

## ICP-11 HIGHLIGHTS: WEDNESDAY, 23 JUNE 2010

On Wednesday, delegates to the eleventh meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea (Consultative Process or ICP-11) reconvened in a discussion panel on capacity building in ocean affairs and the law of the sea, including marine science. In the morning, a presentation was made and discussion was held on an overview of capacity-building activities and initiatives in ocean affairs and the law of the sea, including marine science and transfer of technology. This was followed by presentations and a discussion on challenges for achieving effective capacity building in ocean affairs and the law of the sea, including marine science and transfer of technology. The second discussion topic continued in the afternoon, as well as one on new approaches, best practices and opportunities for improved capacity building in ocean affairs and the law of the sea.

### **DISCUSSION PANEL ON CAPACITY BUILDING IN OCEAN AFFAIRS AND THE LAW OF THE SEA, INCLUDING MARINE SCIENCE**

**OVERVIEW OF CAPACITY-BUILDING ACTIVITIES AND INITIATIVES IN OCEAN AFFAIRS AND THE LAW OF THE SEA, INCLUDING MARINE SCIENCE AND TRANSFER OF TECHNOLOGY: Presentation:** Cherdasak Virapat, Executive Director, International Ocean Institute (IOI), spoke on the Institute's role in promoting multi-level coordinated capacity building on ocean governance and sustainable development, noting it has operation centers and focal points in 25 countries. He highlighted two flagship programmes: an international ocean governance course at Dalhousie University, primarily for developing country professionals working in ocean and coastal-related fields; and a training course on regional ocean governance for Mediterranean and Eastern European countries. He urged support for IOI training programmes through participation.

**Discussion:** Responding to a question by Trinidad and Tobago on whether IOI would consider an ocean governance workshop in his country, ICELAND highlighted the UN University Fisheries Training Programme's (UNU-FTP) short courses in cooperation with partner countries, and Virapat described the possibility of the University of Trinidad and Tobago establishing a focal point. Lucia Fanning, IOI, said the overwhelming request emerging from the Caribbean region is for capacity building in the science-policy interface to develop a governance framework based on appropriate science.

On specific resources required to strengthen the International Monitoring, Control and Surveillance (IMCS) Network, Marcel Kroese, IMCS Network, estimated that US \$400,000 to 500,000

would be required to, *inter alia*: further develop a global fisheries information system; train developing coastal states and SIDS to support enforcement activities; and promote regional cooperation to combat illegal fishing. Alfa Lebgaza, Ministry of Public Work and Transport, Togo, described a recent incident where three vessels flying Togo flags were reported by the EU for fishing illegally in the region. He said Togo apprehended these vessels.

CANADA highlighted the helpful presence of IOI in Canada, and underscored the importance of institutional capacity building to ensure successful economic and sustainable use of marine resources. The NORTH EAST ATLANTIC FISHERIES COMMISSION described blacklisting of unauthorized vessels and a port state control system as primary tools for combating illegal, unreported and unregulated (IUU) fishing, and noted a reason for blacklisting's effectiveness is sharing a common IUU list with the Northwest Atlantic Fisheries Organization and South East Atlantic Fisheries Organization.

MEXICO said evaluating the need for capacity building in ocean affairs should take into account Part XIV of UNCLOS on development and transfer of marine technology. She emphasized the importance of training, especially related to, *inter alia*: marine biotechnology and intellectual property; improving research in marine energy and oil; and regional and bilateral training programmes on safety, pollution, managing cargo, and port security. SPAIN commented on the EU perspective on illegal fishing, underscoring that this issue has been a challenge for developed and developing countries. She noted that the EU has trained experts to ensure illegal fishing is punished and adopted stricter fisheries regulations addressing non-compliance by EU member states' vessels.

The US underscored the importance of capacity building for the conservation of living marine resources and highlighted its contributions to a number of capacity building programmes, including on minimizing bycatch and observer programmes. The WORLD METEOROLOGICAL ORGANIZATION (WMO) expressed its willingness to contribute to capacity building on ocean issues.

**CHALLENGES FOR ACHIEVING EFFECTIVE CAPACITY BUILDING IN OCEAN AFFAIRS AND THE LAW OF THE SEA, INCLUDING MARINE SCIENCE AND TRANSFER OF TECHNOLOGY: Presentations:** Cristelle Pratt, South Pacific Applied Geoscience Commission, presented on capacity building challenges and opportunities for research, development and management of non-living resources in the Pacific Islands Region. She noted the extensive exploration activities for deep seabed mineral resources and opined that countries are unprepared to benefit from these resources due to, *inter alia*, weak institutions, few marine experts and scientists, and no research vessels. To improve the situation, she suggested

applying lessons from cooperation on fisheries management to coordination for governance of non-living resources.

Alfa Lebgaza, Ministry of Public Work and Transport, Togo, said Togo ratified UNCLOS in 1985 and began its implementation by establishing maritime limits, such as the EEZ, and granting fishing licenses to fishers who recognized such limits. Underscoring the challenges to further implementation, he said Togo plans to adopt marine anti-pollution policies and seeks to secure material means to, *inter alia*, protect and monitor its coastline to stop IUU fishing, piracy, and criminal activities, such as drug trafficking. He also highlighted a need for marine research centers.

Kazuhiro Kitazawa, Japan Agency for Marine-Earth Science and Technology Center (JAMSTEC), said capacity building is essential for marine science activities and implementation of UNCLOS. He noted gaps in developed and developing countries' scientific knowledge and technology, said these gaps must be filled through mutual assistance and international cooperation, and provided an overview of JAMSTEC's work, including a training programme on ocean data handling. He said the problem of marine technology transfer could be solved utilizing UNESCO/IOC criteria and guidelines on the transfer of marine technology, and urged DOALOS and UNESCO/IOC to initiate the establishment of a regional center for capacity building and technology transfer.

Andrew Hudson, UN Development Programme (UNDP), discussed the challenges drawn from the International Waters portfolio of projects, which UNDP implements for the Global Environment Facility, with a focus on Large Marine Ecosystems and Partnerships in Environmental Management for the Seas of East Asia's (PEMSEA) experience. He highlighted challenges related to: policy, institutional and legal frameworks; financing; communication and advocacy; training and capacity tools; and the future, including developing skills for emerging governance issues, such as ocean acidification.

Tumi Tómasson, UNU-FTP, presented on the experiences of UNU-FTP, noting extensive changes in the fisheries sector, such as the growing importance of developing countries and concerns including aquaculture and the Millennium Development Goals. He said UNU-FTP's training programmes emphasize applied skills and have so far trained 205 fellows from 40 countries. On challenges, he stressed the need to, *inter alia*, build individual and collective capacity in development cooperation and effectively translate science into management actions.

**Discussion:** On the relationship between SIDS and the private sector in deep seabed mining, Pratt noted that potential mineral exploration is a new phenomenon in the Pacific, and highlighted the importance of looking into the legal and policy framework, including the environmental impacts of exploration. On challenges to capacity building, Lebgaza said the best strategy is for nationals to be trained in their own countries, and this is a component of technology transfer.

On application of the UNESCO/IOC guidelines by JAMSTEC, Kitazawa said the guidelines are not well known, but encouraged delegates to contact him. On a question about patent issues, he said JAMSTEC has a specialist on the topic. On the ecosystem approach, Hudson said UNDP supports its application to both marine and fresh water systems. On cooperation, Tómasson expressed support for regional cooperation, and said UNU is involved in regional projects in the Caribbean and Asia.

Spain, for the EU, expressed support for capacity-building programmes, and congratulated UN-Nippon Foundation Fellowship Programme advisor François Baillet for work in this field. The OCEAN POLICY RESEARCH FOUNDATION noted its close association with the Nippon Foundation and its work on policy education and research at international, regional and national levels. AUSTRALIA highlighted its assistance to Pacific island countries in delineating the outer limits of the continental shelf. MEXICO said institution building is necessary for all states to benefit from UNCLOS. NORWAY highlighted elements for

effective capacity building, such as good inter-agency cooperation on development assistance, and announced its intention to contribute US \$100,000 to the IMCS Network. The US noted that the Regular Process for Global Reporting and Assessment of the State of the Marine Environment can promote and facilitate capacity building and strengthen marine science.

**NEW APPROACHES, BEST PRACTICES AND OPPORTUNITIES FOR IMPROVED CAPACITY BUILDING IN OCEAN AFFAIRS AND THE LAW OF THE SEA: Presentations:** Raphael Lotilla, Executive Director, PEMSEA, presented on PEMSEA's regional capacity building programmes in coastal and ocean governance, which include integrated coastal management (ICM) model courses and study tours. He emphasized the importance of partnerships among country and non-country parties, and discussed the development of tools by PEMSEA, such as ICM codes and state of the coasts guidelines.

Imèn Meliane, The Nature Conservancy, said capacity building is a key aspect of NGO activities, such as training and improving the science base of decision making, but underscored that this is insufficient for improving environmental conditions as compliance remains limited. Drawing on training experiences for coral reef management, she said web-based peer-to-peer exchanges are effective for expanding expertise and drawing lessons from failures, and noted the importance of helping organizations gain abilities in, *inter alia*, financial management and proposal writing.

Narmoko Prasmadji, Coral Triangle Initiative on Coral Reefs, Fisheries, and Food Security (CTI), said the coral triangle region, sometimes termed the "Amazon of the Seas," is one of the richest areas of marine biodiversity and faces threats from overfishing and IUU fishing, climate change, and land-based pollution. Noting the broad support for the CTI, he reviewed its capacity building work to improve and strengthen the knowledge base for protecting marine and coastal resources in the region.

**Discussion:** Participants asked a number of questions that went unanswered due to time constraints, with: ARGENTINA requesting elaboration on funding of protected areas, and clarification of "rights-based management approaches"; and the WMO inquiring whether landlocked countries with rivers that pollute the ocean were involved in oceans issues, and whether such countries had access to marine resources beyond national jurisdiction.

BRAZIL, ARGENTINA, INDIA and CHINA discussed experiences in South-South capacity building. BRAZIL called for a global inventory of states' capacity-building needs. INDIA called for a DOALOS database to match capacity-building partners based on availability of resources, needs, and areas of interest. MEXICO suggested input from the World Intellectual Property Organization on seabeds and resources beyond areas of national jurisdiction. NORWAY highlighted the Arctic Council's "Observed Best Practices" report. The NATURAL RESOURCES DEFENSE COUNCIL suggested ICP-12 review progress on commitments made in Rio and Johannesburg.

### IN THE CORRIDORS

On Wednesday, participants continued to hear panel discussions, with one delegate commenting that for the third day of a meeting, "not much has happened yet." In the afternoon though, Conference Room 1 warmed to the topic at hand figuratively and literally, when two air conditioners broke and participants migrated to Conference Room 3 to seek refuge from the soaring temperature. An overheated room may be fitting, though, since Thursday's discussion on the selection of topics for future sessions of the Consultative Process are expected to be the week's most heated. One delegate called the topic of climate change "the elephant in the room," but it may not be addressed any time soon, as the topics of food security, marine pollution, IUU fishing, Rio+20, ocean warming and acidification, underwater noise and even compliance with UNCLOS provisions on conservation of living marine resources also have their supporters.