

13TH MEETING OF THE UNITED NATIONS OPEN-ENDED INFORMAL CONSULTATIVE PROCESS ON OCEANS AND THE LAW OF THE SEA: 29 MAY - 1 JUNE 2012

The thirteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (Consultative Process or ICP-13) opens today at UN Headquarters in New York. During the week, delegates will discuss marine renewable energies, with panels focusing on: the types, uses and role of marine renewable energies in sustainable development; ongoing or planned marine renewable energies projects and work at the global and regional levels; and opportunities and challenges in the development of marine renewable energies, including for cooperation and coordination. Recommendations from the meeting will be forwarded to the General Assembly for consideration at its 67th session.

A BRIEF HISTORY OF THE LAW OF THE SEA AND THE CONSULTATIVE PROCESS

On 1 November 1967, Malta's Ambassador to the UN, Arvid Pardo, asked the nations of the world to recognize a looming conflict that could devastate the oceans. In a speech to the General Assembly, he called for "an effective international regime over the seabed and the ocean floor beyond a clearly defined national jurisdiction." The speech set in motion a process that spanned 15 years and saw the creation of the UN Seabed Committee, the signing of a treaty banning nuclear weapons on the seabed, the adoption of a declaration by the General Assembly that all resources of the seabed beyond the limits of national jurisdiction are the "common heritage of mankind," and the convening of the Stockholm Conference on the Human Environment. These were some of the factors that led to the Third UN Conference on the Law of the Sea during which the UN Convention on the Law of the Sea (UNCLOS) was adopted.

UNCLOS: Opened for signature on 10 December 1982, in Montego Bay, Jamaica, at the Third UN Conference on the Law of the Sea, UNCLOS sets forth the rights and obligations of states regarding the use of the oceans, their resources, and the protection of the marine and coastal environment. UNCLOS entered into force on 16 November 1994, and is supplemented by the 1994 Deep Seabed Mining Agreement and the 1995 Agreement for the Implementation of the Provisions of UNCLOS relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA).

GENERAL ASSEMBLY RESOLUTION 54/33: On 24 November 1999, the General Assembly adopted resolution 54/33 on the results of the review undertaken by the UN Commission on Sustainable Development at its seventh session on the theme of "Oceans and Seas." In this resolution, the General Assembly established an Open-ended Informal Consultative Process to facilitate the annual review of developments in ocean affairs. The General Assembly decided that the Consultative Process would meet in New York and consider the Secretary-General's annual report on oceans and the law of the sea, and suggest particular issues to be considered by the General Assembly, with an emphasis on identifying areas where intergovernmental and inter-agency coordination and cooperation should be enhanced. The resolution further established the framework within which meetings of the Consultative Process would be organized, and decided that the General Assembly would review the effectiveness and utility of the Consultative Process at its 57th session.

ICP-1 to 3: The first three meetings of the Consultative Process identified issues to be suggested and elements to be proposed to the General Assembly, and highlighted issues that could benefit from attention in its future work. The first meeting of the Consultative Process (30 May - 2 June 2000) held discussion panels addressing fisheries and the impacts of marine pollution and degradation. The second meeting (7-11 May 2001) focused on marine science and technology, and coordination and cooperation in combating piracy and armed robbery at sea. The third meeting (8-15 April 2002) held discussion panels on the protection and preservation of the marine environment, capacity building, regional cooperation and coordination, and integrated oceans management.

GENERAL ASSEMBLY RESOLUTION 57/141: On 12 December 2002, the 57th session of the General Assembly adopted resolution 57/141 on "Oceans and the law of the sea." The General Assembly welcomed the previous work of the Consultative Process, extended it for an additional three years, and decided to review the Consultative Process' effectiveness and utility at its 60th session.

ICP-4 and 5: The fourth meeting of the Consultative Process (2-6 June 2003) adopted recommendations on safety of navigation, the protection of vulnerable marine ecosystems, and cooperation and coordination on ocean issues. The fifth meeting (7-11 June 2004) adopted recommendations on new sustainable uses of oceans, including the conservation and management of the biological diversity of the seabed in areas beyond national jurisdiction.

ICP-6: The sixth meeting of the Consultative Process (6-10 June 2005) adopted recommendations on fisheries and their contribution to sustainable development, and considered the issue of marine debris.

ICP-7: The seventh meeting (12-16 June 2006) enhanced understanding of ecosystem-based management, and adopted recommendations on ecosystem approaches and oceans.

ICP-8: The eighth meeting (25-29 June 2007) discussed issues related to marine genetic resources. Delegates were unable to agree on key language referring to the relevant legal regime for marine genetic resources in areas beyond national jurisdiction, and as a result no recommendations were adopted. However, a Co-Chairs' summary report was forwarded to the General Assembly for consideration.

ICP-9: The ninth meeting (23-27 June 2008) adopted recommendations on the necessity of maritime security and safety in promoting the economic, social and environmental pillars of sustainable development.

ICP-10: The tenth meeting (17-19 June 2009) produced a Co-Chairs' summary report collating outcomes of its discussions on the implementation of the outcomes of the Consultative Process, including a review of achievements and shortcomings in its first nine years, which was forwarded to the General Assembly for consideration.

ICP-11: The outcome of the eleventh meeting (21-25 June 2010) was a Co-Chairs' summary of discussions, including: capacity building for marine science; inter-agency cooperation and coordination; issues that could benefit from attention in future work of the General Assembly on ocean affairs and the law of the sea; and the process for the selection of topics and panelists so as to facilitate the work of the General Assembly.

ICP-12: The outcome of the twelfth meeting (20-24 June 2011) was a Co-Chairs' summary of discussions, including: sustainable development, oceans and the law of the sea; an overview of progress to date and the remaining gaps in the implementation of oceans- and seas-related outcomes of the major summits on sustainable development; new and emerging challenges for the sustainable development and use of oceans and seas; the road to Rio+20 and beyond; inter-agency cooperation and coordination; the process for the selection of topics and panelists for consideration by the General Assembly; and issues that could benefit from attention in the future work of the General Assembly on oceans and the law of the sea. The Co-Chairs' summary was forwarded to the General Assembly for consideration.

INTERSESSIONAL HIGHLIGHTS

FIRST LATIN AMERICAN CONFERENCE ON

MARINE ENERGY: This conference, convened in Santiago, Chile, from 26-27 September 2011, examined: the international context for marine energy; the activities of the UK, Canada, and Portugal on marine energy; marine energy research and development in Argentina, Brazil, Chile, Colombia, the Dominican Republic, Ecuador, and Venezuela; and means for regional coordination and promotion of marine energy development and deployment.

OPENING OF THE INTERNATIONAL RENEWABLE ENERGY AGENCY (IRENA) INNOVATION AND TECHNOLOGY CENTRE (ITC) AND ITC RENEWABLES COMPETITIVENESS AND INNOVATION WORKSHOP:

The workshop met on 6 October 2011 in Bonn, Germany, to launch the IRENA Innovation and Technology Centre, which will work towards a framework for renewable energy technology support, the potential for cost reductions, and policies to support innovation and increased use of standards. Discussions at the workshop covered issues including: the

economics of renewable energy; innovation for accelerated deployment; and a roadmap to the future that addresses capacity issues.

66TH SESSION OF THE UN GENERAL ASSEMBLY:

In resolution 66/231 on Oceans and the law of the sea, the General Assembly decided to provide priority funding from the voluntary trust fund to cover the travel costs of representatives from developing countries, who the Co-Chairs, having consulted governments, have invited to present during ICP-13. It also recalled that resolution 65/37A mandated that the 67th session of the General Assembly will undertake a further review of the effectiveness and utility of the Consultative Process.

OCEANS DAY AT DURBAN: Oceans Day convened in Durban, South Africa, on 3 December 2011, on the sidelines of the 17th session of the Conference of the Parties (COP 17) to the UN Framework Convention on Climate Change (UNFCCC). This third Oceans Day focused on seven discussion sessions: oceans and coasts at the UNFCCC and at Rio+20; climate change and African fisheries; evidence of climate change from the large marine ecosystems; progress on major oceans and climate issues; oceans and climate issues in small island developing states; capacity building and public education; and monitoring action on oceans and climate.

FIFTH WORLD FUTURE ENERGY SUMMIT (WFES):

The summit convened in Abu Dhabi, United Arab Emirates, on 16-19 January 2012. It was centered on a high-level segment focusing on policy and strategy, and three forums on: business and policy; technology and innovation; and finance and regulation. The WFES served as the global launch of the International Year of Sustainable Energy for All. At the opening session, UN Secretary-General Ban Ki-moon stressed the main goals of his Sustainable Energy for All (SE4All) initiative, which include: ensuring universal access to modern energy services; doubling the global rate of improvement in energy efficiency; and doubling the share of renewable energy in the global energy mix, all by 2030.

RENEWABLE UK WAVE AND TIDAL CONFERENCE:

This conference, held on 15 March 2012 in Edinburgh, Scotland, UK, explored the challenges facing the wave and tidal energy sector, particularly the funding requirements and incentives required to get utilities and manufacturers to bring marine energy into full operation in the coming years.

ICP-13 PREPARATORY MEETING: The UN Division for Oceans and the Law of the Sea held an informal preparatory meeting for ICP-13 on 3 April 2012 at UN Headquarters in New York. Participants considered the proposed structures of the three panels for the topic of marine renewable energies, the draft agenda, and other arrangements for ICP-13.

FIFTH MEETING OF THE AD HOC OPEN-ENDED INFORMAL WORKING GROUP TO STUDY ISSUES RELATING TO THE CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY BEYOND AREAS OF NATIONAL

JURISDICTION: The working group convened at UN Headquarters in New York from 7-11 May 2012. Delegates discussed three issues: sharing of benefits from marine genetic resources, area-based management tools, such as protected areas, and environmental impact assessments, capacity building, and the transfer of marine technology; the organization of intersessional workshops aimed at improving understanding of these issues and clarifying key questions as an input to the work of the Working Group; and the identification of gaps and ways forward with a view to ensuring an effective legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction.