

SUMMARY OF THE THIRD INTERGOVERNMENTAL REVIEW MEETING ON THE IMPLEMENTATION OF THE GLOBAL PROGRAMME OF ACTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT FROM LAND-BASED ACTIVITIES: 25-26 JANUARY 2012

The Third Intergovernmental Review (IGR-3) Meeting on the Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA) convened in Manila, the Philippines, from 25-26 January 2012. The meeting was immediately preceded by a Global Conference on Land-Ocean Connections (GLOC), which took place from 23-24 January 2012, in Manila and provided recommendations from scientists and policy-makers to IGR-3. Over 400 delegates from 65 countries, including 17 ministers, along with representatives from non-governmental organizations (NGOs), intergovernmental organizations and industry, met during IGR-3 to review the implementation of the GPA, provide policy guidance for its further implementation, and adopt a Programme of Work for the GPA Coordination Office for 2012-2016 and the Manila Declaration on Furthering Implementation of the GPA.

On Wednesday, 25 January, during the technical segment delegates adopted the agenda and organization of work, heard reports on the GLOC and a review of implementation of the GPA. Delegates also discussed policy issues in relation to the further implementation of the GPA, the draft Programme of Work for the GPA Coordination Office 2012-2016 and the draft Manila Declaration. In the evening a drafting group convened to negotiate the details of the Manila Declaration.

On Thursday, during the high-level segment, delegates and ministers discussed policy issues relating to the further implementation of the GPA, the draft Programme of Work for the GPA Coordination Office for 2012-2016 and the Manila Declaration. The main outcomes of the meeting included adoption of the Programme of Work for the GPA and the Manila Declaration.

A BRIEF HISTORY OF THE GPA

Major threats to the health, productivity and biodiversity of the marine environment result from human activities on land, including the generation of municipal, industrial and agricultural wastes and runoff, as well as atmospheric deposition. These contaminants affect the most productive areas of the marine environment, particularly estuaries and near-shore coastal waters. The marine environment is also threatened by physical alterations of the coastal zone, such as the destruction of habitats critical to the maintenance of ecosystem health.

UNCHE AND UNEP: The UN Conference on the Human Environment (UNCHE), held in Stockholm, Sweden, in June 1972, led to the adoption of a number of regional and international agreements, and underscored “the vital importance for humanity of the seas and all the living organisms which the oceans support.” The conference called for the establishment of UN Environment Programme (UNEP), which was codified by UN General Assembly Resolution 2997 (XXVII). UNCHE endorsed a regional approach to controlling marine pollution.

UNEP REGIONAL SEAS PROGRAMME: UNEP launched its Regional Seas Programme in 1974 by encouraging groups of countries sharing common seas to find regional solutions to their particular problems. Today more than 143 countries participate in 13 Regional Seas Programmes and five partner programmes, making it one of the most globally comprehensive initiatives for the protection of marine and coastal environments. The regions are the: Black Sea, Wider Caribbean, East Asian Seas, Eastern Africa, South Asian

IN THIS ISSUE

A Brief History of the GPA	1
IGR-3 Report	2
A Brief Analysis of IGR-3	6
Upcoming Meetings	8
Glossary	8

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Catherine Benson, Kate Louw and Anna Schulz. The digital editor is Francis Dejon. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org>. The Director of IISD Reporting Services is Langston James “Kimo” Goree VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the European Commission (DG-ENV), the Government of the United States of America (through the Department of State Bureau of Oceans and International Environmental and Scientific Affairs), the Government of Canada (through CIDA), the Danish Ministry of Foreign Affairs, the German Federal Ministry for Economic Cooperation and Development (BMZ), the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU). General Support for the *Bulletin* during 2012 is provided by the Norwegian Ministry of Foreign Affairs, the Government of Australia, the Ministry of Environment of Sweden, the New Zealand Ministry of Foreign Affairs and Trade, SWAN International, the Swiss Federal Office for the Environment (FOEN), the Finnish Ministry for Foreign Affairs, the Japanese Ministry of Environment (through the Institute for Global Environmental Strategies - IGES), the Japanese Ministry of Economy, Trade and Industry (through the Global Industrial and Social Progress Research Institute – GISPRI) and the United Nations Environment Programme (UNEP). Specific funding for the coverage of this meeting has been provided by UNEP. Funding for translation of the *Bulletin* into French has been provided by the Government of France, the Belgium Walloon Region, the Province of Québec, and the International Organization of the Francophone (OIF and IEPP). The opinions expressed in the *Bulletin* are those of the authors and do not necessarily reflect the views of IISD or other donors. Excerpts from the *Bulletin* may be used in non-commercial publications with appropriate academic citation. For information on the *Bulletin*, including requests to provide reporting services, contact the Director of IISD Reporting Services at <kimo@iisd.org>, +1-646-536-7556 or 300 East 56th St., 11D, New York, NY 10022, United States of America.

Seas, Regional Organization for the Protection of the Marine Environment (ROPME) Sea Area, Mediterranean, North-East Pacific, Northwest Pacific, Red Sea and Gulf of Aden, South-East Pacific, Pacific, and Western Africa. The five partner programmes cover the Antarctic, Arctic, Baltic Sea, Caspian Sea and North-East Atlantic.

UNCLOS: The UN Convention on the Law of the Sea (UNCLOS) opened for signature on 10 December 1982, in Montego Bay, Jamaica, at the third UN Conference on the Law of the Sea. It 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. The Convention entered into force on 16 November 1994.

THE MONTREAL GUIDELINES: Coinciding with the adoption of UNCLOS, UNEP began addressing issues related to impacts on the marine environment from land-based activities. This initiative resulted in the Montreal Guidelines for the Protection of the Marine Environment against Pollution from Land-based Sources, which were endorsed by the UNEP Governing Council in 1985. The Guidelines were expected to serve as a basis for future drafting work at the international and national levels.

UNCED: The UN Conference on Environment and Development (UNCED) (Rio de Janeiro, Brazil, June 1992) adopted Agenda 21, an action plan for implementing sustainable development. Chapter 17 of Agenda 21 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.” It specifically refers to the Montreal Guidelines, and invites, in paragraph 17.26, the UNEP Governing Council to convene an intergovernmental meeting on the protection of the marine environment from land-based activities.

UNEP GOVERNING COUNCIL DECISION 17/20: In response to Agenda 21, the UNEP Governing Council, in its decision 17/20 of 21 May 1993, *inter alia*, authorized the UNEP Executive Director to implement the UNCED recommendations, and decided on a workplan, timetable and budget for the preparatory process and the intergovernmental meeting itself, to be held in Washington, D.C., in 1995.

GPA: The Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA) was adopted by 108 governments and the European Commission at the Intergovernmental Conference to Adopt a Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, held in Washington, D.C., from 23 October to 3 November 1995. The Conference designated UNEP as the GPA Secretariat to lead the coordination of GPA implementation. UNEP established the GPA Coordination Office in The Hague, the Netherlands, in 1997. The GPA was designed to be a source of conceptual and practical guidance to be drawn on by national and/or regional authorities in devising and implementing sustained action to prevent, reduce, control and/or eliminate marine degradation from land-based activities. The GPA calls on states to:

- establish priorities based on assessments of the severity and impacts of contaminants, applying integrated coastal area and watershed management approaches;
- set management objectives, including goals, targets and timetables, to address priority problems with regard to source categories and affected areas;

- identify, evaluate and select strategies and measures to achieve these objectives; and
- develop criteria for evaluating the effectiveness of strategies and measures.

UNEP GOVERNING COUNCIL DECISION 20/19B: In February 1999, the UNEP Governing Council, in its decision 20/19B, decided to undertake the first Intergovernmental Review Meeting (IGR) of the Implementation of the GPA in 2001, and requested the UNEP Executive Director to organize an expert group meeting to facilitate the preparatory process.

IGR-1: At the first IGR held in Montreal, Canada, from 26-30 November 2001, representatives from 98 countries, UN agencies, intergovernmental organizations and NGOs convened to review the implementation of the GPA since its adoption in November 1995, and to chart the way forward. The meeting endorsed the GPA Coordination Office 2002-2006 Programme of Work with indicative costs, and focused on the following issues: municipal wastewater; integrated coastal and oceans governance; building partnerships; and financing the implementation of the GPA. The meeting noted steady, albeit slow, progress in the implementation of the GPA at global, regional and national levels. IGR-1 outcomes include the Montreal Declaration, conclusions of the Co-Chairs, a declaration by the Global Legislators Organization for a Balanced Environment, a statement by the International Council for Local Environmental Initiatives and a statement by NGOs.

IGR-2: At the second IGR held in Beijing, China, from 16-20 October 2006, over 400 participants represented governments, intergovernmental organizations, international financial institutions and NGOs. The meeting addressed: the way forward with National Programmes of Action; a review of accomplishments in GPA implementation from 2001-2006; and Guidance for the Implementation of the GPA 2007-2011. Delegates also engaged in 19 partnership workshops on mainstreaming the implementation of the GPA. The outcomes of the meeting included the Beijing Declaration on Furthering the Implementation of the GPA, which was submitted for endorsement by the UNEP Governing Council/Global Ministerial Environment Forum, held in February 2007.

IGR-3 REPORT

On Wednesday morning, 25 January, UNEP Deputy Executive Director Amina Mohamed opened the technical segment, welcomed delegates and lauded the Philippines for their efforts in advocating for and implementing the GPA. She outlined their efforts, noting their hosting of the East Asian Seas Congress in November 2009 as well as the establishment of laws that devolve power for the management of marine coastlines in the Philippines. She said that while IGR-2 in 2006 in Beijing, China, focused on mainstreaming the GPA in development plans and budgetary mechanisms, IGR-3 is expected to review the implementation of and define future work for the GPA. She stressed that IGR-3 should also take advantage of this opportunity to prepare for the United Nations Conference on Sustainable Development (UNCSD or Rio+20) in the context of the marine environment.

Analiza Rebueta Teh, Under-Secretary, Department of Environment and Natural Resources (DENR), the Philippines, noted the opportunity provided by the GLOC, held immediately prior to IGR-3, to review science and best management practices to address key marine issues. She highlighted the work ahead

for IGR-3, including strengthening national implementation of the GPA and defining goals and targets for the GPA, particularly on improved nutrient balance and management. She called for recognizing the need for improved capacity at the national level and recommended IGR-3 consider local and regional partnerships and other networking opportunities to encourage knowledge exchange.

Amina Mohamed presented a certificate of appreciation to Alfred Duda, Global Environment Facility (GEF), for his efforts in assisting GPA implementation through the GEF over the last 17 years. Duda, in thanks, noted that the countries involved have also recognized the benefits of implementing the GPA as over 100 GEF recipient countries have received in excess of US\$800 million in direct funding from the GEF.

On Thursday morning, Amina Mohamed welcomed delegates and ministers to the high-level segment. She described the meeting as an opportunity to report on progress, ensure accountability and reaffirm a common purpose of protecting the human environment while facilitating sustainable growth, including through green economy approaches. She highlighted the role of global multi-stakeholder partnership approaches to ensure effective progress on nutrient management, wastewater and marine litter. She recommended a bureau of regional representatives meet during the intersessional period to: oversee implementation; review progress; and identify emerging issues. She concluded that protecting fragile economies is as important as protecting fragile ecosystems and diminishing species, and underscored the role of oceans in a common, sustainable future.

Secretary Ramon Paje, DENR, addressed the plenary on behalf of the President of the Philippines, Benigno Aquino III. He proposed four areas of focus: scaling up GPA implementation in particular on pollution education and nutrient management; building multi-stakeholder partnerships to support investments that promote and sustain ecosystem services; developing innovative financial mechanisms, tools and policies for wastewater management and nutrients; and establishing baselines for land-based pollution. He then declared the high-level segment open.

ORGANIZATIONAL MATTERS: On Wednesday morning, delegates elected Analiza Rebueta Teh (Philippines), as Chair. Rejoice Mabudafhasi (South Africa), Natalia Tretiakova (Russian Federation), Joseph Murphy (US), and Ydalia Acevedo (Dominican Republic) were elected as Vice-Chairs, with Vice-Chair Acevedo serving as Rapporteur. Delegates adopted the agenda (UNEP/GPA/IGR.3/1) with an amendment to delete the item on credentials of representatives. Chair Rebueta Teh proposed establishing an open-ended drafting group on the draft Manila Declaration, chaired by the Philippines. Argentina, on behalf of the Latin America and Caribbean Group, supported by India, Cambodia and others, requested discussion of the Manila Declaration in plenary, noting that many countries only had one representative. Following discussion by the Bureau during lunch, delegates agreed in the afternoon to discuss the draft declaration in plenary, and agreed to the revised organization of work.

GLOC: On Wednesday morning, GLOC Co-Chair Wendy Watson-Wright, UN Educational, Scientific and Cultural Organization-Intergovernmental Oceanographic Commission, introduced the Chair's Summary of the Global Conference on Land-Ocean Connections held immediately prior to IGR-3 from 23-24 January 2012 (UNEP/GPA/IGR.3/INF/14). She noted that participants had met in plenary and breakout groups to discuss

issues such as nutrients, wastewater, deltas and integrated water resources management (IWRM). She said that outcomes of the conference included recommendations for consideration by IGR-3 for inclusion in the Manila Declaration.

REVIEW OF IMPLEMENTATION OF THE GPA: On Wednesday morning, outgoing GPA Coordinator Takehiro Nakamura, UNEP, introduced the progress report on the implementation of the Programme and the activities of the Coordination Office since 2007 (UNEP/GPA/IGR.3/2). He presented major achievements, including: 72 countries developing national programmes of action (NPAs) and increased mainstreaming of the GPA into national development plans and budgetary mechanisms; primary source categories on nutrients, marine litter and wastewater; training and capacity-building activities, including 73 training courses in 30 countries; and increased regional cooperation. He said more information on national activities is required.

The Philippines supported source category prioritization and setting targets for nutrient management in the GPA Programme of Work. The US and India opposed such targets, preferring nation-specific goals and targets, including for wastewater management. The US questioned the intent of the GPA to develop valuation methodologies for coastal and marine areas, recommending partnerships with existing agencies. Mauritius highlighted the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States (SIDS).

POLICY ISSUES IN RELATION TO THE FURTHER IMPLEMENTATION OF THE GPA: During the technical segment on Wednesday morning, IGR-3 Chair Rebueta Teh introduced the agenda item on policy issues relating to the further implementation of the GPA, noting that discussions should propose a way forward and accelerate interaction to create enabling frameworks for countries to realize the contribution of coasts and marine life to the economy.

Takehiro Nakamura presented a summary of the policy guidance for implementing the GPA over the period 2012-2016 (UNEP/GPA/IGR.3/3). Providing an overview of the Beijing Declaration, he noted that it urged, *inter alia*: the application of ecosystem approaches; establishment of partnerships and cooperation at regional and national levels; mainstreaming the GPA into development planning and budgetary processes; strengthening regional seas programmes; and integrating the GPA into multilateral environmental agreements and other regional conventions.

He highlighted remaining challenges for implementing the GPA, including increasing population and urbanization, threats to the coastal environment and its resources and limited understanding of hydrological, geo-chemical and socio-economic processes for coastal management based on ecosystem-based management (EBM) approaches. He said that the proposed GPA categories for the next five years are nutrient management, marine litter and wastewater.

On Wednesday afternoon, Ghana, supported by Madagascar and Cambodia, urged developed countries to control exportation of electronic waste, including persistent organic pollutants (POPs), with Ghana urging the GPA to support proper disposal of waste stocks. The US, supported by Norway and the Dominican Republic, supported the GPA source category prioritization. The Dominican Republic opposed establishing specific pollution reduction targets under the GPA, saying goals and targets should

be country-specific instead. The Republic of Korea said that, while countries have developed NPAs, achievement and progress remains limited. The Republic of Korea also shared its system of allocating responsibilities between coastal and upstream local governments.

The US also highlighted a GPA-National Oceanic and Atmospheric Association (NOAA) partnership to assist Caribbean countries in developing NPAs. India requested the GPA and UNEP assist developing countries with technologies to move towards a waste-free environment. The Comoros requested support for SIDS to address marine pollution, while Cambodia called for support for training and capacity building. Haiti emphasized developing institutional capacity to address pollution. Iraq requested advice on pollution treatment and handling. Palestine stressed the impacts of marine mines and military activities on the marine environment.

During the high-level segment on Thursday, Amina Mohamed called for focused efforts to achieve common targets by multiple stakeholders and emphasized demonstrating concrete results and impacts of the GPA.

Takehiro Nakamura highlighted three main issues for GPA implementation: prioritization of source categories, including nutrients, marine litter and wastewater, as well as physical alteration and destruction of habitat; global multi-stakeholder partnerships for priority areas; and intersessional mechanisms.

The Netherlands supported monitoring the national implementation of nutrient use efficiency goals and improvement and urged further steps for addressing wastewater and reducing marine litter.

The US supported developing the partnerships on wastewater, nutrients and marine litter and urged increased use of the GPA clearing-house mechanism to disseminate information and create a forum for knowledge exchange and best practices.

South Africa outlined national initiatives to reduce water pollution while increasing economic growth, noting that more information on these types of interventions is needed. She requested that the GPA develop best practice guidelines to assist in establishing stronger, explicit links with IWRM.

Palestine, noting the effect of illegal dumping of chemical and nuclear wastes on the food chain, urged the Manila Declaration recognize this issue and called on countries to refrain from illegal dumping of these wastes.

Cambodia urged increased action through linking national development programmes to GPA implementation. Outlining national action being undertaken, he lamented that challenges remain for enforcing, monitoring and controlling pollution sources at the small-, medium- and micro-enterprise level. Côte d'Ivoire noted that many developing countries do not have sufficient capacity to combat pollution and degradation of marine and coastal ecosystems. He proposed that joint efforts, cooperation and partnerships that promote capacity building, access to technology and information, assist in addressing these challenges.

Guinea-Bissau highlighted the opportunities presented by Rio+20 and the green economy, saying that while there is an apparent contradiction between preserving resources and developing economies, a green economy should still be pursued.

Burkina Faso noted that, although it is landlocked, it still faces many of the issues that are being discussed at the forum. Highlighting collaboration with Ghana to reduce upstream water

pollution, he noted partnerships and capacity building as ways to overcome the problems of wastewater, nutrients and marine litter.

Mexico cautioned against studies that attempt to place values on environmental goods and services, noting that these values are, in some instances, only valid where environmental degradation is reversible and may lead to questionable results overall.

Cuba urged considering the effects of consumption and production patterns on marine and coastal ecosystems. Kenya thanked the GPA for its support for capacity building in its municipalities, noting that it still faces many problems in resolving wastewater issues.

The Democratic Republic of the Congo highlighted the challenges posed by the nutrients and waste deposited in coastal areas by the Congo River. He requested UNEP assistance in the subregion to assist countries in their struggle to preserve marine environments.

Ghana said marine litter should emphasize electronic waste coming from developed countries and called for international cooperation to address this issue.

Indonesia underscored the importance of protecting marine ecosystems from land-based activities. He also supported addressing marine litter, nutrients and wastewater through a global multi-stakeholder-based approach in the GPA Programme.

Canada noted the need to address issues at the land-ocean nexus and highlighted Canada's progress in addressing land-based sources of marine pollution, such as national effluent standards, new legislation, large ocean management areas and integrated coastal zone management.

Mauritania described the threats to their coastal ecosystems and their relevant legislation, underscoring support for the GPA.

**PROGRAMME OF WORK OF THE GPA
COORDINATION OFFICE FOR 2012-2016:** On Wednesday afternoon, GPA Coordinator Vincent Sweeney presented the draft Programme of Work of the GPA Coordination Office for 2012-2016 (UNEP/GPA/IGR.3/4). He summarized the key points, *inter alia*: addressing sustainable development as it relates to marine and coastal development; the need for viable partnerships and regional initiatives; priorities among the nine pollution source categories; and informing and addressing internationally agreed targets and issues. He highlighted how the GPA will address these issues at national, regional and international levels through: catalyzing change; taking advantage of existing mechanisms, including regional seas programmes; capacity building and technical support; assessment, monitoring and reporting on innovative and best practice approaches; and awareness raising and outreach. He added the GPA proposed to strengthen or establish key partnerships on nutrients, marine litter, and wastewater and outlined proposed activities. He said additional focal areas include continuing to support the development of NPAs, and establishing an IGR Bureau as an intersessional mechanism.

The US stressed physical threats and destruction of habitat as a priority, noting the danger population growth poses to marine environments. China opposed requesting the Bureau to conduct additional intersessional organizational work. The Philippines encouraged private sector participation in the marine litter, nutrient management and wastewater partnerships to support GPA implementation.

On Thursday morning during the high-level segment Vincent Sweeney, GPA Coordinator, UNEP, noted the accomplishments of the GPA Coordination Office, while underscoring the limited resources available for its work. He said the work of the GPA Coordination Office will position it as a catalyst for action on the policy objectives set during IGR-3, noting they would help governments form NPAs and implement EBM. He stressed the Programme of Work would strengthen implementation of the GPA at the national, regional and international levels, including through the regional seas programmes. He highlighted that the Programme of Work would support three global partnerships on marine litter, nutrients management and wastewater, providing technical support to the partnerships and setting up appropriate institutional arrangements. He said the GPA Coordination Office would provide support to mobilize action through the partnerships, help develop online information management systems to facilitate knowledge transfer, and draw upon broader experience available among UNEP and other partners to mobilize financial resources.

Delegates agreed to forward the Programme of Work for consideration and adoption by the UNEP Governing Council. The Programme of Work calls for the GPA Coordination Office to, *inter alia*: establish partnerships for coastal water quality management with a focus on nutrients, wastewater and marine litter using higher resource efficiency and lower carbon footprint approaches; use the GPA as a platform for a coherent, shared approach to ecosystem services valuation for the development of ecosystem-based NPAs and ecosystem-based integrated coastal management initiatives; service the GPA platform; and address financial implications for its implementation.

ADOPTION OF THE MINISTERIAL DECLARATION

AND THE REPORT OF THE SESSION: On Wednesday afternoon, during the technical segment, delegates began deliberations on the draft Manila Declaration on Furthering the Implementation of the GPA (UNEP/GPA/IGR.3/5). In the preambular text, the European Union (EU) supported including reference to “the EU” while Cambodia suggested avoiding reference to “the EU” in order to reflect fairness across all regions. Cambodia also called for recognizing the importance of science and technology for policy development and implementation, while China suggested recognizing the lack of relevant capacity for science and technology in developing countries. The Philippines urged highlighting the important role of the private sector.

On emphasizing the need to maintain the relevance of the GPA by focusing on nutrients, sewage, marine litter and physical alterations and destruction of habitats, Cambodia suggested including the topic of wastewater. Norway noted that these topics were agreed upon at IGR-2 in Beijing in 2006, and thus should not be altered. Indonesia requested the inclusion of an additional paragraph on the Manado Ocean Declaration and another on the Bali Declaration 2010.

In the operational text, Germany and the EU called for referencing adequate efforts and financial resources as opposed to additional efforts and financial resources in the paragraph on resources for expediting the implementation of the GPA.

In the paragraph regarding the development of policies on the sustainable use of nutrients and nutrient management, Indonesia, India and China supported deleting text on improving nutrient use efficiency of manufactured fertilizer by 20% over 2012-2016. China also suggested referencing developing guidance

as opposed to policies on the sustainable use of nutrients and nutrient management strategies. China proposed calling for assistance for developing countries to improve human and technical capacities. The Netherlands supported improving full chain nutrient use efficiency and, with Cambodia, suggested encouraging countries to set full chain nutrient efficiency targets with the support of the Global Partnership on Nutrient Management. China queried the suggestion by the Netherlands, noting that the proposed text may be redundant, as discussions on the Global Partnership on Nutrient Management have not concluded.

On adopting a multi-stakeholder partnership approach to the priority source categories of the GPA, China, with the US, questioned the necessity of the further development of the Global Partnership on Nutrient Management to create synergies with the Stockholm Convention on POPs. China opposed calling for a global assessment to address the causes and impacts of coastal nutrient over-enrichment, as targets and actions for the Global Partnership on Nutrient Management have not yet been fully defined. Côte d’Ivoire urged supporting further development of the global partnership on wastewater and solid waste.

On text for supporting and facilitating innovative initiatives, Norway recommended establishing a global partnership on marine litter. The Philippines supported developing notification and management schemes for transboundary litter transport.

In discussions on the Programme of Work and making new investments in wastewater management, Cambodia suggested including sound environmental technologies. Cambodia also said the Programme of Work should use the GPA as a platform to promote delta management through delta and inter-delta cooperation schemes.

On improving cooperation and coordination at all levels to deal with issues related to watersheds, coasts, oceans and islands by applying integrated approaches, Palau proposed inclusion of ridge-to-reef management schemes and the US supported innovative solutions to improve or resolve identified problems.

On supporting regular processes for global reporting and assessment of the marine environment, including socio-economic aspects, Argentina proposed replacing language on engaging stakeholders in common understanding and knowledge with wording on strengthening regular scientific assessments to enhance the scientific basis for policy making.

When inviting the GEF and other international and regional financial institutions and donor countries to support the GPA, Indonesia requested they coordinate efforts to support developing countries at the national, regional and global levels. Delegates continued discussions in an informal drafting group into the evening chaired by Eduardo M.R. Meñez, Acting Assistant Secretary, Department of Foreign Affairs, the Philippines.

On Thursday morning during the high-level segment, delegates heard a brief report on the progress of the drafting group on the Manila Declaration. The plenary was suspended at 11:50 am to allow the drafting group further time for negotiations. At 4:45 pm the plenary reconvened and drafting group Chair Meñez presented the Draft Manila Declaration paragraph-by-paragraph.

On the intrinsic links between marine, coastal and freshwater ecosystems and human well-being, Palau inserted intrinsic value.

On working with all stakeholders to find innovative solutions and initiatives to the marine litter problem, Palau added the sharing of best practices to the sharing of technical information.

On inviting the GEF, other global and regional financial institutions, and donor countries to make coordinated efforts to support countries, especially developing countries, in GPA implementation Cambodia inserted “development partners.” Palestine requested reference to countries in transition. The Russian Federation cautioned against such terminology and Palestine then proposed adding “unfortunate people.” India read the original GPA text and delegates agreed to refer to “developed countries, and countries with economies in transition.”

On welcoming “The Regular Process for Global Reporting and Assessment of the State of the Marine Environment” to strengthen regular scientific assessments and to enhance the scientific basis for policy making, the Republic of Korea added at global, national, and regional levels.

Delegates adopted the Manila Declaration on Furthering the Implementation of the GPA. Delegates then adopted the report of the session (UNEP/GPA/IGR.3/L.1).

Amina Mohamed discussed the way forward, noting that delegates: approved the Programme of Work for 2012-2016; adopted the Manila Declaration; and recognized the value of global multi-stakeholder partnerships.

Ramon Paje delivered a closing statement on behalf of the Government of the Philippines and gavelled the meeting to a close at 6:58 pm.

Summary of the Manila Declaration: In the Manila Declaration (UNEP/GPA/IGR.3/CRP/1), delegates agreed to:

- stress the commitment to implementation of the GPA at the international, regional and national levels;
- commit to comprehensive, continuing and adaptive action within the framework of integrated coastal management;
- dedicate themselves to furthering the implementation of the GPA with a focus on the identified priorities for 2012-2016 and invite additional efforts and adequate voluntary financial resources to expedite implementation of the GPA for 2012-2016;
- decide to step up efforts to develop guidance, strategies or policies on the sustainable use of nutrients to improve nutrient use efficiency through the development and implementation of national goals and plans;
- decide that the GPA Coordination Office should focus its work on wastewater, nutrients and litter as the three priority source categories for the GPA, using global multi-stakeholder partnerships;
- decide to support the further development of the Global Partnership on Nutrient Management, recommend establishment of a global partnership on marine litter, and support further development of the global partnership on wastewater;
- decide to consider using the GPA as a platform to promote delta management and to support a proposal to declare an international year of deltas in the near future;
- agree to improve cooperation at all levels by applying integrated management strategies such as ridge-to-reef approaches;
- welcome the regular process for Global Reporting and Assessment of the State of the Marine Environment;
- decide to strengthen and promote the implementation of the Regional Seas Conventions and Action Plans;
- invite the GEF and other financial institutions, development partners and donor countries to make coordinated efforts to support developing countries in GPA implementation;

- request the UNEP Executive Director to forward the Manila Declaration to the UNEP Governing Council/Global Ministerial Environment Forum and Rio+20; and
- request that the IGR-4 be convened in 2016 to review implementation of the GPA.

A BRIEF ANALYSIS OF IGR-3

The marine and coastal environment is under threat by humans due to land-based activities. Biodiversity loss in oceans occurs at an increasing rate, faster than that which is experienced on land. As ocean and coastal ecosystems perform vital life-sustaining functions, the increase in ocean dead zones from 149 zones in 2003 to over 200 zones in 2006 highlights the ever pressing need to halt this loss. Within this context, the Third Intergovernmental Review (IGR-3) Meeting of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA) convened in Manila. IGR-3 reviewed the implementation of the GPA Work Programme 2007-2011 and defined the GPA Work Programme 2012-2016, identified and discussed emerging issues, and prepared input to the Rio+20 process of matters that fall within the defined pollutant source categories, *inter alia*: sewage, litter, hydrocarbons, persistent organic pollutants, nutrients, destruction of habitat, and heavy metals.

This analysis looks at the path the GPA has taken as a soft law regime to try and halt the destruction of marine and coastal environments, specifically focusing on the setting of targets and the creation of partnerships. It then considers the impact the GPA will have at the UN Conference on Sustainable Development (UNCSD, also known as Rio+20), particularly in the area of ocean governance. Lastly, this analysis reflects upon the future of the GPA as it undertakes its new Programme of Work and heads towards IGR-4 in 2016.

MAKING PROGRESS IN A SOFT LAW REGIME: THE REALITY OF THE IGR-3 OUTCOMES

The GPA is an action programme-based policy process rather than a legally-binding agreement such as a convention or even a protocol under the UN Convention on the Law of the Sea (UNCLOS). Given its status, the GPA lacks specific mechanisms to monitor implementation progress given that no formal review framework or targets against which to measure, exist at a global level.

At IGR-2 in 2006, participants expressed hope that partnerships would be an effective way to reduce marine pollution from land-based sources and they were seen as a principal tool to implement the GPA. At IGR-3, while partnerships remained an important feature of discussions, progress on developing concrete targets within the partnerships was not achieved. Some participants had hoped that the Manila Declaration on Furthering the Implementation of the GPA would contain concrete targets and specific recommendations that would ensure that the partnerships that are already established would contribute to both measuring the impacts of the partnerships as well as strengthening the implementation of the GPA itself. Indeed, the Global Conference on Land-Ocean Connections (GLOC), which immediately preceded IGR-3, recommended specific targets for IGR-3 to consider. The GLOC proposed two targets, each with a base year of 2008: the first aims to improve nutrient use efficiency by 20%, relative to the

base year, with an eventual efficiency increase of 70%; and the second targets seeks to improve full chain nutrient efficiency by 20%, relative to the base year, with an eventual use efficiency of 50%. These targets, however, were not adopted at IGR-3, with delegates instead opting to focus on further development of the Global Partnership on Nutrient Management as well as establishing global partnerships on wastewater and marine litter. The focus on global partnerships continued at IGR-3 as a means of implementing the GPA, in part because collaboration at the regional level has proven successful and it was hoped this can be replicated at the global level.

One delegate posited that this outcome came about because many delegates did not understand the way in which the 20% targets on nutrient reduction were framed or what the commitment would require at the national level. Many also expressed concern that they could conflict with national approaches to address the issue and preferred national policy and/or regional action to address the specific challenges they face.

Another suggested that the partnerships on nutrient management, wastewater and marine litter may be a way to attain progress, while not being overly committal at the political level, particularly during the continuing global financial crisis. To wit, partnerships are seen as requiring little investment and broadly distributing the risk of failure, while allowing countries to share in any successes.

However, delegates also noted that for the partnerships to gain traction, there needs to be political will or ownership. However, delegates also noted that for the partnerships to gain traction there needs to be political will or ownership. For instance the role of the US National Oceanic and Atmospheric Administration (NOAA) in supporting and promoting the marine litter partnership as well as its grounding in the 2011 Honolulu Strategy and Commitment. In this case NOAA co-sponsored with UNEP the process that resulted in the adoption of the Commitment and has championed establishment of the marine litter partnership as a means of furthering its implementation. For many, the tragic earthquake and tsunami that hit Japan in 2011 and which resulted in a vast amount of marine debris also underscored the importance of urgent action on this problem.

One noted additionally that the marine litter partnership is being established within the already successful UNEP-sponsored global partnership on solid waste, which bodes well for its launch later this year, possibly on the sidelines of the Rio+20 Conference. Consequently, this partnership seems best positioned to achieve concrete results. In contrast, the other suggested partnerships, such as wastewater, are limited to planned meetings on the periphery of other events, such as the World Water Forum and the World Water Week, without any on-the-ground action planned or champion agencies or countries thus far. One delegate worried that the wastewater partnership would primarily be discussed on the sidelines of other meetings, without producing any tangible outcomes.

In the future, if these partnerships deliver tangible outcomes, such as the hoped for targets on nutrient management at IGR-4 and the establishment of review or monitoring mechanisms, it is possible that stakeholders will show more confidence in soft law as a successful mechanism for addressing GPA issues.

THE GPA AND RIO+20

The GLOC, which proposed science-based recommendations for IGR-3, aimed to provide input for a draft message from the GPA to Rio+20. In her opening statement to IGR-3, UNEP Deputy Executive Director Amina Mohamed also encouraged parties to take advantage of the meeting to formulate GPA input to Rio+20. Discussions, however, seemed to focus far less on Rio+20 and instead concentrated on setting targets for the GPA. While the GPA supports progress on Agenda 21 implementation, including through the Johannesburg Plan of Implementation (JPOI) 2015 sanitation target to halve the proportion of people without access to basic sanitation, in particular through action on wastewater, progress has, in UNEP's words, "remained slow and stilted."

As one participant observed, the amount of influence IGR-3 would have in the overall discussion of ocean governance was limited, at best, given that the zero-draft of Rio+20 is already under discussion. He also noted that the primary value of IGR-3 is in raising the awareness of ministers on the problems faced by the GPA. Another delegate lamented that, if the IGR-3 had set tangible targets, it would have had a potential impact at Rio+20. However, he stressed that because IGR-3 did not develop targets, the GPA will have little to no impact at Rio+20.

Many delegates noted that one possibility for action is to define targets at the regional level, noting existing efforts in Eastern Europe and the Caribbean. Delegates also suggested that action on targets can be achieved through national plans of action and regional seas programmes—a point raised by many parties during the Manila Declaration negotiations. The partnership between the GPA and NOAA to develop national plans of actions in the Caribbean may be one such mechanism for developing targets based on national circumstances. Nevertheless, as several African delegates pointed out, issues such as electronic waste and invasive species are global problems that require global responses and the current GPA framework does not address these issues.

The final decision on what role the GPA will play at Rio+20, however, will be left to the UNEP Governing Council/Global Ministerial Environment Forum, which meets in February 2012. GPA officials will present the Manila Declaration, which they hope will then be forwarded to Rio+20.

TOWARDS 2016

As the meeting concluded, delegates appeared positive about the formation of two new partnerships on wastewater and marine litter as well as the further development of the Global Partnership on Nutrient Management. If these partnerships prove successful during the 2012-2016 period of work, then the next IGR meeting might be more willing to consider and adopt specific targets. However, if the partnerships do not define specific targets and achieve specific impacts, then the GPA is unlikely to increase its relevance as a driver of change in ocean governance and the soft law/policy process approach to addressing GPA issues may be in question. As there is no formal mechanism to assess the success of the partnerships, determining their impact remains a challenge.

New and emerging issues that are more global in nature, such as electronic waste and alien invasive species, were also raised at IGR-3. Several delegates also stressed the need for increased attention to physical destruction and habitat, and while this topic is among the nine GPA priority areas endorsed at IGR-2

in Beijing, it is likely that this may have a higher profile in the future. These decisions now rest with the UNEP Governing Council/Global Ministerial Environment Forum, which has the final say on the GPA's future Programme of Work.

UPCOMING MEETINGS

12th Special Session of the UNEP Governing Council/Global Ministerial Environment Forum: The UNEP Governing Council/Global Ministerial Environment Forum will, at its 12th special session, focus on the UNCSD-related themes of green economy and international environmental governance and emerging issues. **dates:** 20-22 February 2012 **location:** Nairobi, Kenya **contact:** Jamil Ahmad, UNEP **phone:** +254-20-762-3411 **fax:** +254-20-762-3929 **email:** sgc.sgb@unep.org **www:** <http://www.unep.org/gc/gcss-xii/>

6th World Water Forum: This Forum will focus on the theme "Solutions for Water." **dates:** 12-17 March 2012 **location:** Marseille, France **contact:** Secretariat **phone:** +33(0)4-95-09-01-40 **fax:** +33(0)4-95-09-01-41 **email:** secretariat@worldwaterforum.org **www:** <http://www.worldwaterforum6.org/>

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 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 will take place in New York, in accordance with General Assembly resolution 66/231. **dates:** 7-11 May 2012 **location:** UN Headquarters, New York **contact:** Division for Ocean Affairs and the Law of the Sea **phone:** +1-212-963-3962 **fax:** +1-212-963-5847 **email:** doalos@un.org **www:** <http://www.un.org/depts/los/biodiversityworkinggroup/biodiversityworkinggroup.htm>

2nd International Symposium on the Effects of Climate Change on the World's Oceans: The conference co-sponsored by ICES, PICES and UNESCO-IOC will examine the issues of: sea level rise, acidification, loss of biodiversity, and changes in species abundance. **dates:** 15-19 May 2012 **location:** Yeosu, Republic of Korea **contact:** PICES Secretariat **phone:** +1-250-363-6366 **fax:** +1-250-363-6827 **email:** secretariat@pices.int **www:** http://www.pices.int/meetings/international_symposia/2012/Yeosu/scope.aspx

13th Meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea: The 13th meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea is scheduled to convene in New York. **dates:** 29 May - 1 June 2012 **location:** UN Headquarters, New York **contact:** Division for Ocean Affairs and the Law of the Sea **phone:** +1 212-963-3962 **fax:** +1 212-963-5847 **email:** doalos@un.org **www:** http://www.un.org/Depts/los/consultative_process/consultative_process.htm

Oceans Day at UNCSD: The Global Ocean Forum will organize "Oceans Day" during the thematic days immediately preceding the UNCSD. **dates:** 17-19 June 2012 (tentative) **location:** Rio de Janeiro, Brazil **contact:** Miriam Balgos, Program Coordinator Global Forum on Oceans, Coasts, and Islands **phone:** +1-302-831-8086 **fax:** +1-302-831-3668 **email:** mbalgos@udel.edu **www:** <http://www.globaloceans.org/content/rio20>

UN Conference on Sustainable Development: The UNCSD will mark the 20th anniversary of the UN Conference on Environment and Development (Earth Summit), which convened in Rio de Janeiro, Brazil in 1992. **dates:** 20-22 June 2012 **location:** Rio de Janeiro, Brazil **contact:** UNCSD Secretariat **email:** uncsd2012@un.org **www:** <http://www.uncsd2012.org/>

The Fourth East Asian Seas Congress 2012: With the theme "Building a Blue Economy: Strategy, Opportunities and Partnerships in the Seas of East Asia," the Congress will address the new opportunities for the ocean economy of East Asia, the range of partnerships that have developed and are required in order to realize the full potential of a blue economy, and the progress and achievements in governance of regional/subregional seas within the framework of the Sustainable Development Strategy for the Seas of East Asia. **dates:** 9-13 July 2012 **location:** Changwon, Republic of Korea **contact:** EAS Congress Secretariat **phone:** +63 (2) 929-2992 **fax:** +63 (2) 926-9712 **email:** congress@pemsea.org **www:** <http://eascongress.pemsea.org/>

30th Session of the FAO Committee on Fisheries: The 30th session of COFI will review activities of the COFI Sub-Committees on Aquaculture and Fish Trade, progress on the implementation of the Code of Conduct for Responsible Fisheries and associated international plans of action, as well as the priorities for the FAO work programme on these issues. **dates:** 9-13 July 2012 **location:** FAO Headquarters, Rome, Italy **contact:** Hiromoto Watanabe, FAO **email:** hiromoto.watanabe@fao.org **www:** <http://www.fao.org/fishery/about/cofi/meetings/en>

IGR-4 on the Further Implementation of the GPA: IGR-4 will review implementation of the GPA for the period 2012-2016 and set the Programme of Work for the GPA Coordination Office for the subsequent period. **dates:** 2016 **location:** TBD **contact:** Vincent Sweeney **email:** vincent.sweeney@unep.org **phone:** +254-20-762-4793 **fax:** +254-20-762-4249 **www:** <http://www.gpa.depiweb.org/home.html>

GLOSSARY

EBM	Ecosystem-based planning and management
GEF	Global Environment Facility
GLOC	Global Conference on Land-Ocean Connections
GPA	Global Programme of Action for the Protection of the Marine Environment from Land-based Activities
IGR	Intergovernmental Review Meeting
IWRM	Integrated Water Resources Management
NPA	National Programme of Action
POPs	Persistent organic pollutants
Rio+20	UN Conference on Sustainable Development (or UNCSD)
SIDS	Small island developing states
UNCED	UN Conference on Environment and Development
UNCHE	UN Conference on the Human Environment
UNCLOS	UN Convention on the Law of the Sea
UNCSD	UN Conference on Sustainable Development (or Rio+20)
UNEP	UN Environment Programme