

**UN Ocean Conference to support the implementation of SDG 14  
(New York, 5-9 June 2017)**

**Partnership Dialogue 7: “Enhancing the Conservation and Sustainable Use of Oceans and their  
Resources by Implementing International Law as Reflected in the United Nations  
Convention on the Law of the Sea”**

**Friday, 9 June, 10.00 – 13.00, Conference Room 4**

**Greece**

**Statement by**

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The 1982 United Nations Convention on the Law of the Sea (UNCLOS) has been described by the President of the Third UN Conference on the Law of the Sea, Ambassador T.B. Koh, as a *monumental achievement* of the international community, second to the Charter of the United Nations and a “Constitution for the Oceans” which would *stand the test of time*.

These words could not be more true! The drafters of UNCLOS did not only succeed in adopting a comprehensive treaty dealing with almost every aspect of the oceans, but also a treaty *capable of adapting* to new realities and challenges.

By establishing the legal framework within which all activities in the oceans and seas must be carried out, the Convention promotes *stability of the law* as well as maintenance of *international peace and security*.

The *universal character* of UNCLOS is evidenced in its universal language and purpose as well as in its *unprecedented, almost universal, participation-* to date *168 States Parties, including the European Union*, are bound by its provisions. In addition, international jurisprudence has long accepted that its provisions either embody or *reflect customary international law*.

We do not share the view that there are gaps *in* UNCLOS. There may be *inadequacies* and *shortcomings* or *lack of specific regulation*, which is inevitable when we are dealing with new uses which did not exist at the time that the Convention was adopted; but there are *no* legal gaps. UNCLOS deals with each jurisdictional zone separately and in addition to the specific provisions there are *residual regimes and general principles*.

It would be unrealistic to expect a framework convention to incorporate all the detailed provisions that may be required for the regulation of a specific activity. It has to be recalled, however, that with respect to the protection of the marine environment, UNCLOS *incorporates by reference* the international rules and standards established through the competent international organization or diplomatic conference.

In some cases, general principles may be inadequate to deal with new realities, so new rules must be developed. Indeed, UNCLOS addresses *its relationship with other international agreements, both existing and future ones*, providing that they should not affect the balance of rights and obligations of States under its provisions. In case new rules must be developed, they may take the form of an *Implementing Agreement*, such as the currently, under consideration, new Implementing Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

It is obvious therefore that UNCLOS provides the solid basis and the legal tools for effectively dealing with issues related to sustainable development and with new challenges raised in this field. Emphasis should be placed on its effective implementation as well as the implementation of relevant international and regional instruments, which supplement its provisions.

In our view, action and efforts should primarily focus on possible gaps identified in the implementation of this conventional framework; therefore, partnerships should mainly aim at ensuring that States possess the necessary capacities and infrastructure to implement it.

The integrated approach of ocean related activities based on UNCLOS is an essential dimension for promoting sustainable development, since fragmented actions lack coherence and lead to solutions that may have a limited impact on the conservation and sustainable use of oceans and their resources.

On the international level, it is important that this integrated approach guide the regulatory work and capacity-building activities of international organizations in the framework of their competences and that such organizations effectively respond to the increasing need for coordination and cross-sectoral cooperation. At the same time, on the national level the integrated approach requires that a comprehensive legal framework for ocean matters be put in place and that institutional mechanisms enabling interagency cooperation are set up and enforced.

Within this context, new partnerships may be developed to promote, *inter alia*, integrated coastal management, protect the environment through sustainable tourism, ensure safe and secure shipping services in accordance with the IMO rules and recommendations, as well as address the adverse impacts of marine litter, in particular microplastics, which constitute one of the major threats to the marine environment.

Thank you