

STATUTES OF THE MESO-AMERICAN-CARIBBEAN HYDROGRAPHIC COMMISSION (MACHC)

*as adopted by the 5th Conference of the Commission in Biloxi, Mississippi, USA.
(November 2002)*

ARTICLE 1: OF THE COMMISSION

- a) The Meso-American-Caribbean Sea Regional Hydrographic Commission has been constituted in conformity with Administrative Resolution T1.3 of the International Hydrographic Organization (IHO), included as Annex 1, and shall be governed according to these Statutes.
- b) The geographic Region covered by the Commission shall be that defined by the IHO INT Charting Scheme Regions A1 and B, included as Annex 2, hereafter referred as "the Region".

ARTICLE 2: OF THE MEMBERS

- a) Full Members of the Commission shall be IHO Member States within the Region who are signatories of these Statutes.
- b) Associate Membership is open to any non-IHO Member State within the Region who is a signatory of these Statutes. Other Members of the IHO who contribute to the safety of navigation through their activities in the fields of hydrography, nautical charting or nautical information in the Region and are signatories to these Statutes may be accepted as Associate Members. Associate Members have the same rights and obligations as the Full Members of the Commission except the right to vote or to be elected Chairman.
- c) The Chairman shall also invite other IHO Member States who are not signatories to these Statutes but who contribute to the safety of navigation by their activities in the fields of hydrography, nautical charting or nautical information in the Region, or organisations active in the region to attend as observers.

ARTICLE 3: OF THE AIMS

- a) The Commission, which is an integral part of the IHO and which promotes the aims of the Organization at the regional level, shall have an advisory, scientific and technological character; it shall not exert any authority over the Hydrographic Services or institutions responsible for hydrography and navigation of the Member countries and activities shall not extend to matters concerning international political issues.
- b) Particular aims of the Commission are:
 - 1) To promote technical co-operation and training in the domain of hydrographic surveying, marine cartography and nautical information.
 - 2) To examine in its area of interest, matters with which the IHO is concerned, avoiding any interference with the prerogatives of the International Hydrographic Bureau (IHB) and of any other bodies set up by the IHO.
 - 3) To stimulate all countries of the Region to expand their hydrographic activities and to encourage them to seek advice and technical assistance from the IHB and other

organisations in order to strengthen their hydrographic capabilities.

- 4) To facilitate the exchange of information related to surveys, research and/or scientific and technical development to assist in planning and organizing the hydrographic activities in the widest sense of the aims, but without interference in national responsibilities.
- 5) To implement the INT Chart Scheme for the Region and to monitor its suitability.
- 6) To carry out studies and projects through working groups of the Commission or as a working group of the IHO when deemed necessary.

ARTICLE 4: OF THE ORDINARY CONFERENCE

- a) The Commission shall meet in ordinary Conference in a country of the Region at least twice between two successive ordinary sessions of the International Hydrographic Conference (IHC).
- b) The Members shall be represented at the Conferences by the heads of the Hydrographic Authorities or their nominees or, where such services do not exist, by heads of national authorities responsible for hydrography and navigation.
- c) The presence of at least one-half (½) of the Full Members of the Commission shall constitute the necessary quorum to hold the meeting.
- d) An invitation to attend the Conference shall always be sent to the Directing Committee of the IHB.
- e) The Chairman shall invite those countries of the Region that are not Members of the Commission and the Coordinators of adjacent INT-Chart Regions to send representatives to attend the Commission Conferences as Observers. Any Members may propose to the Chairman the invitation of technical experts as Observers. Observers can participate in the discussions and in the working groups set up by the Commission but shall not have voting rights.
- f) The host country may limit the number of participants to not more than two per country pending availability of facilities.

ARTICLE 5: OF THE CHAIRMAN

- a) The Conferences of the Commission shall be presided over by its Chairman. The Chairman shall be from a Full Member State of the Commission, elected on a rotational basis. Therefore, those Full Members desirous of chairing the next conference shall put forward their candidature during an ordinary Conference. Priority shall be given to a country which has not yet chaired a Conference or to the one which had not done so for the longest time. In cases of equal priority, a secret ballot shall be held with the decision being taken by a simple majority of Full Members present. The Chairman shall take office six months before the beginning of the next Conference.
- b) In the interval between Conferences, the Chairman shall assume the Secretariat of the Commission and shall see that all matters arising are addressed by correspondence. The Chairman shall also prepare a complete report on the activities performed by the Commission during his term and shall submit it as the first item of the Agenda for the next Conference.

- c) The Chairman will report the activities and future plans of the Commission to the relevant sessions of the IHC and make contributions to the IHO Annual Report. Between IHC sessions, reports of studies or other activities which may be considered of general interest to all IHO Member States should be reported by the Chairman to the IHB for general dissemination.
- d) In case the Chairman of a Conference is replaced from office at the relevant Service, the successor shall become the new Chairman.

ARTICLE 6: OF THE SEATS OF THE CONFERENCES

- a) The Chairman-elect of the Commission shall make arrangements for hosting the next Conference in a country in the Region.
- b) The host country will assist with the arrangement of authorizations and visas, so as to facilitate attendance at the Conference.

ARTICLE 7: OF THE AGENDA OF THE CONFERENCE

- a) The proposals considered by the Members, which should be included in the Agenda of a Conference, should be sent to the Chairman for the next Conference at least four (4) months in advance of the date agreed for the commencement of the Conference.
- b) The Chairman shall prepare the Provisional Agenda in conjunction with the Members at least two (2) months before its opening.
- c) The Agenda shall be adopted by the Commission at the beginning of each Conference.
- d) The Commission can modify during the Conference the order of discussion of the different items of the Agenda.
- e) Proposals of any Member which are not considered in the Agenda shall be submitted to the Chairman and, with the agreement of the Members, shall be included in the Agenda for their consideration.

ARTICLE 8: OF RESOLUTIONS AND DECISIONS

- a) The resolutions and decisions of the Conference shall be adopted by the simple majority of its Full Members; votes in favour shall be indicated by a show of hands. In case of an equal number of votes (tie), a second vote shall take place after listening to the comments of the representative of the IHB.
- b) The Chairman each day shall prepare a written text of the decisions taken on each item of the Agenda and shall see to its distribution to all the attendees present for the next day.
- c) Each Full Member has only one vote.
- d) At the end of the Conference, the Chairman shall read the text of the resolutions and decisions taken. All decisions become operative immediately.

ARTICLE 9: OF CORRESPONDENCE

- a) The Chairman shall send, within two months after the closing of the Conference, one (1) copy of the Draft Report regarding the discussions and decisions taken during the Conference to each of the Full Members for its approval, and for Associate Members and Observers to comment. The Full Members shall send back their approval or any amendments within two months after its receipt. Any objection shall be resolved by correspondence. A signature page shall be circulated to obtain final approval.
- b) A copy of the Final Report of the Conference shall be sent to the Full Members, Associate Members, Observers and the IHB.

ARTICLE 10: OF EXTRAORDINARY CONFERENCES

- a) The Chairman may convene an Extraordinary Conference of the Members of the Commission when their representatives are assembled for a session of the IHC, inviting others qualified to attend as Observers.
- b) In the case of urgent matters, which cannot be treated by correspondence nor can be delayed for the next Conference, the Chairman, in agreement with the Full Members may convene an Extraordinary Conference.

ARTICLE 11: OF EXPENSES

- a) The Chairman and the host country shall be responsible for the organisation of the Conferences and shall pay the expenses except those described below.
- b) Traveling, hotel and per diem expenses of the delegates shall be defrayed by their respective organizations.

ARTICLE 12: OF THE STATUTES

- a) The IHB shall be the custodian of these Statutes.
- b) The modification of the Statutes requires the approval of at least two-thirds (2/3) of the Full Members of the Commission.
- c) If modifications to the present Statutes are agreed by those Full Members attending a Conference, but they do not receive the approval of at least two-thirds (2/3) of the Full Members as required, the Chairman shall submit the proposal(s) by mail to all Full Members with information copies to Associate Members. Final approval shall be subject to the provisions of Article 12b. All approved modifications to the Statutes shall then appear in the report of the Conference.

ARTICLE 13: OF THE LANGUAGE OF THE COMMISSION

- a) The working language of the Commission shall be English.

T 1.3 ESTABLISHMENT OF REGIONAL HYDROGRAPHIC COMMISSIONS (RHC)

1.- It is resolved that the IHB shall encourage Member States having common regional interests in data collecting or nautical charting to form Regional Hydrographic Commissions (RHC) to cooperate in the undertaking of surveys and other projects. As part of IHO, the RHC shall complement the work of the Bureau.

2.- RHCs are intended to provide, in pursuance of the resolutions and recommendations of the IHO, regional co-ordination with regard to nautical information, hydrographic surveys, production of nautical charts and documents, training, technical cooperation and hydrographic capacity building projects. They (RHC) should enable the exchange of information and consultation between the hydrographic services concerned. Geographically adjacent RHCs should liaise with each other.

3.- RHCs shall be properly constituted and have activities in line with the objectives of the IHO as described in Article II of the Convention on the IHO and in accordance with the approved IHO Work Programme. Geographical areas of the RHC will normally coincide with INT chart regions, modified as appropriate to meet regional requirements and special circumstances. There are special provisions for Region M (Antarctica) because of its special status.

4.- RHC membership may include full members, associate members, and observers, all willing to contribute to the safety of navigation in the fields of hydrography, nautical charting, nautical information or navigational warnings in the region concerned. The roles of full members, associated members and observers will be defined by each RHC.

Full membership is reserved for IHO Member States within the region who sign the Statutes of the RHC.

Associate membership is available to other IHO Members States or States of the region who are non-IHO members, both being signatories of the statutes of the RHC.

Other States and International Organizations active in the region concerned may be invited by the RHC to participate as observers.

The invitation procedures should be established by each RHC.

5.- The working languages used by the RHC shall be agreed upon by their members and designated to ensure the best communication between participants. The reports and IHO documents relating to RHC activities shall be in at least one of the official languages of the IHO. For correspondence with the Bureau, one of the official languages of the IHO shall be used.

6.- A representative of the Bureau shall be invited to attend meetings of RHCs.

6bis.- RHCs shall assess regularly the hydrographic capacity and requirements within their region.

7.- Chairs of RHCs shall report to the I.H. Conference on RHC activities, hydrographic capacity and requirements within their region, future plans and the agreed key targets that support RHC tasks detailed in the IHO Work Programme. Between sessions of the IHC, reports of studies or other activities, which may be considered of general interest to all IHO Member States, shall be sent by

Chairs of RHCs to the Bureau for general dissemination.