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10-12 May 2016



Oceans economy and trade:
Sustainable fisheries, transport and tourism



**Findings of the First World Ocean Assessment on Fisheries
and Maritime Transport and relevant UN Regulatory
Frameworks**

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IMPORTANT

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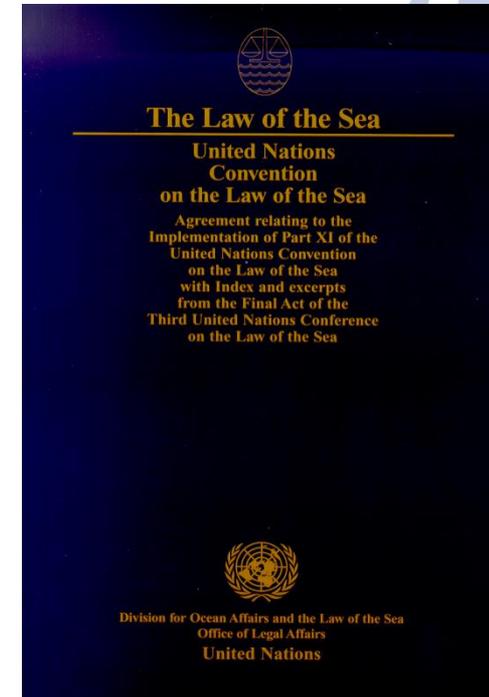
Unless expressly stated otherwise, the findings, interpretations and conclusions, if any, expressed in this lecture are those of the United Nations staff member who prepared it and/or deliver it and do not necessarily represent the views of the United Nations or its Member States.

Overview

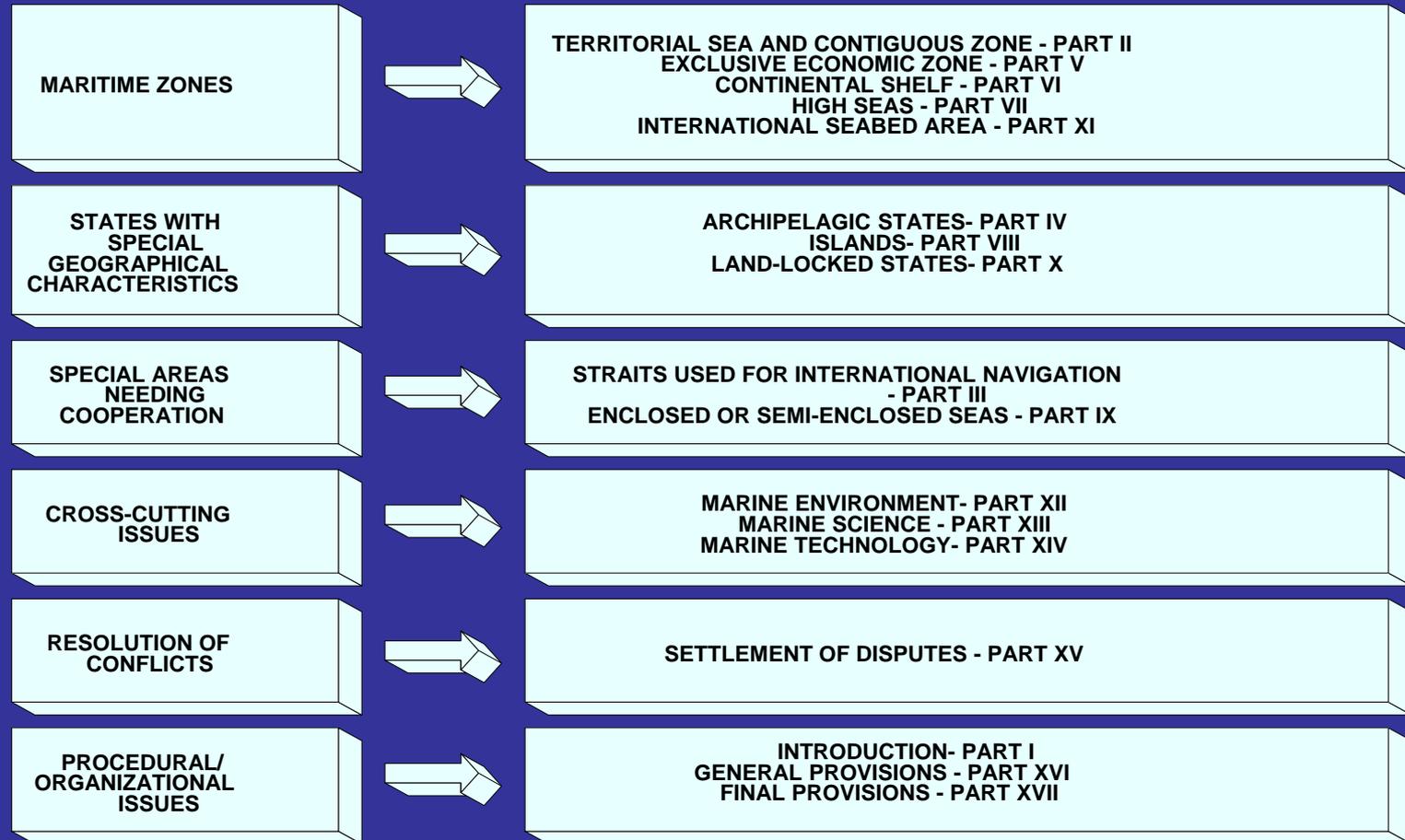
1. UNCLOS – ‘A constitution for the oceans’
2. Global regulatory framework for fisheries and maritime transport, including the role of the United Nations
3. Findings of the World Ocean Assessment on fisheries and maritime transport
4. Implementation of Sustainable Development Goal 14

United Nations Convention on the Law of the Sea

- ‘A constitution for the oceans’
- Comprehensive legal instrument dealing with all aspects of our interaction with the oceans
- Legal framework within which all activities in the oceans and seas must be carried out
- Incorporates agreed compromises and balances, thus constituting a ‘package’



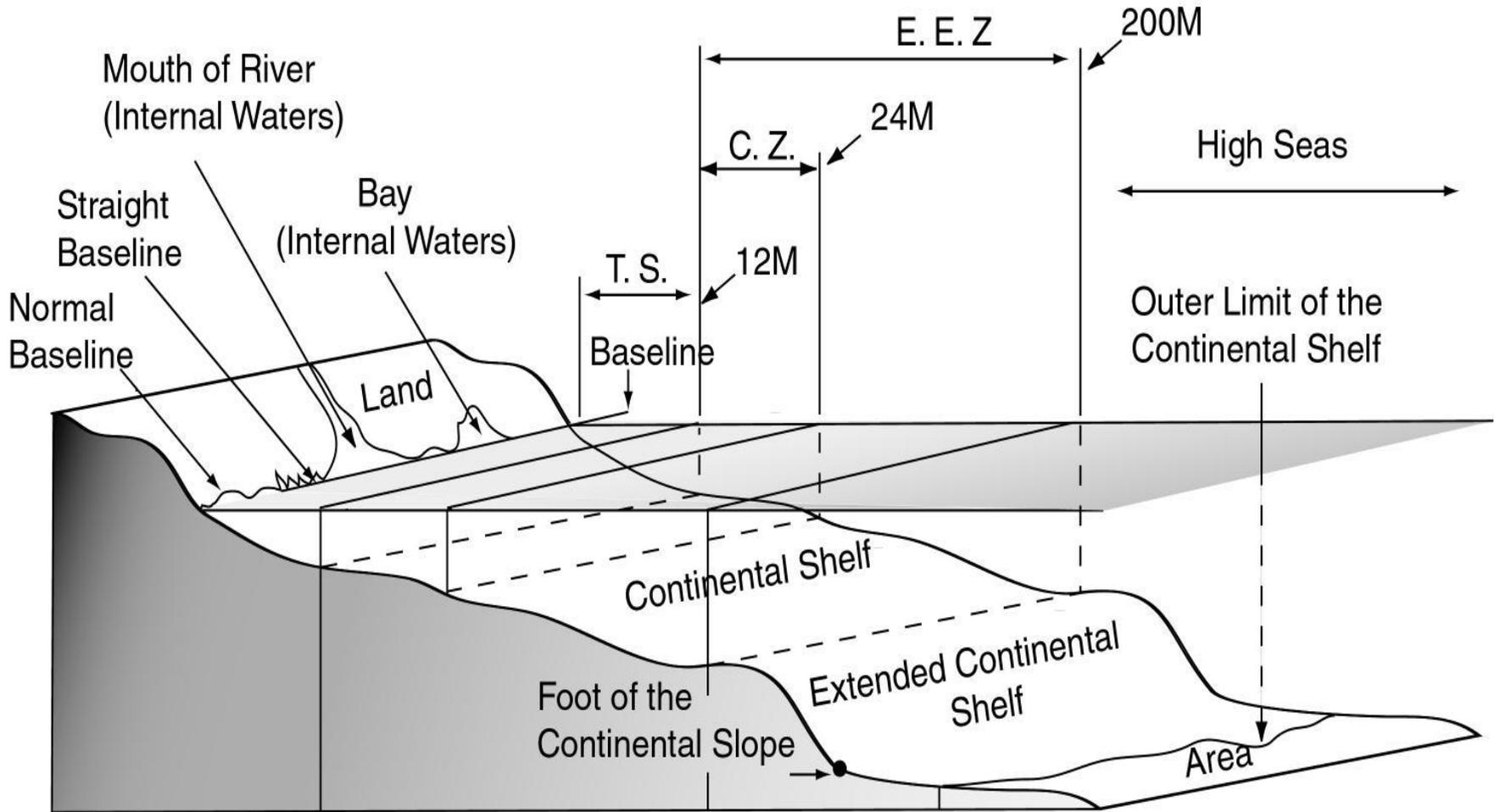
UNITED NATIONS CONVENTION ON THE LAW OF THE SEA VARIOUS PARTS



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Maritime zones (detail)



Status of UNCLOS and its Implementing Agreements

UNCLOS (10 December 1982): 157 Signatories, 167 Parties;
Entry into force on 16 November 1994

Part XI Implementation Agreement (28 July 1994):

79 Signatories, 148 Parties; Entry into force provisionally on
16 November 1994 and definitively on 28 July 1996

United Nations Fish Stocks Agreement (4 August 1995):

59 Signatories, 83 Parties; Entry into force 11 Dec 2001

Institutions under UNCLOS

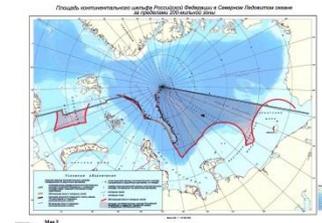
- International Seabed Authority (ISA, ISBA or the Authority)



- International Tribunal for the Law of the Sea (ITLOS)



- Commission on the Limits of the Continental Shelf (CLCS)



- Meeting of States Parties (MSP or SPLOS)



UNCLOS and other international bodies

- As a framework convention, UNCLOS provides for further development in specific areas of the law of the sea
- Duty on States to cooperate at global, regional and subregional levels
- “Competent” or “appropriate” international organizations, “International organizations”, “Specialized agencies”



Institutional Framework (Global)

UN bodies and organizations involved in ocean issues



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IMO

Legal/Policy Framework (Global) - Shipping

Most important IMO Conventions

International Convention for the Safety of Life at Sea ([SOLAS](#)), 1974, as amended

International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997 ([MARPOL](#))

International Convention on Standards of Training, Certification and Watchkeeping for Seafarers ([STCW](#)) as amended, including the 1995 and 2010 Manila Amendments

Other conventions relating to maritime safety and security and ship/port interface

Convention on the International Regulations for Preventing Collisions at Sea ([COLREG](#)), 1972

Convention on Facilitation of International Maritime Traffic ([FAL](#)), 1965

International Convention on [Load Lines](#) (LL), 1966

International Convention on Maritime [Search and Rescue](#) (SAR), 1979

Convention for the [Suppression of Unlawful Acts Against the Safety of Maritime Navigation](#) (SUA), 1988, and Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms located on the Continental Shelf (and the 2005 Protocols)

International [Convention for Safe Containers](#) (CSC), 1972

Convention on the International Maritime Satellite Organization ([IMSO](#) C), 1976

The Torremolinos International Convention for the [Safety of Fishing Vessels](#) (SFV), 1977, superseded by the The 1993 Torremolinos Protocol; Cape Town Agreement of 2012 on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels

International Convention on [Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel](#) (STCW-F), 1995

[Special Trade Passenger Ships](#) Agreement (STP), 1971 and Protocol on Space Requirements for Special Trade Passenger Ships, 1973

Other conventions relating to prevention of marine pollution

International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties ([INTERVENTION](#)), 1969

Convention on the Prevention of Marine Pollution by [Dumping of Wastes and Other Matter](#) (LC), 1972 (and the 1996 London Protocol)

International Convention on [Oil Pollution Preparedness, Response and Co-operation](#) (OPRC), 1990

Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, 2000 ([OPRC-HNS Protocol](#))

International Convention on the Control of Harmful [Anti-fouling Systems](#) on Ships (AFS), 2001

International Convention for the Control and Management of [Ships' Ballast Water and Sediments](#), 2004

The Hong Kong International Convention for the Safe and Environmentally Sound [Recycling of Ships](#), 2009

Conventions covering liability and compensation

International Convention on [Civil Liability for Oil Pollution Damage](#) (CLC), 1969

1992 Protocol to the International Convention on the Establishment of an [International Fund for Compensation for Oil Pollution Damage](#) (FUND 1992)

Convention relating to Civil Liability in the Field of [Maritime Carriage of Nuclear Material](#) (NUCLEAR), 1971

Athens Convention relating to the [Carriage of Passengers](#) and their Luggage by Sea (PAL), 1974

Convention on [Limitation of Liability for Maritime Claims](#) (LLMC), 1976

International Convention on Liability and Compensation for Damage in Connection with the [Carriage of Hazardous and Noxious Substances by Sea](#) (HNS), 1996 (and its 2010 Protocol)

International Convention on Civil Liability for [Bunker Oil Pollution Damage](#), 2001

Nairobi International Convention on the [Removal of Wrecks](#), 2007

Other subjects

International Convention on [Tonnage Measurement of Ships](#) (TONNAGE), 1969

International Convention on [Salvage](#) (SALVAGE), 1989

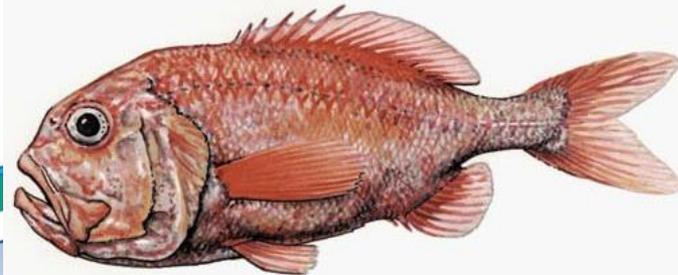
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Legal/Policy Framework (Global) Fisheries



- UN Fish Stocks Agreement
- FAO Compliance Agreement
- FAO Code of Conduct on Responsible Fisheries
- FAO International Plans of Action
- International Guidelines for the Management of Deep-sea Fisheries in the High Seas
- FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
- Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries



Sustainable fisheries

United Nations Fish Stocks Agreement

- Review Conference
 - 2006 and resumed in 2010; series of recommendations adopted
 - Will resume again 23 to 27 May 2016
- Informal Consultations of State Parties
 - Assists in preparations of the Review Conference
 - Twelfth round in March 2016

United Nations General Assembly and oceans and the law of the sea

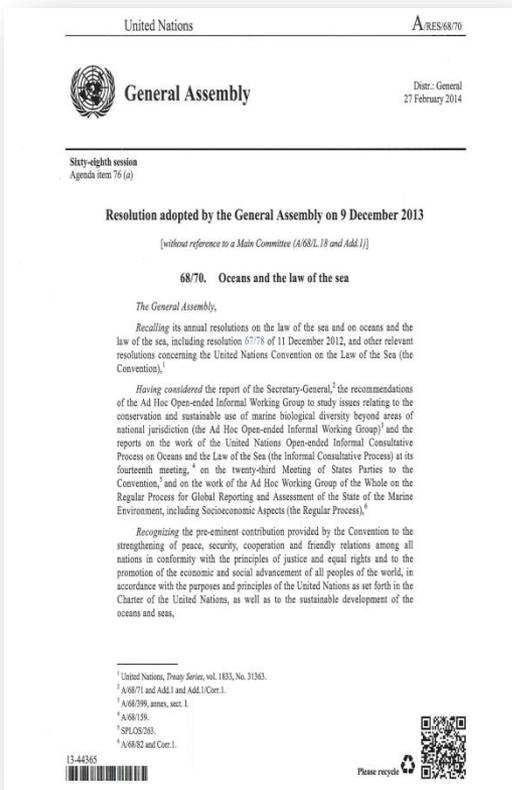


- Annual review and evaluation of:
 - ✓ implementation of UNCLOS
 - ✓ other developments relating to the law of the sea
- Global policy guidance
- Assisted by subsidiary bodies

General Assembly and oceans and the law of the sea

Issues addressed in the resolution include:

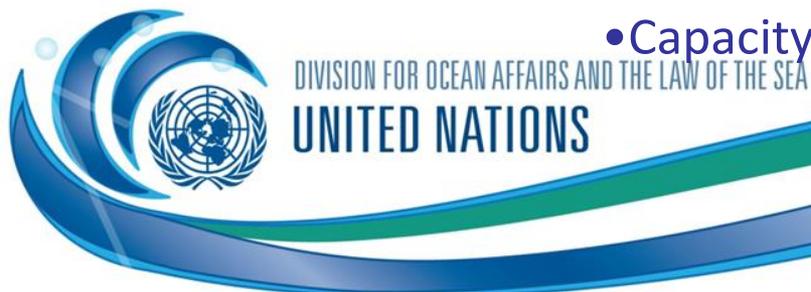
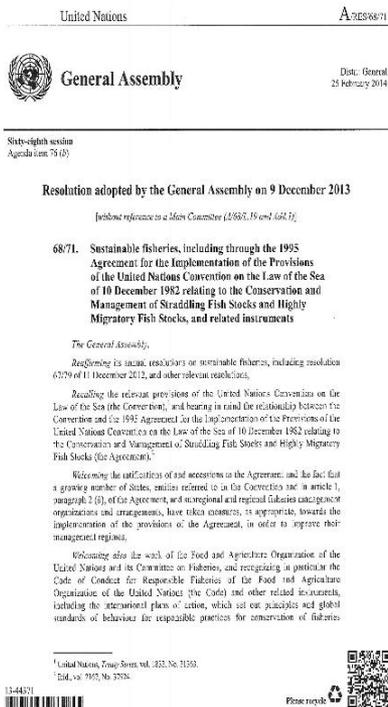
- Capacity-building
- Activities in the Area
- The Commission on the Limits of the Continental Shelf
- Maritime safety, security and flag State implementation
- Marine environment
- Marine biodiversity
- Marine science
- Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects



General Assembly and sustainable fisheries

Issues addressed in the resolution include:

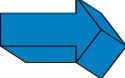
- Implementation of the UN Fish Stocks Agreement
- Illegal, unreported and unregulated fishing
- Monitoring, control and surveillance and compliance and enforcement
- Fishing overcapacity
- Large-scale pelagic drift-net fishing
- Fisheries by-catch and discards
- Subregional and regional cooperation
- Responsible fisheries in the marine ecosystem
- Capacity-building



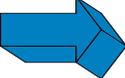
Review on Bottom Fisheries

- Resolution 66/68 of 6 December 2011
 - Calls for review of the actions taken by States and regional fisheries management organizations and arrangements in response to resolutions of the General Assembly to address impacts of bottom fishing on vulnerable marine ecosystems and long-term sustainability of deep-sea fish stocks
 - Preceded by two-day workshop (1 to 2 August 2016)
 - Previous reviews in 2006, 2009 and 2011

UNITED NATIONS OPEN-ENDED INFORMAL CONSULTATIVE PROCESS ON OCEANS AND THE LAW OF THE SEA



FACILITATES THE ANNUAL REVIEW BY THE GENERAL ASSEMBLY, IN AN EFFECTIVE AND CONSTRUCTIVE MANNER, ON DEVELOPMENTS IN OCEAN AFFAIRS, BY SUGGESTING PARTICULAR ISSUES TO BE CONSIDERED BY IT, WITH AN EMPHASIS ON IDENTIFYING AREAS WHERE INTERNATIONAL COOPERATION SHOULD BE ENHANCED



HELD ITS FIRST MEETING IN 2000



Areas of focus at the ICP

- ICP-1 (2000): Responsible fisheries and illegal, unreported and unregulated fisheries: Moving from principles to implementation;
Marine pollution: Economic and social impacts of marine pollution and degradation, especially in coastal areas
- ICP-2 (2001): Marine science and the development and transfer of marine technology as mutually agreed, including capacity-building;
Coordination and cooperation in combating piracy and armed robbery at sea
- ICP-3 (2002): The protection and preservation of the marine environment;
Capacity-building, regional cooperation and coordination and integrated ocean management
- ICP-4 (2003) Safety of Navigation; for example, Capacity-building for the Production of Nautical Charts; Protecting Vulnerable Marine Ecosystems
- ICP-5 (2004): New sustainable uses of the oceans, including the conservation and management of the biological diversity of the seabed in areas beyond national jurisdiction

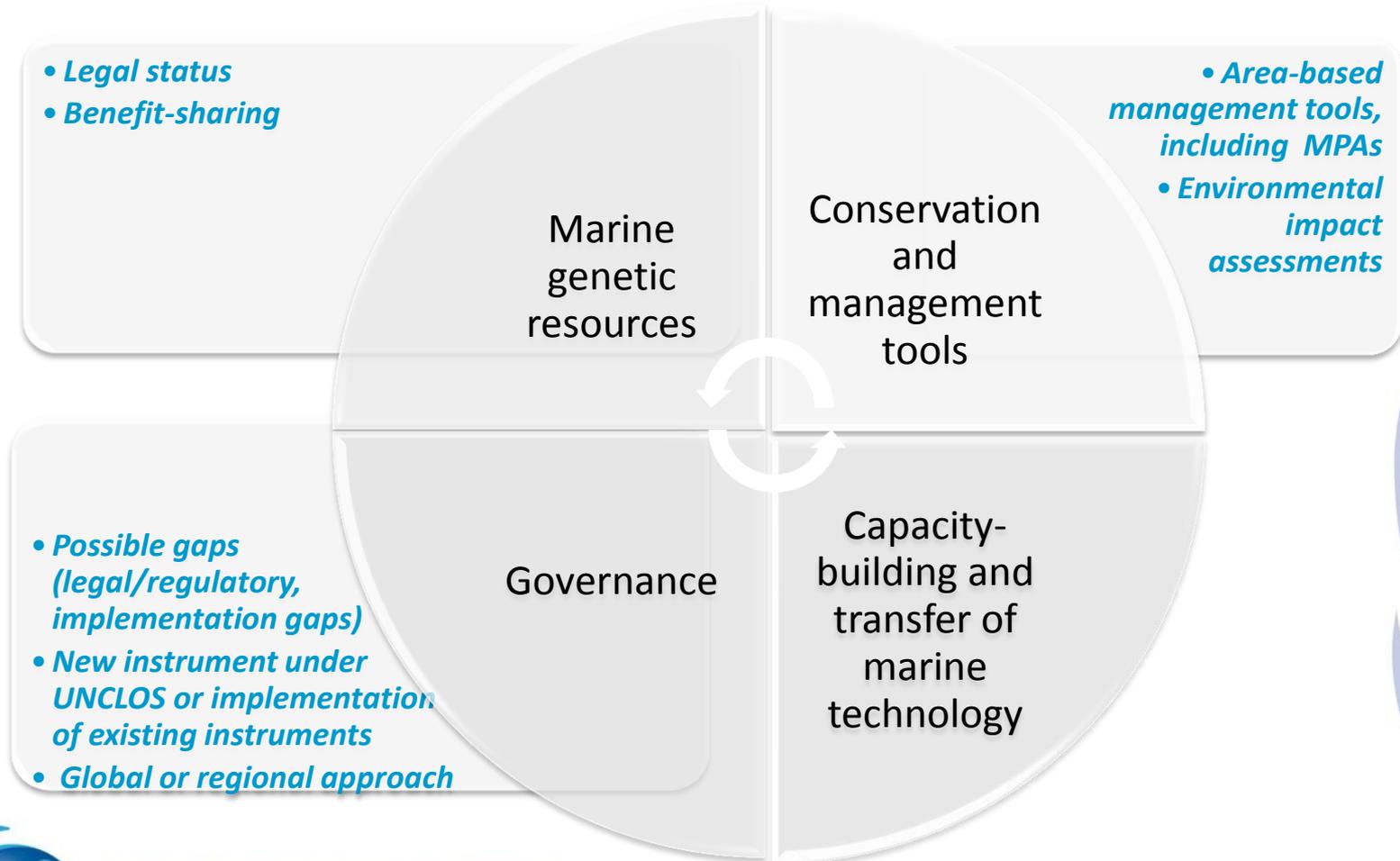
- ICP-6 (2005): Fisheries and their contribution to sustainable development; marine debris
- ICP-7 (2006): Ecosystem approaches and oceans
- ICP-8 (2007): Marine genetic resources
- ICP-9 (2008): Maritime security and safety
- ICP-10 (2009): Implementation of the outcomes of the Process, including a review of its achievements and shortcomings in its first nine meetings
- ICP-11 (2010): Capacity-building in ocean affairs and the law of the sea, including marine science
- ICP-12 (2011): Sustainable development
- ICP-13 (2012): Renewable energies
- ICP-14 (2013): Ocean acidification
- ICP-15 (2014): Role of seafood in global food security
- ICP-16 (2015): Oceans and sustainable development: integration of the three dimensions of sustainable development
- ICP-17 (2016): Marine debris, plastics and microplastics

General Assembly and marine biological diversity beyond areas of national jurisdiction



2004 – establishment of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction

What is being discussed?



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General Assembly resolution 69/292

- “The development of 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” (A/RES/69/292, 19 June 2015)
- Provides for modalities for a preparatory committee
- Establishes of a voluntary trust fund to assist developing countries to attend meetings of the preparatory committee and the intergovernmental conference

General Assembly resolution 69/292

■ Preparatory Committee Meetings

- Two sessions of no less than 10 working days each, in 2016 and 2017
- Open to participation by Member States, Members of Specialized Agencies and Parties to UNCLOS, with observers
- Shall develop elements of a draft text of an internationally legally binding instruments on package agreed in 2011
- Shall exhaust every effort to reach agreement on substantive matters by consensus
- Shall make substantive recommendations to the 72nd session of the General Assembly in 2017



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The General Assembly and the Regular Process

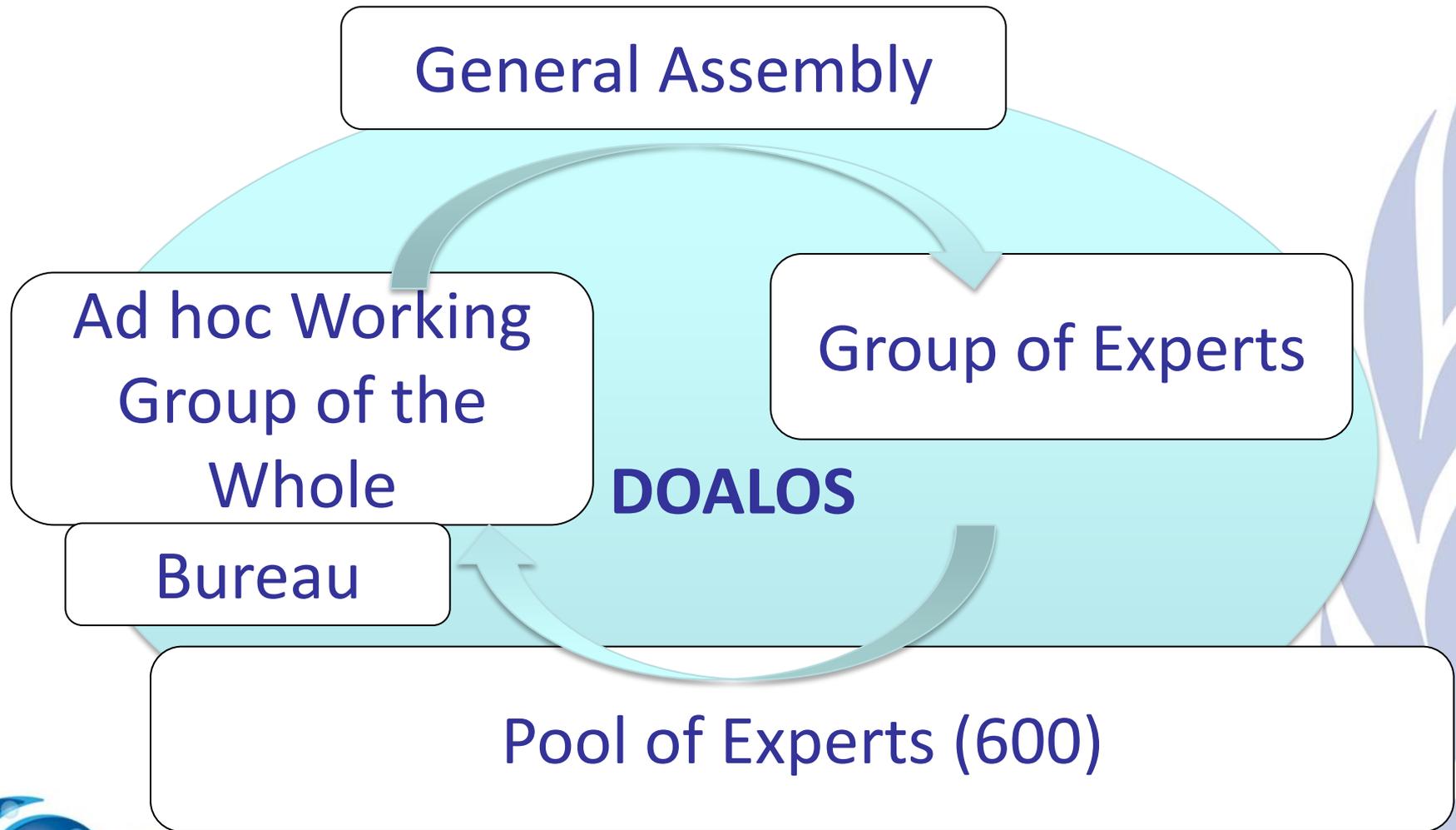


- 2002 – Recommendation of the World Summit on Sustainable Development to establish a regular process
- 2010 – establishment by the General Assembly of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

Why did the General Assembly establish the Regular Process?

- State of the world's oceans and seas is deteriorating
- No system of assessments currently exists that provides a global picture of the state of the marine environment and of socioeconomic aspects
- Approach to understanding the oceans needs to be integrated and not sectoral
- Need for a more effective interface between scientific knowledge and decision-making

Regular Process - Institutional Arrangements



Regular Process – First Global Integrated Marine Assessment 2015

- On 23 December 2015, the United Nations General Assembly adopted resolution 70/235 on “Oceans and the law of the sea,” in which it welcomed with appreciation the first global integrated marine assessment and approved its summary.
- Seven parts, fifty-five chapters and grouped into ten main themes in summary (A/70/112)

Regular Process

First Global Integrated Marine Assessment

- Part I and II: summary and context of the assessment
- Part III: assessment of major ecosystem services from the marine environment
- Part IV: assessment of the cross-cutting issues of food security and food safety
- Part V: assessment of other human activities and the marine environment
- Part VI: assessment of marine biological diversity and habitats
- Part VII: overall assessment

First Global Integrated Marine Assessment: Findings on Fisheries

- Exploitation of living marine resources has exceeded sustainable levels in many regions.
- Overexploitation has brought about changes to ecosystems and can make fish stocks less productive.
- Reproductive success is being reduced by pollution, loss of habitat and other forms of disturbance, including climate change.
- These factors result in declining biological resources with important implications for food security and biodiversity.

First Global Integrated Marine Assessment: Findings on Fisheries (cont'd)

- Fish products are the major source of animal protein for a significant fraction of the world's population, particularly in countries where hunger is widespread.
- Global capture fisheries are near the ocean's productive capacity, with catches on the order of 80 million tons.
- Ending overfishing, including IUU fishing, and rebuilding depleted resources could increase yields by 20 per cent.
- Contribution of aquaculture to food security is growing and has greater potential for growth than capture fisheries, but brings new or increased pressures on marine ecosystems.

First Global Integrated Marine Assessment: Findings on Fisheries (cont'd)

- Distribution around the world of the benefits from the ocean is still very uneven, but becoming less skewed for some benefits.
- Consumption of fish per capita in some developing countries is growing.
- Balance between cargoes loaded and unloaded in the ports of developing countries is moving closer to those in developed countries in tonnage terms.
- In many fields, including general trade in fish, an imbalance remains between the developed and developing parts of the world.

First Global Integrated Marine Assessment: Findings on Maritime Transport

- Increased use of ocean space, especially in coastal areas, is creating conflicting demands for dedicated marine space.
- Activities are increasing without a clear overarching management system or a thorough evaluation of cumulative impacts, thus increasing potential for conflicting and cumulative pressures.
- World shipping has grown consistently and dense shipping lanes cannot be used safely for other activities.
- Fundamental changes in cargo shipping has increased size of port terminals; land reclamation and dredging materials are mostly dumped at sea, smothering biota.



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First Global Integrated Marine Assessment: Findings on Maritime Transport (cont'd)

- Too many demands on ocean space for all to be accommodated without constraining operations.
- Allocation of ocean space is a much more complex task than land-use planning onshore.
- Some uses can be in the same area but vertically separated (e.g. ships and submarine cables).
- Some uses are transient: ships and fishing vessels can pass and repass and other uses may take place in the intervals in between.
- The more intense is the shipping or fishing, the more difficult it is for other uses to be accommodated.

First Global Integrated Marine Assessment: Findings on Maritime Transport (cont'd)

- Good progress has been made in reducing pollution from ships (both catastrophic and operational).
- In spite of increases in shipping tonnage and distances covered, absolute shipping losses have decreased.
- Number and quantity of oil spills have dropped steadily.
- Progress has been made in response capabilities.
- In spite of progress, oil discharges remains an environmental problem and dumping of garbage is a serious element of problem of marine debris.
- Important gaps in knowledge on how shipping routes and operations affect the marine environment.

First Global Integrated Marine Assessment: Findings on Maritime Transport (cont'd)

- All sectors of maritime transport (cargo trades, passenger and vehicle ferries and cruise ships) are growing in line with the world economy.
- Owners from five countries (China, Germany, Greece, Japan and the Republic of Korea) together accounted for 53 per cent of the world tonnage in 2013.
- There are just over 1.25 million seafarers worldwide, but only 2 per cent are women, mainly in the ferry and cruise-ship sectors.
- Crews are predominantly from OECD countries and Eastern Europe and from Eastern and Southern Asia.

United Nations Post-2015 Development Agenda

- United Nations post-2015 development agenda was launched at a UN Summit in September 2015
- The process was Member State-led with broad participation from Major Groups and other civil society stakeholders
- There were numerous inputs to the agenda:
 - ✓ Sustainable Development Goals (SDGs)
 - ✓ Report on Sustainable Development Financing
 - ✓ GA Dialogues on Technology Facilitation
- Secretary-General synthesized the full range of inputs in a synthesis report (end 2014)

GOAL 14

Conserve and sustainably use the oceans, seas and marine resources for sustainable development

UN Summit in September 2015 and Adoption of 17 SDGs

14.1 By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution

14.2 By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans

14.3 Minimize and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels

14.4 By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics

14.5 By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information

14.6 By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the World Trade Organization fisheries subsidies negotiation (1)

14.7 By 2030, increase the economic benefits to small island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism

14.a Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries

14.b Provide access for small-scale artisanal fishers to marine resources and markets

14.c Ensure the full implementation of international law, as reflected in the United Nations Convention on the Law of the Sea for States parties thereto, including, where applicable, existing regional and international regimes for the conservation and sustainable use of oceans and their resources by their parties

(1) Taking into account ongoing World Trade Organization negotiations, the Doha Development Agenda and the Hong Kong ministerial mandate.



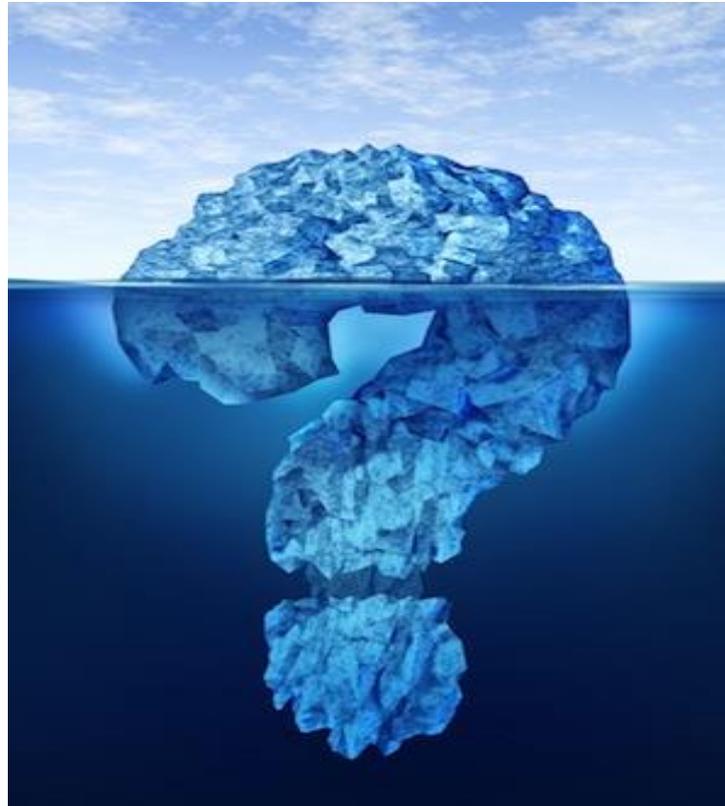
Sustainable Development Goal 14 and the United Nations Convention on the Law of the Sea

“Enhance 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, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of The Future We Want”

United Nations Conference to Support Implementation of SDG 14

- In resolution 70/266 (2 December 2015) the General Assembly decided to convene a United Nations Conference in Fiji to support implementation of SDG 14 (5 to 9 June 2017), coinciding with World Oceans Day.
- Recognized UNCLOS as providing the legal framework for conservation and sustainable use of the oceans and their resources and the role of ICP as a process established by the General Assembly to facilitate its annual review in an effective and constructive manner of developments in ocean affairs.
- Modalities (scope, participation, format and organization) will be considered before end of seventieth session.

Thank you!



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