

Partnership dialogue 7

“Enhancing the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea”

Report to plenary by H.E. Ms. Concetta Fierravanti-

Wells,

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Australia

It is my pleasure to report to you on the work of Partnership Dialogue 7 entitled “Enhancing the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea” which was organized to address target 14.c.

I co-chaired this Dialogue with H.E. Ms. Judy Wakhungu, Cabinet Secretary for Environment and Natural Resources of Kenya. The Dialogue was moderated by H.E. Mr. Heraldo

Muñoz, Minister of Foreign Affairs of Chile. It included the following four panellists:

- Mr. Michael Lodge, Secretary-General of the International Seabed Authority;
- Mr. Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel;
- Ms. Biliiana Cicin-Sain, President of the Global Ocean Forum and Professor of Marine Policy at the University of Delaware; and
- Ms. Florence Galletti, Director of Research, Law of the Sea and Environmental Law at the French National Research Institute for Development.

The panellists, Member States and other stakeholders addressed some of the key legal and implementation gaps in relation to enhancing the conservation and sustainable use of oceans and their resources, and how to increase partnerships aimed at raising awareness for the implementation of the international legal framework for the oceans and strengthening participation in existing international instruments. They also touched upon some of the most urgent needs of developing countries in terms of capacity-building,

the transfer of marine technology and financing to support the implementation of international law, as reflected in the United Nations Convention on the Law of the Sea (UNCLOS), and discussed how to achieve cross-sectoral cooperation and integrated management. In addressing these issues several suggestions for new partnerships were advanced.

The following are some of the key points that emerged from the discussions in Dialogue 7:

- The overarching message is that effective implementation of UNCLOS, which is complemented by a broad range of instruments, is key to achieving all of the targets of SDG 14, as well as other ocean-related Goals of the 2030 Agenda for Sustainable Development.
- It is also clear that good progress has been achieved in the development and implementation of the international legal framework for the conservation and sustainable use of the oceans and their resources.
- In that regard, efforts are on-going to develop an international legally-binding instrument, under UNCLOS,

on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

Yet, as was also noted, gaps remain:

- The goal of universal participation in UNCLOS and its implementing agreements still has not been achieved. In order to ensure legal certainty and stability in the conservation and sustainable use of oceans and their resources, establishing the limits of national jurisdiction and settling maritime boundary disputes in accordance with UNCLOS is critical.
- The applicable legal regime for oceans and seas has been mainly developed on a sectoral basis.
- Implementation, in many cases, has been uneven and ineffective.

This leads me to some of the challenges to implementation which were highlighted, namely:

- Resource constraints, including human and financial constraints, that are preventing the implementation and enforcement of international law;
- Illegal activities, including illegal and unreported fishing;

- Limited awareness, in some cases, of the international legal framework for oceans and the precise measures that States need to take to meet their obligations; and
- Few partnerships specifically aimed at addressing these challenges and strengthening the implementation of international law as reflected in UNCLOS.

With regard to partnerships, it was suggested, for example, that both top-down and bottom-up approaches could be beneficial. Partnerships could also be organized at the global or regional levels.

A number of innovative programs to address these challenges were highlighted during the Dialogue. This included Australia's commitment to continue assisting Pacific countries to conclude outstanding maritime boundaries with their neighbours.

I thank all the participants for their rich contributions. I am pleased to be able to report back to Plenary the outcomes from our Dialogue.