

Report of the Third Global Meeting of Regional Seas Conventions and Action Plans

(Monaco, 6-10 November 2000)

Introduction

The Third Global Meeting of Regional Seas Conventions and Action Plans was held at the Hotel Marriot, Monaco, from 6 to 10 November 2000, at the invitation of the International Atomic Energy Association (IAEA) and the Government of Monaco.

I. OPENING OF THE MEETING

A. Opening statements and organizational matters

1. The meeting was opened at 9 a.m. on Monday, 6 November 2000 by Mr. Klaus Töpfer, Executive Director of the United Nations Environment Programme. After welcoming all participants, he asked Mr. Bernard Fautrier, Minister for International Cooperation for Environment and Development of Monaco, to convey thanks and gratitude to His Serene Highness Prince Rainier of Monaco for the hospitality that his Government had demonstrated in supporting the meeting. He also thanked the Director General of the International Atomic Energy Agency (IAEA) for co-hosting the meeting.

2. He was gratified to note that the current meeting brought together the Directors or Bureau Members of 17 of the world's regional seas programmes to discuss areas of common concern, and to renew joint efforts to safeguard oceans and coastal areas. The Southwest Atlantic was the only major populated coastal area where countries still had to come together in a collaborative effort to address the major threats to their marine and coastal environment, and UNEP would renew its efforts to facilitate a regional seas programme for that vital region. Also participating were the Directors and representatives of the secretariats of eight multilateral environmental agreements, making the current session the largest meeting ever of multilateral environmental agreements. Such outstanding attendance was surely a reflection of the importance that the Global Meetings of Regional Seas Conventions and Action Plans had assumed.

3. The meeting was one of the most critical for collectively addressing the environmental problems facing the world's oceans and coastal areas. Seven out of 10 people today lived within 80 kilometers of the coast. Half of the world's cities with a population in excess of one million were sited near tide-washed river mouths. As much as 80 per cent of all marine pollution originated from municipal, industrial and agricultural wastes and run-off, with the rest coming from ships and oil drilling. Many species of fish, marine mammals and turtles were threatened. One-fourth of all coral reefs had been eliminated and one-third were severely threatened. Rising sea levels caused by human greenhouse gas emissions threatened to displace both human settlements and natural ecosystems. The duty to address those problems was shared by many global and regional treaties, action plans and organizations. It was necessary to improve collaboration amongst those regimes and accelerate global action to return the sea to health.

4. To that end, the meeting had four principle objectives: to promote and increase horizontal collaboration among regional seas conventions and action plans in addressing more effectively the protection and sustainable use of the marine environment; to strengthen the linkages between the regional seas conventions and action plans and global environment conventions and related agreements; to strengthen the linkages between the regional seas conventions and action plans and

the Global Programme of Action for the Protection of the Marine Environment from Land-based Sources of Pollution (GPA) through agreed concrete actions; and to continue to move forward the vitalization of the regional seas conventions.

5. The recommendations of the Second Global Meeting had served as a blueprint for programming UNEP support to the regional seas programmes for the period 1999 to 2001. The Third Meeting should build on those recommendations, and it was to be hoped that the recommendations made on the current agenda items would serve as elements for the proposed actions on oceans and coastal areas to be presented to the Governing Council of UNEP at its twenty-first session, in February 2001.

6. UNEP was committed to give priority to the provision of programmatic support to the work programmes of the regional seas conventions and action plans, especially where their priorities interfaced with the priorities of UNEP's programme of work, such as: the Global Programme of Action for the Protection of the Marine Environment from Land-based Sources of Pollution (GPA); the Global International Water Assessment (GIWA), funded by the Global Environment Facility (GEF); Integrated Coastal Area Management; the International Coral Reef Initiative (ICRI), particularly through the International Coral Reef Action Network (ICRAN); increased collaboration and synergies among conventions; and improved collaboration among partner agencies, stakeholders and civil society in addressing ocean and coastal issues. Recognizing the expertise available within the IAEA-MEL, he strongly endorsed the work of the laboratory and recommended that the regional seas conventions and action plans make full use of what it was able to offer.

7. For UNEP to vitalize the regional seas programmes, it was necessary to identify the priority challenges that needed to be met head-on and effectively. He was particularly concerned that a number of regional seas conventions and action plans were in very difficult and unsustainable financial circumstances, but discussion also needed to be based on the realization that there were obstacles or constraints that fell outside of the control of UNEP. Those constraints included: lack of political will on the part of member Governments in certain regional seas programmes due to territorial disputes, lack of formal diplomatic relations and/or other disputes; inadequate financial resources committed, or inadequate capacity at the regional and/or national levels, for implementing the convention and action plan effectively and efficiently; and inadequate legal instruments for effectively addressing the assessment and management of marine and coastal resources. It was the task of UNEP to formulate responses to those constraints and to identify the areas for priority attention.

8. Mr. Bernard Fautrier, Minister for International Cooperation for Environment and Development of Monaco, welcomed all participants on behalf of the Government of Monaco. After describing his country's involvement in the activities of the environmental conventions and of the Barcelona Convention and the Mediterranean Action Plan (MAP), in particular, he drew attention to Monaco's role in the conservation of cetacean species through its hosting of the interim secretariat of the Agreement on the Conservation of Cetaceans of the Black Sea, the Mediterranean Sea and the Contiguous Atlantic Area (ACCOBAMS). In addition, Monaco cooperated with France and Italy in the creation of a subregional sanctuary for marine mammals within their shared waters.

9. To enhance the synergies within the regional seas conventions and action plans, it was necessary to have not only the will of the secretariats, but also the zeal of the contracting parties. Strengthening the programmes also called for better consistency in the listing of species and in national reporting systems; meaningful use of the work of the global conventions; and

greater emphasis on the socioeconomic realities of the issues raised. He attached great importance to UNEP's strong expression of support for the regional seas programmes as the main mechanism for UNEP's implementation of Chapter 17 of Agenda 21. In conclusion, noting the differentiation between the various regional structures and action plans, he expressed the view that the twinning of regional seas agreements, as had recently been the case between the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention) and the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment in the Eastern African Region (Nairobi Convention), was a good example of action to strengthen programmes experiencing problems and he encouraged further such activity.

10. Mr. Stephen de Mora, Head of the Marine Environment Studies Laboratory (MESL) of the Marine Environment Laboratory (MEL) of IAEA, welcomed participants and extended an invitation to tour IAEA-MEL in Monaco. At the current meeting, a number of crucial issues were on the agenda that were of direct interest and relevance to MEL, given its unique position as the only marine laboratory in the United Nations system. Those included: implementation of the GPA; the chemicals-related conventions of the International Maritime Organization (IMO); and the future legally binding instrument on persistent organic pollutants (POPs).

11. After briefly describing the history and origins of IAEA-MEL, he explained that MESL itself had developed expertise in the investigation of heavy metals, petroleum hydrocarbons, POPs and marine biocides and, inter alia, coordinated the Inter-agency Programme on Marine Pollution (involving IAEA, UNEP, and the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO). MESL cooperated closely with MAP, the Black Sea Environment Programme and the Kuwait Action Plan, and had initiated cooperation with the Caspian Environment Programme. In addition, it was undertaking training courses, sponsored by MED POL, for the analysis of organic contaminants in marine sediments and biota. The IAEA-MEL thus had a tradition of working with the regions, and he welcomed the scope for initiating and renewing further cooperation that was provided by the current meeting.

12. The meeting was chaired by Mr. Jorge Illueca, Assistant Executive Director, Division of Environmental Conventions, UNEP, and adopted the agenda contained in annex 1 to the present report.

B. Attendance

13. The meeting was attended by representatives of the following organizations:

(a) Regional seas conventions and action plans: Baltic Marine Environment Protection Commission (Helsinki Commission); Black Sea Environmental Programme (BSEP); Caspian Environment Programme (CEP); Commission of the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Commission); Coordinating Unit of the Mediterranean Action Plan (MAP); Interim Secretariat of the Northwest Pacific Action Plan (NOWPAP); Northeast Pacific Regional Seas Programme; Permanent Commission of the South East Pacific (CPPS) as the secretariat of the Lima Convention and the Southeast Pacific Action Plan; Protection of the Arctic Marine Environment (PAME) International Secretariat; Regional Coordinating Unit for the Caribbean Environment Programme (CAR/RCU); Regional Organization for the Conservation of the Environment of the Red Sea and Gulf of Aden (PERSGA); Regional Organization for the Protection of the Marine Environment (ROPME) of the Kuwait Convention region; Regional Coordinating Unit for the East Asian Seas (EAS/RCU); Regional Coordinating Unit for the West

and Central African Action Plan (WACAF/RCU); Regional Coordinating Unit of the Eastern African Region (EAF/RCU); the South Asia Cooperative Environment Programme (SACEP); and the South Pacific Regional Environment Programme (SPREP);

(b) Global and international agreements: Coordination Office of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA); International Maritime Organization (IMO) marine pollution conventions; Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal; Secretariat of the Convention on Biological Diversity (CBD); Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Secretariat of the Convention on Migratory Species (CMS); Secretariat of the Global Plan of Action for Marine Mammals (MMAP); Secretariat of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

(c) Intergovernmental organizations: Department of Economic and Social Affairs (DESA), United Nations; Food and Agriculture Organization of the United Nations (FAO); Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO); International Maritime Organization (IMO); Marine Environment Laboratory of the International Atomic Energy Agency (IAEA);

(d) Non-Governmental Organizations: World Conservation Union (IUCN); Advisory Committee on Protection of the Sea (ACOPS).

14. The list of participants is provided in annex 2 to the present report.

II. FOLLOW-UP TO THE SECOND GLOBAL MEETING OF REGIONAL SEAS CONVENTIONS AND ACTION PLANS

(THE HAGUE, 5-8 JULY, 1999)

15. Introducing the item, the Chair drew attention to document UNEP (DEC)/RS 3.1.0, entitled “UNEP Water Policy and Strategy: Progress Report on Component 2: Managing Global Water Resources: Regional Seas, 1 January - 31 December 2000”, and document UNEP (DEC)/RS 3.1.1, entitled “Status of implementation of decisions of the Second Global Meeting of Regional Seas Conventions and Action Plans: The Hague, 5-8 July 1999”. He explained that inputs from the current meeting concerning the issues raised in those two documents would be used as a guide in the preparation of recommendations to the UNEP Governing Council at its twenty-first session, in February 2001. The Chair also gave a brief presentation on the Regional Seas Website of UNEP (<http://www.unep.org/dec/docs/indexold.htm>), as well as the new UNEP conventions website (<http://www.unep.org/dec/docs/indexold.htm>) in which regional seas programmes featured prominently.

16. Several representatives made oral corrections to the substance of document UNEP (DEC)/RS 3.1.0, which were subsequently submitted to the Chair.

Recommendation

17. The meeting recommended that, for purposes of follow-up, the recommendations of the third global meeting should be added to document UNEP(DEC)/RS 3.1.1, so as to produce a rollover

report on the status of implementation of the decisions of the Global Meetings of Regional Seas Conventions and Action Plans.

Financial concerns

18. On the subject of resources, the Director of UNEP's Division of Environmental Conventions said that the available biennial budget for regional seas programmes had declined drastically from a level of some \$10 million to \$12 million per biennium during the first half of the 1990s, to a current level less than \$3 million. Governments continued to task UNEP with extra mandates, but failed to match their demands with appropriate contributions to its budget and devoted resources to other areas, such as convention trust funds or GEF.

19. Many representatives, stressing the importance of past UNEP support for their activities, regretted the decline in available funds and the cutbacks in activities that had resulted. They considered that a clear message needed to be sent to the Governing Council of UNEP to the effect that UNEP needed to be given resources commensurate with the task of adequately implementing the regional seas programmes and to give them the attention they deserved.

20. Some representatives, highlighting the importance of adequate preparation of projects to be submitted to GEF, considered that UNEP's Division of Environmental Conventions needed to develop the expertise required for that activity. It needed to set up a small team with the specialist task of identifying suitable projects and subsequently preparing project proposals in a way that would make them acceptable for GEF funding.

21. It was noted, however, that not all projects dealing with marine problems were eligible for GEF funding, as GEF disbursed funds to cover incremental costs. Some representatives said that projects had to reflect the wishes of governments, not donors. The view was expressed that, since funding questions had assumed such importance, it was also necessary to create a post within UNEP for an expert to work on resource mobilization for the regional seas programmes. One representative held that the regional seas programmes could act as the coordinator between agencies in the implementation of GEF projects. Another said that active cooperation was needed between the GPA and GEF, and that could best be coordinated by UNEP.

Recommendations

22. In light of the fact that representatives had expressed some concern over their relationship with GEF and its operational methods, the meeting recommended:

(a) That a meeting should be organized between the regional seas programmes and GEF. Prior to that meeting, it was necessary to hold a coordinating meeting of the regional seas programmes to prepare a common position;

(b) That UNEP should bring to the attention of the next meeting of the Governing Council the concern of the Third Global Meeting over the declining support being allocated to the Regional Seas Programmes, despite the expressed recognition of past Governing Councils that the revitalization of the regional seas conventions and action plans is a UNEP priority;

(c) That UNEP should consider the establishment of a post in the Division of Environmental Conventions dedicated to mobilization of resources in support of regional seas programmes, taking

into account the wide range of funding sources available, including, but not limited to, the GEF, bilateral and multilateral donors, private industry and non-governmental organizations.

III. THE OPEN-ENDED INFORMAL CONSULTATIVE PROCESS

ON OCEANS AND LAW OF THE SEA (UNICPOLOS)

23. In the absence of a representative from the United Nations Division of Ocean Affairs and the Law of the Sea (DOALOS), which serves as secretariat for the new UN Informal Consultative Process on Oceans and the Law of the Sea, a briefing on the background and first meeting of the consultative process was presented by Ms. Anne Rogers of the Division of Sustainable Development, UN Department of Economic and Social Affairs (DESA).

24. The idea of a UN consultative process on oceans, to provide an integrated review including economic, social, environmental and legal dimensions of developments affecting oceans and seas, had been proposed by the Seventh Session of the Commission for Sustainable Development (CSD) in April 1999. The UN General Assembly subsequently established in its resolution 54/33 of November 1999, the consultative process on oceans to meet for one week annually in New York, with the participation of all UN member States and relevant international and regional organizations and agencies. Its first meeting was held from 30 May – 2 June 2000 and addressed two main topics: responsible fisheries and illegal, unreported and unregulated fisheries (IUU); and economic and social impacts of marine pollution, especially in coastal areas. In addition, there was a one-half day dialogue with members of the ACC Subcommittee on Oceans and Coastal Areas (SOCA) on increasing coordination in oceans affairs. The report of the meeting, presented as recommendations of its two co-chairmen, is available on the DOALOS website: <http://www.un.org/depts/ola/doalos>.

25. The results of the first meeting of the consultative process were considered by the UN General Assembly at its 55th Session, which adopted resolution a/55/L.10 on “Oceans and the Law of the Sea” on 30 October 2000. This resolution, inter alia, decided that the second meeting should be held in New York from 7-11 May 2001, with two main areas of focus: marine science and the development and transfer of marine technology, including capacity building; and coordination and cooperation in combating piracy and armed robbery at sea. The resolution also calls for strengthening regional cooperation in several specific areas, including fisheries management organizations and arrangements, integrated management and sustainable development of coastal and marine areas, capacity building, IUU fisheries, and piracy and armed robbery at sea.

26. In the ensuing discussion, questions were raised as to what concrete results might result from the UN process that can help the regional seas programmes and in what ways the regional seas conventions and action plans can provide inputs to the future meetings. It was suggested that the ACC/SOCA can play a role in promoting regional issues, and it was noted with satisfaction that the joint UNEP/FAO paper on the ecosystem-based management of fisheries, presented to the Third Global Meeting of Regional Seas Conventions and Action Plans, was a direct result of the UN informal consultative process.

27. In reply to a question from IUCN about potential regional inputs to the ten year review of UNCED (Rio + 10), to take place in 2002, the representative of UN/DESA provided some information on proposed intergovernmental and interagency preparatory activities, including at the regional and subregional levels. It has been suggested that regional preparatory meetings will be organized by the UN Regional Commissions and UNEP, in consultation with DESA, and take place

in the period from March to November 2001. The results of these meetings would be considered by CSD-10, acting as the preparatory committee for the 10-year review (which is likely to be called the World Summit on Sustainable Development). In addition, it is also proposed to convene regional Agenda 21 round tables involving prominent experts from each region and representatives from civil society. It has been agreed at an organizational meeting held by DESA in June 2000 that UNEP and the Regional Commissions will undertake steps to raise awareness regarding the 2002 process within the respective regions.

Recommendations

28. In view of the potential benefits for enhancing awareness and support of the work of the regional seas programmes in important forthcoming global forums on oceans, the meeting recommended:

- (a) That regional seas programmes participate in future meetings of the UN Informal Consultative Process on Oceans and Law of the Sea (May 2001) and provide inputs, as appropriate, to its background documentation, including reports to be provided by the ACC/SOCA and the UN/DOALOS;
- (b) That the regional seas programmes play an active role in the regional and subregional preparatory activities being organized for the 2000 review of UNCED; and
- (c) That the UNEP Secretariat and Governing Council be urged to promote a more active involvement of the regional seas conventions and action plans in these important intergovernmental processes and in their follow-up.

IV. ROUNDTABLE DISCUSSION ON CRITICAL PROBLEMS AND ISSUES

FACING REGIONAL SEAS CONVENTIONS AND ACTION PLANS

29. The Roundtable Discussion on Critical Problems and Issues Facing Regional Seas Conventions and Action Plans was chaired by the Executive Director of UNEP. In the course of an initial tour de table, the representatives of the regional seas conventions and action plans briefly outlined the main problems, constraints and challenges faced in their endeavours to implement their mandate, and possible ways to overcome those factors. A summary of the points they raised is contained in annex 3 to the present report. Financial constraints hindering the implementation of the conventions and action plans was the most commonly raised issue. Among the most frequently raised concerns were the following: inadequate exchange of information; the need for increased participation of civil society and the private sector; compliance and enforcement; marine pollution prevention and response; and improved monitoring. The representatives of intergovernmental organizations and of environmental convention secretariats were subsequently invited to describe the problems and constraints they faced, and to expatiate on how their activities related to those of the regional seas conventions and action plans.

30. The representative of IAEA-MEL highlighted the problems he faced in the funding of personnel; in communications with other agencies and with countries; and in strategic planning, since the dependence on sponsors made it difficult to set research priorities. There was a need to promote reference methods and pragmatic techniques that worked for developing countries; a need for quality assurance; and a need for self-evaluation of projects and of monitoring to check that activities were in fact what was required.

31. The Executive Secretary of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade drew attention to the awareness-raising programme, implemented with the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Industrial Development Organization (UNIDO), to teach countries how to manage their own chemicals and pesticides through country-based projects. Activities by the global conventions were a complimentary counterpart to help countries to implement the regional seas programmes and action plans.

32. The representative of the International Maritime Organization (IMO), recalling that IMO is the regulatory body for maritime safety and marine pollution prevention and response, stressed that regional cooperation was important in contributing to the implementation of IMO conventions, as was the case with marine pollution response, for example. Other areas where synergies could be developed included waste management, problems of ballast water, and pollution prevention. Stressing the importance of private sector involvement, he said that IMO was itself attempting to improve cooperation with the oil and shipping industries. To pursue cooperation at the regional level, IMO followed a policy consisting of cooperation with regional secretariats, including the signing memorandums of understanding. While there were constraints that prevented full coordination at the national and regional levels, he stressed the need for further cooperation to improve the situation. New regional initiatives existed, and IMO wished to be properly involved in those issues.

33. The Secretary General of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) considered that training could best be carried out at the national/regional level, using existing structures, such as the regional seas conventions and programmes. Of concern to CITES was the programme of the Small Island Developing States (SIDS), especially concerning proposals for exploitation of turtle species. In addition, the situation of the sturgeons of the Caspian Sea had become serious, and was compounded by the problem of poaching and lack of enforcement of caviar quotas in the range States of the species. At the Caspian regional level, CITES, the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and the Convention on Biological Diversity were all involved in efforts to protect the species.

34. The representative of CMS said that, because CMS operated through regional agreements, the potential for cooperation with the regional seas conventions and action plans was enormous, particularly at the institutional level. Because CMS did not always enjoy full country coverage within a region, the regional seas conventions and action plans could also facilitate the Convention's contacts to others within a specific region. Moreover, CMS had the technical expertise to develop agreements and could provide inputs to the regional seas programmes at the

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