



Earth Summit Bulletin

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OCEANS

AN OVERVIEW OF PC/100/ADD.21

This week, Working Group II has been discussing document PC/100/Add.21, "Protection of oceans, all kinds of seas including enclosed and semi-enclosed seas, coastal areas and the protection, rational use and development of their living resources." The convoluted title only hints at the complexity and length of the document itself. The 152 paragraphs - by far the longest chapter for Agenda 21 - are a compilation of government proposals, text negotiated at PrepCom III and Secretariat recommendations.

The oceans chapter of Agenda 21 contains the following seven programme areas.

- Integrated management and sustainable development of coastal areas. Since 60% of the world's population is expected to live in coastal areas by the year 2000, there is a growing need for integrated economic and environmental planning in coastal management. Most countries have agreed on the integrated planning approach, but the question still remains how to implement ecosystem management.
- Marine environmental protection. This programme area is divided into two main sections - land-based sources and sea-based sources of marine pollution. Since efforts have already been made to control sea-based activities, this section poses no significant problem. It is the issue of land-based sources of marine pollution where there is disagreement on the approach to be taken: global or regional. Between PrepComs III and IV, UNEP convened a meeting of experts in Nairobi to discuss this issue. The results of this meeting are summarized in PC/113, which recommends a list of objectives and activities. The issue now before the PrepCom is whether or not to incorporate these directly into PC/100/Add.21.
- Living marine resources. There are still many unresolved issues in this programme area. 1) Should it be dealt within one programme area or two - one for resources under national jurisdiction and one that deals with the high seas? 2) What should be done with highly migratory species and what mechanisms should be developed for international control, surveillance and enforcement? 3) How should the issue of marine mammals be dealt with in light of the problems within the International Whaling Commission on whaling and small cetaceans? 4) Should Antarctica be mentioned in Agenda 21?
- Critical uncertainties/climate change. There is wide recognition that uncertainties over the scientific and economic aspects of ocean issues, and of the effects on the ocean environment of global climate change, impede effective policy making on both national and international levels. This area has been relatively non-controversial.
- Strengthening international institutions. This programme area deals with what should be done with existing oceans agencies on the national, regional and international levels and how better coordination can be achieved.
- Sustainable development of islands. PrepCom III expressed considerable interest in the problems of small islands, thus the Secretary General decided to add a programme areas on islands. The objective is to adopt and implement sustainable development plans for islands.

PREPCOM HIGHLIGHTS TUESDAY, 10 MARCH 1992

TECHNOLOGY TRANSFER (PLENARY)

The Plenary met yesterday to finalize its discussions on the technology transfer cluster. Vice-Chair Bjornar Utheim presented his non-paper on "Science for Sustainable Development" for review. This document incorporates all amendments which were tabled by governments to PC/100/Add.10 "Science for Sustainable

Development." The majority of amendments were accepted without debate. The sections pertaining to "Financing and Cost Evaluation" were not discussed and are to be considered at a later date.

Aspects of the non-paper which were discussed related to clarification of the levels at which activities would occur (ie., to include sub-regional along with national, regional and global, and, the inclusion of a new paragraph proposed by the European Community on the section "Enhancing Scientific Understanding".

Another amendment of interest was Canada's objection to the reference in paragraph 6 to each country achieving substantial improvements in strengthening the scientific basis for sustainable management by the year 2000. At Canada's request, the reference to the date "by the year 2000" was deleted.

As the session came to a close, many of the delegates asked the Vice-Chair when the more controversial issue of technology transfer (PC/100/Add.9) would be discussed. Delegates requested that the Vice-Chair's non-paper on Technology Transfer be available to them in advance of the meeting so they could review the respective amendments.

Utheim stated that he would attempt to arrange for further meetings on the technology transfer issue in light of the fact that today was the last scheduled meeting for the technology transfer cluster. He promised that his non-paper would be released well in advance to allow delegates sufficient time for review.

Reaction to the Vice-Chair's non-paper was ambivalent. Some felt that it represented an improvement over the original Add.10 document insofar as it made mention of the need for further recognition of the important role of women in the area of research; the importance of traditional knowledge; and the need to address socio-economic aspects. Others were disturbed at the relative ease with which delegates responded to the elimination of any relationship between demographics, consumption and environment and the replacement with such ambiguous terms as "human impact" and "human activity". The fact that delegates spent as much time as they did attempting to determine the correct ordering of the words "national, sub-regional, local, regional, and international" was particularly revealing of delegates' emphasis on editorial, rather than substantive matters.

DESERTIFICATION (WORKING GROUP I)

By 10:00 am Tuesday, a number of amendments to PC/100/Add.17 had been received and circulated. The session proceeded through paragraphs 24 through 29. Major portions of paragraph 24 were left for further negotiation after the group failed to reach agreement on semantic variations. Informal consultations were held yesterday afternoon in an attempt to reach an agreement on this paragraph.

Sections C, "Developing and Strengthening integrated programmes for eradication of poverty and promotion of alternative livelihood systems in areas prone to desertification", and Section D, "Developing and Integrating comprehensive anti-desertification programmes" were reviewed.

Sections C and D were reviewed, but the financing and cost evaluation, scientific and technological means of the sub-section on "Means of Implementation" were delayed.

The document tabled Monday by the African Group with specific amendments to PC/100/Add.17 was re-issued yesterday with minor changes. On most all paragraphs the blending of the Secretariat document with that of the African Group formed the starting point for negotiations.

OCEANS (WORKING GROUP II)

Working Group II's informal discussion of oceans continued its consideration of PC/100/Add.21 yesterday. The group finished its first reading of Programme Area A, "Integrated Management and Sustainable Development of Coastal Areas, Exclusive Economic Zones and [Marine Ecosystems]," yesterday morning. The Chair, Bukar Shaib, called on several contact groups to meet

and discuss those paragraphs within this programme area that were left unresolved.

Portugal, on behalf of the European Community, requested that paragraphs 16 and 17 on means of implementation be bracketed until the conclusion of the discussion on financial resources. A number of delegates had problems with paragraphs 18 and 19 (on scientific and technological means), which were said to be merely a repetition of paragraph 15, under the sub-heading "Activities." Many were displeased with paragraph 21 on capacity building, which, according to Kenya, goes well beyond mere capacity building. Shaib set up another contact group to address this issue.

The afternoon session began with a discussion of Programme Area B, "Marine Environmental Protection." The US suggested that the group hear all proposals and comments before assigning a contact group to resolve the contentious issues. The Chair agreed and commenced the discussion. A long, substantive discussion of paragraphs 23-27 ("Basis for Action") ensued during which numerous amendments were proposed. It was not until the group started to discuss objectives and activities where real problems arose.

Although PC/100/Add.21 contains a list of objectives and activities for this programme area, it does not include the recommendations made by the intergovernmental meeting of experts on land-based sources of marine pollution during its meeting in Nairobi last December. The Secretariat explained that this meeting had taken place after the deadline for submission of all Agenda 21 documents for translation. Thus the experts' recommendations were contained in document PC/113 that was released only yesterday morning. Shaib suggested that the objectives and activities defined in Annex I, Appendix I of PC/113 replace the objectives and activities for land-based sources of marine pollution in PC/100/Add.21. A number of delegates felt that both sets of objectives and activities needed to be discussed. After this long procedural discussion, delegates began to make specific proposals and amendments to the objectives listed in both documents. It became rather difficult to follow the discussion and the level of frustration increased.

Although the discussion on Programme Area B had not even progressed beyond the objectives, Shaib announced at the end of the afternoon, that a contact group would meet to work on this programme area this morning. Malaysia complained that six contact groups had already been established and that, based on the experience in Geneva, the documents agreed on by the contact groups may still cause problems within the working group as a whole. Shaib responded that the working group had already spent half of its allotted time and gotten nowhere and this was the best way to deal with the problem.

IN THE CORRIDORS:

NGOs have raised the issue of access to the delegates' floor with the UNCED Secretariat and the PrepCom chairs. They, in turn, have taken this matter to the UN Security and Conference Services to request changes to the rules. Yesterday, a decision was taken by Conference Services to allow 35 individual NGO representatives to enter Conference Rooms 1 and 4 during sessions. Tickets for admission will be distributed on a "first-come first-serve" basis. NGOs will be expected to obey the rules of pro-

cedure and exit after completing their tasks on the floor and, as good NGOs, recycle their tickets so that others can use them.

THINGS TO LOOK FOR TODAY AT PREPCOM

FINANCIAL RESOURCES (PLENARY): An informal-informal session on financial resources and mechanisms will meet in Conference Room 6 this morning to begin negotiations on a final agreement. Vice-Chair John Bell has been holding private consultations with the chairs of the regional groups, attempting to determine the content and form of the negotiation text to be tabled today. The other key issue to keep in mind is whether the G-77 feels confident enough in the leadership of the Vice-Chair to accept his text as the basis of negotiations. If Bell is not successful in crafting and selling a compromise document, look for draft texts to emanate from various countries and a repeat of the procedural morass that mired the Earth Charter proceedings last week.

DESERTIFICATION (WORKING GROUP I): Today's meeting will be an informal-informal session for the first two hours. An informal session will follow. During the closed session there is a good chance that agreement will be reached on those paragraphs left unresolved yesterday.

OCEANS (WORKING GROUP II): Two contact groups established to work on Programme Areas A and B will meet privately this morning to negotiate text. The contact group on Programme Area B will have to determine which set of recommendations to use: those in PC/100/Add.21 or those in PC/113. When the working group reconvenes at 3:00, discussion will focus on Programme Areas C and D on marine living resources - perhaps the most contentious of the whole document. There is a possibility that New Zealand will make a new proposal concerning whales and small cetaceans. Other issues that must be resolved include high seas fisheries and Antarctica.

EARTH CHARTER (WORKING GROUP III): Working Group III will reconvene this morning in an informal capacity to resume negotiations on the G-77 text (Add.20). Delegates will pick up with principle 4 of the document. Negotiations are expected to be completed by Thursday mid-day. It is difficult to ascertain the degree of contention that will be raised by northern countries around the remaining principles. However, once this stage of negotiations is completed, the real challenge will be to synthesize all comments and proposals into an agreed text that will form the basis of the next stage of negotiations. Watch for northern countries to continue to raise their concerns about the perceived imbalance in the L.20 text, in particular, the "over-emphasis" of development issues. Watch for signs of the US attempting to press for the Earth Charter to be treated as a preamble to Agenda 21 rather than as a separate instrument.

IN THE CORRIDORS: It is believed that the United States is planning to propose the elimination of the entire Consumption chapter of PC/100/Add.2 at Thursday's plenary on the Poverty cluster. Apparently, this decision was discussed at the highest political levels in Washington.

SCHEDULE OF PREPCOM IV EVENTS

OFFICIAL MEETINGS

March 11	10:00 am	UN Conference Room 6	Plenary (financial resources - informal consultations)	Closed
March 11	10:00 am	UN Conference Room 1	Working Group III (Earth Charter)	Open
March 11	3:00 pm	UN Conference Room 1	Working Group I (desertification)	Open
March 11	3:00 pm	UN Conference Room 4	Working Group II (oceans)	Open

OTHER MEETINGS

March 11	9:00 am to 10:00 am	UN Conference Room C	NGO Strategy Session	NGOs
March 11	9:00 am to 2:15 pm	CCUN 2nd Floor	NGO Population Task Force	NGOs
March 11	10:00 am	Outside UN Conference Room 4	NGO Strategy Session	CANZ NGOs
March 11	10:00 am to 11:00 am	UN Conference Room C	Women's Caucus	NGOs
March 11	1:00 pm	Conference Room E	Briefing by CANZ Governments	CANZ NGOs
March 11	1:00 pm to 3:00 pm	CCUN Conference Room 10H	NGO Working Group on Education	NGOs
March 11	2:00 pm to 3:00 pm	Outside Conference Room 4	NGO Working Group on Financial Resources	NGOs
March 11	3:00 pm to 5:00 pm	CCUN Conference Room 10H	Task Group on Sustainable Agriculture	NGOs
March 11	3:00 pm to 5:00 pm	CCUN - Tillman Chapel	Roundtable on Integrated Coastal Management	Open
March 11	3:00 pm to 5:00 pm	CCUN 11th Fl. Hardin Room	International NGO Task Group on Legal and Institutional Issues	NGOs
March 11	6:00 pm to 8:00 pm	UN Conference Room 4	NGO Government Dialogue and NGO Plenary	NGOs