

Intergovernmental Oceanographic Commission
Reports of Meetings of Experts and Equivalent Bodies



The Advisory Body of Experts on the Law of the Sea (IOC/ABE-LOS)

Third Session
Lisbon, Portugal
12-15 May 2003

UNESCO

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TABLE OF CONTENTS

	page
1. OPENING AND WELCOMING ADDRESSES	1
2. ADMINISTRATIVE ARRANGEMENTS	2
2.1 DESIGNATION OF THE RAPPORTEUR.....	2
2.2 ADOPTION OF THE AGENDA	2
2.3 DOCUMENTATION.....	2
2.4 CONDUCT OF THE MEETING	2
3. REPORTS OF INTERSESSIONAL ACTIVITIES	2
3.1 CHAIRMAN'S REPORT ON IOC/ABE-LOS ACTIVITIES DURING THE INTERSESSIONAL PERIOD	2
3.2 FINAL DRAFT OF THE IOC CRITERIA AND GUIDELINES ON THE TRANSFER OF MARINE TECHNOLOGY	4
3.3 PROGRESS REPORT OF THE CHAIRMAN OF THE IOC/ABE-LOS SUB-GROUP ON THE POSSIBLE ESTABLISHMENT OF AN IOC INTERNAL APPROPRIATE PROCEDURE RELATED TO AN EFFECTIVE USE OF ARTICLE 247 OF UNCLOS ON MARINE SCIENTIFIC RESEARCH PROJECTS UNDERTAKEN BY OR UNDER THE AUSPICES OF INTERNATIONAL ORGANIZATIONS.....	5
3.4 RESULTS OF THE IOC QUESTIONNAIRE 3 ON THE PRACTICES OF STATES IN THE FIELD OF MARINE SCIENTIFIC RESEARCH AND TRANSFER OF MARINE TECHNOLOGY	8
4. FUTURE WORK OF THE IOC/ABE-LOS.....	8
5. RECOMMENDATIONS.....	8
6. ADOPTION OF THE REPORT	8
7. CLOSURE	9

ANNEXES

- I. [AGENDA](#)
- II. [RECOMMENDATIONS](#)
- III. [IOC CRITERIA AND GUIDELINES ON THE TRANSFER OF
MARINE TECHNOLOGY](#)
- IV. [LIST OF PARTICIPANTS](#)
- V. [LIST OF DOCUMENTS](#)
- VI. [PRESENTATION OF I-GOOS CHAIR Dr SILVANA VALLERGA](#)
- VII. [STATEMENT UNESCO ADG, IOC EXECUTIVE SECRETARY,
DR PATRICIO BERNAL](#)

- VIII. STATEMENT OF HIS EXCELLENCY THE DEPUTY SECRETARY OF STATE
OF THE MINISTER OF SCIENCE AND HIGHER EDUCATION, PROFESSOR
JOSE MANUEL PINTO PAIXÃO
- IX. STATEMENT OF THE MINISTER OF FOREIGN AFFAIRS OF PORTUGAL
EMB. ANTÓNIO MARTINS DA CRUZ
- X LIST OF ACRONYMS

1. OPENING AND WELCOMING ADDRESSES

- 1 Dr Elie Jarmache, Chair of the IOC Advisory Body of Experts on the Law of the Sea (IOC/ABE-LOS) opened the Third Meeting of IOC/ABE-LOS at 9.30 on Monday 12 May 2003. He invited the representatives of the Government of Portugal and the Assistant Director-General of UNESCO to make their welcoming addresses and statements. Professor Mario Ruivo, Chairman of the Portuguese Committee for IOC welcomed the participants on behalf of his government, followed by Dr Patricio Bernal, Assistant Director-General of UNESCO and Executive Secretary of IOC (*statement in [Annex VII](#)*).
- 2 Dr Bernal alluded to the importance of the ocean in Portuguese history and acknowledged the work of the Portuguese Committee for the IOC. As a designated competent international organization under UNCLOS, UNESCO through its Intergovernmental Oceanographic Commission, has an obligation to contribute to the implementation of UNCLOS, in particular of Part XIII (on marine scientific research) and Part XIV (on the development and transfer of marine technology). He referred to Paragraphs 23 and 24 of UNGA Oceans and Law of the Sea Resolution A/RES/57/141. He recalled that the 35th Session of the IOC Executive Council in June 2002 adopted Resolution EC-XXXV-7, which requested the IOC/ABE-LOS to continue working in close co-operation with UN/OLA/DOALOS on the following three issues:
 - (i) The elaboration of the IOC Criteria and Guidelines on the Transfer of Marine Technology (TMT);
 - (ii) The IOC Internal Procedures related to an effective and appropriate use of Article 247 of UNCLOS; and
 - (iii) The collection and analysis of information from Member States on their practices in the fields of marine scientific research and transfer of related marine technology.
- 3 Dr Bernal drew the attention of the meeting to the main issues on which decisions are required, in order to produce results that may be submitted to the IOC Assembly.
- 4 He thanked the Governments of Australia, Belgium, and France for their contributions to the IOC Trust Fund which enabled the attendance of experts from developing countries. In closing, he thanked the Government of Portugal for its assistance in organizing the meeting.
- 5 There followed an address from Jose Manuel Pinto Paixão, the Deputy Secretary of State of the Ministry of Science and Higher Education of Portugal, who recalled that his country's history, culture and place in the world are closely linked to the ocean. He emphasized the importance of collaboration between Member States and the scientific and technical communities in order to gain a sounder knowledge of the ocean's natural processes, its resources, and its environment. He recalled that Portugal was active in the Third Conference on the Law of Sea, in particular when it promoted Article 247 on marine scientific research projects undertaken by or under the auspices of international organizations. He concluded by re-affirming that the Portuguese Government, as the Portuguese Prime Minister, Durão Barroso made clear in his declaration at the World Summit on Sustainable Development in Johannesburg, considers the development of international co-operation on Ocean Affairs to be of the greatest importance, and that the scientific and technical aspects of this area are cohesive elements which determine sustainable development. The Portuguese Government intends to guarantee the increasing participation of the Portuguese scientific and

technical community in this collective effort and, to lend support to the present process of institutional adaptation to the new requirements for governing the ocean, based on legitimate institutions, and compliance with international law for which the UNCLOS is the most important instrument. His statement is attached as [Annex VIII](#).

2. ADMINISTRATIVE ARRANGEMENTS

2.1 DESIGNATION OF THE RAPPORTEUR

6 The Advisory Body was invited to designate Samuel Betah as the Rapporteur for this meeting in accordance with IOC Rules of Procedure n°25. Dr Betah accepted the appointment.

2.2 ADOPTION OF THE AGENDA

7 The Advisory Body was invited to adopt the agenda and timetable of the meeting, on the basis of the Provisional Agenda (Doc. IOC/ABE-LOS III/1 prov.) and of the Provisional Timetable (Doc. IOC/ABE-LOS III/1 Add prov.)

2.3 DOCUMENTATION

8 The Technical Secretary, Ms Dienaba Beye, introduced the documents (Doc. IOC/ABE-LOS III/4).

2.4 CONDUCT OF THE MEETING

9 The working hours for the meeting and the social events proposed by the Portuguese Committee for IOC were examined.

3. REPORTS OF INTERSESSIONAL ACTIVITIES

3.1 CHAIRMAN'S REPORT ON IOC/ABE-LOS ACTIVITIES DURING THE INTERSESSIONAL PERIOD

10 The IOC/ABE-LOS Chair reported on Doc. IOC/ABE-LOSIII/6 setting out the decisions taken by the 35th Session of the IOC Executive Council with regard to the IOC and UNCLOS related matters. He informed the group of the results of his participation in the I-GOOS-VI meeting in Paris (10-14 March 2003), and following his participation, he invited the Chairperson of I-GOOS, Dr Silvana Vallerga, to attend the present meeting and to make a presentation of the main needs of GOOS in relation to UNCLOS. By taking this initiative, the Chairman of IOC/ABE-LOS honoured the request of the Executive Council for better communication between IOC subsidiary bodies.

11 In commenting on the Chairman's report, participants began by stressing that IOC/ABE-LOS has been established to make the link between marine sciences and the Law of the Sea. In the last three UNGA Resolutions on Oceans and the Law of the Sea, the role of IOC in relation to UNCLOS was highlighted, in particular in the implementation of Parts XIII and XIV.

- 12 This entailed a major implication and responsibility for IOC and IOC/ABE-LOS, which is to improve the visibility of IOC activities in relation to UNCLOS through increased contacts between IOC and the Meeting of States Parties, where IOC should report on its activities in relation to UNCLOS.
- 13 Several delegates suggested that the name of the IOC/ABE-LOS be reconsidered to emphasize the fact that it consists of scientists and lawyers, in accordance with Resolution XIX-19 adopted by the 19th Session of the IOC Assembly in 1997 (Report IOC-XIX/3).
- 14 With regard to the main needs of GOOS in relation to UNCLOS, it was generally accepted that the technical inputs from scientists are necessary for the work of the IOC/ABE-LOS and that a dialogue between scientists and lawyers must be encouraged and reinforced in order to implement the UNCLOS provisions.
- 15 The IOC Executive Secretary recalled the complexity of the work of IOC, which has five technical subsidiary bodies and seven regional subsidiary bodies. He also stated approximately IOC organize 50 meetings a year of which many are not intergovernmental, but which receive guidance from the above-mentioned subsidiary bodies.
- 16 The meeting then invited the I-GOOS Chairperson to make her presentation before the floor commented on this issue.
- 17 Dr Silvana Vallergera described current I-GOOS activities and expressed her group's interest in seeking greater co-operation with IOC/ABE-LOS. Where the collection and management of oceanographic data in EEZs is concerned, I-GOOS has four main goals for 2003-2004: (i) to transfer prototypes from scientific research to operations; (ii) to learn from the advanced activities of some regions for the benefit of all Member States; (iii) to build capacities in all Member States; and (iv) to facilitate observations in EEZs for operational forecasting.
- 18 Dr Silvana Vallergera's presentation is included in this report as [Annex VI](#).
- 19 I-GOOS is seeking suggestions and support on these issues from IOC/ABE-LOS, and in this respect will recommend to the IOC Assembly at its 22nd session, that IOC/ABE-LOS provide advice on the legal framework applicable to the collection and management of oceanographic data in EEZs. I-GOOS in turn will offer advice to IOC/ABE-LOS on the specific technical and scientific context.
- 20 Following this presentation, several participants expressed a variety of views. Several considered that I-GOOS takes into account legal issues attending the implementation of operational oceanography, as discussed at the 20th session of the IOC Assembly (June 1999). Other participants considered that IOC/ABE-LOS should take note of the report of the Chairperson of I-GOOS. Several delegates underlined the fact that it is up to the IOC Assembly to confirm the involvement of IOC/ABE-LOS where I-GOOS requirements are concerned.
- 21 The I-GOOS Chairperson's presentation emphasized the importance of capacity building. Developing coastal States must be associated from the very beginning of any research project in their territorial sea, in their EEZ or on their continental shelf.

22 Some delegates offered to provide support in the field of relevant legal aspects of operational oceanography if the upcoming IOC Assembly instructs IOC/ABE-LOS to handle this issue.

23 It could be useful to improve the exchanges of information on legal aspects of marine scientific research among IOC/ABE-LOS, I-GOOS and other relevant subsidiary bodies of the Commission, with a view to a better understanding of the issues under their respective mandates.

3.2 FINAL DRAFT OF THE IOC CRITERIA AND GUIDELINES ON THE TRANSFER OF MARINE TECHNOLOGY

24 Referring to Resolution EC-XXXV.7 adopted by the 35th Session of the IOC Executive Council, Mr Ariel Gonzalez, Chairman of the IOC/ABE-LOS Sub-Group on the transfer of marine technology, presented the document *Draft IOC Criteria and Guidelines on the Transfer of Marine Technology* (IOC/ABE-LOS III/7). He described the results of the discussions concerning the document at the informal meeting he convened in the framework of the above IOC Executive Council.

25 He recalled that his approach to the problem was based on the following three principles that were enunciated at the second session: flexibility, avoidance of binding mechanisms, and focus on the facilitating role of the IOC. He mentioned queries posed by some delegations during the above-mentioned informal meeting, as well as through email exchanges: What should be the place of the “Marine Science and Ocean Services for Development: UNESCO/IOC Comprehensive Plan for a Major Assistance Programme to Enhance the Marine Science Capabilities of Developing Countries” adopted by the IOC in 1985? What are the financial implications of the proposed mechanism?

26 Mr Gonzalez expressed the wish that the document be accepted by IOC/ABE-LOS at the present session in order to be submitted to the 22nd Session of the IOC Assembly for adoption.

27 In commenting on the report, participants expressed general satisfaction with the document, and congratulated Mr Gonzalez. There were numerous comments that touched upon matters of substance, and suggestions for editorial changes, however there were no objections to the principle of forwarding it to the Assembly. It was decided to establish an editorial committee that would review the text in light of the discussions, and which would report back before the end of the meeting.

28 An ad hoc editorial committee met separately to act upon the issues raised during the plenary session. With a number of questions left unresolved at the resumption of the plenary session, it was agreed that the editorial discussion would be extended into the plenary, in order to finish the revisions to the document. This process resulted in a text that met with general approval; however, when the Chairman asked the group to approve the document, one delegate raised a question of interpretation that required him to consult with his national government. Following this consultation, the delegate reported to the group that his government was unwilling to accept the text as it stood, and he proposed an alternative wording to Paragraph b) of Section B (Criteria), inserting the words “*which mandatorily takes into account the capacity of recipient States to pay*” at the end of the first sentence, and deleting the second sentence altogether. This precipitated a substantial debate, during which

delegates attempted to achieve a compromise by proposing different wordings, but as none precipitated a consensus, it was agreed by the whole group that the report (*attached as [Annex III](#)*) would be presented to the IOC Assembly for adoption in the form that had been agreed to by the group prior to the lodging of the delegate's objection, with a note containing the reservation expressed.

3.3 PROGRESS REPORT OF THE CHAIRMAN OF THE IOC/ABE-LOS SUB-GROUP ON THE POSSIBLE ESTABLISHMENT OF AN IOC INTERNAL APPROPRIATE PROCEDURE RELATED TO AN EFFECTIVE USE OF ARTICLE 247 OF UNCLOS ON MARINE SCIENTIFIC RESEARCH PROJECTS UNDERTAKEN BY OR UNDER THE AUSPICES OF INTERNATIONAL ORGANIZATIONS

29 Professor Alfred Soons, Chairman of the sub-group on UNCLOS Article 247 implementation, began the presentation of his report by explaining that the only revisions it incorporated were those that had been agreed upon in principle at IOC/ABE-LOS II in El Jadida, Morocco, May 2002. Due to various circumstances, it had not been possible for him to engage in further discussions by electronic correspondence during the intersessional period, and to implement new revisions. For the benefit of those who did not participate in past discussions of this initiative, he summarized the essence of Article 247. He also expressed the hope that the present discussion would result in an information document that could be appended to the meeting report that will be delivered to the next IOC Assembly in June, and that the document would be finalized in time to be submitted to the 23rd Assembly for approval. Professor Soons then proceeded to outline the changes that he had made to the document, in keeping with the suggestions put forward at last year's meeting.

30 The Chairman thanked Professor Soons for his efforts and his statement. He expressed doubt about the prospects of reaching definitive conclusions during this year's meeting, and concern about having to report an apparent lack of progress at the upcoming IOC Assembly. In opening the floor to comments, he asked that delegates begin by addressing general issues after which the group would engage in a paragraph-by-paragraph review.

31 Delegates then began a general discussion of the report and of the text at hand. Several speakers were appreciative of the contribution by Professor Soons. However, several participants expressed disappointment at the fact that it had not been possible to discuss such contribution by means of intersessional exchanges, as agreed at the 2002 meeting, and that, therefore, there had been no opportunity to review the present version of the document until the beginning of the present meeting. Such participants expressed their wish that the sub-group operates efficiently in the future.

32 Notwithstanding the above, a number of delegates were prepared to comment on the overall organization and contents of the text. In their general comments, some delegates stated that the present document served as a starting point for further development, while others stated that consultation with their national governments would be necessary in view of the importance of the matter.

33 In the paragraph-by-paragraph review that ensued on the basis of the first reading, delegates commented on specific choices and placements of wordings, proposed alternatives, and requested clarifications or amplifications. Professor Soons responded to these suggestions and queries after each group of interventions, while the Chairman offered

recapitulations and guiding commentaries on a running basis. Detailed discussions, which are subject to further discussion and approval, are summarized as follows:

Paragraph 1

It was generally agreed that this paragraph was in conformity with Article 247. The following editorial changes were agreed upon: to insert the word «hereinafter» before «*Convention*» and include Article 247 verbatim as a footnote.

Paragraph 2

Discussion focused on the following points: the necessity of having an ad hoc body established by the Assembly, and the obligation of ensuring from the outset the full participation of the coastal State(s) concerned by the project in their EEZ or on its Continental Shelf. It was agreed that the “Member States” are IOC Member States. The principle of having the IOC Assembly play a key role in implementing the internal procedure was not questioned, nor the principle to have as full participants in the "ad hoc" body the concerned Coastal States as well as the researching States involved in the marine scientific project.

Paragraph 3

Several delegates approved of the text in its submitted form, while others recommended revisions, at least one of which would entail a total re-drafting. Some perceived duplications between this and the following paragraph. It was considered important to emphasize the involvement of the IOC Assembly in the endorsement and approval of projects under Article 247, and to retain explicit references to Articles 248 and 249 as required.

Paragraph 4

It was agreed that the text needed re-drafting to improve clarity and to add necessary details, but at the same time, reservations were expressed by some delegates concerning suggested revisions that might undermine the original reasons for preparing this internal procedure. It was considered important to recognize the rights of affected coastal States if they did not agree with research proposals. A suggestion was put forward that would require a qualified majority to approve of proposals that were placed before the Assembly. Others indicated that in this respect, account should be taken of the fact that the Coastal States will be involved at an early stage. Some delegates felt that a longer notification period was needed to give affected Coastal States sufficient time to consider research proposals. At the same time, it was pointed out that considering that the IOC Assembly meets every two years, the built-in delays inherent in the Assembly approval process might discourage the use of Article 247 altogether.

Paragraph 5

Several delegates expressed concerns about the potential for delays in the notification process, and asked for a clearer identification of the official channels that would be employed for the delivery of notifications although it was understood that diplomatic channels are the appropriate ones to use in such cases. It was noted that there is a requirement that concerned Coastal States need to be involved in all stages of proposed projects. It was recommended that the latter topic be considered in the light of paragraph 7.

Paragraph 6

This paragraph inspired substantial debate and commentary because it was perceived by some delegates as one of the most critical components of the report. The text was acceptable to several delegates in its presented form. At the same time, numerous proposals were put forward for revision, including a suggestion that the paragraph be deleted in its entirety on account of its non-compliance with the Convention, specifically with Articles 248 and 249. The latter, in so far as it relates to Article 248, was firmly opposed by other speakers. Many of the subsequent interventions dealt with the completeness of the information that must be available to the coastal States under the provisions of Article 248, and at what stage in the process of approval by IOC of a project under Article 247 such information was required. Several delegates expressed the view that the main purpose of Article 247 was to facilitate international scientific cooperation, and they urged the meeting to refrain from imposing impossible conditions that would render the new procedure impractical to apply. Where major research initiatives are concerned, others pointed out that it is impossible to provide a certain level of details in the early planning stages, particularly when the mobilization and financing of many vessels are involved. All agreed, however, that it was necessary that coastal States receive in advance full information, in conformity with the provisions of Article 248, and that revisions to the paragraph were necessary to emphasize that fact.

34 The Executive Secretary, after recalling that Article 247 had never been implemented or used, pointed out that this article is a special procedure and provides for a simplified consent mechanism applicable in the case of IOC, when Member States of IOC, decide to cooperate in a jointly agreed research programme. He indicated that the new implementation modalities to be defined in the procedure under consideration should not compromise the coastal State's right of consent in accordance with Part XIII of UNCLOS.

35 He pointed out that there are quite different circumstances under which MSR can be conducted. Some are bilateral and some are multilateral. In the narrow bilateral sense fall the typical authorizations dealing with the prospecting or exploration in search of mineral or living resources. This usually corresponds to a *quid pro quo* situation in which exploration costs are traded for privileged treatment and exploitation rights. In his view these cases are clearly bilateral and outside the scope of Article 247.

36 From his experience and in a wider sense he could recognize three different scenarios:

- (i) One researching State needing authorization from many States to conduct research in the EEZ, i.e. the classical cruise of a research vessel visiting the EEZ of several countries;
- (ii) Many States conducting research in the EEZ of one country like in the international efforts to study the coastal upwelling systems of the world during the International Decade of Ocean Exploration-CUEA programme;
- (iii) Many States conducting research in the EEZ of many States, like in the World Ocean Circulation Experiment or the Joint Global Ocean Flux Study.

37 Although in his view Article 247 is best adapted to the use in the "many to many" multilateral case, in which a large group of countries agree to conduct research under the aegis of IOC, the discussions leading to the definition of this internal procedure, will reveal which scenario is most applicable. He concluded by inviting Member States who have not done so yet to engage in this very important discussion.

38 The IOC/ABE-LOS Group of Experts agreed that the document presented by Professor Soons should be examined by email during the intersessional period, including paragraphs 7 to 10 which were not discussed. One delegate offered, as a contribution from his country to the sub-group on Article 247, his cooperation in the drafting process during the next intersessional period.

39 3.4 **RESULTS OF THE IOC QUESTIONNAIRE 3 ON THE PRACTICES OF STATES
IN THE FIELD OF MARINE SCIENTIFIC RESEARCH AND TRANSFER OF
MARINE TECHNOLOGY**

40 The IOC Secretariat's report on Questionnaire No. 3 (IOC/ABE-LOSIII/9) was presented by Mrs D. Beye and Mr R. Rogers. The questionnaire contained two sections that dealt respectively with marine scientific research and the transfer of technology. The report and its presentation were well received. The group considered that this work constituted a valuable source of information to be developed and placed at the disposal of IOC Member States on "IOC and UNCLOS" website. Accordingly, it was suggested to recommend to the 22nd Session of the Assembly that IOC/ABE-LOS be authorized to establish a working sub-group that would analyse the replies to the questionnaire.

41 Delegates expressed the wish that IOC Member States, which have not yet answered the questionnaire on MSR and TMT be encouraged to do so. Some delegates from developing countries revealed that they faced internal administrative difficulties when answering the questionnaire. They requested assistance from IOC and/or UN/OLA/DOALOS with regard to marine policy and the drafting of national legal instruments.

42 Mrs D. Beye informed the Meeting of a correction to Section One of the Results of the Questionnaire 3 (IOC/ABE-LOSIII/9), Question IV.E, where the reply from Finland should be "Yes" instead of "No".

4. FUTURE WORK OF THE IOC/ABE-LOS

43 The Chairman stated that the future work will be decided by the IOC Assembly when it is asked to adopt the recommendations attached to this report.

5. RECOMMENDATIONS

44 The IOC/ABE-LOS III Meeting adopted the recommendations included in Annex II.

6. ADOPTION OF THE REPORT

45 The IOC/ABE-LOS III Meeting adopted this report (IOC/ABE-LOS III/3) by consensus, for consideration by the 22nd IOC Assembly.

7. CLOSURE

46 Mr Fernando Ribeiro, President of the Portuguese Foundation for Science and Technology, addressed the Meeting. He considered that IOC's work on TMT and MSR is very encouraging for countries like Portugal that give a high priority to the promotion and use of its marine resources, and that it will motivate IOC Member States to implement the provisions of the Convention. He stressed the importance assigned to marine sciences in all the scientific programmes of the Foundation.

47 The IOC Executive Secretary and the IOC/ABE-LOS Chairman thanked Mr Ribeiro for his address, and expressed their appreciation to the Portuguese authorities for their hospitality and assistance in hosting the meeting.

48 The Third Meeting of the IOC/ABE-LOS was closed by the Chairman at 1:30 p.m., Thursday, 15 May 2003.

ANNEX I

AGENDA

- 1. OPENING AND WELCOMING ADDRESSES**
- 2. ADMINISTRATIVE ARRANGEMENTS**
 - 2.1 DESIGNATION OF THE RAPPORTEUR
 - 2.2 ADOPTION OF THE AGENDA
 - 2.3 DOCUMENTATION
 - 2.4 CONDUCT OF THE SESSION
- 3 REPORTS OF INTERSESSIONAL ACTIVITIES**
 - 3.1 CHAIRMAN'S REPORT ON IOC/ABE-LOS ACTIVITIES DURING THE INTERSESSIONAL PERIOD
 - 3.2 FINAL DRAFT OF THE IOC CRITERIA AND GUIDELINES ON THE TRANSFER OF MARINE TECHNOLOGY
 - 3.3 PROGRESS REPORT OF THE CHAIRMAN OF THE IOC/ABE-LOS SUB-GROUP ON THE POSSIBLE ESTABLISHMENT OF AN IOC INTERNAL APPROPRIATE PROCEDURE RELATED TO AN EFFECTIVE USE OF ARTICLE 247 OF UNCLOS ON MARINE SCIENTIFIC RESEARCH PROJECTS UNDERTAKEN BY OR UNDER THE AUSPICES OF INTERNATIONAL ORGANIZATIONS
 - 3.4 REPORT OF THE SECRETARIAT ON THE RESULTS OF THE IOC QUESTIONNAIRE 3 ON THE PRACTICES OF STATES IN THE FIELD OF MSR AND TMT
- 4 FUTURE WORK OF THE IOC/ABE-LOS**
- 5 RECOMMENDATIONS**
- 6 ADOPTION OF THE REPORT**
- 7 CLOSURE**

ANNEX II

RECOMMENDATIONS

The IOC Advisory Body of Experts on the Law of the Sea at its third meeting (IOC/ABE-LOS III) recommended the following:

- 1) That the 22nd Session of the Assembly (June 2003) adopts the criteria and guidelines on the Transfer of Marine Technology in the Annex attached to this recommendation (*Annex III of the present report*).
- 2) That the 22nd session of the Assembly take note of the progress report by the Chairman of the IOC/ABE-LOS sub-group on the work related to an appropriate internal procedure related to an effective and appropriate use of Article 247 of the UN Convention on the Law of the Sea (IOC/ABE-LOS III/8), and request that IOC/ABE-LOS continue its work on this topic with the view to consider the adoption of such internal procedure by the 23rd Session of the Assembly. This Sub-group should work by electronic mail and in close cooperation with the Division of Ocean Affairs and the Law of the Sea of the United Nations (UN/OLA/DOALOS).
- 3) That an open-ended Sub-group on the practices of IOC Member States regarding marine scientific research and transfer of marine technology be established. This Sub-group should work by electronic mail and in close cooperation with the United Nations Office of Legal Affairs, Division of Ocean Affairs and the Law of the Sea of the United Nations (UN/OLA/DOALOS). It should draw preliminary conclusions from the data provided in Annex 6 of Document IOC/ABE-LOS III/9, as complemented by the UN/OLA/DOALOS database on MSR legislations and by further replies to the Questionnaire No. 3, and relevant other objective data, with a view to assisting IOC in fulfilling effectively its purpose and functions as set out in Articles 2 and 3 of its Statutes.

ANNEX III

**DRAFT IOC CRITERIA AND GUIDELINES
ON THE TRANSFER OF MARINE TECHNOLOGY**

A. SCOPE OF APPLICATION

1. The following criteria and guidelines aim at applying the provisions of Part XIV (Development and transfer of marine technology) of the United Nations Convention on the Law of the Sea (UNCLOS), providing a critical tool to promote capacity-building in ocean and coastal related matters through international cooperation.
2. For the purposes of these criteria and guidelines, marine technology refers to instruments, equipment, vessels, processes and methodologies required to produce and use knowledge to improve the study and understanding of the nature and resources of the ocean and coastal areas. In this sense, marine technology includes:
 - a) Information and data, in a user-friendly format, on marine sciences and related marine operations and services;
 - b) Manuals, guidelines, criteria, standards, reference materials;
 - c) Sampling and methodology equipment (e.g. for water, geological, biological, chemical samples);
 - d) Observation facilities and equipment (e.g. remote sensing equipment, buoys, tide gauges, shipboard and other means of ocean observation);
 - e) Equipment for *in situ* and laboratory observations, analysis and experimentation;
 - f) Computer and computer software, including models and modelling techniques;
and
 - g) Expertise, knowledge, skills, technical/scientific/legal know-how and analytical methods related to marine scientific research and observation.

B. CRITERIA

Transfer of marine technology should enable all parties concerned to benefit on an equitable basis from developments in marine science related activities –in particular, those aiming at stimulating the social and economic contexts in developing States-, taking into account the following criteria:

- a) Specific legal, institutional financial and scientific schemes should be developed in order to facilitate and foster transfer of marine technology at national, regional or sub- regional levels;

- b) Transfer of marine technology should be conducted on fair and reasonable terms and conditions. As a general rule, such transfer should be done free of charge, or at a reduced rate for the benefit of the recipient country;
- c) In conducting a transfer of marine technology, due regard should be given to:
 - (i) The needs and interests of developing States, particularly land-locked and geographically disadvantaged States as well as other developing States which have not been able to establish or develop their own capabilities in marine sciences, scientific research, observations of the oceans and coastal areas, and related technology, or to develop the infrastructure needed to achieve such ends;
 - (ii) Other legitimate interests including, *inter alia*, the rights and duties of holders, suppliers and recipients of marine technology; and
 - (iii) The importance of the transfer of environmentally sound technologies, and
- d) Transfer of marine technology should take full advantage of new, existing or expected co-operation schemes, including joint ventures and partnerships, among Member States, appropriate international organizations, governmental and non-governmental organizations and/or private entities. In this regard, the Intergovernmental Oceanographic Commission of UNESCO (IOC), as a competent international organization recognized by UNCLOS for the promotion of international co-operation and the co-ordination of programmes in the field of ocean and coastal scientific research, related services and capacity-building, bears a special responsibility.

C. GUIDELINES FOR IMPLEMENTATION

1. As a competent international organization for promoting and facilitating transfer of marine technology, IOC, in consultation with relevant international, governmental and non governmental organizations, and other partners should:
 - a) Establish and co-ordinate a clearing-house mechanism for the transfer of marine technology, in order to provide interested users in Member States with direct and rapid access to relevant sources of information, practical experience and scientific and technical expertise in the transfer of marine technology, as well as to facilitate effective scientific, technical and financial co-operation to that end. Such mechanism should include the following components, to which access should be ensured by using the most efficient means of communication:
 - (i) A list of governmental, non-governmental or private entities interested in participating as donors in the transfer of marine technology. Such list should include information on the contact focal points, addresses, fields of competence, items to be transferred, and, eventually, cost and conditions for transfer ;

- (ii) Opportunities for projects or initiatives related to the transfer of marine technology;
 - (iii) Sources, availability and, eventually, cost of marine scientific and technological information and data for transfer in different disciplines of marine sciences;
 - (iv) A directory of marine research institutes which offer laboratory facilities, equipment and opportunities for research and training;
 - (v) Offers of cruise studies at the global, regional and sub-regional levels;
 - (vi) A list of available experts/specialists who can provide scientific and technical assistance;
 - (vii) Universities and other organisations offering study grants and facilities in marine science;
 - (viii) Workshops, seminars and training courses at global, regional, and sub-regional level, in particular those offering financial support;
 - (ix) Study on national, sub-regional and/or regional rules and regulations, and case law studies concerning the transfer of marine technology and marine scientific research;
 - (x) Links with national, sub-regional and/or regional agreements, institutions and centres holding information, experience and technical expertise of scientific relevance to the region concerned.
- b) Encourage national representatives of IOC Member States to include in their strategic planning specific components on the transfer of marine technology;
 - c) Actively promote the establishment of regional and/or sub-regional focal points for the transfer of marine technology –preferably, within the existing regional or sub-regional structures of the Commission;
 - d) Organize, as appropriate, within the framework of each session of its Assembly or meetings of its regional or sub-regional structures, conferences, seminars, symposia or similar events on particular issues related to the transfer of marine technology; and
 - e) Seek contributions to the IOC Trust Fund or Voluntary Co-operation Fund for the purpose of promoting and facilitating transfer of marine technology.
2. Notwithstanding existing channels for the transfer of technology at the bilateral, multilateral, sub-regional or regional levels, any Member State may submit to the IOC Secretariat a Transfer of Marine Technology Application (TMTA), based on the standard format presented in the Annex.

3. Upon receipt of the TMTA, the IOC Secretariat will examine it, in consultation with the IOC Officers, the IOC scientific and technical subsidiary bodies and, as appropriate, other selected specialists. Such examination will aim at:
 - a) Identifying, within a reasonable timeframe, adequate donor or donors from the list referred to in Section C.1 (a) (i), above; and
 - b) Devising possible co-operation schemes, including joint ventures and partnerships, which may optimise the benefits of the expected transfer of technology.
 4. Following the examination of the TMTA, the IOC Secretariat should:
 - a) Forward the TMTA to the identified donor or donors;
 - b) Facilitate contacts between the identified donor or donors and the recipient Member State, with the ultimate goal that, in a timely manner, both parties conclude an agreement, contract or other similar arrangements, under equitable and reasonable conditions, for the implementation of a Transfer of Marine Technology Project on the basis of the TMTA;
 5. Additionally, the IOC Secretariat will:
 - a) Provide, at the request of the donor / donors or the recipient, technical assistance for the implementation of the Transfer of Marine Technology Project. Such assistance may include, as appropriate:
 - (i) Expert missions, the funding of such missions should be discussed among the donor /donors, the recipient country and the IOC;
 - (ii) Technical training, as a follow-up to the transfer of marine technology. The funding of such technical training should be discussed among the donor /donors, the recipient country and the IOC; and
 - (iii) An assessment of the results of the Project, within two years after its completion;
- and
- b) Promote and facilitate, as appropriate, the participation of scientists and/or experts from the recipient country in the scientific institutions of the donor / donors associated with the development of marine technology and/or technological research. The funding of such participation should be discussed among the donor /donors, the recipient country, and the IOC.

D. FINAL PROVISIONS

1. The Executive Secretary of IOC should report regularly in written form to the Governing Bodies of the Commission on the implementation of these Criteria and Guidelines.
2. These Criteria and Guidelines may be revised at the request of the IOC Assembly.

APPENDICE

**TRANSFER OF MARINE TECHNOLOGY APPLICATION
(TMTA)**

This TMTA has been prepared in accordance with the Criteria and Guidelines on the Transfer of Marine Technology approved at the 22nd session of the IOC Assembly. It has been conceived as a starting point to promote and facilitate transfer of marine technology, by assisting interested Member States -in particular, developing States- in the process of defining a Transfer of Marine Technology Project, seeking adequate resources for its funding and contributing otherwise to its implementation.

1. DATA ON THE APPLICANT(S)

Name:

Address:

Telephone:

Fax:

E-mail:

Responsible officer or contact person (if appropriate):

2. NATURE OF THE APPLICANT(S)

Please mark with a cross one or more of the categories identified below

- ☐ Governmental area/institution
- ☐ Non-governmental organization
- ☐ Private institution
- ☐ Other (specify):

3. OBJECT OF THE TMTA

Please describe briefly the main objectives and expected results of the TMTA.

--

4. TYPE OF MARINE TECHNOLOGY REQUIRED

Please mark with a cross one or more of the general categories identified below and, as appropriate, provide specific information on the technology required. Supporting documents or materials, which may help to clarify your request, are welcome.

- ☐ Information and data
- ☐ Documentation
- ☐ Equipment

- ☐ Software
- ☐ Know-how
- ☐ Other

Comments / Specifications:

5. ACTIVITIES PLANNED OR INITIATED BY THE APPLICANT:

Please describe briefly any activities that have been planned or initiated by the applicant in relation to the object of the TMTA

6. OTHER RELEVANT INFORMATION

(PLACE AND DATE)

(SIGNATURE OF THE BENEFICIARY)

(SIGNATURE AND SEAL OF THE COMPETENT
GOVERNMENTAL AUTHORITY)

ANNEX IV

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ANNEX V

LIST OF DOCUMENTS

Document Code	Title	Agenda Items	Lang.
	WORKING DOCUMENTS		
IOC/ABE-LOSIII/1.	Agenda	1 – 8	E F
IOC/ABE-LOSIII/1 Add	Timetable	2.2, 2.4	E F
IOC/ABE-LOSIII/2	Annotated Agenda	1 – 8	E F
IOC/ABE-LOSIII/3	Summary Report	7	E F
IOC/ABE-LOSIII/4	List of Documents (<i>This document</i>)	2.3	E.F
IOC/ABE-LOSIII/5	Provisional list of Participants	-	-
IOC/ABE-LOSIII/6	Chairman's report on IOC/ABE-LOS activities during the intersessional period (<i>Elie Jarmache</i>)	3.1	E F
IOC/ABE-LOSIII/7	Progress Report of the Chairman of the IOC/ABE-LOS Sub-Group on the Transfer of Marine Technology and Draft of the IOC Criteria and Guidelines for the Transfer of Marine Technology (<i>Ariel Gonzalez</i>)	3.2	E F
IOC/ABE-LOSIII/8	Progress Report of the Chairman of the IOC/ABE-LOS Sub-Group on the possible establishment of an IOC internal appropriate procedure related to an effective use of Article 247 of UNCLOS on marine scientific research projects undertaken by or under the auspices of international organizations (<i>Alfred Soons</i>)	3.3	E F
IOC/ABE-LOSIII/9	Report of the Secretariat on the results of the analysis of the IOC questionnaire n°3 on the practices of States in the field of MSR and TMT, (<i>IOC Secretariat</i>)	3.4	E F

Document Code	Title	Agenda Items	Lang.
INFORMATION AND OTHER REFERENCE DOCUMENTS			
IOC/ABE-LOSIII/Inf.1	Practical information	-	E F
IOC/ABE-LOSIII/Inf.2	Resolution EC-XXXV-7	all	E F
IOC/ABE-LOSIII/Inf.3	Resolution A/RES/57/141 of the UNGA on oceans and the law of the sea	all	E F
IOC/ABE-LOSIII/Inf.4	Blank copy of the IOC questionnaire n°3	3.4	E F
IOC/ABE-LOSIII/Inf.5	Report of the IOC/ABE-LOS II meeting	all	E F
IOC/ABE-LOSIII/Inf.6	Report of the Secretariat on the results of the analysis on practice of States in the field of marine scientific research and transfer of marine technology through the IOC questionnaire n°2 (<i>presented at the IOC/ABE-LOS II meeting</i>)	3.4	E. only
IOC/INF-612	Marine Science and Ocean Services for Development: UNESCO /IOC Comprehensive Plan for a Major Assistance Programme to Enhance the Marine Science Capabilities of Developing Countries	all	E F
IOC/INF-1035	Summary Report of the First Session of the Open-ended Intersessional WG on IOC's Possible Role in Relation to the United Nations Convention on the Law of the Sea (IOC-LOS)	all	E F
	Scientific and technical requirements of GOOS in relation to UNCLOS	all	EFS
	MSR Guide to the implementation of the Relevant Provisions of UNCLOS	all	E F
	Table showing the current status of UNCLOS and of the Agreement relating to the implementation of Part XI of the Convention	-	E F

ANNEX VI

**PRESENTATION BY
Dr SILVANA VALLERGA
I-GOOS CHAIRPERSON**

Dr Silvana Vallergera described current I-GOOS activities and expressed her committee's interest in seeking greater cooperation with IOC/ABE-LOS. I-GOOS has four main goals for 2003-2004: 1) to transfer prototypes from scientific research to operations; 2) to learn from the activity of advanced regions for the benefit of all Member States; 3) to build capacities in all Member States; and 4) to facilitate observations in EEZs for operational forecasting.

I-GOOS has taken a number of initiatives to address these goals. An I-GOOS board has been established that will work inter-sessionally. *Inter alia* the board will address the first goal, together with the GOOS Steering Committee. The second goal is being addressed by the GOOS Regional Forum, established in 2002 with the participation of all GOOS Regions; the first meeting was held in Athens in December 2002, and a second is planned in Fiji in 2004.

Capacity building is a very important issue for I-GOOS. It is addressed through joint projects and exchanges of personnel to transfer technology and learn from each other. To this end, the joint proposal GRAND (GOOS Regional Alliances Network Development) has been submitted to the European Commission for funding. A successful example of joint projects is the Mediterranean project MAMA – Mediterranean network to Assess and upgrade the Monitoring and forecasting Activity in the basin. MAMA involves all Mediterranean countries and is funded by the European Commission.

To address the issue of facilitating observation in EEZs a working group was established, and it commissioned expert Peter Ryder to prepare a report, Scientific and Technical requirements of GOOS in relation to UNCLOS (IOC-WMO-UNEP/I-GOOS-VI/10). This report has been approved by I-GOOS-VI, and is submitted to IOC/ABE-LOS III for comments. The following suggestions emerged from the Ryder report, and were approved by I-GOOS-VI: 1) to develop, at an integrated regional or global programme level, mechanisms for obtaining consent to carry out MSR in territorial waters, EEZs, and continental shelves under the terms of UNCLOS and the auspices of IOC; 2) to exclude from consent provisions the collection of data for operational marine-state forecasts (up to 10 days), within international programmes, as is done now for meteorological data; 3) under capacity building, (i) to extend the practical and material assistance provided for World Weather Watch of WMO, (ii) to involve all Member States in joint projects to transfer technology and raise capacity, and (iii) to deliver emerging products to Member States.

I-GOOS is seeking suggestions and support on these issues from IOC/ABE-LOS, and in this respect will recommend to the IOC Assembly at its 22nd session, that IOC/ABE-LOS provide advice on the legal framework applicable to the collection and management of oceanographic data in EEZs. I-GOOS in turn will offer advice to IOC/ABE-LOS on the specific technical and scientific context.

ANNEX VII

**STATEMENT BY
Dr PATRICIO BERNAL
ASSISTANT DIRECTOR GENERAL, UNESCO
EXECUTIVE SECRETARY, IOC**

M. Secretary of State Assistant of the Minister for Science and Higher Education,
M. President of the Portuguese Foundation for Science and Technology
M. President of the Portuguese Committee for IOC,
M President of the Advisory Body of Experts on the Law of the Sea.
Distinguish governmental experts,
Ladies and Gentlemen,

It gives me great pleasure to welcome you to this Third Meeting of the IOC Advisory Body of Experts on the Law of the Sea (IOC/ABE-LOS III). First of all, I would like to express my gratitude to the Government of Portugal for accepting to host this meeting here in Lisbon and in particular to Prof. Mario Ruivo, Chairman of the Portuguese Committee for the IOC and its former Executive Secretary, for his continuous support to the IOC activities.

As you all know, the oceans have always played a fundamental role in the history and development of the Portuguese people. Since the 15th century, the history of Portugal is strongly linked to the seas, and still today the oceans play a major role in shaping its national and foreign policies. The establishment in 1990 of the Portuguese Committee for the IOC has been a cornerstone of this endeavour. I am pleased to be informed that the present Portuguese government has continued this long-term state policy of playing an active role in the promotion of oceans related matters at national, regional and international levels.

As a designated competent international organization under UNCLOS for UNESCO and its IOC, it is an obligation to contribute to the implementation of UNCLOS, in particular Part XIII (on marine scientific research) and XIV (on the development and transfer of marine technology).

The importance of both marine scientific research and transfer of marine technology have been recently highlighted at the different sessions of the UN Open-ended informal consultative process on oceans and the law of the sea (ICP 1, 2 and 3) as well as at the 55th, 56th and 57th Sessions of the UN General Assembly.

Last year Resolution A/RES/57/141 from the General Assembly in its paragraph 23 stated the following: *“Stresses the importance of the issues of marine scientific and technology and the need to focus on how best to implement the many obligations of States and competent international organizations under Part XIII and Part XIV of the Convention, and call upon States to adopt, as appropriate and in accordance with international law, such national laws, regulations, policies and procedures as are necessary to promote and facilitate marine scientific research and cooperation, especially those relating to consent for marine scientific research as provided for in the Convention;”*

In this regard we can see Resolution XIX-19 adopted by the 19th Session of the IOC Assembly in 1997 establishing the Advisory Body of Experts on the Law of the Sea (IOC/ABE-LOS) answers to this call. I note with satisfaction the growing number of national

experts joining this group. I would express my deep gratitude to the Governments of Australia, Belgium and France for their financial contributions to the IOC Trust Fund. These contributions have allowed the IOC to provide financial support to about 19 experts from developing countries to attend this meeting.

The IOC/ABE-LOS has held two annual meetings. The 35th Session of the IOC Executive Council in June 2002 adopted the Resolution EC-XXXV-7, which requested the IOC/ABE-LOS to continue working in close co-operation with UN/OLA/DOALOS on the following three issues: 1) The elaboration of the IOC Criteria and Guidelines on the Transfer of Marine Technology (TMT); 2) The IOC Internal Procedures related to an effective and appropriate use of Article 247 of UNCLOS; and 3) The collection and analysis of information from Member States on their practices in the fields of marine scientific research and transfer of related marine technology;

The work of the group dealing with the first issue on the TMT, chaired by Mr. Ariel Gonzalez from Argentina, is expected to be finalized during this meeting. The second one dealing with the IOC procedure in relation to Article 247 of UNCLOS chaired by Prof. Alfred Soons, from the Netherlands, has been revised and is included in the agenda of this meeting for your consideration

With regard to the report of the IOC Secretariat on the data compilation and analysis of the IOC questionnaire n°3, I would like to take this occasion to invite those Member states that did not answer yet to do so. In fact, I hope that the Secretariat would be able to finalise and publish a CD ROM with the results from the completed questionnaires for the coming Assembly of the IOC.

I note with satisfaction the participation in this meeting of the I-GOOS Chair, showing that we are succeeding in establishing better communication among the IOC subsidiary bodies, as required by the 35th IOC Executive Council in June 2002.

Together, we stand a good chance to succeed in making a significant contribution towards concrete and generally accepted guidelines on MSR and TMT that are both necessary for the implementation of Part XIII and XIV of UNCLOS. I am confident that with your help we shall be able to strengthen the credibility of this enterprise of IOC by providing the indispensable expertise, support and follow-up it requires.

I would also like to thank all the Portuguese staff that is helping us in the organisation and everyday running of this meeting and reiterate once more our warm thanks to the Government of Portugal for hosting this meeting here in Lisbon.

Please accept my best wishes for a successful outcome of this Session of IOC/ABELOS.

Thank you.

Lisbon, 12 May 2003

ANNEX VIII

**STATEMENT BY
JOSE MANUEL PINTO PAIXÃO
HIS EXCELLENCY THE DEPUTY SECRETARY OF STATE OF THE
MINISTER OF SCIENCE AND HIGHER EDUCATION**

It is my great pleasure to welcome you, on behalf of the Portuguese government, to this 3rd Meeting of the “Advisory Body of Experts on the Law of the Sea”, here at the Fundação Calouste Gulbenkian, a location whose ambience is so favourable to reflection and to the spirit of co-operation and solidarity. In addition to the work we have on the agenda, I hope you will have the opportunity to get to know a little of Lisbon, a maritime city par excellence and the capital of a country – Portugal – whose own history, culture and place in the world are closely linked to the ocean, marked by the ocean’s mysteries and risks, as they have been in the past, and open to scientific discovery and alert to its potential used to serve humanity, as they are today.

For the Portuguese people, the ocean has always been a space for interaction with other peoples and cultures, its very nature and immensity being stimulation to co-operation and solidarity. Portugal considers it highly important that the Member States and the respective scientific and technical communities collaborate on ocean issues, at bilateral, European and global levels, to gain a sounder knowledge of its natural processes, resources and the marine environment. Multilateralism, particularly within the United Nations system, has made it possible for objectives to be developed, consolidated and expanded - and Portugal has been actively involved in this process.

Considering the mandate of this Group of Experts on the Law of the Sea in its interface with scientific research and aspects associated with the transfer of technology, I would like to pay tribute to the important role played by the Intergovernmental Oceanographic Commission of UNESCO and by the United Nations for the last quarter of a century, which has included negotiating the Convention on the Law of the Sea, considered to be one of the most important standards for the action of this organisation.

Let me point out that, as well as its intrinsic value, for the scientific community the Convention is also a symbol of the practical value of science and knowledge for the rational governing of the ocean.

Remember how progress made by oceanography in the decades before the Convention was signed in Montego Bay, on 10th December 1982, conditioned the spirit and content of the treaty which, in its own words, recognises that “the problems of ocean space are closely interrelated and need to be considered as a whole”. Also of significance has been the innovative way in which the treaty has covered issues related to the management of live resources, the protection of the marine environment, the declaration of the sea-bed as a common heritage of Humanity, and the marine research system, of special importance for this meeting’s agenda. Portugal was actively involved in this area during the negotiation of UNCLOS and, bearing IOC in mind, proposed the first draft of what would become the Article 247 on “Marine Scientific Research Projects undertaken by or under the auspices of international organisations”, an aspect which we continue to follow closely.

Scientific knowledge of the ocean and its interaction with the continents, the atmosphere, the biosphere and, more recently, with human societies, has progressed considerably over the last few decades.

One of the things that has come out of the programmes of the IOC and the activities of other bodies in the United Nations System in marine research and the structuring of monitoring systems, has been the growing determination of the world community to respond effectively to various forms of man-made environmental deterioration, a situation which contrasts with otherwise promising perspectives for the future in terms of economic, social, sustainable and united development. The Johannesburg Declaration and the Programme of Action adopted by the Summit show how integrated management based on knowledge and scientific data are considered to be of increasing importance.

This is why Portugal values the importance of the IOC as an appropriate institution for promoting international co-operation for scientific research on the ocean, and for the development of associated services – of which GOOS is a central element in its dual dimension of oceans/atmosphere; coastal zone/pollution. The Member States therefore share responsibility for creating the conditions favourable to national capacity building in the sciences and technologies of the sea and to the sharing of knowledge and data, which support the respective policies, for the good of humanity. We are, therefore, particularly in favour of the growing recognition of the IOC's role as a "functionally autonomous" body within UNESCO and, on this point, remember the honour and privilege of a Portuguese scientist being associated with (and responsible for) the IOC Secretariat for over a decade.

I would like to conclude by reaffirming that the Portuguese government (as the Portuguese Prime Minister, Durão Barroso, made clear in his declaration at the Johannesburg Summit), considers the development of international co-operation on Ocean Affairs to be of the greatest importance, and that the scientific and technical aspects of this area are cohesive elements which determine sustainable development. It is, therefore, our firm intention to guarantee the increasing participation of the Portuguese scientific and technical community in this collective effort and, its priorities and capacities permitting, lend support to the present process of institutional adaptation to new requirements for governing the ocean, based on legitimate institutions such as the IOC, and compliance with international law for which the UNCLOS is the most important instrument.

I would like to say, Mr. Executive Secretary of the IOC, Patricio Bernal, that we are open to considering appropriate ways of reinforcing our collaboration and support for the IOC, thereby enabling the Institute to fulfil its mandate and functions within the System of the United Nations. This objective has been advocated by the executive bodies of the Commission and referred to in the different Resolutions on the Ocean taken by the UN General Assembly, among which I would like to stress the important proposal to structure a System for Assessing the State of the Marine Environment in collaboration with the United Nations Environment Programme.

Seen from this perspective, the results of the activities of this group of experts are particularly important for the implementation of the System of Scientific Research established by UNCLOS in response to the evolution of the Sciences and Technologies of the Sea, particularly through the application of Article 247. I wish you every success with the work you are about to begin under the competent guidance of the President of this Advisory Body of Experts, Elie Jarmache, and the Co-ordinators, Ariel Gonzalez and Alfred Soons.

ANNEX IX

**STATEMENT BY
EMB. ANTÓNIO MARTINS DA CRUZ
H.E MINISTER OF FOREIGN AFFAIRS AND PORTUGUESE COMMUNITIES**

We are honoured to host this meeting of the advisory body of experts on the Law of the Sea, one of the working groups of the Intergovernmental Oceanographic Commission. I praise your work, under the guidance of IOC's Executive Secretary, Dr Patricio Bernal.

This meeting in Lisbon is important for several reasons:

- The activities of your group are particularly related to the Convention on the Law of the Sea, a real "constitution" for the Oceans, as was described recently by Secretary General Kofi Annan.
- You are meeting in the framework of the Intergovernmental Oceanographic Commission, a UNESCO structure which we greatly value.
- Your current mandate deals with essential issues for the fulfilment of all the possibilities open by the Montego Bay Convention, in particular the question of cooperation and transfer of technology.
- This meeting in Lisbon provides us with the possibility of sharing with you the importance Portugal's foreign policy attaches to the Oceans, as well as our commitment to an integrated approach to the related international agenda:
 - o Portugal chose *the Oceans and their future* as the topic for the Universal Expo, held here in Lisbon in 1998.
 - o Prime Minister Durão Barroso dedicated to the Oceans part of his remarks at the recent Johannesburg Summit.
 - o My own intervention in Johannesburg was made in a major event on the subject of Oceans.
 - o Portugal was asked by its partners to lead the European Union position in the negotiation of the chapter of the Plan of Action dedicated to the oceans.

Last year, the UN commemorated the 20th anniversary of the Convention of -the Law of the Sea. The belief today, worldwide, is that the Montego Bay Convention is a major achievement it is fast approaching 157 signatures (119 on the first day) and 138 ratifications.

We have with us today one of the leading figures of the Portuguese delegation that negotiated that Convention. Professor Mario Ruivo, currently Chairman of the Portuguese Committee for the IOC, who was indicated in the UN as a key figure to be honoured during the 20th anniversary commemorations. Professor, thank you for your continued commitment to this cause.

Encompassing all the relevant aspects of Sea governance, the Law of the Sea translates the acknowledgement that the Oceans have to be preserved as a common heritage of Mankind. They must be protected and understood, for the sake of future generations.

This gains more relevance when we consider that more than half of the world's population lives near the sea, at a density twice the global average, exposed to the threats of floods, storms, changes in sea levels and coastal erosion.

Several international and regional instruments, as well as other organisations, are dealing with this reality. Nevertheless, integrated approaches are still missing.

The work of the IOC group is part of the chain that connects all the aspects impacting on Oceans. The activity you have been pursuing is an important part of this chain, together with other IOC bodies and groups.

The importance and specificity of the IOC lies, in our view, in the fact that the Oceans and their underlining interactions are still a reality to be fully known and understood. This is why scientific research and cooperation are key features for an integrated and successful approach to present and future issues regarding the Oceans.

This approach is top priority in IOC activities, giving birth to joint research and joint activities with other organisations, such as the case of the Global Ocean Observing System, operated jointly by the IOC, the World Meteorological Organisation and the United Nations Environment Programme.

Being a coastal State with a history and a tradition closely related to the seas, it goes without saying that my country continues to be ready to share with IOC partners the resulting knowledge and capabilities in this field.

We are also deeply involved in the current EU efforts to advance a Strategy for the Marine Environment and an integrated approach for coastal management. In the aftermath of the *Prestige* disaster last year we believe Member States of the European Union should contribute to the enhancement of the overall maritime safety system, in order to reduce the risk of accidents, marine pollution from ships, and the loss of human lives at sea. For all these reasons we have proposed this city of Lisbon to host the headquarters of the European Maritime Safety Agency.

In parallel, the Portuguese candidacy to the Vice-Chair of the IOC should also be seen as a way to further strengthen the Organisation and bring additional impetus to its long-term objectives.

Allow me to end these remarks congratulating to the full success of your meeting. I hope that you may still have some time left to enjoy Lisbon and the sea nearby.

ANNEX X

LIST OF ACRONYMS

ABLOS	IHO/IAG/IOC Advisory Board on the (Technical and Scientific Aspects of the) Law of the Sea
CLCS	Commission on the Limits of the Continental Shelf
UN/OLA/DOALOS	Division for Ocean Affairs and Law of the Sea, Office of Legal Affairs, United Nations
EEZ	Exclusive Economic Zone
GOOS	Global Ocean Observing System
IOC/ABE-LOS	Advisory Body of Experts on the Law of the Sea
ICP	United Nations Informal Consultative Process on Ocean Affairs
I-GOOS	IOC-WMO-UNEP Intergovernmental Committee for the Global Ocean Observing System
IOC	Intergovernmental Oceanographic Commission (UNESCO)
JCOMMOPS	<i>In situ</i> Observing Platform Support centre of the Joint IOC-WMO Technical commission for Oceanography and Marine Meteorology
MSR	Marine Scientific Research
TEMA	Training, Education, and Mutual Assistance programme (IOC)
TMT	Transfer of Marine Technology
TMTA	Transfer of Marine Technology Application
UNCLOS	United Nations Convention on the Law of the Sea
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNGA	United Nations General Assembly
WSSD	World Summit on Sustainable Development