



## SUMMARY OF THE FIFTH MEETING OF THE OPEN-ENDED INFORMAL CONSULTATIVE PROCESS ON OCEANS AND THE LAW OF THE SEA: 7-11 JUNE 2004

The fifth meeting of the Open-Ended Informal Consultative Process on Oceans and the Law of the Sea (Consultative Process or UNICPOLOS) took place from 7-11 June 2004, at UN headquarters in New York. The meeting brought together over 350 representatives from governments, intergovernmental organizations, non-governmental organizations and academic institutions.

The outcome of the meeting consists of: a report containing recommendations to the UN General Assembly for consideration at its 59th session under the agenda item "Oceans and the law of the sea"; a summary of plenary discussions and discussion panel sessions; and additions and amendments to issues that could benefit from attention in future work of the General Assembly, as contained in Part C of the report of the fourth meeting of the Consultative Process. The recommendations to the General Assembly address: cooperation and coordination on ocean issues; deep seabed biodiversity; marine scientific research; and issues for further consideration.

An international workshop was convened in conjunction with UNICPOLOS-5 to consider a process for global reporting and assessment of the state of the marine environment, including socio-economic aspects (GMA International Workshop). The report of the GMA International Workshop will be forwarded to the 59th session of the General Assembly under the agenda item "Oceans and the law of the sea."

In stark contrast to high expectations at the beginning of the week regarding the main issues for discussion, namely the GMA and new sustainable uses of the oceans, delegates expressed mixed feelings about the outcomes of both the GMA International Workshop and the fifth meeting of the Consultative Process. By only recommending the establishment of a task force to initiate the next stage of preparatory work necessary to establish the formal GMA, the Workshop missed the opportunity to build on political momentum stemming from the World Summit on Sustainable Development (WSSD). Similarly, in spite of alarming surveys and recent examples set by relevant international fora in the field of marine biodiversity conservation and management, States could not overcome longstanding entrenched positions, resulting in

modest recommendations on destructive fishing practices and marine protected areas. To some extent, the Consultative Process may have been victim of its own success in trying to tackle issues that have not yet reached sufficient maturity.

## A BRIEF HISTORY OF THE LAW OF THE SEA, THE CONSULTATIVE PROCESS, AND THE GLOBAL MARINE ASSESSMENT PROCESS

**UNCLOS:** Opened for signature on 10 December 1982, in Montego Bay, Jamaica, at the third UN Conference on the Law of the Sea, the UN Convention 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, which entered into force on 16 November 1994, comprises 320 articles and nine annexes, and is supplemented by the 1994 Deep Seabed Mining Agreement and the 1995 Fish Stocks Agreement. Since the entry into force of UNCLOS, three relevant international bodies have been established: the International Seabed Authority (ISA), the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf.

**UNCED:** The United Nations Conference on Environment and Development was held in June 1992, in Rio de Janeiro, Brazil. Chapter 17 of Agenda 21, the programme of action adopted in Rio,

### IN THIS ISSUE

|  |   |
|--|---|
| A Brief History of the Law of the Sea, the Consultative Process and the Global Marine Assessment Process . . . . . | 1 |
| UNICPOLOS-5 Report . . . . .   | 3 |
| Plenary . . . . .  | 3 |
| Discussion Panel on New Sustainable Uses of the Oceans. . . . .  | 4 |
| Recommendations to the General Assembly . . . . .  | 4 |
| GMA International Workshop . . . . .   | 6 |
| Closing Plenary. . . . .   | 8 |
| A Brief Analysis of UNICPOLOS-5 . . . . .  | 8 |
| Things to Look For Before UNICPOLOS-6 . . . . .  | 9 |



addresses “the protection of the oceans, all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources.” The provisions of Chapter 17 are the fundamental framework for action to achieve the sustainable development of oceans and seas.

**UNGA RESOLUTION 54/33:** On 24 November 1999, the General Assembly adopted resolution 54/33 on the results of the review undertaken by the Commission on Sustainable Development at its seventh session on the theme “Oceans and seas.” In this resolution, the General Assembly established an open-ended informal consultative process in order to facilitate the annual review of developments in oceans affairs. The General Assembly decided that the Consultative Process would consider the Secretary-General’s annual reports on oceans and the law of the sea, and suggest particular issues for consideration 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.

**UNICPOLOS-1 to 3:** The first three meetings of the Consultative Process were co-chaired by Tuiloma Neroni Slade (Samoa) and Alan Simcock (UK). Each meeting identified issues to be suggested and elements to be proposed to the General Assembly, and highlighted issues that could benefit from attention in the future work of the General Assembly.

The first meeting of the Consultative Process (30 May-2 June 2000, New York) held discussion panels addressing fisheries and the impacts of marine pollution and degradation.

The second meeting of the Consultative Process (7-11 May 2001, New York) focused on marine science and technology, and coordination and cooperation in combating piracy and armed robbery at sea.

The third meeting of the Consultative Process (8-15 April 2002, New York) held discussion panels on the protection and preservation of the marine environment, capacity building, regional cooperation and coordination, and integrated ocean management.

**UNEP GOVERNING COUNCIL DECISION 21/13 AND FOLLOW-UP MEETINGS:** At its 21st session (5-9 February 2001, Nairobi, Kenya), the Governing Council of the UN Environment Programme (UNEP) adopted decision GC 21/13 on the “Global assessment of the state of the marine environment,” whereby the Governing Council requested UNEP to explore the feasibility of establishing a regular process for assessment of the state of the marine environment. Following this decision, two meetings were held (12-14 September 2001, Reykjavik, Iceland; and 18-20 March 2002, Bremen, Germany) to consider possible modalities for the process.

**WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT:** The WSSD (26 August-4 September 2002, Johannesburg, South Africa) negotiated and adopted two main documents: the Johannesburg Plan of Implementation (JPOI) and the Johannesburg Declaration on Sustainable Development. Among the 11 chapters of the JPOI, which provides a framework for action to implement sustainable development commitments, Chapter IV on “Protecting and Managing the Natural Resource Base of Economic and Social Development” contains several paragraphs on the

sustainable development of oceans. Paragraphs 30 to 36 address: sustainable fisheries; the advancement of implementation of programmes relating to the protection of the marine environment against pollution from land-based activities; the promotion of conservation and management of oceans; the enhancement of maritime safety and protection of the marine environment from pollution; and the improvement of the scientific understanding and assessment of marine and coastal ecosystems. Paragraph 36(b) requests establishing “by 2004 a regular process under the UN for global reporting and assessment of the state of the marine environment, including socioeconomic aspects, both current and foreseeable, building on existing regional assessments.”

**UNGA 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. In response to paragraph 36(b) of the JPOI, the General Assembly also requested the Secretary-General to prepare proposals on modalities for the GMA, drawing on the work of UNEP pursuant to decision GC 21/13.

**UNEP GOVERNING COUNCIL DECISION 22/1 II:** At its 22nd session (3-7 February 2003, Nairobi, Kenya), the UNEP Governing Council reviewed progress in implementing decision GC 21/13, and adopted decision GC 22/1 II, which requests the active participation and contribution of UNEP to the preparatory process for the GMA, as called for in UNGA resolution 57/141.

**UNICPOLOS-4:** The fourth meeting of the Consultative Process (2-6 June 2003, New York), co-chaired by Philip Burgess (Australia) and Felipe Paolillo (Uruguay), held discussion panels and adopted recommendations on, *inter alia*, the safety of navigation and the protection of vulnerable marine ecosystems.

**REPORT OF THE SECRETARY-GENERAL ON MODALITIES FOR THE GMA:** In response to UNGA resolution 57/141, the Secretary-General prepared a report containing proposals on modalities for a regular process for the GMA (A/58/423). The report reflects discussions held at an inter-agency consultative meeting at the headquarters of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (IOC/UNESCO) from 8-9 September 2003, in Paris, France.

**UNGA RESOLUTION 58/240:** At its 58th session, the General Assembly adopted resolution 58/240, on “Oceans and the law of the sea,” which requested the Secretary-General to convene the fifth meeting of the Consultative Process from 7-11 June 2004, and recommended that the meeting organize its discussions around the theme “New sustainable uses of the oceans, including the conservation and management of the biological diversity of the seabed in areas beyond national jurisdiction,” as well as issues discussed at previous meetings. On the basis of the proposals on modalities for the GMA contained in the Secretary-General’s report, resolution 58/240 also requested the Secretary-General to take further steps to establish the regular process, including convening an international workshop in conjunction with UNICPOLOS-5, to consider a draft document prepared by a group of experts on, *inter alia*, the scope, general framework and outline of the process.



**GROUP OF EXPERTS ON THE GMA:** In response to General Assembly resolution 58/240, the Secretary-General convened a Group of Experts, which met from 23-26 March 2004, in New York, to prepare for the GMA process. The Group, chaired by David Pugh, IOC/UNESCO, was composed of representatives from States, intergovernmental organizations and NGOs, including scientists and policy makers. The discussions resulted in a draft document detailing the scope, general framework and outline of the regular process for the GMA, as well as issues pertaining to quality assurance, institutional arrangements, capacity building and funding.

### UNICPOLOS-5 REPORT

The fifth meeting of the Open-Ended Informal Consultative Process on the Law of the Sea opened on Monday, 7 June 2004. Co-Chair Felipe Paolillo (Uruguay) said discussions on new sustainable uses of the oceans would provide a unique opportunity to learn more about seabed biodiversity.

Noting that the UN Convention on the Law of the Sea constitutes the overarching legal framework for the protection of oceans, Co-Chair Philip Burgess (Australia) called for stimulating discussions on a legal regime for the use of deep sea resources in areas beyond national jurisdiction.

Delegates then adopted the meeting's agenda (A/AC.259/L.5) with minor amendments.

During the week, the Plenary met on Monday, Wednesday and Friday to address: cooperation and coordination on ocean issues; areas of concern and actions needed; and recommendations to be suggested to the UN General Assembly. States were invited to provide written submissions regarding issues for further consideration. The Discussion Panel on the theme "New sustainable uses of the oceans, including the conservation and management of seabed biodiversity in areas beyond national jurisdiction," met on Monday, Tuesday and Wednesday to discuss deep seabed biodiversity, high seas fisheries, and scientific observation in the deep sea and gas hydrates.

The International Workshop on a process for global reporting and assessment of the state of the marine environment, including socioeconomic aspects (GMA International Workshop) met on Tuesday, Thursday and Friday to consider a draft document detailing the scope, general framework and outline of the regular process for the GMA, as well as issues pertaining to quality assurance, institutional arrangements, capacity building and funding. A Friends of the Co-Chairs group was established within the framework of the Workshop to address next steps for the process and draft the Workshop's conclusions. The group met on Tuesday, Wednesday and Thursday.

This report summarizes discussions held by the Plenary, Discussion Panel and the GMA International Workshop, organized by agenda item, as well as agreed recommendations to be submitted to the UN General Assembly.

### PLENARY

#### COOPERATION AND COORDINATION ON OCEAN

**ISSUES:** Delegates discussed inter-agency cooperation and coordination on ocean issues on Monday. Quazi Shaukat Fareed, UN System Chief Executive Board for Cooperation, and Patricio Bernal, Intergovernmental Oceanographic Commission of the UN Educational, Scientific and Cultural Organization (IOC/UNESCO) provided information on the establishment of the UN Oceans and

Coastal Areas Network (UN-Oceans). Statements were made by the International Maritime Organization (IMO), the Convention on Biodiversity (CBD), the International Hydrographic Organization, the Food and Agriculture Organization (FAO), the International Commission on the Conservation of Tuna, and the International Chamber of Shipping. A summary of these statements is available online at: <http://www.iisd.ca/vol25/enb2508e.html>

Discussions dealt with the following issues: the terms of reference and work of UN-Oceans; flag States' obligations; threats to marine biodiversity; and a moratorium on bottom trawling. Delegates welcomed the establishment of UN-Oceans, stressing the need for improved coordination between existing programmes and mechanism, and enhanced cooperation on flag State implementation and illegal, unreported and unregulated (IUU) fishing. Ireland, on behalf of the European Union (EU), recommended that UN-Oceans involve relevant institutions to identify gaps and avoid duplication of work, and supported the establishment of task forces to do so. Canada advocated focusing on emerging, as well as, ongoing issues. Several delegates expressed support for an ecosystem approach when addressing new uses of the oceans that may threaten marine biodiversity. Several non-governmental organizations (NGOs) highlighted the failure of flag States to comply with their obligations, and called for the establishment of an inter-agency committee to clarify the role of the "genuine link" between a State and vessels flying its flag. Others stressed the need to protect vulnerable deep sea ecosystems, and insisted on the adoption of a moratorium on bottom trawling. A summary of these discussions is available online at:

<http://www.iisd.ca/vol25/enb2508e.html>

**AREAS OF CONCERN AND ACTIONS NEEDED:** The Plenary exchanged views on areas of concern and actions needed on Tuesday, Wednesday and Friday. Delegates discussed issues pertaining to: flag State implementation; deep sea biodiversity in areas beyond national jurisdiction, including bottom trawling; the legal framework for marine resources beyond national jurisdiction; new sustainable uses of the oceans; cooperation and coordination; and capacity building.

**Flag State implementation:** Delegates stressed the need to assert the "genuine link," and strengthen mechanisms to ensure compliance with flag States' obligations. Several countries noted that existing instruments to combat IUU fishing have failed for lack of political will. Human Rights Watch noted that lax flag State implementation allows vessel owners to engage in illegal activities and human rights violations.

**Legal framework for resources beyond national jurisdiction:** All delegates agreed that UNCLOS is the framework within which all ocean-related activities should be addressed, with some States also noting the role of the CBD and regional instruments.

**Deep sea biodiversity in areas beyond national jurisdiction:** Statements touched upon: the role of the International Seabed Authority (ISA) in the conservation of deep seabed biodiversity; ensuring an equitable access to deep seabed resources; measures to address threats to high seas biodiversity, including a moratorium on bottom trawling; and marine protected areas (MPAs).

While a majority of developing countries stated that biodiversity in the Area – which is the seabed and ocean floor beyond national jurisdiction – falls under the regime of common heritage of mankind, several developed country delegates stressed that only



non-living resources are covered by the concept. The FAO and Colombia underscored the need for a new legal instrument to regulate activities related to biodiversity in the Area.

Some developing countries supported a moratorium on bottom trawling in the high seas. Others favored temporary fishing bans in specific areas of the high seas or under certain conditions. Several States emphasized the role of regional fisheries management organizations (RFMOs) in addressing the issue. Noting uncertainties regarding the modalities and enforcement of such a moratorium, Canada and Australia said they could not take a position on the issue yet. The FAO said that lack of information is the main obstacle to the sustainable management of high seas fisheries, and the Republic of Korea suggested mandating the FAO to examine the effects of high seas bottom trawling.

Japan recommended establishing MPAs in areas within national jurisdiction before creating high seas MPAs, and underlined that these should be based on the best scientific knowledge. Iceland stressed that MPAs should not be considered a "one size fits all" solution.

**Cooperation and coordination:** A majority of States stressed the need for better inter-agency reporting and building on existing mechanisms to enhance cooperation. Some States requested a better definition of the relationship between relevant actors.

A summary of these discussions is available online at: <http://www.iisd.ca/vol25/enb2509e.html> and <http://www.iisd.ca/vol25/enb2510e.html>.

**ISSUES FOR FURTHER CONSIDERATION:** On Friday, Co-Chair Burgess noted that delegations had been requested to submit written suggestions on issues for further consideration. He said these would be incorporated in the list contained in the report of the fourth meeting of the Consultative Process (A/58/95, Part C), which will be appended to the fifth meeting's report.

#### **DISCUSSION PANEL ON NEW SUSTAINABLE USES OF THE OCEANS**

**DEEP SEABED BIODIVERSITY:** On Monday, delegates were presented with a documentary on "Volcanoes of the Deep Sea" and heard keynote presentations on deep seabed biodiversity. Peter Rona, Rutgers University, and Kim Juniper, Université du Québec à Montréal, described deep seabed ecosystems. Juniper outlined discoveries, applications and conservation in relation to hydrothermal vents, and drew attention to the development of a code of conduct on the sustainable scientific use of hydrothermal vents. Amb. Satya Nandan, Secretary-General, ISA, presented on "Benthic Biodiversity and the Work of the ISA."

Responding to the suggestion of several countries to make the code of conduct on sustainable scientific uses of hydrothermal vents public, Juniper said the code is still a draft and cannot be circulated at this stage. A summary of these presentations is available online at: <http://www.iisd.ca/vol25/enb2508e.html>

**HIGH SEAS BOTTOM FISHERIES:** On Tuesday, delegates heard a keynote presentation on high seas bottom fisheries. Lisa Speer, Natural Resources Defense Council, presented a video on deep sea bottom trawling, and discussed "High Seas Fisheries and their Effect on Vulnerable Deep Sea Ecosystems and Biodiversity." She called for a moratorium on high seas bottom trawling. Delegates held different views on the adoption of a moratorium. Costa Rica and several NGOs insisted on an immediate moratorium in all high seas areas, while Australia expressed concern about its modalities and enforcement. Japan and Spain questioned the exclusive

focus on the high seas, with Japan requesting further scientific evidence. Some countries drew attention to the fact that they lacked adequate resources to protect deep sea biodiversity. Addressing a comment by Japan on the work of the FAO and RFMOs, Speer noted that not all areas fall under the jurisdiction of RFMOs. A summary of this presentation and discussion is available online at: <http://www.iisd.ca/vol25/enb2509e.html>

**SCIENTIFIC OBSERVATION IN THE DEEP SEA:** On Tuesday, delegates heard a presentation on scientific observation in the deep sea. Kazuhiro Katazawa, Japan Marine Earth Science Technology, presented on "Scientific Observations in the Deep Sea and Related Technologies for the Next Generation." There was no discussion following this presentation, a summary of which is available online at: <http://www.iisd.ca/vol25/enb2509e.html>

**GAS HYDRATES:** On Wednesday, delegates heard a keynote presentation on gas hydrates by Edith Allison, US Department of Energy. No discussion took place in relation to this presentation, a summary of which is available online at: <http://www.iisd.ca/vol25/enb2510e.html>

**MARINE GENETIC RESOURCES:** On Wednesday, John Stegeman, Woods Hole Oceanographic Institute, spoke on "Practical Uses of Marine Genetic Resources," listing fields in which genetic resources were of paramount importance, including as pharmaceutical agents and materials used in biomedical research. Furthermore, he distinguished between pure research and directed research, such as bioprospecting.

Australia and Italy stated their concern about the sharing of benefits derived from the commercialization of marine scientific research, and Canada observed a blurred distinction between pure and commercial research, and enquired about the current conditions for bioprospecting. Stegeman noted that the increased attention paid to the protection of resources has resulted in firmer regulations, making it harder to acquire desired materials. A summary of this presentation and discussion is available online at: <http://www.iisd.ca/vol25/enb2510e.html>

#### **RECOMMENDATIONS TO THE GENERAL ASSEMBLY**

A draft text, based on plenary and discussion panel debates and including agreed recommendations to be suggested to the General Assembly, was presented to delegates on Friday. The draft contained an introduction and sections on: cooperation and coordination on ocean issues; conservation and management of biodiversity of the seabed in areas beyond national jurisdiction; marine scientific research; issues raised at previous meetings; and the GMA. Delegates agreed that the headings were provisional.

**INTRODUCTION:** Regarding a paragraph on the ineffective conservation and management of seabed biodiversity beyond national jurisdiction, the US, Japan, Iceland and Norway favored deleting wording noting that the seabed's ecosystems contain high levels of endemism and hold a close inter-relationship with the Area's non-living resources. Several delegates opposed the deletion.

**Final text:** The introduction contains three paragraphs noting: the focus of the fifth meeting of the Consultative Process on new sustainable uses of the oceans; reports received from UN agencies and intergovernmental organizations on the issue; and the concern expressed over ineffective conservation and management of seabed biodiversity beyond national jurisdiction, highlighting that the seabed contains high levels of endemism and, in some instances, a relationship to the resources of the Area.



## COOPERATION AND COORDINATION ON OCEAN

**ISSUES:** This section relates to the establishment of UN-Oceans. On a request to UN-Oceans to provide information to the Consultative Process on progress and gaps relevant to the areas of focus of the Process' past and present meetings, Argentina opposed giving UN-Oceans such a supervisory role, and delegates agreed to delete the paragraph.

On a paragraph addressing the involvement of relevant institutions in UN-Oceans, delegates discussed a reference to the secretariats of marine environmental agreements. Noting that the paragraph is restrictive, Iceland suggested referring to the secretariats of relevant international agreements. Australia favored a reference to relevant multilateral environmental agreements.

**Final text:** In the final text, the Consultative Process proposes that the General Assembly: welcome the establishment of UN-Oceans for issues relating to oceans and seas; and urge the close and continuous involvement in UN-Oceans of all relevant UN programmes, funds and specialized agencies and other organizations of the UN system, and welcome the participation of international financial institutions, relevant intergovernmental and other organizations, such as the ISA and secretariats of multilateral environmental agreements.

**SEABED BIODIVERSITY IN AREAS BEYOND NATIONAL JURISDICTION:** This section addresses ways to improve conservation and management of marine biodiversity beyond national jurisdiction, and contains paragraphs related to measures to address threats to marine biodiversity, the mandate of RFMOs, and MPAs.

There was a polarization of views on a proposal addressing governance arrangements for the oceans beyond national jurisdiction. Australia called for addressing the gap of governance on the high seas by establishing a group of experts. Several countries recognized the need for further considerations, but some expressed concern about creating a new mechanism. New Zealand suggested requesting the General Assembly to consider establishing a process to identify gaps in existing governance arrangements, while Brazil proposed acknowledging the complexity of the issue and recommending that the General Assembly further consider it. Some delegations argued that the Consultative Process is not mandated to initiate a negotiating process and the draft recommendations were deleted.

Regarding a call to RFMOs that have a mandate to regulate bottom fisheries to address the impacts of bottom trawling on vulnerable marine ecosystems, the EU proposed, and delegates agreed, to use language agreed upon at the seventh Conference of the Parties to the CBD (CBD COP-7). Costa Rica suggested referring to the protection of hydrothermal vents, seamounts and cold water corals. Argentina, supported by others, requested adding a reference to international law both in this paragraph and in text related to RFMOs that do not have competence to regulate bottom fisheries. Regarding action by the latter, the EU, with the support of others, noted that RFMOs concerned only with pelagic species should not expand their mandate to cover bottom fisheries, and suggested adding some language to exclude such organizations from the scope of the recommendation. Regarding the establishment of new RFMOs, Argentina advocated, and several countries opposed, calling on States to solve existing disputes before establishing new organizations. Many delegations opposed Chile's suggestion to add UNCLOS to the list of relevant UN regional fish-

eries agreements that States were called on to ratify. Regarding a recommendation on IUU fishing, Australia proposed language for a more comprehensive approach to combating IUU fishing.

Regarding bottom trawling in areas beyond national jurisdiction, most delegates said they were not in a position to support proposed recommendations to consider an interim prohibition of such an activity. Alternatively, Australia, supported by others, suggested recommending the establishment of an intergovernmental group to consider the need for and possible modalities of a moratorium. The EU, supported by several delegates, favored using language agreed upon at CBD COP-7. Delegates could not reach a compromise and deleted recommendations proposing that the General Assembly urgently consider an interim prohibition on bottom trawling in areas beyond national jurisdiction.

On the establishment of MPAs beyond national jurisdiction, delegates deleted a recommendation to encourage the rapid articulation of options and proposals for candidate sites to contribute to a global representative system of MPAs. The US proposed to encourage the participation of ocean experts in the CBD *Ad Hoc* Technical Expert Group (AHTEG) on Protected Areas.

**Final text:** The final text notes that there have been a number of calls for, *inter alia*, urgent consideration of ways to integrate and improve, on a scientific basis, the management of risks to marine biodiversity of seamounts, deep sea cold water coral reefs, hydrothermal vents, and certain other underwater features, beyond national jurisdiction. The Consultative Process proposes that the General Assembly:

- welcome decision VII/5 of CBD COP-7;
- encourage RFMOs with a mandate to regulate deep sea bottom fisheries to address the impact of bottom trawling;
- urge States either by themselves or through RFMOs to consider on a case-by-case basis the prohibition of practices that have an adverse impact on vulnerable marine ecosystems in areas beyond national jurisdiction, including hydrothermal vents, cold water corals and seamounts;
- urge States that are members of RFMOs without competence to regulate bottom fisheries beyond the limits of national jurisdiction to expand these RFMOs' mandates to cover such activities and adopt necessary protective measures;
- agree to review, within two years, progress on action taken in response to the requests concerning RFMOs; and
- reiterate its call on States to ratify and effectively implement relevant UN arrangements and associated regional fisheries agreements.

It is also proposed that the General Assembly emphasize its serious concern that IUU fishing remains one of the most serious threats to marine ecosystems, and renew its call to combat IUU fishing through full compliance with all existing obligations. The Consultative Process further recommends that the General Assembly welcome decision VII/28 of CBD COP-7 suggesting that the AHTEG on protected areas explore options for cooperation for the establishment of MPAs beyond national jurisdiction, consistent with international law, including UNCLOS, and on the basis of best available scientific information. It also encourages the participation of ocean experts in the AHTEG.

**MARINE SCIENTIFIC RESEARCH:** This section contains proposals aimed at enhancing marine scientific research in the deep seabed. Regarding commercially-oriented activities related to deep seabed genetic resources beyond national jurisdiction, Brazil,



India, Mexico, Argentina and others opposed references to the lack of common international understanding. Delegates agreed to delete paragraphs referring to such a lack of common understanding, including a request to elaborate options to address the conservation and sustainable use of deep seabed genetic resources.

Regarding rules and capacity building for deep sea marine scientific research, delegates considered a number of sub-paragraphs. On the work of the ISA to develop regulations for mineral resources and matters related to the biodiversity of hydrothermal vents and seamounts, the US proposed using language from previous General Assembly resolutions to avoid broadening the mandate of the ISA. Noting that relevant work should not be rushed, China, with the support of Argentina, the EU and Australia, suggested deleting a call for its early completion. The EU proposed to encourage State cooperation to improve scientific knowledge of the deep oceans. Australia favored referring to areas beyond national jurisdiction rather than to deep oceans. Argentina requested making it clear that research should be carried out according to UNCLOS. Brazil noted the confidentiality of the draft voluntary code of conduct to conserve and sustainably use hydrothermal vent sites and proposed, with the support of delegates, deleting relevant references. Egypt, supported by Mexico and Iceland, requested underlining the necessity of capacity building for marine scientific research.

In a paragraph on gas hydrates, Canada, supported by others, stressed the need to balance the benefits and risks associated with gas hydrates.

**Final text:** In the final text, UNICPOLOS proposes that the General Assembly:

- welcome progress, and encourage the work of, the ISA relevant to the development of rules and regulations on prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts and to the protection from damage of the flora and fauna of the marine environment;
- call on States individually, in collaboration with each other or with relevant international organizations, to improve their understanding and knowledge of areas beyond national jurisdiction by increasing marine scientific research activities; and
- reiterate its call for, and the necessity of, capacity building.

The Consultative Process also proposes that the General Assembly note the potential and associated risks of gas hydrates as a source of energy development, and encourage States, the scientific community and, when appropriate, the ISA to cooperate in investigating the feasibility, methodology and safety of its extraction, distribution and use.

**ISSUES RAISED AT PREVIOUS MEETINGS:** This section contains paragraphs on flag State implementation and maritime security.

The US proposed, and delegates opposed, deleting a paragraph on the further elaboration of the consequences of non-compliance with the duties and obligations of flag States prescribed in relevant international instruments.

The EU suggested, and delegates agreed, to include a paragraph on increasing the financial costs associated with non-compliance with flag States' obligations. Japan requested clarifying the bearer of these costs.

In a paragraph welcoming the development of a voluntary model audit scheme, the US proposed reference to the possibility of it becoming mandatory.

Regarding a paragraph addressing the "genuine link," Australia, supported by many, proposed language on the establishment of a joint committee to examine and clarify the role of the "genuine link" and transparency of vessel ownership. The US, Belize and the Russian Federation opposed, noting the need to wait for the outcomes of the IMO Council meeting.

Japan proposed adding a paragraph addressing maritime security.

After discussions, Japan withdrew its proposal to add a paragraph on information sharing and capacity building regarding submissions to the Commission on the Continental Shelf.

**Final text:** In the final text, the Consultative Process proposes that the General Assembly welcome:

- the report of the Consultative Group on Flag State Implementation, and request its wide dissemination;
- progress made by the IMO on the development of a voluntary model audit scheme in such a manner as not to exclude the possibility of it becoming mandatory; and
- the consideration by the IMO to study, examine and clarify the role of the "genuine link" in relation to the duty of flag States to exercise effective control over ships flying their flag, including fishing vessels.

The General Assembly is also recommended to request the Secretary-General, in cooperation with relevant institutions and taking into account developments since the preparation of the report contained in document A/59/63, to further elaborate relevant matters referred to in resolutions 58/14 and 58/240, including the "genuine link" and the consequences of non-compliance with the duties and obligations of flag States.

The Consultative Process also proposes to encourage relevant international organizations to further develop ideas for means of increasing the financial costs for owners and operators failing to comply with these duties and obligations.

It is further proposed that the General Assembly welcome progress in regional and global cooperation to combat piracy and armed robbery at sea by adopting measures, including assistance with capacity building. It is also proposed to urge States to give urgent attention to promoting, concluding and implementing cooperation agreements at the regional level in high risk areas.

**GLOBAL MARINE ASSESSMENT:** Delegates agreed that the Co-Chairs would formulate a paragraph stating that an International Workshop for the GMA was held during UNICPOLOS-5, and that the report of the International Workshop would be annexed to the report of UNICPOLOS-5.

#### **GMA INTERNATIONAL WORKSHOP**

**REPORT ON THE GROUP OF EXPERTS:** On Monday, David Pugh, Chair of the GMA Group of Experts, briefed UNICPOLOS on the composition and mandate of the Group of Experts, which met from 23-26 March 2004, in New York. He said the Group was mandated to produce a document on, *inter alia*, the scope, outline, capacity building and funding for the GMA.

On Wednesday, Pugh presented the report of the Group of Experts (A/AC.271/WP.1) to the International Workshop. He noted recommendations on the scope, framework and funding of the GMA, and outlined a possible two-year start-up phase before entering into a regular process, and emphasized the need for a centralized and identifiable secretariat within the UN system. He



said a successful GMA requires skills and structures such as observation and information systems, and estimated its cost at US\$20 million per five-year cycle.

**DISCUSSION:** Most delegates supported the aim and goal of the GMA, but noted that further work is needed on its modalities. Discussions addressed, *inter alia*, the mandate, scope, start-up phase, frequency, organizational approach, and funding of the GMA.

On the mandate, most delegates noted that UNCLOS and the JPOI provide the overall framework for establishing the GMA.

Regarding the scope, many delegates supported a comprehensive GMA based on an ecosystem and science-based approach. Several delegates noted the need to address the three pillars of sustainable development, namely economic, environmental and social aspects. Discussions polarized on whether the GMA should encompass marine living resources or not. While the Russian Federation, Norway, Iceland and the Republic of Korea favored focusing on pollution and physical degradation only, Australia and Canada expressed support for including marine living resources in the assessment. The EU, supported by many, stated that the purpose of the GMA was to improve the scientific understanding of the oceans to facilitate sound decision making, and said it should not encompass fisheries assessment or management. Italy clarified that the assessment, although not aimed at addressing fisheries management, should encompass the effects of pollution on marine flora and fauna.

Regarding the start-up phase, several States expressed support for a staged development and a majority of delegates welcomed the concept of assessment of assessments, with Argentina noting that the assessment of assessments should not include the identification of new regional units. Some States supported a centralized rather than regional approach for the assessment. Several States said the first stage should assess existing regional and global mechanisms and identify gaps. IOC/UNESCO offered to carry out preliminary work for the first assessment of assessments.

Regarding the frequency of the GMA, the Russian Federation and the EU supported a five-year cycle, while the CBD emphasized that a five-year cycle would not contribute to achieving the target stemming from the World Summit on Sustainable Development (WSSD) to reduce the rate of biodiversity loss by 2010.

On the organizational approach, a majority of delegates noted the need to avoid duplication of work, and expressed support for building on existing global and regional structures and assessments, including the FAO and the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection. Several delegates supported a regular process under the UN, with the EU suggesting that the UN General Assembly create a task force involving the UN Division for Oceans Affairs and the Law of the Sea (UNDOALOS), the UN Environment Programme and IOC/UNESCO to coordinate the GMA process. Argentina stressed that regional arrangements for assessments can only be based on States' consent and that States should be free to contribute individually.

Regarding funding, several delegates requested clarifying the financial modalities of the GMA. Some delegates said operation of the GMA should be funded from existing budgets.

On other issues, many delegates stressed the need for capacity building and technology transfer to enable all countries to participate in the assessment. Sweden and China said capacity building in developing countries should be a priority.

Following preliminary statements on Wednesday, delegates established a Friends of the Co-Chairs group, coordinated by the UK, to address next steps for the start-up phase. The UK reported back to the Plenary of the Workshop on Thursday, noting disagreement on the mandate and scope of the GMA. Following further statements from States, the Friends of the Co-Chairs group reconvened to address contentious issues and draft conclusions from the GMA International Workshop. A summary of these discussions is available online at: <http://www.iisd.ca/vol25/enb2509e.html> and <http://www.iisd.ca/vol25/enb2511e.html>

On Friday, the UK reported on discussions held within the Friends of the Co-Chairs group. He highlighted progress on the assessment of assessments and how the process may be organized through an inter-agency task force. He said that due to remaining disagreement on the scope and preparatory phase of the GMA, the Workshop would not be in a position to make recommendations to the UN General Assembly to launch the GMA this year.

Delegates agreed to include bracketed text proposed by Australia on the scope of the GMA, and decided to forward the Workshop's report, including draft conclusions and a summary of deliberations, to the General Assembly, separately from the report of UNICPOLOS-5.

While Australia expressed disappointment that the Workshop could not reach agreement on the scope of the GMA, the Russian Federation stressed that the meeting had only been the first opportunity to discuss the GMA at this level. Iceland noted that the views of Iceland and Australia are not diametrically opposed and could be reconciled. Co-Chair Felipe Paolillo (Uruguay) closed the GMA International Workshop at 10:50 am.

**Final text:** The final text, which includes bracketed text, contains four paragraphs related to the establishment of a task force. The GMA International Workshop recommends that the General Assembly invite the Secretary-General to establish a task force to initiate and coordinate the next stage of preparatory work necessary to establish the formal GMA, and inform UN member States accordingly. Language on the nature of the task force as an inter-agency mechanism remains bracketed.

It is recommended that the task force undertake the following three tasks necessary for the start-up phase:

- an assessment of assessments with the aim to: assemble information about relevant scientific assessments that have already been carried out; make a critical appraisal of those assessments in order to identify best practice and gaps; and assess how well those assessments have been communicated to policy-makers at all levels;
- consult with States and relevant regional organizations to identify where technical or scientific capacity requires strengthening, on the basis of the assessment of assessments; and
- prepare summary information on relevant intergovernmental regional organizations and arrangements and scientific work. Text noting that the summary information be gathered for possible use by States in organizing regional assessments remains bracketed.

Brackets also remain around text stating that the assessment of living marine resources and their management falls outside the scope of the assessment of assessments, and that governments will continue to discuss the issue of the assessment of assessments' scope to reach a decision before the GMA is established.



A paragraph noting that the GMA must be comprehensive in scope and include all aspects of the marine environment, including living marine resources and socioeconomic aspects, also remains bracketed.

In the final text, it is further recommended that the task force conform to the JPOI and General Assembly resolutions 57/141 and 58/240, and communicate its plans and progress to all States on a regular basis and provide them with the opportunity to comment on and contribute to the development of work.

Brackets remain around paragraphs on assistance from a bureau consisting of States representing all regional groups and the inclusion of representatives from interested governments in the task force.

### **CLOSING PLENARY**

On Friday, Co-Chair Philip Burgess (Australia) opened the final session of the Plenary after the closure of the GMA International Workshop. The Plenary heard statements on areas for concern and action needed and adopted the meeting's recommendations to be suggested to the General Assembly. Following adoption of the agreed recommendations, Co-Chair Burgess expressed mixed feelings about the outcomes of the meeting, noting that the issue of deep sea biodiversity beyond national jurisdiction is very serious, and closed the meeting at 10:40 pm. The final report of the meeting, which will include the agreed recommendations to be submitted to the UN General Assembly, a Co-Chairs' summary of discussions, and additions and amendments to issues that could benefit from attention in future work of the General Assembly, as contained in Part C of the report of UNICPOLOS-4, will be available online, by Thursday, 17 June 2004, on the UNDOALOS website at: <http://www.un.org/Depts/los>

### **A BRIEF ANALYSIS OF UNICPOLOS-5**

In spite of a constructive and cooperative atmosphere at the fifth meeting of the UN Open-ended Informal Consultative Process on the Law of the Sea (Consultative Process or UNICPOLOS), positions polarized as delegates faced the daunting challenge to address new sustainable uses of the oceans, including the conservation and management of seabed biodiversity in areas beyond national jurisdiction. Matters were further complicated by the fact that the Consultative Process also had to convene an international workshop on the establishment of a regular process for the global reporting and assessment of the state of the marine environment (GMA), which left little time to tackle the complexity and sensitivity of the other issues on the agenda. While negotiators of the UN Convention of the Law of the Sea (UNCLOS) recognized the necessity to adopt a framework flexible enough to adapt to future changes, they could not have foreseen the recent scientific advances related to the exploration of the deep seabed. Discoveries related to mineral and genetic resources in the Area, i.e. the seabed and ocean floor beyond national jurisdiction, as well as calls from environmentalists to put an end to disruptive fishing practices, brought to the forefront the urgency of adopting measures to regulate activities in an area so far governed by the sacrosanct freedom of the high seas.

The establishment of the GMA would also respond to the necessity to take concrete steps to protect the marine environment, since this global assessment is intended to provide the necessary comprehensive information on the state of the oceans to facilitate sound decision making.

Taking into account the background to the issues discussed, as well as the fine balance at play between environmental concerns, the freedom of the high seas and economic interests, this brief analysis focuses on the debates on new sustainable uses of the oceans and the establishment of the GMA.

### **NEW SUSTAINABLE USES OF THE OCEANS: SWIMMING IN SHALLOW WATERS?**

Negotiations on mining of mineral resources found in the Area were among the main obstacles to the prompt adoption of UNCLOS. Arduous discussions on deep seabed biodiversity during this meeting proved that there is still no consensus on the regulation of activities in the high seas, particularly in the Area. The conservation and sustainable use of deep seabed genetic resources in areas beyond national jurisdiction had already been put forward in 1997, when a study on the topic was presented to the Parties to the Convention on Biological Diversity (CBD). Considered to be too progressive at the time, the issue drowned.

Responding to increasingly alarming calls from scientists and a mandate from the General Assembly, the CBD re-launched the matter at the eighth meeting of its Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-8) in March 2003, with a background study on the legal framework regarding the conservation and sustainable use of deep seabed genetic resources. While SBSTTA-8 and the seventh meeting of the Conference of the Parties to the CBD (COP-7) in February 2004, did not take any ambitious measures, with a mere call on Parties to identify disruptive practices, they did succeed in focusing attention on the issue.

At the Consultative Process, the keynote presentations on this subject demonstrated a clear sense of urgency, but delegates could not overcome a longstanding reluctance by States to commit to adopting regulations that would infringe on their sovereignty or limit the freedom of the high seas. The sensitivities underlying the debate were also of an economic nature as genetic resources from the deep seabed have great commercial and pharmaceutical potential. The handful of States that invest in the technology to explore and exploit deep seabed genetic resources would not readily renounce the economic benefits flowing from such activities by agreeing to restrictive environmental or benefit-sharing measures. At the other end of the spectrum lie the majority of States that do not have the financial resources or technology to exploit the deep seabed, and therefore advocate the application of the regime flowing from the concept of common heritage of mankind. While the G-77/China argued that the common heritage of mankind concept encompasses living resources, and called for benefit sharing, industrialized countries contended that the concept only addresses non-living resources of the Area.

Discussions on destructive fishing practices on the biodiversity of seamounts and cold water coral reefs beyond national jurisdiction also had a sense of déjà vu. NGOs had already voiced their call for a moratorium on bottom trawling in the high seas at CBD COP-7 where it was weakly integrated into a recommendation to the General Assembly and other relevant international organizations to adopt, as a matter of urgency, necessary measures, including the interim prohibition of such activities. The Consultative Process proved equally cautious on this point, merely welcoming CBD decision VII/5 on marine and coastal biodiversity, and encouraging the adoption of restrictive measures, on a regional basis, and within existing regional fisheries management organizations.





Discussions highlighted the gap that exists in the existing legal framework. Despite the recent momentum created by CBD COP-7's decision and by calls from NGOs alike, most States were not ready to support recommendations to launch a negotiating process for a new legal instrument.

Outcomes on the topic of high seas marine protected areas (MPAs) were similarly modest, with a simple acknowledgment of language agreed upon at CBD COP-7 in decision VII/28 on protected areas. The Co-Chairs' proposal to rapidly articulate options for cooperation for the establishment of high seas MPAs, and identify candidate sites, failed to gather consensus.

With discussions polarizing on the proposed moratorium on bottom trawling, a number of important issues constituting equally serious threats to the marine environment were barely touched upon, such as pollution from vessels, the control of harmful organisms in ballast water and waste management. In the same vein, little time was dedicated to discussing other uses of the oceans such as offshore energy generation, new minerals and gas hydrates.

#### **THE GLOBAL MARINE ASSESSMENT: AN EMPTY SHELL?**

The request by the General Assembly to convene during this meeting an International Workshop on the establishment of the GMA built on over five years of preparatory work and momentum stemming from the World Summit on Sustainable Development (WSSD). Indeed, the process would be among the first to respond to WSSD commitments regarding assessments. Paragraph 36(b) of the Johannesburg Plan of Implementation (JPOI) calls for the establishment of a global reporting and assessment mechanism by 2004.

At the opening session of the GMA International Workshop, Co-Chair Burgess, reminding delegates of the stake and time constraints, noted that it was up to them to aim at either "a Rolls Royce or a Volkswagen." Unfortunately, the stalling of the GMA process meant that everyone ended up walking home. The issue of the scope of the GMA dominated the debates. While Australia, supported by several countries, argued that a global marine assessment should not ignore any component of marine ecosystems, States whose economy is driven by revenues from the fishing industry firmly opposed the inclusion of living resources within the scope of the GMA and favored a focus on pollution and physical degradation.

As positions polarized, some thought that compromise may be reached with the establishment of a "global" assessment that would include living resources, but be carried out in specific regions. Enthusiasm and hope gave way to cynicism as days passed and attempts at resolving the issue within the context of a Friends of the Co-Chairs group met with inflexibility on both sides. All hopes of launching the GMA at a ministerial meeting in 2004 were all but dashed by Thursday when it became clear that much more time would be necessary to address the underlying concerns and divergence of views on the scope of the assessment. Some thereby opted to miss the opportunity to lay the foundation for sound management policies in the long term rather than adopt measures they feared would equate to external supervision of fisheries policies.

As a result, the GMA International Workshop only recommended that the General Assembly invite the Secretary-General to establish a task force to initiate and coordinate the next stage of the preparatory work for the establishment of the GMA. This first

stage, referred to as "assessment of assessments," involves identifying existing gaps in current scientific knowledge and assessment processes as well as where capacity needs strengthening.

Although most were disappointed by the little progress made, strong support for the creation and usefulness of a GMA was voiced by all. The Workshop also had the merit of shedding light on the positive and constructive involvement of developing countries, which had so far been rather silent on the issue. The consensus on the urgency to establish the process to help achieving the target of reducing by 2010 the current rate of biodiversity loss will hopefully provide the necessary cooperative spirit for reaching an agreement on its scope and modalities.

#### **THE CONSULTATIVE PROCESS: A VICTIM OF ITS OWN SUCCESS?**

Many delegates disappointingly remarked that the meeting has failed to respond to the urgency to address threats to the marine environment in areas beyond national jurisdiction. Indeed, the outcomes may not be those that many hoped for. However, if the Consultative Process failed to build on the highest level of political momentum to advance the conservation and sustainable management of the oceans at this meeting, the discussions did help identifying positions for further consideration in other fora.

While the efforts to tackle pressing issues are laudable, the Consultative Process, which has proved extremely useful since its inception, may have been too ambitious in trying to address issues that have not reached the necessary maturity in light of the history and sensitivity of ocean affairs.

The Consultative Process is likely to address these issues again next year at what will be its last meeting, if the General Assembly does not renew its three-year mandate. Perhaps, by then, these issues will be ripe for resolution so that meaningful progress on the management and conservation of ocean resources in areas beyond national jurisdiction can be made.

### **THINGS TO LOOK FOR**

#### **14TH MEETING OF STATES PARTIES TO UNCLOS:**

The 14th Meeting of State Parties to UNCLOS will meet from 14-18 June 2004, at UN headquarters in New York. For more information, contact: the UN Division for Ocean Affairs and the Law of the Sea (DOALOS); tel: +1-212-963-3962; fax: +1-212-963-5847; e-mail: [doalos@un.org](mailto:doalos@un.org); Internet: [http://www.un.org/depts/los/meeting\\_states\\_parties/meeting\\_states\\_parties.htm](http://www.un.org/depts/los/meeting_states_parties/meeting_states_parties.htm)

#### **37TH SESSION OF THE IOC EXECUTIVE COUNCIL:**

The 37th session of the Executive Council of the Intergovernmental Oceanographic Commission of UNESCO will convene from 23-29 June 2004, in Paris, France. For more information, contact: IOC/UNESCO; tel: +33-1-4568-3984; fax: +33-1-4568-5812; e-mail: [ioc.secretariat@unesco.org](mailto:ioc.secretariat@unesco.org); Internet: [http://ioc.unesco.org/iocms/categories.php?category\\_no=22](http://ioc.unesco.org/iocms/categories.php?category_no=22)

#### **28TH ANNUAL CONFERENCE ON INTERNATIONAL ENERGY POLICY, THE ARCTIC AND THE LAW OF THE SEA:**

This conference will take place from 24-26 June 2004, in St. Petersburg, Russia. It will focus on legal, scientific and environmental aspects of the North Sea Passage and Arctic Region, energy resources exploration, and issues relating to energy transportation, supply and distribution. For more information, contact: Conference Committee Institute for Ocean Law Studies; tel/fax: +7-812-322-6236; e-mail: [conference@oceanlaw.ru](mailto:conference@oceanlaw.ru); Internet: <http://www.virginia.edu/colp/conference.htm>



## INTERNATIONAL CONFERENCE – COASTAL ZONE

**CANADA 2004:** This Conference will be held from 27-30 June 2004, in St. John's, Newfoundland and Labrador, Canada, to focus on the challenges associated with understanding, maintaining, managing, and governing coastal ecosystems. For more information, contact: Grant A. Gardner, Coastal Zone Canada 2004 Organizing Committee; tel: +1-709-737-8155; fax: +1-709-737-3316; e-mail: CZC2004@mun.ca; Internet: <http://www.czc04.ca/e/home.html>

## 10TH INTERNATIONAL CORAL REEF SYMPOSIUM:

This symposium will take place from 28 June to 2 July 2004, in Okinawa, Japan. The main theme of the symposium is the stability and degradation of coral reef ecosystems. For more information, contact: Plando Japan Inc.; tel: +81-3-5470-4401; fax: +81-3-5470-4410; e-mail: [icrs@plando.co.jp](mailto:icrs@plando.co.jp); Internet: <http://www.plando.co.jp/icrs2004/>

## COMMISSION MEETING FOR THE CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT OF THE NORTH-EAST ATLANTIC (OSPAR CONVENTION):

This meeting will take place from 28 June to 2 July 2004, in Reykjavik, Iceland. For more information, contact OSPAR Secretariat; tel: +44-20-7430-5200; fax: +44-20-7430-5225; e-mail: [secretariat@ospar.org](mailto:secretariat@ospar.org); Internet: <http://www.ospar.org/eng/html/welcome.html>

**50TH SESSION OF THE SUB-COMMITTEE ON SAFETY OF NAVIGATION OF THE IMO:** This session of the sub-committee of the International Maritime Organization (IMO) will take place from 5-9 July 2004, in London, UK. For more information, contact: IMO; tel: +44-20-7735-7611; fax: +44-20-7587-3210; e-mail: [info@imo.org](mailto:info@imo.org); Internet: <http://www.imo.org/>

**56TH ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION:** The 56th meeting of the International Whaling Commission (IWC) will be held from 19-22 July 2004, in Sorrento, Italy. This event will be preceded by meetings of the IWC's Scientific Committee and various sub-groups. For more information, contact: IWC; tel: +44-12-2323-3971; fax: +44-12-2323-2876; e-mail: [secretariat@iwcoffice.org](mailto:secretariat@iwcoffice.org); Internet: <http://www.iwcoffice.org/meetings/meeting2004.htm>

**CONFERENCE ON CLIMATE CHANGE AND AQUATIC SYSTEMS - PAST, PRESENT AND FUTURE:** This Conference will take place from 21-23 July 2004, at the University of Plymouth, Plymouth, UK, and bring together scientists who have an interest in the impacts of climate change on the physico-chemical, biological and ecological aspects of marine and freshwater ecosystems. For more information, contact: University of Plymouth; tel: +44-17-5223-3304; fax: +44-17-5223-3310; e-mail: [climate@plymouth.ac.uk](mailto:climate@plymouth.ac.uk); Internet: <http://www.biology.plymouth.ac.uk/climate/climate.htm>

**INTERNATIONAL CONFERENCE ON GLOBAL WATERS ASSESSMENT AND INTEGRATED WATERS MANAGEMENT:** This Conference, which will be held from 22-25 August 2004, in Kalmar, Sweden, will discuss the interactions between science and society in promoting the sustainable use of transboundary river basins and seas. For more information, contact: Global International Waters Assessment; tel: +46-480-44-73-53; fax: +46-480-44-73-55; e-mail: [info@giwa.net](mailto:info@giwa.net); Internet: <http://www.giwa.net/conference2004>

## 14TH SESSION OF THE COMMISSION ON THE

**LIMITS OF THE CONTINENTAL SHELF:** This session will be held from 30 August to 3 September 2004, in New York. For more information, contact: Secretary of the Commission on the Limits of the Continental Shelf, DOALOS; tel: +1-212-963-3966; fax: +1-212-963-5847; e-mail: [doalos@un.org](mailto:doalos@un.org); Internet: [http://www.un.org/Depts/los/clcs\\_new/clcs\\_home.htm](http://www.un.org/Depts/los/clcs_new/clcs_home.htm)

**LITTORAL 2004 CONFERENCE:** This Conference, to be held from 20-22 September 2004, in Aberdeen, Scotland, UK, will address: data and data policy; dynamic coasts and their management; energy resources and the coastal environment; education and training; exploitation of living marine resources; geospatial technologies; monitoring, mapping and modeling; maintaining and improving coastal biodiversity; reducing conflict through coastal planning and management; and tourism and recreation. For more information, contact: Littoral 2004 Organizing Committee; tel: +44-1-223-333-438; fax: +44-1-223-33438; e-mail: [enquiries@littoal2004.org](mailto:enquiries@littoal2004.org); Internet: <http://www.littoral2004.org>

**23RD MEETING OF CCAMLR:** The 23rd meeting of the Commission on the Conservation of Antarctic Marine Living Resources (CCAMLR) will meet from 25 October to 5 November 2004, in Hobart, Australia. For more information, contact: CCAMLR Secretariat; tel: +61-36231-0366; e-mail: [ccamlr@ccamlr.org](mailto:ccamlr@ccamlr.org); Internet: <http://www.ccamlr.org>

**INTERNATIONAL MEETING FOR THE TEN-YEAR REVIEW OF THE BARBADOS PROGRAMME OF ACTION FOR THE SUSTAINABLE DEVELOPMENT OF SIDS:** The ten-year review of implementation of the BPOA will be held in Port Louis, Mauritius, from 10-14 January 2005. For more information, contact: Diane Quarless, UNDSO, SIDS Unit; tel: +1-212-963-4135; fax: +1-917-367-3391; e-mail: [Mauritius2004@sidsnet.org](mailto:Mauritius2004@sidsnet.org); Internet: <http://www.un.org/esa/sustdev/sids/sids.htm>

**23RD SESSION OF THE UNEP GOVERNING COUNCIL/GMEF:** The 23rd session of the UNEP Governing Council/Global Ministerial Environmental Forum is scheduled to be held from 21-25 February 2005, in Nairobi, Kenya. For more information, contact: Beverly Miller, Secretary for UNEP Governing Council; tel: +254-2-623431; fax: +254-2-623929; e-mail: [beverly.miller@unep.org](mailto:beverly.miller@unep.org); Internet: <http://www.unep.org>

**13TH SESSION OF THE COMMISSION ON SUSTAINABLE DEVELOPMENT:** The dates for the 13th session of the Commission on Sustainable Development (CSD-13), which will take place at UN headquarters, in New York, are tentatively scheduled for 2-13 May 2005. CSD-13 will be a "Policy Year" to decide on measures to speed up implementation and mobilize action to overcome obstacles and constraints for implementation of actions and goals on water, sanitation and human settlements. For more information, contact: UN Division for Sustainable Development; tel: +1-212-963-2803; fax: +1-212-963-4260; e-mail: [dsd@un.org](mailto:dsd@un.org); Internet: <http://www.un.org/esa/sustdev>

**SIXTH MEETING OF THE OPEN-ENDED INFORMAL CONSULTATIVE PROCESS ON OCEANS AND THE LAW OF THE SEA:** The schedule for the sixth meeting of the Consultative Process will be determined by the General Assembly at its 59th session. The tentative dates are 6-10 June 2005, in New York. For more information, contact: UN DOALOS; tel: +1-212-963-3962; fax: +1-212-963-5847; e-mail: [doalos@un.org](mailto:doalos@un.org); Internet: <http://www.un.org/Depts/los/>