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GLOBAL MINISTERIAL ENVIRONMENT FORUM

REPORT ON THE IMPLEMENTATION OF THE DECISIONS OF THE TWENTY-FIRST SESSION  
OF THE GOVERNING COUNCIL/GLOBAL MINISTERIAL ENVIRONMENT FORUM

Report of the Fourth Global Meeting of Regional Seas Conventions  
and Action Plans, Montreal, 21-23 November 2001

Annexed to the present note is the report of the Fourth Global Meeting of Regional Seas Conventions and Action Plans, which was held in Montreal from 21 to 23 November 2001.

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Annex I

REPORT OF THE FOURTH GLOBAL MEETING OF REGIONAL SEAS  
CONVENTIONS AND ACTION PLANS

Introduction

1. The Fourth Global Meeting of Regional Seas Conventions and Action Plans was held at the Hotel Delta Centre Ville, Montreal, Canada, from 21 to 23 November 2001 at the invitation of the Government of Canada.

I. OPENING OF THE MEETING

A. Opening statements

2. Opening statements were made by Mr Jorge Illueca, Director of the UNEP Division of Environmental Conventions, and Ms Elisabeth Mann Borgese, Honorary Chair of the International Ocean Institute (IOI).

3. Mr Illueca, in his capacity as Chair, welcomed participants to the Meeting on behalf of the Executive Director of UNEP, Mr Klaus Töpfer, and introduced the provisional agenda (UNEP(DEC)/RS.4.0.1). The agenda of the meeting as adopted is given in annex I to the present report.

4. He reiterated the objectives of the Fourth Meeting as set out in the provisional agenda: to streamline the ways in which UNEP provided programme support to the regional seas conventions and action plans, in accordance with the blueprint provided by the decisions of the first three Meetings, in areas complementary to its own programme of work; to boost horizontal cooperation between the various regional seas conventions and action plans so that the longer-established organizations would be twinned with less developed organizations with a view to sharing experience and providing technical cooperation; to build bridges and form links with the secretariats of multilateral environmental agreements, such as the conventions on biodiversity, migratory species, and international trade in endangered species, and other secretariats such as those of the conventions dealing with hazardous chemicals and wastes, in pursuit of the objectives of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities; and to review the follow-up to the Second and Third Meetings.

5. The Fourth Meeting differed from previous Meetings in that the private sector, particularly representatives of the shipping, chemicals and petroleum industries, had been invited to attend. Their input, both financial and in terms of expertise, would be critical for the future of international environmental governance, and it therefore behoved the Meeting to begin building bridges in that area too.

6. The role of the regional seas programmes was evolving from pollution abatement to addressing sustainable development issues. Multisectoral as those issues were, the need for dialogue with the private sector was both implicit and evident.

7. The cooperation between UNEP and the Food and Agriculture Organization of the United Nations (FAO) on fisheries was an example of a sustainable development issue which had been subsumed within an ecosystem-based management approach.

8. He pointed to Governing Council decision 21/13, which mandated cooperation with various other bodies including the International Maritime Organization (IMO), the International Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (IOC-UNESCO) and the Convention on Biological Diversity and in consultation with regional seas programmes in exploring the feasibility of establishing a regular process for the assessment of the marine environment with active involvement by Governments and regional agreements, building on ongoing assessment programmes.

9. He then introduced Ms Elisabeth Mann Borgese, Honorary Chair of the International Ocean Institute (IOI), who had been invited by decision of the Third Meeting to address the Fourth Meeting as a special guest.

10. Ms Mann Borgese gave an overview of the history of her organization and drew attention to a presentation paper which included identification of areas of mutual interest between IOI and the regional seas conventions and action plans, and suggestions for cooperation (UNEP(DEC)/RS.4.0.2). IOI had been founded with a view to cooperating with the regional seas programmes because it considered them fundamental to the whole question of governance of the oceans, her organization's *raison d'être*. IOI's operational training centres, which had been established primarily to build the capacity of small and developing countries so that they could argue their case in the global forums on the law of the sea, now offered a virtual university, which enabled its students to obtain internationally recognized masters' degrees in ocean governance, published the Ocean Yearbook and carried out policy research.

11. The IOI "Echo Villages" project in Tamil Nadu, India, built capacity by empowering poor people, particularly women in poor, coastal villages, with microcredit and training to help themselves through environmentally friendly projects of direct usefulness. Such projects were necessary because they built a constituency for sustainable development in a way that top-down development models could never do, by making people's lives better.

12. Under paragraphs 276 and 277 of the Convention on the Law of the Sea, technology transfer centres were supposed to have been set up, but never had been. However, one of the outcomes of the General Assembly consultation process on ocean affairs had been a consensus recommendation that they should be. She pointed out that technology transfer was not the same as it had been even 20 years before: in a high-technology world, technology could not be transferred or bought, it had to be learned, and therefore cooperation in research and development was the only sustainable way to effect such transfers. Such research and development ventures should be 50 per cent funded by Governments, bilateral sources or the Global Environment Facility (GEF) and 50 per cent by the proposing private agency, with a view to building synergy between public and private funding. Nor did such technology transfer centres need to be bricks and mortar; they could be Web-based and thus more cost-effective.

13. The number of programmes, protocols and agreements was becoming overwhelming, and there was a growing need to integrate them all properly into the United Nations Convention on the Law of the Sea and United Nations Conference on Environment and Development process at the operational level within the regional seas framework. Otherwise, the system would break down.

14. She pointed out that tourism was by some counts the planet's largest industry. The overwhelming majority of tourists wished to give something to assist the development of the places they visited and compensate their inhabitants for the social and environmental burden imposed by tourism. At even \$1 per tourist, that was a major potential source of funding. However, participants pointed out that total collaboration would have to be obtained from national ministries of finance, and the opinion was expressed that the World Bank and the International Monetary Fund were no great lovers of environmental protection funds.

15. The insurance industry, she said, was a major stakeholder in the regional seas/Global Programme of Action process, and was deeply interested in integrated coastal area management from the point of view of risk reduction, where its interests coincided with those of environmental protection and sustainable development. Also, microinsurance could be made available by insurance companies in a manner analogous to the way in which financial institutions made finance available for microcredit. To comments from some participants that in developing countries people were poor and could not afford insurance, and that as a result developing countries' insurance industries were also underdeveloped, Ms Mann Borgese replied that for large facilities such as hydroelectric dams and port facilities, insurance was in place and the insurers were the same big companies as in the developed world. The point was not to milk the insurance industry for funds but rather to draw on their expertise in areas such as disaster risk assessment where the industry's interests coincided with those of environmental protection and sustainable development.

B. Attendance

16. The Meeting was attended by representatives of the following organizations:

(a) Regional seas conventions and action plans: Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region (Abidjan Convention); Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention); Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention); South Asian Seas Environment Programme (SACEP); East Asian Seas Action Plan; Convention for the Protection of the Natural Resources and Environment of the South Pacific Region (Noumea Convention), Convention for the Protection of the Marine Environment and Coastal Area of the South-East Pacific (Lima Convention); Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention); Commission for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention); Programme for the Protection of the Arctic Marine Environment (PAME); Caspian Environment Programme (CEP); North-West Pacific Action Plan (NOWPAP);

(b) Global and international agreements: Basel Convention on the Control of Transboundary Hazardous Wastes and their Disposal; Convention on Biological Diversity;

(c) Intergovernmental organizations: International Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (IOC-UNESCO); International Atomic Energy Agency (IAEA); Food and Agriculture Organization of the United Nations (FAO); Division for Oceans Affairs and the Law of the Sea (DOALOS), United Nations; Global Programme of Action for the Protection of the Marine Environment from Land-based Activities Coordination Office; Marine Environment Laboratory of the International Atomic Energy Agency (IAEA);

(d) Non-governmental organizations: International Ocean Institute (IOI); World Conservation Union (IUCN); International Oil Pollution Compensation Funds 1971 and 1992 (IOPC Funds); International Tanker Owners Pollution Federation Limited (ITOPF); International Petroleum Industry Environmental Conservation Association (IPIECA); Commission for Environmental Cooperation (CEMTEC); EnviroLaw Solutions.

17. The list of participants is reproduced as annex II to the present report.

## II. PROGRESS REPORT ON FOLLOW-UP TO THE DECISIONS OF THE SECOND AND THIRD GLOBAL MEETINGS OF REGIONAL SEAS CONVENTIONS AND ACTION PLANS

18. The Chair introduced a report entitled "Status of implementation of the decisions of the Third Global Meeting of Regional Seas Conventions and Action Plans" (UNEP(DEC)/RS.4.1.1) and briefed the participants on follow-up to the decisions of the Third Meeting calling for closer cooperation between UNEP and IOC-UNESCO on the Global Ocean Observing System (GOOS), the development by IMO of an international forum on response to oil spills, the inventory on chemicals work undertaken by regional seas programmes (UNEP(DEC)/RS.4.1.2), the International Coral Reef Action Network (ICRAN) and the development by UNEP of a financial strategy for mobilizing additional resources for regional seas programmes. The problem of the cutbacks in GEF funding for activities in international waters emerged as a key concern. Presentations were given by Mr Tim Turner of the Caspian Environment Programme on the situation of the Caspian sturgeon (UNEP(DEC)/RS.4/INF/2); by Mr Benedict Satia of FAO on the ecosystem-based approach to fisheries management (UNEP(DEC)/RS.4.1.3 and 4.1.4; UNEP Regional Seas Reports and Studies No. 175); by Ms Sachiko Kuwabara Yumamoto of the Basel Convention secretariat on opportunities for cooperation and coordination between the Basel Convention and the regional seas conventions and action plans (UNEP(DEC)/RS.4.1.5); and by Mr Robert Droop of the Coordination Office for the Global Programme of Action on the state of preparations for the 2001 intergovernmental review of the Global Programme of Action, including the role of the regional seas programmes.

19. A wide-ranging discussion of what should be the way forward ensued, with particular reference to the Meeting's input to the impending review of the Global Programme of Action. It was generally felt that a holistic approach was needed to the problems of proliferating agreements and protocols; of relations between regional seas and regional fisheries bodies; of the proliferation of activity and training centres of one kind and another with duplication of effort; of the evolution from pollution abatement to a sustainable development approach in which ecosystem-based management was key, and not just in the area of fisheries; of the interrelated issues of training and capacity-building; and of the legal basis for any action, which should not run counter to the United Nations Convention on the Law of the Sea. Integrated coastal area management should be viewed as such a holistic approach, in the service not only of the environment but also of sustainable development.

20. In the context of the ecosystem-based management of fisheries, attention was drawn to a paper on the geographical overlapping between regional seas conventions and action plans and marine regional fisheries bodies (UNEP(DEC)/RS.4/INF/3). The question of overlap, both geographical and otherwise, with fisheries and other bodies was retained as an issue for reflection. There was wide-ranging discussion on the way forward, including the promotion of closer collaboration between regional seas programmes and regional fisheries bodies and the development of guidelines for the ecosystem-based management of fisheries as a joint initiative by FAO, UNEP and IOC-UNESCO.

21. In the discussion on closer collaboration between the Basel Convention and the regional seas programmes, concern was expressed about obsolete agricultural chemicals, particularly in Africa. As hazardous chemicals and/or pesticides and/or persistent organic pollutants, such chemicals were a problem under the Basel, Rotterdam and Stockholm Conventions, but also the context of the Global Programme of Action and regional seas programmes, the more so in that they were for the most part stored and deteriorating in seaports.

22. Regarding the Global Programme of Action, the discussion turned to methods of persuading Governments to take action and disburse funding. All present were of the view that the case for action in the context of the Global Programme of Action had been made and that there was no need to restate it.

23. Much of the discussion on the Global Programme of Action turned on the issue of how to effectively assess progress in its implementation. It was generally felt that to obtain a sound scientific basis for action in terms of useful statistical and other data would often cost more than taking the action itself and might even result in action being taken too late: the precautionary principle should be paramount. The use of indicators such as indicator fish species was generally held to be poor science even if it made good public relations. Other problems could arise from too simplistic an approach: an example was given of rising levels of polychlorinated biphenyls (PCBs) detected in harbour porpoises in the United Kingdom. A simplistic analysis would have resulted in further legislative clampdowns on PCBs and a huge and expensive effort to identify sources. The correct analysis, taking a wider view of the web of life, showed that the cause was overfishing of the preferred food species, forcing the animals to eat more benthic organisms, and PCB levels were naturally higher in bottom-feeders.

24. Several participants made the point that Governments were unlikely to respond to proposals that to them smacked more of satisfying scientific curiosity than providing useful results. It was agreed that the needs of clients must be taken into account when providing them with information. It was also accepted that some Governments were in dire financial straits. Even so, the point must be made with all necessary forcefulness that money was needed and that commitments had been made to provide it.

25. One indicator that was generally felt to be of use for purposes of persuasion was the economic costs of action and inaction, such as expressing the cost of the destruction of a mangrove swamp in terms of thousands of dollars per metre of beach eroded as a consequence. Integrated coastal area management was held up as the holistic response to the challenge of ensuring that the environment was protected in the service of sustainable development. Also, for all the problems involved in quantifying such costs, and for all the problems involved in getting agreement from national ministries of finance, users such as desalination plants, power generators which used coastal waters for cooling, paper mills and tourists should pay the costs of their activities.

### Recommendations

#### International Ocean Institute (IOI)

26. In the light of the role of IOI in the fields of environmental management, public awareness and education, and bearing in mind the discussion that took place following the presentation by the keynote speaker from IOI before the consideration of agenda item 1, the Meeting recommended:

(a) That UNEP and IOI should develop joint programmes of environmental management and environmental education relevant to the sustainable development of the marine and coastal environment, and that those programmes should be implemented through the regional seas programmes as appropriate;

(b) That intergovernmental organizations, such as the European Union, IMO, IOC-UNESCO, the United Nations Development Programme (UNDP) and UNEP, and other non-governmental organizations should be invited to consider and implement an innovative approach to cooperation by creating tripartite and multipartite projects and by seeking IOI involvement in the development of such projects;

(c) That the recommendations of the General Assembly consultative process on ocean affairs for the establishment of regional centres should be considered by regional seas programmes for implementation in the form of operational training and technology transfer centres, and in the form of virtual centres where appropriate.

#### International Maritime Organization (IMO)

27. Recognizing the progress made by IMO and UNEP and several regional seas programmes in strengthening their collaborative approach to issues of oil spill preparedness and response, the Meeting recommended:

- (a) That further collaboration should be developed, in particular in the establishment of regional systems for cooperation in preparedness for and response to oil spills. Such collaboration should take the form of developing and amending existing relevant protocols, establishing dedicated regional activity centres, developing regional contingency plans and investing in regional training and exercises;
- (b) That linkages with potential partners, such as the oil and shipping industry, and twinning arrangements with more developed regional seas programmes, should be explored and implemented, in particular for younger and less developed regional seas programmes;
- (c) That further joint activities in the various regions should be developed along the lines indicated at the Third Global Meeting of Regional Seas Conventions and Actions Plans (Monaco, 6-10 November 2000).

#### Ecosystem-based approach to management of fisheries and the marine and coastal environment

28. Recognizing that the ecosystem-based approach to management of fisheries and the marine and coastal environment is a goal to be pursued, and recognizing also the impact of fisheries activities on the ecosystem, the Meeting recommended:

- (a) That the regional seas programmes should consider the necessary steps to be taken towards the adoption of an ecosystem-based approach to the management of the marine and coastal environment. In that connection, the issues of integrated coastal area management and the ecosystem-based approach to fisheries management are of particular importance;
- (b) That regional seas programmes should follow up the recommendations for closer cooperation with regional fisheries bodies contacted in the report on the ecosystem-based approach to fisheries management (UNEP Regional Seas Reports and Studies, No.175). To that end, it was agreed that the questionnaire on the status and planned development of cooperation between regional seas programmes and relevant fisheries bodies (UNEP(DEC)/RS.4.14) should be completed and returned to UNEP;
- (c) That regional seas programme coordinators should explore opportunities for cooperation with the United Nations Division for Ocean Affairs and the Law of the Sea and with relevant institutions and organizations in their regions and should raise the innovative, ecosystem-based approach to the management of marine and coastal resources, including fisheries for adoption at forthcoming meetings of their contracting parties;
- (d) That IOC-UNESCO should be fully integrated into the joint UNEP/FAO initiative on ecosystem-based management of fisheries. As a first step, a joint programme of work should be developed by UNEP, FAO and IOC-UNESCO in which special attention should be given to the preparation of technical guidelines for best practices in introducing ecosystem considerations into fisheries management.

#### Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

29. Recognizing the potential benefit that could be derived from closer cooperation between the regional seas programmes and the Basel Convention, in particular through the Convention's regional centres for training and for transfer of technology, the Meeting endorsed the actions recommended to enhance cooperation by developing and implementing cost-effective joint actions in such areas as:

- (a) Training in waste management principles, procedures and technologies;
- (b) Public awareness-raising;
- (c) Assistance in developing national legislation and regulatory measures relating to waste management,

(d) Harmonization of reporting requirements under the Basel Convention and the related instruments of the regional seas programmes;

(e) Development of joint waste management programmes in relation to the protection of the marine and coastal environment.

30. The Meeting also recommended that interested regional seas conventions and action plans and the Basel Convention secretariat should consider negotiating and implementing a memorandum of understanding covering specific actions such as:

(a) Formalizing, on a reciprocal basis, the observer status of the regional seas programmes at meetings of the parties to the Basel Convention and of the relevant subsidiary bodies and structures coordinating the work of the Basel Convention regional centres;

(b) Exchanging data and information of mutual interest and relevance available within the secretariats of the regional seas programmes, the secretariat of the Basel Convention and at the Basel Convention regional centres;

(c) Establishing joint advisory panels comprising the regional seas programmes and the Basel Convention, including the Basel Convention regional centres, and organizing joint technical meetings on subjects of mutual interest;

(d) Seeking support for jointly agreed activities by the regional seas programmes and the Basel Convention through multilateral associations and through cooperation with the relevant global conventions, such as the Stockholm Convention on Persistent Organic Pollutants, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the International Convention for the Prevention of Pollution from Ships (MARPOL) and the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, and the regional components of global programmes such as the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and the IOC Global Ocean Observing System (GOOS);

(e) Designing and implementing joint programmes between the regional seas programmes and the Basel Convention, and by the Basel Convention regional centres as appropriate, taking fully into account the respective mandates, objectives and scope of those conventions;

(f) Coordinating with the Basel Convention the implementation of existing and future protocols to the regional seas conventions for the control of transboundary movements of wastes and their disposal by adopting a common approach to their development and implementation and harmonizing the reporting requirements.

31. The Meeting recommended further that UNEP should facilitate the development of cooperative arrangements between the Basel Convention and the regional seas programmes

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