

COUNCIL
109th session
Agenda item 12(a)

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EXTERNAL RELATIONS

(a) Relations with the United Nations and the specialized agencies

Note by the Secretary-General

SUMMARY

Executive summary: This document highlights matters of relevance to IMO as discussed at the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP) at its recent thirteenth session between 29 May to 1 June 2012

Strategic direction: 1.1

High-level action: 1.1.2

Planned output: No related provisions

Action to be taken: Paragraph 6

Related documents: UN Secretary-General's reports A/67/79, A/67/120; UN General Assembly resolutions 65/37 A and 66/231

Introduction

1 The thirteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea ("Informal Consultative Process") was held from 29 May to 1 June 2012 and, pursuant to General Assembly resolutions 65/37 A and 66/231, focused its discussions on the topic entitled "Marine renewable energies" (MREs).

2 The meeting was attended by representatives of 75 States, 10 intergovernmental organizations and other bodies and entities and six non-governmental organizations. The meeting was conducted under the co-chairmanship of Ambassador Don MacKay (New Zealand) and Ambassador Milan Jaya Meetarbhan (Mauritius).

3 In accordance with the annotated agenda, discussions were structured around three segments: (a) MREs: types, uses and role in sustainable development; (b) ongoing or planned MRE projects/work at the global and regional levels; and (c) opportunities and challenges in the development of MRE, including for cooperation and coordination. The segments were launched by presentations from panellists, followed by interactive discussions. According to the Secretary-General's report on Oceans and the Law of the Sea (A/67/79), MREs derive from natural processes in the marine environment. They can be usefully categorized into four types: ocean energy; wind energy from turbines located in offshore areas; geothermal energy derived from submarine geothermal resources; and bio-energy derived from marine biomass, particularly ocean-derived algae.

4 The full report of the Co-Chairpersons' summary of the discussions is contained in document A/67/120, available on the website of the United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS) at the address:

http://www.un.org/Depts/los/consultative_process/consultative_process.htm

Outcomes

5 The following paragraphs of the said report appear to be of relevance to the Organization:

- The segment of "MREs: types, uses and role in sustainable development" (paragraph 22) highlights the desirability of adopting measures and regulations for the protection of the marine environment in the promotion of marine renewable energies.
- Paragraph 26 notes that floating devices could be easier to maintain than structures attached to the sea floor and that biofouling is a problem in some regions. It observes that there are currently no international standards for the construction and removal of MRE installations, but indicates that certain International Maritime Organization regulations for offshore installations could serve as a reference, including with respect to safety and exclusion zones. It points out that national legislation in some countries addresses the removal of installations and that regulations relating to offshore oil and gas installations could be applied by analogy to MRE facilities.
- The segment of "Ongoing or planned MREs projects/work at the global and regional levels" (paragraph 39) highlights the importance of addressing the impacts on the freedom of navigation. It suggests that, while the concerns of local stakeholders, such as fishermen, could be addressed through domestic regulatory and policy frameworks, the issue of freedom of navigation is a matter of international concern and that such issues could be addressed through inter-agency coordination within Governments.
- Paragraph 44 highlights that MRE installations could be placed in areas beyond national jurisdiction. In this regard it raises questions about the ownership and the transmission of energy to land-based facilities from areas beyond national jurisdiction, as well as the appropriate forum for the resolution of possible jurisdictional issues. It suggests that these issues should be addressed at the international level.
- The segment of "Opportunities and challenges in the development of marine renewable energies, including for cooperation and coordination" (paragraph 58) stresses that assessments of the impacts of MRE projects should consider the impacts on other existing uses of the oceans, in particular the impacts of large-scale MRE facilities on navigation, including from changes in the speed and direction of currents.

Action requested of the Council

6 The Council is invited to take note of the information contained in this document and comment, as appropriate.