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## Sixty-fifth session

Item 75 (a) of the provisional agenda\*

### Oceans and the law of the sea

## **Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its eleventh meeting**

### **Letter dated 22 July 2010 from the Co-Chairpersons of the Consultative Process addressed to the President of the General Assembly**

Pursuant to General Assembly resolutions 54/33 of 24 November 1999, 57/141 of 12 December 2002, 60/30 of 29 November 2005, 63/111 of 5 December 2008 and 64/71 of 4 December 2009, we were appointed as the Co-Chairpersons of the eleventh meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea.

We have the honour to submit to you the attached report on the work of the Consultative Process at its eleventh meeting, which was held at United Nations Headquarters from 21 to 25 June 2010. The outcome of the meeting consists of our summary of issues and ideas discussed during the eleventh meeting.

We kindly request that the present letter and the report of the Consultative Process be circulated as a document of the sixty-fifth session of the General Assembly under the agenda item entitled “Oceans and the law of the sea”.

(Signed) Paul **Badji**  
Don **MacKay**  
Co-Chairpersons

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\* A/65/150.



## **Eleventh meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea**

**(21-25 June 2010)**

### **Co-Chairpersons' summary of discussions<sup>1</sup>**

1. The eleventh meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea was held from 21 to 25 June 2010 and, pursuant to General Assembly resolution 64/71, focused its discussions on the topic entitled "Capacity-building in ocean affairs and the law of the sea, including marine science".
2. The meeting was attended by representatives of 89 Member States, 27 intergovernmental organizations and other bodies and 11 non-governmental organizations.
3. The following supporting documentation was available to the meeting:  
(a) report of the Secretary-General on oceans and the law of the sea (A/65/69); and  
(b) format and annotated provisional agenda of the meeting (A/AC.259/L.11).

### **Agenda items 1 and 2**

#### **Opening of the meeting and adoption of the agenda**

4. The meeting was opened by Thomas Stelzer, Assistant Secretary-General for Economic and Social Affairs, on behalf of the Secretary-General. In his statement, he noted that adequate capacity-building could enable States to effectively implement the United Nations Convention on the Law of the Sea and other legal instruments, and support the achievement of commitments set out in the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Plan of Implementation).
5. Patricia O'Brien, the Under-Secretary-General for Legal Affairs and Legal Counsel, underlined that the effectiveness and the sustainability of the outcomes of capacity-building activities and initiatives suffered from the lack of a comprehensive needs assessment, limited information exchange, the absence of comprehensive outcome assessments and low levels of coordination among the various entities engaged in these activities and initiatives.
6. The two Co-Chairpersons, Paul Badji (Senegal) and Don MacKay (New Zealand), noted that the topic of focus was not only timely, but also of fundamental importance to the implementation of the Convention and other instruments related to the law of the sea. They underscored that capacity-building was at the heart of States' abilities to benefit fully from the oceans and their resources. The Co-Chairpersons also drew attention to the critical status of the voluntary trust fund established by resolution 55/7 for the purpose of assisting developing countries, in particular least developed countries, small islands developing States and landlocked developing States, in attending the meetings of the Consultative Process.

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<sup>1</sup> The summary is intended for reference purposes only and not as a record of the discussions.

7. The meeting adopted the format and annotated provisional agenda and approved the proposed organization of work.

### **Agenda item 3**

#### **General exchange of views**

8. The discussions held on the topic of focus at the plenary meetings and within the panels are reflected in paragraphs 10 to 83 below.

9. Delegations expressed their appreciation for the report of the Secretary-General on oceans and the law of the sea. Several delegations noted with concern, in particular, the report's finding that no comprehensive assessment had been carried out at the global level of the capacity-building needs of States in relation to ocean affairs and the law of the sea, including marine science. Some delegations expressed regret that the report did not include the input of States, since the General Assembly, in its resolution 64/71, had not requested the Secretary-General to seek their views, and hoped that such information might be obtained on a subsequent occasion.

#### **Area of focus: capacity-building in ocean affairs and the law of the sea, including marine science**

10. In accordance with the annotated agenda, discussions in the panel were structured around four segments: (a) assessing the need for capacity-building in ocean affairs and the law of the sea, including marine science; (b) overview of capacity-building activities/initiatives in ocean affairs and the law of the sea, including marine science and transfer of technology; (c) challenges for achieving effective capacity-building in ocean affairs and the law of the sea, including marine science and transfer of technology; and (d) new approaches, best practices and opportunities for improved capacity-building in ocean affairs and the law of the sea. The segments were launched by presentations from panellists. The presentations were followed by discussions.

11. The general view was expressed that capacity-building was essential to ensure that all States, especially developing countries, were able to implement the Convention, benefit from the sustainable development of the oceans and participate fully in global and regional forums dealing with ocean affairs and the law of the sea. Several delegations noted that the Convention was the legal framework for all ocean issues and ocean-related activities, including capacity-building.

12. Many delegations highlighted difficulties for developing countries to exercise their rights under the Convention and benefit from the oceans. The view was expressed that, in order to realize lasting peace and security in the oceans and their sustainable use, it was essential to enable developing countries to participate in ocean affairs on an equal footing and to assist them in managing and exploiting the resources of the seas, including those under their jurisdiction. Several delegations underlined that capacity-building should aim at developing capacities for effective participation in economic activities, in particular in sustainable fisheries, and should not be limited to the implementation of international commitments.

13. The general view was expressed regarding the importance of the topic of focus. Several delegations underlined its particular relevance in light of the

numerous threats to the marine environment, including the major oil pollution incident in the Gulf of Mexico.

**1. Assessing the need for capacity-building in ocean affairs and the law of the sea, including marine science**

**(a) Panel presentations**

14. Phillip Saunders, Dean of the Dalhousie Law School, noted that the general provisions of the Convention on capacity-building had been further developed by subsequent conventions, “soft law” instruments and practice of States. There remained gaps in implementation and the international community should be more cognizant of the pressures exerted by the continued adoption of new legal regimes. Åsmund Bjordal, Director of the Centre for Development Cooperation in Fisheries, Norwegian Institute of Marine Research, presented Norway’s experience in developing sustainable fisheries management on the basis of science, laws, control and sanctions. That approach was also promoted through the Nansen Programme. He observed that despite the valuable capacity-building efforts in marine science, major needs still existed. Su’a N. F. Tanielu, Director-General of the Pacific Islands Forum Fisheries Agency, provided information on the capacity-building requirements of small islands developing States, particularly relating to fisheries. The forms of assistance needed included financial assistance; human resource development; technical assistance; transfer of technology, including through joint venture arrangements; and advisory and consultative services. The need to support long-term capacity development and to coordinate sources of capacity-building was emphasized. Germain Michel Ranjaonina, Chief of the Legislation and Litigation Service, Department of Legal Affairs, Ministry of Foreign Affairs of Madagascar, noted that insufficient understanding of existing international instruments and limited capacity to implement them was a major challenge. Other capacity-building needs related to monitoring, control and surveillance in the exclusive economic zones, in particular to combat illegal, unreported and unregulated fishing; the capacity of coastal developing countries to develop their resources for their socio-economic benefit; education regarding fish handling and processing; transparency and good governance; the protection of the marine environment; and maritime security, in particular piracy. Fabiola Jiménez Morán Sotomayor, Deputy-Director of International Law, Ministry of Foreign Affairs of Mexico, delivered a presentation on behalf of Galo Carrera, Member of the Commission on the Limits of the Continental Shelf, and Rebeca Navarro, of Petróleos Mexicanos, highlighting the challenges posed by the determination of the outer limit of the continental shelf under the Convention.<sup>2</sup> She cited some capacity-building initiatives available to States making submissions to the Commission on the Limits of the Continental Shelf. Peter Gilruth, Director of the Division of Early Warning and Assessment of the United Nations Environment Programme (UNEP), presented the experience of UNEP in capacity-building. He underlined that further efforts were needed in areas such as ecosystem-based management, ecosystem restoration, valuation of ecosystem services, climate change adaptation, marine spatial planning, addressing effects of fishing on the ecosystem and monitoring methods and assessment processes.

<sup>2</sup> Responding to a question posed by one delegation, Fabiola Jiménez Morán Sotomayor confirmed that the maps used in the presentation were exclusively attributable to their authors. A reservation regarding the contents of one of the maps used in the presentation was expressed.

**(b) Plenary and panel discussions**

15. Several delegations suggested that the needs of developing States should be approached from an interdisciplinary and comprehensive perspective and that programmes should be tailored to accommodate different requirements and situations. It was emphasized that needs assessments were critical to priority setting and programme design and were essential if the capacity-building programmes were to reflect the specific conditions and priorities of beneficiary countries. It was noted that assessments were time-sensitive, especially in sectors like fisheries where priorities could change. At the same time, the need for programmes that respond to long-term challenges as opposed to immediate problems was noted. The utility of capacity-building needs assessments for illegal, unreported and unregulated fishing was specifically underlined by some delegations.

16. Several delegations stressed that developing countries were in the best position to assess their own needs in terms of capacity-building assistance and that their views should be respected in that regard. It was noted that opportunities for capacity-building needed to be identified on the basis of capacity-building arrangements, identified capacity-building priorities and needs and requests proposed by developing countries. The view was expressed that priority should be accorded in particular to the needs of least developed countries and small islands developing States.

17. One panellist pointed out that, at the project level, it was routine to carry out needs assessments. Another panellist noted that needs assessments could be based on the information from regular reviews of the state of the marine environment, including the Global Environmental Outlook, the Millennium Ecosystem Assessment, the “assessment of assessments”, and needs identified within the Regional Seas Programme and the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities.

18. Delegations emphasized the need for capacity-building to enable them to effectively implement the Convention. The need for assistance to effectively implement instruments of the International Maritime Organization (IMO) was also pointed out. Furthermore, the need for training in policy and legislation development, as well as enforcement measures and tools, was underlined. The need for capacity-building in these matters was also identified.

19. The general view was expressed that capacity-building needed to encompass a wide range of assistance, including financial, human resource, institutional and scientific capacity, and be sustainable. Several delegations suggested that international organizations should encourage capacity-building through the creation and strengthening of national and regional centres for technological and scientific research, as provided for in the Convention. It was suggested that intergovernmental organizations and other partners could also explore areas for cooperation and capacity-building with subregional organizations such as the Southern African Development Community (SADC). Other delegations stressed the importance of international cooperation agreements, especially those that encourage public-private partnerships and that recognize, for example, certificates of competency of seafarers. It was also pointed out that capacity-building should strengthen national legal systems, particularly in the development of ocean policy, the adoption of ecosystem approaches and resource and environmental management.

20. Many delegations identified capacity-building in the conservation, management and sustainable use of fisheries resources as a critical need. In particular, it was noted that capacity was necessary to enhance the availability of scientific advice; the collection and processing of data, including on fisheries and the status of stocks; monitoring, control and surveillance, in particular to combat illegal, unreported and unregulated fishing; compliance and enforcement; development of markets; and fish handling and processing. In that context, the legitimate aspirations of developing countries to develop their fisheries in the exclusive economic zone and to gain access to high seas fisheries were recognized. In addition, it was observed that fishing agreements should not be concluded between developing countries and long-distance fishing nations unless there was a scientific evaluation of the availability of surplus stock. In that context, it was stated that the granting of access to living resources in the exclusive economic zone to foreign vessels had not translated into capacity-building opportunities. Some delegations expressed the view that the evaluation of capacity-building in established agreements was necessary and crucial.

21. It was underlined that the discussion relating to capacity-building needs in the context of fisheries and the ongoing high-level review of progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States in the General Assembly should proceed hand in hand, to ensure a link between development strategies and fisheries strategies. It was recalled that capacity-building was a cross-cutting issue to all the thematic chapters contained in the Barbados Programme of Action and the Mauritius Strategy and that small island developing States needed capacity and specific skills to implement those chapters. Referring to the need to link United Nations processes, several delegations suggested that there was a clear link between the discussions on capacity-building of the Consultative Process and the high-level five-year review of the Mauritius Strategy to be conducted in September 2010. A call for the establishment of regional centres for marine scientific research (see para. 19 above), particularly in the Pacific region, was highlighted as an example of a possible concrete outcome for the five-year review of the Mauritius Strategy.

22. Some delegations stressed the problems related to conservation needs and economic development in small-scale and artisanal fisheries. As a possible option, some delegations were of the view that Governments could intervene in creating alternative employment for such fishers in order to prevent overfishing and the depletion of stocks, while ensuring the livelihood of local communities.

23. Attention was also drawn to the importance of accurate weather forecasting and accessible weather information for small-scale fisheries. In that connection, the Food and Agriculture Organization of the United Nations (FAO) was requested to consider expanding its collaboration with the World Meteorological Organization (WMO).

24. The general view was expressed that the sustainable use of the oceans depended on marine science and adequate scientific knowledge. The importance of Part XIII of the Convention on marine scientific research was emphasized, as well as the need to disseminate the results of research and analysis of marine scientific research pursuant to article 143 of the Convention. Several delegations observed

that the need for capacity-building for marine scientific research had been reflected in various instruments, including the Johannesburg Plan of Implementation, Agenda 21 of the United Nations Conference on Environment and Development, the Millennium Development Goals, General Assembly resolutions and the outcome of the second meeting of the Consultative Process.

25. Several delegations stressed that many States still lacked the capacity required in terms of human resources, equipment and infrastructure to perform the basic research required to gather the best scientific information, using best available practices, to support sound decision-making for the sustainable development and protection of the oceans and their resources. Building capacity for conducting marine scientific research, in particular in developing countries, was therefore essential.

26. Some delegations observed that capacity-building for marine science had two objectives: to create and improve knowledge about resources and the understanding of the nature and biology of marine ecosystems; and to inform the adoption of conservation and management measures. In particular, the science/policy interface had to be carefully considered, both with regard to fisheries and the protection of the marine environment. It was noted that such an interface was an important consideration in the discussions on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects. It was also noted that in the context of regional fisheries management organizations and arrangements, the insufficient interface between science and policy was partly due to lack of data reporting and analysis, as well as poor fisheries statistics.

27. Some delegations highlighted the need to improve global monitoring networks on oceans and seas, particularly ocean-observing programmes such as the Global Oceans Observing System, to increase understanding of the oceans-atmosphere interface.

28. Several delegations noted that the transfer of marine technology was essential for capacity-building, in particular in marine science. They further noted that, in their view, Part XIV of the Convention was the part with the greatest gap in implementation. Attention was also drawn by one delegation to the UNEP Bali Strategic Plan for Technology Support and Capacity-Building.

29. The general view was expressed that the delineation of the outer limit of the continental shelf was a key area in which a number of States required capacity-building. The need for capacity to be able to exploit the resources of the continental shelf was also highlighted.

30. The general view was expressed that the further development of infrastructure and human resources expertise was critical. Specific issues identified as requiring capacity-building included energy-related research, with a specific focus on training in marine geophysics, sedimentology and oceanography; marine biotechnology and intellectual property rights; hydrographic surveying and nautical charting, including electronic nautical charts; ocean mapping; strengthening management structures, including integrated coastal management; protection of the marine environment, including vulnerable marine ecosystems; in-depth studies on marine biological diversity beyond areas of national jurisdiction; the establishment of marine protected areas; the prevention, mitigation and control of marine pollution including

oil spills; port and ocean management to address issues concerning maritime safety of life at sea, the handling of hazardous material and port security; safety of transport of radioactive material; disaster preparedness; tsunami alert systems; security in the oceans, in particular in relation to piracy; underwater noise; and addressing the adverse effects of climate change, particularly on low-lying coastal regions and small islands developing States.

31. Some delegations also highlighted the need for assistance in addressing gaps in the implementation of international rules for the protection of the marine environment and the conservation of resources, taking into account the capacity levels of States; enhancing the capacity of flag States to implement their responsibilities with respect to vessels flying their flag on the high seas; and facilitating effective participation in activities in the Area, including marine scientific research, and in regional fisheries management organizations and arrangements. Assistance was also required to support participation in international meetings, for example through contributions to relevant trust funds. The need for specific training for the use of modern tools, such as environmental impact assessments, was also highlighted. In addition, the need to build alliances between the academic and private sectors with a view to sharing the benefits derived from marine genetic resources, including intellectual property rights, was identified.

## **2. Overview of capacity-building activities/initiatives in ocean affairs and the law of the sea, including marine science and transfer of technology**

### **(a) Panel presentations**

32. Juan Carlos Martín Fragueiro, Secretary-General of the Ministry of Environment, Rural and Marine Affairs of Spain, presented Spain's experience with international cooperation in ocean affairs by highlighting the principal objectives of such cooperation, the types of cooperation instruments used and examples of cooperation initiatives.<sup>3</sup> Haiwen Zhang, Deputy Director of the Institute for Marine Affairs of China, provided an overview of China's capacity-building activities and initiatives in ocean affairs and the law of the sea, including marine science and transfer of technology, with an emphasis on China's domestic framework for addressing oceans issues, highlighting examples of bilateral and multilateral cooperation initiatives, including South-South cooperation. Ehrlich Desa, Director and Deputy Executive Secretary of the Intergovernmental Oceanographic Commission (IOC) of UNESCO, described the overall context of capacity-building activities within the mandate of IOC, as well as its principles for capacity development aimed at empowering developing countries to address their priorities. Nii Odunton, Secretary-General of the International Seabed Authority (ISA), described the activities carried out by the Authority to develop the capacity of developing States to participate in, and benefit from the results of, marine scientific research in the Area, highlighting the Endowment Fund for Marine Scientific Research, regional sensitization seminars and the Tongji University-ISA Scholarship Programme. Marcel Kroese, Director of Training and Liaison at the International Monitoring, Control and Surveillance Network for Fisheries-related Activities, presented the activities of the Network in combating illegal, unreported and

<sup>3</sup> One delegation expressed a reservation on the contents of two of the brochures that were made available by the panellist at the back of the conference room, related to some of Spain's activities carried out by the vessel *Miguel Oliver*.



unregulated fishing through information-sharing, assistance in the harmonization of laws and procedures and the provision of guidance on effective uses of limited resources. Cherdasak Virapat, Executive Director of the International Ocean Institute (IOI), explained that IOI promoted a multilevel approach to capacity-building on ocean governance and sustainable development through its strategic road maps and training programmes and adaptive management projects at all levels, including in collaboration with United Nations agencies, international organizations, Governments, local communities and other relevant entities. He highlighted the work of IOI to develop human capacities for adaptation and building resilience in coastal zones.

33. Serguei Tarassenko, Director of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations, provided information on the Division's capacity-building activities, including its role in administering trust funds and fellowships and developing and delivering training programmes.

**(b) Plenary and panel discussions**

34. Several delegations emphasized that capacity-building activities in ocean affairs and the law of the sea were of paramount importance to the development process of many developing States, in particular least developed countries and small islands developing States. Many delegations provided information on their current capacity-building programmes and activities on a broad range of issues, including marine science, protection of the marine environment, marine-protected areas, conservation and sustainable management of resources, oil and gas development, delineation of the outer limit of the continental shelf, maritime delimitation, maritime shipping and transport, hazard mitigation and sustainable tourism. They also provided information on illegal, unreported and unregulated fishing, compliance and enforcement in fisheries, such as boarding and inspection and observer programmes, fisheries development cooperation, maritime security and safety, port operations and port State control, integrated coastal area management, deep-seabed mining, drafting of legislation and promotion of regional cooperation.

35. Several delegations also provided details on the types of capacity-building activities they were carrying out, including the provision of financial assistance; human resources development, education and training, in-kind support, cooperation agreements, technical assistance, hosting of international bodies and South-South bilateral and regional cooperation. Capacity-building activities had also been undertaken in which developing countries provided technical training through their national cooperation agencies and/or with full or partial financial assistance from international agencies.

36. Member States and international organizations were invited to make the information available to Division for Ocean Affairs and the Law of the Sea for placement on its website.

37. Many delegations highlighted the capacity-building activities of a number of bodies or organizations, including the Global Environment Facility, IOC, ISA, the International Monitoring, Control and Surveillance Network for Fisheries-related Activities, IOI, the International Maritime Law Institute, the Nippon Foundation of Japan, the Rhodes Academy, the United Nations University (UNU) Fisheries Training Programme, the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea and the IMO Technical Cooperation Committee, as well

as the activities of the Division for Ocean Affairs and the Law of the Sea (see also para. 86 below). The capacity-building activities of the European Union were also noted. Some delegations recalled how specific capacity-building activities had been of particular benefit to them and their countries.

38. Many delegations highlighted that the ISA Endowment Fund had facilitated the participation of scientists from developing countries in marine scientific research in the Area. Some delegations noted that IOC had been active in capacity-building in marine science over the last 50 years and had celebrated its golden anniversary in 2010. Several delegations noted that IOC had empowered developing countries to address marine-related challenges through science-based strategies. It had assisted in strengthening institutional capacities by enhancing leadership, proposal-writing and team-building skills. The activities of IOI were also highlighted through its operational centres or focal points in 25 countries established within universities, Governments and non-governmental organizations.

39. Several delegations noted that the Nippon Foundation of Japan had provided its capacity-building activities in a unique and effective fashion, which had made it possible for some developing countries to close capacity gaps, in particular in regard to training. The United Nations-Nippon Foundation Fellowship Programme was highlighted as a vital tool for strengthening technical capacity in regard to the law of the sea. Nippon Fellows, who were mostly Government officials, were chosen on the basis of an assessment of the needs of developing States with a view to determining how best to support them.

40. A number of delegations expressed support for the capacity-building activities of the Division for Ocean Affairs and the Law of the Sea, including in regard to the United Nations-Nippon Foundation Programme and the Hamilton Shirley Amerasinghe Fellowship, as well as the various trust funds administered by the Division. The efforts of the Division in compiling information on capacity-building initiatives, as presented in the report of the Secretary-General, were also highlighted and described as pioneering work. The need to support the work of the Division was underscored (see also para. 81 below).

41. The Assistance Fund established under Part VII of the United Nations Fish Stocks Agreement, co-administered by the Division for Ocean Affairs and the Law of the Sea and FAO, was highlighted by delegations as an important source of capacity-building assistance. It was noted that more funds had recently been used for specific capacity-building initiatives, including the establishment of new regional fisheries management organizations, strengthening existing organizations, developing human resources and providing technical training and assistance. It was also clarified that only States parties to the United Nations Fish Stocks Agreement were eligible to receive assistance from the Part VII Assistance Fund. In addition, it was noted that the Division had prepared a compilation of sources of available assistance to developing States in the conservation and management of fishery resources, and the needs of States for capacity-building. The compilation was commended as a valuable tool to identify areas where assistance was available and areas where more focused effort and policy coherence in the provision of assistance and cooperation was needed.

42. The International Monitoring, Control and Surveillance Network for Fisheries-related Activities was highlighted as a critical capacity-building effort and an

example of how to tangibly improve capacity-building in order to combat illegal, unreported and unregulated fishing (see also para. 83 below).

43. Some delegations noted that there were a variety of other means to provide assistance to developing States in the conservation and sustainable management of fisheries, including funds established by regional fisheries management organizations, international financial institutions, and FAO, as well as multilateral and bilateral programmes. Various types of assistance had been provided, including with respect to scientific assessments, monitoring, control and surveillance, mitigation of by-catch, development of domestic regulatory policies and institution building. In that regard, the UNU Fisheries Training Programme offered a six-month post-graduate course in the implementation of fisheries development policies, complemented by short training courses in partner countries which were developed and delivered in cooperation with local training institutions and other partners. The Fisheries Training Programme had also fostered cooperation with several regional and international bodies.

44. Other delegations drew attention to the provision of regional capacity-building assistance, including with respect to the sustainable exploitation of fisheries, or highlighted regional efforts among developing States in combating illegal, unreported and unregulated fishing as defined in the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. In regard to those efforts, delegations emphasized the importance of illegal, unreported and unregulated fishing vessel lists, port State control systems, information-sharing and the development of an FAO global registry of fishing vessels.

45. Delegations also highlighted capacity-building activities in other sectors. For example, some delegations noted the role of bilateral cooperation in providing technical assistance to assist developing countries in the delineation of the outer limit of their continental shelves beyond 200 nautical miles. It was noted that activities relating to the delineation of the outer limit of the continental shelf, including scientific mapping of the seabed, had increased the technical and scientific capabilities of many States, which could then be used to support capacity-building activities in developing States.

46. The International Union for the Conservation of Nature (IUCN) provided information on its assistance to over 75 countries to prepare and implement national conservation and biodiversity strategies. Through the Global Ocean Biodiversity Initiative, IUCN sought to help countries and regional and global bodies to develop and use data, tools and methodologies to identify ecologically significant areas, with an initial focus on the high seas and deep seabed areas beyond national jurisdiction. It also collaborated with the Census of Marine Life. Information on the work of the Census was publicly available on the Web and through open-access databases, and served as a resource for decision makers when considering how best to manage marine resources in the oceans.

47. With regard to international shipping, the International Hydrographic Organization (IHO) provided information on the three distinct sectors of its capacity development activities, namely, maritime safety information management, hydrographic survey and cartographic production. The Bureau International des Containers et du Transport Intermodal (BIC) had carried out capacity-building activities in cooperation with other international organizations, as well as

governmental agencies and industry representatives, including education, dissemination and outreach programmes aimed at raising awareness and increasing compliance with the 1972 Customs Convention on Containers and, in particular, the international standard on the coding, identification and marking of inter-modal containers. Some delegations also welcomed the joint effort of FAO, the International Labour Organization and IMO in developing safety standards for small fishing vessels.

48. The Parliamentary Assembly of the Mediterranean noted that it was developing tools to fight organized crime, including human trafficking and dumping of illegal waste. It was also cooperating with other organizations to address pollution of the marine environment.

### **3. Challenges for achieving effective capacity-building in ocean affairs and the law of the sea, including marine science and transfer of technology**

#### **(a) Panel presentations**

49. Cristelle Pratt, a consultant and former Director of the Pacific Islands Applied Geoscience Commission, addressed the challenges and opportunities in capacity-building in relation to the research, development and management of non-living resources in the Pacific region. She identified challenges such as weak institutions and legal arrangements, lack of ocean governance and legal specialists and absence of marine scientists and research vessels capacity. Alfa Lebgaza, Director of Maritime Affairs at the Ministry of Public Works and Transportation of Togo, highlighted some of the challenges in the development of the maritime sector in Togo and in the application of the Convention and other related instruments through national legislation. Kazuhiro Kitazawa, Advisor, Japan Agency for Marine-Earth Science and Technology, gave a presentation on the research activities carried out by the Agency, which contributed to capacity-building in marine science. He stated that in the Agency's experience, training activities promoting capacity-building in marine science were more effective when small groups of scientists were engaged on a regional basis. Andrew Hudson, Principal Technical Advisor, International Waters, United Nations Development Programme (UNDP), gave an overview of key challenges encountered by UNDP, particularly those related to building capacity for ocean and coastal management in large marine ecosystems, and presented approaches to overcome those challenges. Tumi Tómasson, Programme Director of the UNU Fisheries Training Programme, addressed some of the major challenges currently faced in the area of capacity-building for fisheries management. He explained how the approach to development cooperation had changed over the last decades and, as a consequence, the earlier focus on capacity-building for fisheries management had diminished. He also referred to activities carried out by the UNU Fisheries Training Programme.

#### **(b) Plenary and panel discussions**

50. Several delegations stressed that lack of financial resources was one of the most common impediments to capacity-building. Other delegations noted that the current global economic crisis had led to budget constraints and partners therefore needed to ensure a better identification of needs and requirements for the targeting of assistance.

51. Despite efforts to assist developing States in building their capacity, it was observed that the needs of developing States had not been met and that capacity in ocean affairs and the law of the sea had not improved substantially. The view was expressed that there was a need to ensure more, but also better, capacity-building. The view was also expressed that recognition should be given to shifts in needs, priorities and development goals and to new problems and challenges emerging at global, regional and national levels.

52. The general view was expressed that one of the overarching challenges was the lack of coordination among capacity-building providers, which could counteract the effects of capacity-building programmes. In that regard, delegations stressed the need to coordinate capacity-building activities involving oceans and the law of the sea, in particular within the United Nations system, in order to ensure a targeted approach and to prevent fragmentation or duplication of effort. The point was also made that obligations concerning reporting to several donors could further overburden the institutional capacity of recipients. Delegations stated that a long-term commitment on the part of donors and coordination of efforts would ensure that capacity-building activities were sustainable.

53. A challenge identified in the Secretary-General's report, and echoed by delegations, was the identification and prioritization of needs. It was highlighted that priorities of donors and recipients should be established consensually. The lack of participatory processes to define countries' priorities for technical, professional and institutional assistance was noted by some delegations.

54. The general view was expressed that there was a need for capacity-building providers and beneficiaries to have a platform from which to share information, such as a clearing house mechanism.

55. It was pointed out that developing regional programmes in the context of the United Nations "Delivering as One" initiative, which was country-based, constituted a challenge. A question was raised whether initiatives to coordinate capacity-building initiatives at the global level contributed to the effective implementation of the Convention, or whether regional or sectoral approaches were more effective.

56. Some delegations noted that major and critical challenges were the acquisition of, and access to, marine data and information, particularly with regard to the quality, appropriate storage and handling of research results. Constraints in accessing raw data gathered by regional fisheries management organizations were particularly highlighted.

57. Some delegations addressed the challenges related to the transfer of technology, including the implementation of Part XIV of the Convention and the IOC Criteria and Guidelines on the Transfer of Marine Technology. While acknowledging the framework established under Part XIV of the Convention, it was noted that a major problem in capacity-building was the lack of implementation of Part XIV of the Convention, which would facilitate transfer of technology between developed and developing States.

58. It was also noted by some delegations that the implementation of the general obligation in international instruments on transfer of technology was challenging because such technology was often subject to proprietary rights, and some States claimed there were difficulties in transferring it. Further challenges were the transfer of know-how on the use of technologies, to enable recipients to use the technology

in the long term, and the obstacles in transferring maintenance contracts to other States. In that regard, the view was expressed that it was the responsibility of IOC to devise possible cooperation schemes for the transfer of technology of the Criteria and Guidelines on the Transfer of Marine Technology. Although patents, commonly used to grant intellectual property rights in this field, had to be respected, they were limited in time, so that such partnerships were eventually possible.

59. The general view was expressed that one of the challenges was to ensure the sustainability of the results of capacity-building initiatives. Several delegations referred to the lack of technical competence in developing countries, which remained an important challenge for capacity-building, as relevant education in marine sciences could not be provided locally. In that regard, it was noted that attracting sufficient expertise to develop university programmes in marine science was a matter of concern. The view was expressed that education and training, particularly for established and aspiring professionals, was important to prepare for emerging challenges such as climate change. In addition, several delegations raised the issue of lost capacity, whereby some trainees with expertise newly acquired through capacity-building programmes did not return to their country of origin.

60. A request was made for specialized organizations initially to provide assistance, while at the same time ensuring the development of long-term capacity of local universities to sustain those trainings. In that regard, reliance on foreign experts and resources with little attention to local knowledge and expertise was identified by some delegations as a concern.

61. With respect to capacity-building in the area of research and management of non-living resources, the importance of regional cooperation was underlined in order to meet future challenges, in particular those related to the relationship with the private sector and the possible need to negotiate resource development agreements which would benefit developing coastal States. To that end, it was noted that policy, legal and regulatory frameworks, environmental guidelines and the fiscal framework would have to be developed.

62. The difficulty of addressing capacity-building in conservation and management with respect to disputed areas was raised.

63. Attention was drawn to the lack of activities aimed at addressing the environmental challenges posed by underwater noise pollution. An appeal was made to States to increase capacity-building aimed at improving the scientific understanding of the issue.

#### **4. New approaches, best practices and opportunities for improved capacity-building in ocean affairs and the law of the sea**

##### **(a) Panel presentations**

64. Mitsuyuki Unno, Director of the Maritime Affairs Department of the Nippon Foundation of Japan, presented an overview of the Foundation's capacity-building activities in the field of ocean affairs and the law of the sea, highlighting projects undertaken in cooperation with Governments, the United Nations, non-governmental organizations and research and academic entities. Nicole Glineur, of the Global Environment Facility (GEF), shared some of the capacity-building and knowledge-management activities conducted by GEF through the International Waters Learning Exchange and Resource Network (IW: Learn). She also highlighted new

collaboration platforms that focused on adaptation to climate change, public-private partnerships, water governance and sustainable fisheries, and included capacity-building components. Raphael Lotilla, Executive Director of the Partnerships in Environmental Management for the Seas of East Asia (PEMSEA) Resource Facility, provided an overview of PEMSEA, noting that it worked at building regional capacity, was founded on the principle of partnership and encompassed a multi-stakeholder approach from the local to the international level. PEMSEA worked to strengthen coastal and ocean governance through integrated coastal management, incorporating capacity-building and knowledge transfer in projects from their inception. Imèn Meliane, Director of International Marine Policy for the Nature Conservancy, provided examples of capacity-building projects carried out by non-governmental organizations that focused on reconciling the development needs of local communities and ocean stakeholders with conservation priorities. She highlighted some key best practices and processes for successful capacity-building, in particular the need to recognize context-specific capacity development needs; build local ownership and self-reliance; facilitate peer-to-peer sharing of experiences and professional exchanges; strengthen organizational capacity; and encourage long-term planning for sustainability, including through the establishment of protected area trust funds. Narmoko Prasmadji, Executive Secretary of the National Secretariat of Indonesia for the Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security, made a presentation in which he highlighted the capacity-building activities and programmes conducted under the Initiative for the promotion of its regional plan of action. He emphasized the novel approach taken by the members of the Initiative in conceiving the regional plan of action as a living and non-binding document. He noted that the Initiative still faced issues regarding capacity-building within the member countries, but that the first priority was to share ideas and skills within the region.

**(b) Plenary and panel discussions**

65. The general view was expressed that in order to be effective, capacity-building needed to be carefully designed and tailored to the needs and situation of partner countries (see also para. 16 above). The view was also expressed that capacity-building should also be aligned and integrated with the national priorities and policies of partner countries and avoid duplicating existing activities. In that regard, capacity-building approaches should be pragmatic and self-driven. The development of long-term strategic approaches was advocated, as was the development of specific time-bound strategies. The importance of involving beneficiaries in decisions relating to the termination of capacity-building programmes was emphasized. Involving local and national expertise and knowledge was considered necessary from the formulation of the capacity-building programme to its implementation. Examples of how local community involvement was harnessed for sustainable management of resources, including through rights-based approaches in the fisheries sector, were highlighted.

66. Noting that no comprehensive assessment had been carried out at the global level of the capacity-building needs of States in relation to ocean affairs and the law of the sea, including marine science, several delegations suggested carrying out such an assessment.

67. It was emphasized that in some cases capacity-building could not be implemented by States alone, but required private-public partnerships in order to

ensure a viable and sustainable framework. Attention was also drawn to the importance of ensuring that training programmes conducted in developed countries could be effectively applied once the trainees returned to their home countries. In cases where similar facilities and technical capacity would not be available in the home country, it was suggested that in situ training in developing countries would be more effective. In that regard, reference was made to the experience of using floating research vessels.

68. The importance of information-sharing was underlined. A call was made for the implementation of new approaches, best practices and opportunities for improved information-sharing and networking in the context of capacity-building within United Nations initiatives, activities and programmes in oceanography and marine science. The examples given included schemes for education and capacity development in ocean and marine science, ocean scientific research, observations and surveys, instrumentation, data management, marine hazards, risk management, ecosystem management and awareness-raising; regular training on the Convention for marine scientists, legal officers and decision makers; support for young professionals to work on capacity development at IOC regional offices (UNESCO associate experts programme); enhanced cooperation among international and national experts, technical working groups and advisory bodies; extrabudgetary contributions; and cooperation and coordination among international agencies for capacity-building related to information management. Furthermore, it was stated that networking of experts would play an important role. In that regard, the importance of promoting enhanced cooperation mechanisms and communication networks through bilateral or multilateral cooperation was noted. States and organizations that were in a position to do so were urged to share their expertise, at both the regional and global levels, in the compilation and analysis of scientific information to meet management needs, particularly in the areas of natural disasters, marine protected areas, marine biotechnology and climate change.

69. Several delegations stressed the need to focus on strengthening South-South cooperation, which was seen as an innovative way to build capacity and a cooperative mechanism enabling the countries concerned to set their own priorities and needs and have ownership of the process. Some delegations highlighted their experience in such forms of cooperation, such as through the zone of peace and cooperation of the South Atlantic, the Community of Portuguese-speaking Countries and the India, Brazil and South Africa ocean initiative, which involved scientific workshops and the development of joint research projects in oceanography. Attention was also drawn to an initiative, in collaboration with ISA, aimed at integrating and consolidating all information on geology and mineral resources within the Equatorial and South Atlantic Ocean. The project envisioned capacity-building in marine scientific research in a South-South context. Several delegations pointed out, however, that South-South cooperation should not replace North-South cooperation, in particular as regards technology transfer, but instead complement it.

70. Some delegations pointed out the value of focusing on integrated ecosystems-based approaches when undertaking capacity-building. The best practices of the Arctic Council members were noted in that regard. In the light of their role as upstream countries and water catchment areas, as well as their rights under the Convention, the need for specific capacity-building programmes for landlocked developing States was underlined. It was pointed out that PEMSEA applied an



integrated river basin and coastal management approach by also involving landlocked countries and landlocked administrative areas within countries.

71. Delegations stressed the need for international cooperation for capacity-building, including cross-sectoral cooperation. In cases where there was no capacity-building or where there were gaps in capacity-building, that could be dealt with through coordination and cooperation at national, regional and international levels. Several delegations supported the use of regional approaches. The importance of cooperation between adjacent developing coastal States was underlined. Particular emphasis was placed on strengthening regional coordination and cooperation in respect of various fisheries-related issues.

72. The view was expressed that the competent international organizations recognized by the Convention could take a lead role in promoting international cooperation and coordination of programmes for marine scientific research and capacity-building. Furthermore, several delegations suggested that the Division for Ocean Affairs and the Law of the Sea, ISA and the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, as well as other relevant organizations within the United Nations system, could coordinate the establishment of regional marine scientific and technology centres in the Pacific Islands region.

73. It was noted that the United Nations had a special role in regard to capacity-building and training. It was suggested that the United Nations System Chief Executives Board for Coordination could study and evaluate what kind of coordinated approach could be adopted by the various United Nations programmes and bodies to promote an effective and sustainable strategy of capacity-building for the enhancement of the peaceful uses of ocean space and ocean resources, their management and regulation, and the protection and conservation of the marine environment, including measures to deal with climate change and piracy.

74. The general view was expressed that a clearing house mechanism of available capacity-building opportunities that would facilitate the matching of needs with opportunities should be established. In that regard, some delegations suggested that the Division for Ocean Affairs and the Law of the Sea maintain an online database of available capacity-building opportunities, donors and funding agencies. Such a database would improve access to information on capacity-building activities and initiatives of donors and facilitate the coordination of efforts of agencies and the identification of priorities.

75. A number of delegations suggested that the IOC Criteria and Guidelines on the Transfer of Marine Technology were a critical tool to implement Part XIV of the Convention and promote capacity-building in ocean- and coastal-related matters through international cooperation. The need to continue promoting the strategic guiding principles of the IOC High-level Objectives, in particular the fourth objective on management procedures and policies leading to the sustainability of coastal and ocean environment of resources, was also highlighted.

76. The view was expressed that the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction had an important role in promoting capacity-building with regard to the use of intellectual property rights related to marine biological diversity in areas beyond national jurisdiction.

77. Several delegations noted the potential role of the Regular Process in promoting capacity-building. However, some of those delegations were of the view that the Regular Process should not undertake direct capacity-building, but should facilitate and identify capacity-building needs and projects and aim at facilitating an optimal utilization of existing processes and instruments. It was noted that the Regular Process would provide a cost-effective means to access, synthesize and learn from data and knowledge that were already available, and would also build capacity in all countries by encouraging the development of professional expertise in the collection and analysis of data and the sharing of information and technological knowledge among scientists and managers.

78. It was stated that members of UN-Oceans should act in a concerted manner in support of the integrated assessment of the oceans and information and data-sharing. It was observed that the role of mechanisms such as UN-Oceans was limited to the mandates of the various participating organizations, as decided by their respective member States.

79. It was suggested that additional funding from the Global Environment Facility should be channelled to the International Waters focal area and that consideration be given as to how that could be achieved.

80. Activities undertaken by non-governmental organizations were noted with appreciation by several delegations. In particular, it was noted that the holistic and cross-sectoral approach taken by the Nippon Foundation, which emphasized institutional interlinkages and the integration of physical and social sciences, would be continued in the future.

81. The general view was expressed that trust funds and fellowships were valuable means of supporting capacity-building. Several delegations called for financial contributions to the ISA Endowment Fund, as well as the fellowships programmes and trust funds administered or co-administered by the Division for Ocean Affairs and the Law of the Sea. A suggestion was made that contributions to the Part VII Assistance Fund should no longer be voluntary and could be integrated in assessed contributions from States parties to the United Nations Fish Stocks Agreement.

82. Opportunities raised by trust funds associated with marine protected areas were also noted. It was pointed out that existing trust funds could provide support to regional initiatives for the establishment of areas and parks within national jurisdiction and also enhance the effectiveness of the management of existing ones.

83. It was emphasized that the International Monitoring, Control and Surveillance Network for Fisheries-related Activities should be further strengthened and supported, as it provided invaluable services to both developed and developing States in terms of information-sharing, policy development and training related to the global response to illegal, unreported and unregulated fishing, including in African countries. Several delegations called for financial contributions to the Network. A pledge was made to contribute \$100,000.

## **Agenda item 4**

### **Inter-agency cooperation and coordination**

84. An overview of the most recent work of UN-Oceans was provided by its Coordinator, Andrew Hudson, Principal Technical Advisor, International Waters, UNDP. Mr. Hudson recalled the main outcomes of the eighth meeting of UN-Oceans, held in Paris on 5 May 2010. At that meeting, UNDP, represented by Mr. Hudson, was elected as Coordinator, and UNEP, represented by Jacqueline Alder, as Deputy Coordinator.

85. At that meeting participating agencies provided updates on their recent ocean and coastal activities. In particular, the UN-Oceans Task Force on Biodiversity in Areas beyond National Jurisdiction reported, *inter alia*, on progress in the compilation of information on existing tools provided for under relevant international instruments for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. The UN-Oceans Task Force on Marine Protected Areas reported on the expert workshop on scientific and technical guidance on the use of biogeographic classification systems and identification of marine areas beyond national jurisdiction in need of protection, held in October 2009. IOC, UNEP and the Division for Ocean Affairs and the Law of the Sea reviewed progress on the Regular Process, including the launching in August 2009 of the report on the “assessment of assessments”. The meeting also discussed cooperation with UN-Water and the maintenance of the United Nations Atlas of the Oceans despite the financial constraints under which it was operating.

86. Mr. Hudson outlined recent capacity-building activities of members of UN-Oceans which had not been mentioned in the discussions on the topic of focus. He noted that the secretariat of the Convention on Biological Diversity had organized regional capacity-building and review workshops on its programme of work on protected areas. It had, pursuant to decision IX/18 of the Conference of the Parties to the Convention, launched a website to improve the national implementation of the programme of work. The Fisheries and Aquaculture Department of FAO had developed a number of capacity-building activities at the global, regional and local levels, addressing, *inter alia*, fisheries and aquaculture management, including policy formulation; food quality and safety; small-scale fisheries; improving fisheries information; illegal, unreported and unregulated fishing; the impact of climate change; fish trade and marketing; and emergency response. The Marine Environment Laboratories of the International Atomic Energy Agency expanded their activities to support Member States in capacity-building for the sustainable development of the oceans and the research capabilities to investigate and adapt to the impacts of climate change on the oceans. The Department of Economic and Social Affairs, as the secretariat for the United Nations Conference on Sustainable Development (Rio+20 Conference), to be held in Brazil in 2012, and its preparatory processes, had organized the first preparatory committee meeting in New York in May 2010. Mr. Hudson also reported that UNDP had initiated several new projects aimed at strengthening national and regional capacities for sustainable management of several shared large marine ecosystems. These included the Sulu-Celebes and Humboldt Current large marine ecosystems, the Timor-Arafura Sea and a project to strengthen the engagement of Indonesia, the Philippines and Viet Nam and in the Convention on the Conservation and

Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and its management framework.

87. Responding to a question posed with regard to the availability of updated information on the activities of UN-Oceans, Mr. Hudson noted that once a website for UN-Oceans had been established on the server maintained by FAO for the United Nations Atlas of the Oceans, it would be possible to directly access such information.

## **Agenda item 5**

### **Issues that could benefit from attention in the future work of the General Assembly on oceans and the law of the sea**

88. Several delegations referred to issues that could benefit from the attention of the General Assembly and submissions were made in writing of possible topics for future consideration by the Consultative Process, as follows:

- (a) Examination of progress in the implementation of the oceans chapter of the World Summit on Sustainable Development;
- (b) Implementation of existing international instruments;
- (c) Liability and compensation for the adverse effect of environmental damage;
- (d) Transfer of marine technology;
- (e) Measures against illegal, unreported and unregulated fishing;
- (f) Improved fisheries monitoring, control and surveillance and other measures against illegal, unreported and unregulated fishing;
- (g) Conservation of marine resources and measures which can be taken by States in this regard;
- (h) Conservation of the marine environment, with an emphasis on maritime safety and navigation;
- (i) Responsibilities of flag States in all ocean affairs;
- (j) Ecosystem-based approaches to adaptation and mitigation of the effects of climate change on oceans and coasts;
- (k) Capacity-building for the research and collection of marine fisheries resources data;
- (l) Capacity-building for the research and collection of marine fisheries resources data and management advice;
- (m) Improved fisheries statistics;
- (n) The Rio+20 process;
- (o) Threats to the oceans.

89. Several delegations, while recognizing that all the issues included in the composite list circulated by the Co-Chairpersons were important, indicated topics that, in their view, should be given priority. Those topics were integrated

management approaches to address marine pollution; potential new uses of the oceans; the application of an ecosystem approach, minimizing pollution and making use of the environment impact assessment tool; land-based sources of pollution; and marine debris.

90. It was emphasized that the issues included in the composite list should not be considered only for the purposes of selecting the topic of focus for the next meetings of the Consultative Process, but, more generally, for the deliberations on the General Assembly resolutions. For that purpose, it was suggested that all States proposing topics that could benefit from attention in the future work of the General Assembly make available background papers to facilitate the negotiation of the resolutions. Some delegations also placed emphasis on the need to avoid choosing topics which fell within the mandate of specific international organizations or institutions, with one delegation giving the example of climate change.

### **Agenda item 6**

#### **Process for the selection of topics and panellists so as to facilitate the work of the General Assembly**

91. In accordance with paragraph 188 of General Assembly resolution 64/71, delegations discussed how to devise a transparent, objective and inclusive process for the selection of topics and panellists so as to facilitate the work of the General Assembly during informal consultations on the annual resolution on oceans and the law of the sea. It was recalled that the Consultative Process had considered the issue of selection of topics and panellists at its tenth meeting, in its discussions on the implementation of the outcomes of the Consultative Process (see A/64/131).

92. Several delegations recalled the mandate of the Consultative Process as set forth in General Assembly resolution 54/33 and proposed that every meeting of the Consultative Process include an item in the agenda under which consideration of the proposed themes for the next meeting could be advanced so as to facilitate the work of the General Assembly. A concept paper could be circulated to articulate the rationale for the chosen theme, taking into account the need to (a) carry out the exercise in accordance with the Convention and consistent with the agreements reached at the United Nations Conference on Environment and Development, particularly chapter 17 of Agenda 21; (b) take into account inputs provided by the Commission on Sustainable Development and other United Nations bodies; (c) avoid the creation of new institutions; (d) avoid duplication and overlapping with specialized forums; (e) consider that it was not intended for the General Assembly to pursue legal or juridical coordination among different legal instruments; (f) bear in mind differing characteristics and needs of different regions of the world; (g) contribute to the annual debate of the General Assembly; and (h) provide an integrated stance of the three pillars of sustainable development. Some delegations reserved their position on this proposal.

93. Several delegations proposed that concept papers on each proposed theme for the Consultative Process be circulated at least one week in advance of the second round of informal consultations of the General Assembly on the resolution on oceans and the law of the sea. That would allow sufficient time to Governments to study the proposals in depth.

94. With regard to the topics to be discussed in upcoming meetings of the Consultative Process, the view was expressed that priority should be given to topics of current interest, which had not been considered in previous meetings and could assist in the implementation of the law of the sea. Nevertheless, it remained the responsibility of the General Assembly to give priority to topics of special interest and necessity to developing countries.

95. The view was also expressed that the Consultative Process had given disproportionate attention to the issue of fisheries, which were not considered to be global in nature and were thus more appropriately addressed at the regional and national levels.

96. With respect to the selection of panellists, a number of delegations stated that as a matter of principle, the participation of panellists from all regions of the world should be promoted and facilitated. In respect of panellists from developing countries, a number of delegations suggested the establishment of a more effective and expeditious selection mechanism in order to ensure their participation. The important role of the Co-Chairpersons was highlighted in identifying and inviting competent individuals to participate as panellists while maintaining the appropriate regional balance, and the Co-Chairpersons of the eleventh meeting were congratulated for their work in that respect. The high level of objectivity and professionalism of the current Co-Chairpersons was noted and the President of the General Assembly was encouraged to maintain the high standard in future selection of Co-Chairpersons for the Consultative Process.

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