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# ADVANCE UNEDITED REPORTING MATERIAL

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## I. Introduction

1. The oceans play a crucial role in everyday life, as the lungs of the planet, providing most of the oxygen we breathe. They help regulate the global climate and are the ultimate source of the water that sustains all life on Earth, from coral reefs to snow-covered mountains, from tropical rain forests to mighty rivers, and even deserts.<sup>1</sup> The oceans act as a major sink of carbon dioxide, significantly reducing greenhouse gas (GHG) levels in the atmosphere and thereby benefitting all humankind.

2. As emphasized in the 2030 Agenda for Sustainable Development (2030 Agenda), in particular Sustainable Development Goal 14 (SDG 14), conservation and sustainable use of the oceans and seas and their resources is critical to sustainable development, including in regard to poverty eradication, sustained economic growth, food security and creation of sustainable livelihoods and decent work.<sup>2</sup>

3. Yet, the state of the oceans has never been more perilous. Despite the efforts of the international community to protect and preserve the marine environment and its living marine resources, the health of oceans continues to be adversely impacted by major pressures simultaneously, such as pollution, including marine debris, especially plastics, physical degradation, increased overfishing (see paragraphs 58-61 below), alien invasive species and underwater noise and the impacts of climate change and ocean acidification. Recently released data estimate that the amount of fixed nitrogen emitted to the atmosphere from fossil fuel burning and agriculture is now at almost four times the level of input in 1850.<sup>3</sup> The global ocean heat content is at record levels, sea-ice extent in the Arctic and the Antarctic remain well below average and the year 2017 was in the top three hottest years on record, with record breaking extreme temperature.<sup>4</sup>

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<sup>1</sup> ‘World must unite against ‘preventable tragedy’ of ocean pollution: UN chief’ (8 June 2018) <https://news.un.org/en/story/2018/06/1011721>.

<sup>2</sup> “Transforming our world: the 2030 Agenda for Sustainable Development”, as adopted by the General Assembly in resolution 70/1. Understanding relationships between sustainability goals and determining their interactions can help prioritize effective and efficient policy options (see, “A rapid assessment of co-benefits and trade-offs among Sustainable Development Goals”, Singha, Gerald G. et al. *Marine Policy* 93 (2018) 223–231).

<sup>3</sup> Rep. Stud. GESAMP No. 97/GAW Report No. 238.

<sup>4</sup> In its statement on the state of the global climate in 2017, the World Meteorological Organization found that the temperature in 2013–2017 was the highest five-year average on record, noting rising sea levels, increasing concentrations of greenhouse gases and shrinking Arctic and Antarctic sea ice (see WMO contribution and WMO Statement on the State of the Global Climate in 2017, at [https://library.wmo.int/doc\\_num.php?explnum\\_id=4453](https://library.wmo.int/doc_num.php?explnum_id=4453)). Even if carbon emission reductions called for in the 2015 Paris Agreement are met, there is a risk of Earth entering “Hothouse Earth” conditions, in which case the climate will stabilize in the long term at a global average of 4-5°C higher than pre-industrial temperatures, with sea level 10-60 m higher than current levels, rendering some planes on the planet uninhabitable. Avoiding this scenario requires a redirection of human actions from exploitation to stewardship of the Earth system (see “*Trajectories of the*

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Coastal communities and small island developing States (SIDS) remain highly vulnerable to those cumulative impacts, in particular, sea level rise, coastal erosion and storms, that threaten their very existence, let alone their economic and social welfare.

4. The world now faces a “global emergency” over the oceans. We must take seriously these threats to our global environment and understand that our collective future and security is at stake.<sup>5</sup>

5. Without concrete and urgent action, Member States will face major challenges in their efforts to achieve the targets set out in SDG 14, in particular those agreed to be met by 2020, namely, sustainably managing and protecting marine and coastal ecosystems (target 14.2), ending overfishing, illegal, unreported and unregulated (IUU) fishing and destructive fishing practices (target 14.4), conserving at least 10 per cent of coastal and marine areas (target 14.5) and prohibiting and eliminating certain forms of fisheries subsidies (target 14.6).

6. However, in a recent study conducted among the world’s leaders, SDG 14 was named last in significance among all the sustainable development goals in Agenda 2030.<sup>6</sup> If we are to achieve the goals and targets set out in the 2030 Agenda, the significance of the oceans to our shared humanity and collective future must be appreciated and understood by everyone.

7. Concerted action to meet the targets set out in SDG 14 will have wide-ranging positive effects in meeting the other goals,<sup>7</sup> just as the achievement of the other SDGs and targets will have a positive effect on the achievement of SDG 14. As the SDGs are integrated and indivisible in character, so too must be the efforts of the international community in achieving the 2030 Agenda, acknowledging the interlinkages and synergies between the goals.

8. Now more than ever the international community must also give priority to addressing ocean issues in an integrated, interdisciplinary and intersectoral way within the context of the 1982 United Nations Convention on the Law of the Sea (the Convention)<sup>8</sup> – the world’s “constitution for the oceans” – as complemented by other instruments.

9. The present report summarizes activities and developments relating to ocean affairs and the law of the sea, including those undertaken by the United Nations system and other intergovernmental organizations in relation to General Assembly resolution 72/73.<sup>9</sup> The purpose of the report is to assist the General Assembly in its annual

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*Earth System in the Anthropocene*”, Steffen, W. et al., Proceedings of the National Academy of Sciences (2018), at <https://doi.org/10.1073/pnas.1810141115>).

<sup>5</sup> ‘We face a global emergency’ over oceans: UN chief sounds the alarm at G7 Summit event (9 June 2018) <https://news.un.org/en/story/2018/06/1011811>.

<sup>6</sup> <https://www.aiddata.org/publications/listening-to-leaders-2018>

<sup>7</sup> See “A rapid assessment of co-benefits and trade-offs among Sustainable Development Goals”, Singha, Gerald G. et al. *Marine Policy* 93 (2018) 223–231, which identifies targets 14.7 on small island developing States and 14.4 on overfishing, illegal, unreported and unregulated fishing and destructive fishing practices as having particularly important in achieving the other SDGs.

<sup>8</sup> United Nations, Treaty Series, vol. 1833, p. 3. The United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development (the Ocean Conference), was held in New York from 5 to 9 June 2017, concluding with a policy outcome document entitled “Our ocean, our future: call for action” which affirms, inter alia, the need to enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the Convention (see General Assembly resolution 71/312, annex, para. 11).

<sup>9</sup> Due to word count restrictions on reports of the Secretary-General and the pace and scope of developments in the field of oceans and the law of the sea, the present report does not purport to be comprehensive, but to provide an illustrative and thematic overview of major developments.

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consideration and review of activities and developments relating to oceans and the law of the sea. It should be read in conjunction with other reports relevant to oceans and the law of the sea issued by the United Nations during the period under review.<sup>10</sup> It should also be read in combination with the more detailed contributions provided by the United Nations specialized agencies, programmes and bodies, as well as other intergovernmental organizations,<sup>11</sup> for which I express my gratitude.

## II. Legal and policy framework

10. During the period under review, the existing legal framework for oceans, which includes a large number of binding instruments, adopted and implemented at the global, regional and national levels, within the context of the Convention, continued to develop and expand. The conditions for entry into force for a number of global instruments were met.<sup>12</sup> Binding instruments, complemented by important non-binding instruments, such as the 2030 Agenda, as well as the annual resolutions of the General Assembly on

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<sup>10</sup> These include: (a) the report of the Secretary-General on oceans and the law of the sea ([A/73/68](#)), which addresses the topic of focus of the nineteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (Informal Consultative Process); (b) the report on the work of the Informal Consultative Process at its nineteenth meeting ([A/73/124](#)); (c) the report of the twenty-eighth meeting of the Meetings of States Parties to the United Nations Convention on the Law of the Sea ([SPLOS/324](#)); (d) the reports of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, on its ninth meeting ([A/72/494](#)) and its tenth meeting ([A/73/74](#)); (e) the Report of the Preparatory Committee established by General Assembly resolution 69/292: Development of 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 ([A/Conf.232/2018/1](#)); (f) the statement by the President of the 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 at the closing of the organizational meeting ([A/CONF.232/2018/2](#)) and (g) other relevant documents, such as the statements by the Chair of the Commission on the Limits of the Continental Shelf on the progress of work in the Commission ([CLCS/100](#), [CLCS/101](#), [CLCS/103](#), [CLCS/103/Corr.1](#), and [CLCS/105](#)).

<sup>11</sup> Inputs have been received from the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS), Baltic Marine Environment Protection Commission – Helsinki Commission (HELCOM), Secretariat of the Basel, Rotterdam and Stockholm Conventions, Secretariat of the Convention on Biological Diversity (CBD), Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Coordinating Body on the Seas of East Asia (COBSEA), Food and Agriculture Organization of the United Nations (FAO), Hague Conference on Private International Law (HCCH), International Atomic Energy Agency (IAEA), International Labour Organization (ILO), International Maritime Organization (IMO), Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO), International Seabed Authority (ISA), International Tribunal for the Law of the Sea (ITLOS), Joint Technical Commission of Maritime Front (Comisión Técnica Mixta del Frente Marítimo, CTMFM), North East Atlantic Fisheries Commission (NEAFC), Northwest Atlantic Fisheries Organization (NAFO), OSPAR Commission, South Pacific Regional Fisheries Management Organisation (SPRFMO), United Nations Environment Programme (UNEP), United Nations High Commissioner for Refugees (UNHCR), United Nations Office on Drugs and Crime (UNODC), World Meteorological Organization (WMO) and World Trade Organization (WTO). All contributions are available from: [www.un.org/Depts/los/general\\_assembly/contributions73.htm](http://www.un.org/Depts/los/general_assembly/contributions73.htm).

<sup>12</sup> These included the 2004 International Convention for the Control and Management of Ships' Ballast Water and Sediments on 8 September 2017, the 2007 Work in Fishing Convention (No. 188) on 16 November 2017 and the 2016 amendments to the 1965 Convention on Facilitation of International Maritime Traffic on 1 January 2018.

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oceans and the law of the sea and on sustainable fisheries,<sup>13</sup> continued to provide both a comprehensive international law regime applicable to the oceans,<sup>14</sup> as well as internationally-agreed policy guidance, commitments, goals and targets. Important steps were taken to strengthen the implementation of existing instruments on oceans at global and regional levels, as described in sections III to VII below.<sup>15</sup>

11. Implementation of the Convention is crucial for the peaceful and sustainable development of the oceans and their resources and achieving the SDGs in the 2030 Agenda, in particular SDG 14. As at 31 August 2018, there were 168 parties to the Convention and 150 parties to the 1994 Agreement relating to the Implementation of Part XI of the Convention. The number of parties to the 1995 United Nations Fish Stocks Agreement (the Agreement) increased from 86 to 89 during the reporting period.<sup>16</sup>

12. As a framework instrument, the Convention provides for the further development of specific areas of the law of the sea. Most notable in this regard is the decision of the General Assembly in resolution 72/249, following the completion of the work of the Preparatory Committee established by resolution 69/292,<sup>17</sup> to convene an intergovernmental conference, under the auspices of the United Nations, to consider the recommendations of the Preparatory Committee on the elements and to elaborate the text of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, with a view to developing the instrument as soon as possible (BBNJ Intergovernmental Conference). The Conference held a meeting in New York, from 16 to 18 April 2018, to discuss organizational matters, including the process for the preparation of the zero draft of the instrument.<sup>18</sup> The first substantive session of the Conference will take place from 4 to 17 September 2018.

13. In other contexts, as reviewed below, the important role of the Convention in setting out a comprehensive legal regime for the oceans and seas has been reaffirmed, thereby promoting peace and security and sustainable development.<sup>19</sup>

### III. Maritime spaces

14. The enhancement of legal certainty with respect to maritime zones and boundaries through the Convention is important in strengthening international peace and security and the effective use and management of the oceans. The bodies provided for in the Convention continued to play fundamental roles in this respect.<sup>20</sup>

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<sup>13</sup> See, for example, General Assembly resolutions 72/72 and 72/73, both adopted on 5 December 2017.

<sup>14</sup> For more information, see the received contributions at: [www.un.org/Depts/los/general\\_assembly/contributions73.htm](http://www.un.org/Depts/los/general_assembly/contributions73.htm).

<sup>15</sup> For more information, see the received contributions at: [www.un.org/Depts/los/general\\_assembly/contributions73.htm](http://www.un.org/Depts/los/general_assembly/contributions73.htm).

<sup>16</sup> Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. United Nations, Treaty Series, vol. 2167, p. 3.

<sup>17</sup> A/AC.287/2017/PC.4/2.

<sup>18</sup> A/CONF.232/2018/2. Also see: <https://www.un.org/bbnj/>.

<sup>19</sup> See, for example, statements made at the twenty-eighth Meeting of States Parties to the United Nations Convention on the Law of the Sea (SPLOS/324).

<sup>20</sup> Commission on the Limits of the Continental Shelf, International Seabed Authority and

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15. The Commission on the Limits of the Continental Shelf (CLCS) continued its important work.<sup>21</sup> Among other things, it established new subcommissions and reviewed and modified its internal working methods to address concerns expressed by some submitting States.<sup>22</sup>

16. I continued to perform my depositary functions under the Convention concerning charts or lists of geographical coordinates of points concerning the limits of maritime zones, also pursuing further my efforts to improve the corresponding geographic information system. I received one additional deposit pursuant to article 76, paragraph 9, of the Convention, permanently describing the outer limits of the continental shelf beyond 200 nautical miles, following recommendations from the CLCS,<sup>23</sup> as well as a number of other deposits.<sup>24</sup>

17. The Convention requires States Parties to settle any dispute between them concerning the interpretation or application of this Convention by peaceful means. During the period under review, a number of developments took place in relation to disputes submitted to the dispute settlement mechanisms provided for in the Convention.

18. In particular, a Special Chamber of the International Tribunal for the Law of the Sea (ITLOS)<sup>25</sup> delivered a judgment in the *Dispute Concerning Delimitation of the Maritime Boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean (Ghana/Côte d'Ivoire) (Case No. 23)*.<sup>26</sup>

19. In May 2018, the Commission in the conciliation between the Democratic Republic of Timor-Leste and the Commonwealth of Australia (Conciliation Commission) recorded the agreement between Timor-Leste and Australia regarding their maritime boundary in the Timor Sea.<sup>27</sup> On 6 March 2018, the Maritime Boundaries Treaty between Timor-Leste and Australia was signed in New York in the presence of myself and the Conciliation Commission.

20. In addition, on 29 March 2018 Guyana filed an application against Venezuela with the International Court of Justice, requesting the Court to confirm the legal validity and binding effect of an arbitral award concerning the boundary between Guyana and Venezuela.<sup>28</sup>

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International Tribunal for the Law of the Sea.

<sup>21</sup> CLCS/100, CLCS/101, CLCS/103, CLCS/103/Corr.1, and CLCS/105.

<sup>22</sup> Also see SPLOS/319.

<sup>23</sup> Maritime Zone Notification 131 in respect of the deposit made by Suriname concerning its maritime zones. See [http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn\\_s/mzn131ef.pdf](http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn_s/mzn131ef.pdf).

<sup>24</sup> See Maritime Zone Notifications 130 and 132 to 139 concerning the deposits made by the Republic of Korea, France, Republic of Congo, Samoa, Algeria, Vanuatu, Solomon Islands, Ghana and Spain. Deposits were also made by France, Micronesia (Federated States of) in August of 2017 and not previously reported. See <http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/depositpublicity.htm>.

<sup>25</sup> The Tribunal devoted its forty-fourth and forty-fifth sessions to legal, judicial, organizational and administrative matters. See SPLOS/317, SPLOS/324 and ITLOS contribution.

<sup>26</sup> Ibid.

<sup>27</sup> <http://pcacases.com/web/sendAttach/2358>.

<sup>28</sup> <http://www.icj-cij.org/files/case-related/171/171-20180404-PRE-01-00-EN.pdf>.

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## IV. Maritime security

21. The ability of States to maximize benefits from the oceans and seas and develop a sustainable ocean-based economy depends on maintaining and enhancing the security of maritime spaces.
22. International cooperation, both at the global and regional levels, remained key in efforts to address threats to maritime security, including piracy, as well as armed robbery against ships, during the period under review. The Convention requires all States to cooperate to the fullest possible extent in the repression of piracy.<sup>29</sup>
23. The number of reported incidents of piracy and armed robbery against ships at the global level increased slightly after a long period of decline.<sup>30</sup> The Gulf of Guinea region and South-East Asia continued to have high numbers of attacks, while the number of attacks off the coast of Somalia remained low, with two attacks reported in the first six months of 2018.<sup>31</sup>
24. In terms of regional developments, in July 2018, the Contact Group on Piracy off the Coast of Somalia (CGPCS), *inter alia*, welcomed continued efforts by the international community to combat and deter piracy off the coast of Somalia, but acknowledged the ongoing threat in the region<sup>32</sup> and considered a proposal to broaden the mandate of the CGPCS to crimes and threats directly related to piracy. It also highlighted the need to regulate privately contracted armed security personnel and floating armouries to prevent the proliferation of arms.<sup>33</sup>
25. In the Gulf of Guinea region, the use of violence during attacks in the region and tactics such as kidnapping for ransom and the capture of fishing vessels remained a serious concern. International cooperation to prevent such attacks continued through the G7 Friends of the Gulf of Guinea Group, the Economic Community of West African States, the Economic Community of Central African States and the intervention of naval forces.<sup>34</sup>

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<sup>29</sup> Convention, article 100.

<sup>30</sup> According to IMO, “In 2017 the Organization received reports of 203 incidents of piracy and armed robbery against ships worldwide, the lowest for over 20 years, confirming the current downward year on year trend, with a reduction of about 8% at the global level.” IMO contribution. However, during the first six months of 2018, 107 incidents were reported to the International Maritime Bureau globally, as opposed to 87 in the first six months of 2017. See ICC International Maritime Bureau, Piracy and Armed Robbery Against Ships, Report for the Period 1 January – 30 June 2018. Noting a proliferation of voluntary reporting centres, international agencies, private security consultancies, and national reporting systems using different procedures, definitions, and methods to analyse maritime security incident data, resulting in widely varying reporting methodologies and significant variances in statistical data across these bodies, an informal working group was established in the context of IMO’s Maritime Safety Committee. IMO Documents MSC/99/22, paras. 17.10 – 17.11, and MSC 99/Inf.18.

<sup>31</sup> *Ibid.*

<sup>32</sup> Also see the report of the Secretary-General on piracy off the coast of Somalia, S/2017/859. On 7 November 2017, the Security Council adopted a resolution on piracy off the coast (Security Council resolution 2383 (2017)).

<sup>33</sup> Communique of the twenty-first session of the Contact Group on Piracy off the Coast of Somalia, 12-13 July 2018, paras. 5, 8, 20 and 25. On the issue of floating armouries, also see IMO Document MSC 99/22, para. 17.3. UNODC was reviewing guidelines for the use of force by privately contracted armed security personnel and producing a summary of the legal regime applying to floating armouries. See UNODC contribution.

<sup>34</sup> See IMO Document MSC 99/22 at para. 17.2; ICC International Maritime Bureau, Piracy and

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26. In the Asian region, international cooperation, including through the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, contributed to a 15 per cent decrease in incidents during the first six months of 2018, compared to the same period in 2017, with no reported successful cases of crew abduction or theft of oil cargo. Three of 40 incidents constituted piracy, rather than armed robbery against ships.<sup>35</sup>

27. Illicit trafficking in narcotic drugs and psychotropic substances by sea continued to be prevalent. Such activities are being thwarted, including through the UNODC-WCO Container Control Programme, which pools the strengths of customs and other law enforcement bodies. That programme has focused on enhancing cooperation in detecting high-risk consignments at the regional level.<sup>36</sup>

28. With regard to maritime security, the United Nations Office of Drugs and Crime (UNODC) reported on a wide range of capacity-building activities, including development of maritime administration and appropriate legal frameworks under its Global Maritime Crime Programme, provision of technical and material support to maritime law enforcement, courts and prosecutors and detention facilities in West Africa, Eastern Africa, the Horn of Africa and in South Asia.<sup>37</sup> UNODC also piloted the use of satellite-based technology to monitor, prevent and respond to maritime crime threats.<sup>38</sup> International Maritime Organization (IMO) also undertook capacity-building activities, including to strengthen port security, and updated its model courses related to maritime security.<sup>39</sup>

## V. The importance of the human dimension

29. People all over the world depend on the oceans for food security, livelihoods, recreation, tourism, transportation, cultural values and heritage and for the regulation of the climate. Coastal communities, in particular, least developed countries (LDCs) and SIDS, are highly reliant on the oceans in order to eradicate poverty, promote sustainable ocean-based economies and support community development. The conservation and sustainable use of the oceans and seas and their resources is essential to ensure the continued availability of these benefits for future generations.

30. As reflected in the 2030 Agenda, addressing vulnerabilities and achieving gender equality and the empowerment of all women and girls<sup>40</sup> will make a crucial contribution to progress across all the SDGs. However, while the importance of gender equality and the crucial role of women and youth in the conservation and sustainable use of oceans, seas and marine resources are increasingly being recognized by the international

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Armed Robbery Against Ships, 2017 Annual Report.

<sup>35</sup> “News Release of the ReCAAP Information Sharing Centre” 18 July 2018 at [http://www.recaap.org/resources/ck/files/news/2018/ReCAAP\\_ISC\\_Half-Yearly\\_Report\\_Jan-to-Jun\\_2018\\_FINAL.pdf](http://www.recaap.org/resources/ck/files/news/2018/ReCAAP_ISC_Half-Yearly_Report_Jan-to-Jun_2018_FINAL.pdf).

<sup>36</sup> <https://www.unodc.org/unodc/en/frontpage/2018/July/unodc-wco-container-control-programme-states-meet-in-turkmenistan-to-enhance-cooperation-in-detecting-high-risk-consignments.html>.

<sup>37</sup> UNODC contribution.

<sup>38</sup> Ibid.

<sup>39</sup> Report of the 99th session of MSC, IMO Document MSC 99/22 at para. 4.5-4.7.

<sup>40</sup> In particular, Sustainable Development Goal 5, “Achieve gender equality and empower all women and girls”, calls for the elimination of discrimination against all women and girls everywhere.

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community,<sup>41</sup> concerted action towards gender equality and empowerment of women is still needed in all ocean-related sectors.

31. During the reporting period, the Food and Agriculture Organization of the United Nations (FAO) promoted empowerment of women through better access to markets and reduced food losses, in the context of implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication.<sup>42</sup> It also published a handbook and a video on gender-equitable small-scale fisheries development and governance.<sup>43</sup>

32. A focus on gender at World Oceans Day 2019, and on “Empowering Women in the Maritime Community” at the IMO World Maritime Day 2019,<sup>44</sup> will provide further awareness-raising opportunities.

### **Labour at sea**

33. Seafarers and fishers at sea often work in difficult conditions and face a wide range of occupational hazards,<sup>45</sup> while tending to lack access to financial resources, social protection, institutional support and education.<sup>46</sup> These workers are often vulnerable to exploitation and may suffer human rights violations and labour abuses. Women, migrant labourers and youth are particularly vulnerable. Instances of seafarer abandonment have continued to increase.<sup>47</sup> The Convention requires every State to take such measures for ships flying its flag as are necessary to ensure safety at sea with regard, inter alia, to the manning of ships, labour conditions and the training of crews, taking into account the applicable international instruments.

34. The 2007 Work in Fishing Convention (Convention No. 188) of the International Labour Organization (ILO) entered into force in November 2017, setting out binding requirements to address key issues concerning work on board fishing vessels,<sup>48</sup> including prevention of labour abuses through enforcement of minimum requirements, regularized recruitment process and investigation of complaints by fishers.<sup>49</sup> Pursuant to Convention No. 188, the first fishing vessel was detained following a complaint by the crew to inspectors about the working conditions.<sup>50</sup>

35. In January 2018, amendments to the 1965 Convention on Facilitation of International Maritime Traffic entered into force to strengthen the rights of seafarers to shore leave.<sup>51</sup> In June 2018, the International Labour Conference approved amendments

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<sup>41</sup> See, for example, General Assembly resolution 71/312 at para. 9.

<sup>42</sup> FAO contribution.

<sup>43</sup> Ibid; FAO, *Towards Gender-equitable Small-Scale Fisheries Governance and Development: A Handbook* (2017) and ‘SSF Guidelines: Gender Equity and Equality’ (2018) <http://www.fao.org/gender/resources/videos/video-detail/en/c/1119408>.

<sup>44</sup> See IMO website at <http://www.imo.org/en/MediaCentre/PressBriefings/Pages/13-WMD2019themeC120.aspx>.

<sup>45</sup> ILO contribution.

<sup>46</sup> FAO contribution.

<sup>47</sup> IMO contribution and [http://www.ilo.org/dyn/seafarers/seafarersBrowse.list?p\\_lang=en](http://www.ilo.org/dyn/seafarers/seafarersBrowse.list?p_lang=en).

<sup>48</sup> ILO contribution. The text can be found at [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C188](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C188).

<sup>49</sup> [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_596898/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_596898/lang--en/index.htm).

<sup>50</sup> [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_634680/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_634680/lang--en/index.htm).

<sup>51</sup> IMO contribution.



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to the 2006 Code of the Maritime Labour Convention to protect labour rights of seafarers captured as a result of piracy or armed robbery at sea.<sup>52</sup>

36. In other developments, a tripartite meeting on migrant fishers was convened by ILO in September 2017 to follow-up on a resolution on the promotion of welfare for fishers, adopted by the International Labour Conference in 2007.<sup>53</sup> ILO also initiated work on decent working conditions in global supply chains, including seafood commodities.<sup>54</sup> The FAO supported stakeholders to establish sustainable fisheries policies, including decent working conditions, based on the Code of Conduct for Responsible Fisheries.<sup>55</sup>

### **Migration by sea**

37. Tens of thousands of people continue to migrate by sea, often in perilous conditions, resulting in large numbers of deaths that are often unreported. There is an urgent need to improve search and rescue operations, including the provision of a place of safety, as well as to increase international cooperation.<sup>56</sup>

38. The total number of persons migrating across the Mediterranean route in 2017 was approximately 50 per cent lower than in 2016.<sup>57</sup> However, across the Western Mediterranean, the number of persons arriving in Europe in 2017, at approximately 28,350 persons, was more than double that of 2016. The International Organization for Migration reported that in the first seven months of 2018, 58,158 persons had entered Europe by sea and that 1,514 had died during their journey.<sup>58</sup> Approximately 3,140 people died or went missing en route by sea to Europe in 2017.<sup>59</sup>

39. The Gulf of Aden continued to be the second most prevalently used maritime route.<sup>60</sup> A functioning maritime rescue coordination centre to coordinate search and rescue at sea is still lacking and the capacity of coastal States to engage in rescue is very limited. The ongoing conflict in Yemen contributed to the diminished capacity of States to protect lives along this maritime route.

40. In South-East Asia, many of the nearly 700,000 Rohingya who fled to Bangladesh from Myanmar since August 2017 did so by boat with capsizes resulting in 200 deaths.<sup>61</sup> The Caribbean route has also been used by a growing number of persons; 100 maritime incidents involving over 2,800 persons were recorded in 2017.<sup>62</sup>

41. The Convention and IMO instruments set out the obligations of States regarding the rescue of persons in distress at sea, and search and rescue services. Various efforts

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<sup>52</sup> ILO contribution. The text can be found at [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_632462.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_632462.pdf).

<sup>53</sup> ILO contribution. See [http://www.ilo.org/sector/activities/sectoral-meetings/WCMS\\_552792/lang--en/index.htm](http://www.ilo.org/sector/activities/sectoral-meetings/WCMS_552792/lang--en/index.htm).

<sup>54</sup> FAO contribution.

<sup>55</sup> <http://www.fao.org/3/a-v9878e.htm>. See FAO contribution.

<sup>56</sup> UNHCR contribution.

<sup>57</sup> Over 171,330 people were reported to have arrived in 2017. See UNHCR contribution.

<sup>58</sup> See <http://www.iom.int/news/mediterranean-migrant-arrivals-reach-58158-2018-deaths-reach-1514>.

<sup>59</sup> UNHCR contribution.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Flows of refugees and migrants by sea continued in the Northern Caribbean and there was a notable increase in migrants arriving by sea to the Southern Caribbean in 2017. See UNHCR contribution.

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were made to promote the safety of life at sea during the reporting period. For example, the United Nations High Commissioner for Refugees (UNHCR) carried out capacity-building activities, including training sessions on human rights and international protection in rescue operations at sea.<sup>63</sup> In October 2017, IMO hosted a high-level inter-agency meeting involving international organizations and the main stakeholders of the maritime industry concerning unsafe mixed migration by sea.<sup>64</sup>

42. On 13 July 2018, 192 Member States finalized the text of the Global Compact for Safe, Orderly and Regular Migration, now expected to be the first intergovernmental agreement, prepared under the auspices of the United Nations, covering all dimensions of international migration in a holistic and comprehensive manner.<sup>65</sup> It includes the commitment “to cooperate internationally to save lives and prevent migrant deaths and injuries through individual or joint search and rescue operations, standardized collection and exchange of relevant information, assuming collective responsibility to preserve the lives of all migrants, in accordance with international law.”<sup>66</sup> The Global Compact will be formally adopted at an intergovernmental conference in Marrakesh, Morocco, to be held in December 2018.

## **VI. Balancing economic growth with environmental protection**

43. The oceans, seas and their resources are of critical relevance to each of the three pillars of sustainable development - economy, society and environment. Realizing fully the economic benefits derived from the oceans and their resources depends upon conducting ocean-based activities sustainably and with due regard for other activities, particularly in light of increased competition for marine space, and the need to protect and preserve the marine environment. There is a need to strengthen cooperation and coordination and to adopt an integrated approach to management in order to balance the social, economic and environmental dimensions.

44. At the core of the Convention is the integration of these three dimensions, along with the need to balance the enjoyment of rights and benefits with the concomitant undertaking of duties and obligations, thus making ever urgent its effective implementation.

45. Following consideration of the human dimension in the previous section, developments concerning the pillars of economic growth and environmental protection are reviewed below, including in relation to fisheries and shipping, two main traditional ocean-based economic activities that are also being carried out in areas beyond national jurisdiction.

46. As reviewed below, marine science and technology also have an important enabling role, not only with respect to the traditional ocean-based economic activities but also with respect to the development of new activities. For example, in Europe, where offshore wind energy is seen as competitive to onshore energy,<sup>67</sup> technology

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<sup>63</sup> UNHCR contribution.

<sup>64</sup> IMO contribution. See also [http://www.imo.org/en/MediaCentre/HotTopics/seamigration/Documents/Record%20of%20views%20Inter\\_agency%20meeting%20with%20the%20maritime%20industry%20on%20mixed%20migration%2030%20October%202017\\_Final.pdf](http://www.imo.org/en/MediaCentre/HotTopics/seamigration/Documents/Record%20of%20views%20Inter_agency%20meeting%20with%20the%20maritime%20industry%20on%20mixed%20migration%2030%20October%202017_Final.pdf).

<sup>65</sup> The text can be found at [http://refugeesmigrants.un.org/sites/default/files/180711\\_final\\_draft\\_0.pdf](http://refugeesmigrants.un.org/sites/default/files/180711_final_draft_0.pdf).

<sup>66</sup> *Ibid.*, para. 24.

<sup>67</sup> FOWIND (2017), Grid Integration Study.

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continued to move forward with larger turbines and larger sized wind projects. Progress is also being made towards floating wind farms.<sup>68</sup>

47. In terms of other emerging ocean activities, in 2017 the Group of Experts on the Scientific Aspects of Marine Environmental Protection identified deep sea mining and its impacts on the marine environment as a new issue for the attention of its sponsoring organizations.<sup>69</sup>

48. In this regard, during the reporting period, the International Seabed Authority (ISA) progressed its work in the development of the Mining Code as a priority matter. Following global stakeholder consultation on the draft regulations on exploitation for mineral resources in the Area, the Council of the Authority undertook its first substantive consideration of the draft text in July 2018 and issued a revised text. The Council also discussed development of an economic model for mineral exploitation in the Area and financial terms for future exploitation contracts. With respect to environmental impacts of seabed activities, the ISA continued development of regional environmental management plans for the Area,<sup>70</sup> envisaged as the primary means for delivery at the regional level of the Authority's environmental objectives.<sup>71</sup>

49. Subsequent to the first periodic review of the international regime of the Area pursuant to article 154 of the Convention, the Secretary-General of the ISA prepared a draft strategic plan, taking into account the views of stakeholders.<sup>72</sup> The first ever strategic plan was adopted by the Assembly at the twenty-fourth session, as amended, to guide the direction and aims of the ISA for a five-year period.<sup>73</sup>

50. In other developments, issues related to genetic resources, including digital sequence information on genetic resources,<sup>74</sup> a global multilateral benefit-sharing mechanism under the Nagoya Protocol,<sup>75</sup> and genetic resources and intellectual property<sup>76</sup> continued to be considered within the framework of the Convention on Biological Diversity (CBD) and the World Intellectual Property Organization.

## **A. Increasing knowledge and understanding and promoting marine science and technology**

51. Marine science is a critical resource in efforts to eradicate poverty and contribute to food security and the sustainable development of the oceans and seas. Science and technology play a key role in improving knowledge about the oceans, as well as the oceans and atmosphere interface, ultimately supporting our understanding and better management of human interactions with marine ecosystems, including in helping to predict and respond to natural events. Part XIII of the Convention on marine scientific research and part XIV on the development and transfer of marine technology reflect

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<sup>68</sup> Maritime Reporter and Engineering News 80(4), 25.

<sup>69</sup> Rep. Stud. GESAMP No. 96/GAW Report No. 237.

<sup>70</sup> ISA contribution.

<sup>71</sup> See Statement of the Secretary-General of the Authority at the twenty-eighth Meeting of States Parties to UNCLOS, <https://www.isa.org.jm/sites/default/files/documents/EN/SG-Stats/splos-jun2018.pdf>.

<sup>72</sup> ISA contribution. See also ISA/24/A/4.

<sup>73</sup> ISBA/24/A/10.

<sup>74</sup> See "Draft decision submitted by the Chair", CBD/SBSTTA/22/CRP.10.

<sup>75</sup> See "Draft recommendation submitted by the Chair", CBD/SBI/2/L.13.

<sup>76</sup> See Decisions of the thirty-sixth session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore at [http://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=409619](http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=409619).

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the importance of the need for capacity-building in marine science, related knowledge and expertise, as well as marine infrastructure. The General Assembly has continued to recognize that promoting the voluntary transfer of technology is an essential aspect of building capacity in marine science.<sup>77</sup>

52. During the period under review, a number of activities and initiatives were undertaken to promote marine scientific research, increase research capacity of States and support the science-policy interface, including by the International Atomic Energy Agency (IAEA),<sup>78</sup> the Intergovernmental Oceanographic Commission of UNESCO (IOC)<sup>79</sup> and the World Meteorological Organization.<sup>80</sup> Among these, the Global Climate Observing System and the Global Ocean Observing System Ocean supported preparations for the third decadal ocean observing conference, OceanObs'19 in September 2019.<sup>81</sup> The IAEA continued to assist States improve assessment of the level of protection against exposure to ionizing radiation.

53. The Executive Council of the IOC approved the measurement of six new biogeochemical parameters by Argo floats and agreed to the continued use of IOC's Guidelines for the Implementation of Resolution XX-6 of the IOC Assembly Regarding the Deployment of Profiling Floats in the High Seas within the Framework of the Argo Programme<sup>82</sup> to notify coastal member States of all Argo profiling floats likely to enter their exclusive economic zone, including those measuring these new variables.<sup>83</sup>

54. Following the proclamation by the General Assembly of the United Nations Decade of Ocean Science for Sustainable Development for the 10-year period beginning on 1 January 2021, the IOC developed a draft roadmap with a strategy, governance arrangements and an outline of key milestones and consultation plans. After a key stakeholder review, the roadmap was presented to the IOC Executive Council in July 2018, which approved the terms of reference for the Decade Executive Planning Group to be convened in the second half of 2018.<sup>84</sup> Communication activities were initiated to inform Member States, potential partners and other stakeholders of the preparatory phase and communicate the purpose and expected results of the Decade.

55. As stated in the roadmap, the framework activities should be seen as complementary and supportive of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects (Regular Process).

56. A number of key milestones were met during the reporting period with regard to the second cycle (2016-2020) of the Regular Process: an outline for the second world ocean assessment is in place, as well as a mechanism for the establishment of the Pool of Experts for the second cycle, guidance for contributors, terms of reference for national focal points, a preliminary timetable and implementation plan for the preparation of the second world ocean assessment and guidelines to assist the two

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<sup>77</sup> Resolution 72/73, para. 34.

<sup>78</sup> IAEA contribution.

<sup>79</sup> IOC contribution.

<sup>80</sup> WMO contribution.

<sup>81</sup> See <http://www.oceanobs19.net/>.

<sup>82</sup> IOC resolution EC-XLI.4.

<sup>83</sup> IOC Executive Council decision IOC/EC-LI/4.8.

<sup>84</sup> See Revised Roadmap for the UN Decade of Ocean Science for Sustainable Development, IOC/EC-LI/2 Annex 3, 18 June 2018, and Terms of Reference for the Decade Executive Planning Group (EPG), IOC/EC-LI/2 Annex 4, 4 June 2018, available at [http://ioc-unesco.org/index.php?option=com\\_oe&task=viewEventDocs&eventID=2200](http://ioc-unesco.org/index.php?option=com_oe&task=viewEventDocs&eventID=2200).

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rounds of regional workshops of the second cycle.<sup>85</sup> The first round of regional workshops, which was held in 2017, aimed to inform the scoping of the second world ocean assessment, raise awareness and provide information and receive feedback on the first World Ocean Assessment,<sup>86</sup> while the second round is being held in the second half of 2018 so as to, inter alia, inform the collection of regional-level information and data for the preparation of the second world ocean assessment.<sup>87</sup>

## **B. Conservation and sustainable use of living marine resources**

57. Ensuring the effectiveness of the science-policy interface in fisheries management is key to implementing the provisions of the Convention and the Agreement. The Informal Consultations of States Parties to the Agreement focused its thirteenth meeting on the topic “Science-policy interface” and raised key points relating to its strengthening in fisheries management.<sup>88</sup>

58. Given the importance of the world’s fisheries as key contributors to food security and nutrition, livelihoods and economic development, the sustainability of the world’s fish stocks remains a significant concern. The Convention and the Agreement provide a comprehensive regime for the conservation and sustainable management of living marine resources and are complemented by other legal and policy instruments, including the 2030 Agenda. SDG 14 committed the international community to effectively regulate harvesting and end overfishing, IUU fishing and destructive fishing practices and implement science-based management plans, by 2020, in order to restore fish stocks.<sup>89</sup>

59. The FAO estimated that the percentage of stocks fished at biologically unsustainable levels (overfished, depleted and recovering stocks) has grown from 31.4 per cent in 2013 to 33.1 percent in 2015,<sup>90</sup> thereby continuing the long-standing trend of deterioration in the status of stocks. Urgent action is needed to improve management of global fish stocks, eliminate overcapacity, combat IUU fishing and address environmental stressors that affect long-term sustainability of fish stocks, such as climate change<sup>91</sup>, overfishing, ocean acidification, marine pollution and anthropogenic underwater noise.<sup>92</sup>

60. In July 2018, the Committee on Fisheries (COFI) of FAO, inter alia, expressed the need for greater cooperation and information sharing in fish stocks management between member States, including through mechanisms established by regional fisheries management organizations and arrangements (RFMO/As), to support the fight against IUU fishing.<sup>93</sup> COFI expressed support for the continuing work of FAO to

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<sup>85</sup> See reports of the Ad Hoc Working Group of the Whole on the Regular Process, A/72/494, A/72/89 and A/73/74.

<sup>86</sup> The summaries of discussions of the first round of regional workshops are available at <https://www.un.org/regularprocess/content/first-round-regional-workshops>.

<sup>87</sup> The second round of regional workshops will take place in Palau, Malta, Ukraine, Indonesia, Qatar, Ecuador and Ghana.

<sup>88</sup> The report of the thirteenth round of Informal Consultations of States Parties to the United Nations Fish Stocks Agreement is available at [www.un.org/Depts/los/convention\\_agreements/fish\\_stocks\\_agreement\\_states\\_parties.htm](http://www.un.org/Depts/los/convention_agreements/fish_stocks_agreement_states_parties.htm).

<sup>89</sup> 2030 Agenda for Sustainable Development, target 14.4.

<sup>90</sup> FAO, *The State of World Fisheries and Aquaculture 2018*, p. 45.

<sup>91</sup> A/72/70

<sup>92</sup> See Report of the United Nations Informal Consultative Process on Oceans and the Law of the Sea at its 19<sup>th</sup> meeting, A/73/124.

<sup>93</sup> COFI also commended the launch of the public version of the Global Report of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels, recognizing its role in the fight against IUU

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develop technical guidelines for the estimation of the magnitude and geographic extent of IUU fishing. It also endorsed the Voluntary Guidelines on the Marking of Fishing Gear and took note of a technical paper provided by FAO containing an overview of the implications of climate change for fisheries and aquaculture with a view to mapping out solutions for climate change adaptation and mitigation<sup>94</sup>

61. Discussions continued at the World Trade Organization (WTO) to address fisheries subsidies that can contribute, directly or indirectly to overcapacity and IUU fishing, in line with target 14.6 of the 2030 Agenda. The Ministerial Conference of the WTO in December 2017, called on members to engage constructively in ongoing fisheries subsidies negotiations, with a view to adopting by 2019 an agreement on comprehensive and effective disciplines that prohibit certain forms of fisheries subsidies that contribute to overcapacity and overfishing, and eliminate subsidies that contribute to IUU fishing, recognizing the need for appropriate and effective special and differential treatment for developing country members and least developed country members in the negotiations.<sup>95</sup>

62. In other developments, the Northwest Atlantic Fisheries Organization will complete its second performance review in September 2018 and continue to address conservation and management of fisheries resources; compliance and enforcement; governance; science; international cooperation; financial and administrative issues. A number of RFMO/As took steps to address impacts of bottom fishing, including expanding an area closure to sustain biological connectivity and function of seamount communities. In September 2018, the Advisory Committee of the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas will focus on by-catch, resource depletion, marine debris, surveys/research and use of bycatches and strandings and will discuss a draft conservation plan for the common dolphin.

63. Efforts continued to increase cooperation amongst organizations involved in fisheries management and between these organizations and those with related mandates. For example, the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) worked with partners, in particular FAO and RFMO/As, to deliver needs-driven capacity-building activities to assist developing countries implement provisions of the Convention for marine species. CBD, FAO and IUCN compiled experiences in mainstreaming biodiversity in fisheries to identify opportunities for reporting and assessing progress towards Aichi Biodiversity Target 6 (see also paragraph 83 below).

## C. Shipping

64. With over 80 per cent of global trade by volume and more than 70 per cent of its value being carried on board ships and handled by seaports worldwide, shipping represents a crucial sector for economic growth and sustainable development. Flag States are responsible for ensuring that ships flying their flag comply with the relevant provisions of the Convention and other relevant conventions.

65. However, the shipping sector has been negatively impacted by increasing incidents of fraudulent registration and fraudulent registries of ships. In response to reports by its member States, the IMO will consider measures to prevent such unlawful practices.<sup>96</sup>

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fishing. See FAO contribution.

<sup>94</sup> Impacts of Climate Change on Fisheries and Aquaculture, FAO Fisheries and Aquaculture Technical Paper No. 627

<sup>95</sup> WTO contribution.

<sup>96</sup> IMO contribution. Also see Report of the Legal Committee on its 105th session (LEG 2015/23) at para. 11.6.

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66. Regarding rapid innovations in shipping technology, the IMO Maritime Safety Committee (MSC) explored the way maritime autonomous surface ship (MASS) operations can be addressed in IMO instruments, including in the form of a scoping exercise to identify IMO regulations that preclude, do not preclude or would not apply to MASS operations, and endorsed a framework for a regulatory scoping exercise.<sup>97</sup> The IMO Legal Committee also agreed to include a new work programme item on MASS on its agenda, with a target completion year of 2022, which will complement the scoping exercise carried out by the MSC.<sup>98</sup>

67. According to a new vision statement, IMO will focus on, inter alia, review, development and implementation of and compliance with IMO instruments in support of implementation of the 2030 Agenda.<sup>99</sup>

68. In another significant development, IMO adopted an initial strategy that envisages a reduction in the total annual GHG emissions from international shipping by at least 50 per cent by 2050 compared to 2008 levels and to phase them out as soon as possible in this century.<sup>100</sup> Work also continued within IMO on energy efficiency requirements for ships.<sup>101</sup>

#### **D. Marine environment and marine biodiversity, ecosystem functions, goods and services**

69. As indicated above (see paragraph 3 above), the health of the oceans and marine biodiversity continues to be negatively affected by various major pressures simultaneously.

70. Consistent with the obligations of States under the Convention to take measures to prevent, reduce and control pollution of the marine environment, various measures are being taken at global and regional levels to address marine pollution, including to strengthen implementation of existing instruments and cross-sectoral cooperation.

71. Globally, land-based sources of pollution continued to be the greatest contributor to marine pollution. The Fourth Intergovernmental Review on the implementation of the Global Programme of Action for the Protection of Marine Environment from Land-based Activities will review implementation of this important non-binding instrument and consider possible future directions.<sup>102</sup>

72. Reducing the incidence and impacts of marine plastic litter and microplastics remains a particular focus of the international community.<sup>103</sup> The Ad Hoc Open-ended Expert Group on Marine Litter, established by the United Nations Environment

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<sup>97</sup> IMO contribution. See report of the 98th session of MSC, IMO document MSC 98/23 at para. 20.2. Also see Report of the 99th session of MSC, IMO document MSC 99/22 at para. 5.27, Report of the Marine Environment Protection Committee on its seventy-second session (MEPC 72/17) at para 3.50 and annex VI, resolution MEPC.301(72).

<sup>98</sup> IMO contribution. Also see, Report of the Legal Committee on its 105th session (LEG 2015/23) at para. 11.11.

<sup>99</sup> IMO, Strategic Plan for the Organization for the Six-year Period 2018 to 2023, Assembly resolution A 30/Res.1110, annex, para. 2.

<sup>100</sup> IMO contribution. See resolution MEPC.304(72).

<sup>101</sup> See Report of the Marine Environment Protection Committee on its seventy-second session (MEPC 72/17) at para 3.50 and annex VI, resolution MEPC.301(72).

<sup>102</sup> Future direction of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, [UNEP/GPA/IGR.4/3](#).

<sup>103</sup> FAO, IMO, HELCOM, UNEP, OSPAR, BRS contributions.

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Assembly,<sup>104</sup> examined barriers to and options for combating marine plastic litter and microplastics from all sources, especially land-based sources.<sup>105</sup> Measures to address marine litter were also discussed in meetings under the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and its 1996 Protocol, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Stockholm Convention on Persistent Organic Pollutants and within FAO and IMO.<sup>106</sup> At the regional level, a number of regional conventions and action plans, as well as the Helsinki Commission and the Convention for the Protection of the Marine Environment of the North-East Atlantic, continued to undertake activities to address marine litter, including through implementation of marine litter action plans.<sup>107</sup>

73. Cooperation continued, including at the regional level, in efforts to address pressures on the marine environment from shipping (see paragraph 68, above), including regarding dumping and management of waste.<sup>108</sup>

74. IAEA provided support to its member States to, inter alia, develop and improve relevant nuclear and isotope-based tools and techniques to monitor and protect the coastal and marine environment. It prepared safety guides on regulatory control of radioactive discharges to the environment<sup>109</sup> and prospective radiological environmental impact assessment for activities and facilities.<sup>110</sup>

75. In other developments, work to address specific threats to marine biodiversity continued, such as trade,<sup>111</sup> alien invasive species,<sup>112</sup> underwater noise (see also paragraphs 59 and 81)<sup>113</sup>, offshore renewable energy,<sup>114</sup> seabed mining (see also paragraph 48), ship strikes<sup>115</sup> and by-catch.<sup>116</sup> Attention to coral reefs also continued.<sup>117</sup> Cooperation regarding marine migratory species was also strengthened.<sup>118</sup> Efforts also increased to mainstream marine biodiversity considerations in various sectors, in particular fisheries (see also paragraphs 63 and 83)<sup>119</sup>.

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<sup>104</sup> Resolution 3/7 on marine litter and microplastics, [UNEP/EA.3/Res.7](#).

<sup>105</sup> See: <https://papersmart.unon.org/resolution/adhoc-oeeeg>.

<sup>106</sup> BRS, IMO and FAO contributions.

<sup>107</sup> UNEP, OSPAR and HELCOM contributions.

<sup>108</sup> BRS, UNEP, OSPAR contributions.

<sup>109</sup> IAEA Safety Guide GSG-9.

<sup>110</sup> IAEA Safety Guide GSG-10.

<sup>111</sup> CITES contribution.

<sup>112</sup> IMO, HELCOM contributions.

<sup>113</sup> SCBD, ASCOBANS, HELCOM contributions.

<sup>114</sup> ASCOBANS contribution.

<sup>115</sup> ASCOBANS contribution.

<sup>116</sup> FAO, ASCOBANS contribution.

<sup>117</sup> CITES, CBD, UNEP contributions.

<sup>118</sup> See the relevant decisions, concerted actions and resolutions adopted by the twelfth meeting of the Conference of the Parties to the Convention on Migratory Species of Wild Animals, including resolutions UNEP/CMS/Resolution 9.9 (Rev.COP12) and UNEP/CMS/Resolution 10.15 (Rev.COP12), at <https://www.cms.int/en/cop12docs>.

<sup>119</sup> CBD, FAO contributions.



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## VII. Strengthening implementation through integrated and cross-sectoral approaches

76. Increasing linkages being drawn to the ocean dimension in major intergovernmental fora or processes that are not focused on ocean-related issues was a very positive development during the reporting period. Notably, in 2017, the Ocean Pathway was launched during the Conference of the Parties of the United Nations Framework Convention on Climate Change (UNFCCC) and will provide a two-track strategy for 2020 supporting the goals of the Paris Agreement, including increasing the role of oceans considerations in the UNFCCC process and increasing action in priority areas impacting or impacted by oceans and climate change.<sup>120</sup>

77. The 2018 meeting of the High-Level Political Forum on Sustainable Development, held from 9 to 18 July, provided an opportunity to draw attention to the interlinkages between SDG 14 and implementation of the other reviewed goals. Ocean issues were touched upon during, *inter alia*, the review of the implementation of SDGs 6, 11, and 12, particularly with regard to the impacts of waste and wastewater management on the marine environment and interlinkages between sustainable consumption and production and marine resource conservation, including actions to combat plastics pollution.<sup>121</sup>

78. The SIDS Action Platform, developed to support the follow-up to the Third International Conference on Small Island Developing States, focused on the conservation and sustainable use of the oceans, seas and marine resources for sustainable development, with approximately one third of the 315 registered partnerships relating to SDG 14. The high-level mid-term review of the SIDS Accelerated Modalities of Action (SAMOA) Pathway in September 2019 will reflect on progress made in addressing priorities of small island developing States through implementation of the SAMOA Pathway.

### A. Strengthening international cooperation and coordination

79. The increasing number of forums dealing with sustainable development mainly from a sectoral perspective has challenged the ability of the international community to consider issues in a comprehensive and coherent manner and to identify important interlinkages, leading to more frequent calls to strengthen international cooperation and coordination and adopt comprehensive and integrated approaches in the broader sustainable development context and also regarding the oceans.

80. As regards the former, the need to continue efforts to address, in a comprehensive and coherent manner, the challenges posed by environmental degradation in the context of sustainable development was emphasized by the General Assembly in the development of a new global pact for the environment. It decided to establish an ad hoc open ended working group to consider a report that will identify and assess possible gaps in international environmental law and environment related instruments with a view to strengthening their implementation. The working group will discuss possible options to address such possible gaps and, if necessary, the scope, parameters and feasibility of an international instrument and make recommendations, which may include the convening of an intergovernmental conference, to the General Assembly during the first half of 2019.<sup>122</sup>

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<sup>120</sup> See <https://cop23.com.fj/the-ocean-pathway>.

<sup>121</sup> See: <https://sustainabledevelopment.un.org/hlpf/2018>

<sup>122</sup> General Assembly resolution [72/277](#).

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81. International cooperation and coordination remains critical to achieving the objectives of the Convention and the integrated management and sustainable development of the oceans and seas. It is well-recognized that the problems of ocean space, including the challenges to the conservation and sustainable use of the oceans, seas and their resources, are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and cross-sectoral approach. The General Assembly annually reaffirms the unified character of the Convention and the vital importance of preserving its integrity. It has, since the entry into force of the Convention, annually considered and reviewed developments at the global level under one consolidated agenda item on oceans and the law of the sea, as the global institution having the competence to undertake such a review. It also established the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP) to assist in its functions.<sup>123</sup> The nineteenth meeting of the ICP, held in June 2018, provided a unique forum for comprehensive discussions on anthropogenic underwater noise, facilitating the exchange of views among multiple stakeholders and improving coordination and cooperation between States and competent agencies. The effectiveness and utility of the ICP will be reviewed by the General Assembly at its seventy-third session. The General Assembly will also review the terms of reference of UN-Oceans, the inter-agency coordination mechanism on ocean and coastal issues within the United Nations system, which it had deferred in 2017 until its seventy-third session.<sup>124</sup> These reviews provide an opportunity to consider whether international cooperation and coordination need to be further strengthened.

82. During the reporting period, UN-Oceans, for which the United Nations Legal Counsel acts as focal point, strengthened and promoted coordination and coherence of United Nations system activities related to ocean and coastal issues, focusing on implementation of the 2030 Agenda, in particular SDG 14. Progress was made in developing a proposed methodology for indicator 14.c.1 of the 2030 Agenda which, if supported by Member States and following a pilot test phase, could be submitted for approval to the Inter-agency and Expert Group on SDG indicators for reclassification from Tier III to Tier II status.<sup>125</sup> During the period under review, three indicators for SDG 14 targets were reclassified from Tier III to Tier II status.<sup>126</sup> Other main activities of UN-Oceans related to the United Nations Decade of Ocean Science for Sustainable Development (see also paragraphs 54 and 55, above) and follow-up to the Ocean Conference. Membership in UN-Oceans also expanded during the reporting period to

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<sup>123</sup> In its resolution 54/33, the General Assembly decided “consistent with the legal framework provided by the United Nations Convention on the Law of the Sea 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.”

<sup>124</sup> See background information, “UN-Oceans: Enhancing, strengthening and promoting coordination, coherence and effectiveness of the activities of the United Nations system and the International Seabed Authority on ocean and coastal issues”, as circulated by the Coordinator of the informal consultations on the draft General Assembly resolution on oceans and the law of sea at the seventy-third session.

<sup>125</sup> Tier II status signifies that an indicator is conceptually clear, has an internationally established methodology and standards are available, but data are not regularly produced by countries.

<sup>126</sup> Indicator 14.a.1 was reviewed and reclassified as a Tier II indicator at the 6<sup>th</sup> IAEG-SDG meeting (April 2018). Indicators 14.6.1 and 14.b.1 were reviewed and reclassified as Tier II indicators at the 7<sup>th</sup> IAEG-SDG meeting (November 2017). With the exception of the indicators for targets 14.4 and 14.5, all other indicators for SDG 14 targets fall under the category of Tier III (under which there is no established methodology or standards for the indicator or where the methodology and standards are being developed or tested).

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the secretariats of CITES, the Convention on the Conservation of Migratory Species of Wild Animals and of UNFCCC.<sup>127</sup>

83. At the regional level, a range of issues related to fisheries, protection and preservation of the marine environment and biodiversity conservation and sustainable use continued to be addressed through increased cooperation (see also section VI above). Cross-sectoral cooperation was particularly promoted at the second meeting of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress toward the Aichi Biodiversity Targets and Sustainable Development Goals, held in April 2018.<sup>128</sup>

84. There are a number of management tools available that can foster cross-sectoral and integrated approaches to the management of human activities in the oceans and seas, such as integrated coastal zone management, marine spatial planning, including through the application of area-based management tools, and ecosystem approaches.

85. Among these tools, area-based management received increased attention, including through guidance on identification and use of such tools. Currently, 16.77 per cent of marine areas under national jurisdiction are protected, indicating achievement of the quantitative element of Aichi Biodiversity Target 11 in these areas. Work continued to facilitate description of ecologically or biologically significant marine areas in support of adoption of appropriate conservation and management measures. With respect to marine spatial planning, the CBD produced an information document that compiled national, sub-regional or regional experiences.<sup>129</sup>

86. Ecosystem approaches continued to provide a useful framework for developing ocean management strategies. FAO assisted countries with implementing ecosystem approaches to fisheries and aquaculture<sup>130</sup> and a number of regional seas conventions and action plans undertook activities to further implementation of ecosystem approaches.<sup>131</sup>

## **B. Building the capacity of States to implement the legal and policy framework for the oceans and seas, including through voluntary commitments**

87. During the reporting period, the generation of voluntary commitments continued to be promoted through intergovernmental conferences,<sup>132</sup> while priority attention was also given to their follow-up (see also paragraph 78, above).

### **Implementation of the Voluntary Commitments under SDG 14: the United Nations Special Envoy for the Ocean**

88. Peter Thomson of Fiji was appointed as the Special Envoy for the Ocean to ensure the many positive outcomes of the Ocean Conference, in particular the voluntary commitments made in support of SDG 14, were fully implemented and to lead advocacy

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<sup>127</sup> See UN-Oceans statement to the nineteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, 21 June 2018, available on the UN-Oceans website at [www.unoceans.org](http://www.unoceans.org).

<sup>128</sup> CBD contribution.

<sup>129</sup> Ibid.

<sup>130</sup> FAO contribution.

<sup>131</sup> For example, COBSEA, NOWPAP, Barcelona Convention. See UNEP contribution.

<sup>132</sup> For the commitments made in 2017 at the “Our Ocean Conference – An Ocean for Life” in Malta see <https://www.ourocean2017.org/our-ocean-commitments>. The 2018 Our Ocean Conference “Our Ocean, Our Legacy” will be held from 29 to 30 October, in Bali, Indonesia.

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and public outreach efforts. Nine new Communities of Ocean Action were launched to implement the voluntary commitments, generate new voluntary commitments and facilitate collaboration and networking in support of SDG 14.<sup>133</sup>

### **Capacity-building activities**

89. Many intergovernmental organizations also undertook capacity-building initiatives with the overall objective of assisting developing States in sustainably managing ocean-based activities and resources, including through implementation of the Convention and related instruments.<sup>134</sup> For example, FAO expanded its efforts to support States in building capacity to effectively implement the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, the Convention and international fisheries treaties and guidelines.<sup>135</sup> The ISA continued to build the capacity of developing States in deep-sea research and technology through its contractor training programmes and the endowment fund for marine scientific research in the Area.<sup>136</sup> The International Tribunal for the Law of the Sea also continued to provide capacity-building, training programmes and workshops on dispute settlement under the Convention.<sup>137</sup>

90. Pursuant to General Assembly mandates, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs (Division) provided information, advice and assistance to States and intergovernmental organizations and other stakeholders on the uniform and consistent application of the provisions of the Convention and related instruments, including through fellowship programmes, other capacity-building activities, participation in various conferences, meetings, workshops and training events<sup>138</sup> and management of trust funds.<sup>139</sup>

### *Fellowships*

91. In January 2018, Arellano Vanessa from Ecuador, was awarded the thirty-third Hamilton Shirley Amerasinghe Fellowship, which has provided participants with training in ocean affairs and the law of the sea in order to foster a wider appreciation and application of the Convention. The financial state of the Fellowship remained critical and contributions are needed to ensure at least one fellowship award annually.

92. Since 2004, 142 United Nations-Nippon Foundation Fellowship Programme awards have been made to nationals of 76 Member States, including 12 fellowships awarded in 2018 to nationals of Cameroon, Costa Rica (two), Dominican Republic,

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<sup>133</sup> <http://oceanconference.un.org/coa>. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, Miguel de Serpa Soares, is co-focal point of the Community of Ocean Action on implementation of international law as reflected in UNCLOS, together with the Secretary-General of the ISA, Michael Lodge.

<sup>134</sup> Details of relevant initiatives and capacity-building activities undertaken by these intergovernmental organizations are provided in the contributions to the present report. See particularly, the contributions from UNODC, HELCOM, IMO, and the Secretariats of CITES, CBD and the Basel, Rotterdam and Stockholm Conventions.

<sup>135</sup> FAO contribution.

<sup>136</sup> As of 31 May 2018, a total of 27 training places have been offered in 2018 and a total of 126 scientists or government officials from 45 countries have been beneficiaries of financial support from the Endowment Fund. Of the 126 beneficiaries to date, a total of 47 were women.

<sup>137</sup> ITLOS contribution.

<sup>138</sup> A list of activities is available on the website of the Division at [www.un.org/depts/los/](http://www.un.org/depts/los/).

<sup>139</sup> More information is available on the website of the Division at [www.un.org/depts/los/](http://www.un.org/depts/los/).

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Egypt, Ghana, Indonesia, Jordan, Nigeria, Sri Lanka, Solomon Islands and Timor-Leste.

93. A new capacity-building initiative related to ocean governance under the “United Nations-Nippon Foundation Sustainable Ocean Programme” was launched in 2018. Thereunder, the Division awarded four Critical Needs Fellowships to applicants from Cambodia, Guyana, Papua New Guinea and Senegal, which took place from April to June 2018. It delivered two trainings related to the BBNJ Intergovernmental Conference to 45 representatives from 42 States in April and May 2018. In July 2018, 11 Thematic Fellowships focusing on implementation of the 2030 Agenda through the Convention and ocean governance frameworks were awarded to nationals of Fiji; Gambia; Lesotho; Myanmar; Samoa; Sri Lanka; St. Lucia; Sweden; Timor-Leste; Togo and Tonga. The fellowship, which is held from August to December 2018, will consist of four months of in-person training at United Nations Headquarters, including briefings and activities to provide first-hand knowledge and insight into implementation of ocean affairs frameworks.

#### *Technical assistance to States*

94. Jointly with United Nations Conference on Trade and Development (UNCTAD), the Division began to implement a United Nations Development Account funded project to assist Barbados, Belize and Costa Rica in developing evidence-based and policy coherent oceans economy and trade strategies to support beneficiary countries in realizing economic benefits from the sustainable use of marine resources. Relevant legal and institutional frameworks under the Convention will be addressed to support development of comprehensive national ocean governance frameworks, which can also support the implementation of the SDGs, including directly SDG 14.

95. Under a project funded by the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, the Division completed a gap analysis of the Somali legislative and policy framework for oceans and provided a second briefing for Somali parliamentarians to raise awareness of the legal framework under the Convention. Thus, together with the initial briefing for Somali parliamentarians in 2014, followed by an in-depth training programme for government officials and representatives from the regions of Somalia in 2015, all activities foreseen by the project have been completed. The Division will continue to provide customized technical and/or other capacity-building assistance to further reinforce Somalia’s capacity to address legislative barriers in developing maritime sectors and sustainably developing the oceans and their resources.

## **VIII. Conclusions**

96. A wide range of activities were undertaken by the international community during the reporting period, including in relation to the implementation of General Assembly resolution 72/73, and progress was made in addressing oceans issues in a number of areas, such as maritime security, marine science and technology, international shipping, strengthening international cooperation and coordination and capacity-building.

97. At the same time, the health of the oceans continued to be negatively impacted by ever widening and cumulative pressures. The impacts of climate change on the oceans, in particular, including from sea level rise and more frequent and severe storms, were felt the world over, threatening the vulnerability of coastal communities, SIDS and LDCs.<sup>140</sup>

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<sup>140</sup> In the next reporting period, additional scientific inputs are expected from the Intergovernmental Panel on Climate Change (IPCC) concerning the impacts of climate change on the oceans (see

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98. These impacts threaten safety of life, food security and livelihoods and underscore the urgent need for more focus on the human dimension of the oceans. This is also so visibly illustrated in the context of the ongoing and large-scale migration at sea.

99. Clearly, more needs to be done to raise awareness of the importance of the oceans for humanity on the one hand and of the impacts of anthropogenic activities on the oceans on the other. In order for further progress to be made, States must continue to increase their understanding of and resolve to use the currently available tools to achieve sustainable development, beginning with effective implementation of the Convention, which sets out the legal framework within which all activities in the oceans and seas must be carried out, as complemented by a wide range of other legal instruments.

100. Moreover, with an ever-increasing number of competing activities in the oceans and with bodies addressing ocean issues predominantly from a sectoral perspective at the global, regional and national levels, the need for a coordinated and integrated approach to all ocean-related issues is imperative.

101. The clear conclusion from this reporting period is that much greater efforts are needed by Member States to achieve the goals and targets set out in SDG 14, including through enhanced international cooperation and coordination and increased capacity-building and transfer of technology to developing States and that, in order to be cohesive, effective and long-lasting, such efforts must be undertaken within the context of the legal framework set out by the Convention and the mandate and policy guidance provided by the General Assembly.

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<http://www.ipcc.ch/index.htm>). The IPCC will release the Summary for Policymakers of the Special Report Global Warming of 1.5°C on 8 October 2018 and it will finalize the Special Report on the Ocean and Cryosphere in a Changing Climate in September 2019.