

**UN Office of the High Representative for the Least Developed Countries,  
Landlocked Developing Countries and Small Island Developing States (UN-  
OHRLLS) inputs to UNSG annual report on Oceans and the Law of the Sea.**

**Small island developing States**

Small Island Developing States (SIDS) have traditionally supported the United Nations efforts in the development of oceans governance. All SIDS<sup>1</sup> that can enter into treaties have either ratified or acceded to UNCLOS. However as was recognized in the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States (MSI), implementation of UNCLOS continues to be impeded by financial constraints and a lack of capacity. Support to SIDS from the international community will need to be enhanced if SIDS are to properly implement UNCLOS. SIDS role as custodians to vast ocean spaces need to be supported with the necessary financial and technical support from the international community. These vast ocean spaces, within which SIDS are often scattered, and the marine resources that they contain not only benefit SIDS but they also benefit the wider global community.

Within the United Nations system, the recognition of SIDS as a “special case” in the context of the environment and development was first acknowledged at the United Nations Conference on Environment and Development in 1992 in Chapter 17 of Agenda 21 – a Chapter on ‘*Protection of the Oceans, All kinds of Seas, including Enclosed and Semi-enclosed seas, and Coastal areas and the Protection, Rational use and Development of their Living Resources*’. In the Rio+20 Outcome – the Future We Want – the international community urged the identification and mainstreaming of strategies by 2014 that further assist developing countries, in particular the least developed countries (LDCs) and SIDS, in developing their national capacity to conserve, sustainably manage and realize the benefits of sustainable fisheries, including through improved market access for fish products from developing countries<sup>2</sup>. The International Community, in the Future We Want, also committed to observe the need to ensure access to fisheries, and the importance of access to markets, by subsistence, small-scale and artisanal fishers and women fish workers, as well as indigenous peoples and their communities particularly in developing countries, especially SIDS<sup>3</sup>.

One of the concrete outcomes of the Future We Want was the decision to convene the Third International Conference on SIDS in 2014, recognizing the importance of coordinated, balanced and integrated actions to address the sustainable development challenges facing SIDS. By General Assembly 67/207 the Assembly welcomed the offer by the government of the Independent State of Samoa to host the Conference.

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<sup>1</sup> Antigua and Barbuda, Bahamas, Bahrain, Barbados, Belize, Cape Verde, Comoros, Cuba, Dominica, Dominican Republic, Fiji, Grenada, Guinea-Bissau, Guyana, Haiti, Jamaica, Kiribati, Maldives, Marshall Islands, Federated States of Micronesia, Mauritius, Nauru, Niue, Palau, Papua New Guinea, Samoa, Sao Tome and Principe, Singapore, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Seychelles, Solomon Islands, Suriname, Timor-Leste, Tonga, Trinidad and Tobago, Tuvalu, Vanuatu.

<sup>2</sup> The Future We Want, paragraph 174

<sup>3</sup> Ibid, paragraph 175

UN-OHRLLS pursuant to its advocacy mandate on SIDS issues and in the context of the

Challenge”. The theme aimed at striking a balance between sustaining the development of our marine resources with the interests of preservation and conservation. The Communiqué of the meeting stated that Pacific Island leaders agreed that, as ‘Large Ocean Island States’, Forum Island Countries have a leading role to play in management of the Pacific Ocean. The Communiqué also recognized the Pacific Island Leaders’ aspirations to maximise sustainable economic returns for Forum Members from ocean resources, including fisheries and seabed minerals, in accordance with the precautionary approach of Rio Principle 15.

### **Land locked developing countries**

Landlocked countries not only face the challenge of distance, but also the challenges that result from a dependence on passage through a sovereign country, i.e., one which trade from a landlocked country must pass in order to access international shipping markets. Although there is a legal basis for rights of landlocked developing countries to access to and from the sea, as outlined in Article 125(1) of the United Nations Convention of the Law Of the Sea (UNCLOS) (1982), in practice, this right of access must be agreed upon with the transit neighbour (Article 125(2) and (3) and is determined by the relationship and cooperation between the countries concerned.

Of the 31 landlocked developing States<sup>4</sup> (LLDCs) 18 have either ratified or acceded

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poverty, substantially inflating transportation costs and lowering their effective participation in international trade by LLDCs.

The key challenge for LLDCs with regard to the implementation of UNCLOS is how both landlocked and transit developing countries fulfil the obligations incumbent upon State Parties under the Convention. In this endeavour, the role of United Nations will be critical in the monitoring of, collection of information on and reporting on State practice