



**UNITED NATIONS**  
**OFFICE OF LEGAL AFFAIRS**

**Preparatory Committee established by General Assembly resolution  
69/292: Development of an international legally binding instrument under  
the United Nations Convention on the Law of the Sea on the conservation  
and sustainable use of marine biological diversity of areas beyond national  
jurisdiction**

**Opening remarks**

**by**

**Mr. Miguel de Serpa Soares**

Under-Secretary-General for Legal Affairs and  
United Nations Legal Counsel

28 March 2016, 10:00am  
(Conference Room 1)

Distinguished Chair,  
Excellencies,  
Ladies and Gentlemen,

On behalf of the Secretary-General of the United Nations, I have the pleasure of welcoming you to the first session of the Preparatory Committee established by General Assembly resolution 69/292: Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

At the outset, I wish to congratulate Ambassador Eden Charles of Trinidad and Tobago on his appointment as the Chair of the Preparatory Committee. I am confident that his experience and leadership will steer this process towards a productive conclusion.

Distinguished Delegates,

I am of the view that we have reached a turning point in relation to the future of the oceans. In this regard, I wish to recall that a number of important milestones related to oceans were reached last year, including:



- the adoption of “Transforming our world: the 2030 Agenda for Sustainable Development”, in particular Sustainable Development Goal 14;
- the completion of the first global integrated marine assessment, also referred to as the first “World Ocean Assessment”, which was prepared to inform decision-making and thus contribute to managing human activities in a sustainable manner;
- and the adoption of the Paris Agreement in the context of the United Nations Framework Convention on Climate Change.

This year is no less important for the oceans. In May, the resumed Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks will be held. Later this year, the General Assembly will conduct a review of the actions taken by States and regional fisheries management organizations and arrangements with regard to addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks.

Distinguished Delegates,

The importance of marine biodiversity to the health of our planet and life on earth cannot be overstated. For example, marine biodiversity produces a third of the oxygen that we breathe, moderates global climate conditions and provides a valuable source of protein for human consumption and other products. However, the pressures on marine biodiversity are increasing. The World Ocean Assessment indicates that the world’s oceans are facing major pressures simultaneously, with such great cumulative impacts that the limits of its carrying capacity are being or, in some cases, have been reached.

Distinguished Delegates,

In January 2015, after 10 years of extensive discussions, the 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 concluded its work by adopting recommendations to the General Assembly on the scope, parameters and feasibility of an international instrument under the Convention.



In response to these recommendations, the General Assembly adopted a landmark resolution, namely, resolution 69/292, in which the Assembly decided to develop an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. To that end, it decided to establish, prior to holding an intergovernmental conference, a Preparatory Committee to make substantive recommendations to the General Assembly on the elements of a draft text of an international legally binding instrument under the Convention, taking into account the various reports of the Co-Chairs on the work of the Informal Working Group.

The Assembly also decided that negotiations shall address the topics identified in the package agreed in 2011, namely the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, environmental impact assessments and capacity-building and the transfer of marine technology.

Distinguished Delegates,

Time is of the essence. In its resolution 69/292, the General Assembly decided that the Preparatory Committee would, by the end of 2017, report to the Assembly on its progress.

With the mandate given to the Preparatory Committee, the task before you over the next two years, starting with the forthcoming two weeks, is considerable. I have no doubt that your negotiations will be conducted in a spirit of cooperation in recognition of the vital importance of marine biodiversity, as underpinning healthy functioning marine ecosystems, economic prosperity and sustainable livelihoods, for present and future generations.

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.