

United Nations Open-ended Informal
Consultative Process on Oceans and the
Law of the Sea
Tenth Meeting
17 – 19 June 2009

Statement of the Legal Counsel

Co-Chairpersons,
Under-Secretary-General for the Department of Economic and Social Affairs,
Mr. Sha,
Excellencies,
Distinguished delegates,

For those of you who have not yet had the opportunity to meet the new Director of our Division for Ocean Affairs and the Law of the Sea, I would like to introduce Mr. Serguei Tarassenko.

I would like to start by thanking all those who participated, on 8 June 2009, in the first celebration by the United Nations of World Oceans Day. The celebration, which featured an expert panel and a number of other activities organized by DOALOS, was a success.

It is a great pleasure for me to address this tenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, particularly at this critical junction. The General Assembly has decided that this year will be marked by your important assessment of the implementation of the outcomes of the Consultative Process, including its achievements and shortcomings, during its

first nine meetings. Given the role that the Consultative Process has played and can continue to play in assisting the General Assembly in its consideration of ocean-related issues, it is important that the Consultative Process be effective and meet the needs of States and the broader international community.

You will recall that the General Assembly, which plays a vital policy-setting role with regard to the oceans, decided in 1999, to establish the Consultative Process, consistent with the legal framework provided by the United Nations Convention on the Law of the Sea and the goals of Chapter 17 of Agenda 21. The purpose of the Consultative Process is to facilitate the annual review by the General Assembly of developments in ocean affairs and the law of the sea, in an effective and constructive manner. It does so by considering the Secretary-General's report on oceans and the law of the sea and suggesting particular issues to be considered by the General Assembly, with an emphasis on identifying areas where coordination and cooperation at the intergovernmental and inter-agency levels should be enhanced.

Over the past nine years, the Consultative Process has fulfilled its mandate, by focusing its discussions on 14 different topics. These generally covered the following areas: sustainable fisheries; the economic and social impacts of marine pollution and degradation; marine science and the development and transfer of marine technology; piracy and armed robbery against ships; protection and preservation of the marine environment; capacity-building; regional cooperation and coordination; vulnerable marine ecosystems; conservation and management of the biological diversity of the seabed in areas beyond national jurisdiction; marine debris; ecosystem approaches and oceans; marine genetic resources and maritime safety and security.

The consideration of these topics by the Consultative Process has contributed to focusing attention on important ocean issues, including those related to the sustainable

development of the oceans and seas, allowing for in-depth discussions and the building of consensus. For example, the outcome of the third meeting of the Consultative Process in 2002 was provided to the fourth meeting of the Preparatory Committee for the World Summit on Sustainable Development and led to the inclusion of chapters in the Johannesburg Plan of Implementation relating to oceans and seas.

Distinguished delegates,

As you may have noticed, the Secretary-General, in his report, highlights ways in which the Consultative Process has had an impact on the development of policy by the international community through the General Assembly. It has also provided a unique forum within the United Nations for dialogue among States, intergovernmental organizations, non-governmental organizations and industry through its open and inclusive format. Moreover, the use of discussion panels composed of experts has served to inform and launch discussions on complex issues.

Yet, the report of the Secretary-General also highlights that, despite the attention that has been focused on important oceans issues by the Consultative Process and the General Assembly, much more needs to be done to effectively address these issues. In particular, there is an urgent need for improved implementation of the recommendations of the General Assembly in many areas, including better coordination in respect of oceans and law of the sea issues. Effective implementation of the United Nations Convention on the Law of the Sea, the United Nations Fish Stocks Agreement and other relevant international instruments, as well as reaching the goals set out in Chapter 17 of Agenda 21 and in the Johannesburg Plan of Implementation, remains a significant challenge for the international community. It should also be recalled that the General Assembly has repeatedly called for universal

participation in the Convention and the Fish Stocks Agreement.

In my view, the Consultative Process does and will continue to play an important role in assisting the international community in addressing, through the General Assembly, the challenges that the international community will face in coming years. As we are all aware, ocean issues are numerous, complex and multidimensional. They, therefore, benefit from sustained and in-depth discussion and integrated consideration, involving the major stakeholders: representatives of States, intergovernmental organizations, non-governmental organizations and industry. However, to be fully effective and successful, the Consultative Process must be a forum that enjoys the confidence of States. In this regard, the review that will be undertaken at this meeting will be instrumental in deciding the way forward, particularly in view of the decision of the General Assembly to consider the effectiveness and utility of the Consultative Process again, at its sixty-fifth session, in 2010.

Excellencies,

I would like to end my remarks by assuring you of the continued assistance to the Consultative Process, by my Office, and the Division for Ocean Affairs and the Law of the Sea in particular. Of course, in this regard, OLA cooperates closely with the Department of Economic and Social Affairs and its Division on Sustainable Development.

Finally, let me wish you a successful meeting.