

# STATUTES OF THE IHO HYDROGRAPHIC COMMISSION ON ANTARCTICA (HCA)

(As approved at by correspondence, following HCA-17, VTC, 14, Tromsø, Norway – 28-30 June 2016-2021)

Notes: HCA Statutes were adopted at the 3rd HCA Conference, IHB, Monaco, 8-10 September 2003. They were revised at the 7th HCA Conference, Buenos Aires, Argentina, 3-5 October 2007. A further revision of Article 3 (adding a mission statement) and 6.1 was agreed at the 12th HCA Conference, Montevideo, Uruguay, 10-12 October 2012. Articles 1.2 and 3.6 were reviewed at the 13th HCA Conference, Cádiz, Spain, 3-5 December 2013. Article 4.1 was reviewed at the 14th HCA Conference, Tromsø, Norway, 28-30 June 2016 with some other editorial changes to align with the new IHO Convention- Article 1-

## Article 1: THE COMMISSION AND THE ANTARCTIC TREATY SYSTEM

### GENERAL

1.1 1.1 The IHO Hydrographic Commission on Antarctica (hereinafter referred to as "HCA") HCA or the Commission is a special unique Regional Hydrographic Commission of (hereinafter RHC) recognized by the International Hydrographic Organization Organization (IHO). The HCA is established in conformity with IHO Resolution 2/1997, as amended "Establishment of Regional Hydrographic Commissions (RHC)" (Appendix A) and shall be governed according to these statutes. The Commission should provide, in pursuance of the resolutions and recommendations of the IHO, and the Antarctic Treaty System, regional coordination in the provisioning of hydrographic services, freedom of scientific investigation, cooperation, free exchange of, and access to, scientific observations in support of safe maritime navigation and for broad scientific use.

1.2 1.2 The HCA is ARTICLE 8 (a) of the coordinating body for hydrographic surveying and nautical charting matters in International Region M. Hydrographic Organization's General Regulations states that RHCs are regional bodies, established by IHO Member States and recognized by the IHO Assembly to improve regional coordination, enhance exchange of information and foster training and technical assistance." Additionally, ARTICLE 8 (e) stipulates the membership requirements for RHCs, including the HCA.

1.3 The Antarctic Treaty and related agreements, collectively known as the Antarctic Treaty System, provide a legal framework for international relations with respect to Antarctica, Earth's only continent without a native human population. The Treaty applies to the area south of 60° South Latitude, including all ice shelves and islands. The principle aims of the Antarctic Treaty System, of interest to the IHO, are the focus on cooperative relations with International Organizations, scientific research and the free exchange of data.

1.4 The geographic limits of the HCA are defined by the IHO International (INT) Charting Scheme Region M. The geographic limits of this region are illustrated at Appendix B.-

### Article 2-

### MEMBERSHIP

2.1 2.1 As per ARTICLE 8 (e) of the IHO General Regulations, Full Membership of the

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HCA is open to any reserved for IHO Member State States whose government has governments have acceded to the Antarctic Treaty and which contributes contribute resources to the provision of hydrographic data, products and services supporting marine safety of navigation within, and/or data to IHO INT Chart and ENC coverage of Region M (see Appendix B) and which becomes a signatory to the Statutes of the HCA. the wider use of marine geospatial information of the Antarctic region.

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2.2 2.2 Associate Membership is open to any non-IHO Member State whose government has acceded to the who are Antarctic Treaty Contracting Party, and other States which contributes resources and/or data to IHO INT Chart and ENC coverage of Region M, and w hich becomes a signatory to the Statutes of the HCA. A ssociate Members may take part in the discussions but shall not have voting rights, except as contained in Articles 4.2 and 4.3.-

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2.3 2.3 Other States and international organizations active in the region may be invited by the HCA to participate as Observers. Observer status in the HCA is open to any other IHO Member State, available to the representatives of any national or international organisation, and to organizations and individual experts,-

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having professional involvement in hydrographic surveying or nautical charting marine data, products or services in Region M either by contributing to those activities, or by providing support to those activities, or as users of derived products. The participation of Observers in any activity of the HCA will be subject to the prior approval of the Chair of the HCA. The Observers may take part in the HCA discussions, but shall not have voting rights.-

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### Article 3-

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#### AIMS

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The mission of the HCA is:

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"To achieve the improvement of the quality, coverage and availability of nautical charting and other hydrographic information and services covering the region".-

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This mission will be achieved by the following aims:-

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3.1 3.1 The Commission, which is an integral element in achieving the objectives of the IHO and w hich promotes the aims of the Organization at the regional level, shall have an advisory, scientific and technological character. A ctivities shall complement the w ork of the IHO Secretariat, align with and support the intent and objectives of the approved IHO Work Programme, and shall not extend to matters concerning international political issues.

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3.2 The HCA will endeavor to align its mission activities to the intent of the IHO Strategic Plan, IHO Resolution 2/1997 and the Antarctic Treaty System. Freedom of scientific investigation and cooperation, and free exchange of and access to scientific observations and results are considered key objectives of the HCA.

3.3 The aims of the Commission are: To promote technical co-operation in the domain of hydrographic surveying, marine cartography, and nautical information w ithin the region.-

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3.4 3.2 To stimulate the Full Members, Associate Members and Observers forming the HCA to w iden hydrographic activity in the region in accordance with relevant Antarctic Treaty, Consultative Meeting (ATCM) Resolutions 5 of 2008 and 2014.

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(Appendices (Appendix C and D), and to encourage). Encourage them to seek technical advice and assistance from the International Hydrographic Bureau (IHB) / IHO Secretariat of the IHO in establishing and strengthening their hydrographic capabilities in order to promote safe navigation in the region and policies, including the acquisition of scientific, commercial and crowdsourced survey resources and all types of advancing technology designed for systematic survey.

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3.5 3.3 To facilitate the exchange of information between Hydrographic Authorities and with other organisations/organizations concerning surveys, research or scientific, technical and operational developments regarding marine information broadly, and, to aid in the planning and organization of hydrographic activities in the widest sense of the term.

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3.6 3.4 To encourage Full Members, Associate Members and Observers forming the HCA to participate actively, 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.

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3.7 3.5 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 IHB/IHO Secretariat, and of any other Regional Commissions set up recognized by the IHO.

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3.8 3.6 To coordinate INT chart and ENC schemes, and other developing universal hydrographic data model (S-100) data, products and services for the region and to monitor their suitability.

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3.9 3.7 To define the needs for new surveys and if necessary to develop co-operative approaches to meet those needs.

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3.10 3.8 To facilitate the provision and wide dissemination of information for scientific purposes (for example through and to consider the GEBCO programme) – potential of Marine Spatial Data Infrastructure (MSDI) concepts for regional implementation.

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3.11 3.9 To align regional activities with the approved IHO Strategic Plan and Work Programme, taking into account the actions, recommendations and outcomes of the IRCC.

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3.12 The HCA may establish committees or working groups to carry out studies, when considered as appropriate, to advance regional priorities. If created, subordinate bodies will have approved Terms of Reference, and progress work under the direction of the HCA. Participation within the subordinate bodies will be open to participants of the HCA and other Subject Matter Experts (SME)s as decided by the Full Members.

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3.10 To develop an annual report of the status and plans for hydrographic surveys in the region, including updating and amplifying relevant IHO Publications.

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3.11 The HCA may appoint working groups of Members and Associate Members interested in particular projects with the object of examining and executing such projects.

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#### Article 4

### CONFERENCES

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4.1 4.4 The HCA shall meet in plenary conference in the country of one of its Full Members or Associate Members, or such other venue as may be selected, at least twice once between two successive ordinary sessions of the International Hydrographic Conference (IHC) / IHO Assembly. Members may hold the HCA conference, and

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informal discussions, via VTC connections by agreement.

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4.2 ~~4.2~~ At the end of each conference the Full Members ~~and~~ Associate Members and Observers desirous of hosting the following conference shall put forward their candidatures. Consideration should include locations that collocate the HCA with other international Antarctic discussion venues associated with the Antarctic Treaty System. Priority shall be given to a country that has not yet hosted a conference, or to the one that did so the longest time ago. In cases of equal priority, a vote shall be held, with the decision being taken by a simple majority of Full Members and Associate Members present.

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4.3 If it is in the interest of the HCA, and agreed upon by a simple majority of Full Members and Associate Members, should designate an alternative venue may be selected.

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4.3 ~~4.4~~ Members and Associate Members shall be represented at conferences by heads of Hydrographic Services official representative, preferably the head of a hydrographic office, or their nominees or, where such services do not exist, by heads of national authorities responsible for hydrography and navigation. They may be accompanied by advisors, but it is most desirable that their number be kept to a minimum.

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4.4 ~~4.5~~ The presence of a third (1/3) half of the Full Members of the HCA shall constitute a quorum at all conferences.

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4.5 The Chair shall invite the Chairs of adjacent RHCs to send representatives to attend the Commission conferences as Observers if appropriate. Any Member or Associate Member may propose to the Chair the invitation of technical experts as Observers.

Article 5.

CHAIR, VICE-CHAIR AND SECRETARIAT

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5.1 ~~5.1~~ The activities of the ~~Committee~~ Commission shall be conducted by the Chair, who shall be the Secretary-General of the IHO or a Director of the IHB/IHO, appointed by the President of the Directing Committee of the IHB / by the Secretary General of the IHO. The Chair shall also preside over the conference.

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5.2 ~~5.2~~ The Chair shall be assisted by a Vice-Chair from a Full Member State of the HCA. At the conclusion of the first Conference after each IHO Assembly, the Vice-Chair shall be elected at the beginning of each conference by a simple majority of those Full Members present, and serve until the conclusion of the first Conference after the next IHO Assembly.

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5.3 ~~5.3~~ The IHB/IHO Secretariat of the IHO shall provide the Secretariat for the Commission regarding all questions to be dealt with by correspondence. The Chair will prepare a Provisional Agenda for the next conference and will present, as the first item, his report on the activities of the Commission since the last conference.

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5.4 ~~5.4~~ The Chair will report the activities and future plans of the HCA to the relevant bodies of the IHO. Between sessions, reports of studies or other activities, which may be considered of general interest to all IHO Member States, should be reported through the Chair to the IHO Secretariat for general dissemination.

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general interest to all Member States, should be reported through the Chair to the IHB/Secretariat of

the IHO for general dissemination.

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Article 6-

**ORGANISATION ORGANIZATION OF CONFERENCES**

6.1 6.4 The Chair shall issue invitations at least ~~six~~four months before the conference.-

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6.2 6.2 Proposals to be included in the agenda of a conference shall be sent to the Chair and Secretary at least ~~four~~three months before the date fixed for the opening of the conference.-

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6.3 6.3 The Chair shall prepare the Provisional Agenda in consultation with the Vice-Chair and host nation, and forward it to the participants at least ~~eight~~six weeks before the opening of the conference.-

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6.4 6.4 The Chair shall be responsible for the ~~organisation~~organization of the conference, in conjunction with the Vice-Chair and ~~meeting~~host nation.-

6.5 6.5 The host nation shall provide the Rapporteur and the secretarial facilities for the conference.-

6.6 6.6 The host nation shall be responsible for the expenses of the conference except those expenses described in Article 6.8 below.-

6.7 6.7 The host nation will assist with the arrangement of ~~authorisations~~authorizations and visas, so as to facilitate attendance at the conference.-

6.8 6.8 All expenses connected with the participation of the Chair and the delegates in the conference shall be defrayed by their respective organizations.-

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Article 7-

**CONFERENCE AGENDA**

7.1 7.4 The Agenda shall be adopted by the HCA at the beginning of each conference.-

7.2 7.2 The HCA may modify in the course of the conference the order in which Agenda items are to be discussed.-

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Article 8-

**DECISIONS, ACTIONS AND RESOLUTIONS**

8.1 8.4 Decisions taken during each conference should be prepared in written form by the Chair and presented the next day to the participants present.-

8.2 8.2 At the end of the conference the Chair shall circulate the decisions taken during the conference. These decisions shall be adopted by means of a simple majority of the

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members present. Votes in ~~favour~~ favor shall be indicated by a show of hands unless a secret ballot is requested by any Member present. However, when the Chair, or a majority of Members present, decide that the decision so requires, the decision shall be made by correspondence. Such decision will be approved by a simple majority of the Members who have responded by the due date, provided that the number of votes received is at least equal to the quorum indicated in Article 4.5.-

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8.3 ~~8.3~~ Only Full Members are entitled to vote, each having the right to one vote. The exception to this rule is found at Articles 4.2 and 4.3.-

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8.4 ~~8.4~~ All decisions become operative immediately, ~~except in the case where a Member objects and asks that the matter be referred to the IHO. However, such a procedure shall not be applicable to the provisions of articles 4.2 and 4.3, concerning the hosting of conferences.-~~

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8.5 ~~8.5~~ The Chair shall dispatch within one month of the close of the conference a copy of the Summary Report containing the discussions, decisions and recommendations of the conference for verification or comment to each Full Member, Associate Member and Observer. Comments are to reach the Chair within one month of the receipt of the Summary Report. The final version of the Minutes shall be forwarded within four months of the close of the ~~Conference~~ conference.

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## Article 9-

### EXTRAORDINARY MEETINGS

9.1 ~~9.1~~ The ~~By majority agreement of the Full Members, the~~ Chair may call a meeting of the ~~Members and Associate Members of the HCA~~ when their representatives are assembled for a session of the ~~IHC/IHO Assembly or IHO Council~~ inviting others qualified to attend as Observers. ~~The Chair may also propose a meeting or VTC when agreed by majority of Full Members.~~

9.2 ~~9.2~~ In the case of urgent matters, which cannot be treated by correspondence, ~~VTC or other scheduled event~~, and which cannot be postponed until the next conference, the Chair, ~~or with majority decision agreement of the conference~~ Full Members, may request that an extraordinary meeting be held in a place considered most appropriate.-

9.3 ~~9.3~~ The provisions applicable to the conferences shall apply to all extraordinary meetings.-

9.4 ~~9.4~~ When these extraordinary meetings do not include all Members, meet quorum and number of votes for decisions as per Sections 4.5 and 8.2, the decisions reached shall be circulated to all Full Members for comment prior to being taken. All decisions shall be reported by correspondence.-

## Article 10-

### STATUTES

10.1 ~~10.1~~ The ~~IHB/IHO~~ Secretariat of the IHO shall be the custodian of these Statutes.-

~~10.2~~ ~~40.2~~ Members of the HCA may propose amendments to the Statutes. The Chair shall submit the proposal(s) by correspondence to all Members for decision at conference, or voting. A simple majority via CL. Two-thirds (2/3) of Full Members of the HCA is required for approval. If an amendment is approved, the Chair will update the Statutes and circulate them to all Full Members, Associate Members and Observers.-

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~~10.3~~ ~~40.3~~ Updated versions of the IHO and ATCM resolutions will be added to the Statutes, as appropriate, by the Chair without the approval of the Members of the HCA. The changes would not constitute formal amendments to the Statutes.-

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#### Article 11-

### LANGUAGE OF THE HCA

11.1 The working language of the HCA shall be English.-

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Approved by the Commission at the IHB, Monaco, September 2003-

Amendments approved at the HCA -7, Buenos Aires, Argentina, October 2007-

Amendments approved at the HCA -12 Montevideo, Uruguay, October 2012

Amendments approved at the HCA -13 Cádiz, Spain, December 2013

Amendments approved at the HCA -14 Tromsø, Norway, June 2016-

Amendments approved by correspondence, following HCA-17, VTC, 14 June 2021

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#### Annex: Signature Pages-

#### Appendices:-

A. A- IHO Resolution 2/1997 of the IHO, as amended-

B. B- Geographic Limits of IHO INT Chart Charting Scheme Region M-

C. Resolution Resolutions 5 of the 31<sup>st</sup> Antarctic Treaty Consultative Meeting 2008-

C. D- Resolution 5 of the 37<sup>th</sup> Antarctic Treaty Consultative Meeting 2014 and 6 of the 42<sup>nd</sup> Antarctic Treaty Consultative Meeting 2019

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