

Statutes

of the

Arctic Regional Hydrographic Commission

(ARHC)



ARCTIC REGIONAL
HYDROGRAPHIC
COMMISSION

Record of changes		
Edition No.	Date	Comments
1.0	2010-10-06	Statutes of ARHC signed
2.0	2016-10-06	New Edition approved by ARHC6
2.1	2016-11-21	Amendments approved by ARHC via correspondence
2.2	2017-09-01	Edits following the approval of the Protocol of Amendments; and, Italy becomes a signatory of the ARHC Statutes as an Associate Member
3.0	2021-11-10	New Edition approved at ARHC11

Preamble

Considering that certain Member States of the International Hydrographic Organization (IHO) are Arctic coastal States;

Considering *IHO* Resolution 2/1997 as amended regarding the Establishment of Regional Hydrographic Commissions;

Considering Article 8 of the *General Regulations of the International Hydrographic Organization*;

The Hydrographic Offices of Canada, Kingdom of Denmark, Norway, the Russian Federation, and the United States of America established the Arctic Regional Hydrographic Commission (ARHC) on 6 October, 2010;

Considering The IHO recognized the ARHC at its XVIIIth Conference in Monaco, 23-27 April 2012;

Considering the Hydrographic Offices of Canada, Kingdom of Denmark, Norway, the Russian Federation, and the United States of America have approved these Statutes by signature (see Annex A);

The Statutes of the ARHC are as follows:

Section 1

Interpretation

1. These Statutes are not binding under international law. Activities by Members, Associate Members, and Observers under the Statutes are undertaken voluntarily, on a consultative basis, and are subject to the availability of funds. The Commission has no authority over Members, Associate Members, or Observers.
2. All activities, including exchange of information, technical cooperation, statements made, or positions taken in the course of the works of the Commission are without prejudice to the respective national legal positions or sovereign rights under international law of each Member, Associate Member, and Observer and are not to be construed as any statement, position or admission whatsoever in relation to any claim regarding the Arctic Region.
3. The Record of Changes, the Preamble, and the annexes are part of the Statutes.

Section 2

Definitions

4. In this document:

- a) “Statutes” means the Statutes of the Arctic Regional Hydrographic Commission.
- b) “Arctic Region” or the “Region” is the geographic area covered by the Commission which corresponds to IHO International Charting Region N as defined by IHO Publication S-4 Regulations for International INT Charts and Chart Specification of the IHO edition 4.9.0 (A204.8).
- c) “Commission” means the Arctic Regional Hydrographic Commission.
- d) “Full Member” means an IHO Member State within the Arctic Region who signs the Statutes.
- e) “Associate Member” means other IHO Members States out of the Arctic Region, or States of the Arctic Region who are non-IHO members, both being signatories of the Statutes of the Commission.
- f) “Observer” means other States and International Organizations active in the Arctic Region concerned that may be invited by the Commission Chair to participate. Additional observers such as industry or Academic stakeholders active in the Arctic Region may be invited by the Commission to participate.
- g) “IHO Member State” means any State that is a Contracting Party to the Convention on the International Hydrographic Organization as amended by the Protocol of Amendments to the Convention on the International Hydrographic Organization that entered into force on 8 November 2016.
- h) “Regular meeting” means an annual meeting of the Commission in which all Full and Associate Members are invited by the Commission Chair to attend.
- i) “Extraordinary meeting” means any meeting other than a “regular meeting.”

Section 3

Full Members, Associate Members, and Observers

5. Full Members

- a) The five Member States of the IHO within International Chart Region N are Canada, Kingdom of Denmark, Norway, the Russian Federation, and the United States of America.
- b) The Full Members of the Commission are the Hydrographic Office representatives of the governments of Canada, Kingdom of Denmark, Norway, the Russian Federation, and the United States of America.

6. Associate Members

- a) Associate Members intend to contribute to the work of the Commission.

- b) Associate Members may take part in Commission discussions and propose meeting agenda items.
- c) There are no permanent Associate Members of the ARHC.
- d) Applications for Associate Members are considered on a four-year cycle commencing with the approval of these Statutes (version 3.0), or at any other time as decided by the Commission and initiated by the Commission Chair.

The application process is based on the following tenets:

- i. The governments of the Arctic States of the Arctic Council are afforded special standing and will be granted Associate Membership upon request.
- ii. The number of Associate Members, generally, should not exceed the number of Full Members.
- iii. The term of each Associate Member is four years, or the length of the application cycle decided by the Commission. Each Associate Member must re-apply at the end of its term if it wishes to remain an Associate Member.
- iv. The Commission decides on each Associate Membership application based primarily on the applicant's intended contribution to the Objectives of the Commission as identified in Section 4 and evidence of its active interest in the Region. Associate Members are expected to carry out the activities described in their application to the best of their ability.

The application process has the following steps:

- v. Applicants for Associate Membership send their application to the Commission Chair indicating how they intend to contribute to the Commission.
- vi. The Commission Chair compiles the applications and sends them to the Full Members.
- vii. Full Members may share comments regarding the applicants with the Commission Chair prior to ARHC Members voting on an application. Full Members are encouraged to prioritize applicants as they independently determine and inform the Commission Chair, as an aide to the final determination of Associate Membership for the period in question. Procedural questions should be addressed prior to the application period and recorded in the meeting minutes as appropriate.
- viii. The Commission Chair compiles the results and initiates a discussion, if required. If a vote is necessary, decisions are made by a majority of votes. All Full members are afforded an opportunity to vote either during a meeting or within 30 days following the meeting. The decision is determined by those votes cast affirmatively or negatively. An abstention is not counted toward the calculation.

The Commission Chair is to solicit the vote of any Full Member not present and add it to the votes cast to determine an outcome within 30 days. During intersessional periods, the Commission Chair or other Full Member may request a decision by correspondence in which case, all Members will be requested to vote via correspondence (including electronic correspondence) and within a reasonable time determined by the Commission Chair.

7. The IHO Secretariat shall be invited to attend the meetings of the ARHC as Permanent Observer (IHO Resolution 2/1997).

8. Observers

a) Observers are invited on a meeting-by-meeting basis by the Commission Chair in support of the meeting's agenda.

b) Observers may take part in Commission discussions and propose meeting agenda items.

Section 4

Objectives of the Commission

9. Established by the Full Members and recognized by the IHO to improve regional coordination, enhance exchange of information and foster training and technical assistance in line with the objectives of the IHO as described in Article II of the IHO Convention and Article 8 of the IHO General Regulations, the Commission includes among its objectives:

a) to promote technical cooperation in the domain of hydrographic surveying, marine cartography, and nautical information in support of safety of navigation and all other marine purposes and to raise global awareness of the importance of hydrography;

b) to examine the implications in the Arctic Region of matters of general interest with which the IHO is concerned, without interfering with the prerogatives of the IHO Secretariat and of any other body established by the IHO;

c) to stimulate the widening of hydrographic activity in the Arctic Region and to encourage the seeking of technical advice and assistance from the IHO Secretariat in establishing and strengthening hydrographic capabilities;

d) to define the needs for new hydrographic products and services including surveys and charts and, where appropriate, develop cooperative approaches between attending hydrographic organizations to meet those needs;

e) to facilitate the exchange of information concerning surveys, research or scientific and technical developments; and to aid in the planning and organization of hydrographic activities, without interfering with the domestic responsibilities of the national authorities

responsible for hydrographic services;

f) to engage in IHO Council, Committees, Sub-Committees and Working Groups, as decided by the Full Members;

g) to implement to the best of their ability the spirit and intent of the Resolutions of the IHO (M-3); and

h) to contribute to the IHO Work Programme and to strive to realize the IHO Strategic Plan goals within the Arctic Region, including periodically reporting status and progress in those regards to the IHO.

Section 5

Meetings

10. The Commission conducts regular meetings hosted by one of its Full Members (or Associate Members, if decided by consensus) at least once between two successive ordinary Assemblies of the IHO.

11. Discussions are held verbally, in writing, or through electronic means between or among Members and/or Associate Members and/or Observers and/or any party for the purposes of making a decision or exchanging information. Relevant points of such discussions should be recorded in minutes or other forms of documentation for the benefit of the ARHC.

12. By consensus, extraordinary meetings may be held to discuss Commission matters and/or to take advantage of occasions when Members are assembled for another event (e.g., IHO Assemblies).

13. An informal rotation based on the English alphabetical ordering of the country names of the Full Members, i.e., Canada, Kingdom of Denmark, Norway, the Russian Federation, and the United States of America, is to be used to determine the location of regular meetings. Full Members may decide to conduct a regular meeting in another location or order in which case the decision and implication to the rotation schedule will be documented in the meeting minutes and future meeting default rotation for five years.

14. In person meetings are preferred, however, as proposed by the Chair, meetings may also be conducted by video teleconference (VTC), telephone, or a combination of these means (also known as a 'hybrid' meeting) depending on circumstances, practicalities, and the concurrence of all the Full Members.

15. Each Full Member and each Associate Member is represented at meetings by an Official Representative of the Member State, typically, the head of its national authority responsible for hydrographic services, or its designee. Each such head may be accompanied by advisors, but it is desirable that the size of each delegation be kept to a minimum.

16. Full Members should attend all meetings. Associate Members and invited Observers are encouraged to attend meetings as schedules and venue limitations may permit.

17. The presence of four out of five Full Members at a meeting constitutes a quorum.

18. Meeting Agenda and Organization

a) The Commission Chair sends invitations to the participants at the earliest opportunity (optimally 120 days) before the proposed meeting opening date. Proposals and agenda items are invited at this time.

b) The Commission Chair sends the Provisional Agenda to the participants at the earliest opportunity and preferably least 60 days before the meeting opening date.

c) At their discretion, the Commission Chair is invited to consider corporate meeting topics outlined in Annex C. The Commission Chair is encouraged to communicate with the Full and Associate Members the desired outcomes of the regular meeting in advance.

d) The Commission Chair shall make note of any invited Observers relevant to the intended meeting agenda when distributing the provisional agenda for comment.

e) Meeting documents shall be sent to the Commission Chair and IHO Secretariat for coordination of distribution prior to the meeting.

f) The meeting agenda is adopted by the Full Members at the beginning of each meeting.

g) In the course of a meeting, the Commission Chair may modify the order in which the agenda items are to be discussed.

h) The Commission Chair is responsible for posting the meeting minutes on the ARHC webpage following the meeting.

i) At the discretion of the Commission Chair and in coordination with the hosting nation, a "Science forum" and/or "Stakeholder forum" may be organized in connection with a meeting with an open invitation to Full Members, Associate Members, and representatives of local communities, experts, guests, and others. Overall coordination of the event rests with the Commission Chair and hosting nation.

j) At the discretion of the Full Members, participation in Commission meetings or portions of meetings may be limited.

Section 6

Commission Chair and Vice-Chair

19. The Chair of the Commission is typically the head of a Member's national authority responsible for hydrographic services, but may also be an official representative of the Member State, consistent with the principle of IHO General Regulations. The Commission Chair assumes

responsibilities from the closing of a regular meeting to the closing of the next regular meeting. The Commission Chair is responsible for organizing the regular meeting over which the Commission Chair is to preside. Generally, the hosting of meetings and the chairpersonship should follow the same rotation as noted in Section 5(13).

20. At the closing of the regular meeting, the Vice-Chair assumes the Commission Chair and remains in office until the closing of the next regular meeting.

21. The Commission Chair provides the secretariat functions for the Commission during the course of the Chair's term. Secretariat functions includes correspondence, the preparation of a provisional agenda, the keeping and distribution of minutes, the recording of actions and decisions, and the vetting, preparation, and final submission to the IHO Secretariat of a summary report.

22. The Commission Chair is to prepare and present a report on the activities of the Commission for the IHO Inter-Regional Coordination Committee (IRCC) meeting. The IRCC is the steering committee of the IHO for inter-regional coordination and support.

23. The Commission Chair may sign non-binding Memoranda of Understanding on behalf of the Commission with the concurrence of the Full Members where Memoranda support the objectives of the Commission.

24. The Vice-Chair assists the Commission Chair and assumes the duties of the Commission Chair if the Commission Chair is unable to preside.

Section 7

Conduct of Business

25. All decisions under these Statutes are taken by consensus amongst the Full Members. A quorum is necessary for any decision to be taken. If the Full Members are unable to reach consensus, decisions may be taken by a simple majority vote of the Full Members.

26. Only the Full Members are entitled to vote, each having one vote.

27. Votes in favor are indicated by a show of hands unless a secret ballot is requested by any Full Member present. Decisions may be made by electronic correspondence if the Full Members decide to do so by a simple majority.

28. In the case of a tie vote at a physical meeting, the proposal should be tabled and the proposal reissued by correspondence to all Full Members with a decision expected within 60 days.

29. All decisions taken become operative immediately, unless decided otherwise. In such a case, the date on which the decision becomes operative is identified in the text of the decision.

30. Decisions which may be of interest to all IHO Member States are brought to the attention of the IHO Secretariat by the Commission Chair.

31. Committees, Working Groups, and Project Teams:

a) The Commission may set up committees, working groups, or project teams composed of Full Members and Associate Members interested in carrying out particular projects or activities.

b) The mandate and the expected duration of these subordinate bodies of the Commission are to be specified in their Terms of Reference which must be adopted by a decision. The Terms of Reference should consider inclusion of anticipated or planned duration of the standing of any subordinate bodies.

32. All expenses connected with the participation in any meetings or activities of the Commission or its subordinate bodies are borne by the participants' respective governments or organizations.

33. The working language of the Commission is English.

Section 8

Entry into Operation, Modification, and Discontinuation

34. The Commission is established as documented in Annex A. These revised Statutes enter into operation as of the date all Full Members have officially given notice of concurrence to the IHO Secretariat. Once in operation, these Statutes supersede any previous Statutes.

35. These Statutes may be modified by decision of the Full Members. When a modification is decided, the Record of Changes section is to be updated to indicate the date of the latest modification, and the modification is to be recorded in the meeting minutes. If the Full Members all agree, these Statutes may be updated under authority of the prior signed Annex A and a resigning is not necessary.

36. The Commission may be dissolved, and these Statutes discontinued by majority decision of the Full Members.

37. The IHO Secretariat is the repository of these Statutes.

Section 9

Selection of Commission Member(s) to the IHO Council

38. Selection of Full Members of the Commission to occupy the seat(s) on the IHO Council allocated to the Commission is to be determined in line with *IHO General Regulations* Article 2 and Article 16.

39. The selection process contains the following elements:

- a) Selection of Full Members of the Commission to sit on the IHO Council is on a rotation basis. The rotation is to be in the following alphabetical order: Canada, Kingdom of Denmark, Norway, the Russian Federation, and the United States of America.
- b) Participation in the IHO Council is voluntary. If a Full Member does not wish to take its rotation as IHO Council representative, the next Full Member in the rotation is to be given the option of becoming the Commission representative on the IHO Council.
- c) For the following 3-year IHO Assembly cycle, the next Full Member in the order identified in subparagraph (a) is offered the IHO Council representation.






40. The duties and responsibilities of the Commission Member State(s) occupying the seat(s) on the IHO Council include:

- a) Attending all annual meetings of the IHO Council in Monaco or other designated location.
- b) Being aware of issues that are before the IHO Council and communicating those issues to Commission Members in advance of the IHO Council meeting.
- c) Soliciting input from other Commission Members as to any opinions or proposals being considered at the IHO Council meetings.
- d) All expenses connected with a Full Member's occupation of a seat on the IHO Council is borne by the government of that Full Member in line with *IHO General Regulations* Article 3.

ANNEX A

Approvals of the Full Members




We, duly authorized representatives of the governments of Canada, Kingdom of Denmark, Norway, the Russian Federation, and the United States of America confirm by our signatures below our approval of these *Statutes of the Arctic Regional Hydrographic Commission*.

Member State	Duly authorized representative	Date	Signature
Canada 			
Kingdom of Denmark 			
Norway 			
Russian Federation 			
United States of America 			

ANNEX B

Associate Members

We, duly authorized representatives of the governments of IHO Member States, confirm by our signatures apposed below, our desire to contribute to the work of the Arctic Regional Hydrographic Commission in a capacity of Associate Member and intend to act in conformity with the *Statutes of the Arctic Regional Hydrographic Commission*.

Associate Member State	Duly authorized representative	Date	Signature
Finland 			
Iceland 			
Italy 			

ANNEX C

The provisional agenda of meetings of the Commission shall include:

- (a) adoption of the Agenda;
- (b) confirmation of the Chair and Vice-Chair;
- (c) standard items suggested in relevant IHO guidance (for example, National reports, IHO report, reports from subsidiary organ groups, etc.);
- (d) any item the inclusion of which has been requested by the Assembly, Council, or IRCC;
- (e) any item the Commission wishes to raise with the Assembly, Council, or IRCC;
- (f) any item the inclusion of which has been requested by a subsidiary organ;
- (g) any item the Commission may wish to raise in support of the IHO Strategic Plan, the IHO Work Program, or global initiatives endorsed by the IHO;
- (h) notable developments in support of hydrographic science in the Arctic, including national and pan-regional awareness, technical articles in support of the IHR, etc.