



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

**General Assembly Ad Hoc Open-ended Informal Working Group to
study issues relating to the conservation and sustainable use of marine
biological diversity beyond areas of national jurisdiction**

Opening remarks

by

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Under-Secretary-General for Legal Affairs and
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1 April 2014, 10:00am
(Conference Room 2)

Distinguished Co-Chairs,
Excellencies,
Ladies and Gentlemen,

On behalf of the Secretary-General of the United Nations, I have the pleasure of welcoming you to this meeting of the Working Group, convened pursuant to General Assembly resolution 68/70 of 9 December 2013. I am particularly pleased to be here with you today as this is the first time I have the opportunity to address this meeting since my appointment as United Nations Legal Counsel.

At the outset, I wish to congratulate H.E. Ambassador Kohona of Sri Lanka and Ms. Lijnzaad of the Netherlands on their re-appointment as Co-Chairs for this and the next two meetings of the Working Group. Since 2010, they have led the Working Group with skilful determination and I am confident that this year will be no exception.

You will recall that this meeting of the Working Group has been convened within the process established by the General Assembly to prepare for the action set out in the outcome document of the Rio+20 Conference, entitled “The future we want”. In that regard, you will also recall that States committed “to address, on an urgent basis, building on the work of the Working Group and before the end of the sixty-ninth session of the Assembly, the issue of the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, including by

taking a decision on the development of an international instrument under the United Nations Convention on the Law of the Sea.”

Ladies and Gentlemen,

Every second breath of air we take comes from the oceans – from their biodiversity to be more precise. Marine ecosystems and biodiversity underpin a wide range of ecosystem goods and services and provide a source of food, livelihood and recreation for billions of people. In addition, marine genetic resources can be used for a wide range of applications, including to develop promising medicines to treat cancer and incurable diseases.

The commitment of States set out in “The future we want” to address, **on an urgent basis**, the issue of the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction attests to the resolve of the international community to take action. However, the health, resilience and productivity of marine ecosystems, including beyond areas of national jurisdiction, continues to be challenged. Challenges are presented by unsustainable activities both at sea and on land, compounded by the effects of increased carbon dioxide emissions in the atmosphere. The current rate at which marine biodiversity is being lost threatens the very basis upon which people around the world rely for oxygen, food, employment, energy, and a regulated climate, among others.

Ladies and Gentlemen,

Responding to this sense of urgency, the General Assembly requested the Working Group, within its mandate established by resolution 66/231 and in the light of resolution 67/78, and in order to prepare for the decision to be taken at the sixty-ninth session of the Assembly, to make recommendations to the Assembly on the scope, parameters and feasibility of an international instrument under the United Nations Convention on the Law of the Sea.

In order to inform the deliberations of the Working Group, Member States were invited to submit their views on the scope, parameters and feasibility of an international instrument under the United Nations Convention on the Law of the Sea. The informal working document compiling the views of States was prepared and circulated by the Division for Ocean Affairs and the Law of the Sea to Member States on 11 March.

Ladies and Gentlemen,

Different views continue to be held on the ways in which the legal framework for the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction can effectively address these issues. At the same time, common understandings are emerging. These include the need to preserve the balance of interests, rights and obligations under the United Nations Convention on the Law of the Sea and under other relevant instruments; the need to respect the mandates of existing institutions,; and the need for greater cooperation and coordination and for capacity-building.

Ladies and Gentlemen,

This year not only marks the twentieth anniversary of the entry into force of the United Nations Convention on the Law of the Sea – an occasion that I hope you will all join in celebrating. This year also marks the tenth anniversary of this Working Group, which was established by the General Assembly in 2004.

Throughout this time, the tenacity and commitment of Member States to tackle the challenges, and identify ways to benefit from the opportunities, related to the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction has been impressive.

The Working Group is now at a critical juncture of its work. The next three meetings present a clear opportunity to try and overcome remaining differences and to crystalize the areas of convergence into concrete action. I am conscious that the task will not be easy. As you proceed with your work, however, I urge you to remember the broader ramifications of your work. As indicated earlier, life on Earth cannot be sustained without healthy and productive oceans.

Civil society is watching closely and placing great hopes in your deliberations to that end. In this respect, I wish to reiterate the support of the Secretary-General to civil society's engagement in relevant matters dealt by the United Nations, including on such important issues as oceans. The Secretariat recognizes the valuable contribution of civil society in fostering innovative ideas and suggesting solutions to the defining challenges of our times.

Distinguished Co-Chairs,

Excellencies,

Ladies and Gentlemen,

In closing, I wish you every success in fulfilling the challenging mandate with which you have been entrusted and I assure you of the continued full support of my Office.

Thank you.