



GLOBAL FORUM

on oceans, coasts and islands

Newsletter

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REMINDER:

All participants in the Global Conference on Oceans, Coasts, and Islands: Mobilizing for Implementation of the Commitments Made at the 2002 World Summit on Sustainable Development (UNESCO, Paris, November 12-14, 2003) must register for the conference. The registration fees are US \$250.00 by September 15; US \$350.00 from September 16 to November 6; and US \$400.00 at the Conference. For updated information about the Conference, please visit www.globaloceans.org.

Editorial

In this issue of the Global Forum newsletter, we first focus on developments in national ocean policies, as a growing number of nations are undertaking efforts to develop principles and policies for the management of their 200-mile Exclusive Economic Zones. We focus on ongoing experiences in Australia, Portugal, New Zealand, Thailand, the Philippines, and the United States. Also in this issue are the details of an important workshop on national ocean policies, to be held on November 10, at the Global Conference on Oceans, Coasts, and Islands at UNESCO in Paris, that will bring together experts in national ocean policy to share experiences and lessons on evolving best practice.

The newsletter also reviews the results of the fourth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS), held on June 2-6, 2003 at UN headquarters in New York. Delegates unanimously supported the extension of the Consultative Process for another three years given the constructive role it has played in providing substantive input in the General Assembly's debates on ocean affairs. Delegates agreed on a draft text on elements to be suggested to the General Assembly, addressing: safety of navigation; capacity building for the production of nautical charts; measures to enhance safety of navigation; flag State implementation and enforcement; and protection of vulnerable marine ecosystems.

As discussed in the last issue of this newsletter, taking a "Hilltops to Oceans" approach to ocean and coastal issues by making explicit linkages to river and watershed management is imperative, and we are delighted to see UNICPOLOS underscore the importance of these linkages. Regarding vulnerable marine ecosystems, UNICPOLOS recommended continued efforts to implement the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities; acceleration of activity to safeguard the marine environment against pollution and physical degradation, emphasizing that the protection of coastal and marine environments is an important component of the WSSD target on sanitation; inviting the Commission on Sustainable Development to include, in its focus on water for the next two years, the effects of freshwater management on saltwater environments; and increasing the emphasis on the link between freshwater, the coastal zone and marine resources when implementing the Millennium Development Goals, WSSD goals, and the Monterrey Consensus on Financing for Development.

This is an important time for Small Island Developing States (SIDS) as they prepare for the Mauritius 2004 review of progress achieved since the 1994 Barbados Programme of Action. A series of preparatory meetings in the Pacific, Caribbean, and Africa regions are taking place as this newsletter goes to press or are scheduled for the near future, the outcomes of which will be covered in subsequent issues. The Global Forum is preparing a number of analyses to assist in the preparations for the Mauritius meeting—a draft of a first analysis on the WSSD voluntary partnerships and SIDS may be found in this issue.

The newsletter also addresses a number of reports from meetings and workshops, which we hope you will find useful.

Dr. Veerle Vandeweerd
Global Forum Co-Chair

The Global Forum on Oceans, Coasts, and Islands, created following the WSSD in Johannesburg in September 2002, aims to advance the interests of oceans - incorporating 72% of the Earth; coasts - the home of 50% of the world's population; and islands - 43 of the world's nations are small island developing states, which are especially dependent on the oceans. The Forum is composed of individuals from governments, intergovernmental and international organizations, and non-governmental organizations (environmental, scientific/technical, industry, and foundations) with the common goal of achieving the sustainable development of oceans, coasts and islands.

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NEW DEVELOPMENTS IN NATIONAL OCEAN POLICIES

An increasing number of ocean nations are in the process of developing national ocean policies for governance of their 200-mile Exclusive Economic Zones. There is much to be learned through comparative analysis and “lesson-drawing” among these efforts, since they are all, in effect, charting new ground and developing new ocean governance principles and procedures. In this issue, we feature recent developments in the creation of national ocean policies in Australia, Portugal, New Zealand, Thailand, and Philippines. In the United States, the Pew Oceans Commission (a privately-convened oceans commission), released its report in June 2003; this is covered in Pew Commissioner Geoffrey Heal’s presentation at the Global Forum’s side event at the United Nations Informal Consultative Process on Oceans and Law of the Sea (see p. 13 of this issue). The Congressionally-created U.S. Commission on Ocean Policy is expected to release its report on national ocean policy in October 2003 (which will be covered in this newsletter).

AUSTRALIA’S OCEANS POLICY RELEASES DRAFT SOUTHEAST REGIONAL MARINE PLAN

As a direct output of Australia’s *Ocean Policy*, Australia recently released its first draft Regional Marine Plan for the southeastern region of its Exclusive Economic Zone (EEZ) (the waters off of Victoria, Tasmania, southern New South Wales and eastern South Australia). Based on large marine ecosystems, the Southeast Regional Marine Plan aims to maintain ecosystem health while promoting multiple uses of the oceans by integrating sectoral commercial interests and conservation requirements. This region, covering more than two million km² of water, encompasses approximately 15% of Australia’s coastline, houses more than 50% of its population in the adjacent coastal lands, and contains several major marine industries such as tourism, fisheries, aquaculture, and offshore petroleum.*

Through a series of targeted regional workshops, stakeholders identified nine objectives, under five categories (noted below), consistent with the goals and principles of Australia’s Ocean Policy. With an emphasis on preserving ecologically sustainable development, these objectives include:

- Ensuring that all ocean uses are sustainable;
- Protecting, conserving and restoring the Region’s marine biodiversity, ecological processes and natural and cultural marine heritage;
- Increasing long-term security of access for marine-based industries;
- Promoting economic development and job creation in the Region;
- Managing marine resources in such a way to ensure fairness and accountability to the community and all users;
- Increasing knowledge and understanding of the Region;
- Enhancing community and industry stewardship and understanding of the values and benefits of the Region and involving them in its management;
- Involving indigenous communities in management of the Region, while recognizing and respecting their rights, custodial responsibilities, contributions and knowledge; and
- Taking into account in decision making the governmental and non-governmental stakeholder needs, values and contributions.

The draft Regional Marine Plan details specific actions for each of the objectives and provides timetables and lead agencies for each action.

In an effort to improve coordination between the States and the Commonwealth, thereby facilitating effective management and planning, *Australia’s Oceans Policy* stresses the involvement of States and Territories in the development of Regional Marine Plans and their participation on the Regional Marine Plan Steering Committees. As there are no mechanisms to date, which

* Additional details of the features of the Southeast Marine Region can be found in *Marine Matters*, an atlas of marine activities and coastal communities in the region, from the National Oceans Office website, <http://www.oceans.gov.au>.

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allow for joint decision making between States and the Commonwealth, the Regional Marine Plan discusses ways of how to achieve consistent decision making across jurisdictional boundaries.

An important output of the Southeast Regional Marine Plan is the Integrated Oceans Process,** which provides a comprehensive way to address the complex, cross-sectoral marine issues through a “whole-of-government” approach. As a new process, it can be used to analyze issues and develop strategies for priorities identified during the scoping phase of future regional marine planning efforts. As additional regional plans are created and implemented (the next region under development is the North Region), the Integrated Oceans Process will become more sophisticated and efficient.

Australia’s Ocean Policy emphasizes the need for a regional marine plan to be adaptive in order to monitor how well it is achieving its objectives. With this in mind, the Southeast Regional Marine Plan advocates the use of a performance assessment system, which would involve the future design of performance indicators and performance measures for implementation of the Plan. The results of any future assessment will feed into a Framework for Assessing Oceans Management Performance.

In order to keep the development of the Southeast Regional Marine Plan open and transparent, Australia’s National Oceans Office has invited comment upon the objectives, actions for dealing with the issues, and future issues for the region, from the public, stakeholders, and organizations. A comment form may be downloaded from the National Oceans Office website (<http://www.oceans.gov.au>). All responses must be received by October 17, 2003.

(Prepared by Danielle Tesch, Center for the Study of Marine Policy)

** For an in depth discussion of the Integrated Oceans Process, see Australia’s National Oceans Office’s recent draft document, *Oceans Policy: Principles and Processes*, on its website, <http://www.oceans.gov.au>.

PORTUGAL CREATES THE STRATEGIC COMMISSION ON OCEANS

In June 2003, the Portuguese government created the Strategic Commission of the Oceans. The Commission is in the Office of the Prime Minister, Manuel Durão Barroso. With the Commission, the government aims to achieve the major goal of “making Portugal a lead country regarding the international agenda of the oceans”, as the Prime Minister stated in the official ceremony of the presentation of the Commission, at the Oceanarium, in Lisbon on July 9, 2003.

The main objective of the Strategic Commission of the Oceans is to develop a national strategy for the oceans based on the sustainable development and sustainable use of the oceans and its resources, and on enhancement of the management and exploration of the maritime areas under national jurisdiction. The president of the Commission is the minister-advisor, Jose Luis Arnaut and the Commissioner’s coordinator is Tiago Pitta e Cunha, advisor and former member of the Portuguese mission to the United Nations, in New York City.

The Commission is composed of representatives of several of the sectoral ministries, including the environment and land planning, economy, national defense, foreign affairs, fisheries, science and technology, as well as a group of individuals that have developed relevant work for Portugal’s seas, such as Mário Ruivo, Vice-Chair of the Intergovernmental Oceanographic Commission, UNESCO.

Within approximately six months, the Commission will present guidelines for an integrated strategy for the oceans and maritime activities, as well as guidelines for implementation. The commission shall:

- Identify measures and actions for implementation of the ocean strategy and its operational guidelines;
- Recommend actions for the development of the oceans policy and legislative framework, namely the harmonization of the internal legal system with relevant international legal instruments;
- Recommend modifications in view of the modernization of the current institutional

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framework regarding the current public responsibilities for issues related to marine and coastal management.

Prime Minister Barroso noted that the commission should reaffirm the special interest of Portugal in the oceans. "We are a maritime country, not only for historical reasons and the tradition of the past, but mainly for the geographic reality that characterizes Portugal as a significant oceanic nation on a global scale... We can no longer postpone a serious reflection of the truly critical value of the ocean for Portugal." Prime Minister Barroso clearly stated the importance of oceans for sustainable development during the 2002 World Summit on Sustainable Development, in Johannesburg. The Portuguese application to locate the headquarters of the European Agency of Maritime Security within Portugal, as was announced by the Ministry of Foreign Affairs, is another opportunity for achieving the objectives of the Portuguese oceans strategy.

(Prepared by Isabel Torres de Noronha, Center for the Study of Marine Policy)

AN OCEANS POLICY FOR NEW ZEALAND

Work is now well advanced on a 'blueprint' for the future management of New Zealand's oceans.

After nine months of intensive policy development and public meetings, a draft New Zealand Oceans Policy is about to be completed. This will be subject to a round of full national consultation later this year.

Implementation of the agreed policy is expected to commence in 2004.

The proposed New Zealand Oceans Policy seeks to create an integrated context for the government and other decision-makers to make sound and informed choices about setting and achieving the country's economic, social, cultural and environmental objectives. The policy will draw links across New Zealand's current management regimes and provide mechanisms for resolving conflicts between them. In particular, it will deliver on a vision for New Zealand's oceans, developed last year after consultation with thousands of New Zealanders:

Healthy Oceans: New Zealanders understand marine life and marine processes and, accordingly take responsibility for wisely managing the health of the ocean and its contribution to the present and future social, cultural, environmental and economic well-being of New Zealand.

This article discusses the broad approach and processes that are being used to develop New Zealand's proposed new Oceans Policy.

Introduction

New Zealand is a small island nation with a huge marine economic zone representing some 95% of the nation's territory.

This vast reserve represents a huge economic, social, cultural and environmental asset for the four million New Zealanders residing on dry land. New Zealanders testified – resoundingly – in a round of earlier consultation, that the sea, the beach, the coast, and the opportunities they offer are vitally important to New Zealand today and in the future.

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The decision to develop an Oceans Policy for New Zealand began several years ago with the recognition not only of the significant value of the ocean resource, but also that existing environmental and economic pressures on the ocean ecosystems were beginning to intensify.

The approach taken by the policy group has been to assess and build on the effective parts of New Zealand's current management system, to integrate the many and sometimes competing statutes and related policies already in place, and to identify gaps in order to be able to deal fairly and openly with both existing and future demands.

Tackling the Problems

New Zealand's Oceans Policy is being developed in response to two broad problems: a lack of integration across the different controls on New Zealand's ocean activities; and a lack of guidance on national objectives and priorities.

More specifically, the key problems can be defined as:

- 1. Gaps and inadequacies in environmental management and performance*

Some marine environments are continuing to degrade as a result of unsustainable activities and inadequate environmental protection. Despite the ground-breaking Resource Management Act, effects on the surrounding ocean from land-based activities are a particular problem. Farther out to sea, the environmental effects of fishing have not yet been fully addressed to ensure the overall sustainability of New Zealand's renowned Quota Management System. There is a lack of capacity to deal effectively with marine biosecurity threats and incursions; and no formal regime for assessing and managing the environmental effects of many activities beyond the territorial sea.
- 2. Lack of a framework for reconciling competing uses and providing for new uses.*

Inconsistent approaches to dealing with competing uses within New Zealand's territorial sea, and an ad hoc approach to occupation of space beyond the territorial sea, give rise to a growing potential for conflict over access to and use of the ocean. These failures also cause

unnecessary uncertainty, divisiveness and cost, and discourage investment and innovative new uses of the ocean.

- 3. Need for better coordination of information and information-based management tools.*

New Zealand lacks a cohesive approach to the collection of data across a range of agencies for different purposes, and there is inadequate accessibility and coordination of information already held by agencies. This makes it difficult to assess the adequacy of existing data sets for management purposes and impedes prioritisation of research efforts, in turn resulting in unnecessary duplication of effort and cost.
- 4. Lack of attention to Maori aspirations and Treaty of Waitangi obligations.*

The relationship of the indigenous people of New Zealand to the oceans is important to their culture and identity, to their relationship with the Crown, and to Crown and Maori stewardship of New Zealand. There is a need for better recognition and incorporation of Maori values into oceans management and decision-making, and for greater Maori participation in both management and decision making processes at the central and local government level.

A Sustainable Approach to Managing the Oceans

New Zealand's draft Oceans Policy takes a sustainable development approach to the management of our oceans.

At the centre of the policy is a recognition of certain fundamental imperatives that must constrain all decision making. These include the need to:

- Work within the natural capacity of the oceans and make sure the ecological health of New Zealand's oceans is sustained over the long term;
- Work within the Treaty of Waitangi to give substance to the relationship between Maori and Crown for stewardship of this significant natural resource; and
- Meet New Zealand's international obligations.

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Within these imperatives the policy will also recognize the significance of the oceans as an economic resource, which, carefully and efficiently managed, can provide opportunities for much-needed economic growth.

To implement the proposed approach – and provide a consistent and transparent context for decision-makers – a series of objectives, decision-making principles, national priorities, and guidance strategies are being developed. These will be supported, in turn, by appropriate tools and processes aimed at facilitating the effective implementation of policies and decision making at both the national and local level.

Fundamental to the policy, also, will be the expectation of all New Zealanders to enjoy and have access to the sea. This will be reinforced with strategies encouraging and empowering public participation in decision-making.

The policy is broad in its sweep: all activities and processes that affect the health and productivity of the sea will be covered. This includes activities inland, on the coast, inside the 12 nautical mile limit of New Zealand's territorial sea, and, for the first time, beyond – out to the edge of the New Zealand continental shelf.

Policy Development Process

The Oceans Policy Secretariat is a “whole of government” project, comprising officials from key government departments. The project is led by a nominated Minister for Oceans Policy. The Secretariat is guided by a Steering Group of senior officials drawn from the core departments with an interest in oceans management.

Central and local government agencies and non-government stakeholders have been closely involved through policy development. As partners with the Crown in the Treaty of Waitangi, Maori, in particular, have a special place in the development process and a Maori advisory group has been established to assist officials with the development of policy proposals of particular interest to the indigenous people of New Zealand.

The first stage of oceans policy development was completed in June 2002. It identified, through public consultation, what vision and values New Zealanders had for their oceans. Seventy-one meetings were held around New Zealand and more than one thousand written submissions received. These were compiled into a report entitled *Healthy Sea: Healthy Society* –

Towards an Oceans Policy for New Zealand, September 2001.

Stage two, now underway, is focused on designing the policies required to achieve the vision. The main output will be a public discussion document setting out the proposed policy, which will be the subject of full public consultation later this year. The need for new laws, national plans or entities to deliver and coordinate the policy is also being considered. Stage three, due to begin in 2004, will involve further policy development and implementation of the agreed Oceans Policy.

For more information, please contact the New Zealand Oceans Policy Secretariat at:

www.oceans.govt.nz

oceans@mfe.govt.nz

(Prepared by Brigit Stephenson, Adviser, Oceans Policy Secretariat, Ministry for the Environment, New Zealand)

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THAILAND NATIONAL OCEAN POLICY

Introduction

In 1997, the Thai Prime Minister Mr. Banhan Silapa Archa established the Thai Marine Policy and Restoration Committee (TMPRC) to restore the productivity of the Thai waters, which have been deteriorating from unsustainable use. The committee comprises the Ministers and high-ranking officials from the Thai government agencies, with the Prime Minister as the chairman. The Committee is tasked with the establishment of regulations for controlling the use of the Thai Sea and with the establishment of the policy framework for sustainable development of the Thai coastal and marine resources and environment. The Director General of the Department of Fisheries (Dr. Plodprasop Suraswadi), who was also the director of the Office of the Thai Marine Policy and Restoration Committee (OTMPRC), is the committee secretary.

The Need for a Thai Ocean Policy

The use of Thai coastal and marine resources is traditionally controlled by different government agencies. Fisheries resources, mangrove forest, sea-bed mineral resources, tourism, navigation, and industry in the coastal area, are controlled by the Department of Fisheries, Royal Forest Department, Department of Mineral Resources, Tourism Authority of Thailand, Harbor Department and the Ministry of Industry, respectively. These government agencies have their own regulations and are occasionally in conflict with each other. Conflicts between groups of private users also occur, for example among the fisheries, tourism and industry groups. Integrated management is therefore needed to resolve these conflicts.

Thailand has not yet ratified the Law of the Sea Convention. To ratify the Convention, an ocean policy is required to ensure that the regulations and resources development framework of the country comply with the Convention's provisions.

Policy Development

Thailand has a newly reformed government that is comprised of 20 ministries. The Office of the Thai Marine Policy and Restoration Committee was moved from the

Office of National Economic and Social Development Board to the Department of Marine and Coastal Resources (DMCR) in October 2002. DMCR is, therefore, one of the newly established government agencies responsible for developing a new National Ocean Policy. The first task of OTMPRC is to formulate a draft National Ocean Policy for public consultation and submission of a final document to the cabinet for approval. The OTMPRC and the International Ocean Institute in Thailand (IOI-Thailand) developed the first draft of the Ocean Policy by reviewing the Ocean Policy of developed countries such as Canada's Oceans Act, Australia's Ocean Policy and also PEMSEA's (Partnerships in Environmental Management for the Seas of East Asia) guide for developing National Coastal and Marine Policies. The first draft is only a proposed structure of the ocean policy containing the background information and draft policy and strategies.

Before publishing the Thailand National Ocean Policy, the OTMPRC and IOI-Thailand conducted a workshop, *Expert Consultation on Thailand National Ocean Policy and Strategies*, in March 2003 to obtain comments from foreign and local experts from the Thai government agencies. Comments received from the workshop will be used by TMPRC and IOI-Thailand in developing the second draft of the Ocean Policy. The second draft will be reviewed by the TMPRC sub-committee which will develop the National Policy that will represent a cross-sectoral integrated management policy and strategy. A variety of government agencies involved in the use of the Thai Sea will be consulted for the development of the policy and strategies.

The third draft will be published for public consultation. After the public consultation process, a draft policy will be proposed to the TMPRC for final review prior to Cabinet approval.

(Prepared by Dhana Yingcharoen, Department of Marine and Coastal Resources, Ministry of Natural Resources and Environment, Thailand)

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PHILIPPINES UNDERTAKING REVISION OF NATIONAL MARINE POLICY

In 1994, the Philippines was among the first countries in the Asia-Pacific region to issue a National Marine Policy (NMP) document that attempted to define the country's general policy framework for the management of its oceans and coasts. It was approved by a Cabinet Committee on Maritime and Ocean Affairs that was primarily concerned with the impending entry into force of the 1982 Law of the Sea Convention, and identified the major areas of maritime policy as: political and jurisdictional; area development and conservation; area regulation and enforcement; and maritime security. It elaborated on these areas by listing priority concerns and some guiding principles on the extent of the national territory, protection of the marine ecology, management of the marine economy and technology, and maritime security.

The NMP's significance lies in its having laid the foundations for a paradigm shift in maritime development and management by emphasizing the archipelagic nature of the country in development planning; the development of coastal areas as loci of community, ecology, and resources; implementation of UNCLOS within the framework of the NMP; and recognizing the need for coordination and consultation with concerned and affected sectors. The shift to a model that emphasizes the role of the more extensive marine component of the archipelago is an elusive yet essential key to the country's social and economic development.

However, in the ten years following its approval by the Cabinet, the NMP has failed to address all of the enormous demands for policy guidance and directions that have emerged in the country's many resource-use sectors. A very short policy document at only 8 pages, its contents remain too general and scattered, lacking a detailed framework and plan of action for consciously managing the developments in the maritime components of the archipelago into the 21st century.

Fortunately, with assistance from the United Nations Development Programme (UNDP), the Philippines has embarked on an effort to review its existing coastal and marine policies and strategies, revise the NMP, and produce a more comprehensive and more detailed policy document. A national integrated coastal and marine

policy framework is to be developed as a component of the UNDP-sponsored project on the "ENR Programme: Environment and Natural Resource Framework Development and Implementation" for the Department of Environment and Natural Resources (DENR). The ENR Project is intended to guide the planning and implementation of interventions for the protection of the environment and the sustainable development of natural resources in the country. It coincided with previous initiatives of the DENR for the formulation of a National Coastal and Marine Management Strategy, and provided the opportunity to build upon activities directed towards policy reforms in coastal resource management.

The Marine Environment and Resources Foundation, Inc. (MERF), a research foundation established by the University of the Philippines Marine Science Institute, was subcontracted by UNDP to assist the DENR in the policy review, analysis, and re-formulation. Working with the University's Archipelagic and Ocean Studies (ARCOAST) Program, three teams were formed to undertake the research for the major policy of Ecosystems Management, Policy and Institutional Development, and Socio-Economic Development.

The initial draft of the Integrated Coastal and Marine Policy Framework is a very lengthy document, and was presented and critiqued by selected experts, as well as government agencies with coastal and marine concerns and competencies, in March 2003. Based on their inputs, the draft is being further developed, distilled, summarized, and prepared for dissemination in a series of nation-wide consultations.

The proposed Framework is a comprehensive and detailed paper that aims to introduce further refinements and innovations in the country's general policy thrusts for development and environmental management. It elaborates on the idea of Archipelagic Development, where social and economic development is based on careful consideration of the unity of the land and sea regimes of the country, and focuses on how best to take advantage of the opportunities and address the challenges provided by such a complex environment. It is recognized that the fragmented nature of the country into islands and waters, while increasing the complexity of environmental problems and issues on account of the interactions between the two regimes, also hinders the conventional governance structures and mechanisms that are being used to address them.

The proposed archipelagic framework for sustainable development will concentrate on harmonizing the political economy with the unique ecological features

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within which it must operate. It envisions an archipelago that is prosperous and self-reliant; safe and peaceful; environmentally-resilient; where the resources are well-managed, and their benefits equitably distributed among the population; where the multi-cultural values and traditions of the archipelago are preserved; and development is geared towards uniting the archipelago in the pursuit of a better quality of life. In order to achieve these goals, the framework will highlight the need for: 1) promoting better cooperation among the agencies of government from local to national levels and across the three major branches; 2) encourage cooperation and partnerships among the various sectors such as government, non-government organizations, private industry, cultural and ethnic groups; 3) strengthen the capacities and capabilities of local government units and coastal communities, as well as those needed for national governance of the archipelago's coastal and marine resources; 4) stress the need for preserving the environmental integrity of the archipelago, and in particular, the need for careful planning and management of the marine economic sectors which bridge the many islands and coastal communities; and 5) promote national integration of the country's diverse regional populations, ethnic and religious groups, and cultures.

To guide the crafting of policies, the Framework incorporates the basic principles of sovereignty, equity, integration, and precaution. For social or economic policy-making, it further emphasizes the need for democratic participation; the local community as the locus of development; methodical, systematic and informed decision-making; economic efficiency and productivity; and self-reliance through cost-effective and innovative approaches in light of limited resources.

Several strategies are proposed for integration of policy-making, such as total benefit/cost analysis; multi-sectoral consensus-building; harmonization of the political economy with ecosystem functions and requirements; capability-building across all levels of government; community participation; flexible and adaptive management techniques; planning based on ecosystem rather than political/administrative structures; and targeting of special development programs toward strategic areas in the archipelago.

The Integrated Coastal and Marine Policy Framework will probably become the subject of intense discussions when it reaches public scrutiny through the national consultations that will be conducted this year, and thus the final form and content of the document is expected to change as a result of the inputs of the multitude of stakeholders across the Philippine archipelago. The proponents hope that public debate and controversy over the various provisions will spark a very deliberate process of building national consensus on the many contentious issues in the coastal and marine environment that face the nation daily. Hopefully, this process will soon result in a useful document that will contain all the basic guidance needed to steer the nation away from the trends of environmental degradation, and point toward healthier and more sustainable oceans and coasts.

(Prepared by Jay L. Batongbacal, Executive Director, Philippine Center for Marine Affairs, Inc.)

REPORT ON EVENTS

FOURTH UNICPOLOS MEETING JUNE 2-6, 2003 UNITED NATIONS, NEW YORK

The fourth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea was held from June 2-6, 2003 at UN headquarters in New York. The meeting was co-chaired by Felipe Paolillo (Uruguay) and Philip Burgess (Australia). The meeting marked the start of a new three-year period for the Consultative Process and brought together over 200 delegates and observers from governmental agencies, intergovernmental organizations and non-governmental organizations to discuss areas of concern and actions needed, particularly in matters of cooperation and coordination on ocean issues.

Major topics of discussion at UNICPOLOS included: safety of navigation; the protection of the marine environment; intergovernmental and inter-agency cooperation and coordination; the obligations of flag and port States; and capacity building. The Food and Agriculture Organization (FAO) and the United Nations Environment Programme's Global Programme of Action (UNEP-GPA) gave specific reports on illegal, unreported and unregulated (IUU) fishing, and on the impacts of land-based activities on the marine environment respectively. The meeting convened two discussion panels on safety of navigation, including capacity building for the production of nautical charts, and on the protection of vulnerable marine ecosystems.

Delegates debated the elements of three main areas to be suggested to the General Assembly for its consideration under its agenda item entitled "Oceans and the Law of the Sea," including safety of navigation, the protection of vulnerable marine ecosystems, and cooperation and coordination on ocean issues. Selected points emerging from the discussions are noted below.

Safety of Navigation

Delegates noted that the body of rules addressing safety of navigation is substantial but the issue rests in their implementation. While UNCLOS provides for the primacy of flag State jurisdiction regarding enforcement of international rules at sea, many fail to fulfill their

responsibilities regarding control and enforcement of the IMO's safety of navigation standards. The lack of an enforcement mechanism for international law and the costs of establishing adequate maritime administrations and legislation are recognized as issues preventing fulfillment of flag State obligations. Discussions on the rights of State to protect their marine and coastal environment against oil spills and other discharges revolved around the question of whether the adoption of international standards is evolving rapidly enough to ensure effective protection. The meeting confined itself to urging States to work within relevant international organizations and in accordance with international law.

Protection of the Marine Environment

Debate on marine protected areas (MPAs) beyond national jurisdiction underlined the fine balance between the fundamental freedom of the high seas and the need to protect fragile ecosystems and fisheries in areas beyond national jurisdiction. The issue of mining of mineral resources found in the Area and whether the most appropriate forum to deal with deep seabed genetic resources is the Convention on Biological Diversity or the International Seabed Authority proved contentious. While most delegations recognized the need for further information on the topic to design an adequate regime, others opposed singling out the issue.

The major issue of illegal, unregulated and unreported (IUU) fishing was extensively discussed and the process highlighted the need for the UN Division for Oceans Affairs and the Law of the Sea to clarify and better define the genuine link between a flag State and a vessel in order to facilitate the implementation of relevant international instruments. The upcoming global assessment of the state of the marine environment (as called for at the World Summit on Sustainable Development) was seen as an opportunity for enabling management decisions to be made on sounder and more complete information and for greater inter-agency and intergovernmental cooperation on ocean issues.

Cooperation and Coordination on Ocean Issues and Future Prospects for the UNICPOLOS

Delegates unanimously supported the extension of the Consultative Process for another three years given the constructive role it has played in providing substantive input in the General Assembly's debates on ocean affairs. Delegates expressed concern at the replacement of the Subcommittee on Oceans and Coastal Areas

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(SOCA) with the inter-agency coordinating mechanism called for under UNGA resolution 57/141 and debated the role of the Consultative process in the new set-up. Discussions concluded that while inter-agency coordination is important for ensuring coherence between relevant intergovernmental processes, national implementation and cooperation between States remain critical for effective implementation of UNCLOS and its objectives. The challenge is to ensure that various regional processes and instruments operate within the framework of UNCLOS and international law, and do not undermine global efforts. The Consultative Process may bear the responsibility for ensuring overall coherence and consistency of actions with international law, and its recent extension provides an opportunity to do just that.

Delegates agreed on a draft text on elements to be suggested to the General Assembly. Sections in the text related to: safety of navigation; capacity building for the production of nautical charts; measures to enhance safety of navigation; flag State implementation and enforcement; and protection of vulnerable marine ecosystems. Selected suggestions according to the three main topics are presented below.

Specific proposals to the General Assembly on *Safety of Navigation* included the need to:

- Reiterate the call in resolution 57/141 to improve both the implementation of international agreements and the coordination of activities of organizations with related mandates and work programmes;
- Urge States to establish or strengthen appropriate national institutional and legal frameworks to ensure national compliance with international regulations, procedures and practices;
- Promote the continued operation and funding of the International Hydrographic Organization (IHO);
- Promote coordination of the IHO with the International Maritime Organization (IMO) to improve global hydrographic information development and service provision;
- Encourage capacity building for developing countries, small island developing States and

coastal African States, to improve hydrographic services and the production of nautical charts, while recognizing the opportunity to work at the regional level;

Selected proposals to the General Assembly on adopting *measures to enhance safety of navigation* include:

- Promoting the phase-out of single-hull tankers;
- Supporting development of IMO guidelines and State plans to establish procedures to accommodate ships needing refuge;
- Welcoming the convening of an international conference on the safety of transport of radioactive material in July 2003;
- Reiterating its call in resolution 57/141 for cooperation in the prevention and combating of piracy and armed robbery at sea urging States to consider promoting and implementing regional agreements and maritime security legislation consistent with relevant conventions and agreements for the world seaborne trade

Specific proposals to the General Assembly on *enhancing flag State implementation* recognize the key role of a multilateral approach and call for:

- Assistance to States that are facing capacity constraints in attempting to fulfill their obligations including strengthening infrastructure and enforcement capabilities in flag States without an effective maritime administration;
- Clarification and definition of the 'genuine link' by DOALOS;
- Encouraging the IMO to develop a voluntary model audit scheme, to strengthen its draft implementation code, and to enhance efforts regarding flag State implementation through cooperation with the FAO;
- Promote the functions of the FAO and IMO in relation to port State control and facilitate cooperation and information exchange between regional memorandums for port State control; and

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- Restrict the operation of substandard vessels and IUU fishing activities.

Proposals were suggested to the General Assembly on the *Protection of vulnerable marine ecosystems* under six main themes:

1. Integrated Marine and Coastal Management proposals included the need for the General Assembly to:
 - Continue implementing the GPA;
 - Accelerate activity to safeguard the marine environment against pollution and physical degradation and emphasize that the protection of coastal and marine environments is an important component of the WSSD target on sanitation;
 - Invite the Commission on Sustainable Development to include, in its focus on water for the next two years, the effects of freshwater management on saltwater environments; and
 - Increase emphasis on the link between freshwater, the coastal zone and marine resources when implementing the Millennium Development Goals, WSSD goals, and the Monterrey Consensus on Financing for Development
2. Proposals on Fisheries included the need for the General Assembly to:
 - Support increased enforcement and compliance capabilities for regional fisheries management organizations and their member States by relevant bodies;
 - Examine and clarify the genuine link between fishing vessels and their flag States; and
 - Recommend that the inter-relationship between ocean activities, such as shipping and fishing, and environmental issues, be addressed.
3. Proposals for Seamounts and Areas beyond National Jurisdiction included the need for the General Assembly to:
 - Reiterate the call for consideration of ways to integrate and improve, on a scientific basis, the management of risks to the biodiversity of seamounts, certain other underwater features, and coldwater coral reefs;
 - Recognize the scientific and technical work related to marine and coastal biodiversity under the Convention on Biological Diversity; and
4. Proposals for Coral Reefs focused on the need for the General Assembly to:
 - Invite relevant bodies at all levels to consider how to better address, on a scientific and precautionary basis, the threats and risks to vulnerable and threatened marine ecosystems and biodiversity beyond national jurisdiction in a manner that is consistent with both international law and the principles of an integrated ecosystem management.
 - Reiterate its support for International Coral Reef Initiative (ICRI) and the CBD Jakarta Mandate and emphasize the need to mainstream coral reef management approaches;
 - Promote the consideration of coldwater coral ecosystems and call for enhanced cooperation of activities through information exchange.
5. Proposals for MPAs suggested that the General Assembly:
 - Reaffirm State efforts to develop and facilitate the use of diverse approaches and tools for conserving and managing vulnerable marine ecosystems consistent with international law and based on the best scientific information available;
 - Support the development of representative networks of such areas by 2012.
6. Proposals on Ballast Water and Sediments called on the General Assembly to:
 - Urge the IMO to complete its work on the development of a draft convention on the control and management of ships' ballast water and sediments, and to convene a diplomatic conference to address the issue.

The final report of the fourth meeting, including a full discussion of all the agreed elements proposed to the General Assembly, a Co-Chair's summary of discussions, and a list of agreed upon issues that could benefit from attention in future work of the General Assembly, is available online on the DOALOS website, at: http://www.un.org/Depts/los/consultative_process/consultative_process.htm. The Earth Negotiations Bulletin summary coverage of the meeting can be found at: <http://www.iisd.ca/linkages/vol25/enb2506e.html>.

(Prepared by Bernice McLean, Center for the Study of Marine Policy)

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GLOBAL FORUM PANEL AT THE FOURTH UNICPOLOS MEETING

On June 5, 2003, the Global Forum on Oceans, Coasts and Islands hosted a side event at the fourth meeting of the UN Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) in New York on “*Mobilizing for a Renewed Global Ocean Agenda.*” The side event aimed to contribute to the meeting by addressing the following issues on the UNICPOLOS agenda: protecting the marine environment and vulnerable ecosystems, integrated ocean management, and fisheries. The invited panelists included *Geoffrey Heal*, Pew Oceans Commission, United States; *Tullio Scovazzi*, University of Milan Bicocca; *David Osborn*, UNEP/GPA; *Sian Pullen*, WWF International; and *Marea Hatzios*, World Bank. *Patricio Bernal*, IOC/UNESCO and *Stefano Belfiore*, University of Delaware and NOAA International Program Office, co-chaired the meeting.

Major points covered were the following:

Geoffrey Heal, Commissioner, Pew Oceans Commission spoke on the recently released report of the Pew Oceans Commission *America’s Living Oceans: Charting a course for Sea Change*. The Pew Oceans Commission, a bipartisan, independent group of American leaders, was created to identify policies and practices necessary to restore and protect living marine resources in U.S. waters and the ocean and coastal habitats on which they depend. The Commission, also tasked with raising public awareness of the principal threats to marine biodiversity and of the importance of ocean and coastal resources to the U.S. economy, reviewed the core issues of governance, fishing, pollution, and coastal development. It also investigated marine aquaculture, invasive species, ocean zoning, climate change, science, and education. For more than two years, the Commission conducted a series of dialogues, public meetings and workshops on ocean issues. The Commission’s 144-page report presented a new direction for governing our oceans and called for a bold, new conservation ethic that embraces the oceans as a public trust, recognizes U.S. dependence on healthy marine ecosystems, and practices precaution in the management of its ocean resources. Professor Heal discussed the main findings and recommendations of the Report, including:

1. Finding: U.S. ocean policy is a combination of narrow laws that has grown by accretion over the years, often in response to crisis, and is in need of reform to reflect the substantial changes in our knowledge of the oceans and our values toward them. Solution: The Commission calls upon Congress and the Bush administration to pass a National Ocean Policy Act that embodies a national commitment to protect, maintain, and restore the living oceans.

2. Finding: Management approaches that cut across lines of jurisdiction and involve all members of the community have proven to be the most successful. Solution: The Commission calls for the establishment of an independent oceans agency to streamline federal management, the creation of regional ecosystem councils to bring fishermen, scientists, citizens, and government officials together to develop ocean management plans, and a national network of marine reserves to protect and restore fragile ocean habitats.

3. Finding: With half the nation living along the coast and millions more visiting each year, we are fundamentally changing the natural ecosystems that attract us to the coast. Solution: The Commission calls upon Congress and the states to work together to set aside habitat critical to coastal ecosystems and to promote smart land use that protects terrestrial and marine environments. The Commission also calls for the redirection of government programs and subsidies that contribute to the degradation of the coastal environment.

4. Finding: Overfishing, wasteful bycatch, the destruction of habitat, and resulting changes in marine food webs threaten the living oceans upon which our fishing industry and heritage depend. Solution: The Commission urges the adoption of ecosystem-based management that restricts destructive fishing gear, eliminates the wasteful practice of discarding unintended catch, and places a priority on the long-term health of marine life and marine ecosystems.

5. Finding: The nutrients and toxic substances run-off and emissions present the greatest pollution threat to coastal waters. Solution: The Commission calls for (1) national standards that set nutrient pollution limits and (2) compliance with these standards and further reductions in toxic pollution using watershed-based approaches. The Commission also calls for stricter measures to abate pollution from animal feeding operations and cruise ships, and to stem the tide of invasive species arriving from overseas.

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For a complete version of the report, go to the Pew Oceans Commission website at <http://www.pewoceans.org/>.

David Osborn, UNEP/GPA Coordination Office, spoke on the issues and challenges associated with protecting vulnerable marine ecosystems from land-based activities. He emphasized that marine pollution frequently stems from land-based activities occurring hundreds, even thousands, of kilometers from sensitive and vulnerable marine ecosystems, and that an integrated freshwater/saltwater approach to water management must be developed. Groundwater, rivers and coastal currents slowly transport pollutants away from their original source on land toward marine ecosystems unable to absorb them in large quantities. It follows that each country must develop an integrated approach to the problems of marine pollution that best suits the country's geographic characteristics, political, institutional and regulatory frameworks, best available science and technology, current assessments, inventories and data.

He emphasized that freshwater and saltwater issues can no longer be considered in isolation, but rather a Hilltops-2-Oceans (H2O) approach to water management must be adopted. The effects of the demands for and use of water, as well as other anthropogenic activities in watersheds, on the health and productivity of coastal and marine environments must be emphasized in national strategies for sustainable development. Indeed, the management of water, particularly water for sanitation and its treatment prior to re-entering the water cycle, is a fundamental policy issue with direct consequences for the health and productivity of coastal and marine waters. Finally, he emphasized that a holistic and environmental definition of 'sanitation', incorporating not only the provision of sanitation services but all other components of the wastewater management process, should be adopted in intergovernmental decisions and national strategies.

Sian Pullen, WWF International, talked about applying the ecosystem approach for both marine management and the protection of vulnerable marine ecosystems. After reviewing some of the commitments made at the World Summit on Sustainable Development (WSSD) in Johannesburg in September 2002, including the commitment to encourage the application of the ecosystem approach by 2010, she highlighted the more important principles of ecosystem-based management (EBM), including: 1) It is important to maintain the

natural structure and function of ecosystems, including the biodiversity and productivity of natural systems and identified important species, in the focus for management; 2) Human use and values of ecosystems are central to establishing objectives for use and management of natural resources; 3) Ecosystems are dynamic; their attributes and boundaries are constantly changing and consequently, interactions with human uses are also dynamic; 4) Natural resources are best managed within a management system that is based on a shared vision and a set of objectives development amongst stakeholders; 5) Successful management is adaptive and based on scientific knowledge, continual learning and embedded monitoring processes; and 6) It is essential to involve all stakeholders. Dr. Pullen also discussed how EBM is supposed to operate and presented five easy steps on how to deliver it. Step 1 involves developing a vision and objectives for the ecosystem to be managed and to involve the stakeholders in this process. Step 2 includes strategic assessments of the resource and the use of complementary tools such as threat analysis, root cause analysis and socioeconomic assessments. Root cause analysis identifies the immediate threats but also the drivers behind the threats. Step 3 involves spatial planning, including the development of networks of representative MPAs. It needs to be recognized that in a developed part of the world, tough decisions will need to be made on where to site developments and activities. These decisions will be particularly tough when a sea area is already heavily utilized. Step 4 focuses on the delivery mechanisms that are available to encourage the correct approach (for example, controls, licenses, consents, quotas, routeing measures, etc.). Also included in Step 4 is the need for restoration techniques such as closed areas or recreation of coastal wetlands, which allow for full recovery of the system. Finally, Step 5 addresses the strategy for delivery. Such a Strategy should include fiscal instruments, research programmes, education and training, enforcement, monitoring and evaluation. Aspects of this presentation are taken from a report published by WWF International titled *Policy Proposals and Operational Guidance for Ecosystem-Based Management of Marine Capture Fisheries* and a Marine Update published by WWF-UK on *Delivering an Ecosystem Approach - the Need for a Marine Act*. Both reports are available on WWF web sites ([www.panda.org/endangered seas](http://www.panda.org/endangered_seas) and www.wwf.org.uk).

Tullio Scovazzi, University of Milan - Bicocca, spoke on the management approaches and legal instruments

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for the protection of vulnerable marine and coastal ecosystems. He described marine ecosystems as having unique characteristics situated in areas governed by different legal conditions. While wetlands, lagoons or estuaries are located along the coastal belt, other ecosystems such as seamounts, hydrothermal vents or submarine canyons are likely to be found at a certain distance from the coast, in areas falling under the regime of the Exclusive Economic Zone or the high seas. Integrated coastal area management, considered a useful tool in addressing problems in coastal areas, can be extended to cover an international dimension in the special context of some regional seas, such as the 2001 Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean.

Regarding vulnerable ecosystems located beyond the limits of the territorial sea, Mr. Scovazzi mentioned that nothing should prevent concerned states from establishing marine protected areas around them as a fulfillment of the obligation set forth by Art. 194, para. 5, of the UN Convention on the Law of the Sea, which provides that measures taken to protect and preserve the environment shall “include those necessary to protect and preserve rare or fragile ecosystems as well as the habitat of depleted, threatened or endangered species and other forms of marine life,” regardless of their location. He described the Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean, which is designed to protect highly migratory marine species that do not respect artificially drawn boundaries and provides for the establishment of a list of specially protected areas of Mediterranean interest (SPAMI). All the parties to the Mediterranean Protocol will be obliged to “recognize the particular importance of these areas for the Mediterranean” and also to “comply with the measures applicable to the SPAMIs and not to authorize nor undertake any activities that might be contrary to the objectives for which the SPAMIs were established.” This provision gives to the SPAMIs and to the measures adopted for their protection, an *erga omnes partes* (multilateral) effect.

When a treaty establishes a protected area beyond the limit of the territorial sea, there is the question of whether the protection measures agreed upon by the parties are applicable to non-parties arises. Mr. Scovazzi put forward three considerations to address this question: a) Every state is already under an obligation arising from customary international law and as

provided under UNCLOS Art. 194, para.5 to protect and preserve rare or fragile ecosystems, wherever they are located; b) Special provisions on the relationship with third parties can be included in the relevant treaties; and c) It would be a mistake to think that the traditional principle of freedom of the sea is an insurmountable obstacle against the establishment and sound management of specially protected areas on the high seas. There is currently no single treaty that can be used to identify and protect all vulnerable ecosystems beyond national jurisdiction in an integrated manner. Such a treaty could be a useful addition to, and an instrument for the enhancement of, the present body of rules relating to the law of the sea.

Marea Hatzioles, Senior Coastal and Marine Specialist, Environment Department, World Bank, spoke about a World Bank-GEF program in preparation to support Targeted Research and Capacity Building for Coral Reef Ecosystem Management. This initiative seeks to address the critical gaps in our scientific understanding of factors determining vulnerability and resilience of coral reef ecosystems to a range of stressors such as those related to climate change, diseases, increasing surface temperatures, more intense and frequent storms, and local and human stressors such as eutrophication from both nutrient run-off and sedimentation, and overfishing. The program will seek to link the knowledge generated from this program to improving management and conservation policies globally.

This initiative is envisioned as a long-term 15-year program in three phases of five years each to build the foundation for science-based management and informed policies. It will follow a regional approach that will facilitate the creation of networks of scientists in developed and developing countries, and of multidisciplinary research teams that could effectively bridge all the disciplines necessary to answer the program’s key questions. The program will have the following overall elements: 1) addressing knowledge and technology gaps; 2) linking scientific knowledge to management; and 3) promoting learning and capacity building to create a solid foundation for science-based management and informed policy decision making.

The program will cover four regions 1) the Western Caribbean and the Meso-American barrier reef region; 2) the Western Indian Ocean; 3) Southeast Asia; and 4) the Great Barrier Reef and the Western Pacific and Melanesia. Each region will have a node or Center of

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Excellence, which will have satellite sites that would reach out to existing government environment facilities, other management activities such as marine protected area initiatives, NGO initiatives involving local communities, and other kinds of ongoing management activities that are still lacking the basic scientific information needed to make policy interventions much more effective.

A major study to identify the most appropriate institutional arrangements and flow of funds for the program is currently underway. A group of executing entities in the field will carry out the research, under the technical direction of a Synthesis Panel composed of the chairs of the six working groups plus four internationally recognized experts. This field research group will also operate under the management direction of a global implementing agency, responsible for overall administration of the project. The six working groups represent six key areas that were determined as a result of broad consultation with the scientific and management communities as to the critical gaps in our understanding of coral reef vulnerability and resilience. The thematic areas are: 1) Coral bleaching and local ecological responses; 2) coral diseases; 3) Large-scale ecological processes, recruitment and connectivity; 4) Coral restoration and remediation; 5) Remote sensing; and 6) Modeling and decision support. (The latter includes analysis of socioeconomic interactions with biophysical elements of the reef ecosystem, how these affect ecosystem resilience and the sustainability of goods and services on which coastal communities depend.)

This initiative will be monitored for its effectiveness using a series of performance indicators including interdisciplinary collaboration, creating partnerships to sustain research, ensuring that the knowledge resulting from the researcher actually gets fed into policy, and evidence that the knowledge and the tools are developed as a result of the research program.

For more information about the project, please consult www.gefcoral.org.

(Prepared by Miriam Balgos, Center for the Study of Marine Policy)

INTERNATIONAL WORKSHOP ON INTEGRATING MPA MANAGEMENT WITH COASTAL AND OCEAN GOVERNANCE: PRINCIPLES AND PRACTICES

On July 12-14, 2003, the World Commission on Protected Areas (WCPA) Marine, of the International Conservation Union (IUCN), in collaboration with the U.S. National Oceanic and Atmospheric Administration (NOAA), National Ocean Service, International Program Office (NOS/IP) convened a group of experts in Baltimore for the international workshop on Linking Marine Protected Areas to Integrated Coastal and Ocean Management. The workshop initiated a process to identify a preliminary draft set of principles and guidelines for integrating marine protected area management into integrated coastal management.

The workshop was organized around four major dimensions: (a) recognizing the ecological and socioeconomic linkages between MPAs and the surrounding coastal and marine environment; (b) ensuring awareness of, and political support for, the role played by MPAs in the coastal area; (c) implementing and enhancing specific approaches and tools for managing MPAs in the coastal zone; and (d) addressing the management of MPAs through a more strategic and comprehensive approach in the context of integrated ocean and coastal management. Following the results of the workshop, the secretariat is preparing a draft of the principles and guidelines that will be further discussed at the 5th World Parks Congress in Durban, South Africa, September 8-17 (see announcement on p.18).

For more information, see the workshop website at: <http://ipo.nos.noaa.gov/cz03workshop/>

(Prepared by Stefano Belfiore, Center for the Study of Marine Policy, and NOAA International Program Office)

ARTICLE

Editors' Note: This article is an extract from a paper which is the first in a series that aims to contribute to the deliberations leading up to the International Meeting to Review Implementation of the 1994 Barbados Programme of Action for the Sustainable Development of Small Island Developing States. The full document will be distributed in the next issue of this newsletter. Comments on the article are welcome and may be sent to sbelf@udel.edu. Work on the series has been funded by the UNEP/GPA Programme and has been carried out through the Global Forum on Oceans, Coasts, and Islands. Many thanks are due to Dr. Veerle Vandeweerd, co-chair, Global Forum on Oceans, Coasts, and Islands, for organizing this initiative.

VOLUNTARY PARTNERSHIP INITIATIVES FROM THE 2002 WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT AND SMALL ISLAND DEVELOPING STATES

Prepared by Stefano Belfiore, Global Forum on Oceans, Coasts, and Islands,
and Center for the Study of Marine Policy, University of Delaware

Purpose of the Paper

This paper considers the potential contributions of the voluntary Partnerships initiatives emanating from the 2002 World Summit on Sustainable Development (WSSD) to the sustainable development of SIDS, and specifically examines the extent to which and how the Partnership initiatives support the targets and timetables agreed to in the Johannesburg Plan of Implementation, the main action agenda produced at the World Summit. The paper: 1) characterizes the initiatives in terms of their geographical scope, projected time span, substantive coverage, and planned activities; 2) discusses the potential sustainability of the initiatives; and 3) suggests elements of a system to assess progress in the implementation of partnership initiatives and of the Johannesburg Plan of Implementation.

It should be noted that this analysis is based on data on the Partnership initiatives posted on the WSSD website (United Nations Division for Sustainable Development. [2003a]. <http://www.un.org/esa/sustdev/partnerships/> [May 31, 2003]) as of May 31, 2003. At the moment of writing, updates reporting progress since the conclusion of the World Summit (August 26 to September 4, 2002) were only available for a limited number of partnerships. Given the short time elapsed since the WSSD, progress generally refers to coordination meetings and, in some cases, to exploration of funding opportunities.

Voluntary Partnerships at the WSSD

A number of partnership initiatives to strengthen implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21, and the

Johannesburg Plan of Implementation are a major outcome of the World Summit. These partnership initiatives consist of a series of commitments and action-oriented coalitions focused on deliverables and are intended to aid in translating political commitments into action. Though the partnership initiatives were not negotiated at the WSSD in the same manner as the Plan of Implementation, they are an integral part of the WSSD and represent one way of translating the negotiated commitments into action. The partnerships are new initiatives conceived specifically for the WSSD. The mechanisms governing the partnerships are established by the partners. The partnerships must fulfill requirements in terms of targets, timetables, monitoring arrangements, coordination and implementation mechanisms, and arrangements for predictable funding and technology transfer. Partnership initiatives are formally reviewed by and registered with the WSSD Secretariat. Initiatives that do not address all of the requirements noted above are not accepted by the Secretariat. More than 200 multi-stakeholder partnership initiatives were launched during the WSSD process.

The partnership initiatives are intended to contribute to the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21, and the Johannesburg Plan of Implementation by involving different types of stakeholders. This paper examines the extent to which the partnership initiatives address the issues contained in the Johannesburg Plan of Implementation, their geographical coverage and scale, time span, lead organization and partnership composition, specific activities planned, linkages with other ongoing activities, and investment and sources of funding.

Review of the Barbados Programme of Action

The Johannesburg Plan of Implementation calls for undertaking a full and comprehensive review of the implementation of the Barbados Programme of Action for the Sustainable Development of Small Island States in 2004 (BPoA), which was adopted at the Global Conference on Sustainable Development of Small Island Developing States, convened in Barbados in 1994. The BPoA sets forth specific actions and measures to be taken at the national, regional and international levels in support of the sustainable development of SIDS.

Voluntary Partnerships Related to SIDS

Of the existing partnership initiatives, 31 partnerships are most relevant to SIDS:

- Sustainable development of SIDS: 17
- Oceans, coastal areas and fisheries: 7
- Biodiversity and ecosystem management: 1
- Climate change and air pollution: 1
- Early warning/disaster preparedness: 1
- Sustainable development initiatives for Africa: 1
- 3 other activities and processes to initiate partnerships are currently under way
- Total: 31

The partnership initiatives have been analyzed in terms of their contribution to the objectives of the Johannesburg Plan of Implementation for SIDS and in terms of:

- Geographical scope
- Time span
- Leads and partnership
- Specific activities
- Linkages with existing initiatives
- Investment and sources of funding
- Potential sustainability

Conclusions

Overall, the partnership initiatives launched at the WSSD that are relevant to SIDS seem to address in a direct and complete way the issues included in the Johannesburg Plan of Implementation both in terms of the broad policy processes involved in sustainable development and sectoral issues. The issues receiving most attention are management of coastal areas and fisheries, hazards, biodiversity and wastes.

In terms of the geographical coverage, the majority of partnerships pertain to the Asia-Pacific region. With almost the same number of SIDS, the Latin America and Caribbean region has fewer than one-fifth of the initiatives present in the Asia-Pacific region. No initiatives cover the Western and Central Africa region.

The majority of the partnerships have been proposed by intergovernmental organizations or governments, with fewer proposals put forward by nongovernmental organizations. For some of the partnerships, the lead agency is still to be defined. The composition of the partnerships is generally mixed, with participation from different types of organizations, but with limited presence of the private sector.

At the current stage of development, the financial viability and sustainability of some of the partnership initiatives presented at Johannesburg are in the process of definition and positive development both in terms of programs of implementation, funding, and inter-regional networking as have just been reported at the Regional Preparatory Meeting of Pacific SIDS (Apia, Samoa, August 4-8, 2003). The availability of adequate funding, the definition of financial arrangements, and the participation of the private sector, all are factors likely to determine the success of the partnerships, which make it important to closely observe the further development of the initiatives. Additional sources of funding might have to be sought to support actions in the focal areas most addressed by the partnership initiatives: natural hazards, coastal areas and fisheries, biodiversity, and wastes.

The challenge of the contribution of the partnership initiatives to the priority issues of the Johannesburg Plan of Implementation and to the broader goals of the Barbados Plan of Action lies in their actual implementation. A specific and adequate monitoring and reporting system might have to be devised in order to track the implementation of the partnerships. The questionnaire developed for the Barbados +10 process addresses WSSD partnership initiatives in the context of the implementation of the Millennium Development Goals and can provide a useful context within which to monitor progress in the implementation of partnership initiatives. Occasions for exchange of ideas and experiences, as well as for the promotion of partnerships among potential donors, will also have to be organized. In this perspective, the partnership fair organized at CSD-11 appears to be a promising approach.

ANNOUNCEMENTS

ON THE ROAD TO MAURITIUS 2004

In 2000, at the United Nations Millennium Summit, world leaders resolved to address the vulnerabilities faced by small island developing States “rapidly and in full” by 2015. At the 2002 World Summit on Sustainable Development in Johannesburg, South Africa, these concerns were highlighted and resulted in several partnerships to address the specific needs of small islands. In a follow-up to WSSD, the United Nations General Assembly adopted Resolution (A/57/262), inter alia, and called for a 10-year comprehensive review of the Barbados Program of Action at a high-level international meeting, to be held in Mauritius in August 2004. A number of regional and inter-regional meetings will be held to provide an opportunity for island nations and their partners to review progress and challenges and to begin talks on what can be achieved in Mauritius. Following is a schedule of the preparatory process leading up to the Mauritius meeting.

Regional Preparatory Meetings

Pacific SIDS: Apia, Samoa – August 4-8, 2003

Caribbean SIDS: Port of Spain, Trinidad and Tobago –
October 6-9, 2003

Atlantic, Indian Ocean, Mediterranean and South China
Seas SIDS: Praia, Cape Verde – September 1-5, 2003

Inter-regional Preparatory Meeting

All SIDS: Nassau, Bahamas – January 26-30, 2004

United Nations Commission on Sustainable
Development 12th Session

All UN Members States: UN Headquarters, New York –
April 19-30, 2004

(Small Island Developing States Preparatory Committee
– April 14-16, 2004)

For more information, please see www.sidsnet.org, or
contact:

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NEW ZEALAND MINISTRY OF FOREIGN AFFAIRS WEBSITE

The New Zealand Ministry of Foreign Affairs has recently uploaded a new website (<http://www.mft.govt.nz/index.html>) that provides information about New Zealand’s international relations. Among other trade and policy information on the website are news on current developments in international law (<http://www.mft.govt.nz/support/legal/default.html>) such as information on New Zealand’s continental shelf, International Rule Making, UN Convention on the Law of the Sea, Disputes Index, Treaties, Treaty Register and Treaty Making Process, Multilateral/Bilateral Treaties under Negotiation/Consideration, and the 11th Annual Meeting of the Australian and New Zealand Society for International Law (ANZSIL) held in Wellington on 4-6 July 2003.

Under its Disputes Index, the website provides information on the dispute between New Zealand and Japan concerning Southern Bluefin Tuna (SBT). It includes technical information about the SBT species and experimental fishing by Japan, as well as overviews of the 1999 International Tribunal for the Law of the Sea (ITLOS) Order on Provisional Measures, the 2000 Arbitral Tribunal Award on Jurisdiction and Admissibility, and ensuing measures undertaken with the Award’s guidance by the Commission on Conservation of Southern Bluefin Tuna (CCSBT), which led to resolution of the dispute to the satisfaction of all the Parties (<http://www.mft.govt.nz/support/legal/disputes/disputeontuna.html>). This Award’s impacts on the ultimately successful resolution of the dispute are appraised in the comments of New Zealand consultant and CCSBT Chairman William R. Mansfield (<http://www.mft.govt.nz/support/legal/disputes/seapol.html>) regarding a paper on “The Southern Bluefin Tuna Arbitration” written by Professor Barbara Kwiatkowska of the Netherlands Institute for the Law of the Sea (NILOS) (for an updated version of Professor Kwiatkowska’s paper, go to the NILOS website at <http://www.law.uu.nl/nilos> Publications - Papers).

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Texts of the Southern Bluefin Tuna Award (39 ILM 1359 (2000); 119 ILR 508) and its written and oral pleadings are also available at the International Centre for Settlement of Investment Disputes (ICSID) website (<http://www.worldbank.org/icsid/bluefintuna/main.htm>), while all Arbitrators and Agents/Counsel are listed and featured in 17 ICSID News 2000/1 (<http://www.worldbank.org/icsid/news/n-17-1-3.htm>).

IUCN Vth WORLD PARKS CONGRESS

The IUCN Vth World Congress on Protected Areas (<http://www.iucn.org/themes/wcpa/wpc2003/>), an event conducted every 10 years, provides the major global forum for setting the agenda for protected areas. The Congress offers a unique opportunity to take stock of protected areas; provide an honest appraisal of progress and setbacks; and chart the course for protected areas over the next decade and beyond.

The Vth IUCN World Parks Congress will be held in Durban, South Africa, on September 8-17, 2003. Both Patrons of the Congress, former South African President and Nobel Peace Prize winner Mr. Nelson Mandela and Her Majesty Queen Noor strongly endorse the theme of the Congress, "Benefits Beyond Boundaries." The Vth IUCN World Parks Congress is organized by IUCN – The World Conservation Union, its World Commission on Protected Areas (WCPA), South African National Parks and the Government of South Africa.

One of the cross-cutting themes of the Congress is Marine, which will be covered in workshop sessions to be held on September 11-13, 2003. The sessions will address various topics that include: 1) Strategies and tools for regional and national approaches to building comprehensive MPA networks; 2) Protecting marine biodiversity beyond national jurisdiction; 3) Benefits of MPA networks for fisheries and endangered species: experiences and innovation in scaling up to build networks; 4) Assessing management effectiveness in MPA; 5) Building a diverse portfolio to sustainably

finance MPA networks; 6) Integrating MPA management with coastal and ocean management; 7) The role of MPAs in sustainable fisheries; 8) MPAs – The next 20 years and beyond: incorporating resilience into MPA design and management; and 9) Application of MPAs in sustaining the world's Large Marine Ecosystem. A variety of outputs are expected from the marine theme, including findings, recommendations and guidelines to better manage MPAs. The primary contacts for the marine theme are Charles Ehler, Director, NOAA International Programs Office, and Vice-Chair for Marine, WCPA, and Peter Cochrane, National Parks Director of Environment Australia.

DEEP SEA 2003

Deep Sea 2003 is a forum for experts to discuss and debate issues relating to the information required for management decision making and the types of management and governance concepts that may be useful in deep-sea areas. The key stimulus for the conference is the rapid expansion of fishing operations into the deep sea. The outcomes of the conference are to be reported to the FAO Committee on Fisheries at its 26th meeting in February 2005.

The conference is to be held in Queenstown, New Zealand from 1 - 5 December 2003. Information on the conference is available from <http://www.deepsea.govt.nz>.

Erratum: The International Ocean Institute (IOI) was a convening organization of the 3rd World Water Forum session on Dialogue between the Ocean and Fresh Water Communities, which was not mentioned in the article on Linking Freshwater to Coastal Management at the World Water Forum (Global Forum Newsletter 1(2):11-12). Our apologies to IOI.

ABOUT US

The Global Forum on Oceans, Coasts, and Islands Newsletter (<http://www.globaloceans.org>) covers:

- Major global news related to oceans, coasts, and islands;
- Major developments in international negotiations and implementation of international agreements related to oceans, coasts, and islands;
- Major news from Global Forum partners— international organizations, governments, non-governmental organizations, and private sector;
- Progress in the implementation of the commitments made at the World Summit on Sustainable Development (WSSD) and the voluntary partnerships (Type II) created at the WSSD;
- Regional and national-level news related to oceans, coasts, and islands of global significance; and
- Events, conferences, and major meetings related to oceans, coasts, and islands.

Contributions are invited in the following categories:

- Feature articles: Interpretative articles about developments related to oceans, coasts, and islands;
- News reports from international organizations, governments, non-governmental organizations, private sector;
- Reports about WSSD implementation and progress in WSSD partnership initiatives;
- Summaries of reports and meetings; and
- Opinion section: Critical analyses of important issues related to oceans, coasts, and islands.

The newsletter will be published on a bimonthly basis. This schedule may, at times, be altered to focus, in a timely manner, on an important international development. The newsletters will be archived as part of the Oceans, Coasts, and Islands website accessible at www.globaloceans.org.

Potential contributors are kindly requested to follow the schedule noted below. Submissions will be evaluated by an editorial committee. Please note that some submissions may not be accepted due to appropriateness, timeliness, and space considerations.

Contributions to the Newsletter should be sent to Dr. Miriam Balgos, Center for the Study of Marine Policy, mbalgos@udel.edu, two weeks before each of the following publication dates:

Issue 4: September 15, 2003

Issue 5: November 1, 2003 (with final program for Global Conference)

Issue 6: December 15, 2003

The Global Forum Newsletter is prepared at the [Center for the Study of Marine Policy \(CSMP\)](#) at the University of Delaware. A multi-national team of researchers under the editorship of [Dr. Biliana Cicin-Sain](#) manages the Newsletter, including [Dr. Miriam Balgos \(Philippines\)](#), lead editor, [Catherine Johnston \(U.S.\)](#), [Isabel Torres de Noronha \(Portugal\)](#), [Bernice McLean \(South Africa\)](#), [Danielle Tesch \(U.S.\)](#), [Meredith Blaydes \(U.S.\)](#), [Stefano Belfiore \(Italy\)](#), and [Jorge Gutierrez \(Mexico\)](#). Funding and other forms of support are provided by the Intergovernmental Oceanographic Commission/UNESCO, UNEP/GPA Coordination Office, International Program Office/National Ocean Service, NOAA, the World Bank, and the Center for the Study of Marine Policy/University of Delaware.

We kindly request your involvement in making this newsletter a useful contribution in the global dialogue on oceans, coasts, and islands.
