

11TH MEETING OF THE HYDROGRAPHIC SERVICES AND STANDARDS COMMITTEE

Report of the Advisory Board on Law of the Sea (ABLOS)

ABLOS is a joint board established by the International Hydrographic Organization (IHO) and the International Association of Geodesy (IAG)

Submitted by:	Chair, ABLOS
Related Documents:	C-51
Related Projects:	None

Chair:	Niels Andersen, Denmark (IAG Member)
Vice-Chair:	Izabel King Jeck, Brazil (IHO Member)
Secretary:	David Wyatt, IHO
Members IHO:	Australia, Brazil, Republic of Korea, United Kingdom
Members IAG:	Canada, Chile, Denmark, France
Ex Officio:	UN DOALOS and IHO
Observers:	Australia, India and United Kingdom
<i>see Annex A for full details</i>	

Meetings Held During Reporting Period

ABLOS 25	22 - 25 October 2018	Doha, Qatar
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Future Meetings

ABLOS 26	7 & 10 October 2019	IHO, Monaco
ABLOS 10 Conference	8 – 9 October 2019	IHO, Monaco

Work Program

The 25th Business Meeting of ABLOS was held at the Ritz-Carlton Hotel in Doha on 22 and 23 October. It was followed by a seminar titled '*Challenges in the Implementation of UNCLOS – a Regional perspective*' on 24 and 25 October.

ABLOS members and IHO appointed observers from Australia, Brazil, Chile, Denmark, Japan, the Republic of Korea and the United Kingdom were present, as well as five invited observers from Qatar. The Chair, Professor Niels Anderson (IAG – Denmark), welcomed all Board members and observers to the meeting.

The meeting continued its preparations for the 10th ABLOS Conference, which is planned to be held in Monaco on 8 and 9 October 2019. Detailed information for the Conference will be announced by IHO Circular Letter and on the ABLOS page of the IHO web site when available.

The meeting finalised the revisions to Chapter 3 and the list of definitions to Edition 5.0.0 of IHO publication C-51 and agreed the completed draft Edition 6.0.0 should be submitted to the 11th meeting of the IHO Hydrographic

Services and Standards Committee in May 2019 for its endorsement and subsequent IHO and IAG approval. (https://www.iho.int/srv1/index.php?option=com_content&view=article&id=416&Itemid=374&lang=en)

The French and Chilean members of the ABLOS have progressed the completion of the French and Spanish translations of Edition 6.0.0, so that all three language versions would be in the same Edition state.

ABLOS members and observers discussed notable topics from the various conferences, seminars and workshops that they had attended and undertaken since the previous Business Meeting. The meeting also discussed the material for the ABLOS capacity building training course and reviewed ways to develop it further.

The meeting reviewed the Terms of Reference and Rules of Procedure of the Board and made a number of amendments and revisions. The proposed draft Terms of Reference and Rules of Procedure of the Board are at annex B.

The ABLOS meeting was followed by a Law of the Sea Seminar, which was hosted by the Qatari Standing Committee of the Convention on the Law of the Sea. The Seminar was opened by Dr Ahmad Al-Hammadi, Secretary General of Ministry of Foreign Affairs and Chairman of the Standing Committee of the Convention on the Law of the Sea and was attended by approximately 120 delegates from across the region, including Oman, IR of Iran, Kuwait and a wide selection of Qatari government ministries, technical authorities and universities.

The Seminar covered presentations on:

- *Settlement of disputes;*
- *The efforts of the Standing Committee of the Convention on the Law of the Sea to implement the provisions of the UNCLOS in the State of Qatar;*
- *The intersection between investment treaty rules and UNCLOS and their effect on regulation of underwater cable networks;*
- *Dynamic coasts in an era of sea level rise – fixed baselines versus fixed limits;*
- *The unresolved issues under UNCLOS: from State Practice perspective;*
- *The ability of the UNCLOS to accommodate new uses and challenges;*
- *Legal protection of coastal states;*
- *Legal framework governing maritime security threats: general overview;*
- *Innocent passage;*
- *What does ABLOS do? TALOS Manual and Capacity Building;*
- *Geodesy and Basic National Infrastructures; The difficulties of obtaining data under UNCLOS – is crowdsourced bathymetry the answer?;*
- *Protecting the Marine Environment during crises: The South China Sea case and its implications for regional protection of the Marine Environment – Environmental matters in the Gulf region;*
- *Technical issues related to time the Commission on the Limits of the Continental Shelf analysis.*

The presentations were followed by question and answer sessions for the participants.

Progress on HSSC Action Items

Nil

Problems Encountered

It is noted that 4 of the 8 ABLOS members are now serving their second term; it is of concern that, whilst there are 4 IHO observers, there are no IAG observers gaining experience potentially to progress as IAG appointed members. IAG members have been requested to seek suitable individuals.

Any Other Items of Note

Nil

Conclusions and Recommended Actions

N/A

Justification and Impacts

N/A

Action Required of HSSC

The HSSC is invited to:

- a. **Note** this report
- b. **Approve** the proposed draft TALOS Edition 6.0.0
- c. **Approve** the revised Terms of Reference at Annex C
- d. **Endorse** the continuation of ABLOS to pursue its work under the revised Terms of Reference
- e. **Review and endorse** the work program at Annex B



Joint IAG-IHO Advisory Board on the Law of the Sea



MEMBERS OF ABLOS

IHO representatives:

Captain Izabel King Jeck (vice-Chair) {July 2013 – July 2017; July 2017 – July 2021}

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12. ABLOS WORK PLAN 2019-20

12.1 ABLOS Tasks

A	Organise the 10 th ABLOS Conference in 2019 (IHO Task 2.12.2)
B	Maintain IHO Publication C-51 "Technical Aspects of the Law of the Sea (TALOS) Manual" (IHO Task 2.12.3)
C	Deliver a standard training program on the hydrographic aspects of maritime delimitation (IHO Task 3.5.2)
D	Provide advice and guidance on the technical aspect of the Law of the Sea to relevant organizations, bodies and Member States (IHO Task 2.12.3)
E	Organize and prepare ABLOS business meetings in 2018 and 2019 (IHO Task 2.12.1)

Task	Work item	Priority H-high M-medium L-low	Next milestone	Start Date	End Date	Status P-planned O-ongoing C-completed	Contact Person(s) * indicates leader	Related Pubs / Standard	Remarks
A1	Organise 10 th ABLOS Conference	H	Begin advertising Identify key note speaker Attract presentation abstracts	2017 2017 2017	2019 2019 2019	O C O	All members of ABLOS through Clive Schofield*	N/A	

Task	Work item	Priority H-high M-medium L-low	Next milestone	Start Date	End Date	Status P-planned O-ongoing C-completed	Contact Person(s) * indicates leader	Related Pubs / Standard	Remarks
B1	Prepare draft 6 th Edition of C-51 (TALOS Manual) for adoption by Member States	M		2013	2016 2019	P	vacant*	IHO Publication C-51	
		H	Generate draft new structure for chapter 3	2014	2016 2017 2018	OC			
		H	Review contents of chapters and identify areas requiring revision	2014	2016 2017 20182019	OC			
		M	Review initial French translation and propose amendments	2018	2019	PC	Marie-Françoise Lequentrec-Lalancette*/Sunil Bisnath		
		M	Review French translations of animations	2018	2019	P	Clive Schofield*/ Marie-Françoise Lequentrec-Lalancette		
		M	Review initial Spanish translation and propose amendments	2018	2019	P	Juan Carlos Báez Soto		
		M	Review French translations of animations	2018	2019	P	Juan Carlos Báez Soto		
C1	Deliver standard training programmes for the CBSC	H		2011	Continuous	O	Vacant*		Workshops planned in 2019 in the CBSC Work Plan.
D1	Provide advice and guidance on the technical aspect of the Law of the Sea	H		Continuous		O	All members of ABLOS through the Chair		

12.2 ABLOS Meetings (Tasks A & E)

Date	Location	Activity
1 - 6 October 2012	IHB, Monaco	ABLOS 19 and 7 th ABLOS Conference
28 - 29 October 2013	Muscat, Oman	ABLOS 20
21 - 22 October 2014	Copenhagen, Denmark	ABLOS 21
19 - 23 October 2015	IHB, Monaco	ABLOS 22 and 8 th ABLOS Conference
26 - 28 October 2016	Seoul, Korea	ABLOS 23
9 - 12 October 2017	IHO, Monaco	ABLOS 24 and 9 th ABLOS Conference
22 – 25 October 2018	Qatar	ABLOS 25
7 - 10 October 2019	IHO, Monaco	ABLOS 26 and 10 th ABLOS Conference

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Secretary: David Wyatt

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TERMS OF REFERENCE
For the Advisory Board on the Law of the Sea (ABLOS)
of the
International Hydrographic Organization (IHO) and
the International Association of Geodesy (IAG)
(as amended 25 October 2018)

Ref: 1st HSSC Meeting (Singapore 2009)

OBJECTIVE:

To provide information and advice on technical aspects of the Law of the Sea.

1. Terms of Reference

1.1.

To provide information and advice with regard to the technical aspects of the Law of the Sea to:
1) the parent Organizations (IHO/IAG) or to other organizations; and
2) to their Member States.

- 1.2. To review State practice and jurisprudence on Law of the Sea matters which are relevant to the work of ABLOS so as to be in a position to provide expert advice when needed.
- 1.3. To study, promote and encourage the development of appropriate techniques in the application of the technical concepts contained within certain provisions of the United Nations Convention on the Law of the Sea.
- 1.4. To review and update IHO Special Publication C-51 "A Manual on Technical Aspects of the United Nations' Convention on the Law of the Sea - 1982" (TALOS Manual).
- 1.5. To prepare, review and update other ABLOS publications as required by the parent organizations (IHO/IAG).

2. Rules of Procedure

- 2.1. ABLOS shall be composed of eight voting Members, preferably chosen with wide geographic representation. Each parent Organization (IHO/IAG) shall appoint four members. The Division for Ocean Affairs and the Law of the Sea of the United Nations Office of Legal Affairs (DOALOS), and the IHO Secretariat shall have representatives in an ex-officio capacity without voting rights.

- 2.2. ABLOS should normally take decisions by consensus. Should a vote be necessary then a simple majority of those present and voting is required, subject to a minimum of 4 voting members being present. In the case of a tied vote the Chair shall have a casting vote.
- 2.3. The Member States of the IHO, the IAG and ABLOS through its Chair may appoint observers to ABLOS. Observers may participate in correspondence and attend meetings but may not vote.
- 2.4. Appointed Members and Observers shall serve for a term of four years, renewable by a recommendation of the Board for one additional four-year term and with the approval of the corresponding parent organization. Observers may be reappointed with the approval of the ABLOS for further terms. The Chair shall inform the relevant parent organization of any foreseeable vacancy in a timely manner. Members and Observers are expected to attend every meeting of ABLOS. Where a Member or Observer fails to attend two consecutive meetings the Chair should raise the matter with the parent Organization (IHO/IAG) with a view to rectifying the situation.
- 2.5. Whilst Members of ABLOS are appointed by their parent Organizations (IHO/IAG), to whom they are accountable, Members are expected to serve as individual experts in their own right. No statements or publications may be issued in the name of ABLOS without ABLOS's prior approval.
- 2.6. The Chair and Vice-Chair shall be elected by ABLOS and should normally come from different parent Organizations (IHO/IAG) on a rotational basis. They will serve for a two-year period, after which the Vice-Chair becomes Chair and a new Vice-Chair is elected. If the Chair is not present or available, the Vice-Chair shall act in this capacity until the next meeting. Should the Vice-Chair not be available to take office as Chair when required, a new Chair and Vice-Chair should be elected.
- 2.7. ABLOS may establish Working Groups to carry out specific tasks.
- 2.8. ABLOS will have its permanent Secretariat at the IHO Secretariat, Monaco. The Secretariat will publish the documents and publications produced by the Board as required.
- 2.9. Members and Observers of ABLOS are expected to be supported by their own host organizations or governments for travel expenses and work. Exceptionally, an ABLOS appointed Observer may be supported by ABLOS for a specific task.
- 2.10. ABLOS will normally meet once a year at a venue and time that minimizes cost and conducts business by correspondence between meetings.
- 2.11. ABLOS may organise conferences and seminars. A biennial technical conference will normally be held in Monaco in conjunction with an ABLOS meeting. ABLOS may operate a fund to cover the receipts and expenses of running such a conference. Guidelines for the operation of this fund are appended to these terms of reference.
- 2.12. The Chair or his/her nominated representative shall report on the activities of the Board to the annual meeting of the IHO Hydrographic Services and Standards Committee (HSSC) and to each ordinary session of the Assembly through the Council. The Chair or his/her nominated representative shall also provide an annual report on ABLOS's activities to the IAG and a report covering the inter-sessional period to the General Assembly of the IAG.
- 2.13. These TOR should be reviewed by ABLOS as required and not less frequently than every 4 years. Amendments, recommended by ABLOS, are to be submitted to the parent Organizations (IHO/IAG) for approval.

ABLOS CONFERENCE FUND GUIDELINES

(As amended 27 October 2016)

1. Introduction

1.1 The Advisory Board on the Law of the Sea (ABLOS) is formed by four representatives from each of the following bodies: The International Hydrographic Organization (IHO) and the International Association of Geodesy (IAG). Secretarial support for ABLOS is provided by the IHO Secretariat. The parent organizations (IHO/IAG) approve the Terms of Reference (TOR) for ABLOS. The Division of Ocean Affairs and Law of the Sea (DOALOS) of the United Nations Office of Legal Affairs and the IHO Secretariat attend ABLOS meetings in an ex-Officio capacity.

2. Biennial Conference

2.1 The TOR invite ABLOS to organise seminars and technical conferences and permit the operation of a fund to support such activities.

3. Income

3.1 The primary source of income for the fund will be from the registration fees of delegates attending such seminars / conferences. ABLOS should set the level of registrations fees in order to provide a modest excess of income over expenditure given an estimated attendance.

4. Expenditure

4.1 The primary expenditure for the fund will be to cover the costs of running the seminars / conferences. Expenditure may include but is not limited to: assistance to speakers / tutorial leaders, conference equipment, documentation, proceedings, staff overtime, reception and tea breaks.

4.2 ABLOS may use any funds in excess of 3000 Euros remaining after all expenses for a seminar / conference have been settled, to fund other activities conducted by ABLOS. Limited support for travel / subsistence in connection with production of a new edition of C-51 'A Manual on Technical Aspects of the Law of the Sea' might be considered such an activity. Such expenditure must be approved by a simple majority of the ABLOS Membership.

4.3 Routine expenditure in support of a seminar / conference may be transacted by the IHO Secretariat and reported in the fund accounts.

5. Operation

5.1 The fund will be operated by the IHO Secretariat on behalf of ABLOS. A copy of the fund accounts will be provided to the Annual Business Meeting of ABLOS and immediately after finalising the accounts following a seminar / conference.

6. Review

6.1 This guidance should be reviewed, and amended as necessary, by ABLOS at intervals not exceeding 4 years.