

**Statement by the Hon. Enele Sopoaga, the Prime Minister of Tuvalu during the Partnership Dialogue 7: Enhancing the conservation and sustainable use of oceans and their resources by implementing the international law as reflected in the United Nations Convention on the Law of the Sea**

Honourable leaders, excellencies, moderators, ladies and gentlemen

I have two issues I wish to speak about. One is a legal issue under the Convention on the Law of the Sea. The second relates to overall coordination of ocean governance.

On the legal issue, I presume that when the Law of Sea was drafted it is unlikely that the drafters were aware of the concern about sea level rise due to climate change.

Therefore we have a legal complication. The Law of the Sea Convention did not anticipate that baselines would move inland due to sea level rise.

Therefore we seek a legal clarification of the implications of sea level rise with respect to the determination of baselines and hence the territorial sea and exclusive economic zone.

For a country like Tuvalu this has enormous implications. Our EEZ is a thousand times larger than our land territory. Our nation is based on a marine economy.

Eventually, sea level rise has the potential to inundate some of our islands. This has implications for our claims of our territorial seas and EEZ.

Therefore we would like a recommendation to come from this Conference seeking a legal view, as to the legal status of migrating baselines due to sea level rise and its implications for the territorial sea and EEZ of nations affected by sea level. I would like to refer this matter to the International Law Commission, for a determination by the ILC

Needless to say we believe that our baselines, our territorial sea and EEZ and once established should remain in time, irrespective of the effects of sea level rise due to climate change.

The second issue relates to overall ocean governance. During this last week we have heard many institutions, including suggestions for the role of the UN General Assembly, playing a role in ocean governance. This is encouraging but at the same time concerning. We do not appear to have overall coordination of ocean governance at the international level. While the Law of the Sea provides the legal framework for the oceans, there is no single body that coordinates the governance of our oceans. As a Small Island Developing State, we need coordination and support of capacity building, technology information, finance and support to develop legislation and enforcement measures. We must rectify this as a matter of urgency. Let us put our minds together to see how this could be done.

I thank you.