

Pacem in Maribus XXXIII

Celebration of the 50th Anniversary of UNESCO/IOC

Beijing, China 3 to 4 September 2010

Statement by Ms. Patricia O'Brien

Under-Secretary-General for Legal affairs

The Legal Counsel

United Nations

Excellencies,

Ladies and Gentlemen,

First of all, I wish to thank the Administrator of the State Oceanic Administration of China (SOA) for inviting a representative of the Secretary-General of the United Nations to the thirty-third Pacem in Maribus Conference, which is celebrating the fiftieth anniversary of the Intergovernmental Oceanographic Commission (IOC) of UNESCO.

It is a great honour for me to be here on behalf of the Secretary-General of the United Nations, Mr. Ban Ki-Moon. The Secretary-General sends his highest respect and best wishes to you and to the Chinese authorities. Let me first of all convey his message:

I quote:

“I am pleased to send greetings to the Pacem in Maribus XXXIII conference, which is celebrating the fiftieth anniversary of Intergovernmental Oceanographic

Commission of UNESCO. I also wish to convey my appreciation to the Government of the People's Republic of China for the various important world events it has hosted this year.

The theme of this year's Conference, "Oceans, Climate Change and Sustainable Development", highlights the centrality of the marine environment to human well-being. Perhaps most significant is the role that oceans play in regulating the global climate -- generating oxygen and absorbing carbon dioxide from the atmosphere.

Among those on the front lines of climate change are coastal communities -- in particular people living in Small Island Developing States. Halting the decline of coastal ecosystems such as mangroves, salt marshes and seagrasses, can help to mitigate the adverse impacts of climate change while providing numerous social and economic benefits to hundreds of millions of people.

This Conference is an occasion to take stock of the many benefits that we derive from the oceans. As we are becoming increasingly aware, these benefits are not limitless. Indeed, in many cases, they are in peril.

Last year, I drew attention to the plight of the oceans, and our collective responsibility to protect them, in the inaugural message for World Oceans Day. With so many people depending on the oceans, it is vital that we pursue universal

participation in the 1982 United Nations Convention on the Law of the Sea, the world’s “constitution for the oceans”. We need to preserve the productivity and essential ecosystem functions of the oceans as a basis for a prosperous and sustainable future for all.

I wish you a successful Conference.”

End of message.

I take this opportunity to convey my own best wishes to you for a successful outcome.

Let me also congratulate the International Oceanographic Commission for all its achievements and contributions to marine science and technology and a better understanding of the inter-linkages between the climate cycle and oceans.

Ladies and Gentlemen,

Allow me also pay tribute to the host country of this Conference. China, as a country with a long coastline and bordering many seas, is known to attach immense importance to all aspects of oceans and the law of the sea. China plays a crucial role in the work of United Nations agencies and programmes that deal with these matters. China’s valuable contributions to shaping important decisions within these international organizations cannot be overemphasized.

China has also provided eminent experts to the three institutions established by the 1982 United Nations Convention on the Law of the Sea: the International Tribunal

for the Law of the Sea, the International Seabed Authority and the Commission on the Limits of the Continental Shelf.

Ladies and Gentlemen,

The topic of this Conference, “Oceans, Climate Change and Sustainable Development”, raises both significant and timely issues. As our climate changes, so do our oceans. Changes brought about by increasing levels of greenhouse gases in our atmosphere have led to a number of significant threats, including sea-level rise, ocean acidification and loss in marine biodiversity. These threats have now put marine ecosystems and coastal communities at risk. The General Assembly has repeatedly expressed its serious concern over the impacts of climate change on the oceans, and has emphasized the need for enhanced scientific activities to better understand and address these impacts.

As you are all well aware, the Secretary-General attaches great importance to issues relating to climate change. The oceans provide both opportunities for sustainable development, and solutions to help address climate change. Preventing the decline of oceans and coastal ecosystems, including mangroves, salt marshes and seagrasses, which are responsible for storing up to 70 per cent of the carbon in the marine environment, will help to mitigate the impacts of climate change across the globe. Oceans are expected to feature prominently in the upcoming United Nations Conference on Sustainable Development (Rio+20).

Ladies and Gentlemen,

Later this September, the General Assembly will hold the High-level Meeting on the International Year of Biodiversity, the Summit on the Millennium Development Goals and the High-Level Meeting on the five-year review of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States. These meetings will provide an opportunity to further consider how clean, healthy and safe oceans are essential to the achievement of internationally-agreed goals and commitments related to climate change and sustainable development.

Ladies and Gentlemen,

As the Legal Counsel to the United Nations, I would like to stress that the health and security of our oceans and seas depends on the respect for the rule of law. International law, in particular, the 1982 United Nations Convention on the Law of the Sea, sets forth a comprehensive legal framework which governs all activities on the oceans and seas. The legal regime contained in the Convention is supplemented by a multitude of other global and regional instruments. Moreover, customary international law also continues to play an important role, particularly for those States that have not yet become parties to the Convention.

I am confident that respect for the rule of law on the oceans and seas would include adherence to and implementation of this international legal framework. However, more must be done to fully implement the provisions of the Convention and other relevant international instruments at the global, regional and national levels. This includes provisions relating to the protection and preservation of the marine environment,

as well as the promotion of socio-economic development, capacity-building and transfer of technology.

The repression of crimes at sea through the enforcement of national and international law is yet another important challenge to the promotion of the rule of law on the oceans and seas. In this regard, I would highlight the problem of piracy and armed robbery against ships off the coast of Somalia, that has plagued the international community for the past few years. International cooperation is key to addressing these challenges. In this connection, I would like to recall that the 1982 Convention requires States to “cooperate to the fullest possible extent in the repression of piracy on the high seas” (Article 100).

The Security Council, through its recent resolutions, has provided the international community with a framework for enhanced international cooperation to combat piracy and armed robbery against ships off the coast of Somalia.

In light of the continued high number of pirate attacks, however, more needs to be done. Importantly, pursuant to a request by the Security Council, the Secretary-General has recently prepared a report (S/2010/394) highlighting seven possible options to further the aim of prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia. The Security Council continues to be seized of the matter.

The United Nations, through its organs, plays an important role in upholding the legal order for the seas and oceans. The Organization, in particular the General Assembly, strives to promote the peaceful uses of the seas and oceans, the equitable and

efficient utilization of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment.

Allow me now to say a few words about China's valuable contribution to some important capacity-building activities on oceans issues. In this connection, we are very grateful to China for its valuable support. In particular, China has, over the past five years, consistently made generous contributions to the Voluntary Trust Fund for the purpose of defraying the cost of participation of the members of the Commission on the Limits of the Continental Shelf from developing States in the meetings of the Commission.

Moreover, I wish to mention the International Seabed Authority- Tongji Scholarship Programme concluded by the Authority with the School of Oceanic and Earth Sciences of Tongji University in Shanghai. This University, one of the leading institutions in China, has allocated 30 places under the Chinese Government Scholarship Programme to independently recruit masters and doctorate degree candidates. Furthermore, the Authority, through its Endowment Fund, is sponsoring a cooperative study on the seafloor hydrothermal system at the South-West Indian Ridge. That study is being organized by the China Ocean Mineral Resources Research and Development Association.

In addition, I would like to express my gratitude to the Government of China for hosting the Shanghai World Expo in which the United Nations Office of Legal Affairs actively participates with a short film depicting the life of a fisherman from a small coastal village in Tunisia.

Finally, I would like to recall what H.E. Mr Liu Zhenmin stated at the 63rd session of the General Assembly two years ago, namely: "... a very popular song in China has drawn a very apt analogy between the sea and the mother. We rely on the sea for our growth and give our love and care in return. We should utilize the oceans and seas in a better way while taking good care of them; work hard to maintain peace and order on the seas; and actively engage in coordination and cooperation on ocean affairs". I believe that we all can share these thoughtful observations.

In conclusion, I wish to once again draw your attention to the message of the Secretary-General in which he said that "with so many people depending on the oceans for their sustenance, it is vital that we preserve their productivity and essential ecosystem functions as a basis for a prosperous and sustainable future for all".

On this note, I wish you fruitful discussions and a successful meeting.

Thank you.