

Annex A**FINAL REPORT OF 8TH MEETING OF THE BASWG****1. Opening and Administrative Details**

The 8th meeting of the Working Group on Safety of Navigation in the Black and Azov Seas (BASWG-8) took place in the conference room of Borisfen Hotel in Kiev, Ukraine, under the Chairmanship of Rear Admiral Mustafa İPTEŞ, Director of the TN-OHNO (Turkish Navy-Office of Navigation, Hydrography and Oceanography) to discuss hydrographic, cartographic and MSI dissemination issues and cooperation between the countries in the Black and Azov Seas which are of utmost importance that Black Sea countries have about the capability of surveying, charting and MSI dissemination, especially on the main navigational routes, to fulfill SOLAS requirements and IHO recommendations throughout the region. The meeting was attended by 17 representatives from 4 Black Sea countries (Georgia, Romania, Turkey and Ukraine) and Spain (NAVAREA-III Co-ordinator), and the president of the IHB Directing Committee. The list of participants is in the Appendix-1.

Head of State Hydrographic Service (SHS) of Ukraine, Mr. Sergei SYMONENKO, welcomed all participants. The meeting was opened by the Chairman, Rear Admiral Mustafa İPTEŞ, who stressed the need for the approval of the Terms of Reference (ToR) in order to define the status, works and rules of procedures of the BASWG, to agree on ENC scheme in the Black Sea to cover whole region with high quality and consistent ENCs, to facilitate a cooperation between Black Sea countries by bilateral agreements and to improve capabilities of Hydrographic Offices of the Black Sea countries for surveying, charting and dissemination of Marine Safety Information (MSI). He explained that the meeting of the BASWG is a good platform and would enable general discussions on all "Safety of Navigation in the Black Sea"-related subjects and to draw conclusions which will be reported consequently to Mediterranean and Black Sea Hydrographic Commission (MBSHC).

2. Adoption of the Agenda

No comment or suggestion for the change of the proposed agenda was expressed. The Working Group adopted the agenda (see Appendix-2).

3. Terms of Reference

The Chairman emphasized that, the ToR, concerning the status, tasks and rules of procedures of the BASWG, is one of the important agenda items of the meeting, seven meetings of the WG were held previously without approved ToR and it is needed to finalize and submit the ToR of BASWG to MBSHC Member States for approval.

In this regard, the new draft of the ToR, prepared by Turkey, was presented to the participants for their comments and after consideration and discussions, the ToR of the BASWG had been finalized by the participants in order to be submitted to MBSHC for endorsement. The final ToR is in Appendix-3.

4. Status of Hydrographic Surveys in the Black Sea

Followings are the national updates of Black Sea Countries on the status of hydrographic surveys in the Black Sea region:

a. Turkey (R.Adm. İPTEŞ) pointed out that Turkey's area of responsibility in the Black Sea is completely covered by both single and multi beam surveys. He also indicated that, multi beam surveys have been carrying out, especially in the coastal waters, since 2002 by TN-ONHO and all coastal waters will have been covered with adequate multi beam surveys in 2 years.

b. Romania (Capt. BOŞNEAGU) noted that, no new modern surveys have been performed, but have plans to carry out modern surveys soon with new equipments purchased under capacity building activities.

c. Ukraine (Mr. SYMONENKO) stressed that, whole Ukrainian waters are covered by hydrographic surveys, re-surveys in congested areas, passages, straits and important harbours are being performed each year and the project of hydrographic surveying in Dinyeper River, which will be completed in 2010, is under process.

d. Georgia (Capt. PATSIA) noted that they have neither hydrographic survey data nor hydrographic staff left from former Soviet Union. After disintegration of former Soviet Union, the only hydrographic surveying activities in Georgian waters are US survey in Poti and Turkish survey in Batumi and their approaches. He also emphasized the need of modern surveys in Georgian waters.

5. Contributions of the Black Sea Countries to S-55

The Chairman gave an overview brief on the IHO Special Publication No. 55 (Status of Hydrographic Surveying and Nautical Charting Worldwide, S-55) which aims to present a clear picture of the worldwide coverage of surveys and nautical charts and of the extent of effective organisations for the timely promulgation of navigational safety information. He emphasized the importance to update the S-55 for the coastal states of Black Sea in order to evaluate the current status and progress of hydrographic surveys and bathymetric charting in the region. In this regard, he noted that Turkey and Ukraine have updated relevant pages of the document recently, but the information in the pages of Bulgaria, Romania and Russian Federation are not up-to-date and there is no information of Georgia.

Georgia (Capt. PATSIA) noted that Georgia is not IHO member and because of their internal political problems the membership has been delayed up to now, but State Hydrographic Service of Georgia is aiming to be a member in the near future. He stressed that capacity building activities are under progress in their office and they need assistance through regional cooperation, bilateral and/or IHO capacity building programmes for staff training.

The IHB (V.Adm. MARATOS) noted that IHO Capacity Building Committee (CBC) may assist to States even they are non-member. In this regard, CBC could arrange a technical visit to Georgia in order to evaluate the situation or Georgia could report the capacity building requirements to IHB, he added, and any country could be a member even it has internal political problems. Concerning the S-55, he noted that it is a web-based document and can be updated by the States on internet, or the relevant updates can be sent by States to IHB in order to update the S-55.

6. Cooperation Agreements between Black Sea Countries

The Chairman stressed the importance of working in collaboration and improving our partnership through bilateral agreements and joint hydrographic surveys in order to achieve surveying, charting and MSI dissemination in conformity with the IHO standards, especially on the main navigational routes in the Black Sea. He noted the status of bilateral agreements of Turkey with other Black Sea countries.

Ukraine (Mr. SYMONENKO) stated that current Ukrainian internal law, rules and/or regulations do not permit SHS of Ukraine to pay royalty for hydrographic and cartographic issues. Therefore, he proposed that the bilateral agreements between Black Sea countries shall be exempt from royalties only for paper charts. He also added that the draft agreement between Ukraine and Russian Federation, which was not enacted because of the political problems, to be used as a template for this purpose.

The IHB (V.Adm. MARATOS) noted that Black Sea countries could have a joint agreement which contains surveying, charting and MSI dissemination issues for whole region like Baltic Sea countries did.

The Chairman stated that, firstly the bilateral agreements shall be concluded which are under progress, and then, it could be considered that joint agreement covering the whole region to be included in a ToR of BASWG. He also noted that Ukraine to send the draft agreement to the participants in order to evaluate the proposal regarding not to pay royalty for paper charts.

7. Amendments to the INT Chart Catalogue for the Black Sea

The Chairman noted that the current Black Sea area in INT Chart Catalogue (IHO publication no. M-11) is not up to date. Especially, after the disintegration of former USSR, producing nation for the relevant charts has been changed and therefore the catalogue needs to be updated accordingly and reported to MEDINTCHART Coordinator, he added.

He stated that chart number 3808 is co-produced by Turkey and Russian Federation in the current catalogue and after the disintegration of former USSR, there is no sea area of Russian Federation covered by the mentioned chart. The current edition of this INT 3808 is also not in line with IHO standards since it does not bear seals of both relevant countries.

Ukraine (Mr. SYMONENKO) suggested that some changes to the INT chart catalogue (M-11) need to be done such as; to amend producing country of INT charts in the Ukrainian area of responsibility and to add new charts, especially in Azov Sea and Kerch Strait area in order to improve the safety of navigation. He noted that Ukraine will prepare a draft scheme covering new charts to be added, amendments and joint production of chart no. 3812 which is disputable between Ukraine and Russian Federation. He also added, for the chart no. 3820, which is produced by Romania, to bear Ukrainian seal in addition to IHB and producing country seals, since it covers Ukrainian waters. See Appendix-4 for the details of Ukraine proposal.

Georgia (Capt. PATSIA) stated that chart no. 3808 which covers both Georgian and Turkish waters could be produced by Turkey, but it is not acceptable chart no. 3810 covering both Russian Federation's and Georgian waters to be produced by Russian Federation.

The IHB (V.Adm. MARATOS) stressed that the disputes and problems related to INT chart producing responsibilities can be solved only in Regional Hydrographic Commissions such as MBShC and he reminded that there is a technical meeting which will be held by MEDINTCHART Coordinator in Paris, France in September 2008 which will be a good opportunity to discuss and solve these kinds of problems between countries.

The Chairman emphasized that, all Black Sea countries shall send aforementioned amendments, new charts and joint production requirements to MEDINTCHART Coordinator by the end of July and shall attend a technical meeting in September 2008 to discuss and finalize INT chart producing responsibility problems there.

8. Black Sea ENC Scheme

The Chairman reminded the IHO commitment to achieve adequate coverage, availability, consistency and quality of ENC's by 2010, in order to support mandatory ECDIS carriage and promote the usage of ENC by the mariners, and emphasized that there are large gaps as well as overlaps in ENC coverage in the Black Sea. He stated that Black Sea countries should agree on an ENC scheme as soon as possible which will be a part of the MBSHC area ENC scheme.

Turkey (Lt. GÜNSAY) gave a brief presentation covering proposal on Black Sea ENC Scheme in general band (band-2) which is based on, but slightly modified, current Black Sea INT Chart Scheme and Economic Exclusive Zone (EEZ) limits which were agreed by the relevant countries.

All participants generally agreed on Turkey's proposal, but Ukraine noted that cell boundaries between Ukraine and Russian Federation should be removed due to not reaching any agreement on those yet, and one general band cell, covering the relevant area, could be inserted without indicating the producing country.

This note was taken into consideration by the Chairman and it was accepted to make aforementioned modification to the proposed draft. The last draft of the Black Sea ENC Scheme is in Appendix-5.

9. Co-operation on ENC Production

The Chairman introduced paper on the proposal of Turkey covering co-operation and recommendations for ENC production; such as distributing ENC's through RENCs and TN-ONHO's support to produce ENC's for the countries, which are not capable, on their behalf, as an ENC producing HO.

10. Proposal for Black Sea to be a Sub-area of NAVAREA-III

The Chairman reminded that proposal on establishing sub-area of NAVAREA-III in the Black Sea was made by Russian Federation during 8th meeting of Commission on Promulgation of Radio Navigational Warnings (CPRNW) in 2006 and NAVAREA-III Coordinator was assigned to investigate the possibility of establishing this sub-area. Romania and Turkey approached positively to the proposal; on the other hand Ukraine stated that this was not necessary, he added. He also noted that Turkey is willing and ready to serve as the sub-area coordinator in the Black Sea and the relevant Turkish maritime authority has already informed the NAVAREA-III Coordinator accordingly.

Turkey (Lt. GÜNSAY) gave a brief presentation about the MSI coverage of Turkey in the Black Sea and the proposal for the Black Sea to be a sub-area of NAVAREA-III covering MSI capabilities of relevant Turkish maritime authority and the need for establishing the sub-area in the Black Sea.

Spain, NAVAREA-III Coordinator (Cdr. CAVANILLAS), stated that to establish a sub-area in the Black Sea will probably facilitate the improvement of the safety of navigation in the region and, Turkish relevant authority, willing to serve as a coordinator, should attend the next meeting of CPRNW in Brasil next August 2008, and bring forward in that meeting their project for the creation of a new Sub-area in the Black Sea, showing clearly that they are able to establish fluent communication systems between Turkey and other Black Sea countries. He also added that, given that the whole Black Sea region is covered by NAVTEX Service and that Turkey, when they first considered the possibility to volunteer as Sub-area Coordinator, pointed out that they would volunteer for that role just in the case they would not have to make use of Safety-Net service, it is

true that in normal circumstances there is no need for the Sub-area Coordinator to make use of the Safety-Net in the region if proper broadcasting is established throughout the region using NAVTEX Service. In case of failure of the NAVTEX Service, Spain, as NAVAREA III Coordinator, will then broadcast navigational warnings making use of the Safety-Net Service.

The Chairman noted that Georgia and Romania approached positively to the proposal both of establishing a sub-area in the Black Sea and Turkey's being a coordinator of this sub-area; Ukraine stated that it is not necessary to establish a sub-area. The final decision for establishing NAVAREA-III sub-area in the Black Sea will be given by the relevant commissions of the IMO and IHO, he concluded.

11. Capacity Building and Training Requirements of Black Sea Countries and Black Sea Hydrographic and Cartographic Project (Financing problems, using CBC funds)

The Chairman gave an overview brief on the process of the Black Sea Hydrographic and Cartographic Project which was aiming to improve capabilities of HOs of the Black Sea countries for surveying, charting and dissemination of MSI. The project was first drafted by IHB and then, re-drafted by International Maritime Academy (IMA) and presented to European Commission in 2005, but unfortunately was not approved, he added. He also reminded that Admiral MARATOS was going meet with European Commission officials at the end of last year to discuss the fund possibilities for improving the HOs of Black Sea countries, as he stated during the 15th MBSHC meeting.

Admiral MARATOS stated that he has not concluded the discussions on fund possibilities of European Commission for the projects to meet requirements and/or capacity building of the HOs of Black Sea countries until now. He noted that it seems not possible to get funds from European Commission such specific projects since the bureaucratic barriers of the Commission, and so, for the time being, capacity building requirements of the Black Sea countries may be provided by CBC which will meet at the end of May 2008.

The Chairman reminded that the fund required for such a big project is some millions of US dollars and it seems not possible to find this amount of money and so, the capacity building activities in Black Sea region may continue with available CBC funds. He noted that he will send a letter, as a chairman of the BASWG, concerning especially MSI training and technical visit possibilities of CBC for the Black Sea countries to the chairman of the Committee, Capt. Hugo GORZIGLIA, to discuss these issues during the forthcoming CBC meeting.

12. Any Other Business

No further issues had been raised to discuss by the participants.

13. Election of the Chairman

All participants proposed R.Adm. Mustafa İPTEŞ (Turkey) for the chair of the BASWG and selected him unanimously for the next two years.

14. Date and Venue of the Next Meeting

Romania offered to host the next BASWG meeting (9th meeting) in Constanza in 2009. Decision was made to hold the meeting in April. Romania will inform the specific dates to the Chairman by the end of 2008.

15. Closing

The Chairman expressed his thanks to all participants for their active and cooperative participation and State Hydrographic Service, Ukraine for hosting the meeting.

16. Action Required

	Actions
BASWG8/01	BASWG Member States (MS) to approve and/or to develop new comments for the final draft of status, terms of reference and rules of procedure of the BASWG by the end of July 2008.
BASWG8/02	BASWG MS to present national updates concerning surveying, charting and MSI dissemination activities in the next WG meeting.
BASWG8/03	BASWG MS (Bulgaria, Georgia, Romania and Russian Federation) to update the IHO Special Publication No. S-55 as soon as possible and all MS to update S-55 each year or anytime needed.
BASWG8/04	Ukraine to send the draft bilateral agreement to the other BASWG MS concerning not to pay royalty for paper charts, BASWG MS to sign bilateral agreement to achieve surveying, charting and MSI dissemination in conformity with the IHO standards and to consider the draft bilateral agreement proposed by Ukraine.
BASWG8/05	BASWG MS to send amendments, new charts and joint production requirements for the INT Chart Catalogue to MEDINCHART Co-ordinator by the end of July 2008 and to attend a technical meeting in September 2008 to discuss and finalize INT chart producing responsibility problems.
BASWG8/06	BASWG MS to consider and/or develop new comments for the Black Sea ENC scheme proposed by Turkey by the end of July 2008.
BASWG8/07	Romania to distribute their ENCs through RENCs, Bulgaria and Georgia to consider Turkey proposal concerning partnership in ENC production.
BASWG8/08	Turkey to inform MS concerning process of establishing NAVAREA-III sub-area in the Black Sea.
BASWG8/09	Chairman to send a letter regarding especially MSI training and technical visits possibilities of CBC for the Black Sea to the chairman of the CBC.
BASWG8/10	Romania to write to the chairman specific dates of the next BASWG meeting which will be held in Constanza, Romania by the end of 2008.

APPENDIX :

Appendix-1 (List of Participants)

Appendix-2 (Agenda Items)

Appendix-3 (Terms of Reference)

Appendix-4 (Ukrainian Proposal for the Amendments
to the INT Chart Catalogue)

Appendix-5 (Draft Black Sea ENC Scheme)