

# **Women in the Law of the Sea (WILOS) Conference**

## **Session II: Maritime delimitations**

**Monday 26 September 2022, 12:10 pm – 12:15 pm**

**Remarks by Ambassador Ana Paula Zacarias, Permanent Representative of Portugal to the United Nations**

Let me start by thanking and commending the International Seabed Authority, as well as the Permanent Missions of Singapore and Malta to the ISA and to the UN, for organizing the Women in the Law of the Sea Conference. As we approach the 40th anniversary of the adoption of UNCLOS, it is crucial that we take stock and reflect on the many achievements of the Convention, but also celebrate the unique contribution of women to the progressive development of the law of the sea and its implementation (and I am deeply honored to be amongst some of the women that contributed so much to this effort over the years).

But this is also a timely opportunity to carry out a necessary reflection on how we can strengthen that contribution. Coming from a maritime country, I am all too aware of the major role women play in ocean-based economies and communities, and how incredibly impacted they are by the effects of the many challenges facing the ocean, some of which are related to the topic I will be briefly covering today: “Maritime delimitations”. That is why it is crucial that women become more deeply involved in the implementation of the law of the sea and in the shaping of its progressive development.

The regime on maritime delimitations was one of the most important contributions brought by UNCLOS 40 years ago. It gave us legal certainty, stability, and mechanisms for the peaceful settlement of disputes with neighboring countries.

Most importantly, it provided a framework for States to determine and delimitate their boundaries in a peaceful manner. By being able to establish the extent and limits of the areas within their jurisdiction in accordance with clear and predictable rules, States were given access to the foundational elements that allow them to peacefully and sustainably use the resources of their maritime territories, and thus build ocean-based economies supporting their long-term sustainable development.

However, 40 years on, that stability and legal certainty are under threat. The scale and severity of the impacts of climate change, in particular sea-level rise, are already harming the wellbeing, the stability, and the security of communities around the world. These have the potential to be further amplified, including as a result of existing and future maritime delimitations losing their character of predictability and permanence.

Indeed, the specific effects of sea-level rise are multiple and significant, particularly for coastal areas, low-lying coastal States and small island States, and their potential implications for sustainable development and international security cannot be overstated. Displacement of people, forced migration, threats to territorial integrity, territorial and boundary disputes, the escalation of current conflicts are only some of the consequences we are already witnessing and that we are prone to experience more acutely in the future.

While our priority should be to address the root cause of climate change, our collective efforts also need to focus on preparedness, on building resilience, and adaptation to these impacts and its consequences. This includes reflecting on the legal tools we have at our disposal and how we can use them – and potentially strengthen them and build on them – in order to respond to these challenges.

While UNCLOS was developed with enough flexibility and resilience to withstand different challenges over time, we have to recognize that sea level rise poses important questions regarding maritime zones, boundaries and delimitations that need to be addressed. Collectively, we need to come up with solutions that protect and preserve the legal certainty and stability we fought so hard to achieve, and which is crucial to ensure international security, peace and prosperity.

Allow me to end with a note of optimism, connected with the overarching theme of this Conference. As we speak, the International Law Commission continues to work on the topic “sea-level rise in relation to international law”. Under the leadership of two women, Professors Patricia Galvao Teles and Nilufer Oral, the study group is also tackling the impacts of sea level rise with respect to the law of the sea, including on baselines, outer limits of the maritime spaces, and maritime delimitations.

I trust that the study group will support and feed the international community with ideas on how to address this specific issue affecting the future of maritime delimitations, and that these and other women will continue to shape the solutions that will help us respond to the challenges – old and new – that impact the present and future implementation of the law of the sea.

I thank you for your kind attention.