

INTERNATIONAL HYDROGRAPHIC ORGANIZATION



STATUTES OF THE MEDITERRANEAN AND BLACK SEAS HYDROGRAPHIC COMMISSION
(MBSHC)

7th Edition, July 2017

Note: This edition takes into account the decisions of the MBSHC up to and including its XXth Conference (Herceg Novi, Montenegro, July 2017).

STATUTES OF THE MEDITERRANEAN AND BLACK SEAS HYDROGRAPHIC
COMMISSION (MBSHC)
(7th Edition)

Article1

- a) The Mediterranean and Black Seas Hydrographic Commission (hereinafter referred to as “the Commission” or “the MBSHC”) is established in conformity with Resolution 2/1997 as amended of the International Hydrographic Organization (IHO) on the Establishment of Regional Hydrographic Commissions (RHC). Members of the Commission shall be the countries bordering the Mediterranean and Black Seas who are Members of the IHO and whose representatives are signatories to the present Statutes.
- b) The countries bordering the Mediterranean and Black Seas who are not Members of the IHO but who wish to co-operate in the work of the Commission, and whose representatives are signatories to the present Statutes, become Associate Members.
- c) Other Member States of the IHO outside the region may become Associate Members (as signatories to the statutes of the MBSHC) if they contribute to the safety of navigation by their activities in the fields of hydrography, nautical charting, or nautical information in the region of the MBSHC. Their applications shall be considered by the plenary conference mentioned in Article 4. The admission of these applications requires a two-thirds majority of the Members of the Commission.
- d) Associate Members shall have the same rights and obligations as the Members of the Commission, except the right to vote.

Article2

The aims of the Commission, which is an integrant part of the IHO, shall be:

- a) To provide, in pursuance of the resolutions and recommendations of the IHO, regional co-ordination with regard to nautical information, hydrographic surveys, production of nautical charts and documents, training, technical assistance and cooperation.
- b) To examine the implications, in its area of interest, of matters of general interest with which the IHO is concerned, avoiding any interference with the prerogatives of the IHO Secretariat and of any other commissions set up by the IHO.
- c) To stimulate all bordering countries to widen hydrographic activity in the area and to encourage them to seek technical advice and assistance from the IHO Secretariat in establishing and strengthening their hydrographic capabilities.

- d) To facilitate the exchange of information concerning surveys, research or scientific and technical developments, to aid in the planning and organization of hydrographic activities in the widest sense of the term, but without interference in the national responsibilities of each Hydrographic Office.
- e) To carry out certain studies as an IHO Working Group when considered appropriate.
- f) To liaise with the adjacent RHCs in the subjects of mutual interest.

Article3

Members and Associate Members forming the Commission undertake to participate, of their own free will, on all possible occasions - whether in the form of advice or of assistance - in those hydrographic programmes requiring concerted action, but without prejudice to or interference with their national activities.

Article4

The Commission shall meet in plenary Conference in the country of one of its Members or Associate Members at least once between two successive sessions of the IHO Assembly.

Article5

- a) At the end of each Conference the Members or Associate Members desirous of hosting the following Conference shall put forward their candidatures. Priority shall be given first of all to the Member States over the Associate Members, secondly to a country which has not yet hosted a Conference and finally to the one which hosted a Conference the longest time ago. In cases of equal priority a secret ballot shall be held, the decisions being taken by a simple majority of Members present. The candidature of an Associate Member to be the host of an MBSHC conference will be adopted by consensus if possible, and subjected to the vote of Member States if needed.
- b) Members and Associate Members shall be represented at Conferences by heads of Hydrographic Services, or, where such services do not exist, by heads of national authorities responsible for hydrography and navigation. They may also be accompanied by members of their staff, but it is most desirable that their number be kept to a minimum.
- c) The Commission may set up small committees of Members and Associate Members interested in particular projects with the object of examining and executing such projects.
- d) The host country undertakes to accord participants in the Conference any necessary authorizations and visas to enable them to attend the Conference.

- e) An invitation to attend the Conference shall invariably be addressed to the Secretariat of the International Hydrographic Organization.
- f) The presence of two-thirds (2/3) of the Members of the Commission shall constitute a quorum.
- g) Countries bordering the Mediterranean and Black Seas who are not Members or Associate Members of the Commission as well as countries, which do not border the Mediterranean and Black Seas, which are Members of the IHO but not Associate Members of the MBSHC, if they contribute to the safety of navigation by their activities in the fields of hydrography, nautical charting, or nautical information in the region of the MBSHC area, and those organizations, which are active in the region of the MBSHC area in the fields of hydrography, nautical charting, nautical information or aids to navigation, shall be invited to send representatives to attend its meetings, as observers. The observers may take part in the discussion but shall not have voting rights.

Article 6

- a) The Conferences of the Commission are conducted by the Chairman. The Chairmanship and the Vice Chairmanship of the Commission shall always remain in a Member State. The representative of the country in which the Conference takes place shall be its Vice Chairman. At the conclusion of the Conference, he shall become Chairman and remain in office until the end of the next Conference.

If the Conference is hosted by an Associate Member, at the beginning of the meeting a volunteer for acting as Vice Chairman will be requested, with the same responsibilities indicated in the previous paragraph. In case of more than one volunteer for Vice Chairmanship a secret ballot shall be held, the decisions being taken by a simple majority of Members present.

- b) In the interval between two Conferences, the Chairman shall provide the Secretariat for the Commission regarding all questions to be dealt with by correspondence. He will prepare a Provisional Agenda for the Conference at which he is to preside, and will present - as the first item - his report on the activities of the Commission since the last Conference.
- c) The State hosting a Conference, should it be a Member or an Associate Member State, shall be responsible for the organization of the Conference for which his country shall pay the expenses.

Article 7

If the Chairman, or the Vice-Chairman, is unable to officiate, he shall be replaced by his successor or his deputy in his office.

Article8

- a) Decisions and actions taken during each meeting should be prepared in written form by the Chairman and supplied next day to the Members present.
- b) At the end of the Conference, the Chairman shall read the text of the decisions and actions taken during the Conference, which will be adopted according to the provisions of Article 11.
- c) The new Chairman shall dispatch within one month of the close of the Conference a copy of the summary report containing the discussions, decisions, actions and recommendations of the Conference for approval to each Member and for comments to Associate Members and Observers. Members shall notify within one month of the receipt their approval or objections, if any, which shall be settled by correspondence.

Article9

- a) Proposals to be included in the Agenda of a Conference must be sent to the Chairman at least four months before the date fixed for the opening of the Conference.
- b) The Chairman shall prepare the Provisional Agenda in consultation with the Vice-Chairman and forward it to the participants at least eight weeks before the opening of the Conference.

Article10

- a) The Agenda shall be adopted by the Commission at the beginning of each Conference.
- b) The Commission may modify in the course of the Conference the order in which Agenda items are to be discussed.

Article11

- a) The resolutions and decisions reached at Conferences shall be adopted in accordance with the procedure described in paragraph f)** of Article IX of the IHO Convention, the exception being amendments to the present Statutes as provided for in Article 14 below, and the admission as Associate Members of IHO members outside the region as referred to in Article 1.c. However, when the Chairman considers that the text under review concerns the concerted action of merely a limited number of Members, the unanimous decision of such Members is required.
- b) Only Members are entitled to vote, each having the right to one vote. The voting shall be by a show of hands.
- c) All decisions become operative immediately after the Conference, except in the case where a Member objects to any decision and asks that the matter be referred to the IHO for a decision.

However, such a procedure shall not be applicable to the provisions of paragraph a) of Article 5 concerning the hosting of Conferences.

Article12

- a) The Chairman may call a meeting of the Members of the Commission when their representatives are assembled for a session of the IHO Assembly.
- b) In the case of urgent matters, which cannot be treated by correspondence and which cannot be postponed until the next Conference, the Chairman, with the agreement of the Vice-Chairman, having taken the opinion of the Members and the Associate Members, shall convene an Extraordinary Meeting, to be held in the country of the next Conference or the place considered most appropriate.
- c) The provisions of Article 6 are not applicable to the meetings defined in paragraph a) and b) above, which shall be organized and presided over by the Chairman, who will remain in office after the meeting has concluded.
- d) Experts who are not Members of the Commission may be invited to Conferences or Extraordinary Meetings.
- e) When these meetings do not include all Members, the decisions reached shall be reported to the next Conference of the Commission, or by the correspondence if the matter is urgent.

Article13

Traveling and hotel expenses of delegates shall be defrayed by their respective countries.

Article14

Members and Associate Members of the Commission may propose amendments to the present Statutes. These amendments shall be discussed at a Conference and the decisions, which must be approved by a two-thirds (2/3) majority of the members of the Commission, will be included in the Report of the Conference.

Article15

- a) The official languages of the Commission are those of the International Hydrographic Organization.
- b) The working languages for each Conference (or meeting) shall be established by general agreement and will be notified to Members at the time the Conference (or general meeting) is convened.
- c) The report shall be drawn up in one of the official languages, as selected by general agreement.

Article16

- a) The Chairman will report the Commission's activities and future plans to the relevant sessions of the IHO Assembly. Between sessions the reports of studies or other activities, which are considered of general interest to all IHO Member States, shall be sent by the Chairman to the IHO Secretariat for general dissemination.
- b) The rules for the selection of Member States from MBSHC to the IHO Council are part of the Statutes and provided in annex. The selection of such Member States is initiated and undertaken by the MBSHC Chair.

EXTRACT FROM THE CONVENTION ON THE IHO, ARTICLE IX, PARAGRAPH f), REFERRED TO IN ARTICLE 11, PARAGRAPH a., OF THE STATUTES OF THE MBSHC:

(f) In the case of a submission to Member States in accordance with Article VI (g) (vii), the decision shall be taken by a majority of the Member States who cast a vote, with the minimum number of affirmative votes being at least one-third of all Member States.

ARTICLE VI

(g) The functions of the Council shall be to: (vii) 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 the Member States for adoption, through correspondence;

Annex

RULES FOR THE SELECTION OF MEMBER STATES FROM MBSHC TO THE IHO COUNCIL (as approved at the XIXth MBSHC Conference)¹

Selection from MBSHC to the IHO Council shall be determined in compliance with IHO General Regulations Art.2 and Art.16.

1. MBSHC Member States who wish to be selected from another Regional Hydrographic Commission (RHC) shall inform the MBSHC Chair and the IHO Secretary-General six months before the ordinary session of the IHO Assembly.
2. Member States who wish to be selected from the MBSHC to the Council shall submit their application to the Chair and the IHO Secretary-General six months before the ordinary session of the IHO Assembly.
3. If the number of candidates is equal to the number of seats allocated for the MBSHC by the IHO Secretary-General, then the aforementioned candidates will be automatically selected.
4. If the number of candidates is less than the number of seats allocated, the candidates will be automatically selected. Remaining positions will be selected, under the supervision and follow up of the MBSHC Chair, from a list of all MBSHC Member States in French alphabetical order, except for those States who are candidates of another RHC, giving preference firstly to the remaining States that have never been selected before, and secondly to those that have not been selected the longest time ago.
5. If the number of candidates is more than the number of seats allocated, a voting will take place at a Conference of the MBSHC, or by correspondence if no MBSHC Conference is scheduled in the three months prior to the IHO Assembly. Each Member State will submit one voting paper listing the Member States from the list of candidates equal to the number of seats allocated. The highest voted candidates will be selected from the MBSHC. In case of a draw, the Chair will cast a deciding vote.
6. The Chair shall notify MBSHC Member States of the results.
7. In case the selected State is unable to carry out its duties, the aforementioned selection process will be repeated.
8. All expenses connected with the participation to the Council shall be defrayed by their respective States, in accordance with IHO General Regulations Art. 3.

¹ Note: see also Decision No 6 of the 5th Extraordinary International Hydrographic Conference, Oct. 2014.