

Reference: LOS/ICP/2009

Dear Mr. Mikulka,

I am writing in response to a letter of 10 December 2008 from the Secretary-General inviting IUCN the International Union for Conservation of Nature to address a letter to you with information on the impact of the United Nations Informal Consultative Process on Oceans and Law of the Sea on our work.

IUCN encourages and assists societies to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable. Nature provides all of our clean air, our food, water, shelter, energy, materials for medicines and protection from natural disasters, as well as opportunities for recreation, inspiration, diversity and beauty. At the same time, human social and economic development must continue to reduce poverty and improve people's lives. We have found Consultative Process meetings and their outcomes to be extremely valuable. Through their informal nature and the use of panel discussions to address specific topics, the meetings have provided new information to delegates and a convenient means to exchange views with specialists, among governments and with other stakeholders in more depth and with broader participation than is possible in General Assembly discussions. This includes both scientific information, which we believe has helped to promote an understanding of the crucial and critical role that the oceans play in Earth processes and thus to advance conservation values, and information on technical and policy developments that can serve as tools and options to promote sustainable development. In our view, these discussions and their outcomes ("agreed elements") are a very important contribution to focused and meaningful provisions in the resolutions adopted by the General Assembly.

We have also found the meetings' annual concentration on a particular theme or themes of value in preparing our own contributions and gaining targeted insights from other participants. At the same time, the meetings strike a useful balance between the amount of time devoted to the selected theme or themes and opportunities for participants to draw attention to new studies (for example, scientific, technical or policy analyses) or other developments that have bearing on the conservation and sustainable use of the oceans and to follow up, as necessary, on previous years' themes.

At the Ninth meeting, there was much useful information about the welfare and safety of seafarers. With respect of conservation values, we were most interested in the presentations that focused on marine safety because unsafe conditions can lead to accidents and incidents harmful both to seafarers and to the marine environment.

At the Eighth meeting, panelists provided information on marine genetic resources, their vulnerabilities and the services that they offer. One speaker estimated that microorganisms comprise 95% of the biomass of the ocean and that these microorganisms act as central catalysts to global element cycling. A speaker estimated that a liter of seawater may contain many thousands of microorganisms, of which perhaps only one thousand taxa were active at any one time. The others were dormant, pending changes in temperature, salinity or chemistry of the water. Another speaker suggested that half of the Earth's oxygen is derived from and consumed by marine microorganisms.

Panelists addressed new and novel approaches to marine genetic resources and focused on genomes from microorganisms (including bacteria, archae and viruses) collected from the water column and sea floor, and macroorganisms (for example sponges, coral and other invertebrate) collected from the sea floor. It was noted that marine genetic resources as a whole remain little known and little explored.

This fascinating and useful information shows the importance of protecting and conserving marine biodiversity and would not normally have been available within the General Assembly.



The Seventh meeting provided a venue to explore ecosystem approaches and the insight, perhaps obvious in hindsight, that different countries and organizations had different understandings of what is meant by an ecosystem approach, but that nevertheless the various different understandings had validity. What was most important was that states implement an ecosystem approach to oceans management and learn from experience with the idea that they would then be in a position to refine and improve management through experience. Many noted that the benefits of applying ecosystem-based management would outweigh any initial costs.

From our perspective, meetings on fisheries-related issues, protecting vulnerable marine ecosystems and sustainable uses of the ocean have also been of particular value for a better understanding of threats to the conservation and sustainable and equitable use of the ocean and its resources and have advanced an understanding of measures that can support and advance sustainable development.

Looking to the future, we would welcome a continuation of the Consultative Process as an informal and informative process that allows experts from around the world to present their views, particularly of a scientific and technical nature, to inform future debate and discussion within the General Assembly. It would be welcomed if topics and future meetings enhanced cooperation, coordination and technical capacity for ocean conservation and sustainable use, for example by building the capacity of all States to better manage the oceans through marine spatial planning, marine protected areas and strategic assessments. The Consultative Process could also examine and encourage, assist and assess progress towards the implementation of specific requirements under the United Nations Convention on the Law of the Sea and specific steps called for in United Nations General Assembly resolutions, for example with respect of implementation of language adopted at the Sixty-first Session of the General Assembly with respect of bottom fisheries.

Drawing from the text of the Resolution that was before the General Assembly this year (A/63/L.42), some topics that could benefit from an informal Consultative Process could include a better understanding of the effects of climate change on the marine environment and marine biodiversity and ways and means of adaptation (from paragraph 100), the development of environmental impact assessment procedures covering planned (or ongoing) activities that may cause substantial pollution of or significant and harmful changes to the marine environment (from paragraph 102), or the spreading of hypoxic dead zones in oceans as a result of eutrophication (from paragraph 112). It may also be useful, insofar as possible, to report presentations and discussions on each theme in a manner that identifies scientific knowledge and gaps, tools and measures to address the concerns discussed and further needs for inter-governmental and inter-agency coordination and coordination.

This could further highlight future needs and options beyond those incorporated into agreed elements. Capacity-building needs regarding each theme could also form a distinct section of the report.

I take this opportunity to thank you for inviting our views and to wish you and all of your colleagues a happy and healthy New Year,

Sincerely yours,  
Harlan Cohen