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Director of the Division for Ocean Affairs and the Law of the Sea  
of the Office of Legal Affairs.

UNITED NATIONS  
Headquarters  
New York  
NY 10017  
USA

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Dear Sir,

1. The International Hydrographic Organization (IHO) participated very actively in all the previous meetings of the United Nations Informal Consultative Process on Oceans and the Law of Sea (the Consultative Process) and contributed to its work. Hydrographic data, information and products are necessary for all the maritime needs and requirements. Hydrographic data and information have historically been collected and used for issues affecting safety at sea and the protection of the marine environment. However in the recent years, the requirement to support the users of non-navigational data and information has increased in importance. Ocean modelling and circulation, coastal zone management, environmental protection, oil and gas exploration, delimitation of areas of national jurisdiction and especially the continental shelf beyond 200 nautical miles in accordance with Article 76 of the United Convention on the Law of the Sea, the laying of pipelines and cables, fishery and defense are some of the applications to which hydrographic data and information are very important. The 2004 tsunami disaster in the Indian Ocean has shown that hydrographic data and information have a vital role to play not only for preparing tsunami warnings but also for research, simulation and coastal protection purposes.

2. From the issues that have been considered in the previous meeting of the Consultative Process, the following points are of interest to the IHO and fall under its obligation and responsibility and actions have been undertaken and in cooperation with other international organizations were it was needed and in particular the IMO, IOC and WMO:

- **Collection of hydrographic data and information:** All maritime activities and especially the ones concerning safety at sea depend very much on the availability of accurate and up to date hydrographic data and information. The IHO and its Member States Hydrographic Offices (HOs) through the execution of hydrographic surveys they collect and make available the data and information needed for various maritime applications. The most important use of them is the production of nautical charts, paper or electronic, used for the safe navigation of ships;

- **Production of paper and Electronic Navigational Charts (ENCs):** This is the most important activity of the IHO and its Member States HOs. Collision of ships at sea and groundings are risks to loss of life and threat to ships and goods and to the marine environment through the discharge of fuel and hazardous cargo into the fragile environment. Accurate and up-to-date nautical charts in a uniform format provide a fundamental tool to assist mariners to avoid collisions and groundings. The collection of new and updated hydrographic data, using modern equipment and the latest techniques, procedures and standards, results in the production of accurate navigational charts reducing the risks of collision and groundings. The IHO has established a standard depiction of the vulnerable marine eco-systems as Special Areas (SA) or Particularly Sensitive Sea Areas (PSSA) as identified by the International Maritime Organization.
- **Promulgation of Maritime Safety Information (MSI):** The IHO cooperates very actively with the IMO and WMO for the promulgation of MSI, which are critical to safety at sea. MSI provides essential navigational and meteorological warnings and other urgent safety-related messages in any part of the seas and oceans through an international coordinated network of coastal transmissions and satellite broadcasts. Coastal States have the responsibility to provide either individually or through the NAVAREA coordinators arrangements MSI that will bring to the attention of the mariners urgent information that prevent accidents and support security issues;

3. It has to be noted that the provision of the above mentioned hydrographic services is the responsibility of the Contracting Governments to SOLAS, in accordance with its Regulation 9 of Chapter V. That means that all Coastal States have the responsibility to execute hydrographic surveys for the collection of hydrographic data and information, to produce charts and nautical publications and keep them updated and to promulgate MSI. This is not an easy task and not all Coastal States have put in place national arrangements in order to fulfill these obligations. Developing Coastal States and especially Small Island States either they do not have or have limited hydrographic capabilities.

4. The IHO has established a Capacity Building Strategy, a Capacity Building Committee and a Capacity Building Fund in order to assist and support those States that are in need. For this reason it undertakes:

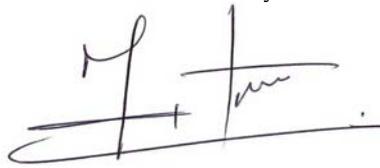
- **Technical and advisory visits,** in order to raise awareness of the importance of hydrography, assess the status of the hydrographic services and decide on the needs requirements for Capacity Building and training support;
- **To organize workshops, seminars and short courses,** on various topics having to do with the proper knowledge and application of the issues concerning the provision of hydrographic services and especially collection of hydrographic data, production of charts and promulgation of MSI.

5. The procedures that the IHO has put in place satisfy the various resolutions of the UN Assembly Reports under the chapter of the "Oceans and the Law of the Sea", calling the International Organizations to make available world wide data, information and products that will support safety at sea, protect the marine environment and used by other interested bodies, like the maritime industry, academia, private companies, et cetera. The IHO has taken special consideration and actions on paragraph 81 of the report attached to the letter which " Calls upon States to consider becoming members of the International Hydrographic Organization, and urges all States to work with that Organization to increase the coverage of hydrographic information on a global basis to enhance capacity building and technical assistance and to promote safe navigation, especially in areas used for international navigation, in ports and where there are vulnerable or protected marine areas". Regardless of this call of the UN Assembly Resolutions

"calling upon States to become members of the IHO" the results are very poor. The IHO has 80 Member States compared with the 164 Member States the IMO, although both Organizations have as their main mission the safety at sea and the protection of the marine environment. The two Organizations work very closely and membership should be the same. It is difficult to understand how a Coastal States will fulfill its hydrographic obligations based on international agreements, without being members of the IHO.

6. The IHO and its Member States HOs will continue working in order to support all the hydrographic needs and requirements concerning safety at sea, protection of the marine environment, development and security. They will continue supporting capacity building and training needs especially for Developing Coastal States and Small Island States and will continue raising awareness at all level for the importance of hydrography. Once more the IHO is seeking the support of the UN for bringing to the attention of those Coastal States the importance of becoming members of this Organization and develop or enhance their hydrographic capabilities. The IHO is ready to participate in the coming meeting of the Consultative Process that it will take place between 17 and 19 June 2009 and contribute further to issues that will be considered.

On behalf of the Directing Committee  
Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. Maratos', written over a horizontal line.

Vice Admiral Alexandros MARATOS  
President