

PRESENTATION

BY

H.E. Ambassador Eden Charles,
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on the

"The role of the United Nations Convention
on the Law of the Sea in sustainable development"
at the panel discussion organized by the Division for
Ocean Affairs and the Law of the Sea

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At the outset I wish to thank the Director and the members of staff of the Division for Ocean Affairs and the Law of the Sea for organizing this important event and also for inviting me to be a part of the panel.

Madame Chairperson

More than thirty years after the opening for signature of the 1982 United Nations Convention on the Law of the Sea (“the Convention”), and two decades after its entry into force, we are here to assess the role of the Convention in sustainable development. It is an opportune moment to examine this issue, as the Open Working Group on Sustainable Development Goals continues to address the issue of oceans and seas, as a possible sustainable development goal.

The *travaux préparatoires*, or negotiating history of the Convention, show that it brought together many countries representing all regions of the world, all legal and political systems and all degrees of socio-economic development. The Convention envisions international cooperation in diverse areas in an effort to achieve a “just and equitable international economic order” in relation to ocean space. It is also an example of the interrelationship of many issues. While it is a framework treaty, at the same time, it is also an instrument which requires States Parties to honour and implement specific obligations.

The Convention has not been amended but it has been subject to the adoption of two implementing agreements, on the implementation of Part XI, the 1994 Agreement, and the 1995 Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (“the Fish Stocks Agreement”).

I submit that if sustainable development means “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”, the Convention and its implementing agreements have sought to achieve this objective.

While the Convention has established legally defined maritime zones where coastal States exercise either sovereignty or sovereign rights over the resources in the maritime zones, it has also established a regime for the sustainable use of the said resources. For example, Article 56 of the Convention establishes certain rights, jurisdiction and duties of the coastal State in the Exclusive Economic Zone (EEZ) in relation to exploring and exploiting, conserving and managing the natural resources, whether living or non-living in this maritime zone. It also emphasizes the protection and preservation of the marine environment. I submit further that Article 56 is pellucidly clear with regard to the sustainable use of resources in the EEZ.

Madame Chairperson

Fisheries provide an important source of food for all States, whether coast

technology to explore and exploit the marine resources within their national