

## Paper for Consideration by SCUFN-35.2

### Requirements and Procedures on Assessing the Evidences Provided by National Authorities<sup>1</sup>

**Submitted by:** Sihai Li

**Executive Summary:** This proposal puts forward the requirements and procedures of the Sub-Group on assessing the evidences on previously naming the undersea features provided by national authorities.

**Related Documents :** Standardization of Undersea Feature Names (B-6), Edition 4.2.0 - October 2019, IHO/IOC.

**Related Projects:** The decision/action of SCUFN 35.1/167d

#### Introduction/Background

1. In SCUFN 35.1 meeting, SCUFN noted the information provided by SCUFN Member Sihai Li that most of features named by Vietnam, Malaysia and Philippine in the South China Sea have already been previously named officially by China. With reference to B-6, clause I.D, SCUFN agreed to create a sub-working group, the SCUFN Sub-group B-6 I.D, to assess the evidence provided by national naming authorities on this matter. Chinese naming authority (CCUFN) provided series of evidences during SCUFN 35.1 meeting at SCUFN's request.

The decisions and actions from SCUFN-35.1 about the Sub-Group are:

- *Noting the information provided by SCUFN Member Li by which most of these features have already been named (with reference to B-6, clause I.D), SCUFN agreed to create a sub-working group, the SCUFN Sub-group B-6 I.D, to assess the evidence provided by national naming authorities on this matter. (End of March)*
- *SCUFN Sub-group B-6 I.D co-led by SCUFN Members Li and Said to set up this group. (15 May)*
- *SCUFN Sub-group B-6 I.D to submit by correspondence their TORs, objectives, assessment rules, deliverables (still to be defined, to SCUFN Members for endorsement.) (15 June)*
- *SCUFN Sub-group B-6 I.D to provide their review outcome to SCUFN Secretary for consideration at SCUFN35.2 (15 Sept, 60 days before)*

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<sup>1</sup> SCUFN tasked the subgroup work to Sihai Li and Said. Sihai Li drafted the proposal and sent to Said for his comments several times, but Li hasn't got any substantial response from Said about the proposal by now. Considering the timetable set by last SCUFN Meeting, Li has to submit it to SCUFN for consideration in the name of himself alone.

2. The rules and guidelines based on which the Sub-group works:

- *The Sub-Committee shall select undersea feature names from:*
  - a. *names provided by national authorities and international organizations concerned with nomenclature;*
  - b. *names submitted to the Sub- Committee by individuals (with the exception of SCUFN members), agencies and organizations involved in marine research, hydrography, etc.;*
  - c. *names appearing in scientific publications or on appropriate charts and maps.*
  - d. *names submitted to the Sub-Committee by the Chairpersons or Chief Editors of International Bathymetric Chart projects, in relation to the work on these projects. (B-6, Ed. 4.2.0, Introduction 2 ii) ).*
- *“International concern for naming undersea features is limited to those features entirely or mainly (more than 50 %) outside the external limits of the territorial sea, not exceeding 12 nautical miles from the baselines, in agreement with the United Nations Convention on the Law of the Sea.” (B-6, Ed. 4.2.0, Section I.A).*
- *“Names approved by national authorities in waters beyond the territorial sea should be accepted by other States if the names have been applied in conformance with internationally accepted principles. ....” (B-6, Ed. 4.2.0, Section I.D).*
- *“In the event of a conflict, the persons and/or authorities involved should resolve the matter. Where two names have been applied to the same feature, the older name generally should be accepted. ....” (B-6, Ed. 4.2.0, Section I.E).*

3. For reference there are also such regulations in the Scientific Committee of Antarctic Research (SCAR), Seen in “The International Principles and Procedures for Antarctic Place Name, SCAR report, N041, published by the scientific committee on Antarctic research, October, 2021. ”

- *“4. Principles and procedures for the use of existing Antarctic place names Where there is more than one name assigned to a feature or place, the oldest name approved by a naming authority should be adopted. If known, preference should be given to the originally approved name of a feature or place originally approved by a national naming authority.”*

4. The similar principle also appears in ACUF standardization, approved by the U.S. Board on Geographic Names Advisory Committee on Undersea Features 6 April, 1999:

- *E. In the event of a conflict, the persons and agencies most directly involved should resolve the matter. Where two names have been applied to the same feature, the older name generally should be*

*accepted. ...*

5. SCUFN only technically reviewed the proposals from Vietnam and Malaysia, and accepted the generic terms of some features. In the light of Decision SCUFN35.1/168 and SCUFN35.1/238, SCUFN Secretary will keep them pre-loaded in the GEBCO Gazetteer with PENDING status with the intention to move those ACCEPTED to APPROVED status at the close of SCUFN35.2, if appropriate.

### **Analysis/Discussion**

6. SCUFN emphasized it will review all name proposals outside one state's territorial sea according to B-6 in the SCUFN35.1 meeting.
7. When an undersea feature outside the territorial sea of one state was named by two or more states, the older or oldest name generally should be accepted. While B-6 does not give the specific method and procedure on how to identify which state named it first.
8. The Terms of Reference and Rules of Procedure of the Sub-group is a refinement of relevant rules of B-6, which is responsible to formulate the standard procedures and to assess the evidences showing one undersea feature has been named by other states before the name proposal is submitted to SCUFN.

### **Recommendations**

9. In order to assess the evidences, the evidence category should be clarified. The following evidences provided by national authorities should be considered by SCUFN.
  - a. Official documents on undersea feature names issued by the national authorities; or
  - b. Availability in the public database from the national authorities; or
  - c. Maps/charts/atlas published; or
  - d. Scientific publications;
  - e. Other official or scientific evidences showing the undersea features have been named previously.
10. Other requirements of the evidences
  - a. The explanation in English language shall be attached on the occasion the non-English

evidences are provided;

- b. A written declaration made by the national authorities shall be provided to guarantee the authenticity of the evidences and the attached explanations.

#### 11. Procedure of the assessment

The Sub-group shall work primarily by written correspondence and apply the following procedures:

- a. Formulating the terms of reference (TOR) and rules of procedure (ROP) for the Sub-Group (see the Annex);
- b. Receiving the evidences provided by related national authorities or members of SCUFN within 2 months after the closing of the SCUFN meeting in accordance with the decision of the SCUFN;
- c. Assessing the authenticity, validity and compliance of the evidences; The evidences failed in authenticity, validity and compliance shall not be accepted;
- d. Assessing the chronological naming order of the related undersea features based on the evidences;
- e. Making decisions by consensus within the Sub-Group members;
- f. Providing recommendations on the undersea feature names at least 2 months before the next meeting;
- g. Reporting the progress to the SCUFN secretariat during the intersessiona periodl.

#### **Justifications and Impacts**

12. The proposed recommendations are the refinement of existing B-6 rules and in consistent with B-6, which will help SCUFN to resolve the conflicts when naming the same feature by different parties.

#### **Action required of SCUFN**

13. SCUFN is invited to:

- a. note this proposal.
- b. consider the recommendations in sections 9, 10 and 11, discuss and make a decision for the new complementary criteria of B-6.

**ANNEX****SCUFN Sub-Group B-6 I.D  
Terms of Reference and Rules of Procedure****1. Objectives**

Under the circumstances that national authorities or members of the SCUFN claim that the related undersea features having been named officially or scientifically with the evidences provided before the undersea feature name proposals are accepted by the SCUFN, the Sub-Group shall be established to assess the evidences and submit recommendations on the undersea feature names to the SCUFN. The related naming proposals are listed as PENDING before the final decision made by the SCUFN.

**2. Authorization**

The SCUFN Sub-Group B-6 I.D is established under the authorization of the SCUFN and submits report to the SCUFN.

**3. Composition and Chair**

The Chair (Co-chair) and members of the Sub-Group are registered by the SCUFN members and designated by the SCUFN Chair.

**4. Assessment of the evidences****4.1 Category of the evidences**

The following evidences provided by national authorities should be considered by SCUFN.

- a. Official documents on undersea feature names issued by the national authorities; or
- b. Availability in the public database from the national authorities; or
- c. Maps/charts/atlas published; or
- d. Scientific publications;
- e. Other official or scientific evidences showing the undersea features have been named previously.

**4.2 Other requirements of the evidences**

- a. The explanation in English language shall be attached on the occasion the non-English evidences are provided;

- b. A written declaration made by the national authorities shall be provided to guarantee the authenticity of the evidences and the attached explanations.

#### **4.3 Procedure of the Assessment**

The Sub-group shall work primarily by written correspondence and apply the following procedures:

- a. Formulating the terms of reference and rules of procedure for the Sub-Group;
- b. Receiving the evidences provided by related national authorities or members of SCUFN within 2 months after the closing of the SCUFN meeting in accordance with the decision of the SCUFN;
- c. Assessing the authenticity, validity and compliance of the evidences; The evidences failed in authenticity, validity and compliance shall not be accepted;
- d. Assessing the chronological naming order of the related undersea features based on the evidences;
- e. Making decisions by consensus within the Sub-Group members;
- f. Providing recommendations on the undersea feature names at least 2 months before the next meeting;
- g. Reporting the progress to the SCUFN secretariat during the intersessional period.

#### **5. Outcome of the Sub-Group**

- a. Terms of reference and rules of procedure of the Sub-Group;
- b. Recommendations on the undersea feature names.

#### **6. References**

- a. Standardization of Undersea Feature Names (B-6), Edition 4.2.0 - October 2019, IHO/IOC;
- b. The Decisions/Actions of SCUFN 35.1/167d.