

**STATUTES OF THE NORTH INDIAN OCEAN HYDROGRAPHIC  
COMMISSION (NIOHC)**

*(corrected 15 July 2021)*

**INTERNATIONAL HYDROGRAPHIC ORGANIZATION**



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## **STATUTES OF THE NORTH INDIAN OCEAN HYDROGRAPHIC COMMISSION(NIOHC)**

### **Article 1: GENERAL**

The North Indian Ocean Hydrographic Commission herein after referred to as "The Commission" is constituted in conformity with Resolution 2/1997 as amended of the International Hydrographic Organization (IHO).

### **Article 2: MEMBERSHIP OF NIOHC**

a) Full Members of the Commission shall be the countries within International Hydrographic Organization INT charting scheme Area 'J', herein after referred to as "Region", who are members of the International Hydrographic Organization and whose representatives are signatories to the Statutes.

b) The countries within the region who are not members of the International Hydrographic Organization, but who wish to co-operate in the work of the Commission, and whose representatives are signatories to the Statutes may become Associate Members.

c) Other Member States of the International Hydrographic Organization outside the region may become Associate Members as signatories to the Statutes of the NIOHC, if they contribute to the safety of navigation by their activities in the fields of hydrography including training, nautical charting, and nautical information in the region of the NIOHC. Their applications shall be considered by the ordinary Conference mentioned in Article 6. The admission of these applications requires a two third majority of the Members of the Commission.

d) Associate Members shall have the same rights and obligations as the Members of the Commission, except the right to vote or be elected Chair.

e) Invitation to IHO MS or Nations who are Non-IHO members, for Associate Membership may be extended by the Chair of Commission after seeking concurrence of two third of Full Members of the commission.

f) Invitation to International Organizations, Non-Governmental Organizations, Industry and Academia stakeholders for attending a specified conference may be proposed by Full Members only after approval of Chair of the Commission.

### **Article 3: AIMS OF NIOHC**

The aims of the Commission, which is an integral part of the International Hydrographic Organization, shall be:

a) To provide, in pursuance of the resolutions and recommendations of the

International Hydrographic Organization, regional co-operation and co-ordination with regard to nautical information, hydrographic surveys, production of nautical charts and documents, training, technical assistance and advice. The activities of the Commission do not extend to matters concerning international political issues.

b) To examine the implications, in its area of interest, of matters of general interest with which the International Hydrographic Organization is concerned, avoiding any interference with the prerogatives of the Secretariat of the IHO and of any other bodies/Working Groups set up by the International Hydrographic Organization.

c) To stimulate all countries in the region to widen hydrographic activity in the area and to encourage them to seek technical advice and assistance from the IHO in establishing and strengthening their hydrographic capabilities.

d) To facilitate the exchange of information concerning surveys, research, or scientific and technical developments, to aid in the planning and organization of hydrographic activities in the widest sense of the term, but without interference in the national responsibilities of each Hydrographic Office.

e) To carry out certain studies as an International Hydrographic Organization Working Group when considered appropriate.

f) To liaise with the adjacent Regional Hydrographic Commissions in the subjects of mutual interest.

g) To facilitate the regional response to disasters in accordance with IHO Resolution 1/2005.

h) To implement the INT chart scheme for the region keeping it suitably under constant review.

i) To initiate and encourage Capacity Building activities in the Region.

j) To select and nominate the NIOHC Representative(s) to the IHO Council as outlined in the guidance provided in Annexure B. Representation to the Council shall be from Full Members only.

#### **Article 4: THE CHAIR AND VICE CHAIR**

a) The Chair and Vice Chair of the Commission shall be from a Full Member State of the Commission elected on rotational basis. Under normal circumstances, the term for the Chair and Vice Chair will be two years. If a period between conferences exceeds two years, the term will extend until the end of the next Conference.

b) At the conclusion of a Conference Full Members will offer suggestions regarding the election of a new Chair and Vice Chair. In order to assure the continuity, it is suggested that the Vice Chair be elevated to the new position of Chair for the next period.

c) If the Chair is unable to officiate, they shall be replaced by their successor or deputy at the Hydrographic office.

d) In the interval between Conferences, the outgoing Chair shall conclude the business of the last Conference within four months. Thereafter, the incoming Chair shall provide the Secretariat for the Commission and shall attend to all matters of interest by correspondence.

#### **Article 5: CAPACITY BUILDING**

The commission shall elect/nominate a CB Coordinator (from full member states) in accordance with CBSC Terms of Reference for CB Coordinator [https://iho.int/uploads/user/Inter-Regional%20Coordination/CBSC/MISC/TORs\\_for\\_CB\\_Coordinator.pdf](https://iho.int/uploads/user/Inter-Regional%20Coordination/CBSC/MISC/TORs_for_CB_Coordinator.pdf)

## **Article 6: THE CONFERENCES**

- a) The Chair shall prepare the Provisional Agenda and forward it to the participants at least eight weeks before the opening of the Conference.
- b) Proposals to be included in the Agenda of a Conference must be sent to the Chair at least four months before the date fixed for the opening of the Conference.
- c) The Agenda shall be adopted by the Commission at the beginning of each Conference. The Commission may modify in the course of the Conference the order in which the Agenda items are to be discussed.
- d) Decisions taken during each meeting should be prepared in written form by the Chair and supplied next day to the Members present.
- e) At the end of the Conference, the Chair shall read the text of the decisions taken during the Conference, which will be adopted according to the provisions of Article 6 f & g.
- f) All decisions should, as far as possible, be taken by consensus, failing which a two-thirds (2/3) majority of Members present would be required for approval.
- g) Only Members are entitled to vote, each country having the right to one vote. The voting preferably shall be by show of hands, unless called for, through ballot.
- h) The Chair shall dispatch within two months of the close of the Conference a copy of the summary report, containing the discussions, decisions, and recommendations of the Conference, for approval to each Member and for comments to Associate Members and Observers. Members shall notify within one month of the receipt their approval or objections, if any, which shall be settled by correspondence.
- i) A copy of the final report of the Conference shall be sent to the Full Members, Associate Members, Observers and the Secretariat of the IHO. It would also be available on the IHO website.
- j) The Chair will report the Commission's activities and future plans to the relevant sessions of the IHO Assembly and make contributions to the International Hydrographic Organization Annual Report. Between sessions the reports of studies

or other activities, which are considered of general interest to all International Hydrographic Organization Member States, should be sent by the Chair to the International Hydrographic Organization for general dissemination.

#### **Article 7: THE SEATS OF THE CONFERENCES**

- a) At the end of each Conference, should the Incoming Chair not wish to host, the Full Members desirous of hosting the following Conference shall put forward by candidatures. Where no other compelling circumstances exist, priority shall be given to a Full Member State which has not yet hosted a conference, or to the one which did so the longest time ago.
- b) Proposals for holding the Conference in a country or nation of the region may also be considered. -
- c) The host country undertakes to assist with the arrangements for participants in the Conference to obtain any necessary authorizations and visas to enable them to attend the Conference.

#### **Article 8: THE ORDINARY CONFERENCE**

- a) The Commission shall meet annually, in ordinary Conference, within the region.
- b) In the normal course the Chair would be host for the conference. The Chair shall take up their duties within four months from the end of the Conference.
- c) The Chair will provide secretarial support.
- d) Members and Associate Members shall be represented at Conferences by heads of Hydrographic Services or their representatives and where such services do not exist, by heads of national authorities responsible for Hydrography and navigation. They may also be accompanied by members of their staff.
- e) The Commission may set up small committees of Members and Associate Members interested in particular projects with the object of examining and executing such projects.
- f) An invitation to attend the Conference shall invariably be addressed to the Secretariat of the IHO.
- g) The presence of two thirds (2/3) of the Members of the Commission shall constitute a quorum.

h) Countries within the region who are not Members or Associate Members of the Commission, as well as countries which are outside the region and are Members of the International Hydrographic Organization, but not Associate Members of the NIOHC, if they contribute to the safety of navigation by their activities in the fields of hydrography including training, nautical charting, or nautical information in the region of the NIOHC area, and those organizations, which are active in the region of the NIOHC area in the fields of hydrography, including training, nautical charting, nautical information or aids to navigation, can be invited to send representatives to attend its meetings, as observers. The observers may take part in the discussion but shall not have voting rights.

i) Coordinators of adjacent INT chart regions and the countries bordering the region, who are not Members or Associate Members of the Commission, can be invited to send representatives to attend its meetings, as observers. The observers may take part in the discussions but shall not have voting rights.

j) The host country may limit the number of participants to not more than two per country according to the availability of the facilities.

k) Experts who are not Members of the Commission may be invited to Conferences by the Chair or Extraordinary Meetings as Observers. Experts can be defined as:

- Commercial Industry
- Relevant Organizations
- Subject Matter Experts

l) Experts may be excluded from NIOHC plenary for specific agenda items at the request of Member States.

## **Article 9: THE EXTRAORDINARY CONFERENCES**

a) The Chair may call an extraordinary meeting of the Members of the Commission when their representatives are assembled for an IHO Assembly, having made prior arrangements with the International Hydrographic Organization.

b) In the case of urgent matters, which cannot be treated by correspondence and



which cannot be postponed until the next Conference, the Chair, having taken the opinion of the Members, shall convene an Extraordinary Meeting either in person or virtual, to be held in the country of the next Conference or the place considered most appropriate.

c) The provisions of Article 4 are not applicable to the meetings defined in paragraphs a) and b) above, which shall be organised and presided over by the Chair, who will remain in office after the meeting has concluded.

d) Experts who are not Members of the Commission may be invited to Conferences or Extraordinary Meetings as observers.

e) When these meetings do not include all Members, the decisions reached shall be reported to the next Conference of the Commission, or by correspondence if the matter is urgent.

#### **Article 10: EXPENSES**

a) The Chair and the host country shall be responsible for the organization of the Conferences.

b) Travelling and boarding and lodging expenses of the delegates shall be defrayed by their respective countries.

c) All expenses related to the provision of the venue and associated facilities for Conferences shall be the responsibility of the host country.

#### **Article 11: REPOSITORY AND AMENDMENTS**

a) The IHO shall be the repository of the Statutes signed by the Members and Associate Members.

b) Members of the Commission may propose and deliberate on amendments to the present Statutes. These amendments shall be discussed at a Conference and the decisions, which must be approved by two-thirds (2/3) majority of the Members of the Commission, will be included in the Report of the Conference.

#### **Article 12: LANGUAGE OF THE COMMISSION**

The official language of the Commission shall be English.

**RECORD OF SIGNATURE BY MEMBER / ASSOCIATE MEMBER STATES**

<b>Signature Number</b>	<b>Country</b>	<b>Member / AssociateMember</b>	<b>Signature and Date</b>
1.	IHB	-	XXX
2.	Bangladesh	Member	Captain M.I. HAQUE, BN Director 30/12/2009
3.	Egypt	Member	
4.	India	Member	Rear Admiral B.R. Rao, Chief Hydrographer to the Government of India 28/02/2007
5.	Indonesia	Member	Rear Admiral Harjo Susmoro, Indonesian Chief Hydrographer 18/01/2019
6	Myanmar	Member	Commander Min Thein Tint Commanding Officer, Central Naval Hydrographic Depot 05/04/2007
7.	Pakistan	Member	Commodore ZAFAR MANSOOR TIPU, Hydrographer Pakistan Navy, NHQ, Karachi 22/04/2009
8.	Saudi Arabia	Member	
9.	Sri Lanka	Member	Mr. M.A. Ariyawansa, Hydrographer, National Hydrographic Office 28/02/2007
10.	Thailand	Member	Vice Admiral Congvat Neelasri, Director General, Hydrographic Department, Royal Thai Navy 04/03/2008
11.	UK	Member	Rear Admiral I. Moncrieff, RN, UK National Hydrographer 28/02/2007
12.	Australia	Associate Member	Commodore Rod NAIRN, AM, RAN, Hydrographer 26/04/2012
13.	France	Associate Member	Ing. Gén. de l'Armement G. Bessero Hydrographer 15/02/2008
14.	Oman	Associate Member	Commander Mansoor Al Karousi, Head of Oman NHO 24/08/2009

<b>Signature Number</b>	<b>Country</b>	<b>Member / AssociateMember</b>	<b>Signature and Date</b>
15.	Mauritius	Associate Member	Mr. A. N. OOZEER Permanent Secretary, Ministry of Housing and Lands 01/03/2011
16.	Seychelles	Associate Member	Major M. Rosette, Chief Hydrographer, Seychelles People's Defence Forces 28/03/2007
17.	USA	Associate Member	Captain J. Cousins, USN, Commanding Officer, US Naval Oceanographic Office 28/02/2007
18.	Malaysia	Observer	
19.	Russian Federation	Observer	
20.	Sudan	Observer	

## **ANNEX B to STATUTES OF THE NIOHC**

### **PROCEDURE FOR THE SELECTION OF NIOHC REPRESENTATIVES TO THE IHO COUNCIL**

Designation of NIOHC representatives to the IHO Council shall be determined in compliance with IHO General Regulations Articles 2 and 16.

#### **Role and Authority of Representatives to the NIOHC in the Council**

1. IHO Member States representing the NIOHC shall occupy their seats on the Council for all sessions of the Council throughout the Intersessional period between Assemblies.
2. All expenses connected with the participation of representatives to the Council shall be defrayed by their respective State, in accordance with IHO General Regulation article 3.
3. In carrying out their role as a representative of the NIOHC to the Council, representatives should take note of any relevant collective decisions, policies or directives established by the NIOHC and ensure that these are considered appropriately by the Council.

#### **Selection Procedure (see also flowchart Appendix 1)**

4. Three months before an ordinary session of the Assembly, the Secretary-General of the IHO shall inform the Chair of the NIOHC of:
  - a. The number of seats allocated to the NIOHC, and
  - b. Those Member States that are eligible for selection by the NIOHC.
5. If the number of Member States eligible for selection to represent the NIOHC to the Council is equal to the number of seats on the Council assigned to the NIOHC by the Secretary-General under the terms of clause 4 above, then the aforementioned eligible Member States will be designated as representatives of the NIOHC.
6. If the number of Member States eligible for selection to represent the NIOHC to the Council is greater than the number of seats assigned to the NIOHC by the IHO Secretary-General under the terms of clause 4 above, then the Chair of the NIOHC will invite those Member States that have been designated as eligible for selection to the Council to indicate if they wish to be considered as candidates for selection.
  - a. If the number of candidate Member States is equal to the number of number of seats on the Council assigned to the NIOHC, then these candidate(s) will be designated as representatives of the NIOHC.
  - b. If the number of candidate Member States is smaller than the number of seats on the council assigned to the NIOHC, the candidate(s), if any, will be automatically designated and will be complemented by the eligible Member State(s) that have not been representatives of the NIOHC to the Council for the longest time. If this proves inconclusive, the Chair will designate eligible Members State(s) as representative of the NIOHC.
  - c. If the number of candidate Member States is greater than the number of seats on the council assigned to the NIOHC, the candidate(s) to represent the NIOHC to the Council will be designated through a voting procedure.

#### **Voting Procedure**

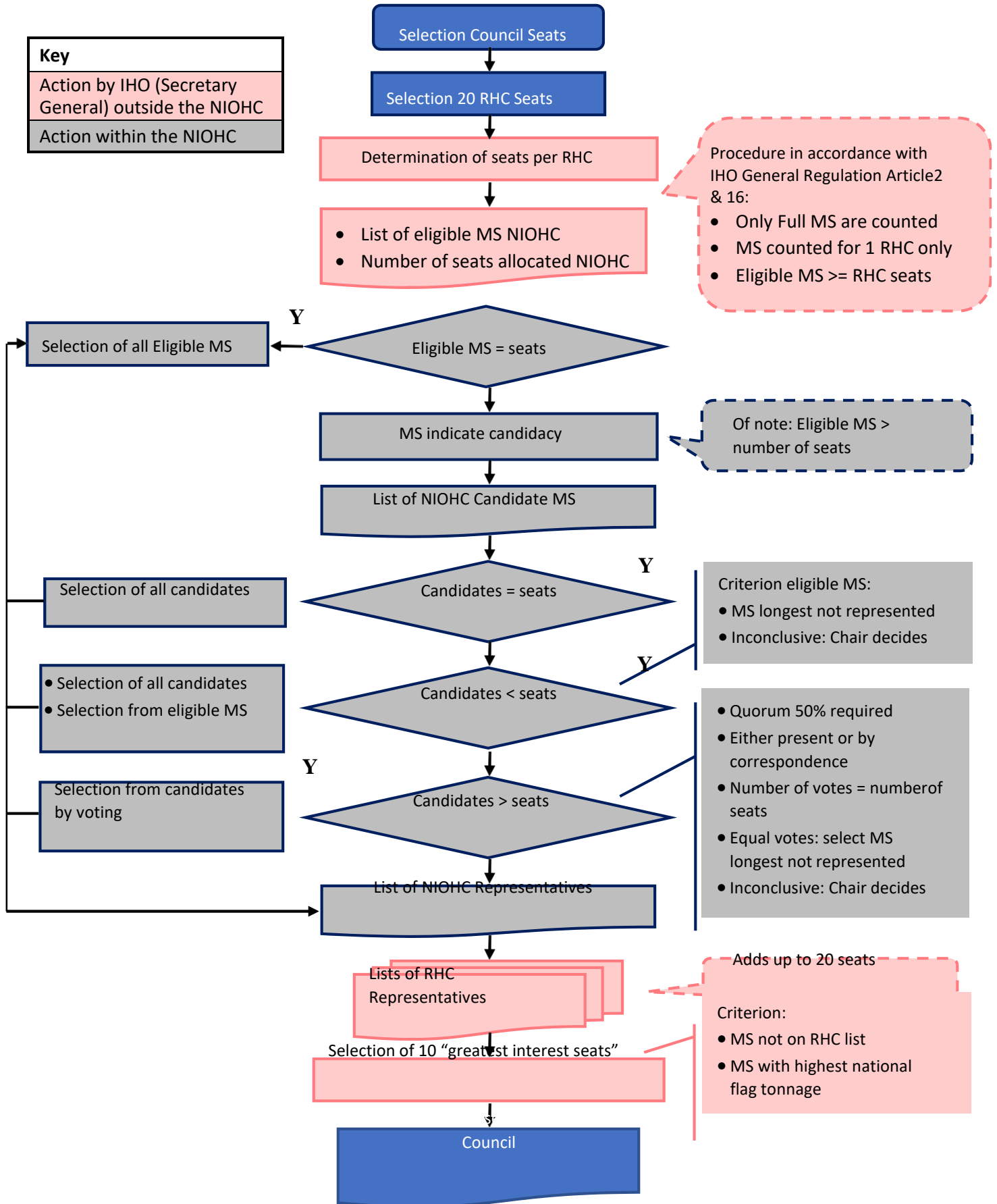
7. The voting procedure will take place in the three months prior to the Assembly, preferably at a Conference of the NIOHC otherwise by correspondence if no NIOHC Conference is scheduled.

- a. Each Member State may submit one voting paper marking as many candidate Member States from the list as seats have been assigned to the NIOHC (see example of voting paper in Appendix 2).
- b. The quorum for a valid voting procedure is set at 50% of Member States casting their vote. Representatives of the NIOHC to the Council are then elected by simple majority. An incomplete or blank voting paper is an invalid voting option and that vote will not be counted towards making the numbers necessary for a quorum.
- c. When no quorum has been achieved, the voting window is extended for two weeks and the Chair invites the Member States who have not voted or cast an invalid vote to cast their vote. The existing votes stand.
- d. If after a second vote no quorum has been achieved, the Chair designates the representatives of the NIOHC to the Council based on the votes cast. In the case of candidates winning equal number of votes then the Member State(s) which has not / have not been a representative of the NIOHC to the Council for the longest time is designated as representative of the NIOHC. If this proves inconclusive the Chair will designate a candidate(s) out of those who have equal votes as representative of the NIOHC.

#### **Manning of the Representatives**

8. The Member States selected to represent the NIOHC in the Council are normally represented by the head of the Hydrographic Office. Each Member State shall inform the Chair of the NIOHC and the IHO Secretary- General of the name of its official representative. An alternate may also be designated.
9. Member States representing the NIOHC shall inform the Chair of the NIOHC and the Secretary- General of any changes in representation, whether permanent or temporary, as soon as practicable.

Flow chart – Selection of NIOHC Representative(s) to the IHO Council



ANNEX B to STATUTES OF THE NIOHC

Appendix 2

**North Indian Ocean Hydrographic Commission (NIOHC) Selection of Representative(s) to the IHO Council**

**Example of Voting Paper**

**Part A**

Number of Seats on Council allocated to the NIOHC: Chair inserts number in here(This is the number of boxes that may be marked below)

**Part B**

To vote for a candidate State put an 'X' in the adjacent Box. The number of boxes that may be marked is shown in Part A above.

Chair inserts candidate State A in here	Votes indicated with an X here
Chair inserts candidate State B in here	Votes indicated with an X here
Chair inserts candidate State B in here	Votes indicated with an X here
Insert other States if appropriate	Votes indicated with an X here

Member State: ..... Date: .....

Authorised by: ..... Position ..... (Signature)

.....  
(Name)