



International Ocean Institute

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Proposal for a Seminar with Asian/African Leaders in New Delhi, in the Spring of 1992, under the joint auspices of the AALCC and the IOI, to discuss the next phase of the Implementation of the United Nations Convention on the Law of the Sea

1. The process of ratifying the United Nations Conference on the Law of the Sea has accelerated in recent months. The threshold of 50 has been passed. We are now at 52, and it is likely that the remaining 8 will be deposited before the end of this year or early next year. The integrity of the Convention is safeguarded. The Convention is a mile stone in the evolution of international law. It points toward a genuinely new order of equity, comprehensive security, development and peace.

2. The overwhelming majority of the States Parties are developing countries. They should take pride in this. They have contributed much labour and much ingenuity to the making of this Convention which, in many ways, reflects their philosophy and their interests. They are the main beneficiaries of this Convention. The Law of the Sea is a cause that should unite all developing countries. All should contribute now to the implementation and progressive development of the Convention.

3. The Twelve months following the sixtieth ratification are of crucial importance for the future of the Convention. The imminent tasks ahead are two, and they are interrelated:

States Parties will have to design a policy for the next phase. The situation in the 90s, as we all know, is very different, in many ways, from what it was in the 70s, when this Convention was conceptualised. It will be necessary to take account of this changed situation: **not by changing the Convention**, but by adjusting to the new situation through the establishment



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of an interim regime in accordance with the letter and spirit of the Convention.

It is to the best interest of the States Parties to increase the number of Parties as much as possible and to include the industrialized countries, particularly the Pioneer Investors. This is essential: not so much for financial or technological reasons: the implementation of the Convention could be a splendid exercise in self-reliance, and it must be that in any case --as for the reason that ocean space is one and indivisible. It is impossible for divided and conflicting ocean regimes to develop marine resources, to conserve the marine environment and to maintain peace and security. A dialogue among all States must be initiated at once to agree, if possible, on the nature of the interim regime. This dialogue should be conducted within the Prep.Com. during the forthcoming Twelve Months. It could be prepared through negotiations in any available forum, regional or global.

4. The International Ocean Institute intends to organize a series of seminars to discuss these problems, among others. The first one will be held in Arusha, with African leaders. This proposal is for a second one, to be held in New Delhi some time later this Spring, under the joint auspices of the AALCC and the IOI. Others are planned for Jamaica, in cooperation with Prime Minister Michael Manley, and in Moscow, in cooperation with the Soviet Maritime Law Association. If possible, all these meetings should be held during the first six months of 1992.

5. A background document is being prepared by the International Ocean Institute as a basis for the discussions.

6. The agenda will be free and informal. It should include

. An examination of the changes that have taken place during the last ten years, since the adoption and signing of the Convention.

. Is there a need for an interim regime for the International Seabed Authority?

. If so, what would be the nature of this interim regime.

. The role of the Preparatory Commission in the establishment of the interim regime.

. Financial implications for States Parties



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. Other developments conducive to the implementation and progressive development of the law of the sea

. The Regional Centres for Marine Industrial Technology

. The need for an "Ocean Assembly."

. Interim arrangements for the International Tribunal for the Law of the Sea.

. Contribution of the Convention regime to the UNCED process.