



International
Hydrographic
Organization



MEDITERRANEAN AND BLACK SEAS HYDROGRAPHIC COMMISSION

26 June 2024

MBSHC CIRCULAR LETTER No 12/2024

Subject: Proposal of INT chart scheme by Greece

Reference:

- A. MBSHC23 list of Actions, Decisions and Recommendations
- B. MBSHC CL 10/2022 – Proposal of INT chart scheme by Greece
- C. MBSHC CL 02/2023 – Outcome of the voting in response to CL 10/2022
- D. ToR and RoP of the Region F ICCWG
- E. Art. 7.d of the Statutes of MBSHC (9th Edition, April 2022)
- F. Art. II of the Convention on the IHO
- G. Objections from Türkiye, last dated 01 December 2022
- H. the IHO S-11 - GUIDANCE FOR THE PREPARATION AND MAINTENANCE OF INTERNATIONAL (INT) CHART AND ENC SCHEMES AND CATALOGUE OF INTERNATIONAL CHARTS

Dear colleagues,

1. In accordance with MBSHC Action from Reference A, the Hellenic Navy Hydrographic Service (HNHS) – (hereinafter “Greece”), has resubmitted a proposal (hereinafter “Greek proposal”) of INT chart scheme on the Aegean Sea for eight (8) international (INT) charts (No 3720, 3722, 3724, 3726, 3728, 3732 and 3738) to the MBSHC for approval (Ref. B).
2. In accordance with Reference C, the MBSHC Chair has concluded that the conditions required by the Statutes of the MBSHC before adopting any resolution or decision are not fulfilled. The MBSHC Chair has concluded that the voting procedure will be repeated at the MBSHC24 Conference once the quorum is met.
3. In the period after the temporary closure of this proposal and in the light of the existing circumstances, the MBSHC Chair reconsidered the Greek proposal in accordance with the Statutes of MBSHC and other regulations in force (Ref. D, E, F, H).
4. Furthermore, in accordance with Reference E, the main condition for any proposal to be submitted to the MBSHC that concerns the concerted action of merely a limited number of member states is unanimity and cooperation between those states. The Greek proposal is closely related to the interests of another concerned member state, Türkiye, however, consensus between concerned member states does not exist to this day, nor have we been informed about it (Ref. G).



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5. Noting that detailed analysis of the procedures related to this issue was carried out and considering the IHO regulations in force, in accordance with Reference E, the MBSHC Chair states as follows:

As the main principle of the IHO community is **cooperativity and consensus, consent** of member states, which is the basis for making any decision, we consider that the conditions for putting the Greek proposal to vote at MBSHC24 have not been met, **for the reason that the first principle of undertaking INT chart production is not fulfilled, i.e. the consensus of countries to whose territory the INT charts relate.** In the present case, there is no consensus between Greece and Türkiye, and therefore the Greek proposal has not been included on the MBSHC24 agenda (Ref. H).

6. Accordingly, we encourage the two member states, Greece and Türkiye, to engage in a dialogue to find a common solution that can overcome their bilateral disputes, and we propose to:

- encourage mutual dialogue and reach consensus through conclusion of a technical agreement, which is a common practice within the hydrographic community, especially when solving disputed jurisdiction issues, with an indication that the published charts shall in no way prejudice national borders of signatories to the technical agreement;
- postpone the resolving of this issue until a consensus is reached in accordance with the rules and main principle of the IHO Convention, MBSHC Statutes, IHO publication S-11, and Region F ICCWG Terms of Reference and Rules of Procedure;
- when in accordance with the above mentioned procedures a consensus is reached, submit an agreed proposal to Region F ICCWG for adoption, and then to the MBSHC for voting;
- where appropriate, engage an independent legal expert, with the aim of reaching a solution to mutual satisfaction of the two member states and the whole MBSHC region.

Yours sincerely,

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