



NIOHC20 Statutes Report



To: Members of the IHO North Indian Ocean Hydrographic Commission (NIOHC)

Subject: REPORT: STATUTES REVIEW REPORT WITHIN THE NORTH INDIAN OCEAN HYDROGRAPHIC COMMISSION STATUTES WORKING GROUP (NIOHC-SWG)

28th June 2021

Introduction and purpose

1. During NIOHC19 held in Muscat in March 2019, it was agreed to establish the Statutes Working Group (NIOHC-SWG), primarily to initiate a study of the length of tenure of Chair and Vice Chair in order to optimise efficiency. The NIOHC-SWG was tasked, through TOR/ROP to present a report to NIOHC – this document.

Scope and position at close of NIOHC19

2. Whilst the main focus of the NIOHC-SWG is to consider moving from a one-year to two-year tenure for Chair and Vice Chair, the review of NIOHC statutes presents an opportunity to update for current terminology, consider implications on hosting if the tenure is extended and analyse how other RHCs operate. TOR/ROP were created and approved by members. Chair asked members including Egypt, India, Indonesia, Sri Lanka and UK to take this work forward and identify a Chair for the SWG. UK offered to act as secretary for this working group.

Terms of Reference (TORs)/Rules of Procedure (ROP)

3. TORs/ROPs were drafted and circulated to members and were subsequently approved. For ease of reference the amended TORS/ROPs are included at **ANNEX A** to this report.

Activity since NIOHC19

4. Initial statutes review was completed and issued for consideration along with NIOHC-SWG 27th October 2020. This was also briefed by VTC, chaired by NIOHC Chair in December 2020.
5. India and UK have undertaken draft statutes review. UK version was disseminated through the report on 27th October 2020 and IN “Draft Red Line Version” was disseminated to the review group on 17th June 2021. A combined version, largely with India’s extensive review is at **ANNEX B** (dated 28 June 2021). The extant NIOHC Statutes (dated January 2019) are at **ANNEX C** for ease of reference.
6. NIOHC-SWG did not identify the availability of a Chair, so the current NIOHC Chair (Sri Lanka) called for volunteers (Ref: NIOHC Circular Letter NIOHC 20-06-1). UK agreed to assume the role as interim Chair until NIOHC20, where the Plenary should agree if the NIOHC-SWG needs to continue and if so, should seek a permanent Chair. The UK interim Chair POC is Mr. Tim Lewis tim.lewis@ukho.gov.uk
7. Benefits of two-year NIOHC Chair tenure: UK has considered and consulted with other RHCs who have a similar tenure, namely the Meso-American and Caribbean Sea Hydrographic Commission (MACHC). There have been many benefits in efficiency and effectiveness through the two-year tenure, in particular enabling Chair to both instigate and deliver activities through this continuity.
8. Implications of two-year NIOHC Chair tenure: One of the key implications of assuming a two-year tenure

is a potential burden of hosting two consecutive years. It is therefore proposed that hosting does not need to be coupled to the Chair. A two-year tenure may also create a substantial period noting NIOHC has ten Full Members eligible to Chair.

9. Feedback: The key item which does not have general agreement is the length of tenure. This is highlighted in **green** at Article 4.a of the draft revision at **ANNEX B**.
10. The SWG has considered the benefits and implications and taken the opportunity to update the statutes to bring terminology up to date. Changes include:
 - a. Changes to references: (IHB amended to 'Secretariat of the IHO', International Hydrographic Conference amended to IHO Assembly).
 - b. General updates to reflect IHO Resolution 2/1997.

Actions and next steps for NIOHC20

11. NIOHC-SWG next steps will be discussed and developed during the NIOHC20 via VTC. Given the limited time available for each agenda item, Members are encouraged to read this report and the draft revised statutes ahead of plenary.
12. Actions: NIOHC20 is invited to:
 - a. Note this NIOHC-SWG report;
 - b. Consider vote to agree length of tenure of NIOHC Chair;
 - c. Consider vote to agree the DRAFT Statutes dated 28 June 2021 at **ANNEX B**;
 - d. Consider whether the NIOHC-SWG should be dissolved from completion of NIOHC20;
 - e. If it is deemed necessary to continue NIOHC-SWG, identify a permanent Chair.

Terms of Reference for the North Indian Ocean Hydrographic Commission (NIOHC) Statutes Working Group (NIOHC-SWG)

(Raised during NIOHC 19 25-28 March, Muscat, Oman)

(Status - Approved during NIOHC19)

With referencing to:

- NIOHC Statutes January 2019.

1. **Context:** The NIOHC at its 19th Conference, recognised the need to initiate a study of the length of tenure of Chair and Vice Chair in order to optimise efficiency. This will be delivered through a review of the existing statutes, noting how other Regional Hydrographic Commissions (RHCs) operate and taking into account any benefits and implications should a change of tenure be recommended. In the process of this review, the NIOHC-SWG should also make proposals to update the statutes for consistency and terminology.
2. **The Working Group under the authority of the NIOHC is tasked to:**
 - i. Review the current statutes and make recommendations for clarity and to remove ambiguity, if any.
 - ii. Consider benefits and implications in changing the length of tenure for Chair and Vice Chair.
 - iii. Consider options for enabling the hosting of RHC meetings
 - iv. Analyse how other RHCs operate and consult as necessary.
 - v. Focus on efficiency.
 - vi. To present a report to the NIOHC six months from the end of NIOHC 19. This report should include;
 - findings of the current statutes
 - recommendations on how to proceed
 - if change of length of tenure is recommended and if such a proposal is made the broader implications should also be highlighted
 - a proposed action plan with specified time schedule for implementation.
 - vii. Identify any NIOHC resource requirements as a consequence.
3. **Rules of procedures:**
 - i. All NIOHC Members are encouraged to participate to the NIOHC-SWG (Initially Egypt, India, Indonesia, Thailand and United Kingdom).
 - ii. The NIOHC-SWG should be chaired by one of the Member States elected by the NIOHC-SWG members.
 - iii. The NIOHC-SWG secretarial support will be provided by UK.
 - iv. The NIOHC-SWG should consult other RHCs or other relevant bodies, as deemed necessary.
 - v. The work of the NIOHC-SWG will be carried out primarily by correspondence (via e-mails). The members are encouraged to reply without unnecessary delay.
 - vi. Decisions will be by consensus and any differences will be brought back to plenary for a decision.

Annex B – Draft statutes revision with combined input.

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

(DRAFT Version 28 June 2021)

INTERNATIONAL HYDROGRAPHIC ORGANIZATION



CONTENTS OF STATUES OF NIOHC

Article 1: GENERAL.....	3
Article 2: MEMBERSHIP OF NIOHC.....	3
Article 3: AIMS OF NIOHC.....	3
Article 4: THE CHAIR AND VICE CHAIR	4
Article 5: CAPACITY BUILDING	5
Article 6: THE CONFERENCES.....	6
Article 7: THE SEATS OF THE CONFERENCES.....	7
Article 8: THE ORDINARY CONFERENCE.....	7
Article 9: THE EXTRAORDINARY CONFERENCES.....	8
Article 10: EXPENSES.....	9
Article 11: REPOSITORY AND AMENDMENTS	9
Article 12: LANGUAGE OF THE COMMISSION.....	9
ANNEX A to RECORD OF SIGNATURE BY MEMBER / ASSOCIATE MEMBER STATE.....	10
ANNEX B to STATUTES OF THE NIOHC PROCEDURE FOR THE SELECTION OF NIOHC REPRESENTATIVES TO THE IHO COUNCIL	12
ANNEX B TO STATUES OF THE NIOHC – Appendix 1 Flow chart	14
ANNEX B TO STATUTES OF THE NIOHC Appendix 2 Selection of Representative(s) to the IHO Council - Example of Voting Paper.....	15

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~~ **one year**. If a period between conferences exceeds ~~two years~~ **one year**, 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 Para (1).

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 the 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 States 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 of 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 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

Signature Number	Country	Member / AssociateMember	Signature and Date
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 TIPI, 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

Signature Number	Country	Member / AssociateMember	Signature and Date
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

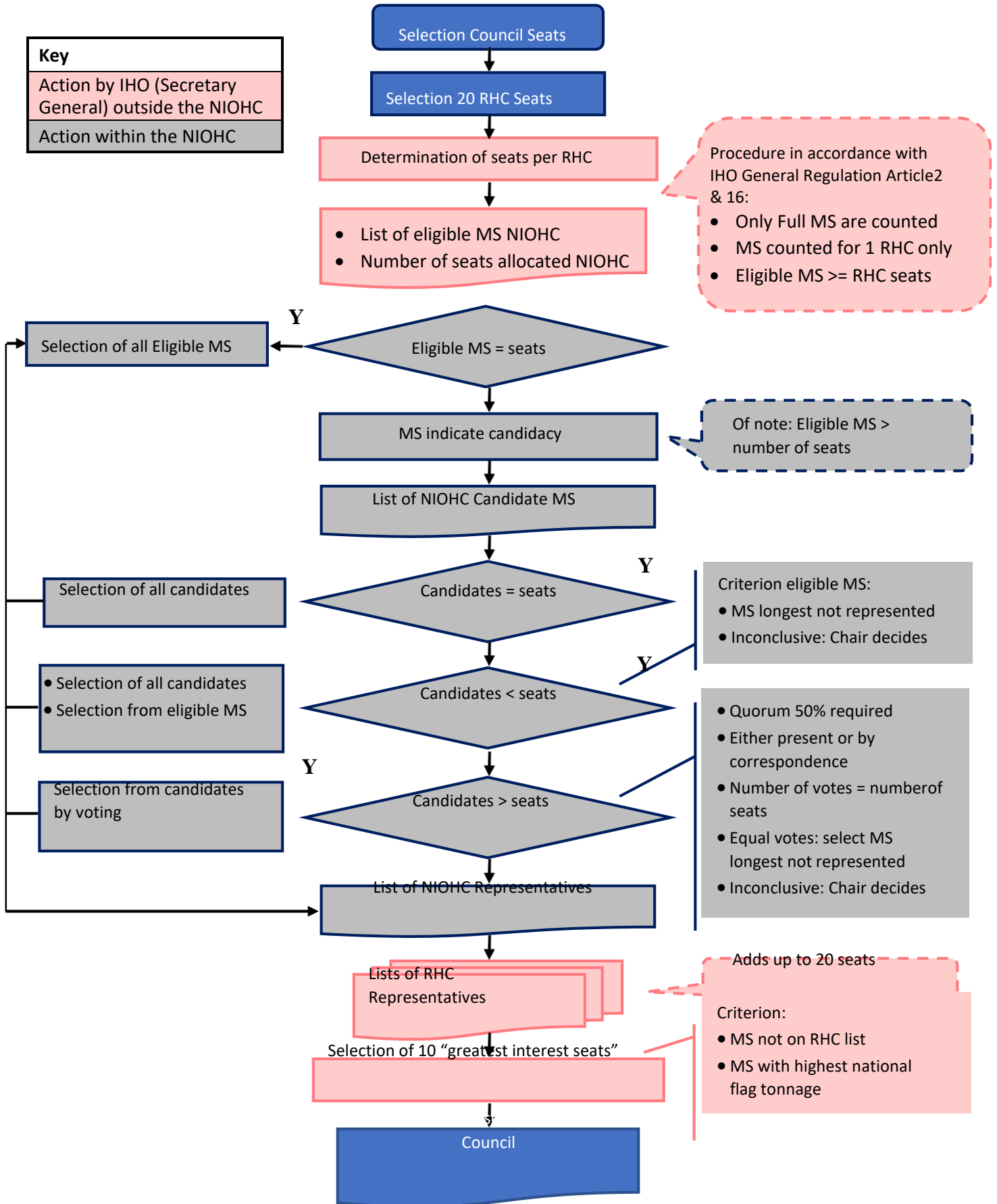
7. The voting procedure will take place in the three months prior to the Assembly, preferably at a Conference of the NIOHC otherwise by correspondence if no NIOHC Conference is scheduled.

- 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



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

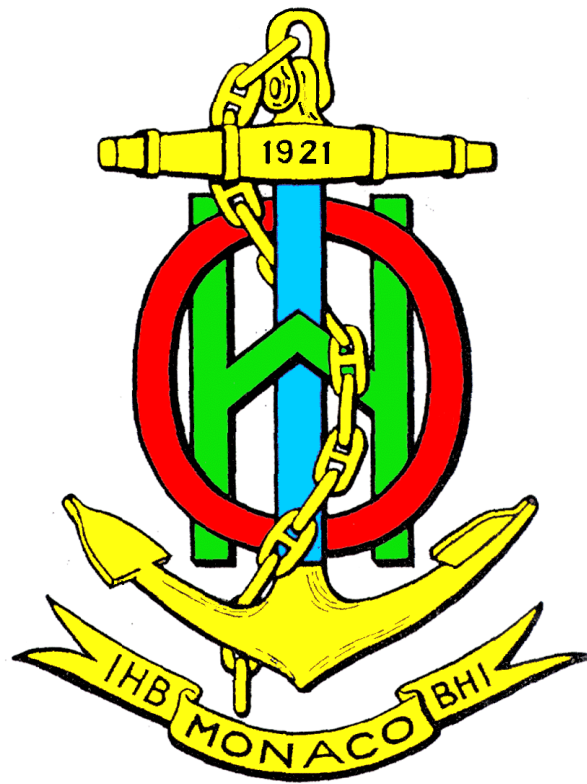
Member State: Date:

Authorised by: Position (Signature)

.....
(Name)

Annex C – Existing NIOHC statutes (January 2019).

INTERNATIONAL HYDROGRAPHIC ORGANIZATION



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

(corrected January 2019)

STATUTES OF THE NORTH INDIAN OCEAN HYDROGRAPHIC COMMISSION (NIOHC)

Article 1

- a) The North Indian Ocean Hydrographic Commission herein after referred to as “The Commission” is constituted in conformity with Resolution T1.3 of the International Hydrographic Organization (IHO), vide Annexure ‘A’. Members of the Commission shall be the countries within International Hydrographic Organization INT charting scheme Area ‘J’, included as Annexure ‘B’, 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, 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 4. The admission of these applications requires a simple 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 Chairman.
- e) At the conclusion of the Conference the Vice Chairman for the next Conference shall be elected and shall take up his duties within four months following the Conference. In the normal course of events the Vice Chairman will succeed as the Chairman within four months from the end of the Conference.

Article 2

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 International Hydrographic Bureau (IHB) 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 IHB 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 implement the INT chart scheme for the region keeping it suitably under constant review.

Article 3

Members and Associate Members forming the Commission undertake to participate, 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.

Article 4

The Commission shall meet annually, in ordinary Conference, within the region.

Article 5

- a) At the end of each Conference, the Members desirous of hosting the following Conference shall put forward their candidatures. Priority shall be given to a country, which has not yet hosted a Conference, or to the one, which did so the longest time ago. In cases of equal priority a ballot shall be held, the decisions being taken by a simple majority of Members present. The Chairman shall take up his duties within four months from the end of the Conference.
- b) 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.
- c) 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.
- d) The host country undertakes to assist with the arrangements for participants in the Conference to obtain any necessary authorisations and visas to enable them to attend the Conference.
- e) An invitation to attend the Conference shall invariably be addressed to the Directing Committee of the International Hydrographic Bureau.
- f) The presence of two thirds (2/3) of the Members of the Commission shall constitute a quorum.
- g) 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.
- h) Co-ordinators 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.

Article 6

- a) In the interval between two Conferences, the outgoing Chairman shall conclude the business of the last Conference within four months. Thereafter, the incoming Chairman shall provide the Secretariat for the Commission and shall attend to all matters of interest by correspondence.
- b) If the Chairman is unable to officiate, he shall be replaced by his successor or his deputy at the Hydrographic office.
- c) The Chairman shall be responsible for the organization of the Conference for which his country shall pay the expenses.

Article 7

- a) Decisions taken during each meeting should be prepared in written form by the Chairman and supplied next day to the Members present.
- b) At the end of the Conference, the Chairman shall read the text of the decisions taken during the Conference, which will be adopted according to the provisions of Article 10.
- c) The Chairman shall despatch 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 thereceipt their approval or objections, if any, which shall be settled by correspondence.
- d) A copy of the final report of the Conference shall be sent to the Full Members, Associate Members, Observers and the International Hydrographic Bureau (IHB).

Article 8

- a) Proposals to be included in the Agenda of a Conference must be sent to the Chairman at least four months before the date fixed for the opening of the Conference.
- b) The Chairman shall prepare the Provisional Agenda and forward it to the participants at least eight weeks before the opening of the Conference.

Article 9

- a) The Agenda shall be adopted by the Commission at the beginning of each Conference.
- b) The Commission may modify in the course of the Conference the order in which Agenda items are to be discussed.

Article 10

- a) All decisions should, as far as possible, be taken by consensus, failing which a two-thirds majority of Members present would be required for approval, the exception being the admission as Associate Members of International Hydrographic Organization members outside the region as referred to in Article 1 c. or changes to the Statutes referred to in Article 13.
- b) Only Members are entitled to vote, each country having the right to one vote. The voting shall be by show of hands.

Article 11

a) The Chairman may call an extraordinary meeting of the Members of the Commission when their representatives are assembled for an International Hydrographic Conference, having made prior arrangements with the International Hydrographic Bureau.

b) In the case of urgent matters, which cannot be treated by correspondence and which cannot be postponed until the next Conference, the Chairman, having taken the opinion of the Members, shall convene an Extraordinary Meeting, to be held in the country of the next Conference or the place considered most appropriate.

c) The provisions of Article 6 are not applicable to the meetings defined in paragraphs a) and b) above, which shall be organised and presided over by the Chairman, 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. Experts can be defined as:

- Commercial Industry
- Relevant Organisations
- Subject matter experts

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.

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

Article 12

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

Article 13

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 two-thirds (2/3) majority of the Members of the Commission, will be included in the Report of the Conference.

Article 14

The official language of the Commission shall be English.

Article 15

The Chairman will report the Commission's activities and future plans to the relevant sessions of the International Hydrographic Conference 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 Chairman to the International Hydrographic Bureau for general dissemination.

Article 16

The IHB shall be the repository of the Statutes signed by the Members and Associate Members.

RECORD OF SIGNATURE BY MEMBER / ASSOCIATE MEMBER STATES

Signature Number	Country	Member / Associate Member	Signature and Date
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
15.	Mauritius	Associate Member	Mr. A. N. OOZEER Permanent Secretary, Ministry of Housing and Lands 01/03/2011

Signature Number	Country	Member / Associate Member	Signature and Date
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 A 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 inter-sessional 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.

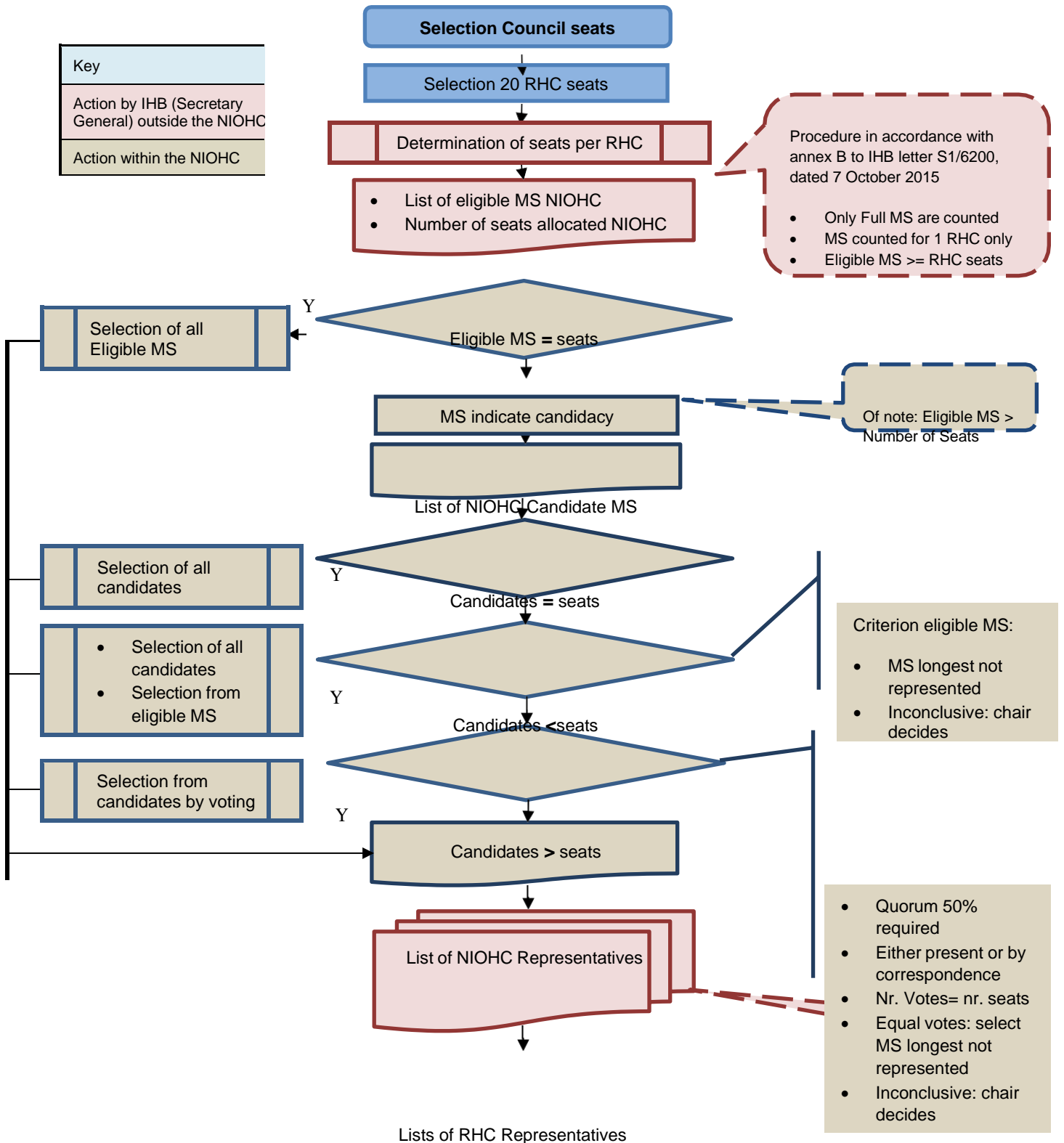
Manning of the Representatives

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.

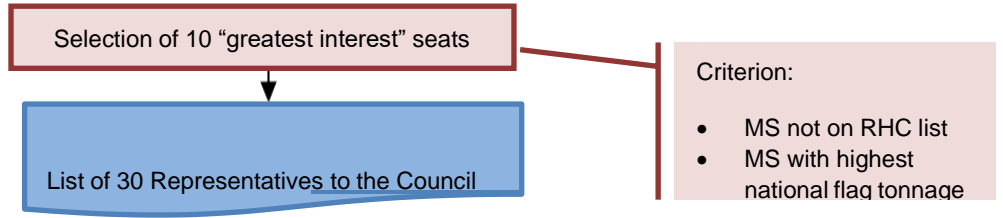
9. Member States representing the NIOHC shall inform the Chair of the NIOHC and the Secretary-General of any changes in representation, whether permanent or temporary, as soon as practicable.

ANNEX A TO STATUTES OF THE NIOHC - Appendix 1

Flow Chart - Selection of NIOHC Representative(s) to the IHO Council



Adds up to 20 seats



**ANNEX A 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)