**PRINCIPLES OF THE WEND FOR S-1XX PRODUCTS (WEND-100)**

(WEND-100 drafting group, version 2.0)

FR comments in blue

The name of the “products” remains to be validated by the group: “S-100 based product” or “S-1XX products”

As already explained, France recommends using "S-100 based product" for consistency with other IHO documents.

However, the name used in this v2.0 has not been changed pending a position adopted by the group.

**1. Introduction**

1.1. The purpose of WEND-100 is to ensure that a world-wide consistent level of high-quality, updated official nautical and hydrographic S-100 based products (S-1XX products) is available through integrated[[1]](#footnote-1) dissemination services that support current and future hydrographic carriage requirements of Safety of Life at Sea (SOLAS) Chapter V (SOLAS/V) and other requirements of the International Maritime Organization (IMO), in particular the Performance Standards for Electronic Chart Display and Information Systems (ECDIS). In addition, the same integrated services should be available for mariners not subject to carriage requirement and the provisions of ECDIS, and to all other users supporting maritime activities.

1.2. SOLAS/V regulation 9 requires contracting Governments to “arrange for the collection and compilation of hydrographic data and the publication, dissemination and keeping up to date of all nautical information for safe navigation”. For this purpose, and taking into account the implementation of maritime services in the context of e-navigation, the International Hydrographic Organization (IHO) and partners have developed S-100 standards and specifications for digital nautical and hydrographic S-1XX products that can functionally replace their analog and digital predecessors. The dissemination services encompass reliable, integrated and secure delivery of these S-1XX products (including their updates) to the end-user as part of “publication, dissemination and keeping up to date of all nautical information”.

**2. Applicability**

2.1. The WEND-100 principles are aimed at those S-1XX products that are under the purview of the IHO, for instance those to be provided as part of the maritime services of the IMO e-Navigation Strategy[[2]](#footnote-2). This does not, however, preclude other S-100 based products to align with these principles, for instance those under purview of the WMO.

2.2. Subject to the characteristics and maturity[[3]](#footnote-3)of the S-1XX products specifications a tiered and/or transitional approach is used to apply the WEND-100 principles. The full extent of the WEND-100 principles apply for those S-1XX products that, when used together with ECDIS[[4]](#footnote-4), ECS, INS or other systems for voyage planning and route monitoring are integral to safe navigation. A subset of the WEND-100 Principles described in articles 3 to 8 may apply to other S-1XX products that do not meet this criterion.

It is important not to restrict the use of the products in ECDIS only (see in particular the work of S-100WG on S-98 on this subject). Voyage preparation may use S-100 products outside of ECDIS.

Route monitoring with ECDIS

But voyage planning (see IMO Resolution A.893(21) Guidelines for voyage planning) can be carried out with ECDIS but in conjunction with other systems more suitable for the simultaneous use of a multiplicity of products integral to safe navigation (limitations of ECDIS for overlaying many products).

The wording “are integral to safe navigation” seems more appropriate to us.

France has reservations about the lack of a precise definition of what is “integral to safe navigation” and clear identification at the level of the resolution itself of the S-100 based products to which the various principles set out in the resolution unambiguously apply.

The solution of deferring to the level of the guidelines, even if approved at MS level (via successively the IRCC and the Council), the fundamental question of the nature and applicability of the principles to S-100 based products other than S-101 could limit the scope of the resolution.

However, France will not oppose this solution if it is recommended by the WEND-WG. However, France wishes to recall its alternative approach consisting in specifying at the level of the resolution the applicability by products.

Particular attention will have to be paid to the drafting of the guidelines, which will have to include (adopting them when necessary) the additional requirements contained in the annex to the current WEND principles, which are only partially included in this draft resolution.

2.3. The first tier that is integral to safe navigation covers in particular the production and the dissemination of S-101 ENCs. Until the extinction of the first generation S-57 ENCs (the dual fuel model for the transition from S57 ENCs to S101 ENCs), the existing WEND principles will continue to apply for S57-ENCs[[5]](#footnote-5) and these WEND-100 principles will apply for S-101 ENCs.

2.4. The content and applicably of the principles of the subsequent tiers is subject to proposals by IRCC for consideration by the Council and following decision by the Assembly. This way implementation of S-1XX products can develop over time as IMO and other overarching regulations evolve[[6]](#footnote-6). Also, S-1XX products can migrate from less to more prescriptive tiers.

2.5. For this purpose, complementary ‘Guidelines on the implementation of the WEND-100 Principle’ are provided as the proposals for this approval process. These should be employed to specify further the applicability of WEND-100 principles for S-1XX products and to facilitate the provision of appropriate S-1XX products coverage within a suitable timeframe.

This new wording clarifies the approval process for these guidelines. This point is important in order to give the guidelines the necessary weight to deal with the fundamental question of the very nature of the principles and their applicability. The Guidelines are normally approved at the level of the WENDWG (this is the case for the current WEND principles).

With the proposed mechanism, they will have a value equivalent to the resolution itself.

At the level of the guidelines, a product-based approach will be essential, as mentioned in this article.

The tiers approach can be retained at the first level, but it will be essential to define the exact content of these tiers in terms of S-100 based products in the guidelines.

A product-based approach will therefore be necessary at the second level to identify unambiguously which requirement applies to which product.

**3. S-1XX product availability**

3.1. Member States will strive to ensure that mariners anywhere in the world can obtain up-to-date S-1XX products for all shipping routes and ports around the world.

3.2. Member States will strive to ensure that their S-1XX products are available to end users through integrated, secure and internationally coordinated dissemination services. Additionally, States retain the right to establish complementary S-1XX dissemination arrangements within national jurisdiction and according to national legislation.

3.3. Member states are encouraged to build on the existing RENC structure in order to share common experience, reduce expenditure, and to ensure the greatest possible standardization, consistency, reliability and availability of S-1XX products.

3.4. Dissemination services should ensure that S-1XX products bear the stamp or seal of approval of the issuing authority.

3.5. Member States should ensure the use of the IHO Data Protection Scheme (S-100 Part 15)[[7]](#footnote-7) for distribution to mariners, to secure data integrity, to safeguard national copyright in data, to protect the mariner from falsified products, and to ensure traceability.

3.6. When an encryption or authentication mechanism is employed to protect data, a failure of contractual obligations by the user should not result in a complete termination of the service. This is to assure that the safety of the vessel at sea is not compromised.

3.7. Noting that accessibility of S-1XX products is also valuable as part of a national or regional Marine Spatial Data Infrastructure (MSDI), the dissemination of these products may be coordinated through the same mechanisms as those established to meet the WEND-100 dissemination services.

**4**. **Rights and Responsibilities**

4.1. SOLAS/V, Regulation 9, requires contracting Governments to ensure that “all nautical information” is available in a suitable manner in order to satisfy the needs of safe navigation. With IMO mandatory carriage requirement for ECDIS, there is a consequential requirement to ensure that S-1XX products, as defined by the IHO, are available in a form suitable for use in ECDIS, in current form and as subsequently updated.

4.2. It is expected that Members States will have mature arrangements in place for the issue of S-1XX products and their subsequent updating for waters of national jurisdiction in order to support current and future IMO requirements.

For Shom understanding, is the term “arrangement” broad enough ?

Probably a misinterpretation on our part (the term "arrangement" exists in French), the term “arrangement” may be too closely related to an arrangement with another party. It is a matter to take appropriate provisions to provide the service: either internally or delegating to another party through a specific arrangement.

The term “provision” may be broader. We propose the following wording:

“It is expected that Members States will have taken the appropriate provisions for the issue of S-100 based products…”

4.3. To meet these IMO (coverage) requirements, Member States will strive to either:

a) Provide the necessary S-1XX product coverage or;

b) Agree with other parties to produce the necessary coverage on their behalf.

States or more generally other parties ? We still have some interrogations on this specific point.

Marc, you indicate in your comments: “In practice non-State actors are already providing S-57 coverage on behalf other member states.”

Is this indeed the case? Do you have any examples?

We are talking here about delegation (typical case of coastal States which do not have the capacity and which delegate to a PCA) and not about a "simple" subcontracting by a State of the realization of the products.

At the level of the ENC catalogues (INToGIS), only countries are identified as producers, no organisation identified as a producer.

Is it necessary to keep State (as in the current WEND principles) or to widen with a generic formula "parties"?

We're not sure about this, but if anyone has the answer we're interested!

4.4. Member states responsible for originating S-1XX products remain responsible for their content and quality (in terms of conformance to standards and consistency) whether they provide it directly or through another party. Member States are encouraged to consider using the existing RENC structure to assist.

4.5. Member States should recognize their potential exposure to legal liability within these arrangements.

4.6. The Member State responsible for originating a S-1XX product is also responsible for providing metadata that is consistent with IHO standards and practices.

4.7. Within the framework and timelines of the WWNWS Members States should disseminate in the form of Marine Safety Information updates, the new information they use to update the S-1XX products for which they are responsible[[8]](#footnote-8).

4.8. In producing and disseminating S-1XX products, Member States are to take due account of the rights of the owners of source data and previously issued products, honoring any use restrictions or copyrights.

**5**. **Coordination of S1-XX products and dissemination services**

5.1. A Member State is normally the S-1XX products producing country for waters within its national jurisdiction.

5.2. When the limits of waters of national jurisdiction have not been established, or when it is more convenient to establish boundaries other than waters of national jurisdiction, countries[[9]](#footnote-9) may define the boundaries for production of S-1XX products within a bi/multilateral technical arrangement. These limits would be for convenience only and shall not be construed as having any significance or status regarding political or other jurisdictional boundaries.

5.3. In waters of national jurisdiction for which there are no provisions in place for production or dissemination of S-1XX products, the coastal Member State may designate these functions to another provider party. S-1XX products produced and/or disseminated under such arrangements should be offered for transfer to the coastal Member State in the event that the coastal Member State subsequently develops the capacity for these functions. Such transfer should respect the rights of Member States and providing party (see also paragraph 4.8).

5.4. In order to ensure unambiguous safety of navigation, concurrent (“overlapping”) S-1XX products should be avoided, particularly where official, nationally provided products are available[[10]](#footnote-10). A unique producing authority should exist in any given area for each S-1XX product integral to safe navigation when used together with (future) ECDIS[[11]](#footnote-11), though the same unique authority need not provide all S-1XX products.

5.5 Member States will address coverage of S-1XX products on a regional basis through Regional Hydrographic Commissions (RHCs), and the WENDWG will monitor the overall coverage on a global basis, reporting to IRCC[[12]](#footnote-12).

5.6. The applicable RHC may facilitate arrangements for production and dissemination of S-1XX products. RHCs should engage with data owners, product and service providers, and other stakeholders as appropriate to ensure that a coordinated and cohesive regional approach is considered[[13]](#footnote-13). Also, the existing RENC structure may facilitate co-operation between individual Member States and support RHC’s to achieve appropriate S-1XX product coverage.

**6. Maintenance and Improvement of product and dissemination Services**

6.1. Member States are encouraged to work together on data capture, data quality, and data management. To the extent possible, data should be widely shared to support continual updates and improvements of S-1XX products.

6.2. Technically and economically effective solutions for updating S-1XX products are to be established conforming to the relevant IHO and IMO standards. The updating of the various S-1XX products should adopt current dissemination technology and be at least as frequent as previous dissemination mechanisms for data products.

**7.** **Quality Management**

7.1. S-1XX product producers and/or dissemination service providers should consider a documented Quality Management System to ensure high quality of work. When implemented, this should be certified by a relevant body as conforming to a suitable recognized standard; typically this will be ISO 9001.

**8.** **Mutual Assistance and Training**

8.1. Member States are requested to participate in S-1XX capacity building efforts developed nationally, regionally, and through the IHO, by providing subject matter experts, venues, training materials, and open-source applications. Member States are encouraged to coordinate these capacity building activities within the framework of the IHO Capacity Building Sub-Committee (CBSC). The S-1XX producing Member States are also encouraged to collaborate on production support activities/capacity building via the existing RENC structure.

1. Integrated dissemination services are a variety of end-user services where each service is selling all its nautical and hydrographic S-100 based products, regardless of source, to the end user within a single service proposition embracing format, data protection scheme and updating mechanism, packaged in discrete exchange sets per S-1XX product. [↑](#footnote-ref-1)
2. This specifically concerns:

- a Nautical Chart Service: Service 11 of the MS;

- a Nautical Publication Service: Service 12 of the MS. [↑](#footnote-ref-2)
3. The intended development of the S-1XX data products is referenced in the IHO Roadmap for S-100 Implementation. [↑](#footnote-ref-3)
4. The IMO determines how nautical and hydrographic S-100 based products will be adopted as part of the ECDIS product specification. [↑](#footnote-ref-4)
5. IHO Resolution 1/1997 as amended- Principles if the Worldwide Electronic Navigational chart Database (WEND) & its Annex (Guidance for establishment of ENC Production boundaries). [↑](#footnote-ref-5)
6. One of these being the UN-GGIM principles on an Integrated Geospatial Information Framework (IGIF) and how these apply to the less restrictive tiers, for instance not integral to safe navigation. [↑](#footnote-ref-6)
7. Where alternative solutions are more appropriate for certain use cases not related to carriage requirements of SOLAS chapter V, they should deliver at least the same level of protection as S-100 Part 15. [↑](#footnote-ref-7)
8. In line with SOLAS/V regulation 4. [↑](#footnote-ref-8)
9. These could be Members States and non-Member States. [↑](#footnote-ref-9)
10. The mechanism of IHO resolution 1/2018 on the elimination of overlapping ENC data in areas of demonstrable risk to the safety of navigation can be applied to resolve conflicting S-1XX data products. [↑](#footnote-ref-10)
11. During the dual fuel period for the transition from S57 ENCs to S101 ENCs, Member States S-101 coverage should mirror their S-57 coverage in order to avoid ‘cross overlapping’. [↑](#footnote-ref-11)
12. Level of success of coverage is determined by Strategic and Work plan performance indicators. [↑](#footnote-ref-12)
13. In line with article 15 of IHO resolution 2/1997 as amended on the Establishment of RHCs. [↑](#footnote-ref-13)