



Contribution to the report of the Secretary-General on oceans and the law of the sea, on Marine ecosystem restoration, pursuant to General Assembly resolution 78/69 of 5 December 2023, entitled “Oceans and the law of the sea”¹

In Latin America and the Caribbean, marine ecosystems face increasing pressures from land-based sources of pollution, insufficiently treated wastewater discharges, watershed degradation, unplanned urban expansion, and the cumulative impacts of climate change² Excess nutrients from sources such as fertilizers along with acidification results in the proliferation of sargassum, which severely affects the Caribbean economies and tourism, but also subsistence and human health due to the toxins and metals that it concentrates³. In addition, it causes loss of biodiversity due to massive increase, lack of oxygen and resilience in corals, which are both barriers and protectors against extreme events such as hurricanes and habitat for species. The cumulative effect is relevant, and fragile ecosystems are more vulnerable with repercussions on the guarantee of the right to a healthy environment, particularly as people in vulnerable situations. The OAS includes the largest part of the World’s ocean stakeholders, and many of its leading political, economic and scientific community has an essential role to play. In the context of climate change, sea level rise, and the need for more marine policy of the high seas, OAS member States need to be strongly involved to co-construct and find more innovative solutions to ensure sustainable oceans governance.⁴

The General Secretariat of the Organization of American States (SG/OAS) through the Department of Sustainable Development, Americas Water Program, conceives marine ecosystem restoration as a systemic and interdependent process that should be addressed through integrated water resources management, multilevel governance, and regional cooperation. In response to this context, the Program promotes a basin-to-coast approach that recognizes the structural connection between freshwater systems and ocean health, aligned with the principles of international law of the sea and the commitments of the 2030 Agenda.

The GS/OAS as a hemispheric platform for technical cooperation, brings together OAS Member States, multilateral organizations, the private sector, academia, and local communities to

¹ This contribution is submitted jointly by the Inter-American Institute on Justice and Sustainability (IJS) and the General Secretariat of the Organization of American States (SG/OAS) an international organization established within the United Nations system (Organization of American States. (1948). Charter of the Organization of American States (Art. 1). Organization of American States.) For a Additional information contact Claudia S. de Windt, IJS Chief Executive cdewindt@ii-js.org or Andrés Felipe Sánchez Peña, Principal Specialist, Manager – Americas Water Program, Department of Sustainable Development, Executive Secretariat for Integral Development (SEDI) Organization of American States, Asanchez@oas.org www.oas.org

² IPCC, 2023: (AR6) Summary for Policymakers. In: Climate Change 2023: Synthesis Report. A Report of the Intergovernmental Panel on Climate Change. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, H. Lee and J. Romero (eds.)]. IPCC, Geneva, Switzerland, 36 pages. (in press)
³ Ver: <https://doi.org/10.1016/j.marpolbul.2022.113564>

⁴ [CP/INF. 9801/23 corr. 1](#) CONCEPT NOTE: SPECIAL MEETING OF THE PERMANENT COUNCIL TO BE HELD ON THURSDAY, JULY 6, 2023, TO CONSIDER THE TOPIC "OCEAN AND MARINE BIODIVERSITY IN THE FACE OF CLIMATE CHANGE" (Presented by the Permanent Mission of Costa Rica, together with the Permanent Observer Mission of France)



address shared challenges in coastal regions, transboundary basins, and interconnected marine ecosystems.⁵ Enabling the integration of scientific, technical, and community-based approaches into the planning and implementation of actions that directly contribute to the restoration and protection of marine and coastal ecosystems, with tangible impacts in reducing pressures on the oceans are key priorities.

The Inter-American Institute on Justice and Sustainability (IIJS) contributes as a strategic partner by strengthening the governance and legal dimensions of marine and coastal ecosystem restoration in the Americas. Through its ability to bridge public institutions, the private sector, multilateral actors and academia, IIJS supports the translation of international legal frameworks and policy commitments into implementable, solutions. IIJS reinforces the integration of environmental law, sustainability, and financing considerations into restoration initiatives at regional and national levels.⁶

An important next step that emerges for countries of the region lies in ensuring compliance with State obligations in relation to the marine environment, in order to address pressing challenges faced by oceans and the marine ecosystem. The Inter-American Court of Human Rights, In Advisory Opinion 32/25, established that, pursuant to the right to a healthy environment, States should: (i) protect Nature and its components from the impacts of climate change, and (ii) establish a strategy for progress towards sustainable development.⁷ The interpretation of these obligations by the Court reinforces the findings of the International Tribunal for the Law of the Sea (ITLOS) in its Advisory Opinion issued in May 2024. The Tribunal specified the obligation of the States under Art 192 to take all necessary measures to protect and preserve the marine environment and rare or fragile ecosystems (art.194.5), as well as the habitat of threatened or endangered species and other forms of marine life.⁸

These obligations must be interpreted in light of the cumulative and systemic nature of pressures affecting marine ecosystems, where climate change, pollution, and unsustainable activities interact across jurisdictions and ecological boundaries.⁹ In this context, marine ecosystem restoration complements preventive and protective measures by addressing ecosystems that have already been degraded, with the objective of recovering ecological functions, resilience, and ecosystem services essential for sustainable development. On August 6th, 2025, the Permanent Council Organization adopted a "Declaration on the Advisory Opinion of the International Court of Justice on Obligations of States in Respect of Climate Change."

⁵ Organization of American States. (2023, October 4). Declaration of Nassau for sustainable development in the Americas (CIDI/RIMDS-IV/DEC. 1/23). Fourth Inter-American Meeting of Ministers and High Authorities of Sustainable Development, Nassau, The Bahamas.

⁶ Inter-American Institute on Justice and Sustainability (IIJS), *Bridging Justice, Sustainability, and Prosperity*, White Paper (2025), Washington, DC, available at: https://ii-js.org/__static/481449998446523651b95af08fe40933/final-white-paper-en.pdf?dl=1.

⁷ Advisory Opinion OC-32/25: Climate Emergency and Human Rights, (29 May 2025), VII. Opinion No. 11

⁸ see ITLOS, Press 350, Tribunal delivers unanimous Advisory Opinion in Case No. 31, p. 34, par. 112. Available at: https://www.itlos.org/fileadmin/itlos/documents/press_releases_english/PR_350_EN.pdf.

⁹ Claudia S. de Windt, *Desafíos en los océanos frente al cambio climático: aportes del Derecho* (25 July 2023), IUCN, available at: <https://iucn.org/es/articulo/202307/desafios-en-los-oceanos-frente-al-cambio-climatico-aportes-del-derecho>.



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The following priorities are highlighted for consideration in the report of the Secretary General and the United Nations Open Ended Informal Consultative Process on Oceans and Law of the Sea at its Twenty Sixth Meeting

1. Sanitation Actions and Reduction of Marine Pollution

One of the central pillars of the Americas Water Program contribution to marine ecosystem restoration is the strengthening of wastewater management and sanitation, particularly in the Greater Caribbean, where untreated discharges represent one of the main threats to coral reefs, mangroves, and seagrass meadows. Through the GEF CREW+ Project, the Program supported the review and formulation of legal frameworks, public policies, and national wastewater standards in countries such as Saint Kitts and Nevis, as well as participatory processes for the validation of national water policies in Costa Rica, thereby strengthening institutional foundations for more effective management of discharges into coastal and marine areas.

At the field level, GEF CREW+ completed nature-based sanitation interventions in Costa Rica, Guyana, Mexico, and Panama, directly benefiting 6,395 people and ensuring the safe management of approximately 253,000 cubic meters of wastewater annually. These actions directly contribute to reducing pollutants reaching marine ecosystems, improving coastal water quality, and strengthening the resilience of associated ecosystems.

Beyond their sanitation benefits, these interventions contribute to marine ecosystem restoration by enabling the recovery of water quality and ecological conditions necessary for the regeneration of coral reefs, seagrass meadows, and mangrove ecosystems in downstream coastal areas.

Additionally, the Program advanced initiatives on the safe reuse of treated wastewater, such as the rehabilitation of the Wastewater Treatment Plant at the UASD Santiago Campus in the Dominican Republic and the agricultural reuse pilot project in Trinidad and Tobago, implemented in partnership with the University of the West Indies. These experiences promote circular water management models that reduce pressure on coastal water bodies and indirectly contribute to the restoration of vulnerable marine ecosystems.

2. Marine Ecosystem Restoration and Resilience in the Caribbean

The proliferation of sargassum is one of the most critical emerging threats to Caribbean marine ecosystems, with direct impacts on biodiversity, artisanal fisheries, and coastal tourism. During 2025, progress was made in the development of the Regional Sargassum Management Project in the Caribbean Basin, a USD 11.2 million initiative financed by the Global Environment Facility (GEF) and CAF, which will be implemented starting in 2026 in countries such as Colombia, Panama, the Dominican Republic, Saint Lucia, Trinidad and Tobago, Grenada, and Jamaica. This project will strengthen the resilience of marine ecosystems through multinational cooperation, technical innovation, and institutional strengthening, positioning itself as a concrete contribution to regional marine restoration efforts.

Approaches to addressing the sargassum phenomenon in the Caribbean increasingly move beyond reactive beach clean up toward integrated, ecosystem-based responses, including coordinated monitoring and early warning systems, the management of sargassum influxes, and measures to reduce nutrient loads and other land based drivers. By limiting organic



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accumulation, improving coastal water quality, and restoring light penetration, these approaches support the recovery of coral reefs, seagrass meadows, and mangrove ecosystems, directly linking sargassum management to marine ecosystem restoration.

Across the Americas, emerging good practices in marine ecosystem restoration emphasize integrated, science-based, and cooperative approaches that address both marine and land based drivers of degradation. Regional frameworks promoted under United Nations processes, including the UN Decade on Ecosystem Restoration, highlight the importance of ecosystem-based management, basin to coast integration, and policy coherence to support the recovery of degraded marine and coastal ecosystems.¹⁰

3. Sea level rise in the inter-American regional context

Sea level rise is a global problem that impacts islands and low-lying coastal zones as well as the entire international community. It has gained ground as an issue in regional and international fora, where discussion topics have ranged from preventing the consequences to ways of adapting to this undeniable reality. The potential consequences of this sea level rise include increasingly frequent and more serious coastal flooding in low-lying areas, a negative impact on livelihoods, displacement of the population, and even severe ramifications for the economies of certain countries that largely depend on maritime resources. According to the Inter-American Development Bank, the cost of inaction on addressing the threat of climate change is projected to total US\$22 billion annually by 2050, that is, 10% of the current size of the Caribbean economy.¹¹ Marine ecosystem restoration through nature based solutions¹² as defined by the UN Environment Assembly should be contemplated as a strategy to preserve baselines, particularly when it comes to low-lying coastal States. Prevention and adaptation in this context are essential, taking into account the international legal regime applicable to climate change¹³ and the findings of Advisory Opinion 32 of the Inter-American Court of Human Rights with regards to State Obligations.

In resolution AG/RES. 2990 (LII-O/22), adopted on October 7, 2022, the member states of the Organization of American States (OAS) highlighted the importance of continuing the talks on the potential legal implications of sea level rise. In addressing this priority, the Inter-American Juridical Committee, an advisory body of the Organization of American States on juridical matters to promote the progressive development and codification of international law and to study the possibility of standardizing legislation across the countries of the Hemisphere is continuing to study the “Legal implications of sea level rise in the inter-American regional context”¹⁴.

¹⁰ UN Environment Programme (UNEP), *Latin America and the Caribbean Action Plan for the UN Decade on Ecosystem Restoration 2021-2030* (2021), available at: <https://wedocs.unep.org/rest/api/core/bitstreams/bf9d2104-9281-4268-890d-84e1bd7bbb3/content>.

¹¹ Vulnerability and Climate Change in the CSIDS: In Marto, Ricardo; Suarez, David, and Gonzalez, Verónica, 2014: Climate Change and IDB: Building Resilience and Reducing Emissions. Regional Study: LAC Small Island Development States. Inter-American Development Bank Office of Evaluation and Oversight, pp. 35-36.

¹² Nature-based solutions for supporting sustainable development (English Version)- Resolution adopted by the United Nations Environment Assembly on 2 March 2022 [UNEP/EA.5/Res.5]

¹³ Special Meeting of the Committee on Juridical and Political Affairs on the Legal Implications of Sea Level Rise. See: CP/CAJP-3728/23 rev. 1

¹⁴ https://www.oas.org/en/sla/iajc/docs/CJI-RES_283_CIII-O-23_ENG_rev1.pdf



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4. Governance, Regional Cooperation, and Financing for Marine Restoration

Governance refers to the structures, rules, and behaviors that guide sustainable development and impact the marine environment. It deals mainly with the interaction of the law of the sea regime with international climate change and biodiversity regime. Institutional capacities should be enhanced for regulating obligations and limits for the protection of marine areas, derived from the wide range of international commitments that have been adopted and internalized in the legal systems of the Member States.

Recent developments in international ocean governance, including the adoption of the Agreement on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ), represent an important step forward for the conservation and sustainable use of marine biodiversity and restoration of marine ecosystems in areas beyond national jurisdiction, the 30X30 and more than two-thirds of the ocean. However, legal instruments must be implemented through precautionary, science-based, and cooperative frameworks, particularly in addressing cumulative and emerging pressures on ocean health, including climate change and activities in areas beyond national jurisdiction (see footnote 6).

Marine ecosystem restoration requires robust governance frameworks and sustainable financing mechanisms. The transformative actions that are sought with the ambitious efforts underway must seek good governance within the scope of the Inter-American Democratic Charter (Art. 15 and Art. 27). Actions for the sustainable management of the oceans and the improvement of marine governance must be preventive and progressive in the understanding that climate impacts evolve, affect dynamic systems and rights. States' responsibilities in this area are based on the principle of cooperation. Of course, considering the different capacities, with coherence and the involvement of the different stakeholders.

In this regard, the GS-OAS has sought to convene technical and policy dialogue spaces and mobilize resources for actions with marine and coastal impact. In 2025, the Americas Water Program contributed to mobilizing financial resources through partnerships with governments, the private sector, and multilateral organizations, strengthening national and regional capacities for the planning and protection of interconnected water systems across the hemisphere.

The leadership of OAS member States such as Costa Rica and the active participation of the OAS Secretariat, in the Third United Nations Ocean Conference (UNOC3) reaffirmed the hemispheric commitment to ocean protection and highlighted the importance of the freshwater–ocean nexus in building climate resilience and marine sustainability. Interventions in high-level sessions on integrated water–ocean solutions, the blue economy, and innovative financing for marine protected areas reinforced the need for integrated approaches to marine ecosystem restoration in Latin America and the Caribbean.

In closing and looking ahead to 2026 and beyond, efforts in the Americas should continue to strengthen its approach to marine ecosystem restoration through the integration of basin management, sustainable sanitation, transboundary cooperation, and the mobilization of innovative financing. This approach with key strategic partnerships directly contributes to the achievement of Sustainable Development Goal 14 and reinforces the regional commitment to the restoration, conservation, and sustainable use of the oceans, in accordance with international law of the sea and the priorities established by the United Nations General Assembly.