# ADVANCE AND UNEDITED REPORTING MATERIAL

Seventy-eighth session Item 77 (a) of the provisional agenda\* Oceans and the law of the sea

### Oceans and the law of the sea

**Report of the Secretary-General** 

The present report, which covers the period from 1 September 2022 to 31 August 2023

## I. Introduction

1. The ocean remains under significant threat from human activities. Marine biodiversity is under attack from over-

## II. Legal and policy framework

3. The 1982 United Nations Convention on the Law of the Sea (Convention) <sup>3</sup> sets

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| seabed sustainability fund. <sup>19</sup> The Authority also made progress on a study on | options |
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| for the distribution of funds received under article 82(4) of the Convention             | it      |

#### Gender equality and ocean issues

15. Despite their vital presence in many ocean sectors, including fisheries, aquaculture and shipping, women continue to experience unstable employment, low pay and under-recognition of their contributions.<sup>31</sup> Efforts to identify needs and improve access to employment by women included the development by FAO of capacity and information materials regarding small-scale fishery organizations for women<sup>32</sup> and an ILO report on gender equality and women's empowerment in the fishing and seafood processing sectors in South-East Asia.<sup>33</sup> Amendments to the Code of the Maritime Labour Convention, 2006, will help to ensure that an increasing number of women seafarers have appropriately sized personal protective equipment.<sup>34</sup>

16. The importance of gender equality in ocean sectors was xTh uipment

also risked being trafficked, kidnapped or subjected to inhuman and degrading

project in support of regional stakeholders to carry out the review, in close collaboration with UNODC.  $^{103}\,$ 

## VI. Climate change and the ocean

36. The past eight years have been the warmest on record. As concentrations of greenhouse gases continued to increase, ocean heat content and sea levels reached record highs and ocean acidification

renewable energy, aquatic food and coastal tourism.<sup>115</sup> Work also continued on potential mitigation interventions, including on the challenges and possibilities of marine geoengineering.<sup>116</sup>

40. With respect to adaptation, the UNFCCC Nairobi Work Programme expert group on the ocean produced reports on coastal adaptation, including a policy brief on innovative approaches for strengthening coastal and ocean adaptation. <sup>117</sup> UNCTAD worked on the impacts of climate change and extreme weather events on coastal transport infrastructure, in particular to assist SIDS with adaptation measures. <sup>118</sup> UN-Habitat addressed the vulnerability of SIDS to climate change and launched its global programme for integrated urban resilience in SIDS and coastal cities. <sup>119</sup> Actions were taken by FAO, UNEP and the Black Sea Economic Cooperation Organization to strengthen resilience, including through restoration of coral reefs, the use of integrated coastal zone management (ICZM) and addressing the climate change and poverty nexus. <sup>120</sup> RFMO/As reported on incorporating climate change and ocean acidification in their work. <sup>121</sup>

41. Regarding financing, historic decisions were taken at COP-27 highlighting the need to transform the global financial system and establish a fund to assist developing countries, particularly those vulnerable to the adverse effects of climate change, in responding to loss and damage.<sup>122</sup> With estimated adaptation costs for developing countries far greater than current finance flows, major collaborative efforts by policymakers and development partners and shifts in focus were still required.<sup>123</sup>

42. The International Atomic Energy Agency (IAEA) continued to organize capacity-building activities on ocean acidification.<sup>124</sup> Research was also ongoing under the Ocean Decade endorsed Programme on ocean acidification research for sustainability.<sup>125</sup>

43. The Commission of Small Island States on Climate Change and International Law requested an advisory opinion from the Tribunal on the obligations of States Parties under the Convention on the effects of climate change.<sup>126</sup> The General Assembly requested an advisory opinion from the ICJ on the obligations of States in respect of climate change, including under the law of the sea.<sup>127</sup>

44. The Climate Ambition Summit in September 2023<sup>128</sup> and the first global stocktake (GST) of progress under the Paris Agreement, scheduled to conclude at the twenty-eighth meeting of the Conference of Parties (COP-28) to the UNFCCC,

Montreal Global Biodiversity Framework (KMGB Framework), including a target to minimize

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cooperation between public and private actors. Work was ongoing to develop a

 $2023.^{205}$  Work continued to develop an index for coastal eutrophication potentials under indicator 14.1.1 of SDG 14.^{206}

58. During the twenty-

discussion.<sup>213</sup> The Voluntary Guidelines for Transshipment were also endorsed as a new instrument within the framework of the 1995 Code of Conduct for Responsible Fisheries and the meeting called for implementation of the guidelines, including through RFMO/As.<sup>214</sup> FAO organized a series of regional workshops throughout 2023

East Atlantic Ocean;<sup>228</sup> and requested further work on the process.<sup>229</sup> CBD Secretariat

address vital challenges facing global governance, including with respect to the ocean, boosting implementation of existing commitments, such as the SDGs, and moving towards a reinvigorated multilateral system.

### IX. Capacity-building and technical assistance

81. Many organizations and agencies reported on capacity-building initiatives to assist developing States in sustainably managing ocean spaces, resources and activities.<sup>296</sup>

82. The Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs (the Division) provided information, advice and assistance to States and intergovernmental organizations and other stakeholders through its capacity-building programmes, including technical assistance projects and fellowships and participation in conferences, meetings, workshops and training events.<sup>297</sup>

83. The Division continued to assist developing countries in implementing the United Nations Convention on the Law of the Sea and its implementing agreements and in promoting strengthened, sustainable and inclusive ocean economies in the context of a four-year

mentoring programme for young female researchers.<sup>302</sup> The Tribunal launched a new series of workshops for legal advisers from developing countries.<sup>303</sup>

#### **Fellowships**

88. During the reporting period, the Division successfully implemented the United Nations-Nippon Foundation (UNNF) Fellowship; the Strategic Needs Fellowship; training activities under the United Nations-Nippon Foundation Alumni Programme; and the Hamilton Shirley Amerasinghe Memorial Fellowship.

89. New cohorts of 13 UNNF and 11 Strategic Needs Fellows were welcomed by the Division for in-person deliveries to support 16 women and 8 men, from 21 developing countries. Several virtual sessions were also organized, allowing for the participation of United Nations-Nippon Foundation Alumni.<sup>304</sup>

90. A three-day United Nations-Nippon Foundation Alumni Meeting took place in Cascais, Portugal, which specifically targeted Lusophone Alumni and brought together 14 nationals (7 women and 7 men) from Brazil, Timor-Leste, Mozambique, São Tomé and Príncipe and Mozambique.

91. Implementation of the Hamilton Shirley Amerasinghe Memorial Fellowship was resumed, with Ms. Linda Bana from Ghana as the recipient.

92. Overall, the fellowships have been characterized by a broad geographic scope, with significant participation in the United Nations-Nippon Foundation fellowships from LDCs (22%), landlocked developing countries (2%) and SIDS (24%). Gender parity

cooperation with and among relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies will also be required.<sup>306</sup>

95. In the area of marine science, continued and enhanced support for the Ocean Decade and the third World Ocean Assessment in order to strengthen the ocean