

INFORMAL CONSULTATIVE PROCESS

Mandate, Objective & Role

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What I shall cover

- **Context**
- **Process**
- **Objectives**
- **Mandate**
- **Role**

Context

- UNCTAD 1982 gave a new, integrated framework
- Role of UN General Assembly
- UNCED 1992

AGENDA 21

- Chapter 17 – Oceans & All Seas
- Seven Programme Areas:
 - Integrated management
 - Marine environmental protection
 - High-seas marine living resources
 - National-jurisdiction marine living resources
 - Addressing uncertainties
 - Strengthening cooperation and coordination
 - Sustainable development of Small Island Developing States

Agenda 21 implementation

- **Coordination between UN agencies etc:**
 - UN ACC Subcommittee on Oceans and Coastal Areas
- **Cooperation and coordination through the UN General Assembly**
 - Uncertainty how to proceed

Process towards ICP - 1

- **Creation of CSD**
 - review of oceans in 1996
- **Conferences leading to GPA on land-based activities:**
 - need for better global coordination

Process towards ICP - 2

- 1st London Oceans Workshop
 - need for a consistent basis for action by international agencies
- 1996 CSD Decision
 - need for periodic review
 - request to improve SOCA

Progress towards ICP - 3

- **2nd London Oceans Workshop**
 - need for improved coordination to provide consistent basis for action
 - how to improve annual UNGA debate
 - various possibilities noted

Progress towards ICP - 4

• 1999 Preparatory Workshop:

agreed

- need for improved cooperation and coordination
- fundamental role of S-G's report
- need to improve SOCA
- need for better basis for annual debate

listed

- various possibilities

Progress towards ICP - 5

- CSD 7 reached agreement to recommend an informal consultative process
- UN GA resolution 54/33 formally created this

Objectives - 1

- “Oceans are a special case for international cooperation and coordination”
- “A more integrated approach is required to all legal, economic, social and environmental aspects”
 - conclusions in CSD 7/1

Objectives - 2

Three interlinked strands:

- Integrated consideration of issues
- Deepening understanding
- Dialogue between States and agencies

Mandate - 1

- The process must be consistent with UNCLOS
 - Important for many States

Mandate - 2

Three strands in the title:

- **Open-ended**
- **Informal**
- **Consultative**

Mandate - 3

- **Even more open-ended:**
 - non-UN States
 - standing observers
 - intergovernmental organisationswith a competence for the oceans

Mandate - 4

- **Different regional needs**
- **No legal or juridical coordination**

Mandate - 5

- 2 co-chairpersons – no *bureau*
- Appointed by UNGA President
 - Unintended result: short time for co-chairs to organise the meetings

Mandate - 6

- **Format to provide for input from “major groups” (NGOs etc)**
- **Division between plenary sessions and discussion groups**

Mandate - 7

- **Co-chairs to devise, in consultation with States, the format of the meetings**
- **Means to have direct inputs from experts and dialogue**

Mandate - 8

- “Agreed elements” to be proposed to UNGA
- Reports of discussions – providing material for debate

Mandate - 9

- “Sunset clause” – regular review of effectiveness and utility

Mandate - 10

- **Importance of participation of developing countries**
- **Crucial role of trust fund**

Conclusion

- ICP comes from concerns about how to organise international action to ensure that use of the oceans is sustainable
- Although embedded in “sustainable development”, ICP has always been concerned in additional areas – law of the sea, safety, security etc.
- This was the justification for its unique status