

IHO File No. S1/6100/2020

ASSEMBLY CIRCULAR LETTER N° 19
21 April 2020

2nd SESSION OF THE IHO ASSEMBLY (A-2)
Monaco, 16-18 November 2020

APPROVAL OF THE PROPOSED SCENARIO ON THE POSTPONEMENT OF THE
2ND SESSION OF THE IHO ASSEMBLY AND ASSOCIATED ACTIVITIES

Reference:

- A. IHO ACL 17/2020 dated 20 March 2020 - *Proposed scenario on the postponement of the 2nd Session of the IHO Assembly and associated activities resulting from exceptional circumstances due to COVID-19*
- B. Assembly Document - A2_2020_G_02_EN – Comments on Proposals (Red Book)
- C. Assembly Document - A2_2020_G_05_EN – IHO Council Report

Dear Hydrographer,

1. Reference A invited Member States to vote on the proposed scenario on the postponement of the 2nd Session of the IHO Assembly and associated activities resulting from exceptional circumstances due to COVID-19.
2. The IHO Secretariat thanks the following 59 Member States for responding to Reference A: Algeria, Argentina, Australia, Bahrain, Bangladesh, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Croatia, Cyprus, Democratic People's Republic of Korea, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Iceland, India, Indonesia, Islamic Republic of Iran, Ireland, Italy, Japan, Latvia, Malaysia, Malta, Mauritius, Mexico, Monaco, Morocco, New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Poland, Portugal, Republic of Korea, Romania, Saudi Arabia, Singapore, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sweden, Thailand, Turkey, Ukraine, United Kingdom, United States of America and Uruguay.
3. Fifty seven Member States approved the proposed scenario and two Member States voted against. Twenty Member States offered comments in addition to their vote. These comments and the outcome of their review by the Secretariat are provided in Annex A to this Circular Letter.
4. When Reference A was issued, there were 93 Member States of the IHO with three States suspended. In accordance with the provisions of the Convention on the IHO, as amended, the conditions for approval of the proposal as stipulated in paragraph 28 of Reference A have been met. As a result, and taking into account the comments provided in Annex A – and taking into

account the preferred dates requested by the Principality of Monaco - the proposed postponement of the 2nd Session of the IHO Assembly from 16 to 18 November 2020 in combination with the 4th meeting of the Council from 18 to 19 November 2020, and the associated activities, have been adopted.

5. As indicated in Reference A, paragraph 15, the Secretariat will compile final versions of the proposals based on Red Book comments, aiming to include non-substantive suggestions or editorial corrections in general, and submit them to Member States for approval by correspondence by end of April.

6. The postponed 2nd Session of the Assembly will focus on the essential decisions deemed as basic elements for the functioning of the Organization and proposals where discussion is vital or no clarity obtained from Member States' comments as compiled in the Red Book (Reference B refers). The agenda of the Assembly will include the following items:

- a. The Financial report for the term 2017 – 2019;
- b. The report of the Council-Chair for the term 2017 – 2019;
- c. The 3 years' work plan 2021 – 2023;
- d. The 3 years' budget 2021 – 2023;
- e. The revised Strategic Plan;
- f. The definition of hydrographic interests;
- g. The S-100 showcase and S-100 roadmap;
- h. The report on the informal consultation process for the future of S-23;
- i. The establishment of an e-learning centre;
- j. The thematic session of IHO-100.

A detailed draft Agenda of the 2nd Session of the Assembly will be issued in due course.

7. The establishment of an e-learning centre, originally submitted by Republic of Korea (PRO 3.3) addresses a subject of increasing relevance under the emerging constraints in personal participation on learning courses. Means of distance learning and other online training technologies will be in the focus of the deliberations of the Capacity Building Sub-Committee during the next months and amendments to PRO 3.3 for Assembly consideration can be expected. The Secretariat therefore decided to remove this proposal from the list of proposals to be voted on by correspondence as initially proposed by Reference A, paragraph 14 and include it in the draft Agenda of the 2nd Session of the Assembly.

8. The members of the Strategic Planning Review Working Group (SPRWG) indicated their capacity to continue their work on the pending task to adapt the set of Strategic Performance Indicators (SPI) to the targets of the revised strategic plan. Since the SPRWG reports to the Council, this activity will be under the auspices and the coordination of the Council Chair. Subject to prior

endorsement by the Council, the outcome will amend the current version of the Council Chair report (item b.) and the report of the Chair of the SPRWG (item e.) to the Assembly.

9. Similar to the main organs of the IHO, the main subordinate bodies such as HSSC and IRCC, including their associated Sub Committees and Working Groups, are subject to adaptations of their respective schedules and working arrangements originally assigned to them in the IHO Work Programme 2020. Some of those bodies are already working on postponement of their meetings and alternative working arrangements via video conferencing and collaborative workspaces. It seems appropriate to the Secretariat that their working results achieved in the interim should be reflected at the forthcoming Assembly. The Secretariat is therefore proposing to accept updates on their respective reports pertaining to the above noted Agenda items of the Assembly. Their submission and presentation should follow the established principles, i.e. becoming elements of the Council Chair and Secretary-General proposals respectively. This principle should be applied to PRO 1.7, 1.8, 1.9 and 2.1. It should be noted in this regard that the forthcoming meetings for IRCC and HSSC are planned in October 2020 and the usual submission time lines of the resulting reports for Member States' considerations and advance comments cannot be met.

10. The same approach is suggested for updates to be made by the providers of existing proposals submitted by Member States. This principle should be applied to PRO 2.2, 2.3 and 3.3. If the Secretariat receives such updates four months prior to the forthcoming Assembly (by middle of August 2020) it will make it available for Member States comments for final compilation of a Red Book update. In view of the ongoing uncertainties on the further conduct of the work allocated to the IHO main organs and subordinate bodies, the Secretariat is not in favour of submissions of fully new proposals to the forthcoming Assembly and kindly invites the Member States to consider abstaining from such new submissions.

Yours sincerely,



Mathias JONAS
Secretary-General

Annex A: Member State's responses to IHO ACL 17/2020 and comments from the Secretariat

**MEMBER STATES' RESPONSES TO IHO ACL 17/2020 AND COMMENTS
FROM THE IHO SECRETARY-GENERAL
POSTPONEMENT OF THE 2ND SESSION OF THE IHO ASSEMBLY
AND ASSOCIATED ACTIVITIES**

Algeria (VOTE = NO)

Algeria approves and has no technical objection to the proposals of the provisions cited in paragraph 27, with the exception of point "d" - The election of the Director of the IHO by correspondence - which we consider difficult to implement and therefore we propose the extension of the current mandate until the holding of the 2nd Session of the Assembly.

Comments by the Secretary-General:

The Secretary-General considered various options how to manage the appointment of the new director, had a look into the history of the Organization for precedencies and consulted some of the previous IHO Presidents to understand how they made decisions in comparable situations. The consideration of the Secretary-General to prolong the current IHO Director's service until the 2nd Assembly would be one of the options. Although there is now a confirmed proposal to hold the Assembly in November, no-one can make an educated guess at this stage how the situation develops and if the event is going to happen accordingly. In the view of the Secretary-General, there is still no guarantee of an Assembly in 2020. The main criteria for the proposed election by correspondence however, is the situation of the individual candidates who planned their further steps in career and personal life according to having the election in spring time, whatever the outcome. The positive decision for the Secretary-General's proposal by majority of the Member States is regarded as confirmation of this fair and emphatic approach.

Brazil (VOTE = YES)

Brazil would prefer to have seen a Voting Form with one question for each item and each Proposal that was intended to be discussed individually by the Assembly and during the next Session of the Assembly. Although the answer is YES to the only one question of this Voting Form, the answer to this Voting Form applies to sub-paragraphs b., d., e. and f. of paragraph 27 of ACL 17/2020 and does not apply to all Proposals as explained below. Brazil agrees with the Proposals 1.1, 1.2, 1.6 and Tonnage, Shares and Votes applicable to 2021-2023 being decided by correspondence under the conditions as described in paragraphs 15 and 16 of ACL 17/2020. Brazil would prefer that the Proposal 1.3 be discussed during the 2nd Session of the Assembly together with the Proposals 1.4 and 1.5 that deal with the same subject. Brazil agrees with the Proposals 2.4, 3.1, 3.2, 3.3 being decided by correspondence under the conditions as described in paragraph 19 of ACL 17/2020. Brazil would prefer that the Proposal 1.10 be discussed during the 2nd Session of the Assembly. Since it refers to a new IHO Resolution and it was not discussed yet by anybody of IHO, Brazil thinks the 2nd Session of the Assembly would be the appropriate moment for the Assembly to

consider the Member States' comments to this Proposal, before taking a voting process if deemed necessary.

Comments by the Secretary-General:

Noted.

Canada (VOTE = YES)

Canada thanks the IHO Secretariat for its efforts in these extraordinary times. CA would also like to acknowledge the time and effort of the HOs and industry partners who were preparing exhibits for the Assembly and it does hope that they will have the opportunity in the future to display their products, services, and innovations. Thank you for your interest and your support of the IHO.

Comments by the Secretary-General:

Noted.

Chile (VOTE = NO)

CHILE thanks the Secretary-General and the President of the Council for the efforts made to consider the present situation that requires the postponement of the 2nd Session of the IHO Assembly and the adoption of other measures for the continuation of the activities of the Organization.

However, CHILE considers that this voting form requires the MS' opinion only on some of the actions to be carried out only by correspondence and that it does not request the MS' opinion on the opportunity of holding the 2nd Session of the Assembly, taking for granted that such Assembly will be held on 16 to 19 November, date that seems uncertain to us given the unpredictable situation due to COVID-19 and, furthermore, to hold later on the Council.

CHILE does not share this approach, and considers more appropriate and wiser to have the Assembly held together with the IHO Centenary Celebrations, in June 2021, and to have the approval of all the basic instruments by correspondence. The Council is something that could be held by correspondence before the end of 2020, by video-conference.

In the opinion of CHILE, the following objects could be solved through consultation by correspondence, without any need to hold a Meeting during present year:

- Approval of Reports, Work Programme and Budget;
- Election of the new Director;
- Approval of the Table of Tonnage, Shares and Votes;
- Establishment of the Council and election of its authorities, and as well of those of HSSC and IRCC;
- Consideration of the proposals already submitted to the Assembly;
- Strategic Planning and election of authorities, if the continuation of the Group is deemed convenient.

Finally, CHILE agrees with the proposals contained in items a), b), c), d), e) and f) of paragraph no. 27 of the Assembly Circular Letter No. 17/2020.

Comments by the Secretary-General:

Before proposing the current approach, the Secretary-General carefully considered how to comply at best with the rules of the Convention and the General Regulations with regard to the proper function of the Assembly and the Council as the subordinate organ. The further development of the global and local situation for Covid-19 was and still is difficult to predict. The Secretary-General is closely monitoring further developments and continues considering preparations for alternative scenarios for the conduct of the Assembly and the Council.

Colombia (VOTE = YES)

This measures are appropriate and opportunes.

Comments by the Secretary-General:

Noted.

Croatia (VOTE = YES)

Croatia supports the proposed scenario and wishes to emphasize the importance that all activities planned to be implemented before the 2nd Session of the IHO Assembly, as explained in ACL 17/2020, are in accordance with the relevant applicable IHO regulations and documents.

Comments by the Secretary-General:

Noted.

Guatemala (VOTE = YES)

Considering the COVID-19 crisis it is the best Course of Action in order to mitigate and control this global outbreak.

Comments by the Secretary-General:

Noted.

Indonesia (VOTE = YES)

Indonesia approve the postponement of 2nd Session of IHO Assembly on 17-19 November 2020 also the arrangements of procedures and preparation including arrangements related to remote voting and correspondence through Circular Letter, Need to be highlight on the confidentiality of the election IHO Director need to implement with strictly.

Comments by the Secretary-General:

Noted. See forthcoming ACL 20/2020 for more detailed explanations of the whole voting process.

Japan (VOTE = YES)

We believe that election of the IHO Director is quite an important business. Considering the exceptional circumstances under which the postal services are working very poorly world-wide and most hydrographic offices in Member States are fully occupied with the COVID-19 issues, we suggest as follows: 1. "Diplomatic Channel" should also be utilized in addition to the proposed voting system "election by correspondence," in other words, post, e-mails and online systems, suggested by Secretariat. 2. Sufficient time for the voting period should be ensured.

Comments by the Secretary-General:

Noted. See forthcoming ACL 20/2020 for more detailed explanations of the whole voting process.

Monaco (VOTE = YES)

Monaco can provide with 2 or more scrutineers [for the IHO Director Election procedure] if needed. Monaco confirms its preference for the Assembly opening ceremony at the 16th of November in the morning.

Comments by the Secretary-General:

The Secretary-General fully respects the desire of the Principality of Monaco to shift the dates of the Assembly by one day in advance to hold the opening Ceremony at Monday, 16th of November, 2020 in the presence of His Serene Highness Prince Albert II.

New Zealand (VOTE = YES)

Item 27 d. Election of the IHO Director by correspondence as described in the above paragraphs 20, 21 and 22. Given the effort/risk of postal voting due to Covid-19, the availability of online voting and the supervision of the scrutineer from the Government of Monaco NZ suggests that the election of the IHO Director be by online vote using the IHO online form system. The use of the usual ballots in envelopes by post would be the exception, upon request by MS.

Comments by the Secretary-General:

Noted. See forthcoming ACL 20/2020 for more detailed explanations of the whole voting process.

Poland (VOTE = YES)

Poland totally supports Secretary-General's proposal.

Comments by the Secretary-General:

Noted.

Portugal (VOTE = YES)

Stay safe and healthy.

Comments by the Secretary-General:

Noted. The Secretary-General appreciates the good wishes.

Republic of Korea (VOTE = YES)

We would like to provide the following requests on PRO 3.3 Establishment of an IHO e-Learning Center and the election of a new IHO Director: 1. PRO 3.3 Establishment of an IHO e-Learning Center For ease of reference, we will submit a presentation file and a video on the proposal prepared by KHOA via cl-lc@iho.int by the beginning of next week and would like to ask the IHO Secretariat to kindly circulate them to Member States in advance. 2. Election of a new IHO Director Article 17 of the General Regulations and Rule 37 of the Rules of Procedure of the IHO Assembly stipulate that the election of Directors shall be held by secret ballot. Therefore we would like to request that the IHO Secretariat takes extra caution to ensure the anonymity of the postal ballot. The IHO Secretariat is also invited to provide information about the visions and promises of the candidates so that all Member States can be well informed.

Comments by the Secretary-General:

The Secretary-General looks forward to submission of additional materials to illustrate PRO 3.3 but refers to the proposed handling of this item under paragraph 7 of this ACL 19/2020. For the conduct of the election of Director see forthcoming ACL 20/2020 for more detailed explanations of the whole voting process.

Slovenia (VOTE = YES)

If the proposed scenario will be approved, we kindly ask IHO Secretariat to let HOs know (by email), when they will send the usual ballots for Election of the IHO Director in envelopes by post.

Comments by the Secretary-General:

Agreed. See forthcoming ACL 20/2020 for more detailed explanations of the whole voting process.

Singapore (VOTE = YES)

ON ELECTION OF IHO DIRECTOR:

Singapore notes that further details on the voting procedure will be provided in a Special Assembly Circular Letter. We would like to seek the IHO Secretariat's clarification on the following: - We note that a scrutineer will be appointed for the voting process and would like to further seek the IHO Secretariat's clarification on how the anonymity of postal and digital votes will be safeguarded. - We would appreciate if the IHO Secretariat can advise on the procedure in the event that more than one round of voting is required if no candidate receives the requisite majority in the first round or in the event of a tie.

SHOULD THE COVID-19 SITUATION NOT IMPROVE:

Singapore notes that the plan is for the 2nd IHO Assembly and 4th Council to take place in November 2020. Should the situation for COVID-19 not improve by then, we suggest that the IHO Secretariat may wish to consider the feasibility of conducting the Assembly and Council via video-conference, in the event that travel and movement restrictions due to COVID-19 are still in place in November.

Comments by the Secretary-General:

Noted. See forthcoming ACL 20/2020 for more detailed explanations of the whole voting process. The Secretary-General is closely monitoring the global situation with COVID-19 and continues considering preparations for alternative scenarios for the conduct of the Assembly and the Council depending from the further development.

Sweden (VOTE = YES)

Sweden appreciates the proposed way forward for the IHO A-2 and is grateful for the efforts made by the IHO Secretariat. Sweden recognizes the exceptional circumstances and supports these alternative procedures.

Comments by the Secretary-General:

Noted.

Thailand (VOTE = YES)

We fully agree with the condensed format. About the date of A2 and Council meeting we prefer before September 2020.

Comments by the Secretary-General:

Noted.

United Kingdom (VOTE = YES)

The UK fully supports the proposed arrangements detailed in ACL17/20.

Comments by the Secretary-General:

Noted.

United States of America (VOTE = YES)

The U.S. expresses its appreciation to the Secretariat for proposing a best path forward to progress the work of the IHO during the COVID-19 pandemic event. In general, the U.S. hydrographic community is functioning reasonably well via telework and through our remote systems. The U.S.

stands ready to offer any assistance as the Secretariat may feel helpful. We offer the following points for consideration in the next steps:

- Please offer guidance on deadlines concerning HSSC, IRCC, Council, and Assembly submission of papers, proposals, and nomination/election of Chairs/Vice Chairs.
- Regarding Paragraph 4 of the CL, please confirm guidance concerning the implications of the delayed A-2 on submission [of] new proposals or updates to existing proposals and reports based on normal pre-meeting timelines.

We suggest that the SG, [Chairs of the] Council, HSSC and IRCC be encouraged to update their reports and proposals as appropriate to account for ongoing work or intervening events.

Comments by the Secretary-General:

Noted with reference to paragraph 8, 9 and 10 of this ACL 19/2020.