

## UNEP INPUTS FOR THE 2002 SECRETARY-GENERAL'S REPORT ON OCEANS AND THE LAW OF THE SEA

discussed also on the issue of oceans, seas, islands and coastal areas as critical element for global food security and for sustaining economic prosperity. It has also reinforced the concept that sustainable development of the oceans requires effective coordination and cooperation at the global and regional levels, between relevant bodies. Hence, the Regional Seas Conventions and Action Plans provides a very effective platform for the implementation of this concept. The UNEP's Regional Seas Programme is based on regional Action Plans related to a common body of water, which is usually adopted by high-level intergovernmental meetings and implemented, in most cases, in the framework of a legally binding Regional Seas Convention and its specific protocols under the authority of the respective Contracting Parties or Intergovernmental Meetings.

Currently, 7 regions are covered by adopted Action Plans, of which 2 Action Plans are also supported by Regional Seas Conventions. UNEP facilitated the negotiation of 3 Regional Seas Conventions and Action Plans in the developing world, and has just finished to support the negotiations for a Convention in Northeast Pacific.

The main objectives of the Regional Seas Conventions and Action Plans are the promotion of sustainable development and integrated management of coastal areas and associated river basins and their living aquatic resources; the promotion of the implementation of appropriate technical, institutional administrative and legal measures for improved protection of the coastal and marine environment; and - facilitate the monitoring and assessment of the coastal and marine environment, including their conditions and trends.

### *Global Activities*

**Global Meetings of Regional Seas Conventions and Action Plans** The 3<sup>rd</sup> and 4<sup>th</sup> Global Meetings of Regional Seas Conventions and Action Plans were held in Monaco (6 to 11 November 2000) and Montreal (20 to 21 November 2001) respectively. These global meetings provide an excellent opportunity for sharing of experiences, best practices, and lessons learned among the Regional Seas Conventions and Action Plans as well as an valuable fora for cooperation and coordination. These meetings were attended by coordinators and high-level officers of the Regional Seas Conventions and Action Plans, representatives from International Organizations and Global Environmental Conventions, as well as NGOs, the Industry and the Civil Society. Discussions are under way about the organization of the 5<sup>th</sup> Global Meeting planned for the 1<sup>st</sup> quarter of 2003.

**Regional Seas input to WSSD** - As part of UNEP's preparations for WSSD, UNEP's Regional Seas Coordinating Unit (RSCU) has organised a Consultative Meeting of Regional Seas Conventions and Action Plans Coordinators (New York, 4<sup>th</sup> April 2002) to assemble a consolidated perspective for WSSD. The meeting prepared the paper entitled "Proposals from the Regional Seas Conventions and Action Plans for Action on Oceans and Seas by the WSSD". This meeting identified the following **concerns and priorities** for Regional Seas Conventions and Action

Plans: a) land-based activities threatening the marine environment; b) ship-generated marine pollution; c) the impacts of urbanisation and coastal development; d) conservation of living marine resources and coastal ecosystems, including the depletion of fisheries; and – e) the need to monitor and assess the quality of the marine environment, in order to provide a science-based information for the comprehensive and integrated management of the coastal zone and the associated river basins. The results of this m

(WACAF/RCU). During the Sixth Meeting of the Contracting Parties to the Abidjan Convention, held in Abidjan, Côte d'Ivoire, 16-17 May 2002, the Regional Coordinating Unit of the Abidjan Convention was inaugurated. OSPAR who attended the meeting called for closer collaboration with UNEP and invited the Chairman of the Abidjan Convention and the representative of the Secretariat to attend the annual meeting of the OSPAR Commission, held in Amsterdam in June 2002. Both the Interim coordinator for the Abidjan Convention and the Minister attended the meeting in Amsterdam. A review of the workprogramme and strategy for revitalising the Abidjan Convention have been proposed to implemented in 2003.

Mediterranean Action Plan (MAP) and Northwest Pacific Action Plan (NOWPAP): The collaboration between MAP and NOWPAP has been very active, mainly in the field of oil spill preparedness and response. REMPEC-MAP officers have participated and backstop MERRAC-NOWPAP meetings and NOWPAP and MAP have exchanged visits of Programme Officers in this field of oil and chemical spills .

Wider Caribbean and the Northeast Pacific: A large number of member states that are part of the Northeast Pacific Regional Seas Programme (NEP) are likewise members of the Wider Caribbean Regional Seas Programme. The 1<sup>st</sup> Intergovernmental meeting of the NEP has recommended the setting up of a joint working group in order to identify possible areas of cooperation and to develop joint programmes for working in areas of common concern.

*Collaboration with Multilateral Environmental Agreements (MEAs):*

Regional Seas Conventions and Action Plans pr

organising a high level meeting, including fisheries ministers of the littoral States. Subsequently, in June this year, UNEP convened a meeting between UNEP, CITES, the Caspian Environment

regions; d- recommendations for future inter-region

At the invitation of the Government of Guatemala, the Convention for Cooperation in the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific was signed at the Conference of Plenipotentiaries in La Antigua, Guatemala, on 18 February 2002 by six of the eight member states: Costa Rica, El Salvador, Guatemala, Honduras,

- **DINRAC** (Data and Information Regional Activity Center), located in Beijing, China, at the State Environment Protection Administration (SEPA);
- **MERRAC** (Marine Environmental Emergency Preparedness and Response Regional Activity Center), located in Taejon, Republic of Korea, at the Research Institute of Ships and Ocean Engineering/Korea Ocean Research and Development Institute (KRISO/KORDI): and –
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of urban development", "industry and sustainable development" and "free trade and environment"; work has been launched on "cooperation and financing for sustainable development" and on "local governance", together with a follow up on the management of water demand.

In conformity with the decision of the Contracting Parties and their Partners and in line with the recommendations of the World Summit for Sustainable Development, preparatory process for a Mediterranean Strategy for Sustainable Development has been initiated since July 2002, with coherent "Orientations" expected for April 2003 and Strategy report for 2004.

In order to promote visibility and information, UNEP/MAP has induced and assisted most Mediterranean countries and major NGO Networks in preparing report on environment and sustainable development issues, usually based on multi-stakeholders workshops; moreover, several brochures were prepared in various languages and largely disseminated, within a series "towards Sustainable Development in the Mediterranean Region" and on various general, legal and technical issues; and "information, awareness and public participation " strategy for the region is under preparation, based on already prepared components for Mediterranean Arabic speaking countries, for East Adriatic countries and others, in addition to the Aarhus Convention.

Considering the importance of regional cooperation, UNEP/MAP has strengthened its cooperation with mainly UN concerned institutions and regional offices and EU, notably the European Environment Agency and the Euro Mediterranean Partnership; regarding the latter, concerned



## *Background*

The Caribbean Environment Programme (CEP) includes four sub-programmes: Assessment and Management of Environmental Pollution (AMEP); Specially Protected Areas and Wildlife (SPAW); Information Systems for the Management of Marine and Coastal Resources (CEPNET); Education, Training and Awareness (ETA).

### *Assessment and Management of Environmental Pollution Sub-Programme*

The coordination of the AMEP sub-programme, which encompasses the work on the Protocol Concerning Co-operation in Combating Oil Spills in the wider Caribbean Region (Oil Spills Protocol) and the LBS Protocol includes secretariat services to the Interim Scientific, Technical and Advisory Committee for the LBS Protocol (LBS/ISTAC) and work related to the Steering Committee for the Regional Activity Centre on Oil Spills (RAC/REMPEITC-Carib). There are two AMEP projects being developed under the Global Environment Facility (GEF). The first is linked to the implementation of Annex IV of the LBS Protocol and is entitled "Reducing Pesticide Run-off to the Caribbean Sea" which is already seeing significant achievements, such as private sector and stakeholder involvement in the development of national and regional action plans for the sub-region of Colombia, Costa Rica, Nicaragua and Panama. The second GEF project under development is "Integrating Watershed and Coastal Area Management in Small Island Developing States of the Caribbean" which is being implemented in partnership with the United Nations Development Programme (UNDP) and co-executed with the Caribbean Environmental Health Institute (CEHI).

The AMEP sub-programme coordinated the following projects during 2002: Reducing Pesticide Run-off to the Caribbean Sea, Pilot Projects in Sewage, Treatment Needs Assessments, Integrating Management of Watersheds and Coastal Areas in Small Island Developing States, Planning of Rehabilitation, Environmental Management and Coastal Development in Nicaragua, Honduras and Guatemala in the Wake of Hurricane Mitch, Rehabilitation of Contaminated Bays. GEF support was provided to the Integrated Watershed and Coastal Areas Management for Small Island Developing States project (IWCAM SIDS), which included the development of 15 national reports and three regional workshops.

Two RAC's for the Protocol Concerning Pollution from Land-based Sources and Activities were created during 2002 with the Governments of Cuba and Trinidad and Tobago. A regional workshop in support of the Rehabilitation of Heavily Contaminated Bays project (Nutrient removal technologies and wastewater management) was organized. Two National Programme of Action demonstration projects were developed, one with the Government of Jamaica, one with the Government of Saint Lucia under the auspices of the GPA.

The First Meeting of the Interim Scientific, Technical and Advisory Committee to the Protocol Concerning Pollution from Land-based Sources and Activities (ISTAC/LBS) was convened in February 2001 in Ocho Rios, Jamaica. A regional workshop on municipal wastewater was held in conjunction with this meeting with the UNEP/Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA) Coordination Office to provide input to global work on the subject as well as to further regional work.

### *Specially Protected Areas and Wildlife Sub-Programme*

The Protocol Concerning Specially Protected Areas in the Wider Caribbean Region (SPAW Protocol) entered into force on 18 June 2000. As of March 2002, there were nine



*Other Meetings and Intergovernmental Coordination*

The Tenth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and the Seventh Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Montego

The EAS/RCU has supported two activities under the GPA. A report on the socio-economic implications of sewage in the region was completed and a workshop held to: agree on guidelines for control and treatment of sewage, discuss and identify innovative means of treatment and to discuss partnerships in sewage treatment and control. The second activity involves developing methodology and a GIS to determine major sources of pollution in catchments in member countries.

For COBSEA to continue, more commitment from countries and recognition of a useful coordinating unit is required. More public demonstration and advertising on its behalf, by EAS/RCU would also improve the profile of COBSEA.

### **Nairobi Convention (Eastern Africa)**

UNEP as the secretariat for the Nairobi and Abidjan Convention signed a Memoranda of Understanding with the Government of Seychelles to support the regional Coordinating Unit in the Seychelles. The financial support facilitated the Interim coordinator to consult with Parties to the Conventions and develop action strategies to ensure the settlement of arrears in contributions to the Trust Fund and regular future payments; as well as to organize consultations with partners, donor agencies and financial institutions with a view to mobilize funding for the projects under the respective action plans.

UNEP organized the third Meeting of the Contracting Parties to the Nairobi Convention held in Maputo, Mozambique from 5-7 December 2001. Further, UNEP coordinated, established and held the first meeting of the Focal Points for the Nairobi Convention in February 2002. The Forum of the Focal points provides guidance and advice to the Secretariat of the Nairobi Convention, and further prepares and coordinates the implementation of the workprogramme. Under the Forum of Focal Points, the governments of the region established the Coral Reef Task Force. This two expert groups draws expertise from the NGOs, governments and UN agencies operating in the region. UNEP jointly with other collaborating partners such as IUCN, WWF and local NGOS, organized the First Meeting of Coral Reef Task Force in Nairobi on 4 September 2002. The meeting reviewed and adopted the Terms of Reference for the Task Force in compliance with the decision by the Third Meeting of the Contracting Parties to the Nairobi Convention, held in Maputo, 5-7 December 2001 to protect coral reefs and the associated ecosystems.

### **Abidjan Convention - (West and Central Africa)**

UNEP through the Secretariat of the Nairobi and Abidjan Convention supported the inauguration of the Regional Coordinating Unit for the Abidjan Convention by the Heads of Delegation of the Contracting Parties to the Abidjan Convention during their Sixth Meeting held in Abidjan, Côte d'Ivoire, 16-17 May 2002. UNEP further provided equipment; computers and internet connectivity to operationalize the RCU and additional nominal funds to support the government to meet the cost of hiring the interim Coordinator and a secretary.

UNEP as the secretariat for the Nairobi and Abidjan Convention further hired a Consultant to prepare a work programme/action strategy and to establish a network of focal points to enable cooperation with governments of the region and other ongoing initiatives such as the Guinea Current Large Marine Ecosystem project and other UN and non-UN organizations on relevant projects and activities that contributes or complement those of the West and Central African Action Plan.

**Regional Convention for the Conservation of the Red Sea and Gulf of Aden**

In joint cooperation with ROPME and UNEP-ROWA, PERSGA has prepared the *Regional Action Plan for the Conservation of Coral Reefs in the Arabian Seas Region*. The objectives of this Plan

*b) Safety of navigation*

*Reduction of Navigation Risks and Marine Pollution*

**Hydrographic Surveys:** The southern Red Sea has been recognised as a navigational 'high risk' area as there are no official traffic lanes separating vessels travelling north from those travelling south. The area had not been comprehensively surveyed for over a hundred years. With support from the World Bank, a full hydrographic survey has been undertaken covering 750 square nautical miles, the correct locations of rocks and other hazards have been identified for the first time. The results have been accepted by the United Kingdom Hydrographic Office (UKHO) allowing for the publication of new charts of the southern Red Sea. A proposed vessel traffic separation scheme was presented to IMO in December 2002 and approved at the 76<sup>th</sup> Session of the Maritime Safety Committee. The new charts and routes will make a substantial improvement to navigation safety in the region. PERSGA recognises and appreciates the strong cooperation received from the IMO, UKHO and the World Bank.

Further enhancements and improvements are envisaged through the establishment of lighthouses and an automatic vessel monitoring system.

In close cooperation with PERSGA, the IMO Marine Environment Division has funded the preparation of a *Regional Action Plan* to cover the development of National Systems and Regional and Sub-Regional mechanisms to prepare for and respond to major marine oil spills in the Red Sea and Gulf of Aden. Some initial funding through the IMO Integrated Technical Co-operation Programme will allow this Plan to be started. IMO will work with PERSGA to find donors who will support the full implementation of the Action Plan.

**The Baltic Marine Environment Protection Commission (Helsinki Commission – HELCOM)**

*A. Salient issues that have arisen during 2002 within our respective areas of competence.*

During the year a series of issues have attracted major attention. These are:

1. EU Enlargement and European Marine Strategy

The (present) EU accession process by several HELCOM Contracting Parties will be finalized on 1<sup>st</sup> May 2004 with the consequence that nine of ten HELCOM Contracting Parties will be EU members with the consequence that all HELCOM member states except the Russian Federation will be committed to fulfilling EU Directives. That will cause a loss of regulatory competence of HELCOM in general.

For the moment the European Commission is preparing a European Strategy for Protection and Conservation of the Marine Environment. The consequences of such a strategy will probably strongly influence the future work of the Helsinki Commission.

Nevertheless there will be a continuous need for strict and tailor-made solutions/ measures to protect the unique and particularly sensitive ecosystems

possible direct regulatory conflicts. In fields where there is a need to safeguard the sensitivity of the Baltic Sea Area special actions have been taken.

#### Further actions

The forthcoming HELCOM Ministerial Meeting in June 2003 will discuss the role of HELCOM and its future priorities seen in the light of the described development.

## 2. Oxygen depletions and eutrophication

In August 2002, extraordinary strong oxygen depletion was observed in large areas of the Kattegat, Belt Sea, the Sound and Western Baltic Sea. Excessive leaching of nutrients from land in combination with excellent growth conditions for algae during a long, very warm summer provided the fundamentals leading to these events. The wide-spread oxygen depletion resulted in mass deaths of fish and widespread areas with dead or greatly harmed animal life at the sea bottom. Oxygen depletion in the shallow areas of



requires States to adopt laws and regulations to prevent, reduce and control pollution from land-based sources and to endeavour to establish global and regional rules, standards and

depletion events it seems necessary to introduce new measures towards curbing agricultural pollution.

#### Further actions

Based on the outcome of the discussions on the specific issues of oxygen depletion and eutrophication at the HELCOM Ministerial Meeting in June 2003 a decision will be taken on the future work of HELCOM in the field of Agriculture.

#### 4. Rising risk for oil spills

Natural conditions in the Baltic Sea (stratified brackish waters with varying temperatures) have restricted the occurrence of most of the marine and freshwater species. This has resulted in an ecosystem with low number of species and short food chains making the ecosystem very vulnerable for external stress.

A total of 133 distinct marine and coastal habitat types have been classified by HELCOM for conservation purposes, but most of these habitats are threatened by human activity. Major threats to biodiversity include pollution, eutrophication, disturbance, over-fishing and introduction of non-indigenous species.

Measures that are being undertaken to address the issues

The 1992 Helsinki Convention was the first regional agreement to cover international marine nature conservation over an entire sea. The Contracting Parties shall conserve natural habitats and biological diversity and protect ecological processes. Such measures shall also be taken in order to ensure the sustainable use of natural resources within the Baltic Sea Area.

HELCOM promotes ecosystem-based approaches in developing strategies for the management of marine resources of coastal and offshore waters, favouring broader, long-term management practices instead of a short-term, sectional approach.

Common concepts and visions for integrated coastal zone management (ICZM) are under development. A report summarizing the current state of affairs was published in 2001, and a complementary strategic report setting out a common approach will be published in 2003.

HELCOM has adopted, through a Recommendation in 1994, 62 marine and coastal areas to be the first phase of a system of Baltic Sea Protected Areas (BSPAs).

In addition, HELCOM adopted a Recommendation which states that in all riparian states to the Baltic Sea, a coastal strip of at least 100 to 300 metres landwards and seawards the medium midwater line outside of settlements shall be generally protected from diverse activities leading to destruction of habitats.



The GPA Coordination Office, in cooperation with key partners, provided significant leadership during preparations for the World Summit on Sustainable Development, drawing increased attention to the links between Integrated Water Resource Management

that the overall quality of the project is very good, with high quality outputs. The Action Phase of ICRAN was launched on schedule in June 2001. Project implementation is well underway in all regions and by all partners. For a detailed list of outputs, see Document UNEP/GC.22/INF/17.

The World Wide Fund for Nature (WWF) and ReefCheck have been accepted as full partners to ICRAN in 2002, further strengthening the partnership. ICRAN is also broadening its network and continues to strengthen Regional Seas by incorporating PERSGA, ROPME and SACEP in the programme.

Led by the ICU and supported by UNEP and other partners, major progress has been made in raising funds for ICRAN. At the ICRAN WSSD Side Event, USAID announced a donation of US\$ 1.5 million for activities on the Mesoamerican Barrier Reef, and in October 2002 the Goldman fund granted the partnership an additional US\$ 250,000.

Fundraising remains one of the priority activities for ICRAN. During the Action Phase, the UN Foundation provides matches for donations to ICRAN up to a total of US\$ 5 million, over US\$ 3 million of which still remains. UNEP has consistently pressed partners to raise funds, and will continue to do so.

#### *The World Summit on Sustainable Development (WSSD)*

ICRAN took active part in the World Summit on Sustainable Development (WSSD) in Johannesburg, August-September 2002, with a concerted effort from its partners and in close collaboration with the ICRI Secretariat. For detailed information on the contribution to the WSSD PrepComs and WSSD, see document UNEP/GC.22/INF/17.

The ICRAN Type II partnership was launched under the name 'People and Reefs: A Partnership for Prosperity' at the ICRAN Side Event on 1 September, by announcing the planned expansion in collaboration with SACEP, PERSGA and ROPME, as well as the special focus on coral reef based tourism with a lead from UNEP-DTIE. The event was attended by over 100 guests and media representatives. ICRAN also organized or co-organized an Exhibition and a Discussion Seminar.

The WSSD Plan of Implementation provides stro

In 1998, the fourth meeting of the Conference of the Parties (COP) adopted decision IV/5, containing a multi-year programme of work for the conservation and sustainable use of marine and coastal biological diversity. Further priorities for the programme of work were adopted by the fifth meeting of the COP in decision V/3. These priorities concerned, in particular, the incorporation of coral bleaching into the programme of work, and led to the development of a specific work plan on coral bleaching, and elements for a work plan on physical degradation and destruction of coral reefs.

The sixth meeting of the Conference of the Parties of the Convention on Biological Diversity approved the continued implementation of the specific work plan on coral bleaching and the elaboration and implementation of the work plan on physical degradation and destruction of coral reefs (decision VI/3), and requested continued cooperation with the United Nations Framework Convention on Climate Change (UNFCCC) in regard to coral reefs (decision VI/20). COP also urged the strengthening of collaboration between the Secretariat and regional seas conventions and action plans, and such collaboration is being actively sought by the Secretariat. The work plan on coral bleaching is now being implemented, and closer ties are being developed between the Secretariat and relevant organizations, such as the International Coral Reef Initiative (ICRI) and its partners, the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA), and the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (IOC). In this regard, the Secretariat became a co-sponsor of the Global Coral Reef Monitoring Network (GCRMN), and is collaborating with the Second International Tropical Ecosystems Management Symposium (ITMEMS 2). As a result of decision VI/3, coral reefs will continue to be a priority issue in the implementation of the Jakarta Mandate.

The Secretariat of the Convention on Biological Diversity has conducted two meetings of an Ad Hoc Technical Expert Group on Marine and Coastal Protected Areas. This international expert group considered and finalized its work on the values and effects of marine and coastal protected areas, and linkages between marine and coastal protected areas and sustainable use. As part of this work, the Expert Group proposed a framework for sustainable management of marine and coastal biological diversity, including a network of highly protected areas covering both areas inside and outside of national jurisdiction. Additionally, the Expert Group proposed a global goal for the Convention in relation to marine and coastal protected area networks, corresponding to paragraphs 31 (a) and (c) of the WSSD Plan of Implementation. The Expert Group also prepared recommendations for further research, including pilot projects.

The Secretariat conducted a meeting of an Ad Hoc Technical Expert Group on Mariculture. This meeting, which was held in collaboration with the Food and Agriculture Organization of the United Nations (FAO), evaluated the current state of scientific and technological knowledge on the effects of mariculture on marine and coastal biological diversity, and provided guidance on criteria, methods and techniques to avoid the adverse effects of mariculture on biodiversity, while enhancing any positive effects. The Expert Group agreed that even though all forms of mariculture affect biodiversity at the genetic, species and ecosystem level, a number of techniques are available to minimize such effects. These techniques include proper site selection, optimal management (including proper feeding), culturing different species together (polyculture), and the use of enclosed, and especially re-circulating, systems. It was also agreed that under certain circumstances mariculture could enhance biodiversity locally. The work of this Expert Group, as well as the Expert Group on Marine and Coastal Protected Areas, will be presented for the consideration of the eighth meeting of the Convention's Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), to be held from 10-14 March 2003.

The Secretariat, in collaboration with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations (UNDOALOS), has undertaken a study of the relationship between the Convention on Biological Diversity and the United Nations Convention on the Law of the Sea with regard to the conservation and sustainable use of genetic resources on the deep seabed. The study reviews the provisions of the two conventions as they relate to the conservation and sustainable use of the genetic resources of the deep seabed beyond the limits of national jurisdiction. The study notes, however, that whereas the provisions of the two conventions are complementary and mutually-supportive regarding the conservation and sustainable use of marine and coastal biodiversity, an important legal lacuna exists with respect to commercially-oriented activities relating to marine genetic resources in the high seas. This lacuna will need to be addressed by the international community given the increasing importance of the genetic resources in these areas and the risk of their over-exploitation without due regard to conservation and equity imperatives.

The Secretariat has finalized a review of the implementation of the programme of work on marine and coastal biological diversity adopted in decision IV/5. This review is based on National Reports and National Biodiversity Strategies and Action Plans submitted by Parties, and on questionnaires sent to international and regional organizations. The review also considered