



UNITED NATIONS

## OFFICE OF LEGAL AFFAIRS

**Third Session 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**

Monday 19 August 2019 at 10:00 am CR.4

**Opening Remarks address by  
Mr. Miguel de Serpa Soares  
Under-Secretary-General for Legal Affairs  
and United Nations Legal Counsel,  
Secretary-General of the Conference**

Distinguished President of the Conference,

Excellencies,

Distinguished delegates,

I would like to warmly welcome you to the third session 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, convened pursuant to resolutions 72/249 and 73/124.



The first two sessions of the Conference laid a strong foundation for the new stage in the process that you are about to embark on. Under the skilful guidance of Madam President, Ms. Rena Lee, including through her aid to discussions and aid to negotiations, combined with the hard work of delegations, those sessions advanced discussions on the various issues of the package agreed in 2011, leading to the identification of some concrete options and treaty text now on the table in respect of many of those issues.

This advancement in the discussions is reflected in the Draft text of an agreement 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, prepared by Madam President with the assistance of my Office, in advance of this session. It is my hope that this document will form a solid basis for the treaty negotiations that must now be undertaken. I trust that all delegations will engage in these negotiations with the same spirit of collegiality and in the same constructive manner that have marked the previous sessions, with a view to bridging the existing gaps.

Being conscious of this important work, and the limited time you have over the next two weeks, I shall keep my remarks brief.



Since the last session, the 2019 Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), was approved by the IPBES Plenary at its 7th session in May 2019 in Paris. The report, which was prepared by 150 leading experts from 50 countries, with additional contributions from a further 250 experts, has found that, across most of the globe, nature has been significantly altered by multiple human drivers, with the great majority of indicators of ecosystems and biodiversity showing rapid decline. According to the report, and I quote:

“Except in scenarios that include transformative change, negative trends in nature, in ecosystem functions and in many of nature’s contributions to people are projected to continue to 2050 and beyond, due to the projected impacts of increasing land-/and sea-use change, exploitation of organisms and climate change.”



The report further notes that 66 per cent of the ocean area is experiencing increasing cumulative human impacts, primarily from climate change stressors, including sea surface temperature anomalies, ocean acidification, and ultraviolet radiation. There is widespread evidence that these anthropogenic impacts are having major effects on the health of marine ecosystems. However, the report also states that sustaining and conserving marine species and ecosystems **can** be achieved through a coordinated mix of interventions, including multilevel coordination across stakeholders. Thus, this Conference can, and it is my hope that it will, play an important role in turning the tide against this rapid decline.

This is all the more important as it has become clear that ocean processes and climate change processes are inexorably linked. A healthy and resilient ocean has a critical role to play in our adaptation and mitigation efforts. Indeed, the important interrelation between the ocean and climate change has become more recognized in recent years, including in the context the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement. We of course await with great interest the Special Report of the Intergovernmental Panel on Climate Change (IPCC) on the Ocean and Cryosphere in a Changing Climate, which is expected to be considered by the IPCC in September, and which will undoubtedly deepen our scientific understanding of such interlinkages and inform policy discussions.



Distinguished delegates,

As we begin this important third substantive session, I am confident that our common interest in providing future generations with a healthy, resilient and productive ocean, will continue to guide delegations in their negotiations. I am also certain that delegations are well aware of the heightened urgency of their work, particularly in light of the transformative change now needed to avoid the growing negative trends in nature and biodiversity. I hope some of this transformative change begins here.

Madam President, distinguished delegates, I wish you every success in your discussions over the coming days and assure you of the continued full support of my Office of Legal Affairs, and in particular of the Division for Ocean Affairs and the Law of the Sea, as you fulfil your important mandate.

Thank you.