



**UNITED NATIONS  
OFFICE OF LEGAL AFFAIRS**

**Oceano Azul Foundation  
Meeting of the Group of Estoril and other Ocean Leaders**

**Speech**

**by**

**Mr. Miguel de Serpa Soares,**  
Under-Secretary-General for Legal Affairs and  
United Nations Legal Counsel

16 March 2017, 2:00 -5:00 pm

Distinguished participants,

States are increasingly looking at oceans as important contributors to sustainable development, as also demonstrated by their efforts to develop ocean-based economies.

The United Nations has long played a critical role in addressing the essential role of oceans for human wellbeing and for the health of the planet, in particular by developing a legal and policy framework aimed at providing legal certainty, facilitating international communication, promoting peaceful uses, the conservation and sustainable use of resources, and the study, protection and preservation of the marine environment. Of central importance among the many legal instruments that have been developed at the global and regional levels is the United Nations Convention on the Law of the Sea (UNCLOS), or the “constitution for the oceans”.

As also identified in the vision statement of the Oceano Azul Foundation, and critical for the effectiveness of this legal and policy framework, is its implementation based on holistic and integrated approaches to ocean governance at all levels, from global to local.



However, this is precisely where the greatest challenges are encountered.

In fact, despite the considerable progress in the development of a very comprehensive legal and policy framework, the deterioration of the state of our oceans has continued, and some might say accelerated. This mainly results from purely sectoral approaches to ocean management as well as ineffective implementation and compliance - mostly due to lack of coordination and capacity.

In order to reverse the decline of our ocean, the multiple uses of the ocean and its resources and their cumulative impacts must be addressed in a collaborative manner. These coordinated actions must be multisectoral, pluridisciplinary and based on the best science available. Solutions must be understood and implemented within the global, regional, national and local contexts, and often across these levels. And in this optic, capacity must be reinforced so as to ensure all States and relevant stakeholders are able to meaningfully participate.

At the global level, the General Assembly of the United Nations through its annual review of developments in ocean affairs and the law of the sea provides a global mechanism for further enhancing integrated and coordinated approaches to ocean governance, taking into full consideration developments in other relevant multilateral organizations and with the aim to promote the science-policy interface and multi-stakeholder participation.

The Assembly has established a number of subsidiary bodies addressing ocean-related issues. In particular, with respect to science, the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects (or the “Regular Process”) has produced the First Global Integrated Marine Assessment, and



future assessments under this process will continue to contribute substantially to making available the “best available science” to the General Assembly and other policy-making mechanisms.

Similarly, the General Assembly has established a Preparatory Committee for the development of an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, with a view to considering issues within its mandate from an integrated and cross-sectoral perspective, including addressing cumulative impacts.

It is also noteworthy that the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea continues to address pressing issues relating to ocean affairs and the law of the sea. This year, it will focus its discussions on the effects of climate change on the oceans. This will be the first time so far that an intergovernmental global policy-making body will have a dedicated discussion on this issue in an integrated and multi-sector manner, with a view to enhancing cooperation and coordination amongst all relevant stakeholders.

Lastly, oceans were identified as one of the key elements for sustainable development within the 2030 Agenda for Sustainable Development, including through its Goal 14. In order to support the implementation of Goal 14, the General Assembly decided to convene the Ocean Conference, from 5 to 9 June 2017. The lead up preparations for the Ocean Conference have generated significant momentum. Notably, a broad range of stakeholders, including non-governmental organizations, representatives of the private sector and other key interests groups have mobilized around efforts to achieve the targets under Goal 14, providing an opportunity to forge new and key partnerships.



It is incumbent upon all of us to seize this momentum and transform it into tangible and lasting results through concrete and concerted action to – as you also clearly identified in the Foundation mission statement – “contribute to a healthy and productive ocean for the benefit of our Planet”.

In this context, my Office, in particular through the Division for Ocean Affairs and the Law of the Sea, provides substantive and organizational support to the aforementioned intergovernmental processes with the aim to effectively assist States in the development of integrated and holistic policies and frameworks for oceans and seas. Also central to our work is providing assistance to States towards the implementation of those policies and frameworks. To this end, we are increasingly looking at options to build partnerships with likeminded stakeholders, such as the Oceano Azul Foundation.

In particular, we fully agree with the Foundation’s recognition that awareness-raising and the building of capacities must be a pillar of action. Even more so now that we better understand the diverse, widespread and profound effects of climate change on oceans, which not only affect ocean ecology, but also produce significant socioeconomic consequences for all States.

Capacity must be built to ensure broad and multi-disciplinary participation in intergovernmental processes, to ensure the development of sustainable solutions to multi-faceted problems. In the context of the work of the General Assembly, this would support the full realization of the integrated and holistic approach at the basis of its work.

To this end, efforts towards awareness-raising on ocean governance need enhancement, and the mechanisms that facilitate the participation in



intergovernmental processes of developing countries, in particular the least developed countries and small island developing States, need to be supported.

Similarly, it is essential to build the capacity of States to implement agreed-upon commitments and solutions at the national level. This can be achieved by, *inter alia*, supporting the establishment of multi-sectoral and integrated ocean governance frameworks.

In addition, initiatives must recognize and address the need to enhance human capital and institutional capacity. The continuously evolving and integrated nature of ocean governance requires that the people engaged in any of its components will inevitably need to not only acquire an integrated and cross-sectoral familiarity of all components, but do so in a continuous manner so that they are able to function effectively in this ever changing environment.

With a view to contributing to filling some of these capacity gaps, my Office implements a number of needs-based capacity-building activities which provide cross-sectoral and multi-disciplinary perspectives. Some examples include fellowships for the strategic building of capacity across a wide range of issues, including the importance of ocean science for governance; as well as demand-driven multidisciplinary training programmes in ocean affairs and the law of the sea.

While we strive to meet the needs of States through the actions I have briefly outlined, it is clear from the increasing volume and diversity of requests for assistance that we would greatly benefit from building more relationships and working with partners, such as the Oceano Azul Foundation, if we are to continue to effectively assist States – in effect, humankind.

Distinguished Participants



Ladies and Gentlemen,

In closing, I am honoured to be amongst you all and participate in these important proceedings. I also congratulate the Foundation and, in particular, Mr. José Soares dos Santos on the demonstrated vision for ocean sustainability, which is clearly aligned with my Office's understanding of the challenges we all face to ensure that oceans continue to play a critical role in supporting the health of the planet and human wellbeing.

[A final thank you in Portuguese]