



# General Assembly

Sixty-sixth session

**75<sup>th</sup>** plenary meeting

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Official Records

*President:* Mr. Al-Nasser ..... (Qatar)

*In the absence of the President, Mr. Quinlan (Australia), Vice-President, took the Chair.*

*The meeting was called to order at 10.15 a.m.*

## Agenda item 76

### Oceans and the law of the sea

#### (a) Oceans and the law of the sea

**Reports of the Secretary-General (A/66/70 and Add.1 and Add.2)**

**Recommendations of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction and Co-Chairs' summary of discussions (A/66/119)**

**Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its twelfth meeting (A/66/186)**

**Report on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects (A/66/189)**

**Draft resolution (A/66/L.21)**

**(b) Sustainable fisheries, including through the 1995 Agreement for the Implementations 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, and related instruments**

**Report of the Secretary-General (A/66/307)**

**Draft resolution (A/66/L.22)**

**The Acting President:** I give the floor to the representative of Brazil to introduce draft resolution A/66/L.21.

**Mrs. Pessôa (Brazil):** I thank you, Sir, for convening this annual debate on oceans and the law of the sea under item 76 of the agenda. Brazil had the honour to coordinate the informal consultations on the draft resolution on oceans and the law of the sea (A/66/L.21), and thus has the renewed privilege of introducing the text.

The United Nations Convention on the Law of the Sea (UNCLOS) was opened for signature on 10 December 1982 in Montego Bay, Jamaica. We welcome the decision of the Assembly, as set forth in the draft resolution, to devote two days of plenary meetings at its sixty-seventh session, on 10 and 11 December 2012, to mark the thirtieth anniversary of the opening for signature of the Convention.

In the text before the plenary today, special recognition is given to the crucial role played by Ambassador Arvid Pardo of Malta and, in particular, to

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his visionary speech, delivered on 1 November 1967 before the General Assembly, leading to the adoption of the Convention. Ambassador Pardo stated, in an interview in his later years, that he had intended that the speech could serve as sort of a bridge to the future and unite the world community in its quest to preserve our planet for generations to come. That intent is of particular contemporary significance.

This comprehensive draft resolution is a reflection of the close interrelationship among the problems of the ocean space, which need to be considered as a whole. The legal regime for the oceans established under UNCLOS is an important contribution to the maintenance of peace, justice and progress for all peoples of the world.

We welcome the reports prepared by the Secretary-General, contained in documents A/66/70, A/66/70/Add.1 and A/66/70/Add.2. They reflect the relevance of the issues dealt with by the draft resolution.

Let me express appreciation for the spirit of cooperation that continues to prevail in crafting the draft resolution on oceans and the law of the sea. We worked as a dedicated team, even if sometimes we agreed to disagree.

The same spirit of cooperation should also inspire our efforts to address the complex challenges that have to be met in order to realize a just and equitable international economic order that takes into account the interests and needs of humankind as a whole, and in particular the special interests and needs of developing countries, whether coastal or landlocked.

This year's draft resolution contains important new provisions that address critical issues. We welcome the holding of the United Nations Conference on Sustainable Development (Rio+20) in Rio de Janeiro next year as a unique opportunity to consider measures to implement internationally agreed goals and commitments relating to the conservation and sustainable use of the marine environment and its resources.

According to the Intergovernmental Oceanographic Commission, 71 per cent of the surface of the Earth is covered by the oceans; they are also responsible for two thirds of the total value of the natural services provided by the planet. More than 40 per cent of the world's population — over 2.8 billion people — lives

within 100 kilometres of the coast. Human consumption of fish grew by more than 90 million tons in the period 1960-2009, from 27 million to 118 million tons.

In addition to producing half the oxygen in the Earth's atmosphere, marine phytoplankton produce the organic matter that determines the carrying capacity of the ecosystem sustaining the food web to fish and marine mammals, and ultimately human consumption. Biodiversity and habitat protection and restoration — crucial goals still to be achieved — are of fundamental importance to maintaining the resilience of ocean ecosystems.

The draft resolution also touches on some of the most pressing challenges relating to the sustainability of the oceans. Ocean acidification requires States, competent international organizations and other relevant institutions, individually and in cooperation, to urgently pursue further research, especially programmes of observation and measurement of the phenomenon. Understanding the effects of climate change on the marine environment and marine biodiversity is imperative, as is the need to develop ways and means of adaptation, taking into account, as appropriate, the precautionary approach and ecosystem approaches.

The Informal Consultative Process on Oceans and the Law of the Sea continues to be an important element within the institutional framework established by the General Assembly to deal with the role of the oceans and seas in sustainable development. The interactions that took place this year in the context of the Process — both on capacity-building and on reviewing progress and gaps in implementing the outcomes of the major United Nations sustainable development conferences with regard to oceans and seas — have provided input that many countries have used in their contributions to the preparatory process leading to Rio+20.

The draft resolution addresses an issue that has been an oft-cited concern of Member States — the need for enhanced effectiveness of the inter-agency coordination mechanism on oceans and coastal issues within the United Nations, UN-Oceans. Of the inter-agency mechanisms within the United Nations system — the others include UN-Water and UN-Energy — UN-Oceans has the lowest visibility. Through this draft resolution, the General Assembly invites the Joint

Inspection Unit to review UN-Oceans and present a report for its consideration. It also asks UN-Oceans to present draft terms of reference for its work, to be considered at the Assembly's sixty-seventh session, with a view to reviewing its mandate and enhancing the transparency and reporting of its activities to Member States.

Much has been said on the need to strengthen the governance of the oceans, but the strength of that governance is a function of the implementation of international commitments. In this perspective, identifying and addressing gaps in the implementation of UNCLOS should be at the core of our efforts. By adopting the draft resolution before it today, the Assembly will initiate, on the basis of the recommendations of the Ad Hoc Open-ended Informal Working Group on biodiversity, a process to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, with a view to ensuring that the legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction effectively addresses those issues by identifying gaps and ways forward, including through the implementation of existing instruments and the possible development of a multilateral agreement under the United Nations Convention on the Law of the Sea.

Such a process would address the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, and environmental impact assessments, capacity-building and the transfer of marine technology.

We welcome the consolidation of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects. The establishment of the first phase of the first cycle of the Regular Process last year gave full effect to the recommendation contained in the Johannesburg Plan of Implementation of the World Summit on Sustainable Development (see A/CONF.199/20\*).

Equally noteworthy is the endorsement by the General Assembly of decision SPLOS/229, taken by the States parties to the Convention this year, which

requested the Commission on the Limits of the Continental Shelf to consider expediting its work by increasing its meeting time in New York to up to 26 weeks a year for a period of five years. We wish to commend the Coordinator of the Informal Working Group on the workload of the Commission, Mr. Eden Charles of the delegation of Trinidad and Tobago, for the leadership that has enabled two years of deliberations to reach a concrete outcome.

The projected timetable of the work of the Commission, however, continues to be a cause for concern. There are significant difficulties, particularly for developing States, arising out of the current prospects for retaining expertise when there is a considerable delay between preparation of submissions and their consideration by the Commission. Strengthening the capacity of the Division for Ocean Affairs and the Law of the Sea (DOALOS), which provides secretarial support for the Commission, is therefore an important element in enabling it to expedite its tasks.

As in previous years, the draft resolution contains a whole section on the peaceful settlement of disputes. This was a theme of particular interest during the consultations this year. Many States reiterated the need to solve disputes by peaceful means, as established in the Charter of the United Nations and in Part XV of the Convention. The functioning of the organs established under the Convention is indeed a central concern in promoting its implementation. The Advisory Opinion pursuant to article 191 of the Convention on the *Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area*, issued by the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea on 1 February at the request of the Council of the International Seabed Authority, is a novel development and is duly noted with appreciation in the text.

Many important developments have taken place within the Authority in recent years that greatly contribute to the consolidation of its role, through the completion of the codes applicable to exploration of the resources of the Area, including conservation of the marine environment and its living organisms.

The draft resolution reflects the commitment to combating threats to maritime safety and security in accordance with international law, particularly the principles embodied in the United Nations Charter and

the Convention. In this context, flag State implementation is paramount. The draft resolution recalls the need for enhanced cooperation in combating such threats, with due regard given to the importance of sustained capacity-building in developing countries and the safety and welfare of seafarers. In that respect, it emphasizes the need to address the social and economic causes of piracy in Somalia and to assist that country and States in the region to strengthen institutional capacity to fight piracy and armed robbery against ships off the coast of Somalia.

The text also calls upon States to take measures to protect fibre-optic submarine cables and to fully address issues relating to these cables, in accordance with international law, as reflected in the Convention. The text also calls upon States to promote the security of such critical communications infrastructure, adopt laws and regulations addressing the breaking or injury of submarine cables or pipelines beneath the high seas, including the repair of submarine cables, undertaken in conformity with international law, as reflected in the Convention.

The General Assembly would also decide to acknowledge in the draft resolution the twenty-fifth anniversary of the Zone of Peace and Cooperation of the South Atlantic. The reference to this important regional South-South cooperation initiative is an important reminder of the significance of the contribution of the Zone to the promotion of the principles and purposes of the United Nations.

In concluding the introduction of the draft resolution — certainly the most comprehensive draft resolution adopted annually by the General Assembly — I wish to acknowledge the high level of expertise and professionalism shown by all delegations; it has enabled us to reach today's outcome. We also wish to thank Mr. Serguei Tarassenko and his eminently competent team at DOALOS for their hard work during the process of consultations. Their role, as always, was vital to today's outcome at the General Assembly.

The consultations provided for a unique opportunity to reflect on the importance of oceans to humankind's sustainable development, and to recognize the challenges related to the sustainable management of the ocean and its resources, as well as the preservation of the marine environment, which is a duty under Part XII of the Convention. As we look ahead to Rio+20, we should not forget that all activities

related to oceans and the marine environment should aim at leading to the integration of the three pillars of sustainable development so as to foster both intra- and intergenerational equity.

**The Acting President:** I now give the floor to the representative of the United States of America to introduce draft resolution A/66/L.22.

**Ms. DeRosa** (United States of America): My delegation has the honour to co-sponsor the draft resolution entitled "Oceans and the law of the sea" (A/66/L.21). We also have the honour to introduce, on behalf of the sponsors, the draft resolution on sustainable fisheries (A/66/L.22).

Healthy oceans and coasts and their resources are necessary for global prosperity. Sustainable fisheries and aquaculture play an essential role in ensuring global food security and a green economy. Ocean acidification and changes in sea level endanger the survival of individual marine species and entire marine ecosystems, increasing the vulnerability of coastal communities. Effective oceans conservation and management must be integrated, ecosystem-based and science-based. Due to the global and connected nature of the oceans, the need for international collaboration and transparency is clear.

The United States believes that this year's draft resolutions on oceans and the law of the sea and on sustainable fisheries together provide a constructive framework for progress on a wide spectrum of marine-related issues, including the 2012 United Nations Conference on Sustainable Development.

The draft resolution on oceans brings to the world's attention a host of pressing oceans issues, including maritime safety and security issues, such as efforts to address piracy, the safety of seafarers and the protection of submarine cables; marine science, such as the need to pursue research relating to ocean acidification and the need to protect ocean data buoys; and marine environment and marine resources, such as the importance of an integrated, ecosystem-based and science-based approach to ocean conservation and management. In addition, negotiations for this year's draft resolution on oceans included discussion of a number of new and emerging issues. We appreciate the openness with which delegations approached these issues and hope that continued dialogue will allow us to find common ground.

Finally, we are pleased to see the draft resolution on oceans call for a number of activities to commemorate the thirtieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea. We look forward to celebrating that important milestone.

This year's draft resolution on sustainable fisheries once again addresses critical issues such as effective monitoring and control of trans-shipments in order to combat illegal, unregulated and unreported fishing; potential effects of genetically engineered aquatic fish species on wild fish stocks; and the important connections between the economies and livelihoods of small island developing States and healthy fisheries. The draft resolution also recognizes for the first time the need to collect data on marine mammal by-catch in fisheries and provisions for strengthening mitigation measures of such by-catch.

Although more work is needed to manage shared fish stocks with greater certainty for their long-term sustainability, regional fisheries management organizations (RFMOs) remain the best mechanisms for cooperatively regulating international fisheries. A number of RFMOs have conducted systematic reviews of their performance and are now in the process of assessing and implementing the recommendations of those reviews. These reforms include the adoption of steps to improve States' implementation, enforcement and compliance with the rules they adopt as members of such organizations, including meeting their responsibilities as flag States.

In 2004, representatives began debating how to protect critical marine habitats and vulnerable marine ecosystems from destructive fishing practices, given the critical role these habitats play in the marine environment and the immense importance of the biodiversity they contain. As a result, the General Assembly agreed to a number of groundbreaking commitments to achieve that goal. The United States has been pleased with the significant strides made by many States and RFMOs in responding to the calls of the General Assembly to take action to protect vulnerable marine ecosystems and regulate bottom fisheries.

This year, representatives reviewed State and RFMO implementation of the bottom fishing provisions contained in previous General Assembly resolutions, in particular from 2006 and 2009. In

September, the Secretary-General convened a workshop, which had been called for by the General Assembly in 2009, that reviewed progress in implementation and was attended by a wide array of experts and stakeholders. The United States would like to thank the Division for Ocean Affairs and the Law of the Sea for having coordinated and planned the event, and Ms. Alice Revell of New Zealand for having moderated the workshop and producing an outstanding and well-balanced report of its proceedings.

The discussions at the workshop and the moderator's summary report contributed significantly to our understanding of the status of implementation of the provisions to protect vulnerable marine ecosystems from destructive fishing practices. While the review of these provisions identified areas of considerable progress, it also highlighted the need for additional work to promote full and effective implementation. As a result, this year's draft resolution on sustainable fisheries calls for creating processes and incentives for further implementation.

Specifically, the draft resolution invites the Food and Agriculture Organization of the United Nations (FAO) to further assist States and RFMOs in their efforts to manage effectively the impacts to vulnerable marine ecosystems by providing further technical direction with regard to implementation of the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas. The draft resolution also calls upon States and RFMOs to conduct further research in identifying vulnerable marine ecosystems, such as through seabed mapping, to take cumulative impacts into account in conducting assessments, to make all assessments publicly available and to establish mechanisms to promote compliance. The draft resolution also invites the Food and Agriculture Organization to convene a meeting of scientists to examine assessments in order to establish best practices and standards for implementation. These new calls will, in our view, considerably assist States and RFMOs in pursuing a more balanced approach to implementing General Assembly commitments fully and effectively, to protect the world's vulnerable marine ecosystems.

The United States would like to thank Director Serguei Tarassenko and the staff of the Division for Ocean Affairs and the Law of the Sea for their expertise and support on both draft resolutions. We would also like to thank Ambassador Henrique Valle of

Brazil for his coordination of the draft resolution on oceans.

The United States has been particularly proud to provide the coordinator for the sustainable fisheries resolution — Ms. Holly Koehler — whose expertise and guidance have led the negotiations to their satisfactory conclusion for the past eight years, including this year. We would like to take the time to recognize and thank Ms. Koehler for her hard work and dedication to that end. The United States believes that those negotiations and the annual fisheries resolutions produced through such informal consultations are of great value to the international fisheries community. It has been an honour to provide a coordinator of such calibre to lead that important process, and we look forward to our continued participation in the development of this text under the leadership of the new coordinator, Ms. Alice Revell of New Zealand, who has our highest confidence.

Finally, I would like to conclude by expressing appreciation for delegations' hard work and cooperation in crafting both draft resolutions and in conducting this year's review of the bottom fishing provisions in the draft resolution on fisheries. It is our hope that this spirit of cooperation will also characterize our efforts to address the numerous and complex issues that lie ahead in the coming year.

**Mr. Wolfe** (Jamaica): I have the honour to speak on agenda item 76 on behalf of the members of the Caribbean Community (CARICOM): Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago and my own country, Jamaica.

CARICOM welcomes the report of the Secretary-General contained in document A/66/70, as well as its Addenda 1 and 2. We also note with appreciation the various reports and letters of the co-chairs of different ad hoc working groups on various thematic areas relating to other developments in oceans affairs and the law of the sea during the past year. We have found the documents to be quite useful in our examination of the state of the implementation of the international legal instruments and other mechanisms governing the oceans and seas, as well as new developments in that field.

As we prepare to commemorate the thirtieth anniversary next year of the opening for signature of

the 1982 United Nations Convention on the Law of the Sea, CARICOM believes that it is most timely to recall the main objectives and core principles of that landmark document and the commitments made by States parties to

“promote the peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources ... and the study, protection and preservation of the marine environment.”

We also welcome the adoption by consensus of the resolution of the seventeenth session of the International Seabed Authority in July, inviting the international community to commemorate the anniversary and requesting the Secretary-General to undertake activities in observance of that milestone.

We also recall with satisfaction that many States members of the Non-Aligned Movement have made significant contributions to the implementation of the Convention. We are fully appreciative of the inclusion of the historic significance of the Convention and the support expressed by the Non-Aligned Movement Ministers in the final document of the Ministerial Conference in Bali for the convening of a commemorative meeting of the General Assembly on 10 December 2012 to mark the thirtieth anniversary of the adoption of the Convention.

The Convention continues to be accepted by an increasing number of States as the constitution of our oceans and seas. We are extremely pleased that there are 162 States parties to the Convention. The instrument is truly of global reach. At the same time, we welcome the increased number of States parties to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea, and the provisions of the 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, which now stands at 78 States parties, as a result of the accession of our sister country, Saint Vincent and the Grenadines, on 29 October 2010.

To small and vulnerable developing coastal States, the Caribbean Sea remains vital to sustaining our economic viability and livelihoods. CARICOM therefore continues to be concerned by the threats posed by anthropogenic activities such as overfishing, ocean acidification, pollution, including noise

pollution, and climate change to the marine biodiversity in the area. We call for more intensive action at the multilateral level to assist us in tackling those problems, given the serious threats posed to the protection of our resources, which are essential for the socio-economic well-being of many communities in our countries.

Consequently, as we approach the convening of the United Nations Conference on Sustainable Development next year, we call on Member States to renew their commitments, made at the World Summit on Sustainable Development in 2002, to maintain the

“productivity and biodiversity of important and vulnerable marine coastal areas, including in areas within and beyond national jurisdiction” (A/CONF.199/20\*, annex, para. 32 (a)).

We also request the continued support of the international community for the work of the Caribbean Sea Commission in advancing the designation of the Caribbean Sea as a special area covering sustainable development. Additionally, we welcome the adoption last year of resolution 65/155, relating to the sustainable development of the Caribbean Sea for present and future generations, which underscores the importance of coastal and marine environments to Caribbean economies.

As developing countries, we recognize that all of the resources of the oceans and seas should be utilized for the benefit of all members of the international community. It is also important to focus on capacity-building, technical cooperation and assistance in order to facilitate the ability of developing countries to benefit from the oceans and their resources.

That includes our approach to marine biodiversity beyond areas of national jurisdiction. While the Convention lays out a general framework for the governance of those resources, CARICOM is mindful that an effective regime must be crafted for the implementation of the relevant provisions of the Convention as they relate to marine biodiversity in areas beyond national jurisdiction.

For those reasons, we fully support the recommendations of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (see A/66/119, annex). The recommendations reflect a

compromise position agreed to after many long hours of negotiations. Within CARICOM, we collectively agree to the following.

A process should be initiated by the General Assembly with a view to ensuring that the legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction effectively addresses those issues by identifying gaps and ways forward, including through the implementation of existing instruments and the possible development of a multilateral agreement under the United Nations Convention on the Law of the Sea.

CARICOM further agrees to ensure that that process also addresses the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, capacity-building and the transfer of marine technology.

One of the cardinal obligations established under the Convention is the protection and preservation of the marine environment. We are therefore encouraged by the strides made over the past year by the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects. In that regard, we call for the full and effective implementation of the report of that Working Group (A/66/189), especially as it relates to the outline for the first global integrated assessment of the state of the marine environment, including socio-economic aspects, issues relating to capacity-building for the assessment of the marine environment, and the call for contributions to the trust funds established under resolution 64/71.

Furthermore, CARICOM calls for greater support for the institutions established by the Convention to assist States parties to implement its provisions. We appreciate the growing acceptance of the International Tribunal for the Law of the Sea as a preferred means for the settlement of disputes concerning the interpretation and application of the provisions of the Convention. In that vein, we await the outcome of the decision in the case submitted by Bangladesh and Myanmar.

At the same time, we applaud the well-reasoned and balanced advisory opinion on the *Responsibilities and obligations of States sponsoring persons and*

*entities with respect to activities in the Area*, requested by the Council of the International Seabed Authority and delivered by the Seabed Disputes Chamber of the Tribunal on 1 February. The large number of commentaries proffered by States and other entities show how invaluable the advisory opinion is to addressing relevant issues relating to deep seabed mining.

The International Seabed Authority must also be complimented on its ongoing work as the agency charged with the responsibility for administering the resources of the international seabed area, which is the common heritage of mankind. CARICOM applauds the adoption of regulations on the prospecting and exploration of polymetallic sulphides during the most recent session of the Authority, and we look forward to its finalization of the code on cobalt-rich ferromanganese crusts.

The sovereign rights of a coastal State over its continental shelf are *ab initio* and are not dependent on declaration or proclamation. Nevertheless, CARICOM recognizes the important work being done by the Commission on the Limits of the Continental Shelf consistent with its mandate under article 76 of the Convention. Nevertheless, we remain concerned by the reluctance of some States parties and others to ensure that the Commission and the Division for Ocean Affairs and the Law of the Sea, which serves as its secretariat, are provided with the requisite adequate resources to carry out their functions. It is essential that such resources be provided, and we wish to request that Member States make every effort to implement the recommendations on the Commission on the Limits of the Continental Shelf listed in the draft resolution on ocean affairs and the law of the sea to be adopted during this meeting (A/66/L.21).

Our focus on shipping and maritime commerce must also include improved measures, regulations and standards governing maritime safety, the training of seafarers and the safety of navigation at sea, including the safety of shipping vessels. Within that context, we support the Maritime Safety Committee of the International Maritime Organization in its work on the continual development of materials for use in the construction of ships and the improvement of maritime safety standards, including safety of life at sea.

While CARICOM acknowledges the rights of Member States to use nuclear energy for peaceful

purposes, we remain concerned about the transportation of hazardous nuclear waste and other hazardous material through the Caribbean Sea, which are potential threats to lives, health, the environment and our economies. In that regard, CARICOM supports the recent adoption by the International Atomic Energy Agency of measures to strengthen international cooperation regarding nuclear, radiation, transport and waste safety.

CARICOM countries continue to work in partnership with the United Nations Environment Programme (UNEP) in the implementation of the regional seas conventions and action plans. We welcome the establishment, in February, of the two new working groups on reviewing lists under the Protocol concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region. We will continue to support and to cooperate with the UNEP Caribbean Environment Programme in anticipation of the completion of the first phase of the biodiversity initiative.

In concluding my remarks, may I say that the United Nations has continued to play a vital role in the governance of the world's oceans and seas. For its part, CARICOM will continue to extend its full cooperation to the Organization in its work activities to promote and sustain the use and importance of the oceans and its resources as a common heritage of mankind.

The integral and universal principles of the United Nations Convention on the Law of the Sea afford us the legal and regulatory framework for our further actions and deliberations. CARICOM therefore reiterates its call on those States that have not yet done so to ratify or accede to that important international legal framework.

Finally, it would be remiss of me not to acknowledge the presence among us of the President of the International Tribunal for the Law of the Sea and the secretariat of the International Seabed Authority. My delegation, my deputy and I join him in expressing our appreciation to Mr. Eden Charles for his usual collaboration with us on our statement.

**Mr. McLay** (New Zealand): I have the honour to speak on behalf of the members of the Pacific Islands Forum that are represented at the United Nations. As a group connected by the Pacific Ocean, we have a collective depth of understanding of ocean issues and a



strong shared interest in ensuring that those issues receive due and proper consideration by the international community. We therefore welcome the conclusion of the annual resolutions on oceans and the law of the sea and on sustainable fisheries, and want to highlight particular aspects of importance to our region.

At the most recent meeting of the Pacific Islands Forum in Auckland, New Zealand, leaders reiterated the critical importance of ensuring the sustainable development, management and conservation of the Pacific Ocean. They noted its unique dependency on that ocean as the basis for their livelihoods, their food security and their economic development. Forum leaders called for the 2012 United Nations Conference on Sustainable Development (Rio+20) to recognize the significant global value and contribution of the Pacific Ocean to sustainable development, and they acknowledged the stewardship of Pacific island countries.

We are therefore pleased that the draft resolution on the oceans and the law of the sea (A/66/L.21) encourages States to see Rio+20 as an opportunity to further consider measures to implement internationally agreed goals and commitments for the conservation and sustainable use of the marine environment and its resources. Indeed, we would have welcomed even stronger references to the importance of Rio+20 for the oceans.

The Pacific Islands Forum urges the international community to work towards integrated oceans management, using the Pacific Oceanscape as a model. We must achieve the relevant international goals so as to contribute to the health and vitality of the ocean environment, including the global network of marine protected areas agreed at the Global Conference on Oceans, Coasts, and Islands (Rio+10). The recognition of the Pacific Oceanscape contained in the oceans draft resolution is welcome, as this framework provides the ongoing basis for our region's ocean management.

Forum leaders also highlighted threats to the ocean environment, including ocean acidification, pollution and illegal, unreported and unregulated (IUU) fishing. The paragraphs of the oceans draft resolution that address those issues are very important.

In that regard, we also note that the International Atomic Energy Agency's Board of Governors recently approved a marine benchmark study on the possible

impact of the Fukushima radioactive releases in the Asia-Pacific region. Its report is expected in 2015.

Pacific Islands Forum leaders are concerned about the damaging effect of illegal, unreported and unregulated fishing on the sustainability of fish stocks and on the economic returns to coastal States, particularly small island developing States. We are pleased that this year's sustainable fisheries draft resolution recognizes the effect of IUU fishing on small island developing States. Pacific States are working to enhance cooperation on monitoring, surveillance and enforcement activities, which play an integral role in combating IUU fishing in the region.

To ensure that Rio+20 includes strong outcomes on the conservation and sustainable management of marine ecosystems and resources — outcomes that reflect the needs of the Pacific region — Pacific Islands Forum leaders called for the maximization of returns to Pacific States from the conservation and sustainable management of their ocean resources.

Our Oceanscape Framework puts a high priority on finalizing the maritime boundaries in the Pacific. All Pacific States are therefore strong supporters of the work of the Commission on the Limits of the Continental Shelf, and we want to see it adequately resourced so that its work can be concluded in a timely manner.

In 2011, for the first time, the United Nations Secretary-General took part in the Pacific Islands Forum. At their meeting, Forum leaders and the Secretary-General stressed the critical importance of the sustainable development, management and conservation of the region's oceans and coastal and fisheries resources as a source of livelihood and income for communities, industries and Governments. They further stressed the need for Pacific small island developing States to enjoy a greater share of the benefits derived from those resources. They called for such issues, often referred to as the "blue economy", to figure prominently at next year's Rio+20 Conference.

Oceans and sustainable fisheries are fundamental to the well-being of the Pacific region, and, on behalf of the members of the Pacific Islands Forum represented here in New York, I call on all States Members of the United Nations to work with us to ensure the survival of our oceans and their living resources for future generations.

**Mr. Thomson (Fiji):** I have the honour to speak on behalf of the Pacific small island developing States (SIDS) represented at the United Nations, namely, the Federated States of Micronesia, the Marshall Islands, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tuvalu, Tonga, Vanuatu and my own country, Fiji.

The Pacific SIDS are not just small island States; they are large ocean States. Thanks to the exclusive economic zones of the Pacific SIDS, taken as a whole our countries are composed of 97 per cent ocean and only 3 per cent land. The vast Pacific oceanscape covers 30 per cent of the world's surface, and the Pacific SIDS stand as guardians for the conservation, sustainable use and proper development of our ocean's resources. It is our Pacific island leaders who every September take the floor here during the general debate, in the cause of greater international commitment to the health and sustainability of the oceans' resources. This Pacific imperative is rooted deep within the communities and cultures of our island nations, which have long depended on ocean sustainability for food security, basic livelihoods and for cultural identity.

As Pacific island nations, we recognize that while the ocean is what separates us geographically, at the same time it inextricably binds us as one. The same can be said for the global community, for we all live on a blue planet, some 75 per cent of which is ocean.

For many of our nations, the ability to reach the most basic social and economic development goals depends on the international community's dedication to the fulfilment of key provisions of the United Nations Convention on the Law of the Sea and the Fish Stocks Agreement. That fulfilment is reflected in the draft resolutions before us today, and for that we give thanks. But, sadly, the written word has too often failed to translate into visible change, observable in our local communities. Some of our key fish stocks are nearing overexploitation, moving into realms beyond sustainable harvesting. Again, sadly for a region struggling with attainment of its Millennium Development Goals, though our region is home to half the world's tuna stocks, we realize only pennies of benefit from the dollars of economic activity the tuna harvest engenders.

Many of the States Members of the United Nations, together with the Pacific SIDS, have put in

place innovative strategies to create conditions for sustainable development. Such measures include more aggressively dealing with illegal, unreported and unregulated (IUU) fishing, targeting high-seas fisheries closures — so-called tabu zones — introducing fish-aggregating devices seasonal bans, and eliminating destructive fishing practices. Such measures are vital, for a recently completed comprehensive study by the Secretariat of the Pacific Community on the impacts of climate change on fisheries in the Pacific details the extreme changes to be expected in this key economic sector and the major impacts they will have on food security.

For those reasons, the Pacific SIDS have strongly advocated that the upcoming United Nations Conference on Sustainable Development (Rio+20) negotiations must direct greater political will towards ensuring the well-being of oceans and fisheries, and to the strengthening of the nexus between oceans and sustainable development. If the international community is to move from rhetoric to action in improving the declining health of global oceans, we can no longer sink commitments deep within obscure paragraphs of distant instruments. We must address the root causes in a truly comprehensive, direct and honest manner. This is why we are promoting the blue economy as an essential component of Rio+20, which in essence adopts the same principles of the green economy and applies them to the health of the oceans.

In this regard, we acknowledge the role of Monaco, under the leadership of His Serene Highness Prince Albert II, as a true advocate in ensuring that critical issues relating to the global health and the vast wealth of our global oceans are continuously addressed in order to protect and sustain the oceans for future generations. We strongly commend Monaco's continued advocacy for the blue economy within the Rio+20 process.

Pacific SIDS have three priority areas under the blue economy for inclusion in the Rio+20 outcome. They are, first, the enabling of the development aspirations of SIDS in relation to the utilization of marine and coastal resources; secondly, the reduction and elimination of overfishing and destructive fishing practices; and, thirdly, addressing the impact of climate change and ocean acidification on marine ecosystems.

The transboundary impact of climate change on the world's oceans threatens the economic future of

island nations, and in some cases their very survival as nations. That impact includes previously underestimated sea-level rise, warming temperatures and the spectre of ocean acidification. As Pacific SIDS proclaim in all the relevant international forums we attend, the community of nations must show far greater resolve on sharply reducing greenhouse-gas emissions. If we do not reverse the upward curve of such emissions, all our efforts will be in vain. At the same time, we have now reached the stage when we must address how we are going to adapt to the impact of climate change on our oceans, coasts and national security.

Taken on their own, the paragraphs in the draft resolutions before us today would seem to provide an indication that the world's oceans are headed in the right direction. But we see a troubling gap between the commitments on our development aspirations expressed at the United Nations and the outcomes of our regional negotiations. To correct it, we must ensure effective progress and greater accountability of regional fisheries management organizations. Specifically, we must examine where they fall short of international commitments.

In that regard, distant fishing nations that seek to participate in a sustainable Pacific harvest should now be aware of our resolve to ensure the sustainability of our ocean's resources and of our equitable participation in the harvesting of those resources. Their ability to forge common partnerships based on those principles will be the test of their future participation. In all those tasks, as stewards of the ocean, we cannot afford to fail.

**The Acting President:** I now give the floor to the observer of the European Union.

**Mr. Mayr-Harting** (European Union): I speak on behalf of the European Union (EU) and its member States.

This year once again, the European Union has expressed its commitment to the United Nations Convention on the Law of the Sea, as well as to the 1995 Agreement on Straddling and Highly Migratory Fish Stocks, by actively participating in discussions that led to the drawing up of the draft resolutions that have been introduced in the General Assembly today (A/66/L.21 and A/66/L.22).

The European Union believes that the Convention on the Law of the Sea is a factor for stability, peace

and progress, and that it holds special importance in a difficult international context. At the same time, the European Union would like to reiterate the importance it attaches to preserving the Convention's integrity and its pre-eminent role as the legal framework for all ocean issues and ocean-related activities. The European Union calls on all States to accede to the Convention and the 1995 Agreement, as well as to the Agreement on the Implementation of Part XI of the Convention.

The European Union reiterates the importance that it attaches to the principle of freedom of navigation, the right of innocent passage and the right of transit passage, in compliance with the relevant provisions of the Convention on the Law of the Sea. In that regard, the European Union is well aware of the right of coastal States to take legislative or regulatory measures for transit passage through straits used for international navigation, when that is done in accordance with the Convention and when it does not discriminate in form or in fact among foreign ships nor in the application of those laws, which might have the effect of denying, hampering or impairing the right of transit passage as it is set forth in the Convention and in any relevant provisions of international law.

We welcome the fact that the Assembly's omnibus draft resolution recognizes the scale of the challenge and the amount of effort required to combat piracy and armed robbery. Furthermore, the European Union would like to reiterate its deep concern about piracy, which is detrimental to the safety of persons and property, whether vessels attacked, and sometimes hijacked, or prisoners held for ransom. In that context, the European Union remains committed to combating piracy and is making efforts to that end, particularly in the framework of its Operation Atalanta Naval Force.

Other major challenges remain, such as the declining quality of the marine environment and the disappearance of natural marine resources. Marine biodiversity is being threatened, and time is running out if we are to comply with the schedule established by the 2002 Johannesburg Plan of Implementation of the World Summit on Sustainable Development. In that context, it is worth noting the initiatives to protect the marine environment taken in accordance with the Convention on the Law of the Sea under the auspices of the Convention on Biological Diversity, as well as in the framework of regional cooperation.

In various forums, the European Union has repeatedly expressed its concerns over the loss of marine biodiversity and has supported both the initiative to create the Ad Hoc Open-ended Informal Working Group and that Group's work. In line with that support, the EU is pleased that the General Assembly has decided to take action on the recommendations agreed during this year's meeting of the Group. In particular, we would like to highlight the fact that the Assembly decided to initiate a process with a view to ensuring that the legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction effectively addresses those issues by identifying gaps and ways forward, including through the implementation of existing instruments and the possible development of a multilateral agreement under the United Nations Convention on the Law of the Sea. It is also important to note that future meetings of the Group will be convened in accordance with its mandate, as enshrined in those recommendations, which are endorsed in and annexed verbatim to this year's draft resolution on oceans and the law of the sea.

The draft resolution addresses the concerns raised by the issue of climate change and its effects on the oceans, seas and natural resources. To respond to the debates within the international community, the draft resolution equally takes into account various issues relating to such phenomena as ocean eutrophication, acidification, fertilization, carbon dioxide discharge into the atmosphere and greenhouse-gas emissions. The international community must take an active role, in accordance with the law of the sea, in that preventive movement for the environment.

At a time when the international scientific community must inspire the work of States and international organizations, the EU recognizes the relevance of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, Including its Socio-economic Aspects, and welcomes the fact that some of the documents relevant to the work of the Ad Hoc Working Group were adopted. At the same time, it is important that work on the remaining documents, particularly the so-called possible outline, be finalized as swiftly as possible. In that context, the European Union also welcomes the regional workshop hosted in Chile and the workshops announced by China and Belgium, which will take place in 2012.

The twelfth meeting of the Open-ended Informal Consultative Process took place this year. The topic of that useful and efficient tool for preparing for the Assembly debates on the oceans and the law of the sea was devoted to contributing to the assessment, in the context of the United Nations Conference on Sustainable Development, of progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development and in addressing new and emerging challenges.

That was especially timely in the light of the upcoming 2012 United Nations Conference on Sustainable Development, to be held in Rio de Janeiro (Rio+20), which should serve as an opportunity to underline the role of the oceans and seas in the context of sustainable development, as well as their economic, social and environmental relevance. The European Union elaborated on the essential role of the oceans and sustainable fisheries in sustainable development and the eradication of poverty in its submission to the United Nations Department of Economic and Social Affairs, as a contribution to the so-called "zero draft" of the Rio+20 outcome document. Moreover, the European Union looks forward to the 2012 meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which will focus its discussions on marine renewable energy.

The EU is mindful of the work of the Commission on the Limits of the Continental Shelf and of the conditions under which it operates, and duly welcomes the decisions of the twenty-first Meeting of States Parties to the Convention regarding that issue.

It is also important to highlight the fact that next year will mark the commemoration of the thirtieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea, and that the draft resolution before us on oceans and the law of the sea contains relevant decisions in that regard.

The EU wishes to express its appreciation for the excellent cooperation that led to the preparation of the draft resolution on sustainable fisheries, which is now before us for adoption. This year, a crucial part of the draft resolution consists of the important review of resolutions 61/105 and 64/72 in relation to the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep sea fish stocks, as called for in paragraph 91 of the draft resolution.

The European Union believes that the review of those measures was a very useful exercise, which highlighted that further progress was still required in order to achieve the intended objectives. We believe that the new provisions will assist States and regional fisheries management organizations and arrangements to ensure a higher level of protection of those valuable ecosystems and the associated fish species.

The European Union is fully committed to meeting its obligations and will consider amendments to its own legislation, adopted in 2008, to bring it into line with the agreed measures. The European Union will also work with its partners in regional fisheries management organizations and arrangements to adopt any further measures necessary.

In addition, the European Union is cognizant that further marine scientific research is required to improve our knowledge of those ecosystems, including their location, and associated deep sea fish stocks, as well as of the fisheries and their impact. The European Union would like to take this opportunity to call on other States to continue with their efforts in that regard, including with respect to scientific surveys and seabed mapping, in order to ensure that the best possible measures can be put in place to protect those ecosystems and associated stocks. Furthermore, it exhorts all flag States, particularly those in areas where no regional fisheries management organizations and arrangements exist, to consider all available scientific information and to adopt rules for their flagged vessels.

Furthermore, the European Union recognizes the importance of the guidance provided by the Food and Agriculture Organization (FAO) through its ongoing programme for deep sea fisheries. Consequently, the European Union will continue to actively support the efforts of FAO.

As a regional economic integration organization that includes a large number of coastal States, the European Union welcomes the adoption of conservation measures by coastal States to protect vulnerable marine ecosystems from the impact of bottom fishing, as well as their efforts to ensure compliance with those measures. In that respect, the EU would like to stress that the adoption of such measures should not contravene the rights and obligations established in Part VI of the Convention.

The European Union welcomes the strong endorsement given by the international community for

the continuation of the work within the Food and Agriculture Organization on the Technical Consultation on Flag State Performance. The European Union continues to advocate for the need for criteria for flag State performance, assessing flag State performance and possible actions in accordance with international law to encourage compliance, and assistance to developing countries to improve their performance as flag States.

The European Union would like to stress once again the importance of the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Having already signed the Agreement on 22 November 2009, and ratified it in July 2011, the European Union fully supports the encouragement given to States to consider signing and ratifying, accepting, approving or acceding to it, with a view to its early entry into force. However, the European Union would have wished for this year's draft resolution to include a call for States to consider its provisional application, as foreseen in article 21 of that Agreement.

Furthermore, the European Union would like to express its strong belief in the role of regional fisheries management organizations and arrangements in the sustainable management of fisheries resources, and highly values the performance reviews undertaken by a number of them. The EU therefore is pleased that this year's draft resolution encourages regional fisheries management organizations and arrangements to continue that exercise and to undertake such reviews on a regular basis.

Finally, the European Union would like to reiterate once more its concerns about the increasing demands for fisheries products from marine species occupying low trophic levels. Those species are a vital food source for higher predators and, importantly, represent the main source of fish protein for a substantial part of the global population, particularly in some developing countries. Consequently, we encourage the international community to give more attention to improving knowledge of those species and associated fisheries to ensure their sustainable management.

We hope that the new format of the draft resolution on sustainable fisheries endorsed by the international community will further increase the

efficiency and effectiveness of the General Assembly in preparing future draft resolutions.

In conclusion, the European Union would like to express its gratitude to the Secretariat and to the Division for Ocean Affairs and the Law of the Sea for the work done during this year, in particular the preparation of the annual reports of the Secretary-General on oceans and the law of the sea (A/66/70, A/66/70/Add.1 and A/66/70/Add.2), which are an invaluable compilation of recent developments. We would also like to thank the coordinators of the two draft resolutions for their unrelenting efforts to reach consensus.

**Ms. Flores** (Honduras) (*spoke in Spanish*): My delegation welcomes the reports of the Secretary-General (A/66/70, A/66/70/Add.1 and A/66/70/Add.2), which contain important information on the socio-economic, environmental and legal aspects of the conservation, protection and sustainability of the oceans and marine biodiversity in areas beyond national borders and national jurisdiction.

My country, bathed by two oceans, with coasts caressed by the shared waters of the Gulf of Fonseca in the Pacific Ocean and with an extensive territorial sea space in the Caribbean, is committed to the international agenda on the law of the sea. Honduras was one of the Latin American countries that not only participated in all the sessions of the third United Nations Conference on the Law of the Sea, but also played an active and leading role in Convention negotiations and preparatory work.

The deliberations that began in 1973 culminated in the United Nations Convention on the Law of the Sea, signed by 119 countries at Montego Bay, Jamaica, on 10 December 1982. Our country has ratified the Convention and recognizes it as the only international legal framework to regulate all activities in the world's oceans and seas. For that purpose, today we have an institutional framework comprised of the International Seabed Authority, based in Kingston, and the International Tribunal for the Law of the Sea, located in Hamburg, Germany.

The majority of countries of the international community share the legal conviction that coastal States have sovereign rights over natural resources within exclusive economic zones that extend to a distance of 200 miles from the coastline. That results in numerous benefits when it comes to sustaining our

populations and accelerating the pace of development so that underdeveloped nations, like ours, can eventually achieve the desired objectives of the Millennium Development Goals.

We wish to stress the importance that we attach to the historic Millennium Declaration (resolution 55/2), adopted by heads of State and Government here at the United Nations and by which they assumed, as a challenge of collective responsibility, the promise of closing the gap of inequality that, like a deep abyss of denied human dignity, separates the poorer countries from the more fortunate.

However, the exploitation of any resource must be carried out rationally, in a measured and intelligent way aimed at conserving the limited resources that we possess while protecting the irreplaceable resources and the bounties bestowed upon us by Mother Nature, in a manner to maintain the planet's life-supporting balance and avoid deterioration of the valuable resources that sustain life. The insatiable race undertaken by some to satisfy their own needs without any consideration for the needs of others and the excessive waste and gluttony of many nations in devouring finite resources without conscience not only jeopardize life itself, the also threaten our security and our very existence.

In his report, the Secretary-General recognizes the impact of climate change on the world's oceans and of global warming on ecosystems and the very structure and composition of the seas and oceans as spaces for marine life and as essential for sustaining human life. Such damage therefore falls outside of the sovereign purview of individual States, as it also extends beyond national boundaries. It impacts and damages the assets of other countries, the intrinsic rights of other peoples and the very life and well-being of other nations. It is a danger to the global community and threatens international security.

All of that necessitates profound consideration of the extent and limits of our national development programmes. At the same time, due to the environmental damage and damage to the planet's ecosystems caused by recklessness and excess, it calls for regulation, commitment, safeguards and guarantees of international security to protect the common good under the auspices of the United Nations.

In that context, Honduras, although a small country, would like to provide a modest testimony on

its commitment to the world and its respect for universal rights. We have established a series of protected maritime areas of more than 1,126 square kilometres to protect our coral reef in the Caribbean Sea. Recently, that commitment to the protection of marine biodiversity was evident at a workshop on sustainable tourism, where we declared our territorial seas as a sanctuary for the protection of marine shark species, making that the first national marine biology protection zone of its kind in the Americas.

Honduras would like to congratulate the Government of Monaco and its delegation for the holding of an important workshop with leading specialists in the fight against ocean acidification, an important topic of the international agenda for the conservation of marine species and the protection of oceans. It is also appropriate to acknowledge here the progress that has been made in the negotiations of the United Nations Conference on Sustainable Development, where the concern and importance that the oceans play in the development of countries has materialized, as well as the importance of preserving marine resources, protecting biodiversity and a commitment to working towards the preservation of oceans.

We also wish to stress the importance of technology transfer in the process of equipping the least technologically advanced countries to develop small-scale artisanal fishing and promote work opportunities for women and indigenous peoples in developing countries and small island States.

Finally, my delegation joins the sponsors and fully supports the draft resolutions before the Assembly relating to oceans and the law of the sea (A/66/L.21) and sustainable fishing (A/66/L.22), especially with regard to the management and protection of straddling fish stocks and highly migratory stocks. We wish to thank the delegations of Brazil and the United States of America for their coordination efforts.

My delegation believes that both documents reflect the importance that the Assembly attaches to the conservation of oceans and marine resources for the benefit of humankind. We have an unwavering commitment to continue to work on the promotion and defence of oceans — essential to the survival of the human species — so as not to be left only with scorched desert land devoid of the scent of fresh flowers to bequeath to our children and their children.

**Mr. Bui The Giang** (Viet Nam): In view of both the positive and negative developments registered to date in all spheres of life on the planet, we cannot emphasize enough the critical role of oceans, seas, islands and coastal areas in sustaining economic prosperity, global food security and the well-being of many national economies, particularly in developing countries, and in the advancement of human civilization.

In that context, my delegation fully supports the continued oversight by the General Assembly of developments relating to the law of the sea and to ocean affairs through its annual review under the consolidated agenda item entitled, “Oceans and the law of the sea”. We thank the Secretary-General for the comprehensive report contained in document A/66/70 and its addendum, which provides excellent information for a well-grounded discussion of the topic.

My delegation takes this opportunity to register its appreciation of the work done in the past year through the mechanisms established by the General Assembly in that respect. We encourage the Assembly to consider and endorse the recommendations made by the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its twelfth meeting, the Ad Hoc Open-ended Informal Working Group at its fourth meeting to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, and the second meeting of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects, all held in New York last June.

We also welcome the achievements made by the 1982 Convention bodies, namely the Assembly of the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf.

The United Nations Convention on the Law of the Sea (UNCLOS), the thirtieth anniversary of which we will celebrate next year, represents an outstanding achievement of the international community in the work on the law of the ocean and the sea. The adoption of UNCLOS in 1982, after nine years of intensive negotiations under the sponsorship of the United Nations, its entry into force in 1994 and the fact that,

as of today, 162 States have become party to the Convention have proven that this modern constitution for the oceans, while not fully satisfying the interests and objectives of every State, has stood the test of time and served as the basis for national, regional and global action and cooperation in the marine sector.

In many ways, the Convention certainly constitutes an immense positive contribution to the promotion of international peace and security. The Convention sets up a universally recognized legal framework for coastal States to establish and exercise rights and obligations in the maritime areas under their national jurisdiction. It advances the principle of the peaceful settlement of disputes, endorses all the peaceful means clearly listed in Article 33, paragraph 1, of the United Nations Charter and provides for a mandatory system to be applied by States parties to settle any dispute between them concerning the interpretation or application of the Convention.

The provisions of the Convention are closely interrelated and form an integral package, thereby excluding the possibility of a State party observing what it likes and disregarding what it does not. States parties, in exercising the rights under the Convention, must be willing to shoulder their corresponding obligations.

Viet Nam wishes to underline the common view that the sustainable use and development of the oceans and seas is of enormous significance, with the maintenance of peace, stability and order at sea being an inseparable part thereof. As a coastal State with a long coastline washed by the South China Sea, known to the Vietnamese people as the Eastern Sea, Viet Nam is pleased to note the continued development of regional and international cooperation, including in the uses and management of the Sea. In that regard, a key factor lies in the respect of the legal order established by UNCLOS, to which most States surrounding the Eastern Sea are parties.

With regard to the Eastern Sea, there are difficult disputes over territorial sovereignty and maritime boundaries to be addressed that, if not properly managed and settled, could negatively impact regional peace, security and stability, hinder the legitimate uses of the sea and the resources therein for the developmental needs of coastal States and other cooperative efforts for sustainable development of the Sea. Fully acknowledging that reality, Viet Nam has

worked tirelessly for peaceful solutions to existing disputes in accordance with international law, including UNCLOS, and acceptable to all parties concerned. Through peaceful negotiations, we have successfully concluded agreements on the delineation of maritime boundaries in the Gulf of Bac Bo with China and in the overlapped continental shelf with Indonesia, and on the joint development of the overlapped continental shelf with Malaysia and Thailand pending final boundary delimitation.

In that regard, we commend the adoption in July of the guidelines for the implementation of the 2002 Declaration on the Conduct of Parties in the South China Sea and the stated commitments to working together towards the early finalization of a code of conduct. We will continue to join efforts with interested parties, particularly our neighbouring countries, to create an environment conducive to peace, cooperation and development and to ensure the legitimate rights and interests of all States of the Eastern Sea.

**Mr. Saleh** (Egypt): At the outset, the delegation of Egypt expresses its appreciation to the Secretary-General and the Division for Ocean Affairs and the Law of the Sea for their preparation of the reports related to the status of oceans and seas (A/66/70, A/66/70/Add.1 and A/66/70/Add.2, A/66/186, A/66/189) and fisheries (A/66/307). Egypt also expresses its appreciation to the coordinators of the draft resolutions on oceans and the law of the sea (A/66/L.21) and sustainable fisheries (A/66/L.22) for their efforts to reach agreement on the two drafts.

Despite extensive efforts of the United Nations to address the issues presented by the state of the oceans and seas, considerable challenges still threaten the sustainable development of oceans and their resources, as human activities continue to take a toll on the viability of vulnerable marine ecosystems, such as corals, and with fisheries being threatened by overexploitation, illegal unreported and unregulated fishing and destructive fishing practices.

Furthermore, marine pollution remains one of the major concerns. The increasing number of offshore drilling incidents and leaks indicates that the marine environment is highly vulnerable to pollution resulting from accidents linked to activities at sea. In the same vein, Egypt also emphasizes the need to further enhance the efforts and programmes aimed at tackling



the threats caused by increased sea temperatures, sea level rise caused by climate change, and ocean acidification, which pose further threat to marine life, coastal and island communities and national economies. At the core of those efforts lies the necessity to build the capacity of States to adhere to, implement and enforce relevant international instruments, particularly through channelling additional funding aimed at supporting efforts to mitigate and adapt to the adverse effects of climate change.

Moreover, we emphasize the importance of the efforts exerted at the international level to strengthen and develop the field of marine scientific research, particularly in the context of the International Seabed Authority and in the study of the effects of mining activities on the marine environment at sea bottom. Furthermore, additional progress needs to be made in relation to the resolution of disputes concerning maritime boundary delimitation, in particular of those disputes with the potential to become sources of tension and conflict.

The United Nations Convention on the Law of the Sea (UNCLOS) provides a sound basis for such situations, including through mechanisms for the settlement of disputes and the obligation of parties to seek, in the case of the delimitation of exclusive economic zones and the continental shelf, provisional arrangements of a practical nature. Member States should strive to avail themselves to the fullest extent possible of the potential of international judicial bodies such as the International Tribunal for the Law of the Sea and the International Court of Justice.

Turning to the safety and security of navigation, Egypt expresses its concern at the continued adverse effects that incidents of piracy and armed robbery against ships off the coast of Somalia pose to the life of seafarers and the safety of international shipping, causing considerable economic damage through higher transportation costs, including insurance costs. The acts of piracy and armed robbery off the coast of Somalia have contributed to attracting more attention from the international community to the situation in Somalia. However, the international efforts so far have dealt with only one part of the problem, focusing solely on combating acts of piracy at sea, instead of directing greater attention to the fundamental underlying causes on the mainland.

Egypt has warned of the partial approach and has always emphasized — particularly through its participation in the Contact Group on Piracy off the Coast of Somalia and in its Trust Fund Board, as well as through our chairmanship of Working Group 4 of the Contact Group — the importance of the international community adopting a comprehensive approach that takes into account the root causes of the problem and addresses its political, security, economic and humanitarian dimensions, particularly in the two-decade-long absence of State authority, peace, stability and development.

Moreover, we express our concern at the increased incidents of piracy and armed robbery against ships in the Gulf of Guinea in West Africa and the adverse effects caused by those incidents on African maritime trade. We call for the international community to give due attention to that issue.

As for sustainable fisheries, Egypt emphasizes the need to exert more efforts to protect endangered fish species, combat illegal, unreported and unregulated fishing and refrain from destructive fishing practices. In that regard, we have monitored the measures taken by regional fisheries management organizations to protect seabed ecosystems in accordance with resolution 61/105.

Nevertheless, we note the inadequacy of those measures to ensure the sustainable use of marine resources and their habitats, including vulnerable ecosystems. We look forward to the enhanced cooperation of States with the Food and Agriculture Organization and regional fisheries management organizations to achieve an effective system for the management of seabed fishing in a manner that ensures the preservation of marine ecosystems.

Furthermore, Egypt reaffirms that States parties to the 1995 Agreement on Straddling and Highly Migratory Fish Stocks (resolution 50/24) should review its provisions, to take into consideration the reservations of non-parties, especially developing countries, including those relating to the boarding and searching of fishing vessels, so as to enable such nations to become parties and to enhance cooperation in protecting sustainable fisheries and working for their development.

The year 2012 will mark the thirtieth anniversary of UNCLOS's opening for signature. As we assess the status of the Convention's implementation, including

the challenges involved, its overarching significance for the cause of strengthening international peace and security, international cooperation and the sustainable development of the oceans and seas is remarkable. The year 2012 will also be very important for another reason: the United Nations Conference on Sustainable Development will meet in Rio de Janeiro. The sustainable development of our oceans should be at the heart of the Conference deliberations.

Finally, protecting the oceans from the effects of climate change, supporting essential ecosystems and providing sustainable livelihoods and safe transport is essential for the long-term prosperity of humankind. Egypt affirms its full cooperation with the international community in making every effort necessary to achieve those goals and advance human well-being.

**Mr. Wang Min** (China) (*spoke in Chinese*): Matters related to oceans and the law of the sea have been receiving increased attention from the international community, while the implementation of the provisions of the United Nations Convention on the Law of the Sea (UNCLOS) has made steady progress. International cooperation and interaction on issues relating to the oceans and seas have grown. Next year, as we mark the thirtieth anniversary of UNCLOS, China will join with other countries to work towards harmony on the oceans and to promote peace, security and openness with regard to oceans, based on international law, including the Convention. We will also work to achieve a balance between science-based exploitation and protection of the oceans and shared development for all members of the international community based on win-win results.

Guided by the concept of a harmonious maritime order, the Chinese delegation took an active part in the consultations on the draft resolutions on oceans and the law of the sea and sustainable fisheries (A/66/L.21 and A/66/L.22) at the current session of the General Assembly. In that regard, I would like to express my sincere gratitude to Ambassador Henrique Valle of Brazil and Ms. Holly Koehler of the United States of America for their contribution as coordinators of those draft resolutions.

I wish to take this opportunity to elaborate on my delegation's position and views on questions related to this topic. First, concerning the work of the Commission on the Limits of the Continental Shelf, the Chinese Government attaches great importance to the

Commission's work and commends its members' diligence and the results they have achieved. We support the Commission in its efforts to fulfil its responsibilities in strict compliance with the Convention and the Commission's rules of procedure. We hope that defining the outer limits of the continental shelf will balance the legitimate rights and interests of coastal States with those of the international community as a whole. Despite the Commission's heavy workload, however, many of its members from developing countries do not yet have medical insurance coverage for their time spent working in New York. We call on all those involved to work towards an appropriate solution to those problems and to facilitate the work of the Commission.

Secondly, the Chinese delegation congratulates the International Seabed Authority on its achievements over the past year, especially the Council of the Authority's approval of four applications for the exploration of seabed resources, demonstrating the increasing vitality of international seabed activity. China looks forward to the early completion of the drafting of the regulations on prospecting and exploration for cobalt-rich crusts, which should reflect the concerns of all parties in a balanced way. The environmental management plan for the Clarion-Clipperton Zone should be guided by the Convention, be based on full scientific evidence, and maintain an appropriate balance between the protection of the seabed environment and the exploration and utilization of seabed resources.

Thirdly, on the International Tribunal for the Law of the Sea, my delegation notes that the Tribunal has started proceedings on its first maritime delimitation case. In addition, the Seabed Disputes Chamber has rendered an advisory opinion on the *Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area*. With all of those actions, the Tribunal, as the judicial organ established by the Convention to deal with disputes arising from interpretation and application of the Convention, has entered a new stage, in which it is fulfilling the comprehensive responsibilities entrusted to it by the Convention. The Chinese Government values and supports the important role of the Tribunal in the peaceful settlement of maritime disputes and the maintenance of international maritime order.

Fourthly, the international community attaches great importance to the conservation and sustainable

use of marine biodiversity in areas beyond areas of national jurisdiction. The Assembly's Ad Hoc Open-ended Informal Working Group on those issues has made concrete recommendations for its work on them. The Chinese delegation supports the Assembly's adoption of those recommendations. At the same time, we would like to emphasize that since the high seas and international seabed involve the interests of the whole international community, and since appropriate handling of the question of marine biodiversity in those areas is very important to the maintenance of an equitable and rational international maritime order, the relevant work should proceed gradually and take into full consideration the legitimate need of States, especially developing countries, to use marine biological resources.

Fifthly, concerning the Regular Process for the Global Reporting and Assessment of the State of the Marine Environment, the Chinese delegation is pleased that the institutional framework of the Process is largely in place and the relevant work is under way. My delegation believes that for the process to make smooth progress and play its due part, it is imperative that an appropriate outline for global integrated assessment of the state of the marine environment be formulated. China has offered to host in late February next year a symposium on the eastern and south-eastern Asia marine area. We hope that the symposium will contribute to the environmental assessment of the region and to capacity-building for the countries in it.

On sustainable fisheries, as a responsible fishing State, China takes an active part in the work of various international fishery organizations and is committed to enhancing the conservation and management of fishery resources. The Chinese Government is willing to continue to work with the countries concerned in a joint effort to promote the development and improvement of international fisheries regimes; to rationally regulate its fishing activities in order to make sustainable use of marine biological resources; and to maintain the marine ecological balance and ensure that all countries share in fishing's benefits.

The oceans are an important foundation of human development and progress. With the aim of making them a perpetual source of benefit for humankind, members of the international community should further strengthen their cooperation and solidarity, jointly respond to challenges in this area, share the opportunities and wealth that the oceans offer and work

together to seek their sustainable development. China is willing to work with other countries towards the goal of harmonious oceans.

**Mr. Cabactulan** (Philippines): The Philippines welcomes and is greatly encouraged by the importance the General Assembly continues to give to the issue of oceans and the law of the sea. Before I proceed, I wish to welcome the presence of Judge Shunji Yanai, President of the International Tribunal for the Law of the Sea. I also want to recognize Mr. Nii Allotey Odunton, Secretary-General of the International Seabed Authority.

We note with appreciation the report of the Secretary-General on oceans and the law of the sea, as contained in documents A/66/70 and A/66/70/Add.1 and 2. Those documents present in a succinct manner the various efforts and latest developments relating to oceans and the law of the sea. This session's draft resolutions, A/66/L.21 on oceans and the law of the sea and A/66/L.22 on sustainable fisheries, are testaments to the continued interest of Member States in the oceans and their resources.

The United Nations Convention on the Law of the Sea is heralded as the constitution of the oceans, in that it establishes the legal framework governing all aspects of ocean use and development. As a carefully balanced package of rights and obligations, it establishes a legal order that guarantees and safeguards not only the exercise of those rights but also, just as importantly, compliance with those obligations. In a world of competing interests and of nations endowed with varying degrees of political, economic or military stature, the legal framework is not just important, it is extremely necessary. The legal framework gives nations an equal voice and provides nations equal legal footing.

As an archipelago and a maritime nation that relies on the oceans for its continued development, the Philippines attaches the utmost importance to a just, orderly and meaningful legal regime for our seas and oceans. We note the continuing development of international law as it relates to ocean use and jurisdiction, through the decisions of the International Tribunal for the Law of the Sea. We await with keen interest the decisions emanating from the Commission on the Limits of the Continental Shelf and the International Seabed Authority.

We likewise look forward to the twenty-second Meeting of States Parties to the United Nations Convention on the Law of the Sea next year, as it holds promise for a meaningful discussion on law of the sea issues, involving States parties and observers alike. The progress of those meetings leads us to believe that States parties are ready to assume a more challenging role in the common interpretation and universal application of the Convention on the Law of the Sea.

The Secretary-General's report highlights the increasing cooperative activities, cross-cutting all regions and sectors, from marine scientific research and marine environmental protection to search and rescue at sea, and combating piracy and other maritime crimes. It is quite clear that States parties are conscious of the governing principle, expressed in the preamble of the Convention, that the problems of ocean space are closely interrelated and need to be considered as a whole.

Despite all our efforts at cooperation, however, problems still exist in many areas. Marine pollution and destructive fishing methods continue to threaten the fragile ocean environment, piracy remains a threat to the safety of navigation and other maritime crimes continue to threaten our security. All nations are continuously challenged by the oceans and seek, through the application and development of international norms and conventions, including the Convention on the Law of the Sea, to govern its uses and the management of its resources and environment.

The Philippines welcomes the fact that in this year's draft omnibus resolution on oceans and the law of the sea, attention is drawn to the impact of piracy on the safety and welfare of seafarers. Indeed, piracy is a menace to the world. It disrupts global trade and poses genuine security threats. It also impacts directly on the lives of seafarers and their families. The Philippines, which has an estimated 350,000 sailors, accounts for a quarter of the world's seafarers. We know full well how each piracy incident cuts through the lives of every seafarer and his family. In that regard, we wish to thank all the delegations that supported the inclusion of that important issue in this year's draft resolution.

The Philippines likewise welcomes the developments in marine biodiversity reflected in section X of the draft resolution. Indeed, as the Secretary-General's report points out, the importance of marine biodiversity — including in areas beyond

national jurisdiction — for global food security; healthy, functioning marine ecosystems; economic prosperity and sustainable livelihoods cannot be overstated.

The Philippines welcomes the recommendations of the Ad Hoc Open-ended Informal Working Group in June 2011 that a process be initiated by the General Assembly with a view to ensuring the legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. The process's mandate and working methods are given due attention in section X of the draft resolution. The Philippines is grateful for the opportunity to have served as co-facilitator of that section along with New Zealand. We extend our thanks to all delegations for their flexibility and constructive approach, which contributed immensely to the positive atmosphere of the consultations on that section.

While the Philippines notes that certain advancements have been made on key issues and concerns in the draft resolution, it expresses its sincere regret that an issue of utmost importance has not been taken up, namely, the settlement of disputes by peaceful means. With this session's theme being "The role of mediation in the settlement of disputes by peaceful means" and with the upcoming commemoration of the thirtieth anniversary of the opening for signature of the Convention next year, the Philippines thought it timely to include a proposal on the settlement of disputes by peaceful means. Our suggestion was not adopted, despite genuine attempts to reach out and extreme flexibility on the part of the Philippines, and even as most of those actively involved in the consultations supported our final proposed paragraph.

The paragraph was very simple, broad and general, and is rooted in the United Nations Charter and the Convention. It read:

"Reaffirming the obligation to settle disputes by peaceful means, in accordance with Article 2, paragraph 3, of the Charter of the United Nations and international law as reflected in the Convention".

Nevertheless, one or two delegations still could not accept it. Be that as it may, the Philippines believes firmly in the merits of its proposal and wishes to thank all delegations that have expressed their full support

throughout the consultations for our proposal on including the settlement of disputes by peaceful means.

Before I conclude, allow me to express my delegation's gratitude to Ambassador Henrique Valle and Ms. Holly Koehler, the coordinators for the two draft resolutions we are considering today. Their able chairing of the meetings was vital to the orderly and enriching sessions. As a country that takes a keen interest in the oceans and their resources, the Philippines once again expresses its commitment to be a constructive and active partner on these two draft resolutions, fully aware of the promise they hold for the maintenance of the legal order for the oceans and of our responsibility and duty to ensure that we comply with them.

**Mrs. Niang** (Senegal) (*spoke in French*): At the outset, I would like to thank the Secretary-General for his report on oceans and the law of the sea, contained in documents A/66/70 and A/66/70/Add.1 and 2. Those documents offer us valuable information on the development of maritime issues and the law of the sea.

Seas and oceans occupy a central place in the geopolitical and socio-economic life of nations. Today more than ever, they are the best interface for commercial exchanges. They also provide a large part of the world's economic prosperity and food security.

That is why, in this very difficult international context, which is characterized by ongoing acute and varied crises, the long-term management and use of oceans and their resources present a formidable challenge in the already critical panorama of the economic future, in particular that of developing nations, but they can be seen as the guarantors of the survival of a large part of present and future generations.

That is the rationale for our constant efforts to join forces and to coordinate our actions in order to make the sustainable management of oceans and seas a reality. In that spirit, we established the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which was inspired by the provisions of the 1982 United Nations Convention on the Law of the Sea and the goals set forth in Chapter 17 of Agenda 21 in 1992.

The establishment of that process addresses, among other things, the need to reinforce and enhance international coordination and cooperation with respect

to oceans and seas in order to develop an integrated approach to the various facets of the relevant issues. Such an integrated, multidisciplinary and transectoral approach constitutes an important tool for supporting the sustainable development of oceans and seas.

Moreover, with the 2012 Rio Summit on Sustainable Development a year away and in advance of the 2014 review process by the Conference on Sustainable Development of matters related to oceans and seas, the sustainable development of oceans and seas should remain at the forefront of our priorities.

The absolute need to manage the non-renewable resources of the oceans and seas to meet our current needs, while also preserving the interests of future generations, makes it urgent to find an appropriate balance. In that context, the protection of the marine environment and the conservation and sustainable use of biological marine resources are indispensable.

From that perspective, illegal, unreported and unregulated fishing seriously threatens to deplete fish stocks by destroying their marine habitats and their natural cycles of renewal. That problem is of even greater concern for developing countries that lack the necessary resources to monitor their maritime areas.

There is therefore good reason for the Secretary-General's report to call for additional measures to intensify the fight against that growing phenomenon, which has such devastating consequences, above all for the economies of developing countries.

We must also redouble our efforts to overcome the stumbling block of the judicial status of new resources, particularly with respect to the genetic resources of the deep seabed. By all accounts, in accordance with the spirit of the relevant international conventions, those resources should be governed by the principle of the shared heritage of humankind. Only in that manner will it be possible to monitor, in the inclusive interest of humankind as a whole, the equitable division of resources that are found in the deep seabed.

Another matter for serious concern that should continue to remain a focus of our attention is the workload of the Committee on the Limits of the Continental Shelf. My delegation has high hopes that the decision adopted during the last meeting of States parties to the Convention on the Law of the Sea, held in New York in June, to extend the Commission's

meetings over the next five years will considerably improve both the effectiveness and the speed of its work.

Achieving the noble goals that underlie the adoption of the Convention on the Law of the Sea demands that all bodies created under the aegis of that agreement be endowed with the means to effectively carry out their mandates.

**Ms. Picco (Monaco)** (*spoke in French*): The year 2011 saw several important meetings on matters related to oceans and the law of the sea, and no fewer than seven documents have been submitted to the General Assembly for its consideration. I would therefore like, first of all, to thank the Division for Ocean Affairs and the Law of the Sea for its good work in the face of a constantly increasing workload.

Two essential elements of the report (A/66/186) submitted by the twelfth meeting of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea seem to have won the support of the international community. The first is, that to ensure the success of the 2012 Conference on Sustainable Development (Rio+20), its outcome should give a prominent place to oceans, fishing and biodiversity. The second is that the Rio Conference should integrate in a transectoral manner one of the core ideas of Agenda 21, namely that we should think globally and act locally. It is therefore up to us to pursue our collective efforts to achieve those two goals in Rio, especially since 2012 will also mark the thirtieth anniversary of the adoption of the Convention on the Law of the Sea.

A meeting of high-level experts on sustainable ocean management was just held in Monaco in preparation for the Conference on Sustainable Development. The three themes of food security, energy and tourism were explored, all within the framework of the three inseparable pillars of sustainable development corresponding to the social, economic and environmental spheres.

The Monaco Message will be the subject of a detailed presentation before the intersessional meeting of the planning process for Rio+20 to be held next week. That contribution by the Government of Monaco presents the need to green the blue economy, by which we mean learning to live with the sea in a sustainable way that preserves its resources and its biodiversity. The attempt to reconcile those two needs has led us to

explore innovative solutions to the issues of regulating fishing, artisanal fishing and aquaculture, as well as the development of renewable energy sources and sustainable tourism. Such solutions must guarantee food security and a decent quality of life, especially for people living in coastal areas, and above all for those in developing countries and small island developing States.

The conclusions of that high-level expert group were also presented on 3 December during the Day of the Ocean in Durban, as part of the seventeenth Conference of the Parties to the United Nations Framework Convention on Climate Change. Those two realms, climate change and sustainable ocean development, are intrinsically linked to the future of our planet. Although those problems concern us all, the way of life of the people living in small island developing States, particularly those of the Pacific Rim, is more seriously threatened.

The delegation of Monaco will work unceasingly and in close cooperation with all other delegations to ensure that the blue economy is prominently featured in the decisions that will be made in Rio next June. My delegation therefore joins the call made in paragraph 227 of the draft resolution on oceans and the law of the sea (A/66/L.21), which would make the 2012 Conference on Sustainable Development an occasion for reflection on the attainment of the goals and the agreed commitments on a global scale regarding the preservation and the sustainable exploitation of the marine environment and its resources. Our responsibility as a State party to the United Nations Convention on the Law of the Sea obligates us to fully and effectively implement its provisions. We should also be prepared, as necessary, to create new instruments to respond to new challenges, while continuing to respect the Convention as an intact, integrated whole.

Monaco's commitment to the oceans is unswerving. The Principality will celebrate its Day at the World Expo in Yeosu, Korea, on 4 June 2012 with the theme "For Living Coasts and Oceans". On that day, we will also convene the third think tank of the Monaco Blue Initiative, which will be devoted to marine protected areas, large ocean predators, key elements of the marine ecosystem, and the deep seabed.

With respect to the deep seabed, last October our Oceanographic Institute — the Prince Albert II of Monaco Foundation — organized a conference entitled “The Deep Seas, Journey into an Unknown World”, which explored the biodiversity of the deep seabed, the exploitation of their mineral and energetic resources, and issues of governance.

Monaco is a sponsor of the two draft resolutions (A/66/L.21 and A/66/L.22) before the General Assembly, which, as usual, were the subject of intensive negotiations. In that process, we were able once again to count on the professionalism of the facilitators, Mr. Henrique Rodrigues Valle, of Brazil, and Ms. Holly Koehler, of the United States. I should like to congratulate them on their work.

The delegation of Monaco regrets that the proposal aimed at protecting cetaceans in the high seas was retained in the draft resolution, despite the support of a large number of Member States. This has very important implications for the conservation and protection of cetaceans, which are a highly migratory species. We must in particular ensure the resilience and integrity of the marine ecosystems through which they pass and promote the development of economic activities based on the observation of whales and dolphins in coastal States. We hope that this initiative will be taken into consideration during the next session.

**Mr. Kodama (Japan):** Let me first join other representatives in thanking the facilitators of the two draft resolutions (A/66/L.21 and A/66/L.22), Ambassador Henrique Rodrigues Valle, of Brazil, and Ms. Koehler, of the United States, for their tremendous work. I would like to express my sincere appreciation to Ms. Holly Koehler for the contributions she has made in her many years as a facilitator.

I also wish to thank all Member States that have worked together during informal consultations to produce these draft resolutions in a spirit of cooperation. My appreciation also goes to the Secretariat for its assistance.

Japan is a maritime State surrounded by the sea on all sides, and it is dependent on maritime transport for nearly all of its imports of energy resources, including oil and minerals. The adoption of draft resolution A/66/L.21 on oceans and the law of the sea is extremely important for maritime States such as Japan and for the international community as a whole.

It addresses issues that are crucial to the maintenance of peace and security in the world, such as the peaceful settlement of disputes, freedom of navigation, safety at sea and compliance with international law, including the United Nations Convention on the Law of the Sea. Japan is pleased to be a sponsor of the draft.

With regard to the Commission on the Limits of the Continental Shelf beyond 200 nautical miles, Japan has been actively taking part in the discussions and making contributions through consultations at the Meeting of States Parties to the Convention, as well as in informal consultations on the draft resolution.

As we pledged at the twenty-first Meeting of States Parties to the Convention, held last June, Japan contributed approximately \$211,000 to the Voluntary Trust Fund for the purpose of defraying the cost of participation of the members of the Commission on the Limits of the Continental Shelf from developing States in the meetings of the Commission.

One of the very urgent collective tasks ahead of us is to provide an effective solution to the issue of the increased workload of the Commission as a result of the large number of submissions made by coastal States. In this regard, Japan welcomes the fact that measures to improve the issue of the Commission's workload are clearly presented in draft resolution A/66/L.21, and strongly hopes that these measures, including an increase in the number of personnel of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, will be implemented without delay.

Japan is convinced that the steadfast implementation of these measures will ensure the smooth and expeditious consideration by the Commission of the submissions on the outer limits of the continental shelf beyond 200 nautical miles.

As regards the International Tribunal for the Law of the Sea, Japan highly appreciates the important role played by the Tribunal in terms of the peaceful settlement of disputes as well as the maintenance and development of the rule of law at sea. Japan welcomes the fact that Tribunal proceedings have been ongoing in recent years and that it issued its first advisory opinion last February, in response to a request by the International Seabed Authority. Japan is committed to continuing to extend its full support to the valuable work of the Tribunal, under the leadership of President Yanai.

Japan welcomes the continuing efforts of the International Seabed Authority to finalize the draft of the Regulations on prospecting and exploration for cobalt-rich ferromanganese crusts in the Area, following the adoption of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area in 2000 and the adoption of the Regulations on Prospecting and Exploration for Polymetallic Sulphides in the Area in 2010.

In view of the importance of ensuring a well-balanced approach between exploration and environmental protection in the Area, Japan attaches high value to the workshops on those issues organized by the Authority.

Japan's contributions to the activities of the International Seabed Authority have included the exploration by Japanese contractors and related organizations of polymetallic nodules. In addition, Japan contributed \$100,000 to the Endowment Fund for Marine Scientific Research in the Area in order to support research by marine scientists in 2011. Through these kinds of contributions, Japan continues to actively support the Authority.

Piracy off the coast of Somalia and in the Gulf of Aden, which has been spreading to the eastern African coast and the Indian Ocean, continues to pose a serious threat to maritime security.

In order to combat piracy, we must adopt a multilayered approach. Such an approach should entail assistance for capacity-building in the area of maritime enforcement and other medium- to long-term efforts, in addition to counter-piracy operations by naval vessels. Japan is engaged in that process in various ways, including through escort and surveillance activities by Japanese vessels and patrol aircraft, which are deployed in the region on a permanent basis. In addition, Japan has so far disbursed \$14.6 million and \$1.5 million to the International Maritime Organization Djibouti Code of Conduct Trust Fund and to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, respectively.

Japan is also continuing to play a leading role in efforts based on the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia.

As a responsible fishing State and a State party to the United Nations Convention on the Law of the Sea

and the United Nations Fish Stocks Agreement, Japan is dedicated to the promotion of sustainable use through the conservation and management of living marine resources and the appropriate conservation of the ecosystem, in cooperation with concerned parties, through bilateral fishery agreements, the Food and Agriculture Organization of the United Nations and regional fisheries management organizations.

Japan welcomes the recent developments in the management of high-seas bottom fishing, including the conclusion of arrangements establishing new regional fisheries management organizations which reflect past resolutions on sustainable fisheries, especially those adopted in 2006 and 2009. Japan will further promote the management of high-seas bottom fishing by mobilizing support for the earliest entry into force of those arrangements in cooperation with other parties and related organizations.

On the other hand, it must be noted that there are areas where such sustainable management and conservation measures are lacking. We therefore need to move proactively to establish regional fisheries management organizations for those oceanic regions.

Before concluding, my delegation would like to comment briefly on the statement made by the Ambassador of the delegation of Monaco with regard to cetaceans. I believe that a rightful place for the discussion of those issues is readily available in the form of the appropriate international organizations, including the International Whaling Commission, in accordance with the United Nations Convention on the Law of the Sea.

In conclusion, Japan sincerely hopes that the draft resolutions before us will be duly adopted by consensus at this session of the General Assembly.

**Mr. Limeres** (Argentina) (*spoke in Spanish*): Allow me, at the outset, to thank both coordinators, Ambassador Henrique Valle of Brazil and Ms. Holly Koehler of the United States of America, for having conducted the negotiations on the draft resolutions we have before us today. Before Ms. Koehler leaves the position of coordinator, Argentina would especially like to recognize her work in conducting the negotiations on draft resolution A/66/L.22, on sustainable fisheries. We would also like to welcome Ms. Alice Revell of New Zealand, who will take up that responsibility and whose qualifications for the task are well known to us.



As we do every year in the Assembly, my delegation reiterates that the United Nations Convention on the Law of the Sea is one of the most significant forces fostering international peace and security, cooperation and friendly relations among nations. The stated goal of those who originally negotiated the Convention was to solve all matters relating to the law of the sea in one single instrument. Its provisions, which emerged after nine years of negotiations, therefore constitute a delicate balance of the rights and obligations of States — a balance that must be preserved by all States, individually and as members of international organizations, both those with maritime jurisdiction and those without it. That delicate balance must be preserved, including when addressing new challenges of the law of the sea in the processes established by the General Assembly and in the specialized entities whose jurisdiction is set out in the Convention.

The Convention is truly a constitution for the oceans, with a clearly universal character, accepted as a binding norm even by non-parties, because it constitutes in and of itself customary international law. The Argentine delegation will later deliver an explanation of its vote on the draft resolution on sustainable fisheries. Allow me now, however, to make some comments on the issues dealt with in both that draft resolution and draft resolution A/66/L.21, on oceans and the law of the sea.

The question of biodiversity beyond the limits of national jurisdiction is one of the new emerging issues of the law of the sea. In June, the fourth meeting of the Ad Hoc Open-ended Informal Working Group established by resolution 59/24 took place. Argentina would welcome the General Assembly adopting the recommendations of the Working Group as contained in the annex to draft resolution A/66/L.21, which urges the Assembly to initiate a process to ensure the legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction and suggests the negotiation of a multilateral agreement under the United Nations Convention on the Law of the Sea — in other words, an agreement to implement the applicable principles of the Convention.

That process is to take place in the Working Group and address the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction, in particular, together and as a whole,

marine genetic resources, including questions relating to the sharing of benefits, conservation measures, capacity-building and the transfer of technology. Workshops are to be organized to contribute to the work of the Working Group by improving understanding of various issues and questions. Paragraphs 166 to 168 of the draft resolution to be adopted by the Assembly reflect those recommendations, including the convening of the next meeting of the Working Group and the renewal of its mandate by the General Assembly.

With regard to the substance of the issue, my delegation wishes to reiterate that it must be remembered that the expression “areas beyond the limits of national jurisdiction” covers two types of maritime areas: the high seas and the Area, and that one of the objectives of the Convention was to develop the principles embodied in resolution 2749 (XXV) of 17 December 1970, in which the General Assembly solemnly declared, among other things, that the area of the seabed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction, as well as its resources, “are the common heritage of mankind” (para. 1), and that the “exploration of the area and the exploitation of its resources shall be carried out for the benefit of mankind as a whole” (para. 7).

With regard to the process soon to be initiated, that decision of the General Assembly is especially timely and positive, and Argentina — along with the Group of 77 and China and many other Member States — fully supports it. We call upon all Member States to actively contribute to making progress on the issue within the framework of the Working Group.

This year, the twenty-first Meeting of States Parties to the United Nations Convention on the Law of the Sea dealt, among other things, with the question of the workload of the Commission on the Limits of the Continental Shelf. It also adopted measures regarding that matter. Argentina welcomes decision 229 of the meeting of States Parties regarding the workload of the Commission on the Limits of the Continental Shelf, through which the Meeting of States Parties adopted the measures necessary for the Commission to perform its functions expeditiously, efficiently and effectively. The Meeting of States Parties requested the Commission to extend the duration of its sessions, as well as those of its subcommissions. Consequently, the draft resolution on oceans and the law of the sea requests the Secretary-

General to adopt appropriate measures to ensure that the Secretariat provides the necessary level of support and assistance to the Commission and its subcommissions.

In that connection, paragraph 64 of the draft resolution requests the allocation of sufficient human resources to the Division for Ocean Affairs and the Law of the Sea, in particular the allocation of three new posts to reinforce the geographic information system and legal and administrative functions, respectively. Argentina fully supports that request. We call upon all Member States to honour that commitment of the Meeting of States Parties and of the General Assembly.

Moreover, I would like yet again to recall that the work of the Commission has to do with the demarcation of the limit already established in article 76 of the Convention, not with the rights of the coastal State, and that article 77, paragraph 3, of the Convention provides that "The rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation". That reminder is reflected in paragraph 50 of the draft resolution on oceans and the law of the sea.

Allow me to also make a brief reference to the other two institutions established by the Convention. The International Seabed Authority is considering the proposal made by its Legal and Technical Commission to establish areas of particular environmental interest. Argentina calls upon the members of the Authority to make progress in the adoption of norms, regulations and measures for the protection of the marine environment in accordance with its mandate under article 145 of the Convention. Another relevant element is the need for the Authority to continue its marine scientific research activities entrusted to it by article 143 of the Convention. In that connection, we welcome the presence in this Hall, as every year, of the Secretary-General of the International Seabed Authority, Mr. Nii Odunton.

As for the International Tribunal for the Law of the Sea, Argentina would like first of all to congratulate the judges elected at the twenty-first Meeting of the States Parties and, in particular, Judges Shunji Yanai and Albert Hoffmann, recently elected President and Vice-President of the Tribunal, respectively. In February, the Seabed Disputes

Chamber issued its advisory opinion in the *Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area* proceedings. That was the first time that those two institutions established by the Convention acted in the manner provided for by article 191 of the Convention and in compliance with the objective of protecting the common heritage of humankind.

Argentina is one of the States parties that took part in the proceedings, and welcomes the wide participation that the advisory opinion has stimulated. That participation undoubtedly denotes the commitment of States to the regime established by the Convention for the Area and a commitment to the institutions created by the Convention. Moreover, the advisory opinion of the Seabed Disputes Chamber shows the maturity of the Tribunal, whose jurisprudence has strengthened its position as the specialized tribunal for law of the sea matters as contemplated by the Convention.

Turning now to the draft resolution on sustainable fisheries, my delegation reiterates the need not to deviate from the rule of all negotiations on the law of the sea — inherited from the negotiation of the Convention — namely, of proceeding by consensus. At the sixty-fifth session, that rule was not followed with regard to one aspect of the draft resolution on sustainable fisheries, and my delegation had to make reference to it in its explanation of vote. We would like to recall that consensus is the only way to ensure wide acceptance of the resolutions of the General Assembly and has to be respected in negotiations.

Moreover, at the sixty-sixth session, the Assembly examined the application of paragraphs 83 to 87 of resolution 61/105, and of paragraphs 113 to 117 and 119 to 127 of resolution 64/72. In that regard, it must be recalled that, in accordance with article 77 of the Convention, the sedentary resources of the continental shelf are subject to the sovereignty rights of the coastal States over the full extent of that maritime area. The conservation and management of such resources is therefore under the exclusive competence of coastal States, which have the responsibility of adopting the necessary measures regarding such resources and their associated ecosystems that could be affected by fishing practices that can have a destructive impact, including deep-sea bottom trawling fishing.

In that regard, I am pleased to recall that Argentina has adopted measures for the conservation of the sedentary resources and vulnerable marine ecosystems over the full extent of its continental shelf. Paragraph 123 of the draft resolution on sustainable fisheries recalls, as in years past, the exclusivity of the rights of the coastal State in areas of its continental shelf beyond 200 miles. In addition, regarding the measures I just referred to, paragraph 124 notes both the conservation measures adopted and the efforts made by coastal States to ensure compliance with those measures over the full extent of their continental shelf.

Also with regard to fisheries, my country wishes to reiterate its concern at the increasing trend to try to legitimize, through General Assembly resolutions, attempts by regional fisheries management organizations to adopt measures beyond their spatial, material and individual scope of application. Argentina objects that General Assembly resolutions could be so interpreted, in particular with regard to measures that could reflect some kind of claim of authority of such organizations over vessels flying the flag of countries that neither are members of such organizations nor have consented to measures of such nature. That would contradict one of the basic norms of the law of treaties.

Finally, as every year when we consider the report of the Secretary-General on oceans and the law of the sea, Argentina wishes to express its gratitude to the Division of Ocean Affairs and the Law of the Sea team, under the direction of Mr. Serguei Tarassenko, for its professional and devoted work and for the assistance that it provides to Member States in the matters within its competence.

**Mr. Rivard** (Canada) (*spoke in French*): As a maritime nation, Canada has a history that is closely associated with the three oceans that border it — the Atlantic, the Pacific and the Arctic — and their abundance of resources, some yet to be discovered. The sustainability of our oceans and fisheries is paramount to our well-being — socially, culturally, ecologically and economically. As such, we welcome the opportunity to participate in the annual resolutions on oceans and the law of the sea and sustainable fisheries.

Canada welcomes both of this year's draft resolutions (A/66/L.21, A/66/L.22), which we are pleased to sponsor yet again.

First of all, I would like to thank the coordinators of the draft resolutions on oceans and the law of the sea and on sustainable fisheries, Ambassador Henrique Valle of Brazil and Ms. Holly Koehler of the United States of America, respectively, for their outstanding leadership. In particular, I would like to extend Canada's appreciation to Ms. Koehler for her dedication and commitment over the past several years and, on behalf of Canada, to wish her the best as she embarks on new endeavours. I would also like to thank the United Nations Division of Ocean Affairs and the Law of the Sea for its excellent work and continued support. We thank our fellow delegations for their collaboration in ensuring that both draft resolutions continue to provide guidance for States in achieving effective fisheries and oceans governance.

The breadth of the United Nations Convention on the Law of the Sea is indeed expansive. In this debate, I would like to draw attention to three issues: first, the conservation and sustainable use of marine resources; secondly, oceans and marine biodiversity; and, thirdly, the ongoing work under the Convention with respect to the continental shelf.

Ensuring the conservation and sustainable use of all living marine resources is the responsibility of all States — a responsibility often exercised through cooperation. This year, States reviewed the implementation of this forum's past commitments related to identifying and protecting vulnerable marine ecosystems. We are pleased that significant progress has been made by States and regional fisheries management organizations in the effort to address the impacts of bottom fishing on vulnerable marine ecosystems, pursuant to the provisions of resolutions 61/105 and 64/72.

This year's draft resolution on sustainable fisheries reinforces existing commitments by States, in their individual capacity or through their participation in regional fisheries management organizations, to share strategies for ensuring the sustainability of fisheries in the deep seas. Such strategies must take into account the precautionary approach and ecosystem-based management. We are convinced that sharing our experiences on implementation is fundamental to ensuring that global capacity for protecting vulnerable marine ecosystems can be strengthened.

We acknowledge that further work is required to support the continued implementation of commitments on identifying and protecting vulnerable marine ecosystems. At the same time, we believe that as a result of the past reviews and the work already undertaken in their wake, we are learning valuable lessons that will help us focus on the tasks ahead of us.

In this year's draft resolution, the General Assembly also reiterates its support for the work of the Food and Agriculture Organization and its programme on deep-sea fisheries. We encourage States to work with the Food and Agriculture Organization as it strives to improve scientific understanding and provide guidance, particularly on assessing the impacts of bottom fishing. Our common commitment to work through the Food and Agriculture Organization with a view to improving assessment work, by individual States and collectively by groups of States, underpins shared learning and is key to ensuring progress.

*(spoke in English)*

However, commitments and rules are not effective unless they are adequately implemented and enforced. The effective control of vessels, including fishing vessels wherever they might be, is a primary tenet of the Convention. In Canada's view, effective control of fishing vessels is necessary both for ecosystem-based approaches to fisheries and for combating illegal, unreported and unregulated fishing. Canada therefore continues to support the Food and Agriculture Organization's ongoing work to ensure that States that register fishing vessels actually exercise effective jurisdiction and control over them. Flag States have a central role in controlling fishing activities and combating illegal fishing, which must be complemented by the actions of port and market States. Canada has signed the Agreement on Port State Measures and is working towards its ratification. We encourage other States to ratify or accede to the Agreement, so that it can come into force as soon as possible, closing the net around illegal, unreported and unregulated fishing.

Looking back on the 20 years that have passed since the inaugural United Nations Conference on Environment and Development in Rio de Janeiro, we can see that much progress has been made by improving our management of our fisheries and ocean resources. Nevertheless, much remains to be done to achieve conservation and the sustainable management

of our oceans and their resources, starting by implementing to the full the instruments and tools we have developed over the past two decades. The 1995 Fish Stocks Agreement was one of the outcomes of the Conference 20 years ago. We encourage States to become parties to it and to participate in regional fisheries management organizations, in order to ensure the sustainability of fishery resources for decades and generations to come.

Canada is an active participant in developing the ongoing initiative for assessing and reporting on the state of our oceans known as the Regular Process. We are very pleased to see the first cycle under way, and would like to thank those States that have stepped forward to support regional workshops. This process will be essential to improving our understanding of the oceans, including their socio-economic aspects. As such, it will be a critical means for better informing our decisions and promoting the long-term health and productivity of our seas.

Canada also supports the conclusions of the Ad Hoc Open-ended Informal Working Group on marine biodiversity in areas beyond the limits of national jurisdiction. We look forward to participating in the next meeting of the Working Group and in any intersessional efforts to address the many complex issues associated with improving the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. It is important to engage in further dialogue on those complex issues in order to advance common understanding. Specific tools such as networks of protected marine areas were not necessarily contemplated by the negotiators of the Convention, but we believe that the Convention is flexible enough to allow for their development.

We would like to turn now to the work of the Commission on the Limits of the Continental Shelf. Canada was pleased to see the Meeting of States Parties, after a number of years of deliberations, find common ground and identify a realistic way forward to accelerate the Commission's timetable for considering submissions. It is clear that the Commission will continue to deal with a challenging workload, and Canada believes it is important that it has the support necessary to address it. Such support comes not only from members attending meetings of the Commission and its subcommissions, but also by ensuring that the Division for Ocean Affairs and the Law of the Sea has adequate resources to allow it to assist the

Commission. Canada is therefore pleased that the draft resolution on oceans and the law of the sea provides a path to achieve this (A/66/L.21), making concrete the desire of the twenty-first Meeting of States Parties as expressed in decision 229 (SPLOS/229) to see that the Division on Oceans and the Law of the Sea receives the tools necessary for providing essential services to the Commission.

Canada greatly values the work of the Commission and believes that one way to demonstrate its support for that body is to present a candidate who has the experience, knowledge and commitment to continue the Commission's valuable work. It is with this in mind that Canada will nominate Mr. Richard Haworth, whose candidacy has also been endorsed by Australia and New Zealand, for election to the Commission in June 2012.

It is our opinion that, once again, both draft resolutions before the Assembly today successfully represent a balanced approach and a way forward for the international ocean community. As the international community prepares for the upcoming United Nations Conference on Sustainable Development in Rio next year, we can welcome the progress made since the inaugural Earth Summit in that city 20 years ago, while being mindful of the work still to be done to ensure the protection of our oceans and their resources. Many may know that Canada proposed the concept of a World Oceans Day in 1992 at that summit; in June 2009, the Day became official, and it is now observed on 8 June each year. We encourage all States to celebrate World Oceans Day, which falls just before we meet again in Rio de Janeiro, to consider our achievements to date and address the challenges that lie ahead. Canada is committed to our oceans, and together we can help secure their future.

**Mr. Al-Sharim** (Kuwait) (*spoke in Arabic*): On behalf of the State of Kuwait, I am pleased to express our sincere appreciation to the President for his outstanding and efficient leadership of the current session of the General Assembly. We would also like to thank the Secretary-General for his reports on oceans and the law of the sea contained in documents A/66/70, A/66/70/Add.1 and A/66/70/Add.2.

The State of Kuwait attaches great importance to the subject of oceans and the law of the sea and welcomes the Secretary-General's comprehensive report on developments and issues in that area,

including those linked to the implementation of the United Nations Convention on the Law of the Sea. It is Kuwait's view that friendly relations between all countries must be based on the principles of justice and equality in order to build an international economic system that protects the marine environment, ensures the sustainability of the oceans and promotes progress and prosperity for all the world's peoples. Kuwait emphasizes the importance of the Convention at both the regional and international, and welcomes the increase in the number of States parties to it, which reached 162 this year. In that context, we call on States that are not yet party to the Convention to join it, thereby contributing to achieving a global partnership that can help to maintain international peace and security and achieve the Millennium Development Goals.

Crimes perpetrated on the high seas — including piracy and armed robbery against vessels, terrorist acts targeting shipping and transnational organized crime — put seafarers in jeopardy, threaten their livelihoods, undermine the security of States and pose an obstacle to the legitimate use of the oceans and the exploitation of their resources. There were 273 reported attacks on ships in the first five months of this year, including two that occurred in the Arabian Gulf. My country's delegation therefore condemns all acts of piracy and hijacking of commercial vessels, as well as terrorist acts on the oceans and at sea, particularly the acts of piracy that have taken place off the coast of Somalia. It is therefore incumbent on the international community to unite to confront piracy and armed robbery of ships by effectively implementing international law and the law of the sea, including the relevant legal instruments.

It is also worth mentioning that the State of Kuwait has contributed \$1 million to the Trust Fund to Support the Initiatives of States to Counter Piracy off the Coast of Somalia. Kuwait also commends Security Council resolution 2020 (2011), adopted on 22 November under Chapter VII of the Charter, in which the Council called on all Member States to criminalize piracy under their domestic laws and to positively consider prosecuting suspected pirates and arresting those who facilitate or finance their illegal actions on land, in accordance with relevant international law and international human rights law.

The State of Kuwait joined the United Nations Convention on the Law of the Sea in 1986 because of

its firm belief in the Convention's importance. It also ratified Part XI of the Convention in 2002 and is a party to the special Protocol concerning Marine Pollution Resulting from Exploration and Exploitation of the Continental Shelf. In 2003, Kuwait also acceded to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation.

In conclusion, the State of Kuwait hopes that all Member States will cooperate and join efforts so as to bring about a dignified life for their peoples, as well as preserve marine resources and ensure their optimum use through compliance with international agreements and laws guaranteeing the rights of peoples to use those resources in a just and equal manner. That will contribute to achieving the environmental sustainability that we all seek.

**The Acting President:** I call on the representative of the Islamic Republic of Iran, who wishes to speak in exercise of the right of reply. May I remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and five minutes for the second intervention and should be made by delegations from their seats.

**Mr. Seifi Pargou** (Islamic Republic of Iran): One delegation, in its statement today, used an incorrect name for the Persian Gulf. I would like to reiterate that the use of any name other than the Persian Gulf, which is the only and true geographical designation as historically established and universally recognized for the sea area between Iran and the Arabian peninsula, would only create confusion and misunderstanding, and is therefore rejected and void of any legal significance.

*The meeting rose at 1.05 p.m.*