



To: NSHC members  
CC: Director IHB Mr. Gilles Bessero

NSHC Letter 04/2016  
15-04-2016

**Subject: A procedure for selection of Member states for the IHO council**

Dear Colleagues,

In my NSHC letter 02/2016 I proposed a procedure for selecting the NSHC representatives to the IHO council. This procedure is requested by the IRRC. Action IRRC7/26 applies: "Report to IRCC on the status of the RHC procedures for selecting their respective representatives to the Council". Meanwhile I have received feedback on the use of the word "representative". Is this a correct term to label the Member States selected by the NSHC and what does representation or even selection by a RHC imply? In this letter, I will formulate two decision points to facilitate a focussed discussion on these issues during the 32<sup>nd</sup> NSHC Conference in June.

Decision point 1: the wording.

This decision point focusses on the use of the word "representative" itself. I originally followed the nomenclature used in IHB File No S1/6200 and IRCC7. One could argue that a regional representative is stretching the concept of taking seats on a regional basis. I therefore offer a proposal with two sets of placeholders (attached). One set uses the initial wording for a 'representative of the NSHC' and one set stays as close as possible to Article 16 of the General Regulations with "Member States selected by the NSHC". This highlights the remit of the RHC. At the NSHC Conference, we can decide which set to use.

Decision point 2: the meaning.

This decision point focusses on the implications of being a representative of a RHC or a Member State selected by a RHC. Can the Members States of an RHC ask the Member State they have selected, to take into account certain findings of the region or of its Member States. If the answer is 'yes', paragraph 3 of attached procedure applies and we select Member states by voting. I have deliberately chosen the most generic wording for this case. If the answer is 'no' however, and selected Member States are fully autonomous and thus have no accountability what so ever (not even moral), then the consequence is to delete paragraph 3 and the voting altogether (what's the point?), and put in place a simple rotating mechanism for the candidate member states. My suggestion would be a scheme based firstly on the membership dates to the IHO and secondly on the alphabet in English. So, a Members State takes a seat in the council when it is his turn. This is in line with the principle of a rotating chairmanship of the NSHC.

I invite you to study these two decision points, with the aim to make a decision at the upcoming NSHC meeting. Depending on the outcome I will amend the proposal of NSHC letter 02/2014 accordingly.

Yours sincerely,

A handwritten signature in blue ink, which appears to read 'Marc C. J. van der Donck'.

Captain RNLN Marc C. J. van der Donck  
Director Netherlands Hydrographic Office  
Hydrographer of the Royal Netherlands Navy  
Chairman, NorthSea Hydrographic Commission



**PROCEDURE FOR THE [DESIGNATION OF NSHC REPRESENTATIVES TO]  
[SELECTION OF MEMBER STATES BY THE NSHC FOR] THE IHO COUNCIL**

[Designation of NSHC representatives to] [Selection of Member States by the NSHC for ] the IHO Council shall be determined in compliance with IHO General Regulations Articles 2 and 16.

**Role and Authority of [representatives to the NSHC in] [Member States selected by the NSHC for] the Council**

1. IHO Member States [representing] [selected by] the NSHC, shall occupy their seat 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] [Member States selected for] 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 NSHC to] [Member State selected by the NSHC for] the Council, the elected Member States shall take into account the views of the Member States of the Commission. A standing agenda item during the NSHC Conferences will cover IHO Council matters.

**Selection Procedure (see also flowchart Appendix 1)**

4. Three months before an ordinary session of the Assembly, the Secretary-General shall inform the Chair of the NSHC of:
  - a. the number of seats allocated to the NSHC, and
  - b. those Member States that are eligible for selection by the NSHC.
5. If the number of Member States eligible for selection [to represent the NSHC to] [by the NSHC for] the Council is equal to the number of seats on the Council assigned to the NSHC by the Secretary-General under the terms of clause 4 above, then the aforementioned eligible Member States will be [designated as representatives of] [selected by] the NSHC.
6. If the number of Member States eligible for selection [to represent the NSHC to] [by the NSHC for] the Council is greater than the number of seats assigned to the NSHC by the IHO Secretary-General under the terms of clause 4 above, then the Chair of the NSHC 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 NSHC, then these candidate(s) will be [designated as representatives of] [selected by] the NSHC.
  - b. If the number of candidate Member States is smaller than the number of seats on the council assigned to the NSHC, 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 NSHC to] [selected by the NSHC for] the Council for the longest



**ANNEX A to the STATUTES of the NSHC**

time. If this proves inconclusive, the Chair will designate eligible Members State(s) as [representative of] [selected by] the NSHC.

- c. If the number of candidate Member States is greater than the number of seats on the Council assigned to the NSHC, the candidate(s) [to represent the NSHC to] [to be selected by the NSHC for] 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 NSHC otherwise by correspondence if no NSHC 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 NSHC (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 NSHC to] [Member States of the NSHC taking a seat in] the Council are then elected by simple majority. An incomplete or blank voting paper is a valid voting option and does not count against the quorum.
- c. If no quorum is achieved, the voting window is extended for two weeks and the Chair invites the missing Member States to cast their vote. The existing votes stand.
- d. If still no quorum has been achieved, the chair designates the [representatives of the NSHC to] [Member States for] the Council based on the votes cast. In case of a draw the candidate that has not been [a representative of the NSHC to] [selected by the NSHC for] the Council for the longest time is [designated as representative of the NSHC] [selected]. If this proves inconclusive the Chair will designate a candidate as [representative of] [the selected Member State by] the NSHC.

**[Manning of the representatives] [Representation of Member State selected by the NSHC]**

8. The Member States selected [to represent the NSHC in] [by the NSHC for] the Council are normally represented by the head of the Hydrographic office. Each Member State shall inform the Chair of the NSHC and the Secretary-General of the IHO of the name of its official representative. An alternate may also be designated.

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