

COUNCIL
108th session
Agenda item 15(a)

C 108/15(a)/2
20 March 2012
Original: ENGLISH

EXTERNAL RELATIONS

(a) Relations with the United Nations and the specialized agencies

Note by the Secretary-General

SUMMARY

Executive summary: This document reports on the outcome of the twelfth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP) and informs on the holding of the thirteenth meeting

Strategic direction: 1.1

High-level action: 1.1.2

Planned output: Cooperation with the UN bodies and agencies

Action to be taken: Paragraph 6

Related documents: None

1 The United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP) held its twelfth meeting at the United Nations Headquarters in New York, from 20 to 24 June 2011. The Meeting was attended by 88 States and several international governmental and non-governmental organizations.

2 Pursuant to General Assembly resolution 65/37, the meeting focused its discussions on the topic entitled "Contributing to the assessment, in the context of the United Nations Conference on Sustainable Development, of progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development and addressing new and emerging challenges".

3 The full report of the Co-Chairpersons' summary of the discussions is contained in document A/66/186, available on the website of the United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS) at the address:

http://www.un.org/Depts/los/consultative_process/consultative_process.htm

- 4 The following paragraphs of the said report are of particular relevance to IMO:
- paragraph 5 highlighted the importance of the oceans and seas to sustainable development, in particular, for coastal developing States and small island developing States (SIDs), in the light of their dependence on healthy coastal and marine ecosystems for livelihood. There was a need for the oceans to feature prominently on the agenda of the United Nations Conference on Sustainable Development;
 - paragraph 22 drew the attention of the meeting to the importance of applying the precautionary approach as called for in Principle 15 of the Rio Declaration on Environment and Development (and as reiterated by the Seabed Disputes Chamber of the International Tribunal on the Law of the Sea in its advisory opinion on the responsibilities and obligations of States sponsoring persons and entities with respect to activities in the area). Several delegations supported the application of an ecosystem approach to managing human activities in the oceans, including by using tools, consistent with international law, such as marine protected areas and coastal and marine spatial planning. Reference was also made to Principle 2 of the Rio Declaration, according to which States had the responsibility to ensure that activities within their jurisdiction did not cause damage to the environment of other States or of areas beyond the limit of national jurisdiction. The principle of common but differentiated responsibilities was also recalled by many delegations;
 - paragraph 45, with regard to marine pollution, stressed the need for further work in reducing the impacts of marine debris, underwater noise and land-based activities on the oceans. Marine debris was a transboundary issue, requiring regional cooperation and coordination. The phenomenon of invasive species was also underscored as a threat to biodiversity and a significant factor in its decline. The work of the International Maritime Organization in addressing ballast water was underlined. It was noted that a decrease of biodiversity also affected fisheries, tourism and commerce. Attention was also drawn to the lack of a legal regime on liability and compensation related to damage caused by pollution generated in connection with offshore exploration and exploitation activities;
 - paragraph 92 reported on the most recent work of UN-Oceans and of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection and recalled the scientific contribution of the Joint Group of Experts towards the advancement of chapter 17 of Agenda 21 and the Johannesburg Plan of Implementation, and drew attention to its work, including on ballast waters, atmospheric emissions from ships and coastal pollution sources, and ocean acidification in areas of heavy shipping traffic. In the light of the harmful effects of invasive species on marine ecosystems, States were called upon to ratify the International Convention for the Control and Management of Ships Ballast Water;
 - paragraph 100, the attention of the meeting was drawn to the composite streamlined list prepared by the Co-Chairs of issues that could benefit from attention in the future work of the General Assembly on oceans and the law of the sea. An intergovernmental organization highlighted the issue of climate change and, in particular, ocean acidification, as directly linked to all three pillars of sustainable development. It noted, in this regard, that the increase of ocean acidification was directly linked to shifts in concentration of fish, negative impacts on corals and to the transmission of ocean noise.

5 The thirteenth meeting of the Informal Consultative Process on Oceans and the Law of the Sea will be held at United Nations Headquarters in New York from 29 May to 1 June 2012. Pursuant to paragraph 231 of its resolution A/65/37 of 7 December 2010, as recalled in paragraph 234 of its resolution A/RES/66/231 of 24 December 2011, in its deliberations on the report of the Secretary-General on oceans and the law of the sea, the meeting will focus its discussions on "Marine renewable energies". The outcome of that meeting will be reported to the Council in due course.

Action requested of the Council

6 The Council is invited to take note of the information provided in this document and comment, as it deems appropriate.
