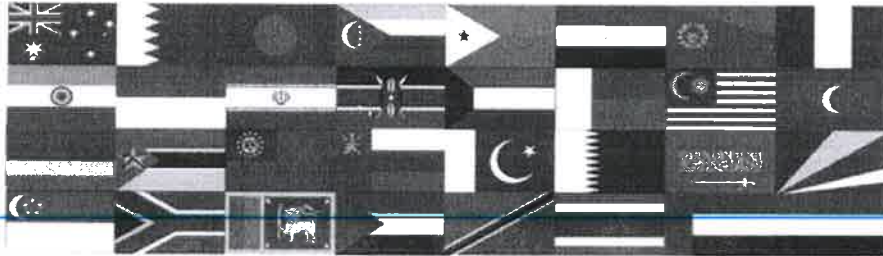




INDIAN OCEAN NAVAL SYMPOSIUM



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## CHARTER OF BUSINESS

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*(Draft 1 September 2013)*

## **The Navies of the Littoral States of the Indian Ocean**

**Considering** the long-standing friendly relations between them

**Desiring** to promote new avenues of enhancing friendship and professional cooperation;

**Recognising** that this cooperation needs to be carried out in an effective and purposeful manner, on the basis of equality, reciprocity, and, mutual benefit;

**Jointly Accept** a regional forum to be designated the 'Indian Ocean Naval Symposium' (IONS), wherein the 'Chiefs of Navy' (*which term will hereinafter, in instances where there is no formally constituted 'Navy', automatically mean the head of the designated principal agency responsible for maritime security*) of all littoral nation-states of the Indian Ocean (*which term will hereafter be taken to mean the water body named the "Indian Ocean" with limits as defined in the International Hydrographic Organisation Special Publication 23, entitled "Limits of Oceans and Seas"*) may regularly meet to promote measures and mechanisms of constructive engagement that bear upon issues of regional maritime security and cooperation in the maritime domain, and

**Agree** that the functioning of the IONS forum shall be governed by this

### **Charter of Business**

#### **Purpose**

1. The 'Indian Ocean Naval Symposium' (IONS) is a voluntary initiative that seeks to increase maritime co-operation among navies of the littoral states of the Indian Ocean Region by providing an open and inclusive forum for discussion of regionally relevant maritime issues. IONS endeavours to generate a flow of information between naval professionals resulting in common understanding and possibly agreements on the way ahead. (*In instances where there is no formally constituted 'Navy', the term 'navy' shall automatically mean the designated principal agency responsible for maritime security*).

#### **Aim**

2. The primary aim of the 'IONS' is to attain mutually beneficial maritime security outcomes within the Indian Ocean. These outcomes will be achieved through the cooperation of all members in determining remedies relevant to regional maritime security.

## Objectives

3. The principal objectives envisaged for 'IONS' are as follows:-
  - 3.1. To promote a shared understanding of the maritime issues facing the littoral nation-states of the Indian Ocean and the formulation of strategies designed to enhance regional maritime security.
  - 3.2. To strengthen the capability of all littoral nation-states of the Indian Ocean to address present and anticipated challenges to maritime security ~~and stability~~.
  - 3.3. To establish a variety of multinational maritime cooperative mechanisms designed to mitigate maritime security-concerns among members.
  - 3.4. To develop interoperability in terms of doctrines and procedures, so as to provide speedy, responsive, and effective Humanitarian Assistance and Disaster Relief (HADR) throughout the Indian Ocean region.

## Fundamental Principles

4. The 'IONS' will function in an open, inclusive, consultative, cooperative and consensual basis, and will uphold the following fundamental principles:-
  - 4.1. Equality. All members are to be treated equally.
  - 4.2. Decisions on all matters and issues will be arrived-at through a process of consensus-building amongst all 'Members'. Consensus of those members present when the decision is made will be required.
  - 4.3 IONS will focus on multilateral solutions.
  - 4.4 All members accept the principles of equality, cooperation and mutual benefit upon which this Charter is based.

## Types and Criteria of Membership

5. The 'IONS' will have two categories of membership, namely, 'Members' and 'Observers', as explained below:-

### 5.1. 'Members'.

5.1.1. A nation state with permanently held territory that abuts or lies within the Indian Ocean and which maintains a Navy or maritime agency and signs this Charter of Business within the 12 months of Charter coming into effect becomes a Member of IONS.

5.1.2. Members will promote and support the purpose, aim and objectives of IONS and demonstrate willingness to contribute constructively by engaging other Member and Observer Navies or maritime agencies.

### 5.2. 'Observers'.

5.2.1. A Navy or maritime agency, which has been constituted by a nation-state with permanently held territory that abuts or lies within the Indian Ocean, but which has not signed the IONS Charter of Business beyond the 12 months of Charter coming into effect, could choose to attend all deliberations of the IONS in the capacity of 'Observer'.

5.2.2 A Navy, which has been constituted by a nation-state without permanently held territory that abuts or lies within the Indian Ocean, but with significant strategic interest in the region, could qualify as an 'Observer' if it submits an application to the Secretariat of IONS for consideration at the next Symposium, and has its application agreed through consensus when the decision is made.

5.2.3 'Observers' support and encourage the purpose, aim and objectives of the 'IONS', and demonstrate willingness to contribute constructively by engaging other 'Member' and 'Observer' countries".

## **Chairmanship**

6. The Chair of 'IONS' will be rotated every two years amongst 'Members', with consensus on the selection of the Chair reached through mutual consultation.

## Secretariat

7. Unless mutually determined by a consensus achieved by mutual consultation the country chosen as the IONS Chair will serve as the Secretariat. The Secretariat of IONS will rotate with the Chair.

## Languages

8. ~~'English', 'French' and 'Arabic' will be the official languages of the IONS. 'Members' and/or 'Observers' are free to choose to transact any business related to the 'IONS initiative' in any of these languages.~~

## Types of Activity and Frequency-of-Occurrence

9. An 'indicative' (but not 'exhaustive') listing of the type of cooperative-mechanisms and activities that are envisaged under the aegis of the 'IONS' is as follows:-

### 9.1. Conduct of the 'Indian Ocean Naval Symposium'.

9.1.1. 'Indian Ocean Naval Symposiums' will be held once every two years and will comprise of an assembly of Members and Observers at the level of the Chiefs-of-Navy.

9.1.2. 'Conclave of Chiefs'. Each successive meeting of the 'Indian Ocean Naval Symposium' will incorporate a 'Conclave' of the Chiefs-of-Navy. Such 'Conclaves' may include 'Observers', provided that a consensus in this regard is arrived-at amongst the 'Members'.

9.1.3. Before the end of each meeting of the 'Indian Ocean Naval Symposium', the 'Members' will designate the 'host country' for the next two 'IONS Preparatory Workshops', as also for the next two 'Indian Ocean Naval Symposiums', and promulgate the tentative dates for the scheduling of these major events.

9.2. Conduct of 'IONS Preparatory Workshops'. In each intervening year between successive 'Indian Ocean Naval Symposiums', an 'IONS Preparatory Workshop' will be held, with 'Members' and 'Observers' both being represented at an appropriate level. The deliberations of the 'Workshops' will be aimed, *inter alia*, at drawing-up the agenda for the next meeting of the 'Indian Ocean Naval Symposium'.

9.3 Conduct of 'IONS Seminars'. 'IONS Seminars' may be held as deemed appropriate by the 'Members', either in conjunction-with or independent-of meetings of the 'Indian Ocean Naval Symposium' and/or 'IONS Preparatory Workshops'.

9.4 Planning and conduct of 'Concept-development' and associated 'table-top' and/or real-world Exercises. Such exercises would have an especial focus on (although not necessarily limited to) Humanitarian Assistance and Disaster-Relief, anti-piracy measures, the prevention of maritime crimes and acts of depredation other than piracy.

9.5. Other specialised maritime cooperation, but not limited to hydrographic survey, salvage, submarine-rescue, search-and-rescue, and marine meteorology, may be discussed at IONS.

9.6. Enhancement of collective awareness of the maritime domain.

### **Responsibilities of 'Members' and 'Observers'**

10. All 'Members' and 'Observers' of the 'IONS' will have the following responsibilities:-

10.1. Nomination of a permanent 'Point-of-Contact' (POC) and timely notification to the IONS Secretariat of changes in this regard.

10.2. Attendance-at and support-to the various activities and mechanisms designed to help the IONS achieve its aim and objectives.

10.3. Presentation of papers and other contributions to the Workshops and Symposia, as appropriate.

10.4. Hosting a Workshop, Symposium, Seminar or Exercise as agreed upon by consensus of 'Members'.

### **Financing of Activities**

11. As a general principle:-

11.1. Attendees at the various activities organised under the IONS would be required to pay for their travel to and from the host-country, subsistence and local accommodation in the host country.

11.2. The Host-Navy would bear the costs of hospitality and in-country transportation commensurate with the guidelines provided by its

government and would indicate, with adequate notice, the scope of such facilitation'.

11.3. These general principles will not preclude the provision of financial assistance by any 'Member' or 'Observer' that is willing and able to fund or underwrite a portion or all the expenses of one or more 'Member' or 'Observer' to attend or host any given activity or set of activities of the IONS.

## **Provision and Sharing of Information**

12. The following stipulations will govern the provision and sharing of any information regardless of form or type, including but not limited to that of a scientific, technical, business or financial nature, and also including photographs, reports, manuals, threat data, experimental data, test data, designs, specifications, processes, techniques, interventions, drawings, technical writings, sound recordings, pictorial representations and other graphical presentations, whether in magnetic tape, computer memory or any other form and whether or not subject to intellectual property rights or other legal protection between 'Members' and/or 'Observers':-

12.1. The provision and sharing of information will occur on a voluntary and goodwill basis and in accordance with the respective national laws, regulations and policies of the navies concerned, without any obligation being placed upon any 'Member' or 'Observer' to disclose any information.

12.2. The provision of information does not, by itself, transfer any proprietary rights in that information and does not affect the rights of the Member or Observer providing the information.

## **Intellectual Property**

13. 'Members' and 'Observers' will ensure that they respect one another's Intellectual Property Rights and take no action that might be construed as an infringement of these rights. However, any 'Member' or 'Observer' may, while providing/sharing information and/or material, stipulate such additional and/or more specific restrictive and/or prescriptive conditions relating to the protection of its Intellectual property rights as it deems appropriate and all such restrictive and/or prescriptive conditions will be respected by all 'Members' and 'Observers'.



**Legal Status of the Charter of Business**

14. This Charter of business is non-legally binding in international law and will not create any legal rights or obligations between the 'Members' or 'Observers'.

**Amendments to the Charter of Business**

15. Amendments to this Charter of Business may be proposed by any 'Member'. However, the amendment will need to be accepted through consensus by all the 'Members' represented at the Conclave of Chiefs.

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