the IHO Council *(All)*

2. ITEMS REQUESTED BY THE 1ST IHO ASSEMBLY

2.1 Revision of the Strategic Plan *(to be considered under Agenda Item 5)*

2.2 Revision of IHO Resolutions 5/1957, 1/1969, 9/1967, 5/1972, 1/2014, 4/1957, 8/1967, 1/1965 and 2/1965 *(SG)*

2.3 Consideration of Rule 12 of the Rules of Procedure of the Council *(SG)*

2.4 Methodology and timetable to deal with each year's financial statements and adjustments to the basic documents *(SG)*

3. ITEMS REQUESTED BY SUBSIDIARY ORGANS

3.1 Report and proposals from HSSC *(Chair HSSC)*

3.2 Report and proposals from IRCC *(Chair IRCC)*

4. IHO ANNUAL WORK PROGRAMME AND BUDGET

4.1 Review of the Current Financial Status of the IHO *(SG)*

4.2 Proposed IHO Work Programme for 2018 *(SG)*

4.3 Proposed IHO Budget for 2018 *(SG)*

5. IHO STRATEGIC PLAN

5.1 Review of the Strategic Plan *(SG)*

5.2 Proposal to evaluate status, requirements and options to integrate the IHO Strategic Plan/Performance Indicators, budget and work programme activities *(USA)*

6. OTHER ITEMS PROPOSED BY A MEMBER STATE OR BY THE SECRETARY-GENERAL

6.1 Proposed theme for World Hydrographic Day 2018 *(SG)*

6.2 Proposal to amend the General Regulations to address the medical fitness of candidates for election to the positions of Secretary-General or Director, and the conditions of service of Directors *(SG)*

6.3 Council consideration of the definition of the term *"hydrographic interest"* *(SG)*

6.4 Proposal to amend the General Regulations concerning the election process for electing the Secretary-General and Directors *(Canada)*

7. NEXT MEETING

7.1 Dates and venue for the 2nd Meeting of the IHO Council

8. ANY OTHER BUSINESS

8.1 Demonstration of IHO GIS developments *(SG)*

9. REVIEW OF ACTIONS AND DECISIONS OF THE MEETING

10. CLOSURE OF THE MEETING

POSSIBLE CONFLICT BETWEEN IHO CONVENTION AND COUNCIL RULES OF PROCEDURE

Version 0.1 dated 18 October 2017, draft analysis by UK

Background

Article VI of the Convention sets out the functions of the Council. For these purposes the relevant Article is Article VI (g)(vii), which provides that one function of the Council is to:

Review proposals submitted to it by subsidiary organs and refer them:

- *to the Assembly for all matters requiring decisions by the Assembly;*
- *back to the subsidiary organ if considered necessary; or*
- *to Member States for adoption, through correspondence.*

Rule 8 of the Rules of Procedure of the Council sets out the matters that shall be included in provisional agendas for meetings of the Council. Rule 8(e) mirrors Article VI(g)(vii) of the Convention, and provides for inclusion in provisional agendas of:

Any item the inclusion of which has been requested by a subsidiary organ.

Additionally, Rule 8(i) provides for inclusion in provisional agendas of:

Any item proposed by a Member State or by the Secretary General.

The possible conflict

There is possible conflict between the Convention and the Council Rules of Procedure, because there is nothing in Article VI of the Convention stating that it is a function of the Council to review, to consider or to take any other action on proposals put to it by Member States or by the Secretary General. In other words, does this omission mean that the Council is unable to take any action on proposals put to it by Member States or by the Secretary General

Discussion

On the one hand we need to assume that those drafting the basic documents intended them to be drafted in the way they are. On the other hand, it seems very strange that the Council should not be able to take action on proposals put to it by Member States or by the Secretary General.

The question to answer, therefore, is 'what was the intention of those drafting Article VI(g)(vii) of the Convention?' One possible interpretation is that this Article is intended to refer to proposals that are intended for eventual consideration and endorsement by Member States, either by correspondence or at an Assembly. This seems to be supported by use of the word 'review' rather than the more usual 'consider', implying a role for the Council to act as a filter for these proposals, giving it an opportunity to refer them back to subsidiary bodies for improvement before eventually referring them to the Assembly or the Member States by correspondence.

If this is the correct interpretation of the intention of those drafting Article VI(g)(vi) it means that the effect of that Article is not to prevent the Council from taking action on proposals put to it by Member States or by the Secretary General. In other words, there is no conflict.

Recommendation

It is recommended that the Council should for the time being proceed as though the above interpretation is the correct one and take action on proposals put to it by Member States and by the Secretary General. However, it should invite Assembly 2 to consider the matter and to confirm that this interpretation of Article VI (g)(vii) is correct.

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STRATEGIC PLAN REVIEW WORKING GROUP (SPRWG)

(*to be submitted to IHO MS for approval in accordance with General Regulations Art. 6 (g) (i)*[3])

Terms of Reference and Rules of Procedure

(**draft** version 17 Oct 2017)

Ref: a/ Decision A1/03 – (April 2017).
b/ Decision C1/37 – *Establishment of the SPRWG* (October 2017)
c/ Decision A1/01 – Planning Cycle of the Revision of the Strategic Plan
d/ 1st Meeting of the Council – Doc. C1-5.2 - *Proposal to Evaluate Status, Requirements and Options to Integrate the IHO Strategic Plan/Performance Indicators, Budget and Work Program Activities* -

Following Decision A1/03 – "*The Assembly tasked the Council to conduct a comprehensive review of the Strategic Plan and to provide a draft revised Plan, as appropriate, in time for the consideration of the 2nd ordinary session of the Assembly (A-2). The Council is empowered to establish a working group for this discrete purpose"* –, the Council decided at its 1st meeting, to establish the Strategic Planning Review Working Group (SPRWG)

1. Terms of Reference

1.1 Conduct a comprehensive review of the Strategic Plan in two successive phases: scoping and drafting.

1.2 In the scoping phase (T0[4] + 6 months):

- 1.2.1 review and restate the current and future strategic context in which the IHO operates;
- 1.2.2 propose the definition of success for the IHO in 2026;
- 1.2.3 identify the deficiencies in terms of content, shape and interrelation to the implementation instruments in the existing Plan;
- 1.2.4 consider appropriate goals, ways and means that could address any identified deficiencies;
- 1.2.5 establish the management plan and timetable for developing and drafting any proposed revisions to the existing Plan;
- 1.2.6 submit a proposal at C-2 for the draft framework of the revised strategic plan.

1.3 In the drafting phase (T0 + 18 months):

- 1.3.1 define the criteria for measuring success and propose priorities for the IHO;
- 1.3.2 consider the interrelation to other management elements such as budget, work plan and performance indicators (Ref. d/);
- 1.3.3 prepare the draft revised plan in accordance with the management plan and the timetable;

[3] General Regulations Art 6 (g) (i) : « *…Where the Council itself prepares draft Terms of Reference and Rules of Procedure, or where the Council receives submissions in accordance with paragraph (f) above), it shall either:*
(i) submit them to Member States for approval by correspondence, in accordance with Articles VI(g)(vii) and IX (f) of the Convention…"

[4] T0 is the effective date of the establishment of the Working Group.

1.3.4 prepare the supporting documents for submission to A-2.

1.4 Provide an intermediate report at C-2 (- two months)

1.5 Provide a draft final report at C-3 (- two months) for endorsement and recommendations to be submitted to A-2.

1.6 These Terms of Reference can be amended in accordance with Article 6 of the General Regulations.

2. Rules of Procedure

2.1 The Working Group is open to all Member States. It shall be composed of representatives of Member States. The Chairs of the HSSC, IRCC, FC, or their nominated representatives, should participate in the work of the Working Group.

2.2 A Member State shall act as Secretary to the Working Group. The Secretary shall prepare the reports required for submission to each meeting of the Council and to sessions of the Assembly as directed by the Council.

2.3 The Chair and Vice-Chair shall be a representative of a Member State having a seat at the Council. The Chair and Vice-Chair shall be nominated at the end of the 1st meeting of the Council and the nominations shall be determined by vote of the Council Members present and voting. If the Chair is unable to carry out the duties of the office, the Vice-Chair shall act as the Chair with the same powers and duties.

2.4 The Working Group should normally work by correspondence, but if decided by the Working Group, meetings can be scheduled in conjunction with any IHO meetings. The Chair or any member of the Working Group, with the agreement of the simple majority of all members of the Working Group, can call extraordinary meetings. In case of meetings, all intending participants shall inform the Chair and Secretary ideally at least one month in advance of their intention to attend meetings of the Working Group.

2.5 Decisions shall generally be made by consensus. If votes are required on issues or to endorse proposals presented to the Working Group, decisions shall be taken by a simple majority of Working Group Members present and voting. When dealing with matters by correspondence, a simple majority of all Working Group Members shall be required.

2.6 The draft record of meetings shall be distributed by the Secretary within ten working days of the end of meetings and participants' comments should be returned within ten working days of the date of despatch. Final minutes of meetings should be distributed to all IHO Member States and posted on the IHO website within thirty days after a meeting.

2.7 The working language of the Working Group shall be English.

2.8 Recommendations of the Working Group shall be submitted to the Council for endorsement.

2.9 The Working Group will be disbanded after A-2.

2.10 These Rules of Procedure can be amended in accordance with Article 6 of the General Regulations.

LIST OF DECISIONS and ACTIONS FROM C-1

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
1.	**OPENING**				
1.1	**Opening remarks and introductions**				
1.2	**Adoption of the Agenda**				
	Agenda	C1/01	**The Council** adopted the agenda and the timetable		Decision
1.3	**Confirmation of the results of the election of the Chair and Election of the Vice-Chair**				
1.4	**Administrative arrangements**				
	Contact List	C1/02	**IHO Member States having a seat at the Council** to provide the IHO Sec. with their updates to the IHO Council List of Contacts.	**Permanent**	
1.6	**Role and Goals of the Council**				
	Procedure for approving proposals made by HSSC and IRCC	C1/03	**The Council** agreed to propose to the Member States to pursue, until A-2, the procedure[5] that was in force before the establishment of the Council, for approving the recommendations made by HSSC and IRCC, with the concurrence of HSSC and IRCC Chairs. This applies in particular but not limited to the standards and publications listed in Appendix 1 of IHO Resolution 2/2007 as, amended.	**A-2**	Decision
	Procedure for approving proposals made by HSSC and IRCC	C1/04	**IHO Sec**. to issue an IHO CL seeking the approval of MS on the decision C1/03.	**Nov. 2017**	

[5] Proposals endorsed by HSSC and IRCC to be submitted directly by IHO CL for approval by MS.

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
	Revision of HSSC&IRCC TORs and IHO Resolution 2/2007 as amended	C1/05	**HSSC and IRCC** to consider their TORs and IHO Resolution 2/2007 as amended, in the view that Council endorsement may not be required in a systematic manner for all standards and publications, and subsequently prepare amendments to their TORs as appropriate for being endorsed at C-3 before submission to A-2. Proposed amendments should take into account that it is up to the **HSSC and IRCC Chairs** to appreciate and determine the need to go through the Council for recommendations of possible strategic importance.	**HSSC-9 and 10, IRCC-10** **C-3**	
	HSSC&IRCC Reports and Proposals to C-2	C1/06	Considering the timelines between HSSC-10 and IRCC-10 meetings in 2018 and the countdown for submission of reports and proposals to C-2, **the Council** invited **HSSC and IRCC Chairs** to prepare their 2018 meeting minutes with the view that they will be used/submitted directly as reports and proposals to be considered at C-2.	**July 2018**	
2.	**ITEMS REQUESTED BY THE 1ST IHO ASSEMBLY**				
2.1	**Revision of the Strategic Plan (considered under Agenda Item 5)**				
2.2	**Revision of IHO Resolutions 5/1957, 1/1969, 9/1967, 5/1972, 1/2014, 4/1957, 8/1967, 1/1965 and 2/1965**				
		C1/07	**The Council** endorsed the proposals for the revision of IHO Resolutions 5/1957, 1/1969		Decision
		C1/08	**The Council** endorsed the proposal for the revision of IHO Resolutions 9/1967 and agreed on the suggestion made by **Brazil** on section 8 to include the possibility of using volunteers from MS that are not a candidate, in the scrutinizing committee.		Decision
		C1/09	**IHO Sec.** to streamline the proposal made by Brazil with regard to the proposed Revised IHO Resolution 9/1967	**Nov. 2017**	

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
		C1/10	**The Council** endorsed the proposal for the revision of IHO Resolution 5/1972, with reference of tonnage figures to be given in section 2, for the annual assessment of the IMO.		Decision
		C1/11	**The Council** endorsed the proposals for the revision of IHO Resolutions 1/2014, 4/1957.		Decision
		C1/12	**The Council** endorsed the proposal for the revision of IHO Resolution 8/1967, after having agreed on the interpretation of Art. VI (g) (vii) of the IHO Convention that the effect of that Article is not to prevent the Council from taking action on proposals put to it by Member States or by the Secretary General.		Decision
		C1/13	**The Council** agreed to continue using the Redbook for Council meetings in the future. **IHO Sec.** to modify "… six weeks…" to "… ten weeks…" in paragraph 1 of the proposed revised Resolution 8/1967 so the Red Book can be made available at least 2 months prior to Council meetings.	**Dec. 2017**	Decision
		C1/14	**The Council** to seek confirmation of the Council interpretation of Art. VI (g) (vii) of the IHO Convention at A-2.	**C-3 for A-2**	
		C1/15	**The Council** endorsed the proposals for the withdrawal of IHO Resolutions 1/1965, 2/1965.		Decision
		C1/16	**IHO Sec**. to issue an IHO CL seeking the approval of MS on the Council decisions on IHO Resolutions 5/1957, 1/1969, 9/1967, 5/1972, 1/2014, 4/1957, 8/1967, 1/1965 and 2/1965.	**Dec. 2017**	
2.3	**Consideration of Rule 12 of the Rules of Procedure of the Council**				
	Election of Chair and Vice-Chair of the Council	C1/17	**The Council** agreed to submit the proposed revised Rule 12 of the Council ROP to A-2 and to seek A-2 for clarification for the identified discrepancy	**C-3 for A-2**	Decision

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
2.4 Methodology and timetable to deal with each year's financial statements and adjustments to the basic documents					
	Financial Statements	C1/18	**The Council** tasked the **IHO Sec.** to consider the suggestions made by the US on the proposed new Resolution (addition of a deadline to paragraph 3, modification in paragraph 7 for allowing the Council to consider Finance Committee's recommendations).	**Nov. 2017**	
	Financial Statements	C1/19	**IHO Sec.** to issue a Council Circular Letter for Council endorsement by correspondence of the corresponding new Resolution, followed by IHO CL for approval by MS	**Jan. 2018**	
3. ITEMS REQUESTED BY SUBSIDIARY ORGANS					
3.1 Report and proposals from HSSC					
	Standards	C1/20	**The Council** endorsed the three proposals submitted by HSSC to C-1 (S-66 Ed. 1.1.0, S-57 Appendix B.1, Annex A, Ed. 4.1.0, S-11 Part A, Ed. 3.1.0)		Decision
	Standards	C1/21	**IHO Sec.** to issue IHO CLs seeking the approval of MS on the decisions made on S-66 Ed. 1.1.0, S-57 Appendix B.1, Annex A, Ed. 4.1.0, S-11 Part A, Ed. 3.1.0	**Dec. 2017**	
	Contract Support for Standards	C1/22	**The Council** tasked **HSSC** to establish a prioritized list of work items that need to be supported by the Special Project fund.	**C-2**	
3.2 Report and proposals from IRCC					
	Capacity Building	C1/23	**The Council** endorsed the proposal for increasing the capacity building support at the IHO Secretariat (Doc. C1-3.2, Annex A refers)		Decision
	Staffing for Capacity Building Management	C1/24	**IHO Sec.** to further investigate and report on the feasibility of recruiting a new staff member at the IHO Secretariat to provide management support for Capacity Building, as a matter of urgency**.**	**C-2**	

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
	ENC Overlapping	C1/25	**The Council** endorsed the proposed IHO Resolution to address issues related to the existence of overlapping ENC data (Doc. C1-3.2, Annex B refers)		Decision
	Monitoring of INT Charts	C1/26	**The Council** endorsed the proposed revocation of IHO Resolution 1/1992 – *Monitoring of INT Charts* – (Decision C1/20, S-11 Part A, Ed. 3.1.0 refers)		Decision
	B-7 GEBCO Guidelines	C1/27	**The Council** endorsed the proposed withdrawal of IHO Publication B-7 *GEBCO Guidelines* (Doc. C1-3.2, Annex D refers)		Decision
	C-17	C1/28	**The Council** endorsed the proposed new edition 2.0.0 of IHO Publication C-17 - Spatial Data Infrastructures "The Marine Dimension" - Guidance for Hydrographic Offices (Doc. C1-3.2, Annex E refers)		Decision
	Approval of IRCC Proposals by MS	C1/29	**IHO Sec.** to issue IHO CL seeking the approval of MS on the decisions C1/23, C1/24, C1/25, C1/26, C1/27 and C1/28	**Dec. 2017**	
	IBSC, Information Technology at the IHO Sec., Satellite Derived Bathymetry, RENC	C1/30	**The Council** acknowledged the work done by the IBSC in the development of the new Standards of Competence for Hydrographic Surveyors and Nautical Cartographers; endorsed the need for a robust IT-based infrastructure in the IHO Secretariat; acknowledged the benefits of using satellite derived bathymetry for risk assessment including seeking funds from donor agencies; and acknowledged the work already done by both RENCs to reach maturity and stability and for the support provided to hydrographic offices and end-user service providers		Decision

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
	Crowd-Sourced Bathymetry	C1/31	**The Council** invites **IRCC** to consider enlarging the scope of the Crowd-Sourced Bathymetry Working Group and takes note that crowd-sourced bathymetry should be considered in the revision of the Strategic Plan	**IRCC-10**	
4.	**IHO ANNUAL WORK PROGRAMME AND BUDGET**				
4.1	**Review of the Current Financial Status of the IHO**				
	Financial Status	C1/32	**The Council** noted the information provided on the current financial status.		Decision
4.2	**Proposed IHO Work Programme for 2018**				
	Work Programme and Priorities	C1/33	**The Council** endorsed the proposals made by the IHO SecGen and Directors on the key priorities in the IHO 2018 programme of work and encouraged **MS** and the **IHO Sec.** to: - consider the engagement with the UN-GGIM Working Group on Marine Geospatial Information (Programme 1) - re-evaluate the allocation of their resources in the light of key work items to be supported (Programme 2)	**C-2**	Decision
	Contribution to the DCDB	C1/34	**Norway** was invited to submit a proposal to the appropriate Working Groups for the contribution of sounding data extracted from ENC to the IHO Data Centre for Digital Bathymetry in support to Seabed 2030.	**Nov. 2017**	
	Work Programme Priorities	C1/35	**The Council** invited the **Chair/Secretary-General** to provide IHO Work Programme key priorities in time with the other supporting documents for Council meetings.	**Permanent**	

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
4.3	**Proposed IHO Budget for 2018**				
	Budget	C1/36	**The Council** confirmed the approval of the IHO budget for 2018 and supported the preliminary intentions given by the SecGen on the possible evolution of the Special Project Fund for contract support.		Decision
5.	**IHO STRATEGIC PLAN**				
5.1	**Review of the Strategic Plan**				
	Strategic Plan Review WG	C1/37	**The Council** decided to establish the Strategic Plan Review Working Group and endorsed the draft TORs developed by the Council drafting group.		Decision
	Strategic Plan Review WG	C1/38	**The Council** endorsed the nomination of Bruno Frachon (France) by Germany for the position of Chair of the SPRWG.		Decision
	Strategic Plan Review WG	C1/39	**The Council** endorsed the nomination of Shigeru Nakabayashi (Japan) by US for the position of Vice-Chair of the SPRWG.		Decision
	Strategic Plan Review WG	C1/40	**The Council** endorsed the nomination of Doug Brunt (Canada) by Norway for the position of Secretary of the SPRWG.		Decision
	Strategic Plan Review WG	C1/41	**IHO Sec**. to issue an IHO CL seeking the approval of MS on decisions C1/37, /38, /39 and /40.	**Nov. 2017**	
5.2	**Proposal to evaluate status, requirements and options to integrate the IHO Strategic Plan/Performance Indicators, budget and work programme activities**				
		C1/42	**The Council** decided to include the principles raised in the proposal submitted by US in the TORs of the Strategic Plan Review Working Group.		Decision (completed)
6.	**OTHER ITEMS PROPOSED BY A MEMBER STATE OR BY THE SECRETARY-GENERAL**				
6.1	**Proposed theme for World Hydrographic Day 2018**				
		C1/43	**The Council** tasked the SPRWG to include communication strategies as part of the way and means of its work plan.	**C-2**	

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
		C1/44	**The Council** agreed that the Secretary-General will continue with the current practise for the adoption of the theme of World Hydrography Day (IHO CL inviting to comment on a proposed theme, followed by IHO CL for announcing the theme)		Decision
		C1/45	**The Council** endorsed the proposed theme for WHD 2018 ""*Bathymetry - the foundation for sustainable seas, oceans and waterways*" and invited the **IHO Sec.** to issue the corresponding IHO CL	**Nov. 2017**	Decision
6.2 Proposal to amend the General Regulations to address the medical fitness of candidates for election to the positions of Secretary-General or Director, and the conditions of service of Directors					
	General Regulations, Elections	C1/46	**The Council** endorsed the proposal for amending the General Regulations to address medical fitness of candidates for election and invited the **Council Chair** to include the proposed amendment in its report and proposals to A-2.	**A-2**	Decision
6.3 Council consideration of the definition of the term "hydrographic interest"					
		C1/47	**IHO Sec** to raise the issue of the definition of hydrographic interest at A-2 in accordance with Clause (c) of Art. 16 of the General Regulations and request possible guidance on the objectives and ways to reconsider this issue.	**A-2**	
		C1/48	**The Council** decided not to include the consideration of hydrographic interests in its current programme of work, pending further guidance from A-2.		Decision

AGENDA ITEM	SUBJECT	DECISION or ACTION No.	DECISION or ACTIONS (in bold, action by)	TARGET DATE/EVENT	STATUS (at 19 Oct 2017)
6.4 Proposal to amend the General Regulations concerning the election process for electing the Secretary-General and Directors (Canada)					
		C1/49	**The Council** thanked **Canada supported by Australia, Brazil France, and Norway** and any other interested MS, for offering to pursue informal discussions on possible improvements of the General Regulations with regard to the election process.	**C-2, C-3** **A-2**	
7. NEXT MEETING					
7.1 Dates and venue for the 2nd Meeting of the IHO Council					
	C-2	C1/50	**The Council** welcomed the offer made by **UK** to host C-2 in London, UK[6], from 9 – 11 Oct. 2018 (back-up in Monaco).		Decision
8. ANY OTHER BUSINESS					
	Side-meetings	C1/51	In the Council Circular Letter calling for Council meetings in Monaco, **IHO Sec.** to remind that MS may use meeting rooms available at the IHO Headquarters, prior and after the Council meetings sessions.	**Permanent**	
9. REVIEW OF ACTIONS AND DECISIONS OF THE MEETING					
10. CLOSURE OF THE MEETING					

[6] Confirmation received on 23 Oct. 2017.