

PERMANENT OBSERVER MISSION  
of the INTERNATIONAL UNION  
FOR CONSERVATION OF NATURE  
AND NATURAL RESOURCES  
to the UNITED NATIONS

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**Statement to the Second Committee  
concerning  
Sustainable ocean development**

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Mr. Chairman,

Sustainable ocean development is a major concern of IUCN. We welcome the many initiatives in the resolutions before the General Assembly that aim to promote this goal, as well as the continuing excellence of the Secretary-General's comprehensive reports on oceans-related matters.

IUCN has long recognized the 1982 UN Convention on the Law of the Sea (UNCLOS) as the basic framework for pursuit of this goal. At the same time, it is a constitutional document that provides for, indeed calls for, further developments consistent with its framework. IUCN has welcomed the numerous agreements that build upon the LOS Convention, such as the proposed international convention for the control and management of ships' ballast waters and sediments, many regional seas instruments, and the forward-looking UN Fish Stocks Agreement. Many of the more recent developments advance an ecosystem approach to ocean and fisheries management, based on sound science and the precautionary approach.

Yet growing threats to fish stocks, marine species, and the biodiversity, productivity and ecosystem processes of the oceans are a cause for grave concern. Impacts in coastal areas are already profound, while technological advances continue to expand human uses of the high seas.

- The World Summit on Sustainable Development (WSSD) highlighted the need for conservation of important and vulnerable marine and coastal areas within and beyond national jurisdiction, echoed earlier this year by the Informal Consultative Process on Oceans and the Law of the Sea.
- Participants in the second informal consultation of States Parties to the UN Fish Stocks Agreement in July expressed concern that its important provisions on the precautionary approach and ecosystem-based fisheries management were not being fully implemented by regional fishery management organizations (RFMOs), and about the prevalence of illegal, unreported and unregulated (IUU) fishing and excess fishing capacity.
- The Durban Accord, one of the major outcomes of IUCN's Vth World Parks Congress in September, raises concern that while 11.5 percent of the world's land area now enjoys protection, less than one percent of the world's oceans, seas and coasts have protected status, exposing fisheries and rich storehouses of biodiversity to overexploitation. (IUCN has already circulated the results of the Congress as well as a summary of results in the marine area.)

These and many other international oceans discussions point to the need for a quantum leap in our approach to sustainable ocean development: to improve scientific knowledge as a basis for management measures and policy decisions, together with socio-economic evaluation; to secure the future by protecting and restoring ocean productivity and ecosystem processes; and to build capacity so that all nations and peoples benefit from common ocean resources.

The consequences for ocean governance – for the further development of the oceans constitution – are not necessarily profound but they will require both commitment and effort. It is essential to scale up integrated approaches to governance not only at the national level but also at the regional level. Bilateral and multilateral donors will have to work together to use resources efficiently, channeling them to support agreed institutional frameworks at larger scales -- whether to improve data collection

or hydrographic services, strengthen human resources or for joint monitoring, control and surveillance (MCS) arrangements. We should not hesitate to adapt proven tools to emerging challenges so that new ocean uses are sustainable, notably in deep-sea areas and beyond national jurisdiction. This will take some creativity but most of the building blocks exist. And where illegal activities persist, the international community will have to fully mobilize all available means to strengthen compliance with and enforcement of international ocean law.

The resolutions before the Assembly support major, coordinated capacity-building efforts and cooperation among separate regional structures to promote more integrated ocean management. They set forth steps to establish a regular process for global reporting and assessment of the state of the marine environment by 2004, including socio-economic aspects. Our hope is that this process will provide guidance for application of precautionary and ecosystem approaches to ocean and fisheries management, that it will strengthen national and regional capacity and serve priorities at these levels, and that it will foster broad participation and partnerships. As for cooperation among separate, specialized regional structures, this is a daunting challenge. In our view a revitalized UN inter-agency coordinating mechanism for oceans issues should help promote this.

The WSSD set targets for applying the ecosystem approach to ocean and fisheries management, establishing representative MPA networks, and restoring depleted fish stocks. IUCN continues to collaborate with partners in large marine ecosystem (LME) projects whose goal is to sustain the productive potential of ecosystem goods and services. At the IUCN World Parks Congress, participants in the marine theme stressed that MPA networks are powerful tools for implementing an ecosystem-based approach and sustainable fisheries. Their recommendations seek to build urgently on WSSD targets and to ensure that MPA networks help implement global and regional governance arrangements. Central tenets of the Congress were that adequately managed protected areas provide a foundation for sustainable development, that they must ensure full participation of relevant stakeholders, and that their benefits must be equitably shared.

Marine theme participants also recommended that the international community include the high seas in its development of a global system of MPA networks, consistent with international law. They called for immediate and urgent action to protect the biodiversity and productivity of seamounts, cold-water coral communities and other vulnerable high seas features and ecosystems, and the biodiversity and productivity dependant on large-scale, persistent oceanographic features, such as currents. The international community is further called upon to cooperate in developing a global framework or approach to facilitate the creation of such a system. In a joint initiative with the World Wide Fund for Nature (WWF) and the IUCN World Commission on Protected Areas (WCPA), IUCN is finalizing a *Ten-Year High Seas Marine Protected Area Strategy* as a framework for promoting these developments.

The importance of protecting high seas biodiversity and vulnerable marine ecosystems has become an increasingly important goal for IUCN during the last three years, so we particularly welcome the General Assembly's call for an addendum to the Secretary-General's report next year focused on the risks they face beyond national jurisdiction as well as the section of the Secretary-General's fisheries report that is to examine risks to these vulnerable ecosystems related to fishing activities. We hope to contribute to next year's discussions, exploring in more detail the immediate risks posed by high seas bottom trawl fisheries as well as the opportunities and tools available to address risks of all types

through international measures and arrangements. By beginning to tackle the larger question now, the international community may truly lay the groundwork for coordinated global precautionary action that makes use of all available tools.

On the more immediate risk, IUCN has joined with other scientists and conservation organizations in calling for immediate protection of seamounts, deep water corals and other biodiversity hotspots from high seas bottom trawling until these vulnerable areas can be identified and measures to protect them adopted and enforced, including effective international management measures for bottom trawl fisheries in these areas. A preliminary report circulated by IUCN, NRDC and WWF indicates that both the amount and value of the current high seas bottom trawl catch are well under one percent of the global marine fisheries catch. Nevertheless, these fisheries are significant, they are expanding, and they are largely unregulated; the risks they pose to vulnerable deep-sea habitats and ecosystems and the serial depletion of targeted deep-sea fish stocks associated with these features seem a high price for the international community to pay. Our preliminary report helps identify the types of information needed to better address these risks. IUCN and its partner organizations plan to circulate a more detailed and comprehensive report by early 2004 to inform further deliberations and action on this topic.

Another concern of IUCN's is that business as usual in many of the RFMOs may exacerbate adverse trends in global marine fisheries. We strongly support the evaluation called for in the fisheries resolution on implementation of the UN Fish Stocks Agreement by RFMOs and urge that a systematic and targeted agenda be developed for all the RFMOs to work together to implement the principles and provisions of the Agreement as suggested in UN Document A/58/215, incorporating performance indicators.

Also needed is a major upgrade in national, regional and global arrangements to strengthen compliance and enforcement -- for international rules on fishing specifically and shipping more generally. The resolutions before the General Assembly touch on a number of opportunities and initiatives, but these should be undertaken in a coordinated and systematic manner -- one that specifies flag state responsibilities clearly, that makes full use of opportunities for port state control, that mobilizes stakeholder and consumer support as well as modern information and communications technologies to ensure that responsibilities are met, including satellite monitoring, and that employs international boarding and inspection procedures and dispute settlement as warranted.

On a final issue, IUCN is pleased that the resolutions before the General Assembly call for certain measures intended to promote shark conservation and management, both target and bycatch. We continue to urge the international community to take immediate measures to prohibit shark finning (defined as the retention of fins and discard of shark carcasses at sea), recognizing that the goal should be effective and sustainable management practices for all shark fisheries, including effective enforcement. This could immediately and significantly reduce shark mortality and hence improve the sustainability of shark fisheries.

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*Additional information on the outcomes of the Vth IUCN World Parks Congress can be found at <http://www.iucn.org/wpc2003>. The summary of the Ten Year HSMPA Strategy is available at <http://www.iucn.org/themes/marine>, under "publications".*

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