

16/12. ENVIRONMENTAL LAW OF THE SEA

RECALLING that the oceans cover 71 per cent of the surface of the earth and are the homes of a vast number of species of plants and animals;

FULLY AWARE of the importance of oceans management as a component of the worldwide efforts towards the conservation of the Biosphere and the achievement of the goals of the World Conservation Strategy and the implementation of the principles of the World Charter for Nature;

RECALLING Resolution 15/17 of the 15th Session of the General Assembly of IUCN, as well as the action taken in many international fora and by many international and national organizations to foster interest in ocean affairs and to promote cooperative ocean conservation and management action;

CONSIDERING that the Third UN Conference on the Law of the Sea (LOS) has played a significant role in the elaboration of the environmental law of the sea, culminating in the inclusion in the 1982 LOS Convention many provisions of major environmental significance which have been widely accepted by the community of nations including even those which have so far reserved their positions towards the Convention;

RECOGNIZING the endorsement of the 200 mile exclusive economic zone (EEZ) concept in the LOS Convention and its implementation in a growing number of nations;

CONCERNED that the actual practice of managing resources and regulating uses in marine areas in which States have jurisdiction (including EEZs for those countries which have declared them) is not well advanced and resources are presently managed, in many cases, without adequate consideration of intersectoral connections and without consideration of overall marine-related priorities and goals;

The General Assembly of IUCN, at its 16th Session in Madrid, Spain, 5-14 November 1984:

1. WELCOMES the significant contribution of the 1982 UN Convention in the assignment of specific responsibilities and identification of specific environmental initiatives;
2. DRAWS ATTENTION to the fact that these responsibilities and initiatives, in order to achieve their full significance, must be followed up by appropriate action at national, regional and global levels;
3. FURTHER DRAWS ATTENTION to the magnitude of this task of implementation and to the fact that it can only be satisfactorily achieved through a collective effort of all those involved and with the support of the governmental and non governmental communities;
4. REQUESTS all nations that have not yet signed the LOS Convention to give consideration to doing so with a view to ratification, and to deposit expeditiously the necessary instruments of ratification or accession, and to encourage other nations to sign and ratify the Convention;
5. REQUESTS the Director General of IUCN:
 - (a) to take all possible steps to assist in this process of implementation;
 - (b) when developing the World Conservation Plan, to give special attention to the ocean component (including marine areas in which States have jurisdiction); and,
 - (c) to ascertain the views of the Member States of the United Nations and the concerned international organizations on the actions and responsibilities depicted in the chart prepared at the initiative of the Commission on Environmental Policy, Law and Administration; and
6. INVITES UNEP, as soon as possible after the entry into force of the Law of the Sea Convention, to convene a conference in collaboration with other appropriate organizations to consider necessary conservation measures;
7. RECOMMENDS that States should, for marine areas under their jurisdiction:
 - (a) improve existing institutional arrangements and, as necessary, create new arrangements for joint planning and

management, including arrangements for the resolution of conflict;

(b) adopt conservation principles and the protected areas concept;

(c) undertake national research and monitoring;

(d) establish data banks for collection and exchange of information with regional and international research agencies;

(e) reduce, control and prevent pollution; and

(f) assist developing countries to develop and implement effective management regimes.

8. RECOMMENDS FURTHER that non-governmental organizations assess the effectiveness of management of marine and coastal areas and undertake educational and information dissemination activities about such management.