

# The United Nations and the Oceans

## The work of the Division for Ocean Affairs and the Law of the Sea

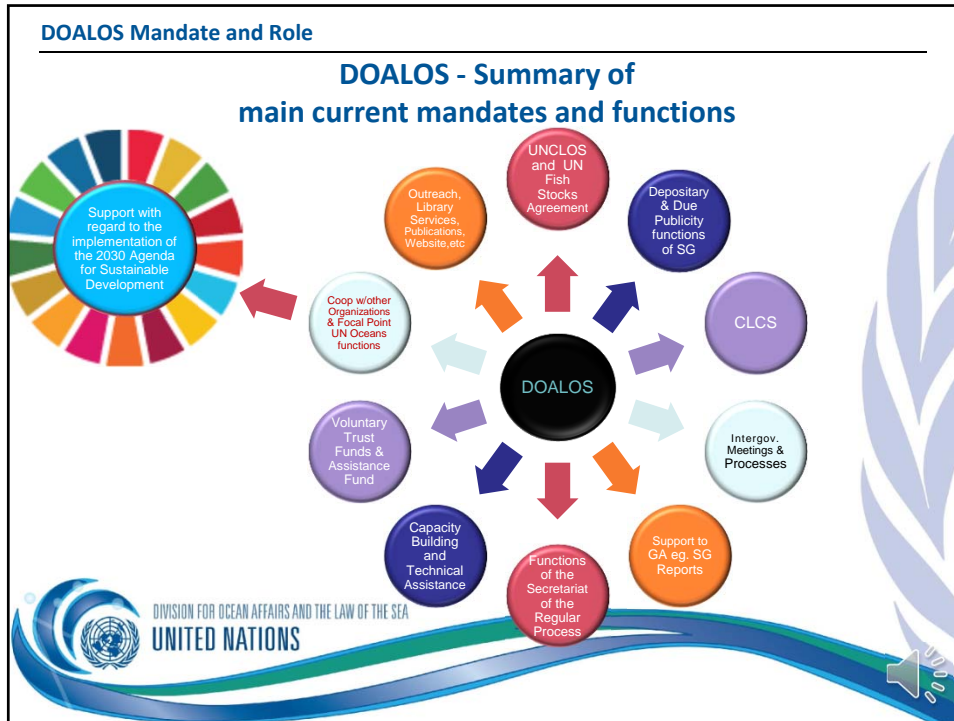
9 September 2019



### DOALOS Mandate and Role

#### About DOALOS



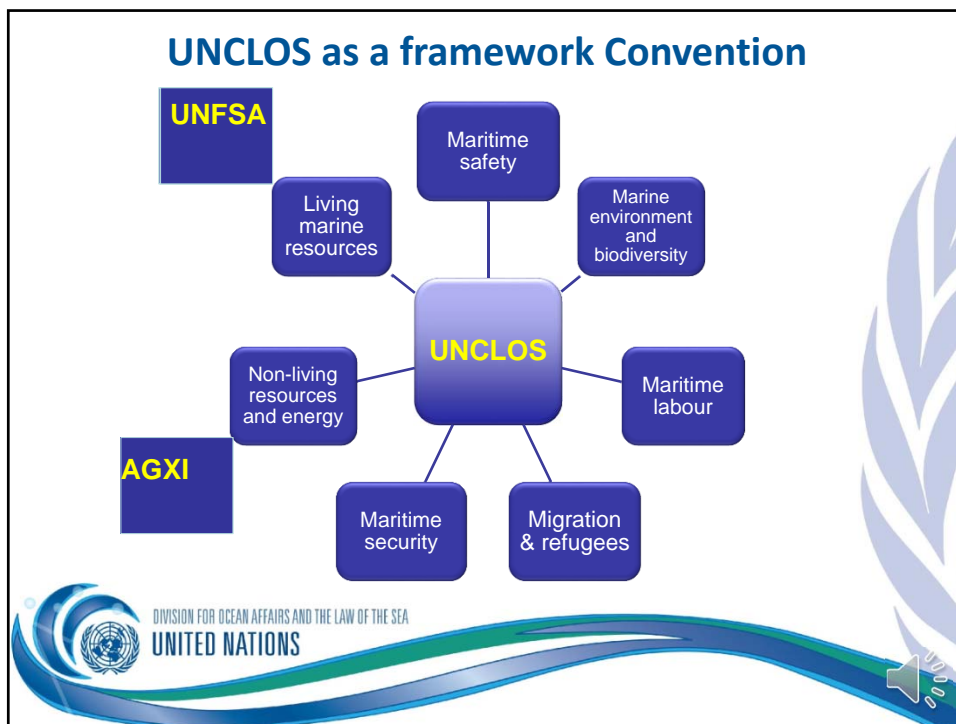


**United Nations Convention on the Law of the Sea (UNCLOS)**

- “Constitution for the oceans”
- Balances competing interests regarding the uses and resources of the oceans
- The General Assembly annually reaffirms that UNCLOS provides the legal framework within which all activities in the oceans and seas must be carried out

The Law of the Sea  
United Nations Convention on the Law of the Sea  
Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea with India and excepts from the Final Act of the Third United Nations Conference on the Law of the Sea

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### Meeting of States Parties to UNCLOS

- Matters related to the International Tribunal for the Law of the Sea (ITLOS)
- Matters related to Commission on the Limits of the Continental Shelf (CLCS)
- Information on the activities of the International Seabed Authority (ISA)
- Reports of the Secretary-General under article 319 for the information of States parties on issues of a general nature, relevant to States parties, which have arisen with respect to UNCLOS

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DOALOS and Bodies established under UNCLOS

## The role of DOALOS with respect to the CLCS

- Receives submissions and gives publicity to their executive summaries
- Organizes and services meetings of the Commission and its Subcommissions:
  - CLCS: Secretary / Deputy Secretary / Staff / Assistants
  - Subcommission: Secretary / GIS Officer / Assistants
- Facilitates the consideration of submissions by the Commission and its Subcommissions
- Manages Trust Funds



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## Commission on the Limits of the Continental Shelf

According to Article 3.1 of Annex II to the Convention, the functions of the CLCS are:

“(a) to consider the data and other material submitted by coastal States concerning the outer limits of the continental shelf in areas where those limits extend beyond 200 nautical miles, and to make recommendations [...];

(b) to provide scientific and technical advice, if requested by the coastal State concerned during the preparation of the data [...].”

**DOALOS provides administrative and technical support to the Commission**

**Role of coastal States:**

- Make submissions for outer limits of the continental shelf beyond 200 nautical miles
- Establish outer limits on the basis of recommendations of the CLCS
- Limits established pursuant to recommendations are final and binding
- Upon receipt of recommendations 3 options available to submitting States, i.e. accept recommendations, revise submission or make new submission



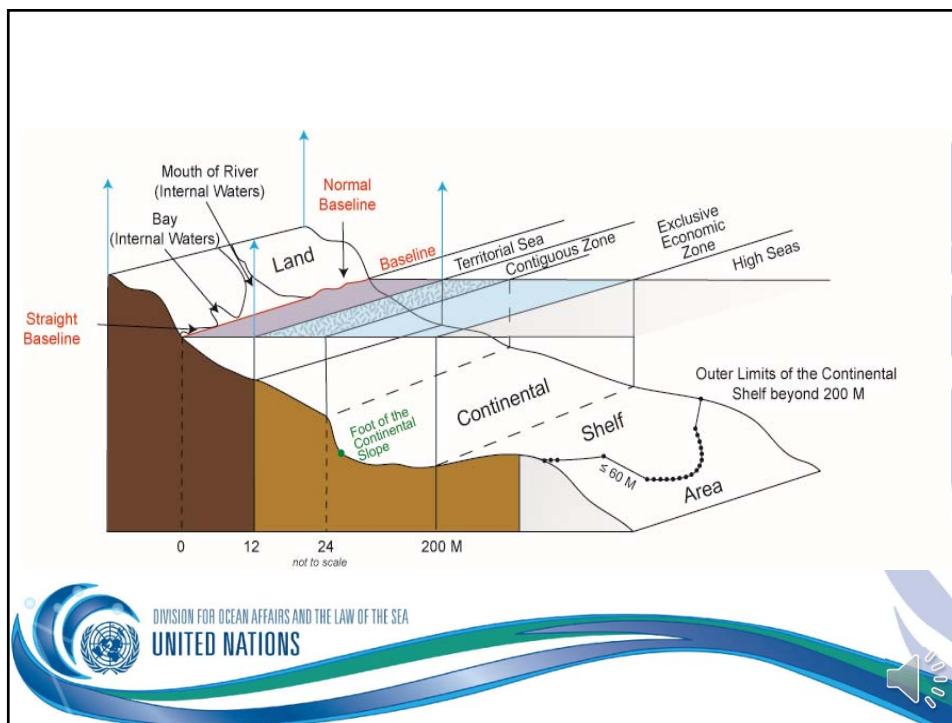
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## CLCS – Composition

- 21 members
- Experts in the fields of geology, geophysics or hydrography
- Elected by States Parties to the Convention from among their nationals for terms of five years
- Equitable geographical representation (at least three members from each geographical region)
- Members serve in their personal capacities with a duty to act independently and preserve confidentiality



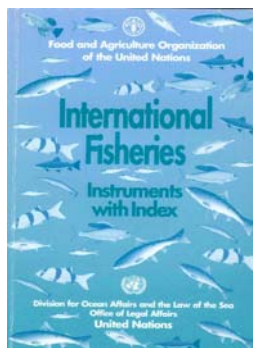
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**The United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks**



- Legal framework for the conservation and management of straddling fish stocks and highly migratory fish stocks
- Builds on the provisions of UNCLOS



## **United Nations Fish Stocks Agreement Review Conference**

- 2006, resumed in 2010 and in 2016
- Adopted a series of recommendations
- Resumption of the Review Conference at a date not earlier than 2020, to be agreed at a future round of informal consultations of States parties

### **Informal Consultations of States Parties**

- Assists in preparations of the Review Conference
- Held its most recent meeting in May 2019 on “Performance reviews of regional fisheries management organizations and arrangements”



## United Nations General Assembly and oceans and the law of the sea, its subsidiary bodies and processes



Annually provides cross-sectoral policy guidance following comprehensive review of developments

In its resolution 49/28, the General Assembly:

- Emphasized the principle in UNCLOS that the problems of ocean space are closely interrelated and need to be considered as a whole
- Decided that it is the global institution with the competence to annually review and evaluate:
  - ✓ implementation of UNCLOS
  - ✓ other developments relating to oceans and the law of the sea
- Established subsidiary bodies to assist it in its work



## UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea

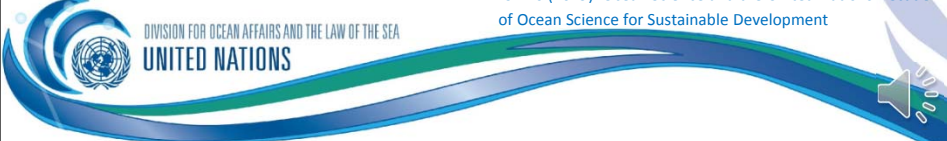


In its resolution 54/33, the General Assembly decided, consistent with the legal framework provided by UNCLOS and the goals of chapter 17 of Agenda 21, to establish an open-ended informal consultative process in order to facilitate the annual review by the General Assembly, in an effective and constructive manner, of developments in ocean affairs by considering the Secretary-General's report on oceans and the law of the sea and by suggesting particular issues to be considered by it, with an emphasis on identifying areas where coordination and cooperation at the intergovernmental and inter-agency levels should be enhanced



### Areas of focus at the meetings of the Informal Consultative Process

<p>ICP-1 (2000): Responsible fisheries and illegal, unreported and unregulated fisheries: Moving from principles to implementation;</p> <p>Marine pollution: Economic and social impacts of marine pollution and degradation, especially in coastal areas</p> <p>ICP-2 (2001): Marine science and the development and transfer of marine technology as mutually agreed, including capacity-building;</p> <p>Coordination and cooperation in combating piracy and armed robbery at sea</p> <p>ICP-3 (2002): The protection and preservation of the marine environment;</p> <p>Capacity-building, regional cooperation and coordination and integrated ocean management</p> <p>ICP-4 (2003) Safety of Navigation; for example, Capacity-building for the Production of Nautical Charts;</p> <p>Protecting Vulnerable Marine Ecosystems</p> <p>ICP-5 (2004): New sustainable uses of the oceans, including the conservation and management of the biological diversity of the seabed in areas beyond national jurisdiction</p> <p>ICP-6 (2005): Fisheries and their contribution to sustainable development; Marine Debris</p>	<p>ICP-7 (2006): Ecosystem approaches and oceans</p> <p>ICP-8 (2007): Marine genetic resources</p> <p>ICP-9(2008): Maritime security and safety</p> <p>ICP-10 (2009): Implementation of the outcomes of the Process, including a review of its achievements and shortcomings in its first nine meetings</p> <p>ICP-11 (2010): Capacity-building in ocean affairs and the law of the sea, including marine science</p> <p>ICP-12 (2011): Sustainable development</p> <p>ICP-14 (2013): Ocean acidification</p> <p>ICP-15 (2014): Role of seafood in global food security</p> <p>ICP-16 (2015): Oceans and sustainable development: integration of the three dimensions of sustainable development, namely, environmental, social and economic</p> <p>ICP-17 (2016): Marine debris, plastics and microplastics</p> <p>ICP-18 (2017): The effects of climate change on oceans</p> <p>ICP-19 (2018): Anthropogenic underwater noise</p> <p>ICP-20 (2019): Ocean Science and the United Nations Decade of Ocean Science for Sustainable Development</p>
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## The Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects





## General Assembly and the Regular Process



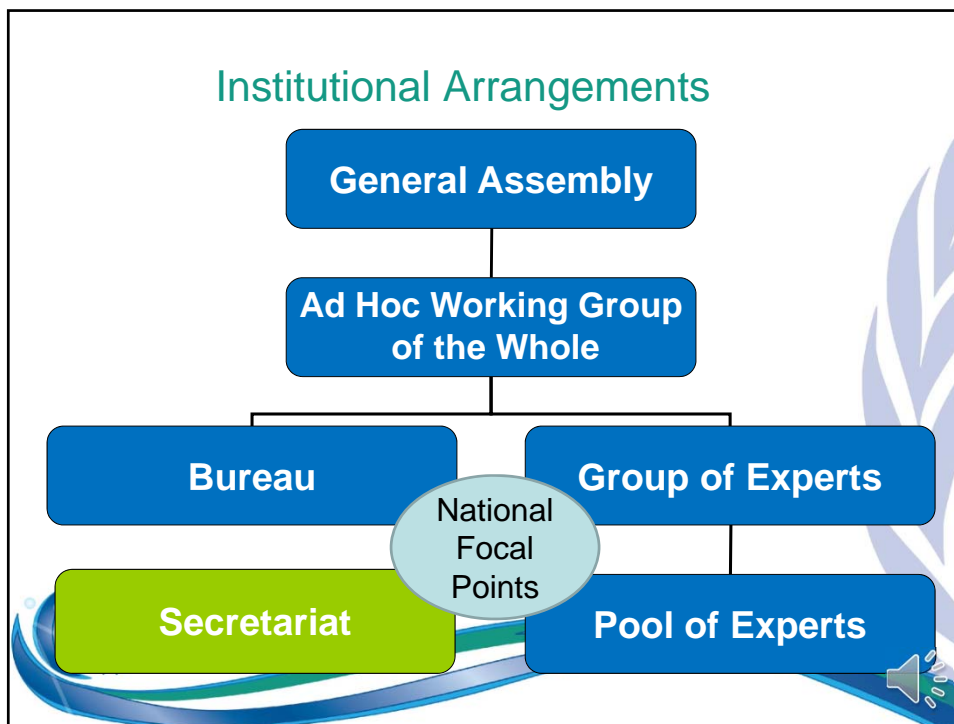
- 2002 – establishment of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects
- 2008 – establishment of the Ad Hoc Working Group of the Whole on the Regular Process
- 2010-2014: First cycle of the Regular Process
- 2015: output of first cycle: First Global Integrated Marine Assessment
- 2016-2020: Second cycle of the Regular Process (Programme of work 2017-2020)



## General Assembly and the Regular Process

- State of the world's oceans and seas is deteriorating
- No system of assessments currently exists that provides a global picture of the state of the marine environment and of socioeconomic aspects
- Approach to understanding the oceans needs to be integrated and not only sectoral
- Need for a more effective interface between scientific knowledge and decision-making

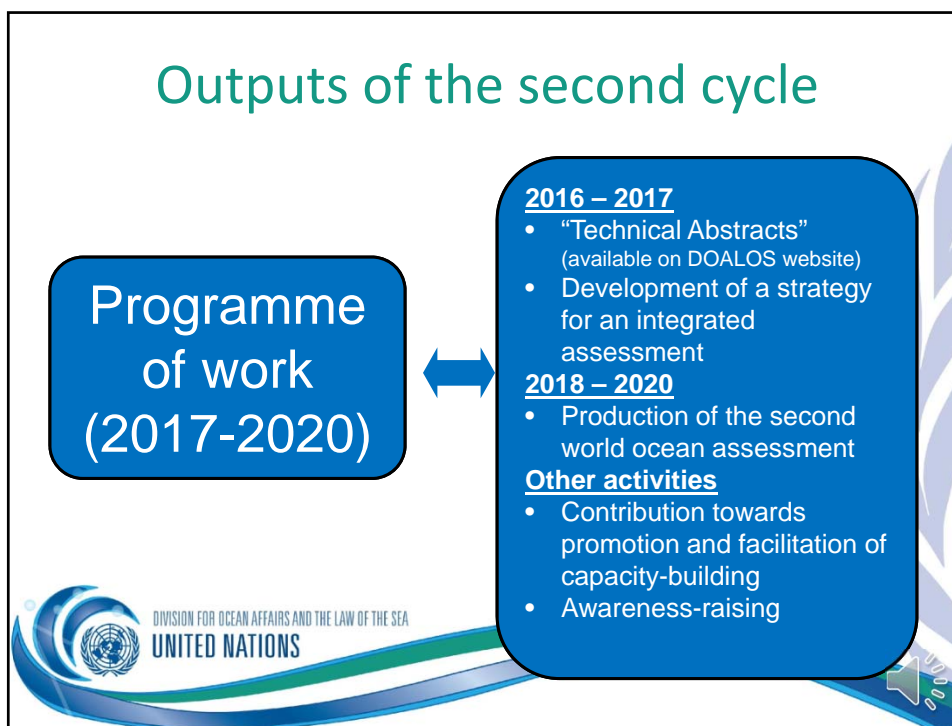





### The First Global Integrated Marine Assessment (WOA I)

- 55 chapters: Assessed knowledge on the biological, chemical, economic, physical and social aspects of the oceans from an integrated perspective
- Identifies gaps in knowledge and capacity
- Draft chapters sent to Member States, peer reviewers and intergovernmental organizations for review in 2014
- Summary issued as an official document (A/70/112)
- Provides a scientific basis for informed decisions in ocean affairs.

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## Technical abstracts



- Based on WOA I
- Aim to provide support to intergovernmental processes

- Three topics
  - Ocean and the SDGs under the 2030 Agenda
  - Conservation and sustainable use of BBNJ
  - Impacts of climate change on the oceans
- Available in all six UN languages



## Preparation of WOA II

**Group of Experts**

- Leads & co-leads for chapters
- Establish writing teams

**Pool of Experts**

- Over 600 members
- Members of writing teams

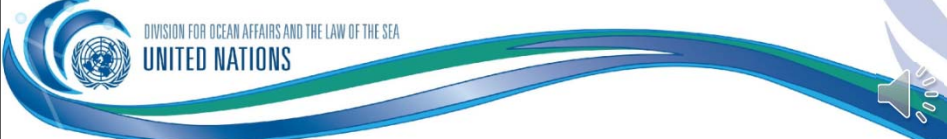
National Focal Points

**Regional Workshops**

- 2017 – scoping of regional priorities, WOA I feedback, awareness-raising
- 2018 – preparation of WOA II, WT meetings

**Awareness-raising & Capacity-building**

- Inventory of assessments
- Capacity-building inventory
- Regional workshops
- Briefings



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## Intergovernmental Conference on 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 (General Assembly resolution 72/249)



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## The IGC

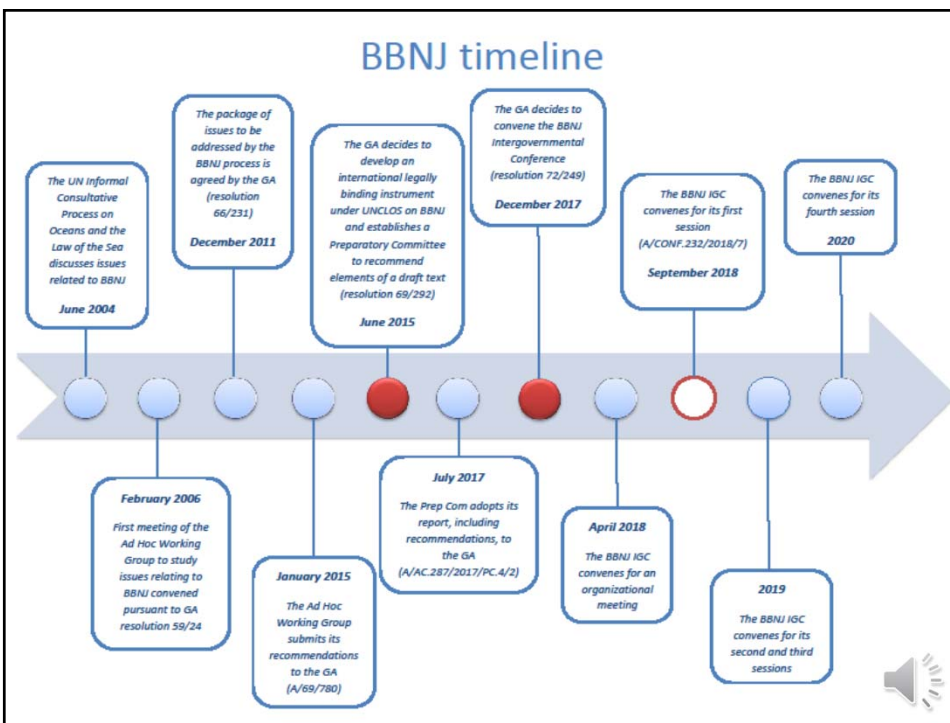
### Elements of Resolution 72/249

- ❑ Work and results of the conference should be **fully consistent with the provisions of UNCLOS**
- ❑ This process and its result should **not undermine** existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies
- ❑ Neither participation in the negotiations nor their outcome may affect the legal status of non-parties to UNCLOS or any other related agreements or the legal status of parties to UNCLOS or any other related agreements



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## BBNJ timeline





**BBNJ**  
Intergovernmental Conference

Marine genetic resources, inc. questions on sharing of benefits

Measures such as area-based management tools, inc. MPAs, and EIAs

Cross-cutting issues

Capacity-building & transfer of marine technology

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**BBNJ IGC**  
IGC-1

### IGC third session (19-30 August 2019)

- Informal Working Groups - Oral reports from Facilitators
- Informal informals
- Discussions on the way forward
- Closing statement of the President (A/CONF.232/2019/xx)

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## DOALOS and capacity-building

Hamilton Shirley  
Amerasinghe Memorial  
Fellowship Programme

UN-Nippon Foundation  
Fellowship Programme  
and  
Alumni Network

Technical Assistance  
and Training Programmes

Trust Funds  
-ICP TF  
- CLCS TF  
-ITLOS TF  
-CLCS Submissions TF  
-Regular Process TF  
-Fish Stocks TF  
-BBNJ TF



*DOALOS and Bodies established under UNCLOS*


### International Seabed Authority

Agreement concerning the Relationship between the United Nations and the International Seabed Authority - concluded on 14 July 1997.




### International Tribunal for the Law of the Sea

Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea - concluded on 18 December 1997








- 29 members
- Focal point: the United Nations Legal Counsel/Division for Ocean Affairs and the Law of the Sea




- Strengthen and promote coordination and coherence of UN system activities related to ocean and coastal areas
- Regularly share ongoing and planned activities with a view to identifying possible areas for collaboration and synergy
- Facilitate inputs to the annual reports of the Secretary-General on oceans and the law of the sea and on sustainable fisheries
- Facilitate inter-agency information exchange, including sharing of experiences, best practices, tools and methodologies and lessons learned

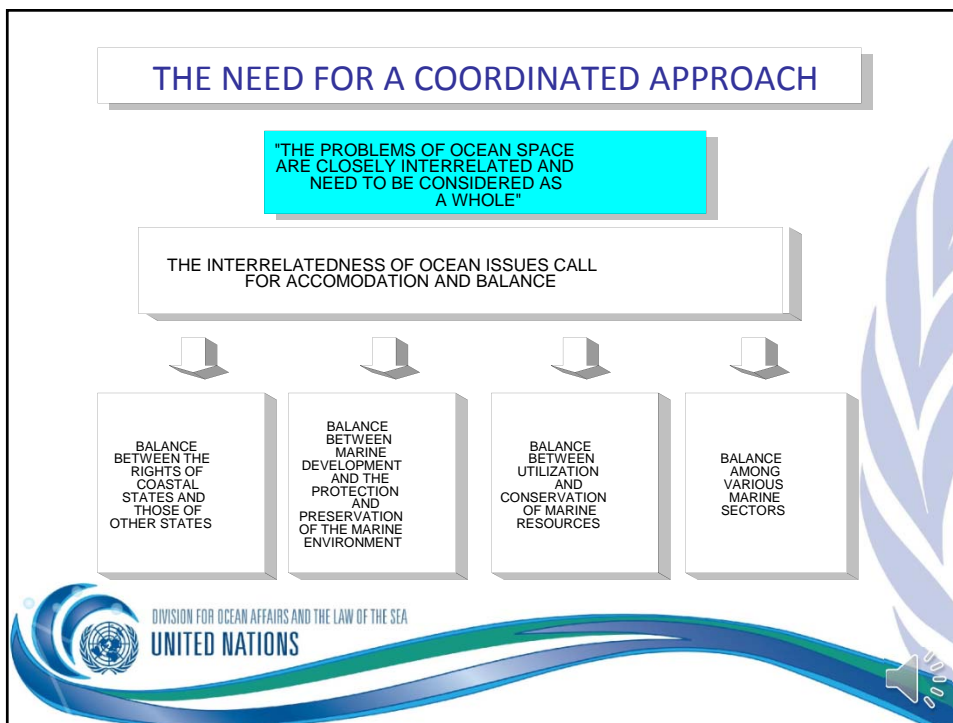




- ❑ Online inventory of mandates and activities
- ❑ Activities to support implementation of ocean-related SDGs of the 2030 Agenda
- ❑ Delivering as one on climate change and oceans
- ❑ Support to relevant intergovernmental processes



Ocean Conference commitment # OceanAction16758



## Global policy framework at the United Nations

- UNCED – Rio Declaration and Agenda 21 (Chapter 17)
- World Summit on Sustainable Development – Johannesburg Plan of Implementation
- Rio+20 – The Future We Want
- SAMOA Pathway
- 2030 Agenda for Sustainable Development
- General Assembly resolutions on oceans and the law of the sea and on sustainable fisheries



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Thank you for your attention!



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