



Earth Negotiations Bulletin

.....
A Reporting Service for Environment and Development Negotiations

Vol. 5 No. 126

Published by the International Institute for Sustainable Development

Friday, 23 April 1999

CSD-7 HIGHLIGHTS THURSDAY, 22 APRIL 1999

Thirty high-level government officials presented statements on oceans and seas to CSD-7 delegates during morning and afternoon sessions of the High-Level Segment. Participants also engaged in an interactive dialogue on oceans issues.

HIGH-LEVEL STATEMENTS

On the Global Programme of Action on the Protection of the Marine Environment from Land-based Activities (GPA), several speakers stressed the importance of accelerating its implementation. CHINA noted that a lack of financial resources and management expertise constrains developing countries' capacity to implement the GPA, and said developed countries should bear greater responsibility for marine protection. The EU stressed that all States must develop or review national action programmes and identify obstacles to GPA implementation. NIGERIA called for multilateral agencies, including the GEF, to prioritize GPA activity. NORWAY welcomed the establishment of The Hague coordination office and the clearing-house mechanism.

SOUTH AFRICA pointed to the sustainability of marine resources as key to the eradication of poverty. The PHILIPPINES called on developed countries to take the lead in improving consumption and production patterns. The UK noted the effects of burning fossil fuel on coral reefs, which provide an early warning of the threats of global warming, pollution and over-exploitation. The SOUTH PACIFIC GROUP called on the CSD to support the International Coral Reef Initiative and implementation of the CBD Jakarta Mandate. AUSTRALIA urged the development and implementation of marine protected areas in domestic waters and on the high seas.

On living marine resources, ICELAND supported FAO's work to develop voluntary guidelines for eco-labelling of fish products and stressed that they must be scientifically based, easily verifiable and transparently applied. CHINA called for studies by FAO on how such eco-labels may result in non-tariff trade barriers and their possible impacts on developing countries. The EU emphasized measures to enforce sustainable limits on exploitation of specific fish stocks and develop international instruments such as plans for by-catch reduction. The PHILIPPINES noted the recognition that a reduction of fishing subsidies is necessary to address over-fishing. JAPAN stated that, in certain cases, subsidies help realize socio-economic policy

goals, contribute to the reduction of excessive fishing capacity, and should not be singled out as being responsible for excessive fishing capacity. COLOMBIA emphasized the need to address the social and economic components of living marine resource conservation. PAPUA NEW GUINEA said sea-bed mining policy should recognize fishing interests. ICELAND suggested establishing an intergovernmental panel on marine pollution. INDIA called for support to developing countries for capacity building to augment scientific knowledge of oceans.

AUSTRALIA supported the FAO's development of a global plan of action to combat illegal, unreported and unregulated fishing (IUU). NIGERIA and FRANCE called on the CSD and other UN bodies to prioritize IUU, especially by vessels flying flags of convenience. NORWAY said no nation should allow its flag to be used as a flag of convenience and called on the CSD to encourage FAO prioritization in this area.

On international coordination and cooperation on oceans issues, the EU underscored the need for a more comprehensive and coordinated approach and to make use of existing arrangements and mechanisms. DENMARK called for increased effectiveness of existing institutions and political will to implement agreements. ICELAND said global bodies should not attempt to solve local fisheries management problems where local action is required. PORTUGAL proposed that a review of the mandates and activities of UN ocean-related agencies be submitted to the General Assembly (GA) next year with the CSD's recommendations. CANADA proposed holding senior-level meetings under the GA to identify gaps and establishing a panel of experts on oceans and fisheries. FRANCE described existing global monitoring arrangements by UN bodies as piecemeal and, along with AUSTRALIA, the SOUTH PACIFIC GROUP and others, called for an open-ended working group to meet annually and make recommendations to the GA. PAPUA NEW GUINEA said the South Pacific Group's proposed working group would use existing institutions and financial resources and should provide for major group participation. MEXICO also called for broad participation in an open-ended working group. COLOMBIA said it is important to avoid creating new bureaucratic mechanisms with financial implications. IRELAND called for institutional renewal rather than new institutions. ALGERIA, INDIA, COLOMBIA, IRELAND and others stressed that the GA is the competent forum for decision making on ocean issues.

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Paola Bettelli <pbettelli@dti.net>, Peter Doran <pdforan@ecology.u-net.com>, Kira Schmidt <kiras@iisd.org>, Rajyashri Waghay <rsrw24@columbia.edu> and Lynn Wagner, Ph.D. <lynn@iisd.org>. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org> and the Managing Editor is Langston James "Kimo" Goree <kimo@iisd.org>. Digital editing by Andrei Henry <ahenry@iisd.ca>. The Sustaining Donors of the *Bulletin* are The Netherlands Ministry of Foreign Affairs, the Government of Canada (through CIDA), the United States (through USAID), the Swiss Agency for Environment, Forests and Landscape and the United Kingdom Department for International Development (DFID). General Support for the *Bulletin* during 1999 is provided by the German Federal Ministry of Environment (BMU) and the German Federal Ministry of Development Cooperation (BMZ), the Danish Ministry of Foreign Affairs, the European Community (DG-XI), the Ministries of Environment and Foreign Affairs of Austria, the Ministries of Foreign Affairs and Environment of Norway, the Ministry of Foreign Affairs and Ministry of Environment of Finland, the Government of Sweden, the United Nations Development Programme (UNDP), the Global Environment Facility (GEF) and the Ministry for the Environment in Iceland. The *Bulletin* can be contacted by e-mail at <enb@iisd.org> and at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted by e-mail at <info@iisd.ca> and at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada. The opinions expressed in the *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the *Earth Negotiations Bulletin* may be used in non-commercial publications only and only with appropriate academic citation. For permission to use this material in commercial publications, contact the Managing Editor. Electronic versions of the *Bulletin* are sent to e-mail distribution lists and can be found on the Linkages WWW server at <http://www.iisd.ca/linkages/>. The satellite image was taken above New York City(c)1999 The Living Earth, Inc. <http://livingearth.com>. For information on the *Earth Negotiations Bulletin*, send e-mail to <enb@iisd.org>.



On regional cooperation, LITHUANIA, NIGERIA, NORWAY, MONACO, MALAYSIA and MADAGASCAR highlighted successes from regional and sub-regional cooperation on marine protection and management. NORWAY, MADAGASCAR, ALGERIA and others called for revitalizing and strengthening UNEP's Regional Seas Programme. FRANCE supported making full use of existing regional arrangements, including the activities of UNEP. The RUSSIAN FEDERATION said the CSD should not remain silent about the environmental consequences of the Balkan war and proposed conducting an investigation to see how to avoid an ecological catastrophe.

HIGH-LEVEL DIALOGUE

On land-based sources of marine pollution, NORWAY supported holding a global conference on sewage, noted the need to support developing countries and highlighted the importance of a legally binding instrument on POPs. EGYPT said the GPA should be translated into a legally binding agreement. The US said delegates at UNCED debated the need for a global treaty and decided the issue was best addressed at the national and regional levels. He noted that the GPA evolved as an alternative and said the CSD should remedy insufficient GPA implementation. UNEP said work was underway on establishing an office in The Hague, on developing a strategic plan to cover all aspects of the GPA and on leveraging resources for the clearing-house mechanism. PAKISTAN highlighted a recent meeting for the UNEP South Seas Programme during which countries agreed to promote greater exchange of information to combat land-based pollution. MOZAMBIQUE reported on African States' efforts to develop partnerships to implement oceans and seas agreements. IUCN called for greater inclusion of NGOs in the GPA process.

On international agreements, the NETHERLANDS called for a convention on international environmental crime with compliance instruments including sanctions to deal with marine pollution. He said such a convention could deal with sanctions for flag States and ship owners. The UK supported the call for greater sanctions if countries do not respect their obligations. The US said "the enemy is us," as the same governments are behind the various agencies who appear to contradict one another.

Chair Upton invited comments on consistency of approaches by international agencies. EGYPT said the CSD should call on governments to create better coordination at the national level. Under-Secretary-General Nitin Desai agreed that the problem is at the national level where different areas of responsibility rarely reside in one place. INDIA called for support for developing countries to achieve greater coordination. DENMARK said different national agencies take different decisions according to the levels of public scrutiny and invited governments to sign the Aarhus agreement that provides for public access to information. On marine science, MEXICO and COSTA RICA called on the CSD to recommend that UN agencies coordinate to improve scientific assessment of El Niño and its impacts on climate change and biodiversity. ICELAND recommended considering the establishment of an intergovernmental panel on scientific aspects of marine pollution. SWEDEN highlighted the importance of POPs negotiations for the marine environment.

On living marine resources, the US stressed that there are three key issues that need to be addressed: by-catch and destructive fishing practices, IUU, and subsidies. CANADA noted that the fishing industry targets certain species of fish when faced with a prohibition. On over-capacity and subsidies, BRAZIL said the CSD should not lose sight of common but differentiated responsibilities. The FAO said the latest estimate of the fishing industry's discards is 20 million tons per year. The WWF said 90% of fishing subsidies are administered in direct violation of WTO reporting requirements. IRELAND called for greater research into methods and equipment to avoid by-catch. The

Chair suggested that setting a quality outcome target could drive investment in equipment. The EU said the CSD must push States to examine subsidies and over-capacity and that IUU is a major issue for the FAO. He invited the CSD to press for a mandatory instrument giving full effect to UNCLOS provisions. SWEDEN highlighted the need to strengthen regional fishery and monitoring capacity. The US called on the CSD to urge States to bring the UN Fish Stocks Agreement and FAO compliance agreement into force. ICELAND said the abolition of government subsidies would resolve trade disputes and problems with over-fishing. JAPAN suggested waiting for FAO to complete its examination on over-capacity and subsidies.

INDONESIA and MADAGASCAR noted that small-scale fishermen's subsistence is often affected by industrialized fishing fleets and by IUU. NORWAY indicated the usefulness of the FAO compliance agreement to deal with the problem of flags of convenience and highlighted the role of regional organizations in taking measures against illegal fishing practices. The FAO and Trade Unions called attention to the recently adopted FAO ministerial declaration on combating all forms of IUU. BARBADOS mentioned work on an initiative to declare the Caribbean Sea a "special environmental zone."

On international coordination and cooperation, several speakers agreed with Chair Upton's observation that delegates are seeking to broaden and deepen the discussion in the GA. PORTUGAL supported an *ad hoc* group with participation of NGOs and UN organizations. BRAZIL said the gaps and overlaps should be identified and then the GA should decide how to proceed. Hans Corell, Head of the UN Legal Department, noted that the GA discussions cover a wide variety of issues, highlighted the timing constraints for producing Secretary-General's reports, and suggested that the CSD could recommend that an early report be prepared on a specific issue for consideration prior to the GA and then the GA could receive its broader report as usual.

TURKEY said the CSD should express support for regional cooperation. SOUTH AFRICA stressed the need to move from client-donor relationships to identifying partnerships. CAMEROON supported the strengthening of sub-regional instruments of coordination on ocean issues. The RUSSIAN FEDERATION asked UNEP if it shared its concern about the war in Yugoslavia and thought it necessary to conduct an ecological investigation of its environmental consequences. UNEP responded that its offices in Nairobi and Geneva have undertaken preliminary measures to consider the necessary data to take action.

IN THE CORRIDORS

Informal negotiations on the draft CSD contribution to the GA Special Session on SIDS reconvened Thursday evening. Representatives of SIDS are seeking CSD support for special dispensation in international trade bodies to help them resist the impact of trade globalization. Ministers are expected to take up the issue during the High-Level Segment Friday.

THINGS TO LOOK FOR TODAY

HIGH-LEVEL SEGMENT: The High-Level Segment will work as a preparatory body for the Special Session on SIDS during the morning and will discuss changing consumption and production patterns during the afternoon. Both meetings will take place in Conference Room 1. The Chair's summary of the High-Level Segment's guidance for elements for CSD-7 decisions will be distributed in the afternoon.

SIDE EVENTS: See *CSD Today* for today's side events.