



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

OLA/DOALOS Side event

“The role of UNCLOS in sustainable development”

Introductory remarks

by

Mr. Miguel de Serpa Soares

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

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Excellencies,
Distinguished delegates,
Ladies and Gentlemen,

Good evening, I am pleased to welcome you to this side event on “The role of the United Nations Convention on the Law of the Sea in sustainable development” .

Oceans feature prominently in *The future we want* - the outcome document of the United Nations Conference on Sustainable Development held in Rio in 2012; and deservedly so. Oceans support life, have a role in regulating the climate, and provide us with vital resources. Oceans contribute to food security for billions of people worldwide, provide a livelihood to millions of people, energy sources and a means of transport, and play a central role in the cultures of many coastal communities. Oceans are thus very important for the economic and social development of States and can help in the eradication of malnutrition, in alleviating poverty and in raising living standards.

Yet, the benefits and opportunities that the oceans can provide in the short and long-term are contingent upon whether we manage them in a sustainable manner.

This is a very challenging task considering that oceans and their resources continue to be under increasing pressures from unsustainable human activity both at sea and on land, including overfishing and illegal, unreported and unregulated fishing, pollution, alien invasive species, climate change and the impacts of ocean acidification, physical alteration and destruction of marine habitats and unsustainable extraction of non-living marine resources, to name but a few. Maritime disputes and criminal activities at sea can also affect the achievement of sustainable development.

Successive conferences on sustainable development have highlighted the important role of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) in the sustainable development of oceans and seas, as also recognized by the General Assembly in its annual resolutions on oceans and the law of the sea.

In *The future we want*, States reiterated that international law, as reflected in UNCLOS, provides the legal framework for the conservation and the sustainable use of the oceans and their resources and urged all its parties to fully implement their obligations under the Convention. In Rio, parties to the United Nations Fish Stocks Agreement were also urged to implement their obligations under the Agreement.

More than thirty years after its opening for signature and twenty years after its entry into force, UNCLOS continues to provide an effective, comprehensive and overarching international legal framework for the oceans and seas. Indeed, the General Assembly has recognized the pre-eminent contribution of the Convention to the strengthening of peace, security, cooperation and friendly relations among all nations, to the promotion of the economic and social advancement of all peoples of the world, as well as to the sustainable development of the oceans and seas. Because UNCLOS covers a wide range of ocean issues, it also provides the legal framework for their sustainable development.

UNCLOS provides the global community with a carefully balanced and equitable package of rights and duties in the various maritime zones. Central to the package is the balance of the enjoyment of rights and benefits with the concomitant undertaking of duties and obligations. Moreover, implementation cannot be effected in a piecemeal fashion since the provisions of UNCLOS are closely interrelated and form an integral package. Thus, for example, States cannot benefit from the enjoyment of rights, e.g. the sovereign right to exploit their natural resources, without also fulfilling their obligations. These relate, inter alia, to the protection and preservation of the marine environment, the conservation of the living resources and the rights of navigation of other States.

As the oceans and seas and their resources are increasingly relied upon for food, to satisfy energy requirements, to meet the demands for new sources for raw materials and for transport, it is imperative to balance the enjoyment of rights with the corresponding implementation of obligations. At the same time, sustainable development of oceans has to be carried out in a coordinated and integrated manner. Several States have developed a national ocean policy and/or established integrated ocean management frameworks.

It can be noted that not all States, in particular some developing countries, have been able to translate the rights set out in UNCLOS into tangible benefits. The reasons are several and varied, including limited awareness of the total development potential of the marine sector, limited capabilities in the ocean sector, limited financial resources, and insufficiently trained human resources, to mention a few.

There is no doubt that effective implementation of UNCLOS, its implementing agreements, and the many related treaties that comprise the legal regime for the oceans and seas, is a major challenge. Critical steps towards the effective implementation of UNCLOS and its agreements, include giving greater prominence to ocean issues at the national level, effective national legislative, administrative and technical frameworks and adequate technological, financial and human capabilities. Effective cooperation and coordination at all levels is also very important.

In that regard, I wish to reiterate the continued support of my Office, through the Division for Ocean Affairs and the Law of the Sea, to provide assistance in the effective implementation of UNCLOS and its implementing agreements, including through training programmes, fellowship programmes, trust funds and other capacity-building activities.

This side event aims to draw attention to the benefits of an effective implementation of UNCLOS and its implementing agreements for the attainment of sustainable development. It will provide information on the social, economic and environmental dimensions of UNCLOS, and the delicate balance achieved therein. The aim is also to provide information on the relevant goals set by the General Assembly in its annual resolution on oceans and the law of the sea, and on the work of the processes it has established to assist it in the consideration of ocean affairs and the law of the sea, in particular the Informal United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, 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 and the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects.

I hope that the information provided during this side event will assist you in your deliberations this week, in particular regarding the sustainable development of oceans and seas, as well as other topics, such as the rule of law.

Thank you.