



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

**High-Level Commemorative Meeting of the General Assembly to mark the
40th Anniversary of the Adoption of the United Nations Convention on the
Law the Sea (UNCLOS)**

Statement

by

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General Assembly Hall

Mr. President,

Excellencies,

Distinguished Delegates,

I am delighted to join you in commemorating the 40th anniversary of the adoption of the 1982 United Nations Convention on the Law of the Sea, and transmit, on this occasion, warm greetings of the Secretary General.

This is an important year for the oceans. This is an important year for the Convention as well. Forty years ago, on 30 April 1982, having exhausted all attempts to adopt the Convention by consensus, the representatives at the Third United Nations Conference on the Law of the Sea made history by adopting it by 130 votes to 4, with 17 abstentions. Thus came to life one of the most significant legal instruments of the 20th century.



Today, the Convention enjoys widespread acceptance, with 168 Parties, including the European Union. States largely recognize that many of the provisions of the Convention reflect rules of customary international law.

Lest the multilateral achievements that the Convention represent be taken for granted, let us wind back the clock. What appears today as an immutable part of the international legal order for oceans and seas was far from certain in 1973, when delegations gathered for the first session of the Third Conference.

At the Third Conference, States were in pursuit of a convention that would enjoy widespread participation by addressing identified issues while balancing major interests and aspirations of negotiating States. Negotiations were conducted in the wake of the 1967 historic speech of Ambassador Arvid Pardo of Malta calling for the seabed, the ocean floor and their resources to be considered as the ‘common heritage’ of humankind. After nine long years, the Convention was adopted as a “package deal”.

The resulting Convention thus reflects a spirit of compromise with States largely operating by consensus and balancing rights and obligations. One example of this feat relates to the definition of the continental shelf which made it possible for States with broad margins to delineate their continental shelf beyond 200 nautical miles, in return for a revenue-sharing scheme regarding the profits from the exploitation of such resources. To give another example, amidst expanding claims of States over maritime spaces and resources - the innovative concept of the exclusive economic zone recognizes the sovereign rights and jurisdiction of coastal States to explore and exploit natural resources and carry out related activities off their coasts beyond their territorial seas, while preserving certain freedoms of the high seas.

The path towards wide acceptance of the Convention was opened by the efforts that led to the adoption of the 1994 Agreement relating to the implementation of Part XI. This Agreement addressed concerns of industrialized States relating to the regulation of deep seabed mining that were unable to be reconciled prior to the adoption of the Convention.





It is clear today that the long-term success of the Convention stems from the fact that, while intending for the Convention to be comprehensive, the drafters had the forethought to ensure that it would be sufficiently flexible to accommodate future developments. The conclusion of the 1995 United Nations Fish Stocks Agreement has provided us with an example of the ability to effectively build on the Convention without undermining it.

The current negotiations on an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction is yet another case proving the point.

The Convention also serves as a framework agreement allows States to adopt implementing rules and regulations, in particular in the context of United Nations Special Agencies and Programmes.

Summing up, the Convention is to be celebrated as the result of the steadfast resolve of the international community to overcome differences in a spirit of multilateralism, towards our shared goal of ensuring the peaceful and sustainable use of the ocean and its resources for present and future generations.

Thank you very much.

