



**UNITED NATIONS  
OFFICE OF LEGAL AFFAIRS**

**Special Commemorative Session of the  
Assembly of the International Seabed Authority,  
Convened to celebrate the twenty-fifth anniversary of the entry into force  
of the United Nations Convention on the Law of the Sea and the  
establishment of the International Seabed Authority**

**Remarks**

**by**

**Mr. Miguel de Serpa Soares**

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

**25 July 2019**

**Kingston, Jamaica**

Excellencies,

Distinguished delegates,

Ladies and gentlemen,

It is my great pleasure to join you today to commemorate the twenty-fifth anniversary of the entry into force of the United Nations Convention on the Law of the Sea and of the establishment of the International Seabed Authority under the Convention.

At the outset, I wish to thank Jamaica, the host country of the Authority, for its hospitality and the Honourable Kamina Johnson Smith, Minister of Foreign Affairs and Foreign Trade of Jamaica, for her warm welcome.



Over the past 25 years, the Convention has achieved nearly universal acceptance.

From ‘A Constitution for the Oceans’, as remarked by Tommy T.B. Koh, of Singapore, President of the Third United Nations Conference on the Law of the Sea, the Convention has become *the* constitution for our oceans.

Setting out the legal framework within which all activities in the oceans and seas must be carried out and having many provisions that are now recognized as reflecting customary international law, the Convention has over the years played a critical role in maintaining international peace and security and promoting the sustainable development of oceans, seas and their resources.

One of the main contributions of the Convention to the rule of law is the establishment of three bodies that assist States Parties in effecting their rights and duties under the Convention. These three bodies - the International Seabed Authority, as well as the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf – are deeply respected among a large number of intergovernmental bodies which are called upon to contribute to making oceans the space for peaceful cooperation among all States and a source of prosperity for all peoples of the world.

Matching a very complex substantive regime with such an articulate and innovative institutional mechanism as the International Seabed Authority is yet another reason why the Convention represents such a unique achievement in the history of multilateral negotiations.

In particular, the mandate that the drafters of the Convention envisaged for the Authority had no precedents. The principle of “common heritage of mankind”





reflected in the international legal regime centred around the Authority remains one of the major achievements of international law-making.

It replaced uncertainties concerning the future of the ocean seabed, floor and subsoil beyond the limits of national jurisdiction with a regime of the Area, which is defined by shared benefits and responsibilities for all States, including land-locked and geographically disadvantaged States.

As the organization through which States Parties to the Convention organize and control activities in the Area, the Authority has a key and unprecedented role in international ocean governance. In order to discharge its mandate, the Authority has been, literally, operating in uncharted territories and devising principles and mechanisms to ensure that the whole human kind can derive benefits from what remains this Earth's "last frontier".

I wish therefore to commend the diligent and inspiring work carried out by the Authority in the past 25 years in the implementation of this innovative regime and congratulate the Authority on the progress it has made under the successive able leaderships of Ambassador Satya Nanda, Mr. Nii Odunton and now Mr. Michael Lodge. The total number of approved plans of work for exploration for marine mineral resources in the Area now stands at 29. This number represents the growing interest of the international community in the development of those resources in the Area under the terms of the Convention and the Agreement relating to the implementation of its Part XI.

I would also like to commend the efforts of the Authority in promoting marine scientific research in the Area, in particular also more recently enhancing the role





of women in this regard, and in the transfer of technology and scientific knowledge relating to activities in the Area.

Distinguished delegates,

The entry into force of the Convention was a defining moment in the progressive development and codification of the law of the sea. The commemoration of this event offers a valuable opportunity to reflect on the continued relevance of the Convention and the crucial importance of multilateralism without which our achievements in the past would not have been possible.

This is particularly relevant in view of the ongoing efforts which aim to further develop the legal regime for the oceans, in particular in areas beyond national jurisdiction, within the framework set out by the Convention.

Such efforts include the ongoing development by the Authority of draft regulations for exploitation of mineral resources in the Area. I note that the United Nations General Assembly, which follows very closely the developments in relation to the work of the Authority, has encouraged the Authority to continue its work on the draft regulations as a matter of priority and to provide sufficient opportunities and time for substantive consideration and discussion of successive drafts. In doing so, the General Assembly has also emphasized the ongoing need for openness and transparency. In this regard, allow me to commend the efforts of the Authority towards that end.

Another major example of the ongoing progressive development of the law of the sea is the Intergovernmental Conference on an international legally binding instrument under the Convention on the conservation and sustainable use of marine





biological diversity of areas beyond national jurisdiction, convened pursuant to General Assembly resolution 72/249.

The Conference held its first session in September 2018 and the second session in March/April 2019. The third session will be held from 19 to 30 August 2019 and the fourth session should take place in the first half of 2020.

You will recall that the Conference is convened to address the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in particular, together and as a whole: (i) marine genetic resources, including questions on the sharing of benefits, (ii) measures such as area-based management tools, including marine protected areas, (iii) environmental impact assessments, and (iv) capacity-building and the transfer of marine technology.

I would like to underscore that all these processes that I have mentioned are crucial for strengthening rule-based international ocean governance. They are also crucial for the achievement of the 2030 Agenda for Sustainable Development, in particular the Sustainable Development Goal 14 which reflects the global commitment to conserve and sustainably use the oceans and their resources by implementing international law as reflected in the Convention.

Distinguished delegates,

For many years, my Office, through its Division for Ocean Affairs and the Law of the Sea, has maintained a close and fruitful working relationship with the Secretariat of the Authority, implementing the 1997 Agreement concerning the Relationship between the United Nations and the International Seabed Authority. We mutually benefitted from this relationship and we look forward to further strengthening it, including through enhanced cooperation on the implementation of





provisions of the Convention of common interest as well as on issues relating to the ongoing development of the law of the sea.

In my capacity as UN-Oceans Focal Point, I note with satisfaction the ongoing support for and active participation of the Authority in the work of UN-Oceans, with a view to reinforcing inter-agency coordination and cooperation and identifying synergies and further areas of collaboration.

I once again offer my congratulations to the Authority on its twenty-fifth anniversary and wish it every success in its important work to put the principle of “common heritage of mankind” into practice for the benefit of mankind as a whole.

