



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

Ninth Session

Paris, France

30 March–3 April 2009

Intergovernmental Oceanographic Commission
Reports of Meetings of Experts and Equivalent Bodies

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1. OPENING AND WELCOMING ADDRESSES

The Executive Secretary of IOC and Assistant Director-General of UNESCO, Mr Patricio Bernal, and the Chairman of the IOC Advisory Body of Experts on the Law of the Sea (IOC/ABE-LOS), Mr Elie Jarmache, opened the Ninth Meeting of IOC/ABE-LOS at 10:10 a.m. on Monday 30 March 2009.

Mr Jarmache welcomed the participants. He recalled that, at the Eighth Session of the IOC/ABE-LOS, he expressed his wish not to continue as its Chairman, but the absence of a candidate made it to continue his chairmanship. In the intersessional period, ABE-LOS had responded effectively to the mandate given to it by the IOC Assembly and had been able to convey concrete results to the Executive Council at its Forty-first Session.

The List of Participants is in **Annex III** to the present report.

2. ADMINISTRATIVE ARRANGEMENTS

2.1 DESIGNATION OF THE RAPPORTEUR

The Advisory Body was invited to designate a Rapporteur for the meeting in accordance with the IOC Rule of Procedure no. 25. The Executive Secretary reminded ABE-LOS that the role of the Rapporteur is to scrutinize the report produced by the Secretariat to ensure that it reflects faithfully the interventions of Member States during the present session.

In the absence of proposals from Member States, the Chairman proposed having one Rapporteur for each day and he proposed Mr Cherif Sammari (Tunis) for Monday 30 March. Dr. Pierre Maganga. (Gabon) agreed to be the Rapporteur for Tuesday 31 March, and Dr. Montserrat Gorina-Ysern (Timor Leste) agreed to be the Rapporteur for Wednesday 1 April. Lt.Cdr. (ret.) Roland Rogers (UK) agreed later to be appointed Rapporteur for Thursday 2 and Friday 3 April.

The Advisory Body agreed to the Chairman's proposal and to the Rapporteurs indicated above.

2.2 ADOPTION OF THE AGENDA

The Chairman informed the Advisory Body that Portugal had requested by e-mail the addition of an agenda item on "Issues for future consideration by IOC/ABE-LOS".

The Advisory Body thus amended and then adopted the Agenda, as well as the Timetable (Doc. IOC/ABE-LOS IX/1 Add. Prov.), with the additional item (3.4.2) suggested by Portugal. The adopted Agenda is in **Annex I** to the present report.

2.3 DOCUMENTATION

The Chairman introduced the list of documents (Doc. IOC/ABE-LOS IX/4 prov.); he indicated that all documents for the meeting were available in English and French. The final List of Documents is in **Annex II**, and the List of Acronyms is in **Annex IV**, to the present report.

3.3 CONDUCT OF THE SESSION

The Chairman informed the participants of the working hours of the session and that a presentation would be made by Mr. Laurent Mortier (France) on Thursday afternoon on "gliders", which are devices for the acquisition of ocean data and which could fall within the mandate of the Advisory Body.

3. REPORT ON THE INTERSESSIONAL ACTIVITIES

3.1. REPORT OF THE SECRETARIAT ON THE INTERSESSIONAL ACTIVITIES

The Chairman introduced this agenda item. He recalled that, at its Eighth Session, ABE-LOS adopted a recommendation containing the Guidelines for the Implementation of Resolution XX-6 of the IOC Assembly Regarding the Deployment of Profiling Floats in the High Seas within the Framework of the Argo Programme. This recommendation was submitted to and approved by the Executive Council at its Forty-first Session, as Resolution EC-XLI.4. As instructed by this Resolution, that invites the Advisory body to continue its work, the Secretariat issued Coordinator's Circular Letter no. 15 dated 17 November 2008 and no. 16 dated 19 March 2009 on the implementation of these Guidelines. The Chairman also informed the participants on the updating by UN/OLA/DOALOS of the "Marine Scientific Research: a Guide to the Implementation of the Relevant Provisions of the United Nations Convention on the Law of the Sea." Also, a presentation on behalf of the Coordinator of the Advisory Body's Sub-Group on the Practice of Member States in the Application of Parts XIII and XIV of UNCLOS, Liz Tirpak (USA), who could not attend the present meeting, would also be made on Questionnaire 3 on the "Practice of States in the Fields of Marine Scientific Research and Transfer of Marine Technology."

The Executive Secretary informed the Advisory Body that the Secretariat has been working on the implementation of Resolution EC XLI.4, consulting with Member States and other bodies on the implementation of the Guidelines, as well as maintaining the IOC/ABE-LOS website. Through IOC Circular Letter 2271 dated 8 December 2008, the Secretariat invited Member States to consider and use the Guidelines for the Implementation of Resolution XX-6 of the IOC Assembly Regarding the Deployment of Profiling Floats in the High Seas within the Framework of the Argo Programme. Argentina and Peru confirmed that their countries had requested to be notified of the deployment of any Argo float in the high seas which may enter jurisdictional waters, according to Articles 1 and 3 of the Guidelines.

The Executive Secretary informed the Advisory Body that he will participate in the UN/OLA/DOALOS Experts Meeting in New York (20–24 April 2009) on the updating of the "Marine Scientific Research: a Guide to the Implementation of the Relevant Provisions of the United Nations Convention on the Law of the Sea".

He recalled that the Executive Council, at its Forty-first Session, also requested IOC/ABE-LOS to continue its work on the UNCLOS legal framework applicable to the collection of oceanographic data by other specific means. The UN General Assembly has recognized that IOC/ABE-LOS has made a significant contribution to the implementation of the UNCLOS through the publication of the "Criteria and Guidelines on the Transfer of Marine Technology." However, the scarcity of resources has limited the action of the Secretariat; for example, the creation of an electronic "clearing house" to provide a place for providers and users of marine technology to meet, in the spirit of the Guidelines and of Article 247 of UNCLOS.

Regarding the implementation of Article 247 of UNCLOS, the Executive Secretary indicated that the Secretariat has disseminated these Guidelines. However, very few formal requests have been submitted to the Secretariat

The Executive Secretary noted that IOC/ABE-LOS has been able to produce and codify guidelines for the use of the Member States, but does not necessarily play a role in the implementation of these Guidelines. For example, in his view, the application of the Criteria and Guidelines on the Transfer of Marine Technology does not fall within the mandate of the IOC/ABE-LOS, but is directly related to other IOC programmes that do actively promote or implement transfer of marine technology, as was the case in the aftermath of the Indian Ocean tsunami disaster (26 December 2004) during which, modelling and inundation mapping technologies were transferred in the context of the Commission's capacity-building activities.

Some Member States requested specific information on the intersessional activities of the Secretariat, in particular on the implementation of Resolution EC XLI.4 and of the Criteria and Guidelines on the Transfer of Marine Technology. The Executive Secretary agreed that, for future meetings of IOC/ABE-LOS, the Report of the Secretariat on Intersessional Activities should be made available as a written document. One Member State requested detailed information on the number of responses to Circular Letter 2271 and on the current list of Argo Focal Points. Another Member State observed that the IOC/ABE-LOS website, while improved, was not yet fully satisfactory.

Two Member States suggested that IOC could organize regional workshops to promote the application of the Criteria and Guidelines on the Transfer of Marine Technology.

One Member State disagreed with the statements regarding the implementation of the Criteria and Guidelines on the Transfer of Marine Technology, and the Procedures for the Implementation of Article 247 of UNCLOS. Concerned by the overall implications of this lack of implementation, this Member State indicated that it was ready to prepare and submit a recommendation to the IOC governing bodies to instruct the Secretariat to produce a document with proposals for implementing these two IOC/ABE-LOS products.

3.2 REPORT OF THE CHAIRMAN ON THE INTERSESSIONAL ACTIVITIES

The IOC/ABE-LOS Chairman, Elie Jarmache, introduced this item, presenting the information document IOC/ABE-LOS.VIII/INF-02 which summarizes some of the recent international events on Law of the Sea. In the following debate, it was concluded that marine science is an important topic in the international agendas of States. The Advisory Body concluded that some of the topics raised here should be discussed under point 3.4 of the agenda.

The IOC Executive Secretary recalled the subsidiary character of the Advisory Body of Experts with respect to the governing bodies of IOC and read the first paragraph of its Terms of Reference, highlighting the importance of fulfilling the mandate given by the Assembly and Executive Council while giving due consideration to the existence and competence of other fora.

3.3 PROGRESS REPORT BY THE COORDINATOR OF THE SUBGROUP ON THE IOC LEGAL FRAMEWORK FOR THE COLLECTION OF OCEANOGRAPHIC DATA WITHIN THE CONTEXT OF UNCLOS

The Coordinator of the ABE-LOS Sub-Group on the IOC Legal Framework for the Collection of Oceanographic Data within the Context of UNCLOS, Professor Kari Hakapää, introduced this item. He recalled that the Advisory Body, at its Eighth Session, adopted a recommendation to the Executive Council which, at its Forty-first Session, adopted Resolution EC-LI.4 "Guidelines for the implementation of Resolution XX-6 of the IOC Assembly regarding the deployment of profiling floats in the high seas within the framework of the Argo Programme."

He then reminded the Advisory Body that the mandate of the Sub-Group was set by Resolution IOC XXIII.8 (June 2005) which called on IOC/ABE-LOS to propose practical guidelines for the conduct of the following activities:

- (i) the deployment of floats on high seas which may drift into EEZs,
- (ii) the deployment of floats and surface drifting buoys in EEZs
- (iii) the deployment of XBTs by ships of opportunity in EEZs.

The Guidelines adopted through Resolution EC XLI.4 address the first of these activities, concerning deployment of floats on the high seas which may drift into EEZs. This suggests that the “other specific means” referred to in the last but one paragraph of Resolution EC XLI.4 refer to the remaining two items of the mandate.

Having this in mind, Professor Hakapää prepared ABE-LOS Circular Letter 15 (17 November 2008) on the adoption of the Guidelines. The Circular Letter 15 recalled that Resolution IOC EC-XLI.4 invited Member States to report to the IOC Assembly, at its Twenty-fifth Session, on the implementation of these Guidelines. It also sought the advice of Member States on the preparation of further work, which was restated in Circular Letter 16 (19 March 2009). More specifically, the Coordinator proposed that it is now for IOC/ABE-LOS to consider, in view of the progress achieved to date, how to move on with its work, including possible recommendations to the next IOC Assembly concerning any refinement of the mandate contained in Resolution XXIII-8. Member States were asked to submit comments and suggestions by 31 January 2009. Eight Member States responded to Circular Letter 15: Argentina, Benin, Canada, Egypt, The Netherlands, Senegal, United Kingdom, and United States of America. In view of this small number of responses, he proposed that Member States express their views on the issues raised in Circular Letter 15, particularly on the refinement of the mandate, as expressed in Resolution IOC XXIII.8.

Several Member States expressed their gratitude to the Coordinator of the Sub-Group on the IOC Legal Framework for the Collection of Oceanographic Data within the Context of UNCLOS for the work already accomplished and for his continuous, detailed and committed work.

Some Member States stated that the first issue to be addressed by ABE-LOS is how the implementation of the Guidelines approved through Resolution EC-XLI.4 has been organized and whether there are any difficulties in their implementation. The Advisory body could then learn from the implementation of the Guidelines to initiate discussions on legal frameworks applicable to other means of collecting oceanographic data.

Several Member States indicated that IOC/ABE-LOS does not have a mandate to implement the Guidelines and therefore it could have an informal exchange of views on these aspects, as a means, for example, of better informing the Assembly, but not with a view to reviewing or revising the implementation of the Guidelines. These Member States took the view that new items to be added to the Advisory Body's mandate, or issues to be dealt with by ABE-LOS, should be identified by IOC Member States at the Assembly.

Some Member States informed the Advisory Body of their experiences in the application of the Guidelines, both as Argo float deployers on the high seas and as coastal States that could receive Argo floats drifting into their respective EEZs.

Several Member States indicated that the Secretariat should take a more active role so as to ensure wide dissemination of the Guidelines among IOC Member States, in particular to the concerned marine scientific community. Some Member States indicated that

this dissemination should be done particularly in countries that deploy Argo floats and also in the larger number of countries that are potential receivers of Argo floats within their respective EEZs.

One Member State expressed the view that if some automatic mechanism could be established to notify the deployer of the possibility that one of the deployer's Argo floats may drift into the EEZ of a Member State that has requested notification under the Guidelines, then this would be a useful tool for deployers in notifying the Member States concerned, using the procedures approved in the Guidelines. Several Member States supported this opinion. Another Member State indicated that it could not accept an automatic notification mechanism that does not come from a responsible implementer, owing to the essentially bilateral mechanism the Guidelines have set up.

The Executive Secretary commented on the active part of Resolution EC-XLI.4 which "Requests the Executive Secretary: [...] (ii) to take necessary action to develop practical, routine procedures with Member States and the relevant bodies, to implement the Guidelines;" For the Secretariat the relevant bodies are those that oversee the Argo Programme either through the relevant WCRP projects (CLIVAR) or through the committees overseeing the global operational observation system in JCOMM. Under this interpretation, IOC/ABE-LOS, which was directly involved in the elaboration of the Guidelines, should not be necessarily implicated in the implementation of the Guidelines, although the Advisory Body is quite free to offer its advice if it so decides.

One delegation indicated that Russian experts continue to work on the complicated legal problem of marine scientific research and Argo programme floats. The Russian Federation is interested in receiving the data on the World Ocean which are necessary for the evaluation of the state of the marine environment and for the development of coastal territories. The collection of oceanographic data by Argo floats is viewed as residing in the field of marine scientific research and as such has to be considered under Part XIII of UNCLOS. If there is a possibility that drifting buoys may enter the EEZ of a coastal State, this State has not only to be informed well in advance, but also give its consent to such an entry or withhold its consent. Under Russian legislation the collection of data is qualified exclusively as a research activity not an operational one. For this delegation the knowledge, international law does not define the term "collection of data". There is a need to work out a special convention which would govern the problems of oceanographic data collection. Such a convention is necessary because the Guidelines are not legally binding and do not regulate such important questions as:

- Responsibility in the case of an emergency
- Legal status of the drifting buoys
- Restitution of the drifting buoys from the EEZ of the coastal State.

The Chairman suggested to this delegation to consider reiterating its statement at the IOC Assembly, as a more appropriate forum for dealing with the request for the development of a new convention.

One Member State suggested that the Executive Secretary issue two Circular Letters: one reproducing Resolution EC-XLI.4 in full and another one updating the list of Member States requiring to be notified under the procedures described in the Guidelines for the implementation of Resolution XX-6 of the IOC Assembly regarding the deployment of profiling floats on the high seas within the framework of the ARGO Programme.

Professor Hakapää, summarizing the debate, suggested that an exchange of views on the implementation of the Guidelines was desirable, given the low number of responses to ABE-LOS Circular Letter 15. From the exchange of experiences, in particular with respect to the establishment of cooperative bilateral relationships, it appears that, to date: there is no

indication of errors in the Guidelines; they have certainly not yet been fully implemented and they do serve the implementation of Resolution IOC XX.6.

The Advisory Body agreed that it had completed its work on the deployment on the high seas of Argo floats that may drift into EEZs of coastal States, by finalizing the Guidelines approved by the Executive Council.

The Advisory Body then discussed the deployment of floats and surface drifting buoys in EEZs, as per point (ii) of the instructions given to ABE-LOS by the IOC Assembly through Resolution XXIII-8.

Prof. Hakapää introduced this discussion by recalling that ABE-LOS had already discussed some aspects of this part of the mandate. There is however a new circumstance which is that the Advisory Body recommended, and the Executive Council approved, the “Guidelines for the Implementation of Resolution XX-6 of the IOC Assembly Regarding the Deployment of Profiling Floats in the High Seas within the Framework of the Argo Programme.” Prof. Hakapää therefore proposed an exchange of views on:

- (a) What are the real problems as of today?
- (b) Should we continue with other instruments or focus on Argo floats?
- (c) Should measures similar to those adopted in the Guidelines be also applicable in this case?

One Member State proposed to continue the work of the Advisory Body by analysing the use of Argo floats as the main instrument under the applicable legal framework. The Advisory Body agreed to focus its discussion first on Argo floats.

Some Member States provided specific examples of deployment of Argo floats within their EEZs in the framework of research programmes designed for other purposes and which included also the deployment of other devices. In these cases, the regular requests for research authorization have been applied and no specific problems have arisen.

Some Member States highlighted the interest of Argo float deployments and their importance for all coastal States. They underscored the need to keep this programme ongoing and requested more information on the existing policies or procedures to deploy Argo floats within EEZs.

One Member State explained that the Argo array was developed, primarily, to provide the observations necessary to understand ocean circulation and heat storage. To that end, deployment of an individual instrument in a specific coastal region may not be significant; however, having relatively uniform coverage of the world's oceans greater than 1,000 metres in depth is critical to meet these objectives. The majority of the floats are deployed on the high seas. If it is necessary to deploy within EEZs, the practice is to establish cooperative bilateral agreements or to request permission of the coastal State. There is no written protocol, but there is a practice is working well.

The Chairman summarized the discussions and concluded that, either through the different experiences related at the present meeting or through the sharing of information on specific practices, the Advisory Body is agreed that there are no specific problems in the deployment of Argo floats within EEZs that might require the development of a specific legal framework.

One delegation stated that it believes that the routine collection of ocean observations in near-real-time that are distributed freely and openly, and are used for monitoring and forecasting of ocean state, for weather forecasts and warnings, and for climate prediction, is analogous to the collection of marine meteorological data, and therefore is not marine scientific research regulated by Part XIII of UNCLOS, as decided by the Third UN Conference on the Law of the Sea. Nevertheless, this delegation agreed that the deployment of Argo floats in EEZs is a bilateral matter that has worked and continues to work well and, therefore, does not require any guidelines by ABE-LOS. Several Member States agreed with this statement.

Another delegation agreed with the Chairman that there is no need for specific guidelines and asked to include in full in the present report its statement on this question made at the Eighth Session of IOC/ABE-LOS: "Argentina reaffirmed that all activities directed at obtaining scientific data by instruments in situ in the jurisdictional waters of Coastal States are subject to the substantive provisions of Part XIII of UNCLOS – in particular, those asserting the consent of the Coastal State presiding such activities, in protection of its sovereign rights and jurisdiction over living and non-living resources. ABE-LOS should not be used as a forum to attempt to revert this fact. Eventually, such issues should rather be addressed at the Meetings of States Parties to UNCLOS in New York."

The same delegation also indicated that, in relation to the deployment of profiling floats under the Argo Programme, Argentina will apply Part XIII of UNCLOS, and in particular Article 258 of the Convention, to the deployment of any such floats in the EEZ.

One expert, as pro bono advisor to one Member State, speaking in her personal capacity and in the *Amicus Curiae* tradition, explained that the two boxes, Marine Scientific Research (MSR) and non-Marine Scientific Research (non-MSR), can have a communicating mechanism in the form of Article 4 of the UN Framework Convention on Climate Change (UNFCCC) and Article 59 of UNCLOS relating to the doctrine of residual rights. These Articles emphasize the need for States to cooperate and constitute a compromise to conciliate the two positions in a cooperative manner.

Several Member States considered it useful that IOC explore the use of Article 247 of UNCLOS in the framework of deployment of Argo floats in EEZs.

In response, several other Member States declared that they do not consider it either appropriate or useful to explore the use of Article 247 in this context, because they consider that Part XIII of UNCLOS does not apply to the deployment of Argo floats in EEZs.

One Member State stated that it finds inappropriate that the Summary Report make a reference, even by way of a mere possibility, to the procedure of Article 247 of the United Nations Convention on the Law of Sea (hereinafter 1982 Convention). At an early point during the discussions of the IOC/ABE-LOS Sub-Group on the IOC Legal Framework for the Collection of Oceanographic Data within the Context of UNCLOS, it was decided that the fundamental question of whether the subject matter was to be treated as marine scientific research under the 1982 Convention or not would not be addressed. Instead, the option was raised to try to work out practical guidelines that would facilitate the work of scientists trying to collect such data. Even though the collection of such data in the framework of the Argo project, by deploying floats inside the EEZs of coastal States, initially formed part of the compromise reached at the facilitating meeting organized on the initiative of the United States, in Easton, Maryland, which later served as starting point for the discussions on the issue at the Eighth Session of the IOC/ABE-LOS, the relevant article treating floats directly launched in the EEZ was left out towards the end of that meeting in order to make it possible for the Advisory Group to produce a set of Guidelines for submission to the governing bodies of the IOC, before the end of that meeting. To reintroduce, during ABE-LOS IX, a reference,

in whatever form – and thus even as a mere possibility – to Article 247 is contrary to the above-mentioned agreement at the Easton meeting to omit the relevant article treating floats directly launched in the EEZ, which has formed the basis of our discussions on the issue from the beginning, since this article of the 1982 Convention is in Part XIII, entitled "Marine Scientific Research", and thus implies that the Argo project should be considered as marine scientific research. It is not because ABE-LOS restarted discussion of this specific issue as a separate agenda item during its Ninth Session that the underlying understanding, namely that it would not attempt to settle the issue whether the collection of such data was to be considered marine scientific research or not, would suddenly no longer apply. This Member State therefore regretted that other Member States have nevertheless thought it necessary to push for the inclusion of such an implicit reference to Part XIII of the 1982 Convention.

One Member State disagreed with the previous statement. In the view of this Member State, such statement has no basis in the applicable law regarding the collection of oceanographic data and, in particular, was fully inconsistent with Article 258 of UNCLOS, which applied Part XIII to the "deployment and use of any type of scientific research installations or equipment in any area of the marine environment" (underlined text not included in the original). Furthermore, this kind of statements served only to distract the attention from what should be the real concern of IOC: to facilitate an adequate implementation of Art. 247 as an additional tool in the promotion of marine scientific research. From the point of view of procedure, the Member State also questioned the addition of such statements directly in the final stage of adoption of the report.

The IOC Executive Secretary confirmed that the "Procedure for the application of Article 247 of the United Nations Convention on the Law of the Sea by the Intergovernmental Oceanographic Commission of UNESCO" has never been used. He indicated that some inquiries have been received in the Secretariat, but none has ended in an application. He suggested that the Advisory Body reflect on the need for an evaluation of the use of these Guidelines. He suggested that there is a risk that a number of scientific marine research initiatives will work completely outside the intergovernmental process.

The Advisory Body agreed that there is no need for specific guidelines on the deployment of Argo floats in EEZs and that such deployment should be considered within the framework of bilateral cooperation and agreements.

The Chairman then invited comments from Member States on the deployment of XBTs in EEZs by ships of opportunity, which is the third part (iii) of the instruction given to ABE-LOS by the IOC Assembly through Resolution XXIII-8. He suggested that the Advisory Body inform the Assembly that it has not been able to address this issue and that its mandate in this particular respect be discontinued.

Some Member States advocated the Advisory Body's consideration of the applicable legal framework for the collection of data by ships of opportunity using XBTs. They provided some examples of data being collected in their EEZs without prior governmental authorization. The Chairman suggested that these Member States could explore further the application of Part XIII to the examples mentioned, since these might be cases of undeclared research.

The IOC Executive Secretary informed the Advisory Body that the World Meteorological Organization (WMO) Voluntary Observing Ships (VOS) scheme dates back as far as 1853, as a uniform system for the collection of marine meteorological data from the oceans and the use of these data for the benefit of the shipping industry in the form of warning of extreme marine meteorological events. This programme does not necessarily make use of the deployment of XBTs, concentrating mostly on surface meteorological parameters such as sea-surface temperature, atmospheric pressure and wind velocity and

direction. The JCOMM Ships-of-Opportunity Programme makes use of volunteer merchant ships which routinely transit strategic shipping routes. Ships deploy XBTs at predetermined sampling intervals to acquire temperature profiles in the open ocean. The information obtained from these programmes is distributed through the Global Telecommunication System of WMO (GTS) and is freely available.

The Advisory Body agreed that there is no need for specific guidelines for the deployment of XBTs by ships of opportunity in the EEZs.

Again, as in the preceding discussion, several Member States considered that such deployment falls under Part XIII of UNCLOS, and several other Member States considered that the legal framework for marine scientific research, in Part XIII, does not apply to these cases.

The Chairman then invited the Advisory Body to discuss the interpretation of the IOC/ABE-LOS mandate with respect to the work of the Sub-Group on the IOC Legal Framework for the Collection of Oceanographic Data within the Context of UNCLOS, coordinated by Professor Kari Hakapää.

One Member State specifically requested a point of clarification on the second item of the mandate defined by Resolution IOC XXIII-8: Do the conclusions reached by the Advisory Body also apply to surface drifters and has the mandate therefore been completely exhausted?

The Chairman indicated that, in his view, the work of the Sub-Group is fully finished and therefore covers surface drifters.

The Advisory Body agreed that the mandate of the Assembly was very clear and has been fulfilled by the discussion and the consensus reached at the present session.

Professor Hakapää expressed his view that the Advisory Body had had a rich discussion at the present session which had also produced some useful results. He was happy to note that the Advisory Body had reached the end of one phase of its work. The subject being a delicate one, it had been a pleasure for him to be part of this work and had given him a lot of good memories to take away. He thanked all the participants for the opportunity provided.

The Chairman then informed the Advisory Body of the decision that needed to be made by the Executive Secretary to discontinue the services of Ms. Aurora Mateos as Technical Secretary of IOC/ABE-LOS. He thanked her for her devotion to IOC/ABE-LOS. Several Member States joined the Chairman in thanking Ms Mateos and in wishing her all the best in her future career. Several other Member States expressed their concern about the need to ensure adequate Secretariat support for the Advisory Body. One Member State added that this was a matter to be addressed at the highest level by the governing bodies of IOC, in particular in order to ascertain why ABE-LOS – the most successful programme of the Commission in terms of results achieved and interaction between the legal and the scientific oceanographic communities – was being subjected to such treatment.

The Chairman then referred to the expected departure of the present IOC Executive Secretary at the end of 2009. The Advisory Body expressed its thanks to Mr Patricio Bernal for his constant commitment to the IOC/ABE-LOS.

Ms Mateos expressed her gratitude to the Advisory Body for the positive experience she had had in working for it.

The IOC Executive Secretary thanked Ms Mateos. He then informed the Advisory Body on the procedure for the recruitment of the next Executive Secretary of IOC.

3.4 PROGRESS REPORT BY THE COORDINATOR OF THE IOC/ABE-LOS SUB-GROUP ON THE PRACTICE OF MEMBER STATES IN THE APPLICATION OF PARTS XIII AND XIV OF UNCLOS

The Chairman requested the Advisory Body's permission to open the session in the absence of the Executive Secretary.

One Member State insisted on the presence of the Executive Secretary or a member of the Secretariat before opening the session and protested the delay in assuring the Secretariat support for the deliberations of the Advisory Body. The Executive Secretary, on arrival, apologized for his delay, which was due to the pressure of IOC business, not least the preparations for receiving the Secretary-General of the UN and all the Heads of Programmes and Agencies in UNESCO Headquarters on 3–4 April 2009. The Member State reiterated that the concern was not with the absence of the Executive Secretary himself, but with the lack of any Secretariat support. The Member State also reminded the Chairman that the Rapporteur for the session should always be designated from among the members of ABE-LOS.

The Chairman invited Dr. Montserrat Gorina-Ysern (Timor-Leste) to be the Rapporteur. The Executive Secretary clarified the respective responsibilities of the Rapporteur and of the Secretariat in the preparation of the Draft Summary Report.

In the absence of the Coordinator of the ABE-LOS Sub-Group on the Practice of Member States in the Application of Parts XIII and XIV of UNCLOS, Ms Elizabeth Tirpak, the Chairman invited her colleague, Dr Elizabeth Kim (USA), to report on Questionnaire 3. She reminded the Advisory Body that the analysis of the Member State responses to the questionnaire had been tabled at ABE-LOS VIII (Paris, 21–25 April 2008), but it had not been possible to give it proper consideration. An update to the 2005 analysis, prepared by Ms. Tirpak, was before the Advisory Body as document IOC/ABE-LOS VIII/8.

Dr Kim presented the main results, with particular regard to marine scientific research (MSR) and to transfer of marine technology (TMT). Her PowerPoint presentation is available at the ABE-LOS website. Regarding the next steps ABE-LOS might take in the follow-up to the Questionnaire, Dr Kim suggested the publication of the results within the framework of the celebrations of the 50th Anniversary of IOC. She also stressed: the need to assist those Member States requesting help on the implementation of UNCLOS with respect to MSR and TMT; missions to determine the situation of unresponsive IOC Focal Points for the Law of the Sea; promotion of the use of observers (of MSR projects) to enhance collaboration between Member States in MSR and capacity-building; and the need to continue to implement Resolution XXIII-8 (of 2005). She also suggested that the Questionnaire itself could be updated by including additional responses received after the analysis in Document IOC/ABE-LOS VIII/8 was completed.

Following an ample debate, ABE-LOS arrived at a number of conclusions and identifiable Member State needs.

Regarding the Questionnaire exercise itself, ABE-LOS called on the Executive Secretary to issue a new Circular Letter inviting IOC Member States to reply or update responses, as appropriate, to Questionnaire N° 3 on the practice of States in the fields of marine scientific research and transfer of marine technology, in order to enable the ABE-LOS Sub-Group on the Practice of Member States in the Application of Parts XIII and XIV of UNCLOS to prepare an updated version of Document IOC/ABE-LOS VIII/8, to be included in

a written publication on the occasion of the 50th anniversary of the IOC and to be widely promoted on the IOC website; and to submit a report on such an updated version to IOC/ABE-LOS for consideration at its Tenth Session.

Regarding the continuation of the Sub-Group's work, Dr Kim, on behalf of the Coordinator, requested that Member States interested in participating in this Sub-Group contact her or Ms Tirpak.

ABE-LOS called upon the Sub-Group to develop conclusions from the data and information included in Document IOC/ABE-LOS VIII/8. The Sub-Group should continue to work by correspondence and act in coordination with UN/DOALOS, and should submit a report for consideration by IOC/ABE-LOS X.

Bearing in mind the fact that the data used in the Questionnaire exercise are now ageing, it decided to undertake regular updating (one Member State suggested every two or three years) of the Questionnaire and the analysis of the responses from the Member States, as well as the incorporation, if possible, of responses from Member States that have not yet responded to the Questionnaire. It also decided attempt to determine the reasons for non-response to the Questionnaire.

ABE-LOS stressed the importance of promoting the use of observers in MSR projects governed by UNCLOS and the close cooperation among them and the scientists involved in such projects.

It requested the Executive Secretary to further develop the ABE-LOS Roster of Experts and promote its use by the Member States to meet national needs in respect of UNCLOS implementation as far as MSR and TMT are concerned.

The Executive Secretary summarized his appreciation of the debate on the present agenda item. The work of ABE-LOS is very important and should be maintained. He stressed the fact that IOC's role vis-à-vis UNCLOS concentrates on Parts XIII and XIV, whereas DOALOS, acting as the secretariat of the Meeting of States Parties to the Convention, is concerned with the Convention as a whole. But the IOC does not have the resources to allow enlargement of its responsibilities. There is no IOC programme on TMT in the current UNESCO Programme and Budget and the theme as such is not on the agenda of the IOC Assembly. ABE-LOS is an Advisory Body of the Commission and therefore addresses IOC's requirements of it. Since its origin it was given the mandate to address the question of the practices of Member States; from that to the consideration of a full TMT programme would therefore be a major undertaking. With the means available to it, the IOC has found it difficult to get effective responses from Member States. IOC proposed the creation of National IOC Committees coordinating national administrations on different IOC activities, but only a few exist, although some of them are showing useful results. Regarding capacity-building, ABE-LOS should not deal directly with it, other than to bring its concerns to the attention of the Assembly, which will consider them in the context of the IOC's Capacity-Development Programme. Regarding the Roster of Experts, names have been received from Member States and it can be consulted on the IOC website. Any Member State may solicit the services of an expert. He agreed to renew his request to Member States for nominations.

The Advisory Body thanked Dr Kim for her presentation and active intervention in the debate on this agenda item.

4. OTHER BUSINESS

4.1 UPDATING PROCESS UNDER UN/OLA/DOALOS OF THE “MARINE SCIENTIFIC RESEARCH: A GUIDE TO THE IMPLEMENTATION OF THE RELEVANT PROVISIONS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA”

The Representative of the UN/DOALOS, Ms. Alice Hicuburundi, informed ABE-LOS on the status of preparations for the forthcoming Experts Meeting (New York, 20–24 April 2009) to review and revise the guide titled “Marine Scientific Research: a Guide to the Implementation of the Relevant Provisions of the United Nations Convention on the Law of the Sea.”

In response to requests from some Member States, Ms. Hicuburundi offered to make her statement available to participants. Regarding the revised Guide, she estimated that its publication would take 6–9 months once the text was finalized.

One Member State stressed the need, in developing the Guide, to avoid any novel interpretation of UNCLOS, especially one that might inspire criticism in a meeting of States Parties to UNCLOS or of the UN General Assembly.

ABE-LOS called on the Executive Secretary to invite DOALOS to the Tenth Session of ABE-LOS, to inform it of the results of the UN/DOALOS Expert Meeting (UN, 20–24 April 2009).

The Rapporteur, in her personal capacity, asked Ms Hicuburundi to provide information on the methodology to be adopted by the Experts Meeting, in view of the complexity of collecting such data as the Guide calls for. Ms Hicuburundi replied that it would be up to the Experts to discuss such methodology and that reference could only be made to publicly available information/data, including, for example, the results of Questionnaire 3 on the practice of States.

4.2 FUTURE WORK OF THE ADVISORY BODY OF EXPERTS

This additional Agenda Item was requested by Portugal.

Portugal stressed the idea that the intention was to focus on the future work of ABE-LOS rather than on the institutional future of the Advisory Body itself. It considered that the importance of ABE-LOS was unquestionable, since there remained many questions on the legal implications of UNCLOS for marine scientific research (MSR) and for the transfer of marine technology (TMT). One main direction could be the analysis of the practice of States, possibly leading to a code of good practice relative to Part XIII (MSR) of the Convention; another could be environmental risk assessment in respect of MSR, as part of the information provided by research States to coastal States, also relative to Part XIII. And perhaps a reconsideration of the legal aspects of biodiversity conservation would be desirable.

Several Member States agreed with the Portugal proposal for a code of good conduct or practice, but the Chairman reminded the Advisory Body that many such codes already exist for many marine and maritime activities (e.g. the OSPAR code of conduct; the FAO code of conduct for responsible fisheries). He also asked, for whom would the proposed code of conduct be developed – the marine scientific community; the Member States; regional bodies? He pointed to the high desirability of avoiding or limiting overlapping among such codes and sought clarification of the relationship between the proposed new code and

the UN/DOALOS guide "Marine Scientific Research: a Guide to the Implementation of the Relevant Provisions of the United Nations Convention on the Law of the Sea."

Some Member States thought that the Executive Secretary should first seek the views of the Member States of ABE-LOS on their current practice, before any decision was taken on the development of a code of conduct.

Regarding environmental impact assessment (EIA), some Member States noted the existence of some national guidelines on EIA and stressed their importance. They considered that EIA becomes important in regions of heavy exploitation of the marine environment, such as Europe, as well as in special circumstances, such as ocean fertilization exercises.

The Advisory Body recognized that its involvement in such assessment would raise a need for appropriate infrastructure to carry it out. It also recognized the need to become more proactive rather than reactive, as it had been so far. It noted that the legal aspects of ocean fertilization, and particularly its regulation, were vested principally in IMO, as the depository of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (1972) and its 1996 Protocol (the London Convention). IOC has collaborated with the IMO's Scientific Group on the issue of ocean iron fertilization and subsequently IMO's Intersessional Technical Working Group on Ocean Fertilization, charged with determining the implications for the protection of the marine environment from ocean fertilization and with providing a scientific and technical basis for evaluating such activities.

Some Member States considered that the Advisory Body could concern itself with the legal aspects of protecting biodiversity, but stressed the importance of close coordination between the IOC and the Secretariat of the Convention on Biodiversity. But other Member States were opposed to such involvement of ABE-LOS in biodiversity questions, as well as in issues that they considered controversial, such as ocean iron fertilization. This aspect would need to be carefully evaluated before being considered under future work for ABE-LOS. In particular, they believed that it would be difficult to apply UNCLOS globally to biodiversity questions, as well as outside zones of national jurisdiction.

Several Member States stressed the view that ABE-LOS was an Advisory Body to the Commission and, as such, had been established to address questions put to it by the IOC governing bodies; it was not therefore in a position to decide what matters it should deal with, especially if such matters were new and therefore outside the existing Terms of Reference. At best it could only make recommendations to the Assembly as to its future work.

Other Member States stressed the great care needed anyway in deciding the future work of the Advisory Body. A number of factors need to be evaluated before any particular initiative could be properly considered as a component of ABE-LOS's future work; they are, among others: the source of the request for action by ABE-LOS; the amount of time, work, and funding that a specific activity will require; the methods to be used and their proved efficacy; the assurance of proper and continuing Secretariat support throughout the lifetime of activity; the coordination mechanism required; and the avoidance, as far as possible, of overlapping analogous activities carried out by other bodies and organizations. This evaluation would lead to the establishment of priorities.

The Advisory Body recognized that some overlapping in marine affairs is unavoidable; besides organizations, many marine and maritime conventions are involved. This does not represent an absolute obstacle, but implies an acute need to manage those activities that might be addressed by ABE-LOS. UNCLOS and marine affairs in general are extremely complex and guidance from the Assembly must be sought on the Advisory Body's future work if it goes, or is to go, outside the present ABE-LOS Terms of Reference. This

implicit review of its situation presents a special opportunity to evaluate the work and the purpose of ABE-LOS in the continually evolving circumstances of marine scientific and related maritime affairs in the context of UNCLOS.

The Executive Secretary welcomed the discussion; he reminded the Advisory Body that it was an intergovernmental group of experts and, as such, had to work with a certain amount of formality in the conduct of its business. The international community of experts in the Law of the Sea is very small, but the field is vast, so this community is also dispersed among numerous specializations; and it is hard to increase its size. The Executive Secretary briefly reviewed the situation of Secretariat support for IOC activities; the permanent staff in the Secretariat has greatly decreased in recent years, and the reliance on consultant services has increased by way of compensation, yet it is no longer possible, for structural, as well as administrative, reasons to maintain consultant services on a permanent basis. The use of part-time consultants is helpful but not a definitive solution. So the time has also come for considering a new approach. In particular, Member States must increasingly augment their engagement in the implementation of IOC programmes, including by secondment of staff and by voluntary financial contributions. Nevertheless, IOC is a unique organization: most international science is coordinated by private-sector organizations, whereas IOC's coordination of such science, as in many of the IOC programmes, is intergovernmental in kind. Even so, the IOC has a good relationship with the international scientific community, particularly via ICSU, ICES, PICES, as well as with the relevant Specialized Agencies of the UN system.

In response to a question about the flexibility allowed in the secondment of national personnel to the IOC, the Executive Secretary stressed the fact that the IOC, as an intergovernmental organization within UNESCO, was obliged to require that any person seconded to the IOC be subject to the principal authority of the Director-General of UNESCO and, in practice, to the authority of the Executive Secretary of the IOC. But under the present difficulties, a new arrangement could be studied, provided there is no possible conflict of authority.

Two excellent complementary presentations were made to the Advisory Body. The first was by Laurent Mortier (LOCEAN, Université Pierre et Marie Curie, Paris VI) on the design, development and deployment of a special type of data-acquisition float known as a "glider". Although structurally analogous to an Argo float, it can be oriented, vertically and horizontally and its trajectory, as well as its data output, controlled at a distance. It presents several advantages over an Argo float, but also a few disadvantages. This was followed by a shorter presentation by Trevor Guymer and Roland Rogers, of the National Oceanography Centre Southampton, UK, on the potential application of "gliders" to the major ongoing study of the Atlantic Ocean Meridional Overturning Circulation.

These two presentations on marine data acquisition systems raised numerous questions and responses.

The Advisory Body encountered some difficulty in deciding whether "gliders" could be treated like any other data-acquisition system, such as Argo floats, expendable bathythermographs, or moored profilers, or whether they should be regarded as a new system, therefore outside ABE-LOS's present Terms of Reference. Those Member States that feel that ABE-LOS should be more proactive and less reactive took the former view, whereas those that regarded "gliders" as a fundamentally new data-acquisition system, took the view that the necessary request for the Advisory Body's consideration of "gliders" should come from the Assembly.

The Advisory Body, before proceeding to adopt its Recommendations arising from the present session, agreed that, for procedural reasons relative to the authority for its Terms

of Reference, it should not adopt a Recommendation on "environmental impact assessment for marine scientific research" nor on "collection of data by gliders", as possible subjects of the Advisory Body's future work, but that it should reproduce their content verbatim in the present report, given the fact that general agreement on their substance had been reached. The substance of the two recommendations for consideration by the Assembly regarding ABE-LOS's possible future work is as follows:

That an ad-hoc, open-ended Sub-Group be established to evaluate whether there are relevant legal issues, within the framework of UNCLOS, applicable to the collection of oceanographic data by gliders. Such a Sub-Group should work by correspondence and submit a report for consideration at IOC/ABELOS X. In performing its functions, the Sub-Group should act in coordination with UN/DOALOS.

That an ad hoc, open-ended Sub-Group be established to consider the requirements for, and the conduct of, environmental impact assessment for marine scientific research applications, within the framework of UNCLOS. The Sub-Group should work inter-sessionally and submit a progress report for consideration at IOC/ABE-LOS X.

However, two Member States raised doubts as to whether it was an appropriate procedure for the Advisory Body to adopt a formal recommendation concerning its own work and considered this task to be solely for the Assembly to decide.

5. ADOPTION OF RECOMMENDATIONS AND SUMMARY REPORT

The **Advisory Body adopted** the following Recommendations, based on the Agenda and the discussion of each item during the present session:

ADOPTED RECOMMENDATIONS

The Advisory Body of Experts on the Law of the Sea at its Ninth Session (IOC/ABE-LOS IX) recommended, for the consideration of the Assembly at its Twenty-fifth Session (Paris, 16–25 June 2009):

1. That the IOC Executive Secretary prepare, for the consideration of the IOC Executive Council at its Forty-third Session (2010), two separate discussion documents addressing comprehensively the status of implementation of the "Criteria and Guidelines for the Transfer of Marine Technology" and the "Procedure for the Application of Article 247 of UNCLOS by the IOC." Such documents should, in particular, contain specific proposals to effectively promote and implement the ABE-LOS products referred to here, as well as identify challenges to such implementation
2. That the IOC Executive Secretary issue a Circular Letter calling appropriate attention of the Member States to the "Guidelines for the implementation of Resolution XX-6 of the IOC Assembly regarding the deployment of profiling floats in the high seas within the framework of the Argo Programme", preferably by recalling these Guidelines in full in the Circular Letter.
3. That the IOC Executive Secretary issue a Circular Letter covering updated information on the countries that have requested to be notified under Resolution EC-XL1.4.
4. That the Executive Secretary, in carrying out action to develop practical, routine procedures with Member States and the relevant bodies to implement the Guidelines in EC XLI.4, consider the possibility of developing an automatic mechanism to notify implementers of the possible drifting of their float(s) into the EEZ of a Member State

requesting notification under the Guidelines, to aid implementers in notifying Member States requesting notification, in full conformity with the procedures in the Guidelines.

5. That the IOC Executive Secretary issue a Circular Letter covering updated information on the National Focal Points for the Argo Programme.
6. That the IOC Executive Secretary issue a new Circular Letter inviting IOC Member States to reply or update responses, as appropriate, to Questionnaire N° 3 on the practice of States in the fields of marine scientific research and transfer of marine technology, in order to enable the ABE-LOS Sub-Group on the Practice of Member States in the Application of Parts XIII and XIV of UNCLOS to prepare an updated version of Document IOC/ABE-LOS VIII/8, to be included in a written publication on the occasion of the 50th anniversary of the IOC and to be widely promoted on the IOC website; and to submit a report on such an updated version to IOC/ABE-LOS for consideration at its Tenth Session.
7. That the ABE-LOS Sub-Group on the Practice of Member States in the Application of Parts XIII and XIV of UNCLOS continue to work by correspondence, in coordination with UN/DOALOS, to develop conclusions from the data and information included in Document IOC/ABE-LOS VIII/8, and to submit a report to IOC/ABE-LOS for consideration at its Tenth Session.
8. That the Executive Secretary, taking particularly into account the relevant conclusions of Document IOC/ABE-LOS VIII/8, actively promote the functioning of the Roster of Experts established by the Assembly at its Twenty-third Session, in order to respond rapidly to requests by Member States for advice or guidance on the development of legislation and practice regarding marine scientific research and transfer of marine technology.
9. That the IOC Executive Secretary invite the representative of the UN Division for Ocean Affairs and the Law of the Sea to continue to provide information on the Division's activities at the Tenth Session of IOC/ABE-LOS and on the updating, under the coordination of the Division, of the publication entitled "Marine Scientific Research: a Guide to the Implementation of the Relevant Provisions of the United Nations Convention on the Law of the Sea."
10. That appropriate logistical support, including permanent secretariat staff support, be provided to ensure the adequate functioning of IOC/ABE-LOS, in particular at its future meetings.

The Advisory Body requested the Executive Secretary to e-mail the final Draft Summary Report to the participants, inviting them to comment on it and correct it, as appropriate, and to e-mail their comments/corrections back to the Executive Secretary, who would then prepare the final Summary Report in the light of these comments/corrections and in accordance with established IOC procedures. The Advisory Body would consider this final version as being the adopted report of its Ninth Session.

6. CLOSURE

The Chairman of the Advisory Body and the Executive Secretary thanked the participants for their active discussion of the issues before them. The Chairman also called on the Member States to carefully brief their delegations to the Twenty-fifth Session of the IOC Assembly (Paris, 16–25 June 2009) on the discussion and the outcomes of the present ABE-LOS session. He closed the Ninth Session of the IOC Advisory Body of Experts on the Law of the Sea at 12:55 on Friday 3 April 2009.

ANNEX I

AGENDA

1. OPENING

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 ON INTERSESSIONAL ACTIVITIES

- 3.1. REPORT OF THE SECRETARIAT ON THE INTERSESSIONAL ACTIVITIES
- 3.2 REPORT OF THE CHAIRMAN ON THE INTERSESSIONAL ACTIVITIES
- 3.3 PROGRESS REPORT BY THE COORDINATOR OF THE IOC/ABE-LOS SUBGROUP ON THE "IOC LEGAL FRAMEWORK FOR THE COLLECTION OF OCEANOGRAPHIC DATA WITHIN THE CONTEXT OF UNCLOS"
- 3.4 PROGRESS REPORT BY THE COORDINATOR OF THE IOC/ABE-LOS SUBGROUP ON THE PRACTICE OF MEMBER STATES IN THE APPLICATION OF PARTS XIII AND XIV OF UNCLOS.

4 OTHER BUSINESS

- 4.1 UPDATING PROCESS UNDER UN/OLA/DOALOS OF THE "MARINE SCIENTIFIC RESEARCH: A GUIDE TO THE IMPLEMENTATION OF THE RELEVANT PROVISIONS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA"
- 4.2 FUTURE WORK OF THE ADVISORY BODY OF EXPERTS

5. ADOPTION OF RECOMMENDATIONS AND SUMMARY REPORT

6. CLOSURE

ANNEX II

LIST OF DOCUMENTS

Document Code	Title	Agenda Items	Languages
	WORKING DOCUMENTS		
IOC/ABE-LOS IX/1 prov. Rev	Provisional Agenda	1-5	E F
IOC/ABE-LOS IX/1 Add. Prov	Provisional Timetable	2.2, 2.4	E F
IOC/ABE-LOS IX/2 prov	Provisional Annotated Agenda	1-5	E F
IOC/ABE-LOS IX/3	Draft Summary Report (to be prepared during the meeting)	1-5	E F
IOC/ABE-LOS IX/4 prov./rev	Provisional List of Documents (this document)	2.3	E F
IOC/ABE-LOS IX/5 prov.	Provisional List of Participants (to be issued early in the Session)	-	-
IOC/ABE-LOS IX/6	Circular Letters no.15 and 16 (Professor Kari Hakapää)	3.2	E F
IOC/ABE-LOS IX/7	Memorandum (summary of views) of the IOC/ABE-LOS Sub-Group on the IOC Legal Framework for the Collection of Oceanographic Data within the Context of UNCLOS on Circular Letter no. 15 (Secretariat) (only available in electronic form)	3.2	E F
	INFORMATION DOCUMENTS		
IOC/ABE-LOS VII/3	Summary Report of the Seventh Session of the IOC Advisory Body of Experts on the Law of the Sea	1-5	E F
IOC/ABE-LOS VIII/3	Summary Report of the Eighth Session of the IOC Advisory Body of Experts on the Law of the Sea	1-5	E F
IOC/INF/Resolutions ABE-LOS IX	IOC Resolution EC-IX.4; IOC Resolution XXIII-8	1-5	E F

ANNEX III

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ANNEX IV

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CLIVAR	Climate Variability and Predictability
EEZ	Exclusive economic zone
EIA	Environmental impact assessment
FAO	Food and Agriculture Organization of the United Nations
GTS	Global Telecommunication System (WMO)
ICES	International Council for the Exploration of the Sea
ICSU	International Council for Science
IOC/ABE-LOS	Advisory Body of Experts on the Law of the Sea (IOC of UNESCO)
IMO	International Maritime Organization
IOC	Intergovernmental Oceanographic Commission (UNESCO)
JCOMM	Joint WMO–IOC Technical Commission for Oceanography and Marine Meteorology
MSR	Marine scientific research
OSPAR	Commission for the Protection of the Marine Environment of the North-East Atlantic
PICES	North Pacific Marine Science Organization
TMT	Transfer of marine technology
UN	United Nations
UN/DOALOS	Division for Ocean Affairs and Law of the Sea, Office of Legal Affairs, United Nations
UN/OLA/DOALOS	Division for Ocean Affairs and Law of the Sea, Office of Legal Affairs, United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
WCRP	World Climate Research Programme
WMO	World Meteorological Organization
VOS	Voluntary Observing Ship
XBT	Expendable bathythermograph