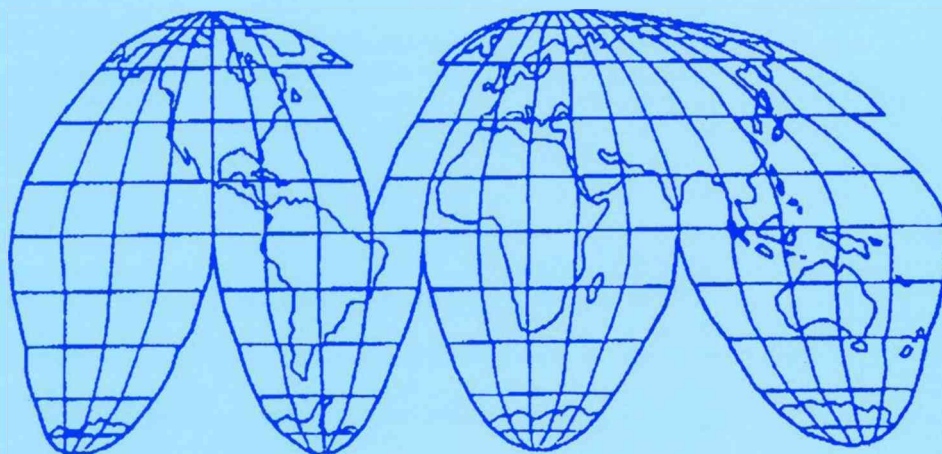


**INDEPENDENT WORLD COMMISSION  
ON THE OCEANS**



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## INDEPENDENT WORLD COMMISSION ON THE OCEANS

To carry further the process initiated by the LOS Convention and UNCED, an Independent World Commission on the Oceans (the Commission) has been set up under the leadership of President Soares of Portugal.

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.**

As is clear, the main objective of the Commission is to synthesise the LOS Convention and UNCED's Agenda 21, to fill in the gaps, if any, to suggest other necessary measures, and to indicate the institutional mechanisms at the international, regional and national levels that would help the attainment of what is set out in Agenda 21 and the LOS Convention.

### THE ISSUES BEFORE THE COMMISSION

#### The coastal zone

The oceans and seas cover 70 per cent of the Earth's surface and are active components of the global biosphere. One of the major developments of the last 20 years has been the realization that this vast sector of the environment is dynamic and interactive; thus, long-term environmental management of even a small portion of the marine environment requires an integrated approach which must include consideration of the coastal zones and also their drainage basins and the atmosphere.

The coastal zone, here defined as the region between the seaward margin of the continental shelf and the inland limit of the coastal plain, is among the regions of highest biological productivity on Earth. It is also the zone with the greatest human population. According to UNEP, about 60 per cent of humanity (or nearly three billion people) live in the coastal zone, and two-thirds of the

world's cities with populations of 2.5 million or more are near estuaries. Within the next 20-30 years the population of this zone is expected to almost double. The rise in urban population is much higher in the South (more than double that in the North).

This increase is inevitably altering land-use patterns in coastal zones. Other impacts there - and in the coastal regions generally - come from pollution, flooding, land subsidence and compaction, and the effects of upland water diversion. Natural habitats are being lost through reclamation for urban and industrial development, agriculture and mariculture. Nearshore regions are being degraded by eutrophication and industrial waste; public health is threatened by sewage contamination of beaches and seafood; and the marine environment is being fouled by the progressive build-up of chlorinated hydrocarbons, plastic litter and the accumulation of tar on coastlines. Some of the waste products of coastal development, augmented by discharges through coastal outfalls and rivers, spread outwards to the world oceans, carried by the atmosphere, currents and ships.

The proper management and sustainable development of the coastal zone is thus an issue of critical importance that is being addressed by the World Commission. Some of the questions that arise are:

- what are the scientific and technological parameters that need to be addressed in this connection
- whether integrated institutional mechanisms exist to ensure sustainable development of the marine environment
- what environmentally sound technologies are required

#### Marine Pollution

The sea is the ultimate sink for most of the liquid wastes and a considerable fraction of the solid wastes resulting from human activities on land. According to UNEP, more than three-quarters of all marine pollution comes from land-based sources, via drainage and discharges into rivers, through outfalls flowing directly to estuaries, bays and open coast, and from the atmosphere. The rest comes from shipping, dumping and offshore mining and oil production. The greater part of this pollution passes into coastal waters, and more than 90 percent of all chemicals, refuse and other materials entering these waters remains there in sediments, wetlands, fringing reefs and other coastal ecosystems.

Such excessive nutrient loads bring marked ecological changes. The structure of plankton communities is altered, with preferential growth of small flagellates rather than the larger diatoms, and unusual plankton 'blooms', uncontrolled by the normal processes of grazing. The subsequent decomposition of the mass of organic matter deoxygenates the water, killing fish and invertebrates, while some species of algae produce foam and scum which interfere with fishing and reduce the amenity of beaches when washed ashore. In some cases the sea is discoloured, giving rise to the term 'red tide'. Some of the plankton species are toxic, and consumers of seafood exposed to such blooms are at risk from paralytic, diarrhoeic and amnesic shellfish poisons.

Some 6.5 million tonnes of litter finds its way into the sea each year. In the past, much of it disintegrated quickly, but resistant synthetic substances have in recent years replaced many natural, more easily degradable materials. Plastics, for example, can persist for up to 50 years, and because they are usually buoyant,



they are widely distributed by ocean currents and winds. Many beaches are littered with plastic waste of various kinds, from land and ships. Along the beaches of the Mediterranean, about 70 per cent of the debris examined in one investigation was plastic: in the Pacific the figure exceeded 80 per cent. A major source of plastic debris is the fishing industry: UNEP has estimated that more than 150,000 tonnes of plastic fishing gear is lost (or discarded) in the oceans each year. Such debris is a nuisance to the tourist industry and can be a serious hazard to marine animals such as seals. A particularly serious new problem is posed by modern plastic drift nets, which are many kilometres in length and which, if they break free from a vessel, continue to float around the oceans entrapping and killing all manner of species.

Some of the questions that arise are:

- what steps can be taken by the North to eliminate and/or reduce sources of pollution;
- what steps can be taken in the South to minimise marine pollution consistent with the objective of eliminating poverty and raising standards of living;
- how can environmentally safe technologies be made available to the South;
- what institutional mechanisms can be developed to ensure the development and acquisition of such technologies by the South.

#### **Marine resources - living**

The seas are the source of resources like fish, drugs, seaweeds etc. which are good sources of protein, provide livelihood to millions and could be used for the cure of many diseases.

Marine fisheries, unlike terrestrial species, are not subject to the exclusive sovereignty of one state-except when they are located in internal waters or territorial seas-and generally migrate through a variety of jurisdictional zones in which foreign-flag vessels have certain rights.

Treaties that apply to conservation of migratory species in general or to trade in endangered species comprehend only such marine species of fish and mammals as are listed in their appendices, but many other marine species are increasingly susceptible to the threat of over-exploitation. Their conservation has, however, mainly been related to controlling access to fisheries and limiting catch. The rise in catches has been phenomenal: in 1938 the world fish catch was 15 million tonnes (m.t.); by 1958 it had risen to 28 m.t.; by 1978 to 64 m.t.; by 1990 to 76 m.t. It is expected that by the year 2000 it may reach 100 m.t., at which point it is likely to level off. The reasons for this increase include rising populations, mostly located on coasts, the increase in the number of independent states, many wishing to enter or expand the fishing industry, but, above all, the enormous advances made in technological means of spotting, fishing, and processing fish. From use of rod and line and small and simple sailing boats operating close-inshore using simple nets and taking fish mainly for human consumption locally, developed sections of the industry have progressed to the highly sophisticated factory ships.

There is also a question of marine biodiversity. Over 90 per cent of the world's living biomass is contained in the oceans, which cover 71 per cent of the Earth's surface. Despite the predominance of marine ecosystems, only a small percentage of the

oceans has been sampled. New marine phenomena, communities, and species are constantly being identified. In 1977, hydrothermal vents, or undersea hot springs, were discovered on the ocean floor. They support diverse communities, not through the photosynthetic activity of primary producers such as plants or algae but through the chemical breakdown of hydrogen sulfide and other compounds to create energy.

Marine biodiversity is so poorly known that we continue to discover even large vertebrates. In 1938, the coelacanth fish, long thought extinct, was found living in the Indian Ocean. In recent years, specimens of the megamouth shark, a 5-meter-long filter feeder, were caught.

How diverse are marine ecosystems? Recent discoveries have upped estimates of total marine species from 160,000 in 1971 to at least 10 million species, possibly more today. Although the marine environment may not rival its terrestrial counterpart in total number of species, it is more diverse in measures of uniqueness of a total of 33 animal phyla, 32 are found in the ocean and 15 are exclusively marine-and of function-that is, for the variety of lifestyles its species has evolved to survive. For example, marine organisms ranging from zooplankton to baleen whales have adapted filter-feeding strategies to capture their food, a rare or nonexistent phenomenon on land. Marine ecosystems also exhibit more complex food webs.

Marine biodiversity provides a wealth of services. Photosynthetic phytoplankton lock up atmospheric carbon, a primary contributor to global warming. Fish and shellfish provide a plentiful supply of protein to human populations worldwide. Seaweed derivatives are used in the production of food, cosmetics, shampoo, detergent, and industrial lubricants. And because many marine organisms rely on chemical defences, the oceans are a promising source of new medicine. The same chemicals that protect species against predators may serve humanity in combating hypertension, cardiovascular problems, and viral and bacterial infections. The oceans could thus in the future provide many drugs and chemicals in combating many of the prevalent diseases.

Another untapped source is mariculture. The total marine fish, crustaceans and molluscs produced through mariculture was hardly 6 million tons per annum in 1989-90. This could increase manifold especially if allied to biotechnology. This is a fertile area for the South provided the developing countries can set up an appropriate scientific and technological infrastructure.

The issues that arise are:

- how to have sustainable development of marine resources both in the capture and aquaculture sectors
- what institutional, legal, financial, manpower development and technological steps are necessary in this regard

#### **Marine resources - non living**

The oceans have vast resources in the state of energy, minerals transportation systems. The proven reserves of oil and gas in the South will rise as more exploration takes place. But even as it is these is considerable scope for the developing nations to add to their resource base and economic welfare. The lack is of capital, technology and trained manpower. The issues that would arise



would be similar to those that arise in the case of living resources.

### **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 bordering 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.

The questions that arise are:

- whether the actions taken by States so far can be considered to be adequate? If not what are the reasons for not taking adequate action? And what needs to be done to promote the taking of such action.
- whether the cooperation by States in the spheres of enforcement, conservation, science and technology, including the setting up of international, regional and subregional institutions can be considered to be adequate? If not, what more needs to be done.
- whether the specialised agencies of the United Nations (FAO, IMO, UNESCO/IOC, UNIDO, WMO) have been cooperating with the States, especially developing States, to further the prospects of sustainable development? If not, what needs to be done.

Ratification, implementation, and progressive development of the Convention at national, 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. The Convention mandates cooperation between States at national, regional and global levels in various areas including, inter alia,

- . sea lanes, and traffic separation 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 (Article 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)

The issue that needs to be tackled is the extent to which States have 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?

States, especially developing countries, and their ability to fulfil their duties and enjoy their rights and generate their benefits under the Convention; Agenda 21; regional programmes.

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 countries, 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, inputs in the form of adequate surveillance systems, scientific research, exploration, marine technology, finance, trained manpower and integrated management systems

- matters in which the developing countries in particular are lacking. The issue is a broad one and it is necessary to:

- specify the actions and policies necessary to remedy these deficiencies?

- indicate what 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?

### **Secretary General's Agenda for Peace and Development**

Ocean issues are integrally linked up with the issues of Peace and Development. Planning from the bottom up, participation of NGOs, women, youth and indigenous people, the eradication of poverty - these are all common goals.

Questions that will arise are:

- whether proper linkages can be established between the mechanisms and programmes for sustainable ocean development and the implementation of the Secretary-General's Agendas for Peace and for Development, and of the decisions of the Social Summit.

It is clear that problems of global governance, first pioneered in the Law of the Sea with the incredibly complex "Constitution for

the Oceans," have matured considerably during the last decades. Ocean development and the Law of the Sea must now be considered in this broader context, as possible model for, and part of a new social, economic, and political order for the 21st century under a restructured United Nations.

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 per cent of the globe but there is no adequate coverage of matters relating to the Oceans by the UN System. The broad issue is as to how the UN should be restructured to adequately deal with oceanic matters both at the international and regional levels.

## MATTERS TO BE TAKEN INTO CONSIDERATION

### Coastal Zone

Issue 1: What are the scientific and technological parameters that need to be addressed in this connection?

Some of these could be:

- . Monitoring changes in the marine environment and its living resources
- . Remote sensing
- . Building standards, building codes for coastal areas, ways of combating likely sea rise
- . Energy efficiency: reducing greenhouse gas emissions using renewable sources like wind energy, wave energy, biomass conversion, OTEC etc.
- . Waste waste water treatment including recycling
- . Treatment of solid wastes including recycling
- . Conversion / replacement of obsolete, polluting technologies;
- . Technology acquisition including selection and development
- . Sustainable fisheries management
- . Aquaculture mariculture development for
  - \* food
  - \* pharmaceutical and chemical products
- . Post-harvest conservation methods
- . Genetic engineering and its impact on ocean resources
- . Sustainable use of nonliving resources (sand and gravel, coal, tin, etc.)
- . Port management including management of new shipping technologies
- . Management of tourist activities
- . Environmental impact assessment using state-of-the-art technologies
- . Risk management
- . Disaster preparedness
- . Environmental accounting
- . Cost-benefit analysis in a sustainable development matrix
- . Deficiencies in the country/region regarding the above
- . Suggested remedial measures for overcoming the identified deficiencies including, inter alia:
- . development of human resources

- . access to environmentally safe technologies
- . funding

Some strategies for the above could be:

- . Training programmes
- . Establishing data dissemination mechanisms
- . Cooperation with competent international organisations
- . Joint ventures for technology development

Issue 2: Whether integrated institutional mechanisms exist to ensure sustainable development of the marine environment.

Some matters to be taken note of in addressing the above issue would be:

- . Indigenous and traditional ownership patterns, management, and conservation systems
- . Fisheries cooperatives
- . Women's organisations
- . Scientific institutions
- . NGOs
- . Port authorities
- . Local authorities
- . Municipalities and their links with national governments
- . Municipalities-national, regional and international cooperation
- . Regional cooperation in marine science: data collection, dissemination, utilisation
- . Regional technological cooperation: acquisition and development strategies
- . Surveillance and enforcement: national and regional systems
- . Existing institutional models for integrated coastal and marine management
- . Adaptation of such models to different economic, social and political infrastructures.

### Implementation of Programme 1 of Chapter 17

#### Programme 1:

Integrated management and sustainable development of coastal areas, including exclusive economic zones.

The main parameters of programme 1 concern:

- . Possibilities of an integrated policy and decision-making process...to promote compatibility and balance of uses.



. Identification of existing and projected uses of coastal areas and their interactions.

. Concentration on well-defined coastal management related issues.

. Need for applying preventive and precautionary approaches in project planning and implementation, including prior assessment and systematic observation of the impacts of major projects.

. Possibility of promoting the development and application of methods, such as national resource and environmental accounting, that reflect changes in value resulting from uses of coastal and marine areas...

. Methods of providing access to relevant information and opportunities for consultation and participation in planning and decision-making at appropriate levels.

Issue 3: What environmentally sound technologies are required:

Areas where technologies are necessary could be for:

- . Monitoring of the marine environment
- . Selecting appropriate fishing gear
- . Fish processing
- . Oil pollution combatting
- . Sewage treatment & recycling
- . Garbage recycling and re-usage
- . Controlling emissions of greenhouse gases.

#### Marine Pollution

#### Implementation of Programme 2 of Chapter 17 of Agenda 21

The main parameters of programme 2 of Agenda 21 (marine environmental protection) concern:

. Prevention, reduction and control of degradation of the marine environment so as to maintain and improve its life support and productive capacities (General Objective).

. Application of preventive, precautionary and anticipatory approaches to avoid degradation and reduction of ...adverse effects.

. Ensuring prior assessment of activities which may have significant adverse impacts...

. Integration of protection of the marine environment into relevant general environmental, social and economic development policies.

. Developing of economic incentives...to apply clean technologies...the internalisation of environmental costs such as the polluter pays principle...

. Improvement of the living standards of coastal populations, particularly in the developing countries...

Issue 4: What steps can be taken in the South to minimise marine pollution consistent with the objective of eliminating poverty and raising standards of living?

A possible solution could be the taking up of dual-purpose or multi-purpose projects, under integrated management, serving both purposes simultaneously, such as:

- . Energy efficiency enhancement
- . Bio-gas production from sewage
- . Garbage recycling
- . Integrated industrial management, where one factory utilizes the waste products of another, following the biological pattern of aquatic polycultures
- . Slum clearance, sewage and sewage treatment facilities, which improve public health and living standards and reduce pollution
- . Improved public education, which serves both purposes.

Issues 5 & 6: How can environmentally safe technologies be made available to the South? What institutional mechanisms can be developed to ensure the development and acquisition of such technologies by the South?

National educational measures

- . Building national infrastructure
- . Training of trainers
- . Establishment of Regional Centres for Marine Science and Technology (implementation of Articles 276 and 277 of the Law of the Sea Convention)
- . Cooperation with competent international organisations (UNIDO, IOC/UNESCO, FAO, UNEP, IMO),
- . Joint ventures with private sector.

#### **Marine Resources - Living and Nonliving**

Issue 7: How to have sustainable development of marine resources both in the capture and aquaculture sectors

- . Stock assessment
- . Environmental impact
- . Pollution
- . Habitat destruction
- . Temperature and/or current changes
- . Overfishing, national, regional
- . Interaction of natural and man-made causes of depletion
- . Interaction between capture fisheries and aquaculture
- . Sustainability, public health, trade
- . Straddling stocks management
- . Management measures, national, regional.

Issue 8: What institutional, legal, financial, manpower development and technological steps are necessary in this regard?

Linkages between local, national, regional management of the manpower, technology development and funding systems.

#### Implementation of Programme 3 and 4 of Chapter 17 of Agenda 21

##### Programme 3.

- . Sustainable use and conservation of marine living resources of the high seas.

- . Development and increase in the potential of marine living resources to meet human nutritional needs and social, economic and development goals.

- . Maintenance or restoration of populations of marine species to levels which can support maximum sustainable yield levels...

- . Promotion of the development and use of selective fishing gear and practices that minimize waste...

- . Ensuring effective fisheries monitoring and enforcement...

- . Protecting and restoring endangered marine species.

- . Preserving habitats and other ecologically sensitive areas.

- . Promoting scientific research with respect to the marine living resources in the high seas.

#### Programme 4.

- . Sustainable use and conservation of marine living resources under national jurisdiction.

...Obtaining full social and economic benefits from sustainable utilization of marine living resources...(General Objective).

...Meeting human nutritional needs and social, economic and development goals...

- . Taking into account traditional knowledge and interests of local communities, small-scale artisanal fishermen and indigenous people in development and management programmes.

- . Maintaining or restoring populations of marine species at levels which can produce the maximum sustainable yield...

- . Promoting... selective fishing gear and practices that minimize waste of catch...

- . Protecting and restoring endangered marine species.

- . Preserving rare or fragile ecosystems ...habitats and other ecologically sensitive areas.

### **Sustainable Ocean Development, the Law of the Sea and the Secretary General's Agenda.**

Issue 9: Whether the actions taken by States so far can be considered to be adequate? If not, what are the reasons for not taking adequate action? And what needs to be done to promote the taking of such action?

- . Information; awareness enhancement; role of media; role of NGOs

- . Education and training; development of human resources, from pre-school to adult education; curriculum development; leadership seminars involving gov-

ernment and private sector.

- . Building of national infrastructure.

Issue 10: Whether the cooperation by States in the spheres of enforcement, conservation, science and technology, including the setting up of international, regional and subregional institutions can be considered to be adequate? If not, what more needs to be done?

- . Improvement of coordination and integration of policies of existing regional institutions, regional offices of global institutions, NGOs;

- . Improvement of interaction with continental regional organisations and institutions (U.N. Regional Commissions; Regional Banks).

- . Marine-centres and organisations provide excellent mechanisms for inter-regional and inter-continental co-operation (e.g., the Mediterranean, between Europe, Africa, and Asia; the Indian Ocean, between Africa and Asia, etc.)

Issue 11: Whether the specialised agencies of the United Nations (FAO, IMO, UNESCO/IOC, UNEP, UNIDO, WMO) have been cooperating with States, especially developing States, to further the prospects of sustainable development? If not, what needs to be done?

Issues 12 & 13: Identify the deficiencies that do not enable developing countries to enjoy their rights under the LOS Convention and indicate what needs to be done.

Issue 14: Whether proper linkages can be established between the mechanisms for sustainable ocean development and the Secretary General's agendas for peace and development.

- . Institutional constraints: antiquated sectoralised structures

- . Financial constraints, need for new sources for financing projects

- . Intellectual constraints: Lack of a generally acceptable concept of sustainable development and its implications. Need for policy research.

- . Technological constraints

- . Manpower constraints

- . Mobilising new sources of funding.

#### Implementation of Programme 6 of Chapter 17 of Agenda 21.

##### Programme 6.

- . Strengthening international, including regional, cooperation and coordination.

...Promoting institutional arrangements...to support the implementation of programme areas in Chapter 17. (General Objective)

- . Integrating relevant sectoral activities...

- . Promoting effective information exchange and...institutional linkages...



Promoting within the UN system regular inter-governmental review and consideration of environment and development issues with respect to marine and coastal areas.

Promoting the effective operation of coordinating mechanisms...in the UN system...on environment/development in marine and coastal areas and links with international development bodies.

### Financial Requirements

In preparation for the Rio Conference, the UNCED Secretariat made some rather detailed calculations of the costs for the implementation of Agenda 21 as well as the funding from international sources that should be available to assist developing countries in this process. Since there was no agreement on the figures, they were omitted in the final version. A number of factors involved, in fact, simply cannot be quantified, and, costs of programmes are overlapping. The figures are nevertheless indicative of orders of magnitude. For Chapter 17 they are as follows:

#### Average annual cost (1993-2000)

Programme 1	\$ 6,000 million
Programme 2	\$ 200 million
Programme 3	\$ 12 million
Programme 4	\$ 6,000 million
Programme 5	\$ 750 million
Programme 6	\$ 50 million
Programme 7	\$ 130 million

**Total annual cost \$ 13,142 million**

Dividing these costs among approximately 180 States, the average cost per State would be \$ 73 million.

Funding available from international sources was estimated as follows:

#### Average annual cost (1993-2000)

Programme 1	\$ 50 million
Programme 2	\$ 200 million
Programme 3	\$ 12 million
Programme 4	\$ 60 million
Programme 5	\$ 480 million
Programme 6	\$ 50 million
Programme 7	\$ 50 million

**Total annual cost \$ 902 million**

Dividing by approximately 120 developing countries, the average annual contribution from international funding sources would be roughly \$ 7.5 million. Net total annual cost per average developing country would be in the order of \$ 73 million - \$ 7.5 million = \$ 65.5 million. Clearly, additional international funding, from new sources, must be found.

### Restructuring of the United Nations

Issue 15: How should the UN be restructured to adequately deal with oceanic matters at both the international and regional levels?

The existing system of UN relating to the oceans:

- . UNESCO/IOC
- . UNDOALOS
- . IMO
- . FAO
- . UNIDO
- . WMO

Deficiencies existing therein

How can Security Council/UN General Assembly/Commission for Sustainable Development be made effective fora for ocean affairs?

What interlinkages between UN Agencies can be considered to get an integrated policy mechanism?

### OCEANIA

The South Pacific Region has benefitted greatly from the 1982 Law of the Sea (UNCLOS III), and stands to gain even more in the future. In addition, there is a great deal of expectation of the countries of the region to assert their control over the vast areas over which they now have jurisdiction. In spite of the widespread declaration of the regional governments showing overwhelming endorsement of UNCLOS III, only three nations have ratified the Convention (see Table). The other nations are at various stages of acceptance, although all are presently enjoying some of its provisions.

The UNCLOS III has allowed South Pacific member nations significant areas, totalling about 32,483,790 km<sup>2</sup>. Given this scenario, it is crucial that they address appropriately the issues that are explained in this brochure. Only by voicing our concern will we be assured of being heard and our position considered. That is the reason why you need to participate in this Independent Commission for the World Oceans. You are invited to give us your opinion on the issues listed, and any other issues relevant to your country and situation.

The aim of the Commission is to re-focus global attention on the oceans of the world and to make the changes that are necessary for us to realize the full potential of the provisions of UNCLOS III. The Commission is charged to solicit public opinion and response on the various issues affecting the proper use of ocean resources and ocean space. In addition, the Commission will allow people to re-assess and re-evaluate the issues relating to the oceans. The Commission is inviting written and oral submissions and written papers, and will conduct a number of public hearings where all members of the public will be invited to participate.

The report which will result from our deliberations and the public response to the Commission will be tabled at various meetings within the Asia-Pacific region, and eventually at the UN General Assembly in 1998 - the YEAR OF THE OCEANS.

**We invite and encourage you to participate in this important exercise. The report that we will prepare will reflect all the submissions that we receive, and all submissions will be acknowledged.**

**Please feel free to contact the Secretariat .**

## OCEANIA: Population and Law of the Sea.

Country/ Territory	Population at last census	Annual Population Growth (%)	LOS Signatory	Ratification of LOS	200 mile EEZ Declared	EEZ Area km <sup>2</sup>	Land Area km <sup>2</sup>
American Samoa	46,773	3.7				390,000	197
Australia	17,853,000	1.4	10/12/82		1979	8,900,000	7,682,300
Cook Islands	18,552	1.2	10/12/82		1977	1,830,000	240
Easter Islands	2,770						180
Federated States of Micronesia	93,288	3.6	29/04/91	25/04/91	1982	2,980,000	700
Fiji	715,375	2.0	10/12/82	10/12/82	1981	1,260,000	18,272
French Polynesia	188,814	2.5				5,030,000	3,521
Guam	133,152	2.3				218,000	549
Hawaii	1,159,600						16,641
Irian Jaya	1,734,000						410,660
Kiribati	72,298	2.2	No		1983	3,600,000	600
Marshall Islands	43,380	4.2	09/08/91	09/08/91	1984	2,131,000	181
Nauru	9,919	2.2	10/12/82		1978	436,490	21
New Caledonia	173,300	2.0				1,740,000	19,103
New Zealand	3,531,000	1.2	10/12/82		1977	2,222,400	270,534
Niue	2,239	-2.4	No		1978	390,000	258
Norfolk	1,912						34.5
Commonwealth of Northern Mariana Islands	43,345	9.5					475
Palau	15,122	2.2	10/12/82		1979	600,900	500
Papua New Guinea	3,607,954	2.3	10/12/82		1978	3,120,000	462,840
Pitcairn Island	66	-0.6	No		1980	800,000	45
Solomon Islands	285,176	3.4	10/12/82		1978	1,630,000	29,785
Tokelau	1,577	-1.3	10/12/82		1977	290,000	10
Tonga	94,649	0.5	No		1979	700,000	679
Torres Strait Islands	8,500						673
Tuvalu	9,043	1.7	10/12/82		1983	757,000	26
Vanuatu	142,419	2.8	10/12/82		1981	680,000	12,189
Wallis and Futuna	13,705	1.3				300,000	
Western Samoa	159,862	0.3	28/09/84		1977	120,000	2,857

\* United Nations, 1994. Department for Economic and Social Information and Policy Analysis. Population Division.

\*\* South Pacific Commission, 1994. Pacific Island Populations. Report for the International Conference on Population and Development, 5 - 13 Sept, 1994. Cairo.

\*\*\* Sutherland, W. B.M Tsamenyi. 1992. Law and Politics In Regional Cooperation: A Case Study of Fisheries Co-operation In the South Pacific. Hobart: Tasmania.

\*\*\*\* FAO, 1984. Regional Compendium of Fisheries Legislation. Vols. 1,2,3. Rome: Legislation Branch Legal Office in Cooperation with South Pacific Forum Fisheries Agency.



