



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

2020 United Nations Ocean Conference

Keeping the momentum for ocean action: Investing in SDG 14

Remarks

by

Mr. Miguel de Serpa Soares

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

10 November 2020, 9:00 am (New York time)

(online meeting)

Excellencies,

Distinguished delegates,

Ladies and gentlemen,

I would like to express my thanks to Under-Secretary-General Liu for organizing this webinar. Together, we endeavor to keep the momentum for ocean action, which is more important than ever in light of the postponement of the 2020 United Nations Ocean Conference due to the COVID-19 pandemic.

While the pandemic has prevented us from meeting in Lisbon this year, it has given us this opportunity to reflect on what it means to invest in the Sustainable Development Goals, in particular Sustainable Development Goal 14. It is my



conviction that achieving Goal 14, which underlines the development of sustainable ocean-based economies, has to rely on effective legal and institutional frameworks which govern human uses of the ocean space, activities and resources, and that States need the capacity to do so.

The field of my expertise is law, so I will refrain from providing investment advice today. However, I think we can all agree that investing in the achievement of the SDGs, and in effective ocean governance, are means to support and promote sustainable ocean-based economies at all levels.

Moreover, there is an increasing understanding that achievement of the Sustainable Development Goals by promoting sustainability through effective ocean governance may provide new opportunities for marine economic activities. The importance of this point cannot be underestimated, particularly at a time when traditional livelihoods derived from the ocean are being challenged.

Allow me to briefly address two ways in which my Office contributes to the work undertaken by States in the development of their sustainable ocean-based economies.

[I. United Nations Convention on the Law of the Sea (the Convention)]





First, just like ocean species cannot exist outside their marine ecosystems, sustainable ocean-based economies require robust and ‘healthy’ legal frameworks to thrive. Financial and other investments in the oceans do best in a stable and predictable environment, that balances interests, accommodates new activities, avoids or manages conflicts, and that is resilient to shock, such as the global health crisis.

Fortunately, at the global level, we already have the United Nations Convention on the Law of the Sea (the Convention), one of the most important and complex legal instruments ever negotiated under the auspices of the United Nations. The Convention sets out the legal framework within which all activities in the oceans and seas must be carried out; it is often described as the “Constitution for the Oceans”.

The Convention provides the legal certainty which is necessary for the development of sustainable ocean-based economies. It sets out, inter alia, the rights and responsibilities of States within various maritime zones. It also strikes a careful balance between the equitable and efficient utilization of ocean resources, on the one hand, and the conservation of its living resources, as well as the protection and preservation of the marine environment, on the other.

The Convention is strengthened by its implementing agreement relating to the implementation of Part XI of the Convention on the international seabed Area, and by the United Nations Fish Stocks Agreement. As a framework instrument, the





Convention forms the foundation for a web of binding and non-binding instruments, including sectoral agreements and policies that touch upon all economic activities in the ocean, from fishing and shipping to seabed mining, as well as new uses of the oceans.

You are all aware of the ongoing discussions on the development, under the Convention, of a new treaty on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (the BBNJ process). It is hoped that the new instrument which is expected to come out from this process will further strengthen the Convention and the legal regime of activities in areas beyond national jurisdiction.

My Office, through its Division for Ocean Affairs and the Law of the Sea (DOALOS), which is the Secretariat of the Convention as well as a number of General Assembly ocean-related processes such as the BBNJ process, continues to support the work of Member States in their efforts to implement this legal order.

[II. Capacity Building]

At the same time, it must be stressed that this implementation requires significant human and institutional capacity. This brings me to my second point, that of the capacity-building imperative.





If the legal order is central to unlock the potential of the blue economy, the capacity to effectively implement this legal order is crucial. This is especially true for developing countries, and in particular small island developing States and least developed countries.

The capacity requirements for the sustainable management of ocean spaces, activities and resources are significant. Yet the ability to effectively manage our relationship with the ocean is required to unlock the potential of sustainable blue economies.

My Office, again through DOALOS, assists Member States in reinforcing their capacity to implement the legal order for the ocean through a wide range of programmes. An example I would like to provide in the context of today's discussions is that of the Oceans Economy and Trade Strategies project, which is implemented in partnership with UNCTAD, and with funding from the UN Development Account that is managed by our colleagues in DESA.

This project assists coastal developing countries and Small Island Developing States to:

1. Identify their competitive ocean-based economic sectors;
2. Understand the strengths and weaknesses of their related ocean governance frameworks; and





3. To build capacity of the key stakeholders to develop sustainably these frameworks and the ocean-based economic sectors.

This project is a clear example of how effective ocean governance allows Member States to integrate the targets of Goal 14 with policies that stimulate the blue economy and how this can serve as a catalyst for new and innovative investments in ocean activities across several economic sectors.

I conclude on this last point, which I consider important for the following reason: While official development assistance and philanthropy remain significant sources of investments in sustainable ocean-based economies, innovative finance solutions and new revenue streams, including from private sources and through blended approaches, will be required to advance the capacity-of States and to harness the benefits of the “blue economy” for everyone.

Thank you.

