

Arctic Regional Hydrographic Commission (ARHC)
Portsmouth, New Hampshire, United States, January 29-30, 2014

Associate Membership and Observers of ARHC

Submitted by: Norway.

Executive summary: Iceland and Finland have been admitted as Observers to ARHC. According to the Statutes of ARHC Iceland and Finland are qualified to be accepted as Associate Members. Clarification of future practice with respect to membership and invitations is required.

Related documents:

- ARHC Statutes
- Application from Finland to become an Observer to the Arctic Regional Hydrographic Commission (ARHC), dated 12 May 2011
- Application from Iceland to become an Observer to the Arctic Regional Hydrographic Commission, dated 4 July 2011

Related projects: None

Introduction/Background

Iceland and Finland applied for Observer status in 2011 and both States were accepted by consensus among the Member States, as required by paragraph 3 d) which again refers to paragraph 3 c).

Later on some persons related to ARHC have questioned the correctness of admitting Iceland and Finland as Observers. As both are IHO Member States they could, or should, apply for Associate Membership of ARHC according to paragraph 3 b).

The actual part “3 Membership” of the ARHC Statutes is included below

a) The full Members of the Commission are Canada, Denmark, Norway, Russia and the United States of America.

b) The Associate Members are other IHO Member States who wish to contribute to the work of the Commission and commit to be bound by these Statutes as per the signatures of their duly authorized representatives appended in Annex 2.

Associate Members may take part in the discussions and propose Conference Agenda items but do not have voting rights.

c) To become Associate Member, a State shall make a written proposal to the Chair of the Commission expressing how it will contribute to the work of the Commission; explain what kind of contribution will be made and when this contribution will be carried out.

The Chair distributes the proposal to the Members for consideration.

Decision on acceptance is made by consensus.

d) Other States and International Organizations involved in hydrographic surveying or nautical charting in the Arctic Ocean either by contributing to these activities or by providing support to these activities or as users of derived products, may propose to be an Observer, or may be invited by the Commission to participate as Observers. If they propose, the procedure described in paragraph 3(c) shall apply.

Observers may take part in the discussions but do not have voting rights

Discussion/analysis

The ARHC Statutes clearly distinguish between “IHO Member States” and “Other States” as expressed in paragraph 3 b) and d). In our understanding the intension express by the Statutes is that an IHO Member State that would like to contribute to the work of the Commission should propose to become Associate Member. The decision of acceptance has to be made by consensus among the Member States of ARHC.

The minutes from ARHC1 reads as follows: *With respect to the participation of the countries represented in the Arctic Council, but not members of the ARHC, there was unanimous agreement that it would be beneficial for ARHC to establish collaboration with them.*

DECISION: Proposals for Associate Membership from States who are members of the Arctic Council would be viewed favourably should they provide a proposal in accordance with Article 3 c) of the ARHC Statutes.

The decision from ARHC1 clearly supports the view that Iceland and Finland should be accepted to become Associate Members.

A few additional IHO Member States have applied for Observer Status and expressed their willingness to contribute to the work of the Commission. So far consensus for new Observers has not been reached.

Paragraph 3 d) include the possibility to *invite* “Other States and International Organizations” as Observers without requiring the procedure of 3 c) to be followed. The practice so far has been that, based on the decision of the Chair, International Organizations like IMO and IALA have been invited. This practice is in line with Action items IRCC5/06 and 07 from the last IRCC meeting. For the ARHC4 both IMO and IALA have apologized for not being able to participate. The only invited organization present will be IBCAO. No “Other State” has ever been invited to an ARHC meeting.

Conclusions

The understanding and practicing of the Statutes need to be evaluated with respect to the present accepted Observers and any future IHO Member States expressing interest in cooperation. Some agreed guidelines for the Chair with respect to inviting Other States and International Organizations to the ARHC meeting would be beneficial for common future practice.

Recommendations

1. Clarify with Iceland and Finland if they want to modify their applications in line with Associate Membership, implying to sign the Approvals of the Associate Members (Annex 2 of the Statutes).
2. Recommend that any IHO Member States expressing interest to contribute to the work of the Commission in the future should apply for Associate Membership in accordance with paragraph 3b) and c).
3. Empower the Chair of ARHC to invite “Other States and International Organizations” to ARHC Meetings in accordance with agreed guidelines.

Action required by ARHC

The ARHC is invited to:

1. Consider the background and recommendations above
2. Take any other actions as deemed necessary for a common understanding and practicing of the implications of chapter “3 Membership” of the Statutes

