RECOMMENDATIONS TO THE CHAIRMAN
FROM THE INFORMAL CONSULTATIONS
HELD AT UNESCO, PARIS, ON 10 AND 11 APRIL, 1995

Informal consultations on recommendations to the Chairman of the Independent World Commission on the Oceans were held at the UNESCO building in Paris on 10 and 11 April, 1995. The following were present:

Prof. Elisabeth Mann Borgese
Dr. Gilbert Glaser
Dr. Krishan Saigal
Dr. Yoshia Suzuki
Amb. Layashi Yaker

Dr. Glaser, Director, Bureau of Coordination of Environmental Programmes, UNESCO, welcomed the meeting and conveyed the support of the Director-General of UNESCO, Dr. Federico Mayor, to the proposed World Commission on the Oceans. The oceans were not only an essential and important part of the planetary system (biosphere and geosphere) but also the repository of many resources which had to be sustainably developed for the benefit of humankind.

The Informal Consultations considered the documentation circulated by the Executive Director of the IOI, and after a thorough and comprehensive examination of all issues unanimously came to the following conclusions and recommendations which were to be conveyed to the Chairman by Ambassador Yaker.

- The proposed membership of the Commission, which should not exceed a total of 30, should be strengthened in the following areas:

  - South Korea
  - Indonesia
  - Oceania
  - Caribbean/Latin America
  - Gulf (Saudi Arabia/Kuwait/Qatar)

- The Executive Director of the IOI and the Treasurer appointed by the Commission shuld be ex officio members of the Commission.

- A number of Eminent Persons could be added and invite to particular Sessions, or part thereof, in the context o their eminent compotence on particular subjects.

- A list of Honourary Members, including Heads of State, could also be added.

- An early decision needed to be taken on the draft articles regulating the financial arrangements and work procedures of the Commission.

- Japan had agreed to host the second plenary of the Commission in early September (4-7 September, 1995) while the first Plenary could be held in Lisbon between 29 May and 6 June, 1995. Each plenary session would last three days and be preceded by a one-day meeting of the Executive Committee.

- An intersessional Executive Committee should be held in Malta at the end of July.

- The third Plenary of the Commission could be hosted by Monaco in January or February 1996.

- Regarding the secretariat servicing the Commission, the Informal Consultation considered three alternatives, viz.:

  - the IOI Secretariat servicing the Commission with the addition of a core group of 5 high-grade professionals to prepare the papers and the report. Their work load would be heaviest during the second half of 1996 and the first part of 1997. The IOI Operational Centres would conduct the Hearings in 1995 and conclude this work in early 1996.

  - the establishment of a separate secretariat for servicing the Commission and in charge of writing papers and the Report while the IOI would be responsible for the regional Hearings, the maintenance of accounts and other administrative matters;

  - the establishment of a totally separate Secretariat for the Commission.

  Each of the alternatives had its pluses and minuses in the form of costs, required infrastructure, etc. All the alternatives, with their implications should be put up to the Chairman for his consideration and decision.

The Informal meeting gave some detailed consideration to the proposed budget. It recommended that

- the cost for travels should be reduced by providing Business Class rather than First Class. First Class should be provided only for the Chairman of the Commission. Commissioners should be encouraged voluntarily to pay for their own travel expenses.

- The budget should be revised in accordance with the recommendations of the informal meeting.

In conclusion, the participants in the informal meeting were received by the Director General of UNESCO, Dr. Federico Mayor, who confirmed his full commitment to the work of the Commission. He would be available to attend the opening Session of the Commission if it were to be held in Lisbon in June, in accordance with the recommendations of the Informal Meeting. He also assured the participants that UNESCO would make means available for the implementation of the recommendations that would be contained in the Commission's final Report.

1. The preparation for the establishment of the Commission has been handled, by all concerned, with exemplary efficiency and correctness. Prospective candidates for membership have been approached in an exploratory spirit; they have been listed as "having agreed to join, if invited." A considerable amount of activity and discussions was required to fulfil the conditions laid down by the potential President of the Commission, viz.

   an official letter of approval of the Commission and his role in it;
   assurance of funding;
   agreement of the vice presidents to serve.

   To make these conditions, and, at the same time, to insist that nothing should as yet be mentioned to anybody, could not have been President Soares' intention. It would in fact have created a "Catch-22" situation: If you cannot talk about the Commission with considerable precision, the three conditions could not be met; if the three conditions are not met, the Commission cannot be established.

   None of the prospective members and vice-president has ever objected to his name being used in the preparatory discussions.

2. The establishment of the World Commission on the Oceans clearly and indisputably is an initiative of the International Ocean Institute. The formula, "While appreciating the desirability to maintain a close collaboration with IOI on certain components of the project" simply does not correspond to the facts of history. From the beginning it was clearly stated that the IOI and its network would act as Secretariat, "with the appropriate staff complements." This indeed was considered by everybody concerned as a great organisational and financial advantage which the Commission on the Oceans enjoyed over other Independent Commissions which had to build there infrastructure from scratch. We all agreed on the need for "appropriate staff complements." The financial waste of creating an independent secretariat, to duplicate the work of the IOI, clearly results from the alternative budgets submitted by the Executive Director and might not be plausible to funders. The contribution of UNDP is based on the understanding that IOI and its Operational Centres will act as Secretariat. All alternatives, however, will be submitted to the President for his decision.

   No "de facto situation is progressively being created," but without a considerable amount of de facto preparatory work, including budgets, time tables, staffing requirements, outputs, no funding could have been secured, and the conditions for the President's acceptance could not have been met.

   Quite objectively, it must be stated that there has been a considerable amount of neglect on your part.You should have realised the need for a time table in order to assure financial support. It is indeed impossible to go to a funder requesting support for a project "if and when" it is established. That could not produce the assurance that was requested by President Soares. You should also have realized that it is not easy to convoke extremely busy and important personalities such as our prospective vice presidents, at short notice. When it was clear, therefore,(a) that they were willing to serve, (b) that the Secretary-General's letter was forthcoming, and (c) that funding had been assured,

it was essential to set a date for the first meeting. You were advised in February that the date April 10 and 11 was acceptable to Guido de Marco, Yoshio Suzuki, Elisabeth, and myself, and you were kindly asked to reserve that date because it might have been difficult to set another date in the near future. It would have been considerate on your part to advise us when you learned that President Soares would be in China during those days. To be told at the last moment caused us considerable difficulties.

Had the meeting taken place as scheduled, in Lisbon, and chaired by the President, it would indeed have been "the first meeting of the EC," and there was nothing "inappropriate" in calling it that. Incidentally, you might be more careful in applying terms such as "inappropriate" to the actions of the hard working IOI leadership.

When we were advised that the President was going to be in China, the meeting was shifted to Paris and transformed into an "informal meeting" to prepare recommendations for the President. You will receive these in due time. The "initial core group" now includes the eminent and extremely cooperative Dr. Suzuki, Japan being one of the main funders of the Commission.

3. It goes without saying that the Commission will have its own stationary, and that it is an Independent Commission, but this is not to hide the fact that the Commission is serviced by the IOI Secretariat.

4. It is good of you to recognize that the documentation prepared by Dr. Saigal provided a good basis for the preparatory consultations. This documentation is being revised in accordance with the recommendations of that meeting. The revised version is being submitted to President Soares.

5. Your statement about the hearings is correct. The hearings are being prepared accordingly.

6. I shall be in touch with President Soares upon his return from China and set the date for our meeting.If President Soares will recognize that his conditions have been fully met and that, therefore, the establishment of the Commission under his chairmanship can now be publicly announced, we will confirm the dates for our forthcoming activities.

CONTENTS OF REPORT

(First Draft)

1. Introduction. Changing global system. Increase in number of actors -- States, NGOs, TNCs, media, citizens' groups and associations. Interdependence of issues, emergence of technological and institutional "gaps" due to High Technology, rise of environmental issues; issues of poverty, unemployment,gender, youth, indigenous people. The U.N. Special Conferences, in the wake of the Rio, 1992, Conference: their conclusions, recommendations, and consequences. Economic disequilibria and their impact on security. The changing concept of security, including economic and environmental security and its implications.

2. Sustainability -- the concept and its economic, political and social consequences. Sustainable development of marine resources -- food, water, drugs, energy, minerals, shipping, space, recreation; their place in the global economy (seventy percent of international trade; fifty percent of tourism; coastal development).Increasing population pressure on coastal areas and its environmental impact.

3. Legal issues, including

   . interlinkages between Law of the Sea convention, UNCED Conventions on Biodiversity and Climate Change, and Agenda 21;

   . gaps in the form of national legislations and regional protocols.

4. Science and Technology. The science of planetary systems (GOOS, ecosystems, study of geosphere and biosphere and High Technology. Cooperative and other mechanisms for involving the developing countries -- national, regional, global: New approaches to "technology transfer" in the age of high technology.

5. Institutional requirements at national, regional, and international levels. Redefining of the Regional Seas Programmes. Institutional mechanisms for the development of integrated policies, at national, regional, and international level.

6. **Ocean governance and the restructuring of the international system, including the U.N. system** and the place of the new actors therein.

7. Conclusions and action-oriented recommendations, including financial implications and ways of dealing with them.

DISCUSSION PAPER ON THE PREPARATION OF A REPORT ON "THE OCEANS IN THE 21ST CENTURY" BY THE INDEPENDENT WORLD COMMISSION FOR THE OCEANS

I. In the preparation of the report of the Independent World Commission for the Oceans (IWCO), 3 major considerations should be kept in mind.

1. The need to associate closely members of the Commission in the various thematic areas based first on their respective expertise and taking account of geographical considerations

2. The need to commission specialized papers from eminent authorities under each thematic cluster

3. The need to ensure that the preparation of the papers is closely monitored, supervised and coordinated by the Secretariat of the Commission to secure the highest standards of quality and consistency with the thematic clusters designated by the Commission

II. In order to achieve this end, it is suggested that the Commission through its Secretariat:

1. Determine the subject matter of each paper or the papers to be commissioned under each theme;

2. Select the best qualified author or authors of the paper(s) to be prepared under each theme and commission their services;

3. Designate from within the membership of the Commission a substantive oversight group under each theme or/and a chairman/facilitator to review and suggest revisions, as required, of papers submitted by commissioned authors under each theme.

III. For the purpose of organizing the Commission's report, the subject matter under the five thematic areas could be considered as a series of five chapters preceded by an introduction and followed by a conclusion. The latter two would be prepared following a review and analysis of the individual papers. The suggested chapter headings follow below. The attached Annex presents a table of three columns showing first the suggested chapter titles and the paper titles under each chapter; a column for listing potential authors (individuals/institutions) including, as appropriate, members of the Commission; a column for listing potential chairpersons/facilitators for Commission "oversight groups", drawn from the Commission's membership.

IV. The Annex already contains suggestions of the names of individuals/institutions as possible candidates under columns 2 and 3. Further to discussion of this paper and its annex, it is suggested that members of the Commission be contacted informally to elicit their views on this matter in order to compile a comprehensive listing so that the Secretariat may be in a position to make a final selection.

Suggested Chapter and Paper Titles

Chapter I: Mankind and its Perception of the Oceans

Paper 1: Ocean Sustainability: The Issue of Awareness

Chapter II: Leadership: Awareness and Mobilization

Paper 1: The Education and Mobilization of Leadership for Sustainable Ocean Development

Note: Chapters I and II could be combined because of their close interrelationships.

Chapter III: Ocean Resources in the Context of Sustainable Development

Paper 1: Ocean Living Resources: Status and Prospects

Paper 2: Ocean Non-Living Resources and Uses: Status and Prospects

Paper 3: Environment and Development Revisited: Conflict/Complimentarity/Accommodation

Paper 4: Sustainable Ocean Development through Rational Management

Chapter IV: Ocean Science and Technology: The Current Situation and the Horizons

Paper 1: Overview of Current Status and Expanding the Frontiers

Paper 2: Technology Transfer and Knowledge Dissemination: New Directions

Paper 3: Indigenous Ocean Technologies: Limitations and Promise

Chapter V: Towards a Global Ethic for the Oceans

Paper 1: The Legal Framework for Ocean Governance: Strengths and Shortcomings in the Context of Sovereignty, Perceived National Interest and Geopolitics

Paper 2: The Institutional Framework for Ocean Governance/ Reform or Innovation

Paper 3: Building the Foundation of a Global Ethic for the Oceans

ANNEX

Chapter and Paper	Potential Authors (individuals/institutions)	Oversight Group-Chairman/Facilitator
CHAPTER I		
paper 1 (awareness)	-O. Arias* (Costa Rica) -R. Muller (Univ. of Peace, Costa Rica) -UN University (Tokyo)	-P. Kennedy* (US) (chp. 1+2)
Chapter II paper 1 (leadership)	-Univ. of R.I. (Center for Marine Studies)	
CHAPTER II		
paper 1 (living resources)	-suggestions Ruivo*/Holt* -N'Diaye* (Sénégal) -Bridgewater* (Australia) -FAO -Suzuki* (Japan)	-Ruivo* (Portugal) -Holt* (UK)
paper 2 (non-living resources)	-Suzuki* (Japan) -Peter Rona (US) -US Bureau of Mines -Woodshole (US)	
paper 3 (env./dev.)	-suggestions from Keckes* -Strong (Canada) -Barcenia* (Costa Rica) -Falk* (USA) -IUCN (Switzerland)	-Falk* (USA)
paper 4 (CAM+ocean management)	-Cin-Sain (U. of Delaware-US) -Vargas* (Brazil) -Lubbers* (Netherlands) -Univ. of Rio Grande del Sur (Brazil) -Elders (US)	-Vargas* (Brazil)

CHAPTER IV		
paper 1 (overview)	-IOC suggestions -Kendrew* (UK) -Woodshole (US) -Ulf Lie* (U. of Bergen, Norway)) -Scripps (US) -IFREMER (France) -NIO (India)	-Ulf Lie*, (Univ. of Bergen, Norway)
paper 2 (technology transfer)	-IFREMER (France) -Madras Inst. for Technology (India) -Abdulai* (Nigeria)	-Faleiro* (India)
paper 3 (indigenous technology)	-Jilan* (China) -Aquino* (Philippines)	-Aquino* (Philippines)
CHAPTER V		
paper 1 (legal)	-Koh* (Singapore) -SIPRI (Sweden)	-Bedjaoui* (Algeria) -Mann Borgese* (Canada)
paper 2 (institutions)	-Cin-Sain (U. of Delaware-US) -Busuttil* (Malta)	
paper 3 (global ethic)	-DeMarco* (Malta) -Falk* (Princeton Univ.-US)	-Dupuy* (France) -DeMarco* (Malta)

* Member of the Commission

DRAFT
05-31-95
Malta.

INDEPENDENT COMMISSION ON THE OCEANS

PROPOSAL

Endangered Habitats
Coral Reefs. Mangroves and Seagrasses

Sponsored by the East-West Center
and
The Pacific Science Association

in collaboration with
The International Ocean Institute
Operational Centre at
The University of the South Pacific
Suva. Republic of Fiji

With the coming into force of the United Nations Law of the Sea in November 1994. and with the provisions required by UNCED. Agenda 21. Chapter 17. coastal nations are faced with enormous challenges in the management of sustainable development of their coastal resources. In the developing world. coral reefs. mangroves and seagrass ecosystems are among the world's endangered habitats.

Under this proposal a chapter on these endangered habitats will be prepared: the chapter will be global in scope. and will provide a state-of-the-art review of coral reefs. mangroves and seagrass habitats. followed by detailed recommendations for their protection and sustainable development. and an Action Plan. The world's experts on these habitats will contribute to compilation of the chapter.

The chapter will have the following proposed outline:

1. Introduction/ organization. including definitions and regional assessments.
2. Distribution and abundance of reefs. including biogeography and biodiversity.
3. Values and functions. including traditional aspects.
4. Ownership and custody of reefs.
5. Threats to reefs - natural and anthropogenic.
6. Status (by region)
   - State of knowledge:
   - Stressed reefs - recovering and undisturbed: healthy.
7. Recommendations
   - Assessment
   - Monitoring
   - Other research
   - Protected areas
   - Integrated coastal zone management
   - Community-based management
   - ~~Community-based management~~
   - Information resources management

- Global cooperation/climate change
- Education and training
- Legal aspects

8. Action Plan for coral reef ecosystems.
9. Key references.
10. Appendices. including maps. diagrams and figures.

Project Coordinators

Lucius Eldredge. Pacific Science Association. Honolulu
James Maragos. East-West Center. Honolulu
G. Robin South. The University of the South Pacific. Suva

Project participants
(tentative list)

CORAL REEFS	
Australia	J. Veron. D. Hopley
Caribbean/Atlantic	J. Ogden. P. Glynn. R. Ginsberg. E. Jordan
Fiji	G.R. South. M. & D. Littler. J. Zann
French Polynesia	C. Payri
Global	S. Wells
Hawaii	L. Eldredge. P. Holthus. P. Jokiel. J. Maragos
Indian Ocean	T. Maclanahan. D. Stoddart
Japan/Okinawa	K. Tamazoto. J. Veron
Melanesia	P. Colin
Micronesia	C. Birkeland. G. Paulay. R. Richmond
Singapore	L.M. Chou
Southeast Asia	J. McManus
SPREP	A. Smith

SEAGRASSES
J. Zieman. R. Coles

MANGROVES
J. Ellison. N. Devoe. S. Sendacor

LAW OF THE SEA
J. van Dyke

Summary report of major conclusions of the Preparatory Committee of IWCO
(Lisbon, 30.6.1995)

Agreement on secretariat and related matters

1. With a view of ensuring the independent nature of the Commission, the Preparatory Committee agreed to establish a secretariat of the Commission formed by two units:

i) The office of the Chairman, in Lisbon, with a small secretariat, where will be located the General Coordinator;
ii) The secretariat of the Commission, located in Malta. It should be formed by the Executive Secretary of the Commission and other recruited and seconded staff.

The secretariat of the Commission will work closely with IOI (Headquarters, also located in Malta, and decentralised bodies of IOI). The modus operandi will be defined through a agreement of mutual understanding between the Commission and IOI.

2. The possibility of broadening the composition of the Executive Committee by the addition of two Vice-Chairmen was left to the discretion of the Chairman.

3. For the appointment of the Executive Secretary of the Commission, it was agreed that the Vice-Chairmen should submit to the Chairman, quite in advance of the Tokyo meeting, the names of three to five candidates.

4. Invitations to the members of the Commission, as agreed during the Lisbon Preparatory Committee, should be issued as soon as possible by the Chairman, as well as letters to potential donors, namely:

i) The Government of The Netherlands (contribution of funds to the work of the Commission);
ii) Prince Rainier of Monaco on hosting a session of the Commission and, if possible, also in support of its function.

5. A special effort should be undertaken by the Chairman and Vice-Chairmen with a view to mobilise financial and other forms of support to the Commission.

6. In connection with the Tokyo meeting, a letter should be addressed by the Chairman to the Rector of the United Nations University (Prof. Gorgulino de Sousa) who has already informed of his willingness to host the meeting. Contacts should also be maintained with Dr. Susuki regarding other arrangements, including participation, travel and local expenses. It was agreed that the Executive Committee will meet on September 5 and the plenaries from September 6 to 8. A press conference, at which the formal establishment of the Commission will be announced, shall be organised at a convenient time to the Chairman.

there

Budget for the Plenary Meeting

Travel Cost	@ ¥500,000 x 35 persons	¥17,500,000-
Hotel Accomodations	@ ¥23,000 x 5 nights x 5 persons	575,000
	@ ¥23,000 x 4 nights x 30 persons	2,760,000
UNU Rooms Carge	hopefully	0
Simultaneous Interpreters	@¥130,000 x 3 persons x 3 days	1,170,000
	@¥130,000 x 2 person x1 day	260,000
Lunch & Drinks (Catering)	@¥150,000 x 3 days	450,000
	@¥ 50,000 x 1 day	50,000
Bilingual Staffs	@¥ 40,000 x 2 persons x 3 days	240,000
Prepation Bilingual Staffs	@¥300,000 x 2 x 2 months	1,200,000
Translation Cost	@ 6,000 x 100	600,000
Communication Cost		400,000
Printing and Mailing Cost of Circulation		300,000
Editing and Printing of the Minutes (English and Japanese)		800,000
Miscellaneous Expences		300,000
		¥26,605,000

INDEPENDENT WORLD COMMISSION FOR THE SEAS AND OCEANS

PRELIMINARY LIST OF SUGGESTED MEMBERS

President Mario Soares, Chairman
Professor Guido de Marco, Vice President,* Europe
Mr. Layashi Yaker, Vice president,* Africa
Dr. Elisabeth Mann Borgese, Vice President,* North America
Dr. Yoshio Suzuki, Japan*, Vice President, Asia
Latin America

Alicia Barcena,* Mexico
Mohammed Bedjaoui,* Algeria
Cheng (AALCC)
Umberto Colombo,* Italy
René Jean Dupuy,* France
Jens Evensen, Norway
Carl-August Fleischhauer,* Germany
Tommy Koh,* Singapore
Abdul Koroma,* Sierra Leone
Gunnar Kullenberg, Denmark
Former Prime Minister Lubbers,* Netherlands
Ronald St John Macdonald,* Canada
Mircea Malitzaspain
Federico Mayor,*
Dr. Merkel, Minister for the Environment, Germany*
(Prince) Moulay Hicham ben Abdallah of Morocco
Robert Muller,* France
Osmal, Kader (Minister of Forests & Water, South Africa)
Arvid Pardo,* Malta
Christopher Pinto,* Sri Lanka
Mario Ruivo,* Portugal
Juan Somavia,* Chile
James Gustave Speth,* USA
Danielle de St Jorre*
Su Jilan* (Academician, Academia Sinics, China)
Professor Swaminathan,* India
Ted Turner
Joseph Warioba,* Tanzania
Alexander Yankov,* Bulgaria
Malaysia
Brazil
one meteorologist

* have accepted.

Committee of Patrons, if desirable:
President Cardozo
Helmuth Schmidt
Belisario Betancur
Julius Nyerere

[illegible] Macdonald,* Canada	Communications
James Gustave Speth,* USA Administrator, UNDP	Reource Economics

EASTERN EUROPE

Mircea Malitza, Romania	Education
Alexander Yankov,* Bulgaria	Law, Environment

Ingmar Carlson
King Juan Carlos of Spain
Prince Ranier of Monaco
Crown Prince Hassan of Jordan
Queen Beatrice of the Netherlands
Prince Sadruddin Aga Khan

	Social Sciences	Natural Sciences
Africa	Mohammed Bedjaoui Prince Moulay Hicham ben Abdallah Osmal Kader Abdul Koroma Danielle de St. Jorre Joseph Warioba Layashi Yaker	
Asia	Tommy Koh Yoshio Suzuki	Su Jilan S.M. Swaminathan
E. Europe	Mircea Malitza Alexander Yankov	
W. Europa	Umberto Colombo Rene Jean Dupuy Jens Evensen Carl-August Fleischhauer Prime Minister Lubbers Guido de Marco Robert Muller Arvid Pardo Christopher Pinto Mario Soares Heinz-Dieter Spranger	Gunnar Kullenberg Federico Mayor Mario Ruivo
L. America & Caribbean	Alicia Barcena Juan Somavia	
N. America	E.M. Borgese Ronald St. John Macdonald James Gustave Speth	

w.c.

YES	UNCERTAIN	NO
Secretary-General Chairman	Bedjaoui	Macdonald
5 Vice Chairmen	Khalid	Koh
Su Jilan	~~Koroma~~	El Nauimi
Swaminathan (immediate action required)	Ruperti	Solofa
Lubbers (immediate action required)	Mayor	Dupuy
Kendrew (immediate action required)	Ulf Lie	Hedrich
Robert Muller (immediate action required)	~~Kolodkin~~	Fleischhauer
Falk (immediate action required)	Somavia	Speth
Yankov	Arias	Turner
[Asmal (South Africa)]	Don Mills	Barcena
St Jorre	James Baker	
Staff Koroma		

8/7 現在出欠表

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YES	UNCERTAIN	NO.
Chairman	Bedjaoui	Koh
5 Vice Chairmen	Khalid	El Naimi
Su Jilan	St Jorre	Solofa
Swaminathan (immediate action required)	Koroma	Dupuy
Lubbers (immediate action required)	Ruperti	Hedrich
Kendrew (immediate action required)	Mayor	Fleischhauer
Robert Muller (immediate action required)	Ulf Lie	Speth
Macdonald (immediate action required)	Kolodkin	Turner
Falk (immediate action required)	Somavia	Barcena
Yankov	Arias	
Asmal (South Africa)	Don Mills	
Staff — 5人 Malta, Fiji, India, Japan, China	James Baker	

Chairman　ポルトガル大統領　Mario Soares

Vice-chairman　IOI会長 アルジェリア元経済相　Layashi Yaker

野村総合研究所理事長　金子淑夫

ダルハウジー大学教授 IOI名誉会長　Elisabeth Mann Borgese

ブラジル連邦共和国 科学技術相　Jose Israel Vargas

マルタ共和国外相 兼副首相　Guido de Marco

Coordinator　ポルトガル現ユネスコ委員会 前ユネスコ国際海洋学委員会委員長　Mario Ruivo

Your additions and corrections would be most welcome.

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INDEPENDENT WORLD COMMISSION ON THE OCEANS

List of Addresses of Members

Chairman

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Vice-Chairmen

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INDEPENDENT WORLD COMMISSION FOR

THE SEAS AND THE OCEANS

INDEPENDENT WORLD COMMISSION
FOR THE SEAS AND THE OCEANS

The following papers are attached for discussion

1. Action Calendar for the World Commission (Annex 1)

2. Draft communication to be addressed to various regional organisations and authorities or persons (Annex 2)

3. Illustrative list of matters on which views could be communicated to the Commission (Annex 2, Attachment)

4. Illustrative list of persons to be addressed by IOI Regional Centres (Annex 3)

Dr. Krishan Saigal
Executive Director

A N N E X 1
ACTION CALENDAR FOR INDEPENDENT WORLD COMMISSION FOR THE SEAS AND OCEANS ("THE COMMISSION")

The IOI has taken the initiative in the matter of the establishment of the Commission under the leadership of President Soares of Portugal. There would be 5 - 6 Vice Presidents of the Commission. The President and Vice Presidents will function as the Executive Committee of the Commission.

The Commission's terms of reference are:

- to refocus world attention on the importance of sustainable ocean development and the law of the sea;
- to monitor the ratification; implementation, and progressive development of the Convention, at national, regional, and global levels;
- to examine whether States, especially developing countries, are able to fulfil their duties, enjoy their rights and generate their benefits under the Convention, to analyze the difficulties they might encounter, and to propose ways and means to overcome them;
- to monitor the implementation of chapter 17 of Agenda 21, at national regional, and global levels and to observe the function of the Convention in this process (legal framework; peaceful settlement of disputes; enforcement);
- to follow the development of regional programmes of cooperation and development in the marine sector and examine how they adjust to the new requirements of integrated ocean management and sustainable development;
- to examine the role of the Law of the Sea and ocean development in the process of restructuring the United Nations system as a whole for the 21st century and elaborate proposals to strengthen this role.

The International Ocean Institute would, along with its operational centres, work as the Secretariat of the Commission. The Vice Presidents of the Commission in cooperation with the IOI operational centres would organise regional hearings.

The Commission will submit an interim report to the UN General Assembly in 1995 and a final report to the Commission on Sustainable Development in 1996.

The time table for 1995 would be as follows:

Executive Committee meeting, Lisbon	January,	1995
First Plenary Session, Lisbon	March,	1995
Regional hearings	March/April	1995
Second meeting of Executive Committee, Malta	May,	1995
Second Plenary Session, Tokyo	September,	1995

The job before the IOI regional centres would be to organise the regional hearings in March/April, 1995, summarise the results of such hearings and submit a report to headquarters so that an interim report could be got ready in time for the second Plenary Session to be held in Tokyo in September.

A suggested action calendar for 1995 could be as under:

Item	Action	Date	Responsible Party
	Advertise setting up of the Commission in the region	1 January, 1995	Centre Directors
1.2	Write to various authorities inviting memoranda, views and whether submitter wants to be heard in person fixing last date as 28 February, 1995	1 January, 1995	Centre Directors
1.3	Organise regional hearings	15 March - 30 April, 1995	Concerned Vice-President and Centre Director
1.4	Summarise hearings, memoranda etc. and emerging recommendations and submit to headquarters	15 June, 1995	Concerned VP and CD
1.5	Prepare draft interim report and circulate to all members of the Commission	15 August, 1995	President and Executive Director
1.6	Consider interim report	15 September, 1995	Commission
1.7	Finalise interim report and submit to UNGA	15 October, 1995	President and Executive Director

1.1

A N N E X 2

DRAFT COMMUNICATION TO BE ADDRESSED TO VARIOUS REGIONAL ORGANIZATIONS AND AUTHORITIES OR PERSONS

Dear

As you are aware an Independent World Commission for the Seas and Oceans has been established under the leadership of President Soares of Portugal.

The composition of the Commission is as follows:

The terms of reference of the Commission are:

- to refocus world attention on the importance of sustainable ocean development and the law of the sea;
- to monitor the ratification; implementation, and progressive development of the Convention, at national, regional, and global levels;
- to examine whether States, especially developing countries, are able to fulfil their duties, enjoy their rights and generate their benefits under the Convention, to analyze the difficulties they might encounter, and to propose ways and means to overcome them;
- to monitor the implementation of chapter 17 of Agenda 21, at national regional, and global levels and to observe the function of the Convention in this process (legal framework; peaceful settlement of disputes; enforcement);
- to follow the development of regional programmes of cooperation and development in the marine sector and examine how they adjust to the new requirements of integrated ocean management and sustainable development;
- to examine the role of the Law of the Sea and ocean development in the process of restructuring the United Nations system as a whole for the 21st century and elaborate proposals to strengthen this role.

The International Ocean Institute would, along with its operational centres, work as the Secretariat of the Commission. The Vice Presidents of the Commission in cooperation with the IOI operational centres would organise regional hearings.

The Commission will submit an interim report to the UN General Assembly in 1995 and a final report to the Commission on Sustainable Development in 1996.

The Commission would very much appreciate your views on the matters under its consideration as well as on anything else that you consider it necessary to bring to the attention of the international community through the Commission's reports to the UN General Assembly and the Commission on Sustainable Development. An illustrative list of matters you may like to consider is attached.

Of course you are free to give your views on anything connected with the oceans. In order to meet the deadline of submitting an interim report to the UN General Assembly in October, 1995 you are requested to give your interim views by 28 February, 1994 and your considered views by 30 August, 1994. You are also requested to intimate whether you would like to be heard in person. The hearings of the Commission would be in -------- sometime in March/April, 1994. Should you wish to be heard in person, the date would be duly intimated to you.

Thanking you for your cooperation.

A N N E X 2 Attachment

ILLUSTRATIVE LIST OF MATTERS ON WHICH VIEWS COULD BE COMMUNICATED TO THE COMMISSION

Sustainable ocean development and the law of the sea

The Convention has Parts and Articles relating to the protection and preservation of the marine environment (Part XII), conservation of living resources in the exclusive economic zone (Article 61), conservation and management of the living resources of the high seas (Part VII Section 2) and the co-operation of States boardering enclosed or semi-enclosed seas to co-ordinate the management, conservation, exploration and exploitation of the living resources of the sea (Article 123(a)).

The above provisions require the coastal States to promulgate laws and regulations in pursuance of the aims specified in the Convention and to co-operate both among themselves and with competent international organisations towards the achievement of these ends.

Do you consider the actions taken by States so far to be adequate? If not, what are in our opinion, the reasons for not taking adequate action? And what needs to be done to promote the taking of such action.

Do you consider that the cooperation by States in your region, including the setting up of regional and subregional instituituions is adequate? If not what more in your opinion needs to be done.

Have the specialised agencies of the United Nations (FAO, IMO, UNESCO/IOC, IHO, UNIDO, WMO) been cooperating with the States, especially developing States, of your region to further the prospects of sustainable development? If not, what in your view needs to be done.

Ratification, implementation, and progressive development of the Convention at material, regional and global levels

The Convention has become law with effect from 16 November, 1994 but many states have not yet ratified it and many who have ratified it, have not yet implemented it.

Which States in your region have ratified the Convention? To what extent have they implemented its provisions? What are the difficulties, if any, that they face in implementing all the Parts of the Convention?

Which States in your region have not ratified the Convention so far? What are the reasons for non ratification?

The Convention mandates cooperation between States at national, regional and global levels in various areas including, inter alia,

- sea lanes, and traffic seperation schemes in straits (Article 41 (5))
- navigational and safety aids and the prevention, reduction and control of pollution in straits (Article 43)
- conservation of living resources, including highly migratory species, marine mammals and anadromous stocks (Articles 61, 64, 65 and 66)
- conservation of living resources of the high seas (Articles 117 - 119)
- enclosed and semi-enclosed seas (Art 123)
- access for land-locked states to the sea (Articles 129, 132)
- orderly, safe and rational management of the resources of the international Area (Articles 150, 151 and 160)
- protection and preservation of the marine environment (Articles 197, 199 - 202)
- marine scientific research for peaceful purposes (Articles 242 - 244)
- development and transfer of marine technology (Articles 266, 268 - 273)
- establishment of regional marine scientific and technological research centres, particularly in developing States (Article 268)

To what extent have States in your region been cooperating in the above fields? What can be done to further such co-operation including the establishment of marine scientific and technological research centres?

<u>States, especially developing countries, and their ability to fulfil their duties and enjoy their rights and generate thier benefits under the Convention; Agenda 21; regional programmes</u>

The Convention has vastly expanded the jurisdiction of coastal States. This gives to the States the opportunity to enjoy their rights and generate benefits. But at the same time the Convention also casts duties on the States - provision of safety and navigational aids, the establishment of search and rescue systems establishment of total allowable catch, transfer of environmentally safe technology to developing countires, providing assistance in the fields of marine science and research etc. At the same time the enjoyment of rights and the generation of benefits requires, inter alia, capabilities in the areas of surveillance systems, scientific research, exploration, marine technology, finance, trained manpower and integrated management systems - matters in which the developing countries in particular are lacking.

Agenda 21, Chapter 17, calls for further action from States in the areas of: coastal zone management; development of small islands; marine environemntal protection; sustainable uses of marine living resources whether under national jurisdiction or the high seas; ocean air interchange as it affects climate change; and the strenghtening of co-operation at all levels.

To what extent, in your opinion, have steps been taken to remedy these deficiencies? What further needs to be done in this regard - by international organisations, the industrialised states, developing countries and the international funding agencies at the national, regional and international levels?

Role of the Law of the Sea and Ocean Development in the process of restructuring the United Nations

There is talk of restructuring the United Nations so as to enable it to meet the challenges of the 21st Century. The Oceans cover 71% of the globe but there is no adequate coverage of matters relating to the Oceans by the UN System. How, in your opnion, should the UN be restructured to adequately deal with oceanic matters?

Illustrative list of Organisations/ Persons to be addressed

1. Government agencies dealing with ocean matters e.g. law, foreign affairs, fisheries, shipping, transport & ports, mining, tourism, planning, finance, coast guard, defence.

2. IOI Alumni.

3. Scientific institutes in the region e.g. those dealing with fisheries, oceanography, technology.

4. Regional NGOs dealing with ocean matters.

5. Organisations of fishermen (e.g. cooperatives), ports, seamen, captains of ships etc.

6. Regional Seas Programme (Coordinators.

7. Regional Organisations (FAO, IMO, UNEP etc.)