

# Review of MBSHC Statutes

# Background

- Decision MBSHC22/10 was to create WG led by Spain for the revision of statutes following IHO Resolution 2/1997 and taking into account amendments by A-2
- Take into account the recommendations made by the IHO Secretariat on the decision-making procedures related to the recommendations of the Region F IRCCWG Coordinator.
- MBSHC CL 05/2021 asked for members to this WG and establish a work plan.

# Work Plan

- Members of this WG:
  - Egypt, France, Georgia, Greece, Malta, Spain, Turkey, Ukraine and UK.
- First draft of the Statutes was circulated by Spain on July.
- Members of the group submitted their comments and suggestions by mid-September.
- On December there was a VTC meeting of the group with the incorporation to the group of Croatia.
- The outcome of this group was forwarded to the MBSHC Chair for distribution and discussion during this meeting.

# Result

- The draft of the proposed revision of the Statutes was circulated by MBSHC CL 2/22 on February 1<sup>st</sup>.
- This CL shows alternate texts to articles 4 and 7 and ask for comments to the rest of members to be discussed during this meeting.
- No more comments have been received.

# Draft text

- Follow IHO Resolution 2/1997
- It maintains the spirit of the previous statutes on general consensus in decision-making.
- The articles have been organized by subject matter

# Draft text

- Article 1 – Establishment
- Article 2 – Membership
- Article 3 - Aims of the Commission
- **Article 4 – Voting**
- Article 5 - Chair and Vice Chair
- Article 6 - Participants to the Commission Conferences
- **Article 7 - Conduct of the MBSHC Conference**
- Article 8 - Other MBSHC meetings
- Article 9 – Languages
- Article 10 - Hosting of the Conference
- Article 11 - Representation of the Commission
- Article 12 - Revision and amendments to the MBSHC Statutes
- Annex - RULES FOR THE SELECTION OF MEMBER STATES FROM MBSHC TO THE IHO COUNCIL

# Discussion Article 4 - Voting

Proposed by the Office of Navigation, Hydrography and Oceanography of the Turkish Navy:

The participation in conferences, either in-person or remotely, of two-thirds (2/3) of the Member States of the Commission, shall constitute a quorum. A quorum is required in advance before the adoption of any resolutions or decisions. Resolutions and decisions shall be adopted by a majority of the Member States participating, with the minimum number of affirmative votes being at least one-third (1/3) of all Member States.

Resolutions and decisions shall be adopted **by consensus.**

Draft text

Alternate text

# Discussion Article 7 Conduct of the MBSHC Conference

Proposed by the Hellenic Navy Hydrographic Service:

The resolutions and decisions reached at Conferences shall be adopted by consensus in general, or otherwise in accordance with the procedure described in Article 4. The Chair is the only one in a position to decide whether a proposed resolution or decision should be submitted to a vote or not. When the text under review concerns the concerted action of merely a limited number of Members, the unanimous decision of such Members is required.

When **the Chair considers that** the text under review concerns the concerted action of merely a limited number of Members, the unanimous decision of such Members is required.

Draft text

Alternate text



# Decisions

- The current status establish on Article 14
  - Members and Associate Members of the Commission may propose amendments to the present Statutes. These amendments shall be discussed at a Conference and the decisions, which must be approved by a two-thirds (2/3) majority of the members of the Commission, will be included in the Report of the Conference.
- Number of members states:21
- Majority needed (2/3): 14

# Decisions

1. Accept WG text on article 4 (Voting “No” means alternate Turkey text)
2. Accept WG text on article 7 (Voting “No” means alternate Greece text)
3. Approve MBSHC Statutes / Translate to French

(In case of no approval – Today at 17:30 an extraordinary meeting for discussion)