INFORMAL CONSULTATIVE PROCESS

Mandate, Objective & Role

Alan Simcock
What I shall cover

- Context
- Process
- Objectives
- Mandate
- Role
Context

- UNCLOS 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 astral 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

- 1\textsuperscript{st} 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
- UNGA 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 organisations
    with 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
providing material for debate
- Reports of discussions
- Proposed to UNGA
- "Agreed elements" to be

Mandate - 8
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