

**United Nations Open-ended Informal Consultative
Process on Oceans and the Law of the Sea**

Conference Room 1, NLB
Monday, 21 June, 10:00 a.m.

**Opening remarks by Ms. Patricia O'Brien,
Under-Secretary-General for Legal Affairs,
The Legal Counsel**

Co-Chairpersons,
Excellencies,
Distinguished delegates,

Good morning.

I am pleased to address this eleventh meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. As decided by the General Assembly, your discussions will be focused on the topic "Capacity-building in ocean affairs and the law of the sea, including marine science".

This topic is of crucial importance. Limitations in capacity not only hinder States from benefiting from oceans and seas and their resources, but also from effectively complying with the range of obligations under UNCLOS and other international conventions. Such lacunae also negatively impact the ability of States to effectively achieve the goals set out in Chapter 17 of Agenda 21, the Johannesburg Plan of Implementation and the United Nations Millennium Development Goals.

Distinguished delegates,

For many years now, Member States have expressed the need for capacity-building in ocean affairs and the law of the sea, including marine science, in General Assembly resolutions and meetings of the Informal Consultative Process. With reference to marine science, the General Assembly has, inter

alia, noted in its resolution 55/7 that promoting and developing the marine scientific and technological capacity of developing States, was essential for the effective implementation of the United Nations Convention on the Law of the Sea (UNCLOS). This is particularly important for least developed countries and for small island developing States, with a view to accelerating their social and economic development,

Although UNCLOS does not use the phrase “capacity-building”, it contains many references to the need to assist developing countries with respect to their activities in the marine environment in order to accelerate their social and economic development.

Apart from UNCLOS, there also exists a large number of international legal instruments, including the UN Fish Stocks Agreement, declarations, action plans, and other outcomes of United Nations multilateral processes, which recognize the need for capacity-building of developing countries.

Distinguished delegates,

There are many ongoing capacity-building activities/initiatives related to ocean affairs and the law of the sea. The report of the Secretary-General on oceans and the law of the sea presents an overview of a number of these as reported by several intergovernmental organizations. As noted in the report, no comprehensive inventory exists of the current capacity-building activities and initiatives in relation to ocean affairs and the law of the sea, including marine science. Nor has a comprehensive needs assessment been carried out at the global level.

However, the effectiveness and the sustainability of the outcomes of capacity-building activities/initiatives all too often suffer from the lack of a comprehensive needs assessment. Other challenges include limited information exchange, the absence of comprehensive outcome assessments and low levels of coordination amongst the various entities engaged in these

activities/initiatives, including the donor community. Taken collectively, these challenges seriously constrain the ability of States and providers to address challenges in implementing effective and sustainable capacity-building activities/initiatives in ocean affairs and the law of the sea.

I am informed that delegations from some of the major capacity-building provider agencies and organizations are participating in this meeting. As you might know, the Division for Ocean Affairs and the Law of the Sea will also make a presentation on its portfolio of capacity-development activities.

This week will provide delegations with an opportunity to have an overview of capacity-building programmes. Moreover, the meeting will assist in gaining a better understanding of the States' current capacity-building needs. The identification and exchange of views on such needs forms the basis for the way forward. As such, this meeting can serve as a staging ground for partnerships which can lead to the elaboration of projects and their eventual implementation.

Distinguished delegates,

It is my hope that at the end of this meeting a common understanding of capacity-building needs, opportunities and possible ways forward will have been identified. I would like to conclude by assuring you of the continued commitment and assistance of my Office, and in particular the Division for Ocean Affairs and the Law of the Sea, in facilitating and providing effective capacity-building opportunities for Member States in the field of ocean affairs and the law of the sea, including marine science.

I wish you a successful outcome of your deliberations. Thank you.