

4th Extraordinary International Hydrographic Conference

Excerpt of the Proceedings of the Conference

Text about Inland ENCs

Opening Address

The Conference will examine the report and the proposals of the WG on the Hydrography and Cartography of Inland Waters, analyzing and recommending the level and nature of the possible involvement of the Organization in the Hydrography and Cartography of Inland Waterways. An important issue that is connected with the new proposed definition of Hydrography and where the Regional Hydrographic Commissions have an important role to play in progressing hydrographic standards and mutual cooperation for the enhancement of navigation safety in navigable inland waters within a region. The valuable participation and contribution of members of the Inland ENC Harmonization Group in the work of this WG noted with satisfaction. The acceptance by the IHO of this Group as an accredited NGIO will further strengthen the cooperation between the two organizations ensuring consistency and harmonization between the ENC's and the Inland ENC's, which are based on the IHO standards, so that the mariners of the sea and inland waterways will use similar hydrographic products; Transition from coastal to inland waters should be as flawless and harmonious as possible, taking into consideration the complex nature and various national jurisdictions ruling inland water navigation. The report of the HCIWWG clearly captured this fact and I would invite all members to consider endorsing it along with the recommendations proposed.

Proposals

PRO 8 - PROPOSAL TO NOTE THE HCIWWG REPORT

Submitted by: HCIWWG

PROPOSAL

The 4th EIHC is invited to **Note** the Report of the HCIWWG.

EXPLANATORY NOTE:

1. The XVIIth International Hydrographic Conference decided (Decision 19) to ask the Committee on Hydrographic Requirements for Information Systems (CHRIS) to establish a working group on *Hydrography and Cartography of Inland Waters (HCIWWG)* with the purpose to analyse and recommend the level and nature of IHO involvement in the Hydrography and Cartography of Inland Waterways. The study was to involve all relevant non-IHO international bodies in its deliberations, including the IEHG. A Report was to be submitted to the 4th EIHC in 2009.
2. The CHRIS established the HCIWWG at its 19th meeting in November 2007.
3. All work was done by correspondence, except for two face-to-face meetings of the Chair Group, taking the opportunity of programmed IHO meetings: one during the 19th meeting of CHRIS, and the second one during the 11th meeting of the Committee on the World-Wide Electronic Navigational Chart Database (WEND).
4. The work program had three phases:
 - data research – from Nov 15th 2007 to Feb 10th 2008;
 - data analysis – from Feb 10th 2008 to Apr 20th 2008; and
 - report production – from Apr 20th 2008 to Sep 12th 2008.The HCIWWG reported to CHRIS at its 20th meeting in November 2008. The CHRIS endorsed the HCIWWG report, subject to some minor amendments which have been incorporated into this report. The CHRIS decided (CHRIS Decision 20/28) that its Dictionary WG should develop a definition for *navigable inland waters*. The CHRIS acknowledged that the HCIWWG had completed its task. As a result, the HCIWWG was disbanded.

MEMBER STATES' COMMENTS

BRAZIL

Brazil agrees with this proposal.

CANADA

Canada recognizes the good work of the HCIWWG in the presentation of its reports. The report does capture the complex nature of inland waters given the various jurisdictions and players involved. The ever increasing demand for optimizing the marine transportation infrastructure requires harmonized hydrography across coastal and inland waters.

FINLAND

Supported. No comments.

FRANCE

France approves the noting of the HCIWWG Report.

GREECE

Greece does not object to this proposal.

NETHERLANDS

No comments on HCIWWG Report.

NORWAY

Taken into consideration. The inland waters are outside the responsibility of the Norwegian Hydrographic Service. As the proposals from the actual Working Group are of little relevance to us, Norway has decided to give no comments.

UNITED KINGDOM

UK, an active contributor to the HCIWWG discussions, supports the proposal.

UNITED STATES OF AMERICA

The U.S. commends the HCIWWG on their thorough work and contributions to the report. The U.S. concurs with the disbanding of the HCIWWG noting that, in accepting the report, CHRIS decided to pursue an IHO definition for “inland navigable waters”. The U.S. considers that this may be a difficult task for the Hydrographic Dictionary Working Group in that it may involve national regulatory issues. In many instances, the definition will be dictated and/or influenced by the national authority under which inland waterways operate, often an authority other than the National Hydrographic Offices. Thus, we, as Hydrographic Offices, need to liaise with those entities, some of which may even be private, that operate/regulate inland waterways. This could be a very complex issue with the different regimes involved. It will be important for Member States to provide their national regulatory definitions to the Working Group for its deliberations. Essentially, this may turn out to be more of a “management” problem as opposed to a definition problem.

PRO 9 - ENDORSEMENT OF THE RECOMMENDATIONS OF THE HCIWWG, SECTION 8 OF THE HCIWWG REPORT

Submitted by: HCIWWG

PROPOSAL

The 4th EIHC is invited to endorse the following Recommendations:

- a) **Invite** relevant Regional Hydrographic Commissions to
 - i. consider establishing liaison committees or other bodies, where relevant, to ensure consistent use and development of hydrographic standards and mutual cooperation for the enhancement of navigation safety in navigable inland waters within a region, and
 - ii. to encourage cooperation and mutual assistance between authorities, even from different regions but with common interests, particularly for the safety of navigation in navigable inland waters, with the purpose of mutual support and the establishment of instructions and guidance for hydrographic survey and the production of nautical charts, in accordance with the guidance in Technical Resolutions T1.3 and A3.4, and Article 8 of the future General Regulations.
- b) **Invite** relevant Member States and/or Regional Hydrographic Commissions (RHCs) to submit proposals to IHO for Capacity Building Committee (CBC) projects in support of regional coordination and the exchange of know-how in inland hydrography and cartography.
- c) **Agree** that, wherever possible, when developing the IHO Work Programme, and standards and guidelines, the potential applicability to hydrography and cartography for navigable inland waters should be taken into consideration.
- d) **Direct** the IHO Hydrographic Dictionary Working Group to establish a definition for navigable *inland waters*, taking as a starting point the definitions contained in **Annex B of the HCIWWG Report**.
- e) **stablish** a formal cooperation agreement between IHO and the Inland Electronic Navigation Chart Harmonization Group (IEHG) to produce, and to advise and assist the IHO on providing for the development and extension of specifications to cover Electronic Navigational Charts (ENCs) and digital nautical publications for navigable inland waters.
- f) **nvite** the IHO Hydrographic Services and Standards Committee (HSSC) to develop guidelines for those who seek to develop extensions to IHO specifications for use in navigable inland waters.

- g) **invite** the HSSC to consider the adoption of relevant extensions to IHO specifications for use in navigable inland waters developed by other organizations.
- h) **invite** the Inter-Regional Coordination Committee (IRCC) to foster and coordinate inlandrelated capacity building proposals/actions/work of RHCs and review their status at its annual meetings.

EXPLANATORY NOTE:

The recommended actions, if adopted, can:

- a. improve the safety of navigation and protection of the environment.
- b. provide greater consistency in charting and navigation services for those vessels transiting between the sea and navigable inland waters.
- c. promote the IHO and expand its influence.
- d. have minor, if any, implications on the IHO budget.

MEMBER STATES' COMMENTS

BRAZIL

Brazil agrees with this proposal.

CANADA

Canada supports the proposal. Canada agrees that the development of the IHO Work Programme should try to accommodate any opportunities in inland waters. Canada supports cooperation between IHO and IEHG recognizing the need for as seamless a transition as possible from open, to coastal, to inland waters.

FINLAND

Supported. No comments.

FRANCE

Noting that less than 60% of the IHO Member States replied to the questionnaire issued by the Working Group, France maintains its reservations, as expressed at the XVIIth International Hydrographic Conference, as to the IHO's collective capability to globally take into account the requirements of inland waterways, beyond the needs of the maritime traffic liable to use these waterways. France acknowledges, however, that specific regional circumstances may justify the involvement of such and such regional hydrographic commission, but would urge the IHO not to diversify its efforts at a time when the Organization must tackle crucial challenges in its traditional domain. Therefore:

- France recommends limiting recommendations a) and b) to those regions where safety of navigation in the inland waters is a regional interest shared by several neighbouring states;
- France approves recommendations c) and d);
- France approves the establishment of a formal cooperation agreement between IHO and IEHG proposed in recommendation e) but does not a priori approve the extension of the IHO specifications to all the navigational needs of navigable inland waters;
- France recommends that the requirements contained in recommendations f) and g) be examined on a case by case basis when the HSSC's Work Programme is drawn up, ensuring that those requirements which are the "core of the work" of the IHO be given priority;
- France recommends limiting the IRCC's involvement, the subject of recommendation h), to simply examining any requests coming from RHC who have identified a need at a regional level, without necessarily inviting the IRCC to actively promote the examination of these matters.

GREECE

Greece does not object to this proposal.

NETHERLANDS

The Netherlands agree with the recommendations of section 8 of the HCIWWG Report.

NORWAY

Norway has no comments.

UNITED KINGDOM

UK, an active contributor to the HCIWWG discussions, supports the proposal.

UNITED STATES OF AMERICA

The U.S. finds this Proposal to be somewhat fragmented with inclusion of a number of items that should not have to be Conference decisions. The HSSC and IRCC should handle items a) through d) and f) and the Conference should consider endorsement of e), g) and h). Overall the U.S. has no objection to any of the recommendations.

PRO 10 - ADOPTION OF THE RESOLUTION AS IN ANNEX G OF THE HCIWWG

Submitted by: HCIWWG

PROPOSAL

The 4th EIHC is invited to adopt the following Resolution:

A 1.xx Hydrography and Cartography of Navigable Inland Waters

- 1 relevant Regional Hydrographic Commissions (RHC), through appropriate liaison bodies, are invited to:
 - a. encourage the consistent use of hydrographic and nautical cartographic standards and mutual cooperation for the enhancement of navigation safety in navigable inland waters within and between regions.
 - b. encourage the identification of needs for developing additional regional extensions to IHO specifications to cater for navigable inland waters and foster these developments together with other relevant organizations.
 - c. encourage liaison with relevant IHO bodies (International Hydrographic Bureau (IHB), Hydrographic Services & Standards Committee (HSSC)) to ensure that any extensions to IHO specifications for navigable inland waters are consistent with IHO specifications and are as far as possible harmonised between other regional extensions.
 - d. encourage liaison, when appropriate, with other bodies working with inland hydrographic and nautical specifications, especially with the Inland Electronic Navigational Chart Harmonisation Working Group (IEHG), to ensure consistency and harmonisation as far as feasible with their specifications.
 - e. encourage cooperation and mutual assistance between relevant authorities, even from different regions but with common interests, particularly for the safety of navigation in navigable inland waters, with the purpose of mutual support and the establishment of instructions and guidance for hydrographic survey and the production of nautical charts (see also Resolution A3.4).
 - f. Monitor the development and use of hydrographic and cartographic standards on navigable inland waters, and report as necessary to the Inter-Regional Coordination Committee (IRCC). Where the responsibility for hydrography and nautical cartography of maritime and navigable inland waters is divided among different organizations, Member States are encouraged to create National Hydrographic Committees. (See also Resolution T1.3).

EXPLANATORY NOTE:

Recognizing that:

- a. under the Convention on the International Hydrographic Organization (IHO), Article II, an object of the Organization is to seek the greatest possible uniformity in nautical charts and publications;
- b. under the amendments to the Convention, agreed by the 3rd Extraordinary International Hydrographic Conference (EIHC) and now awaiting formal ratification by the required majority of Member States, Article II has been expanded to include: *the widest possible use of hydrography, and the widest possible use of IHO standards*. These amendments place no geographical limits on the application of hydrography or its associated standards;
- c. the IHO is already involved in hydrography and cartography of navigable inland waters, both through the responsibility that some of its members already hold, and by the fact that considerable nautical traffic passes from the sea to navigable inland waters and vice versa. This calls for the harmonization of hydrographic and cartographic information and services provided to navigators to assist the safety of navigation and protection of the environment;
- d. the IHO is recognized by the United Nations General Assembly and the United Nations International Maritime Organization (IMO) as the technical authority for issues concerning hydrography and nautical cartography;
- e. the responsibility for hydrography and nautical cartography for navigable inland waters in States is often divided among different organizations, not all of them having representation in the IHO, and that the limits of responsibility among these organizations may differ according to the legislation in each State.

Acknowledging that:

- a. IHO has an extensive set of specifications for hydrography and nautical cartography developed for sea and coastal areas, but used widely also on navigable inland waters; however
- b. these IHO specifications for hydrographic survey and nautical cartography are currently not sufficient for application to all navigable inland waters and do not cover all hydrographic and nautical cartographic needs in navigable inland waters;
- c. extended regional specifications for hydrographic survey and for nautical cartography for navigable inland waters are needed to take into account a variety of environmental characteristics and the different nature of circumstances, use and traffic in each waterway; and
- d. these extended regional specifications should be as far as possible consistent with the IHO specifications;
- e. there are other bodies, such as the Inland Electronic Navigational Chart Harmonization Group (IEHG), which has already published format and data specifications for inland electronic nautical cartography;
- f. no recognized organization other than the IHO is in a position to foster harmonization between hydrography and cartography in maritime areas and the corresponding activities in navigable inland waters;

The HCIWWG has proposed the above resolution.

MEMBER STATES' COMMENTS

BRAZIL

Brazil agrees with this proposal.

CANADA

Canada supports these proposals as a reasonable way forward in the effort to harmonize the use of IHO standards across coastal and inland waters.

FINLAND

Supported. No comments.

FRANCE

France approves the draft resolution, subject to:

- 1) Limiting its scope, whilst bearing in mind the Hydrographic Dictionary Working Group's proposals on the definition of "navigable inland waters", for example by specifying in the first paragraph: "Regional Hydrographic Commissions (RHC) concerned by safety of navigation in the navigable inland waters of their region are invited, through appropriate liaison bodies, to: ..."
- 2) to leave to the Member States the responsibility of coordinating, at their convenience, with the organizations concerned. Moreover, Administrative Resolution T1.3, cited in the draft, does not contain any clause concerning national hydrographic committees.

The following alternative wording is therefore proposed for Article 2:

"Where the responsibility for hydrography and nautical cartography of maritime and navigable inland waters is divided among different organizations, Member States are encouraged to create National Hydrographic Committees. (See also Resolution T1.3). ensure that these organizations' activities are properly coordinated."

Editorial remarks on the French version of the text have been provided to the IHB.

GREECE

Greece does not object to this proposal.

NETHERLANDS

The Netherlands agree with the adoption of the Resolution for Hydrography and Cartography of Navigable Inland Waters.

NORWAY

Norway has no comments.

UNITED KINGDOM

UK, an active contributor to the HCIWWG discussions, supports the proposal. In particular, UK believes strongly in encouraging liaison to ensure consistency with current and future IHO specifications and standards, such as S-57 and S-100.

UNITED STATES OF AMERICA

The U.S. considers that reporting of hydrographic and cartographic standards, as given in paragraph f. of the proposed IHO Resolution, should not be reported to the IRCC but rather should be reported to the HSSC as part of the liaison with HSSC. It is recognized that the Regional Hydrographic Commissions relate to the IRCC, but any reporting of standards should be to HSSC. Overall, the Proposal is acceptable to the U.S.

Decisions

DECISION No. 8 (PRO 8) NOTING THE HCIWWG REPORT

The 4th EIHC noted the Report of the HCIWWG with the modification proposed by France to remove the maps from the report and replace them by lists of the countries concerned.

DECISION No. 9 (PRO 9) NOTING THE RECOMMENDATIONS OF THE HCIWWG, SECTION 8 OF THE HCIWWG REPORT

The 4th EIHC approved the proposal with the amendment proposed by Australia to change “To endorse” into “To note”. Therefore, the Conference noted the following Recommendations:

The HCIWWG

- a) *Invite relevant Regional Hydrographic Commissions to*
 - i. *consider establishing liaison committees or other bodies, where relevant, to ensure consistent use and development of hydrographic standards and mutual cooperation for the enhancement of navigation safety in navigable inland waters within a region, and*
 - ii. *to encourage cooperation and mutual assistance between authorities, even from different regions but with common interests, particularly for the safety of navigation in navigable inland waters, with the purpose of mutual support and the establishment of instructions and guidance for hydrographic survey and the production of nautical charts, in accordance with the guidance in Technical Resolutions T1.3 and A3.4, and Article 8 of the future General Regulations.*
- b) *Invite relevant Member States and/or Regional Hydrographic Commissions (RHCs) to submit proposals to IHO for Capacity Building Committee (CBC) projects in support of regional coordination and the exchange of know-how in inland hydrography and cartography.*
- c) *Agree that, wherever possible, when developing the IHO Work Programme, and standards and guidelines, the potential applicability to hydrography and cartography for navigable inland waters should be taken into consideration.*
- d) *Direct the IHO Hydrographic Dictionary Working Group to establish a definition for navigable inland waters, taking as a starting point the definitions contained in Annex B of the HCIWWG Report.*
- e) *Establish a formal cooperation agreement between IHO and the Inland Electronic Navigation Chart Harmonization Group (IEHG) to produce, and to advise and assist the IHO on providing for the development and extension of specifications to cover Electronic Navigational Charts (ENCs) and digital nautical publications for navigable inland waters.*
- f) *Invite the IHO Hydrographic Services and Standards Committee (HSSC) to develop guidelines for those who seek to develop extensions to IHO specifications for use in navigable inland waters.*
- g) *Invite the HSSC to consider the adoption of relevant extensions to IHO specifications for use in navigable inland waters developed by other organizations.*
- h) *Invite the Inter-Regional Coordination Committee (IRCC) to foster and coordinate inland-related capacity building proposals/actions/work of RHCs and review their status at its annual meetings.*

DECISION No. 10 (PRO 10) ADOPTION OF THE RESOLUTION AS IN ANNEX G OF THE HCIWWG

The 4th EIHC adopted the following Resolution, as amended by France

A 1.xx Hydrography and Cartography of Navigable Inland Waters

1. *Relevant Regional Hydrographic Commissions (RHC), through appropriate liaison bodies, are invited to:*

- a. encourage the consistent use of hydrographic and nautical cartographic standards and mutual cooperation for the enhancement of navigation safety in navigable inland waters within and between regions.*
- b. encourage the identification of needs for developing additional regional extensions to IHO specifications to cater for navigable inland waters and foster these developments together with other relevant organizations.*
- c. encourage liaison with relevant IHO bodies (International Hydrographic Bureau (IHB), Hydrographic Services & Standards Committee (HSSC)) to ensure that any extensions to IHO specifications for navigable inland waters are consistent with IHO specifications and are as far as possible harmonised between other regional extensions.*
- d. encourage liaison, when appropriate, with other bodies working with inland hydrographic and nautical specifications, especially with the Inland Electronic Navigational Chart Harmonisation Working Group (IEHG), to ensure consistency and harmonisation as far as feasible with their specifications.*
- e. encourage cooperation and mutual assistance between relevant authorities, even from different regions but with common interests, particularly for the safety of navigation in navigable inland waters, with the purpose of mutual support and the establishment of instructions and guidance for hydrographic survey and the production of nautical charts (see also Resolution A3.4).*
- f. Monitor the development and use of hydrographic and cartographic standards on navigable inland waters, and report as necessary to the Inter-Regional Coordination Committee (IRCC).*

Where the responsibility for hydrography and nautical cartography of maritime and navigable inland waters is divided among different organizations, Member States are encouraged to create National Hydrographic Committees. (See also Resolution T1.3). ensure that these organizations' activities are properly coordinated."

Proceedings

CONSIDERATION OF THE REPORT SUBMITTED BY THE HYDROGRAPHY AND CARTOGRAPHY IN INLAND WATERS WORKING GROUP (HCIWWG)

(Agenda Item 3(b)) (CONF.EX4/REP.02)

PRO 8 – REPORT OF THE HYDROGRAPHY AND CARTOGRAPHY IN INLAND WATERS WORKING GROUP (HCIWWG) (Agenda item 3b)

Captain NAIL (HSSC Chairman), formerly the Committee on Hydrographic Requirements for Information Systems (CHRIS), said that agenda items 3b) and 3c) referred to matters, namely inland waters and spatial data infrastructures, that had been referred to the CHRIS by the XVIIth International Hydrographic Conference. Two working groups had been established by the CHRIS at its nineteenth meeting to deal with the two items, and both items had then been considered by the Committee at its twentieth session, before the new Hydrographic Services and Standards Committee (HSSC) came into being. Consequently, the relevant technical working groups had only had one full year in which to complete their reports. The Conference was also due to be briefed on the progress made on IHO S-100, the new IHO Geospatial Standard for Marine Data and Information, which was nearing approval stage. The three subjects of inland waters, spatial data infrastructure and IHO S-100, provided a good cross-section of the work conducted by the CHRIS, now HSSC, and its various working groups. His own work as Chairman of the CHRIS, and now of the HSSC, had been facilitated by the support of the hydrographic offices, which made a valuable contribution to IHO's technical work programme. However, the pool of talent was spread thinly among the offices, and any further increase in the scope of the IHO's work could involve a risk of reducing the Organization's focus on some of its main technical objectives.

Turning to the report of the Working Group on Hydrography and Cartography in Inland Waters (HCIWWG), contained in document CONF.EX4/REP.02, he said that under its Chairman, Captain Wesley Cavalheiro of Brazil, the primary task of the Working Group had been to analyse and make recommendations on the level and nature of the IHO's involvement in the hydrography and cartography of inland waters. The IHO was already implicated in the task, both through the responsibilities exercised by some Member States and as a result of the passage of significant traffic from the high seas to connected navigable waters. It was appropriate that the IHO, which was recognized by the United Nations General Assembly and the International Maritime Organization (IMO) as the technical authority for issues of hydrography and nautical cartography, should provide guidance in the matter. However, the existing diversity in the level of involvement of individual Member States presented a significant challenge for the Working Group. That was reflected in the proposed resolution (PRO 10, contained in document CONF.EX4/REP.02), which recognized that effective, but different, working practices were already embedded within the regions studied. The Working Group had completed its work in time to be reviewed by the twentieth meeting of the CHRIS, which had endorsed its report subject to minor amendments, duly incorporated in the report before the Conference. The CHRIS had agreed that the work had been completed, and the Working Group had accordingly been disbanded. He invited the Chairman of the Working Group to review its findings.

Captain CAVALHEIRO (Brazil), Chairman of the HCIWWG, summarized the report of the Working Group, and read out the proposed draft resolution shown at Annex G. The recommendations and proposals of the Working Group were intended to provide support only to those hydrographic services which were in need of it for the purposes of the IHO. None of them had financial implications for the Organization's budget. The Conference was invited to note the report, endorse the recommendations contained in it and adopt the draft resolution shown at Annex G.

Captain WARD (IHB Director) said it would be clear from the presentation of the report, and from PRO 10 (Adoption of the resolution as in Annex G of the HCIWWG Report), that close cooperation was encouraged with the Inland Electronic Navigation Chart Harmonization Group (IEHG). The IEHG was recognized by the IHO as a non governmental international organization and was

represented at the Conference. In addition, during deliberations between the Chair of the HSSC, the Chair of the HCIWWG and the IHB, it had been noted that the recommendations contained in PRO 9 (Endorsement of the Recommendations of the HCIWWG, section 8 of the HCIWWG Report), were generally reflected in the resolution contained in PRO 10. He would therefore advise that in the case of PRO 9, instead of adopting the recommendations themselves, the Conference should note them and decide whether to approve the resolution containing their principal elements.

Captain BARNUM (United States of America) commended the HCIWWG on its work and concurred with its disbandment.

Mr. SAHEB-ETTABA (Canada) said the report clearly highlighted the complexities associated with hydrography and cartography in inland waters. The question of harmonization was very important in connection with trade and navigation, particularly on certain rivers. However, he warned against reaching too hasty a decision on a definition of “inland waters”, pointing out that the term contained two distinct legal concepts: inland and navigable. Delegations might wish to consider whether it was, in fact, essential to define the term, or whether the IHO might continue to play its role while leaving the definition to individual Member States, which could then apply their own rules and regulations. In the interests of clarity, he suggested replacing the term “inland waters” by “internal waters”, in conformity with the United Nations Convention on the Law of the Sea (UNCLOS). He pointed out that the proposed definition contained the concept of navigability, which was not necessarily the same in all countries.

Captain WARD (IHB Director) said he understood that the final definition of waters other than the high seas was still being developed by the IHO’s Hydrographic Dictionary Working Group. The information provided by the representative of Canada would accordingly be taken into consideration by that working group, which would welcome more input from Member States.

Captain KHALIPHY (Morocco), while broadly welcoming the report contained in document CONF.EX4/REP.02, took issue with the way in which Morocco’s response to IHO CL 112/2007 had been represented in the maps contained in Annex D. In order to avoid any misunderstanding, the maps should either be corrected or replaced by a table showing which countries had responded, with columns corresponding to the different categories of responses.

Rear Admiral RAO (India), referring to the comments by the representative of Canada, drew attention to the varying criteria used by countries in determining responsibility for different types of inland waters, such as different baselines. In India, the inland waterways authority was responsible for the lakes and rivers inside the baseline. Given the legal implications, it might be appropriate to take account of the situation in individual countries instead of trying to define an abstract term.

Admiral KOZLOV (Russian Federation) explained that although it had not replied to the questionnaire in IHB CL 112/2007, his country did support the proposals it contained, particularly with regard to harmonization. There were several major inland waterways in Russia, such as the waterway linking the Caspian and Baltic Seas. The Russian hydrographic office was not a part of the Transport Ministry, which was responsible for inland waterways. Nor was there necessarily a clear-cut distinction between inland waters and the high seas; a number of maritime ports were situated on rivers, such as the port of Astrakhan on the Volga river. A possible solution to a complex problem might be for countries to set up special agencies to coordinate the different authorities concerned.

Captain NAIL (HSSC Chairman) assured the representative of Morocco that the final version of the report would contain a corrected map. He was well aware that good working practices were already in place, and that numerous organizations were ensuring that navigable waters were harmonized with the charting of the seas. The HCIWWG was not trying to interfere in national jurisdictions or legislation. Its objective was to provide a standard, possibly an extension to the existing standards for paper and electronic charting, for the use of countries struggling to develop a standard of their own. The question of flexibility in the standards which the IHO hoped to introduce would be covered in the discussion on S-100. He recognized the difficulties associated with jurisdictional issues, but the role of the CHRIS,

now the HSSC, was purely technical, relating to the expansion of standards. In his view, the IHO had a role in setting standards in the present case.

Mr. BIRKLHUBER (Chairman, Inland ENC Harmonization Group (IEHG)) said that the goal of the IEHG was to develop and maintain a standard for inland ENC's based on, and compatible with, maritime ENC's. The Group's focus was on rivers mainly used for inland vessels and not on ports located in inland waters. It was a combined governmental and nongovernmental expert group on which the United States, the Russian Federation, Brazil and all European countries with a connection to an inland waterway network were represented, as well as a number of companies. The IHO S-57 standard was not used for inland waterways because many features were not covered by maritime standards. For example, the water level in rivers was not horizontal, there were often hydraulic obstructions, and in Europe the traffic rules were different from those applying to maritime navigation. IMO instruments, such as COLREG and SOLAS, and codes such as the IMDG code, were not applicable to inland waterways, which were instead regulated by the United Nations Economic Commission for Europe. Since IEHG standards for inland waterways were based on IHO S-57, it was important for the Group to work with the IHO. It was therefore a source of satisfaction that IEHG had been granted observer status, enabling it to attend IHO Conferences and other meetings. The resolution proposed by the HCIWWG was a good basis for future cooperation. It was also gratifying that the S-100 register already contained a number of inland ENC's that were the responsibility of the IEHG. Inland ENC's were not merely a vague future prospect, because the standard for inland ENC's had been formally adopted by the European Union and the United Nations Economic Commission for Europe. Over 4000 vessels were already using the inland ENC's. He invited Member States to send representatives to the IEHG.

Mr. DEHLING (Germany), agreeing with the representative of India, supported Proposals 8, 9 and 10. The term "inland waterways" should be retained, rather than the concept of "internal waters". He believed that the proposals were flexible enough to allow each country to apply its own legislation and regulations.

Rear Admiral (Ret.) ANDREASEN (United States of America) said his delegation had initially had concerns about referring the definition of "navigable inland waters" to the Dictionary Working Group, but now realized that the latter was formulating a very high-level definition which did not really touch on regulatory issues. It could well be left to frame a suitable definition.

Mr. CARANDANG (Philippines) said that, as he understood it, "internal waters" in the United Nations Convention on the Law of the Sea included bays or indented portions of a coast which were considered to be historic bays or waters enclosed by closing lines. That was different from the intended scope of the term "inland waters" as defined by the Working Group, which referred to areas within land boundaries.

Commodore PALIATSOS (Greece) observed that it was the responsibility of the IHO, as an international organization, to provide guidance and specifications in relation to international waters. It should be left to individual countries to define what was meant by "inland waters" in their respective national contexts. The Conference was being waylaid, for a second time, by the question of definitions which ought to be left to the Dictionary Working Group.

The PRESIDENT invited the Conference to consider the three proposals submitted by the Working Group.

CONSIDERATION OF THE PROPOSALS SUBMITTED BY THE HYDROGRAPHY AND CARTOGRAPHY IN INLAND WATERS WORKING GROUP (HCIWWG)

PRO 8- PROPOSAL TO NOTE THE REPORT OF THE HYDROGRAPHY AND CARTOGRAPHY IN INLAND WATERS WORKING GROUP (HCIWWG) (CONF.EX4/REP/02 and CONF.EX4/G03) (Agenda item 3(b))

The PRESIDENT said he would take it that the Conference wished to note the report, with the amendment requested by the representative of Morocco.

Captain KHALIPHY (Morocco) wished to be sure that his reservation concerning the maps contained in the report was placed on record.

Lt. Colonel MOULOU DJ (Algeria) said the Conference could not take note of the amendment requested by the representative of Morocco, which was entirely political in nature and outside the remit of the IHO. The International Hydrographic Organization, as a technical and advisory body, had to work on the basis of the resolutions of the United Nations. There was an official map recognized by the United Nations, and the Conference could not change that fact.

IGA BESSERO (France) suggested that, for the sake of avoiding a political debate without relevance for the technical issues under discussion, the maps should be removed from the report and replaced by lists of the countries concerned.

Captain KHALIPHY (Morocco) and Lt. Colonel MOULOU DJ (Algeria) agreed to that proposal.

The PRESIDENT said he took it that the Conference wished to note the report, with the modification proposed by the representative of France.

It was so agreed.

PRO 9- ENDORSEMENT OF THE RECOMMENDATIONS OF THE HCIWWG, SECTION 8 OF THE HCIWWG REPORT (CONF.EX4/REP/02 and CONF.EX4/G03) (Agenda item 3(b))

Commodore NAIRN (Australia) said it would be more appropriate for the Conference simply to note, rather than endorse, the recommendations of the Working Group. He suggested that the proposal should be amended accordingly, as well as Proposal 12.

Hearing no objection, the PRESIDENT said he took it that the Conference wished to note the recommendations of the Working Group.

Proposal 9, as amended, was adopted.

PRO 10- ADOPTION OF THE RESOLUTION AS IN ANNEX G OF THE HCIWWG REPORT (CONF.EX4/REP/02 and CONF.EX4/G03) (Agenda item 3(b))

IGA BESSERO (France) invited the Conference to consider the two amendments proposed by his delegation, which appeared in the “Red Book” (CONF.EX4/G/03) under Proposal 10. In order to delimit the scope of the resolution more precisely, in paragraph 1 he proposed adding “concerned about the safety of navigation in the navigable inland waters of their region” following “Relevant Regional Hydrographic Commissions (RHC)”. In the last part of the same paragraph, as Administrative Resolution T1.3 did not mention national hydrographic committees, he proposed replacing “create National Hydrographic Committees. (See also Resolution T1.3)” by “ensure that these organizations’ activities are properly coordinated”.

Dr. JONAS (Germany) supported the second amendment proposed by the representative of France. As for the first proposed amendment, matters relating to the safety of navigation in inland waters did not fall within the purview of regional hydrographic commissions, and he would therefore prefer to retain the wording proposed by the Working Group.

Rear Admiral (Ret.) ANDREASEN (United States of America), noting that paragraph 1(f) of the proposed resolution concerned standards, suggested that it should perhaps be amended to read “report as necessary to the Hydrographic Standards and Services Committee (HSSC) through the Inter-Regional Coordination Committee (IRCC)”.

Captain NAIL (HSSC Chairman) said it should be left to the IRCC to decide whether or not a matter should be referred to the HSSC. He saw no need to amend paragraph 1(f).

Commodore NAIRN (Australia) agreed that the suggested amendment to paragraph 1(f) was unnecessary, as was the first amendment proposed by the representative of France. He supported the first of the two proposed amendments.

The PRESIDENT said that there appeared to be general support for the second of the two amendments proposed by the representative of France, as well as general agreement that neither the first of the two, nor the amendment suggested by the representative of the United States of America, was necessary. He would take it that the Conference wished to adopt PRO 10, with the second of the French amendments proposed by the representative of France.

Proposal 10, as amended, was adopted.