



General Assembly

Sixty-ninth session

Official Records

66th plenary meeting

Tuesday, 9 December 2014, 10 a.m.
New York

President: Mr. Kutesa (Uganda)

In the absence of the President, Mr. Mnisi (Swaziland), took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 74

Oceans and the law of the sea

(a) Oceans and the law of the sea

Reports of the Secretary-General (A/69/71 and A/69/71/Add.1)

Report on the Ad Hoc Working Group of the Whole (A/69/77)

Report on the work of the United Nations Open-ended Informal Consultative Process (A/69/90)

Letter from the co-Chairs of the Ad Hoc Open-ended Informal Working Group to the President of the General Assembly (A/69/177)

Draft resolution (A/69/L.29)

(b) Sustainable fisheries, including through the 1995 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, and related instruments

Draft resolution (A/69/L.30)

The President: I give the floor to the representative of New Zealand to introduce draft resolution A/69/L.30.

Mrs. Schwalger (New Zealand): The New Zealand delegation is pleased to join many others in sponsoring the draft resolution entitled “Oceans and the law of the sea” (A/69/L.29), to be introduced shortly by the representative of Trinidad and Tobago. We extend our compliments to Ambassador Eden Charles on his careful stewardship of that draft resolution.

As the Assembly is aware, New Zealand had the honour to coordinate the informal consultations on the draft resolution (A/69/L.30) on sustainable fisheries, and is pleased now to introduce it, on behalf of all its sponsors. This year’s draft resolution is another step forward in the conservation and management of fisheries, which underpin much of the world’s sustainable development. It addresses important issues such as the implementation of outcomes of the Small Island Developing States Conference, work undertaken in other forums, such as the Food and Agriculture Organization of the United Nations (FAO) to promote responsible and sustainable fishing, and issues for the bottom-fishing review and the resumed Review Conference on the Agreement for the Implementation of the Provision 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.

The third International Conference on Small Island Developing States, held in Samoa in September, focused on small island developing States as a special case for sustainable development and considered a range of issues, including sustainable fishing and fisheries. The draft resolution calls for the full implementation of that

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conference's outcome document, namely, the "Small Island Developing States Accelerated Modalities of Action (Samoa Pathway)".

This year, the draft resolution also addresses a number of important decisions taken at the FAO Council's Committee on Fisheries, including endorsement of the Voluntary Guidelines for Flag State Performance and the decision to elaborate guidelines and other relevant criteria relating to catch documentation schemes. The focus in the draft resolution on these and other issues related to illegal, unreported and unregulated (IUU) fishing reflects the international community's continued concern regarding IUU fishing and its impact on our ability to sustainably manage fish stocks. The draft resolution recognizes the role of all States, whether coastal, flag, port or market, in combating IUU fishing.

The draft resolution continues to recognize the central role of the United Nations Convention on the Law of the Sea (UNCLOS) and the 1995 Fish Stocks Agreement and the role they play in international fisheries governance. Indeed, 2014 is a key milestone for UNCLOS, with 16 November marking 20 years since its entry into force. Next year, on 4 December, we will mark 20 years since the Fish Stocks Agreement was opened for signature.

The draft resolution requests the Secretary-General to resume the Review Conference on the Fish Stocks Agreement in the first part of 2016, with a view to assessing its effectiveness in securing the conservation and management of straddling and highly migratory fish stocks, and it will offer an important opportunity to assess the ongoing effectiveness of the 1995 Fish Stocks Agreement.

The draft resolution also includes a decision to proceed with another bottom-fishing review in 2016, to be preceded by a two-day workshop, with a view to ensuring the effective implementation of existing United Nations-mandated bottom-fishing measures and, where necessary, to make further recommendations.

New Zealand thanks Director Gabriele Goettsche-Wanli and the staff of the Division for Ocean Affairs and the Law of the Sea for their expertise and support on both draft resolutions. And again we thank Ambassador Charles of Trinidad and Tobago for his expert coordination of the draft resolution on oceans and the law of the sea. We appreciate the hard work and cooperation of all the delegations involved

in crafting both draft resolutions. It is our hope that this constructive and collaborative engagement will be maintained as we continue addressing the numerous and complex issues that face our oceans and fisheries.

The Acting President: I now give the floor to the representative of Trinidad and Tobago to introduce draft resolution A/69/L.29.

Mr. Charles (Trinidad and Tobago): Trinidad and Tobago is once again honoured to have coordinated the informal consultations on this year's draft resolution on oceans and the law of the sea (A/69/L.29).

This important exercise on the agenda of the General Assembly would not have been possible without the support of all delegations, which demonstrated tremendous cooperation and flexibility as they pursued and defended their national interests during two rounds of negotiations of five days each, which culminated on 25 November.

As coordinator, I would be remiss if I did not also acknowledge the support provided to me during the negotiations and in the intersessional period by the Director and staff of the Division for Ocean Affairs and the Law of the Sea, which provided Secretariat services and advice to the coordinator throughout the process. I also wish to commend Ms. Alice Revell of New Zealand for her work in coordinating the sister draft resolution on sustainable fisheries (A/69/L.30).

The draft resolution before us is being introduced to the General Assembly 20 years after the entry into force of the United Nations Convention on the Law of the Sea (UNCLOS), which, incidentally, was also negotiated under the auspices of the United Nations. That landmark treaty gave birth, in 1994 and 1995, to two implementing agreements, and consideration has been given to the elaboration of a third instrument, if Member States so agree.

The draft resolution before us contains elements necessary for the management, preservation and sustainable use of the resources of our oceans and seas, and guidelines for States' conduct in discharging the obligations that flow from international law, including the 1982 Convention on the Law of the Sea. During the negotiations, delegations recognized that oceans, seas and coastal areas formed an integrated and essential component of the Earth's ecosystem and were critical to sustaining it, as guided by international State practice

as well as various instruments on the law of the sea, including the parent instrument, UNCLOS.

During our deliberations, delegations considered and were guided by several initiatives, including the reports 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 Socioeconomic Aspects (A/69/77), 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 (A/69/177, annex), the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (A/69/90), the meeting of States Parties to the United Nations Convention on the Law of the Sea, and the outcome document entitled “The future we want” (resolution 66/288, annex), adopted at the United Nations Conference on Sustainable Development, which took place in Rio de Janeiro in June 2012. Delegations also had before them the report of the Secretary-General on oceans and the law of the sea (A/69/71). Besides that, the deliberations were punctuated by the contributions of individual Member States, regional groups such as the European Union and other arrangements, such as the Group of 77 and China. In addition, delegations also considered inputs from agencies such as the International Maritime Organization (IMO) and the United Nations Environment Programme.

The draft resolution is 49 pages long and contains 313 paragraphs, despite my attempts to streamline the document. Its length and breadth emphasize the importance that Member States attach to all the elements contained in the text, in their scope, parameters and dimensions. A number of issues of importance to Member States are included in the text, as follows, though they are not limited to what I will enumerate. They include the peaceful settlement of disputes and the work of treaty bodies under the Convention — the International Tribunal for the Law of the Sea, the International Seabed Authority and the Commission on the Limits of the Continental Shelf, which are all represented here this morning.

The draft resolution includes information relevant to the work of the IMO in the field of maritime safety and security. It also emphasizes the importance of marine science, marine biodiversity, the marine environment and marine resources and matters concerning the conservation and sustainable use of marine biological

diversity beyond areas of national jurisdiction, which was discussed at length, not only after the rounds of consultations but also after bilateral considerations, in discussions conducted by facilitators appointed by the coordinator to ensure that delegations maximized their efforts to reach consensus on that particular important area.

Each paragraph in the draft resolution was adopted by consensus as delegations ensured that the language represented no less than their minimum or irreducible negotiating positions. At the same time, the text also benefited from the work of the facilitators of small groups, as well as from inputs provided by the coordinator.

Delegations were careful not to interfere with agreed language from previous incarnations of the resolution, but, as we always see in the multilateral process, some delegations did interfere with previous agreed language, as they felt that some aspects of that language had become obsolete, if not irrelevant. Consequently, each paragraph in this document is important to the overall objective and purpose of this soft-law instrument.

As coordinator, I was very pleased with the efforts made by all delegations, whether they were parties to the Law of the Sea Convention or not, to agree on language aimed at improving the conditions of service of members of the Commission on the Limits of the Continental Shelf. Unlike other bodies established by the Convention, conditions of service for the Commission’s members are based on the availability of adequate resources to fulfil its huge mandate accorded by the States Parties to the Convention.

Very importantly, delegations also agreed on language with regard to the future process of marine biodiversity. Delegations acknowledged — in the light of resolution 67/78 and to prepare for the decision on developing an international instrument under the Convention to be taken at the General Assembly at its sixty-ninth session — that recommendations should be made to the Assembly at the Ad Hoc Working Group of the Whole meeting to be held from 20 to 23 January. The recommendations should address the scope, parameters and feasibility of an international instrument under the Convention on marine biological diversity beyond areas of national jurisdiction.

Finally, I am proud to say that, without exception, all delegations demonstrated the finest tenets of

multilateralism, although they sometimes had to move very far away from their national positions in order to ensure that a text was agreed upon that the Assembly can adopt by consensus at the appropriate time during this current session.

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

Mr. Vrailas (European Union): I speak on behalf of the European Union (EU) and its member States. The candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania; the country of the Stabilization and Association Process and potential candidate Bosnia and Herzegovina; as well as Ukraine, the Republic of Moldova and Armenia, align themselves with this statement.

This year, I would like to start my intervention in this debate regarding the adoption of the two General Assembly draft resolutions — on the oceans and the law of the sea (A/69/L.29) and on sustainable fisheries (A/69/L.30) — by recalling two important anniversaries for the European Union and its member States. This year marks the twentieth anniversary of the entry into force of the United Nations Convention on the Law of the Sea (UNCLOS), which we believe is a crucial factor for stability, peace and progress, particularly in today's delicate international context, for ensuring the sustainable development of the oceans and for fostering a sustainable blue economy.

Twenty years down the line, more than 100 other States, from the developed and the developing world, have become party to the Convention that now totals 166 parties, including the European Union. The EU and its member States continue to believe that this framework convention represents the constitution of the oceans, reflects customary international law and establishes the overarching legal framework within which all activities in oceans and seas must be carried out. In that regard, the EU hopes that the goal of universal participation in the Convention will soon be realized.

While we continue to subscribe to the vital importance of preserving the integrity of the Convention, we acknowledge the necessity of ensuring that the Convention, negotiated over 30 years ago, remains relevant and able to meet today's challenges and those we may face in future. We believe that best way to achieve that today is by complementing the Convention through implementing agreements.

That is why we are pleased that next year we will celebrate the twentieth anniversary of the opening for signature of the United Nations Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks — the second implementing agreement of the Convention. The EU and its member States are parties and strong supporters of the Agreement, which develops the principle of cooperation among States fishing for the same resources, or in the same area, whether they are coastal States or States fishing on the high seas, in order to ensure the seas' conservation and sustainable use.

In that respect, the EU and its member States welcome the Philippines as a new party to the Agreement. While acknowledging the positions of some States, we exhort all States to become parties to the Agreement. We look forward to the next resumed Review Conference of the Agreement, which the General Assembly has agreed should be held in 2016. We believe that to be a useful exercise in reviewing the Agreement's implementation to improve its further implementation.

Furthermore, the EU and its member States would like to declare their strong support for the work of the regional fisheries management organizations or arrangements, and to encourage them to continue their efforts towards the governance and the sustainable management of fisheries resources. It is the responsibility of each party to ensure that it fully complies with the measures adopted by the organizations or arrangements, including those identified in the performance reviews undertaken by them. The EU and its member States encourage those bodies to continue undertaking such reviews on a regular basis. The EU and its member States also express their strong hope that, in a few years' time, besides the Fish Stocks Agreement and the implementing agreement to part XI, there will be a third implementing agreement for the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction.

Once again this year, the EU and its member States continued to demonstrate their commitment to the United Nations Convention on the Law of the Sea, as well as to the 1995 Fish Stocks Agreement, by actively participating in the consultations that led to drawing up the draft resolutions submitted to the General Assembly today. We believe that both draft resolutions will serve to focus the General Assembly and the general public's attention on important marine-related issues, including

fisheries. We would like to express our appreciation for the excellent stewardship demonstrated once more by the co-Chairs, Ambassador Eden Charles and Ms. Alice Revell, as well as for their unrelenting efforts to reach consensus. We look forward to working with them on these draft resolutions next year. We would also like to thank all the co-chairs of the different meetings that provide inputs to the resolutions and whose activities facilitate the work of delegations.

The importance of oceans and their resources in the context of sustainable development has been recognized by the international community, including as part of the elaboration of the post-2015 development agenda and with regard to a possible new goal on oceans. However, the marine environment continues to face a number of major threats, such as climate change and ocean acidification, marine debris, including plastics and micro-plastics, invasive alien species, eutrophication and dead zones, anthropogenic underwater noise, overfishing and illegal, unreported and unregulated (IUU) fishing, the declining health of the marine environment and the continued loss of marine biodiversity, all of which deserve to be tackled in the draft resolutions that we will adopt today.

We believe that the international community must continue to take an active role to ensure the conservation and sustainable management of the oceans and their resources, including maintaining and restoring marine ecosystems, in accordance with the Convention on the Law of the Sea. Consequently, the EU and its member States welcome the choice of topics for the sixteenth and seventeenth meetings of the United Nations Open-ended Informal Consultative Process, which will deal with oceans and sustainable development, and with marine debris, plastics and microplastics, respectively, both of which we consider to be very pertinent. Looking back, the EU is fully satisfied with the outcome of this year's meeting concerning the role of seafood in global food security.

The EU and its member States would also like to reiterate their support for the initiatives undertaken by competent international organizations in accordance with the United Nations Convention on the Law of the Sea to tackle the threats, including those under the auspices of the Convention on Biological Diversity, as well as in the framework of competent regional organizations.

We believe that while, as the Convention on the Law of the Sea declares, the problems of ocean space are closely interrelated and need to be considered as a whole, the regional and subregional dimensions are also important to tackle some of those challenges in order to better take into account regional specificities. That is why we support the work of the Regional Seas Conventions and Action Plans and the regional fisheries management organizations and arrangements.

We are also pleased to note that the first cycle of the United Nations World Ocean Assessment, in the context of the United Nations Regular Process for global reporting and assessment of the state of the marine environment, including socioeconomic aspects, will soon be concluded with the publication of its report and summary early next year. We continue to support the invaluable work being undertaken in that context and would like to take this opportunity to thank all the scientists who have generously given freely of their expertise and time. We believe that the results of the assessment will provide decision-makers with a useful tool that will allow them to adopt and implement management and conservation measures based on better science.

Turning to another important United Nations working group, the European Union and its member States remain conscious of the threats faced by marine biodiversity in areas beyond national jurisdiction and have always supported the work of the Ad Hoc Open-ended Informal Working Group. We are therefore very satisfied with the constructive spirit all delegations showed in discussing the scope, parameters and feasibility of a new international instrument under the United Nations Convention on the Law of the Sea in the two meetings of the working group held this year. We believe that substantial progress was achieved at the two meetings, in which it was possible for the first time to engage in in-depth substantive discussions.

We are happy to acknowledge that the overwhelming majority of States are convinced that the best way forward is to develop a new implementing agreement of the Convention for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. We therefore strongly hope that consensus will be achieved at the January meeting of the working group to adopt recommendations to the General Assembly calling for the launching of formal negotiations of what will be the third UNCLOS implementing agreement, so that the General Assembly

can take a decision during its current session in line with the relevant commitments undertaken at Rio+20.

The European Union and its member States are also appreciative of the work of the Commission on the Limits of the Continental Shelf in the discharging of its mandate. We also duly welcome the decisions of the twenty-fourth Meeting of States Parties to the Convention regarding the work of the Commission. We recognize that the working conditions of the Commission have been impacted by its increased workload and, consequently, we are pleased to participate in efforts to try to resolve those issues.

The EU and its member States are satisfied overall with the draft resolution and support its adoption. However, we would like to take the opportunity to convey our strong disappointment that it was not possible to include language related to marine mammals in the draft resolution, despite all of the efforts made by a large number of delegations to reach an acceptable compromise in that regard. Marine mammals are an important and vulnerable component of the marine environment and are the subject of specific provisions in the Convention on the Law of the Sea. Consequently, we do not understand why a General Assembly draft resolution that is made up of more than 350 paragraphs, including its preamble, and elaborates on a multitude of subjects related to oceans and the law of the sea, might appear to have a problem in referring to those species.

We acknowledge that States hold well-known, different and divergent positions regarding the issue of hunting for marine mammals. That is why the proposals discussed did not touch upon hunting, but simply highlighted a number of threats specifically affecting marine mammals and called for increased scientific studies and information-sharing regarding the consequences of the threats in question to those animals and other marine species. Consensus was nearly reached among almost all States; most of them considered the issue important and were ready to compromise by accepting a specific paragraph. However, because of the inflexible position of a single State, in the end the compromise paragraph had to be withdrawn.

While recognizing that States have different priorities and positions, we encourage all States to undertake negotiations in a spirit of flexibility and to try to understand one another's position. We would like to thank Monaco for its unstinting efforts to promote

the conservation of marine mammals, including in the draft resolution, and we look forward to constructively discussing the question next year.

The European Union and its member States note that sharks, as top predators, form an important part of the marine ecosystem and contribute to maintaining ecosystem health. The European Union would like to register its satisfaction at the fact that, through this year's draft resolution, the General Assembly has been able to express its concerns with regard to the issue of shark finning, whereby fins are removed from sharks with the remainder of the carcass being discarded at sea. We thank all delegations that have worked with us on this issue, which is a major contributor to shark mortality and represents an unnecessary waste of resources. It was indeed heartening to see that all countries recognized the importance of this species and are ready to work together to ensure its long term sustainability.

We are also happy that this year's draft resolution contains new language concerning the importance of data collection and catch reporting for the purposes of ensuring scientific stock assessment and implementing an ecosystem approach to fisheries management, as well as to the ever-increasing threat of invasive alien species.

We are also pleased to recognize the importance accorded by all Member States to the review of bottom-fishing measures, including the useful workshop that serves as a forum for the sharing of best practices by the relevant fisheries, bodies and stakeholders. We look forward to that review in 2016.

The European Union and its member States would like to reiterate once more their appreciation for the work of the United Nations Food and Agriculture Organization, and particularly the work of the Committee on Fisheries. We believe that the work of the Committee complements what we try to achieve with the sustainable fisheries draft resolution. Consequently, we were happy to endorse the outcomes of the thirty-first meeting of the Committee, particularly the work on the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels; the unique vessel identifier; the Voluntary Guidelines for Flag State Performance and the development of guidelines for catch documentation schemes. We believe that those outcomes will provide States with better tools to prevent, deter and eliminate illegal, unreported and

unregulated fishing. IUU fishing is recognized by all countries as one of the major problems in fisheries, since it undermines measures adopted to restore fisheries to sustainability, penalizes those fishers that comply with the rules and robs countries, particularly developing States, of their resources.

Lastly, the European Union and its member States would like to express their gratitude to the Secretariat and to the Division for Ocean Affairs and the Law of the Sea for the work done during the year, including the preparation of the annual report on oceans and the law of the sea (A/69/71), as an invaluable compilation of recent developments.

Mr. Beck (Palau): I have the honour to speak today on behalf of the States members of the Pacific Islands Forum represented at the United Nations, namely, Australia, the Federated States of Micronesia, Kiribati, Nauru, New Zealand, Papua New Guinea, the Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Palau.

I speak on behalf of a region that is more than 98 per cent ocean and sprawls across 40 million square kilometres of the planet. The ocean is our way of life. It is our livelihood, our economy and our culture. It has shaped the people and nations that we are today and it will determine our future. However, in our lifetime we have witnessed a combination of human impacts that are destroying our ocean. Overfishing, pollution, coastal run-off and other stressors have all weakened our marine ecosystem. Compounding those pressures, global carbon emissions are causing warming and acidification, which are grave threats. That is why we are pleased that all of us have worked tirelessly to craft a stand-alone goal on oceans. As we head into the launch of the sustainable development goals on 1 January 2016, we call upon all nations to support draft goal 14 to “conserve and sustainably use the oceans, seas and marine resources for sustainable development”.

The theme of the annual meeting of the Pacific Islands Forum leaders, held in Palau this year, was “The Ocean: Life and Future”, which sent a very strong message to the world about our priorities. The leaders unanimously endorsed the Palau Declaration, calling for increased action and integrated approaches to the sustainable development, management and conservation of our ocean. That will build on the Framework for a Pacific Oceanscape, which was endorsed by our leaders in 2010 and is experiencing momentum, particularly in

the area of conservation through the creation of marine protected areas and sanctuaries which, as members know, are an important and critical component of draft goal 14.

We are very proud of the recent commitments made by Australia, the Cook Islands, Kiribati, New Zealand and the Republic of Palau with regard to sanctuaries. We are proud to note that Palau’s President, His Excellency Mr. Tommy Esang Remengesau, Jr., who is also the current Chair of the Pacific Islands Forum, announced this year his intention to establish the Palau national marine sanctuary. The sanctuary would protect about 200,000 square miles, representing 80 per cent of the country’s exclusive economic zone (EEZ), and where all commercial fishing would be banned. As a result of his efforts, he was recently awarded the Champions of the Earth Award by Secretary-General Ban Ki-moon, which happens to be the top United Nations environmental award.

Marine protected areas are just one of many tools available to safeguard the health of our oceans for future generations. Measures to enforce fishing limits, increase the rate of return from fishing activities, formalize maritime boundaries, reduce pollution and tackle climate change have all been key components of the region’s efforts.

We in the Pacific are the custodians of the largest remaining healthy fishery in the world. Yet, in any given year, only 5 to 8 per cent of the fisheries revenue generated from the exclusive economic zones of the Pacific small island developing States by the distant water fishery nations comes back to them as custodians and resource owners. That is not right. It should change, and we are working to change it. We believe there should be more equity and justice in the business partnerships among the private fishing industry and the resource owners and custodians. We seek sustainable and durable partnerships to enhance the ability of the Pacific small island developing States to harvest their own resources, for we believe that the true value of this resource can provide the much-needed financial security to help the countries in the region address their sustainable development challenges, which, as the Assembly knows, are particularly significant given the effect of the rising seas.

Better business partnerships will support existing efforts, and could also include building and strengthening fisheries management regimes, tackling

the problems of overfishing and illegal, unreported and unregulated fishing and improving monitoring and surveillance.

This year we witnessed the successful conclusion of the third International Conference on Small Island Developing States. We must maintain the energy and momentum we saw in Apia. In that regard, we welcome the commitment of partners to work with small island developing States to fully implement the conference outcome document, entitled “Small Island Developing States Accelerated Modalities of Action (SAMOA Pathway)”, which includes oceans and seas as a priority area for action.

With regard to the draft resolution on fisheries (A/69/L.30), echoing the comments made by the observer of the European Union, we welcome this year’s robust debate on strengthening the management of sharks. In our region, many shark species have been overfished and some are additionally threatened by habitat loss and pollution. At least 80 species of sharks and rays occur in our region and some of our members, including my own nation, have declared, and are setting in place, many of the world’s strongest shark-protection measures, including full sanctuaries in our EEZs. The Pacific Islands regional plan of action on sharks demonstrates the strong regional commitment to the conservation and management of sharks, which are critical to the health of our reefs and which, in turn, are critical to our sustainability. We are pleased that this year’s sustainable fisheries draft resolution for the first time explicitly recognizes that the practice of removing shark fins and discarding their carcasses at sea is a matter of concern. The spotlight was cast upon that odious practice in part through the active involvement of the European Union delegation and the United Nations Save our Sharks Coalition, which is ably chaired by Ambassador Elliston Rahming of the Bahamas.

We recognize the importance of international cooperation to improve the conservation and sustainable use of marine biological diversity beyond national jurisdiction. Pacific Island Forum members welcome the progress made in 2014 at the United Nations at the level of the working group dedicated to the issue, and we reaffirm our support for the negotiation of an implementing agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction.

I think that we all know that national efforts are not enough to heal the ocean. Member States of the Pacific Islands Forum reiterate our call to the international community to take action to ensure the sustainable development, management and conservation of our most precious resource through the adoption of draft goal 14. We are in a unique time in history and this clearly is a year for decisive action.

Miss Richards (Jamaica): I have the honour to speak on behalf of the 14 States members of the Caribbean Community (CARICOM).

The States members of CARICOM, which comprises 12 small single-island archipelagic States and three coastal States, all have a strong maritime tradition and natural interest in matters relating to the oceans and the law of the sea. As active contributors to the negotiations that led to the historic United Nations Convention on the Law of the Sea (UNCLOS), we are of course delighted to be among the 166 States parties commemorating the twentieth anniversary this year of the Convention’s entry into force. Twenty years on, UNCLOS remains a signal expression of the international community’s commitment to the effective management and protection of the resources of the world’s oceans and seas. CARICOM States therefore welcome this opportunity to underscore the importance they attach to the Convention as the comprehensive legal framework for the governance of the oceans. We reaffirm the importance of maintaining the integrity of the Convention and the institutions created by it and encourage all States to work for its universal acceptance and application.

We thank the Secretary-General for his report (A/69/71), which provides a comprehensive overview of recent and ongoing activities relating to oceans and the law of the sea. We also wish to acknowledge the outstanding contribution that the Division for Ocean Affairs and the Law of the Sea and its partners continue to make in monitoring developments in the Area. The Caribbean Community also commends the Division for continuing to provide advice, capacity-building and technical assistance to Member States in implementing the provisions of the Convention. At the same time, we would like to emphasize the substantial increase in the Division’s activities and our expectation that additional resources will be provided to ensure the effective discharge of its responsibilities.

It is quite fitting that the commemoration of the twentieth anniversary of the entry into force of UNCLOS coincides with the International Year of Small Island Developing States. We also view that convergence as an opportunity to recognize the contribution of small island developing States (SIDS) to the evolution of the governance of the world's oceans and seas. In addition to being among the States that are most reliant on the world's oceans, by virtue of their location SIDS have demonstrated that they are also active participants and contributors to the regime governing the use of humankind's common heritage. CARICOM therefore sets great store by section VII of the Secretary-General's report (A/69/71/Add.1), which addresses the sustainable development challenges that SIDS face in the context of their heavy reliance on the oceans and seas.

An outstanding and vitally important provision of the Convention is the study, protection and preservation of the marine environment. For SIDS, the protection and preservation of the marine environment, including areas beyond national jurisdiction, remain issues of fundamental importance to our sustainable development and a high priority for CARICOM member States. The Caribbean Community is therefore pleased that the third International Conference on Small Island Developing States, held in September in Apia, Samoa, and its outcome document, the SIDS Accelerated Modalities of Action (SAMOA Pathway), have focused the attention of the international community on SIDS' special needs and interests, particularly actions to ensure that they benefit from the sustainable development of oceans and seas.

As we look to the future and the challenges that lie ahead, we continue to be very concerned about the myriad threats to the world's oceans and seas, particularly the damaging impact of climate change and ocean acidification. CARICOM maintains that the elaboration in coming months of the post-2015 development agenda should therefore place special focus on the significant contribution of oceans and seas to the three dimensions of sustainable development. In that connection, we welcome the proposal by the Open Working Group on Sustainable Development Goals to include a goal on conserving and sustainably using the oceans, seas and marine resources for sustainable development. We note that the Working Group's report (A/68/970) will form the main basis for integrating sustainable development goals into the post-2015

development agenda and are therefore pleased that the Secretary-General's recently published synthesis report on the agenda (A/69/700) boldly asserts in its paragraph 75 that "we must protect our oceans, seas, rivers and atmosphere as our global heritage and achieve climate justice." CARICOM States will continue to participate actively in those important deliberations, including at the sixteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which will discuss the topic of oceans and sustainable development, something we view as a timely contribution to the post-2015 process.

Besides this, the finalization and approval by the General Assembly at its seventieth session of the first global integrated marine assessment of the world's oceans and seas should provide a better scientific understanding of the state of the marine environment for informing policy decisions on how to manage human pressures on oceans, findings that will be relevant to the post-2015 development agenda.

CARICOM anticipates that 2015 will be a decisive year for action on ocean governance, with the launching of negotiations on an implementing agreement under UNCLOS on the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction, consistent with the commitment undertaken by world leaders at the 2012 United Nations Conference on Sustainable Development. We therefore welcome the significant progress that has been made within the Ad Hoc Open-ended Informal Working Group to consider the scope, parameters and feasibility of an international instrument. We strongly believe that there is now sufficient momentum and convergence on the elements at stake for the Informal Working Group to take a decision at its third meeting, in January 2015, to recommend to the General Assembly that it commence negotiations for an implementing agreement. Accordingly, the Assembly should be requested to convene a negotiating process, which would give Member States an opportunity to examine all issues relevant to formulating such an agreement within a stipulated period, and with the 2011 package as a starting point for negotiations on the agreement.

Turning to regional efforts, CARICOM welcomes the Second Committee's adoption last week of a draft resolution entitled "Towards the sustainable development of the Caribbean Sea for present and future generations". We appreciate the work of the Caribbean Sea Commission in advancing the designation of the

Caribbean Sea as a special area within the context of sustainable development, and we invite the international community to continue its support of such efforts, including by providing financial resources, capacity-building, technical assistance and the transfer of technology.

CARICOM States appreciate the ongoing work of the Regional Seas Programme of the United Nations Environment Programme through the Caribbean Environment Programme (CEP), which continues to help coordinate the region's implementation of the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region. Over the past 30 years, with the support of the CEP, CARICOM States have taken steps to implement action plans and advance work in focus areas such as coral-reef management, the conservation of marine mammals, marine protected areas, solid waste and marine litter.

CARICOM considers a strong regional framework for the management of fisheries to be a priority and commends the valuable work of the Caribbean Regional Fisheries Mechanism in that regard. The challenges to the sustainable development of fishery resources are formidable, ranging from the appropriate assessment of fish stocks and maximum yields to the establishment of fishing rights. On 10 October, after several years of work, the CARICOM States were pleased to adopt a Caribbean Community common fisheries policy, which focuses on cooperation and collaboration in the conservation, management, sustainable utilization and development of fisheries and related ecosystems in the Caribbean region. Preventing, deterring and eliminating illegal, unreported and unregulated (IUU) fishing are key elements of the policy, as well as increased regional food and nutrition security. Notably, CARICOM member States restated their stance against IUU fishing with a collective written submission on case No. 21, request for an advisory opinion submitted by the Sub-Regional Commission on Fisheries, which is under review by the International Tribunal for the Law of the Sea.

Maritime commerce continues to expand at a remarkable pace. As noted in the Secretary-General's report, in 2012 world sea-borne trade reached 9 billion tons for the first time ever. If maritime trade is to sustain present levels or attain even greater heights, it must be conducted in an environment where navigation safety and security is the main focus in the promotion of

maritime commerce. Safe, secure and crime-free routes for navigation, and the implementation of international rules and standards for improving maritime safety, are critical. We therefore welcome the growing attention to the entry into force of the instruments of the International Maritime Organization (IMO) and to the effective and consistent application of the rules and standards adopted under its auspices, as well as the technical assistance activities the IMO is undertaking in that regard.

CARICOM countries that are significant flag States, port States and crew-supply nations fully support the IMO's work, and particularly that of its various committees, which address a range of matters, including those relating to the safety of life at sea and the protection of seafarers' rights. CARICOM States are committed to providing decent working and living conditions for seafarers, and we welcomed the entry into force, in August 2013, of the 2006 Maritime Labour Convention. Five CARICOM members are among the 65 States that have ratified the Convention to date.

Without question, the effective operation of the three institutions established under the Convention on the Law of the Sea has contributed to its success over the past 20 years. As part of the CARICOM family, Jamaica continues to fulfil its obligations as host country for the headquarters of the International Seabed Authority, which is also celebrating its twentieth anniversary. We are pleased that the Authority's work continues in earnest, breaking new ground with the development and approval of regulations governing prospecting and exploring for minerals and their exploitation in the Area. With the most recent update and adoption of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area, we welcome the work being done to develop an exploitation code as the Authority moves into the next phase of exploration in the Area, which will form the basis whereby Member States will be able to take advantage of the resources of the deep seabed. We look forward to early completion of the exploitation code.

However, at the same time, we continue to emphasize that due consideration should be given to an appropriate strategy for protecting and preserving the marine environment. We commend the Authority on its continuing role in providing sensitization seminars and training through annual workshops on the scientific and technical aspects of deep-sea mining and in the critical area of the protection and preservation of the marine

environment. We also welcome the call made at the Authority's twentieth session for including landlocked and geographically disadvantaged countries in the seminars.

The International Tribunal for the Law of the Sea should also be commended for its impressive work, and we welcome its increasing activities, both in terms of its caseload and the number of its rulings. CARICOM is pleased that the Tribunal continues to play an active role in undertaking capacity-building for developing countries through its series of workshops on the settlement of disputes related to the law of the sea in various regions of the world.

CARICOM recognizes the role of the Commission on the Limits of the Continental Shelf in making recommendations to States parties on establishing their outer limits of the continental shelf, in keeping with the provisions of article 76 of the Convention on the Law of the Sea. At the same time, we recognize that States that receive such recommendations have an obligation to deposit with the Secretary-General their coordinates indicating their continental shelf outer limits. We also call on the International Seabed Authority to expand its work under article 82 of the Convention, in order that those States parties that have received recommendations under article 76 and are in the process of exploring and exploiting the resources of their outer limits of the continental shelf make payments, so that the Authority is in a position to distribute the proceeds to developing countries and other States parties, as referred to in article 82.

We welcome the strategies that have been adopted to address the Commission's considerable and increasing workload, as well as its members' conditions of service. We note the interim measure taken to address the issue of medical insurance in order to facilitate the participation of commissioners from developing countries, and believe that a review of the terms of reference of the voluntary trust fund, as called for in the draft resolution before us (A/69/L.29), would help to alleviate the situation.

Finally, the CARICOM States would like to express their appreciation to the various partners that have contributed technical and financial assistance to our countries over the years. We emphasize the need for continued support in capacity-building in order to effectively implement the Convention on the Law of the Sea and the full range of associated activities in the area

of oceans and the law of the sea. We would also like to take this opportunity to warmly thank the coordinators of the two draft resolutions (A/69/L.30 and A/69/L.29), Ambassador Eden Charles of Trinidad and Tobago and Ms. Alice Revell of New Zealand, for their excellent stewardship of the informal consultations.

Mr. Thomson (Fiji): I am honoured to speak on behalf of the 12 members of the Pacific small island developing States (PSIDS) with a presence here at the United Nations. They are the Federated States of Micronesia, Kiribati, Nauru, Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Fiji.

At the outset, the PSIDS would like to thank Ambassador Eden Charles of Trinidad and Tobago and Ms. Alice Revell of New Zealand for their able leadership in bringing the negotiations on today's draft resolutions on oceans and the law of the sea and sustainable fisheries (A/69/L.30 and A/69/L.29) to a successful conclusion. We are pleased to support their adoption.

The draft resolutions under consideration today go to the very heart of our shared identity as small island developing States (SIDS) in the Pacific, since both the ocean and fisheries are at the foundation of our economies, environment and societies. However, in recent history, accumulating and compounding human impacts have undermined the health of the ocean we share, thereby gravely threatening our populations' well-being and livelihoods. Overfishing, as well as illegal, unreported and unregulated (IUU) fishing; marine pollution, including from land-based sources; and the destruction of marine habitats, including by ocean acidification, have damaged ocean environments and ecosystems, thereby compromising the resiliency and productivity of our oceans.

This is a grave problem for PSIDS and for SIDS as a whole. The SIDS Accelerated Modalities of Action (SAMOA Pathway), which was adopted by the General Assembly earlier in this session, recognizes the importance of oceans and seas to sustainable development. It acknowledges that healthy, productive and resilient oceans and seas are critical to poverty eradication, access to sufficient, safe and nutritious food, livelihoods, economic development and essential ecosystem services, while reinforcing the fact that sustainable fisheries are a building block of

a sustainable ocean-based economy for SIDS. As we know, the Samoa Pathway is an important blueprint for the sustainable development of small island States. We are therefore pleased with the call in the draft omnibus resolutions on sustainable fisheries and oceans for full implementation of the Pathway.

Issues relating to oceans and seas are a problem shared by all Member States. Oceans contribute to sustainable development and poverty eradication by creating sustainable livelihoods and decent work. They contribute to global food security and human health, including by supporting fisheries, tourism and maritime transportation. We therefore welcome the choice of the theme of "Oceans and sustainable development" for the upcoming meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. The discussions will certainly help to enrich the wider discussions on the post-2015 development agenda and will no doubt reinforce agreement on the need for a stand-alone goal on oceans and seas. We believe that such a goal will work to help restore the health, resilience and productivity of our oceans and seas by reducing the incidence and impact of marine pollution, effectively regulating harvesting, ending IUU and destructive fishing practices and conserving coastal and marine areas.

This year's draft resolutions on oceans and fisheries advance the important work being done to make a reality of a sustainable development goal for oceans and seas, along with its targets. In accomplishing that, we would like to highlight the important strides that are being made in increasing international attention to the problem of ocean acidification. The entire ocean food chain is threatened by acidification. Scientists are now providing evidence that trophic complexity is taking a major toll on that chain, from plankton to crustaceans to predators. That is of major concern on many levels. For example, the phenomenon is exerting significant pressure on coastal fisheries, coral reefs and other vulnerable marine ecosystems. It goes without saying that PSIDS are alarmed by the recent scientific reports on the subject. Heightened global cooperation on addressing the causes of ocean acidification, financing and developing capacity for conservation efforts and further studying and minimizing its impacts is critical to overcoming this serious challenge to the health of our oceans.

We welcome the language contained in the resolution on sustainable fisheries, which continues to work to

reduce IUU fishing. In the Pacific region, we have prioritized the need to end IUU fishing and have made substantial investments in information-management systems to assist with fisheries management, along with monitoring, control and surveillance activities. The Pacific is likewise on the cutting edge with regard to ensuring the application of the precautionary approach in fisheries and has used both target and limit reference points in our management of stocks.

For PSIDS, addressing threats from overcapacity of fishing fleets, inadequate enforcement and the unsustainable use and management of marine resources is a priority, as is the need to recognize and provide for the development aspirations of SIDS as a whole and their right to participate in fisheries. We also express our concern that at the most recent meeting of the Western and Central Pacific Fisheries Commission in Samoa last week, distant-water fishing nations once again failed to support appropriate measures to reduce the overfishing of tuna. Pacific Islands came to the meeting determined to adopt a measure to reduce the overfishing of tropical tuna, including bigeye tuna, which is in high demand for sashimi. But the interests of our small island developing States went unheeded. In that light, PSIDS intend to regroup and use the existing commercial arrangements to address the overfishing in our waters. We are disappointed that Commission parties were unable to address the failure of the longline bigeye tuna catch limits, excessive levels of longline effort and the disproportionate burden on PSIDS from the existing measures.

A major challenge to developing countries has arisen in the law of the sea, namely, the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction. The exploitation of and benefit from resources by a few from a maritime area that is the common heritage of mankind is inconsistent with the general principles of international law, including those on equity. The status quo is not an option. The deadline to take a decision on launching the negotiation for the elaboration of an implementing agreement is fast approaching. We look forward to the third meeting of the United Nations 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 on the scope, parameters and feasibility of an implementing agreement under the United Nations Convention on the Law of the Sea (UNCLOS) next month.

We also acknowledge the contribution of relevant establishments under UNCLOS on the protection and conservation of the marine environment. In particular, we are pleased with the ongoing development of a comprehensive set of rules governing seabed mineral extraction by the International Seabed Authority (ISA) to ensure the effective protection of the marine environment from harmful effects that may arise from activities in the Area. We have stated on numerous occasions just how important the work of the ISA is to PSIDS, with our exclusive economic zones amounting to more than 30 million square kilometres, some of which directly adjoin the polymetallic-nodule-rich Clarion Clipperton Zone, administered by the ISA, so we do not underestimate the magnitude of the responsibility that the PSIDS entrust to the ISA in ensuring the health and well-being of our oceans.

In conclusion, the work that this international gathering is undertaking today is critical to the successful implementation of UNCLOS and its intimate links to continued progress in the universal sustainable development agenda in terms of the governance of our maritime spaces. Reflecting on the past 20 years, UNCLOS brought under national jurisdiction these vast maritime expanses and the oceanic resources that are so fundamental to our survival. PSIDS are proud to all be States parties to UNCLOS, as we regard the Convention as one of the greatest achievements of the United Nations, providing the legal framework for the conservation and sustainable use of the ocean and its resources.

Mrs. Dieguez Lao (Cuba) (*spoke in Spanish*): Cuba attaches vital importance to the United Nations Convention on the Law of the Sea (UNCLOS) in the area of the maintenance and strengthening of peace, order and sustainable development in the oceans and seas.

UNCLOS is a crucial landmark in the codification of the international law of the sea and has been ratified by the vast majority of Member States. UNCLOS establishes the appropriate and universally recognized legal framework within which all activities in the oceans and seas should be undertaken.

It is important to preserve the integrity of UNCLOS and the implementation of its provisions as a whole. Matters related to the oceans and the law of the sea must be under the supervision of the General Assembly,

so as to ensure greater consistency in the management of such matters for the benefit of all Member States.

Cuba has made and is making significant efforts in the implementation of national strategies for sustainable development and the protection of the marine environment, with the goal of bringing about the coherent, progressive and effective implementation of the Convention's provisions. At the beginning of this year, and after several months of discussions among the delegations of various States, including Cuba, we witnessed, *inter alia*, the entry into force of the Multilateral Technical Operating Procedures, in response to the high-seas hydrocarbon contamination in the wider Caribbean region. The relevant text was published on the website of the International Maritime Organization Regional Marine Pollution Emergency Information and Training Centre for the Wider Caribbean.

The Cuban State has solid national institutions and legislation in the area of the law of the sea. The Government is making every effort to successfully tackle crimes committed at sea, including the illicit traffic in drugs and narcotics, the illicit traffic in persons and piracy. Cuba also meets all of its international obligations in the area of maritime safety and search and rescue. In this regard, we would recall that the Governments of Cuba and of the United States agreed at the beginning of July to implement technical operational procedures in the area of search and rescue that will allow the authorities of both countries to cooperate in efforts to save the lives of people in danger.

Cuba reiterates the importance of strengthening international cooperation in the management of marine resources and in the stewardship of the oceans and their biodiversity, in keeping with the principles of international law and with due respect for the jurisdiction of sovereign States over their territorial waters and in the management of resources in the exclusive economic zone and the continental shelf.

We strongly support the valuable work of the Commission on the Limits of the Continental Shelf. We urge all member States to support the work of the Commission so that it can obtain all of the necessary resources. It is important that the Commission undertake its work quickly and effectively, meeting the legal prerequisites that have been established to that end.

The continuing rise in sea levels threatens the territorial integrity of many States, especially the small island States, some of which are destined to disappear if immediate action is not taken. The interconnection between ocean systems and their close ties with the dramatic process of climate change suffered by humankind compels us to meet urgently our commitments established in both areas.

Cuba has underscored and will continue to underscore its commitment to the stewardship of the environment, search and rescue, and compliance with all of its obligations in the area of the law of the sea.

We cannot conclude without first expressing our appreciation for the work of the Division for Ocean Affairs and the Law of the Sea and for that of the coordinators of the two draft resolutions soon to be adopted (A/69/L.29 and A/69/L.30) which Cuba supports, namely, the representatives of Trinidad and Tobago and New Zealand, respectively. We thank them deeply for their cooperation in coordinating the draft resolutions.

Mr. Ishikawa (Japan) I would first like to join other delegations in thanking the coordinators of the two draft resolutions A/69/L.29 and A/69/L.30, Ambassador Eden Charles, Deputy Permanent Representative of Trinidad and Tobago, and Ms. Alice Revell of New Zealand, for their tremendous work. I also wish to thank all Member States for having worked together in a spirit of cooperation during the informal consultations on the draft resolutions. My appreciation also goes to the Secretariat for its assistance.

Japan is a maritime State surrounded by water and dependent on maritime transport for nearly all imports of energy resources, including oil and mineral resources. To advance the rule of law at sea, which are commons for the international community as a whole, compliance with international law, including the United Nations Convention on the Law of the Sea (UNCLOS), is extremely important. The Convention prescribes provisions for safety at sea, freedom of the high seas comprising freedoms of navigation and overflight, and peaceful settlement of disputes. In this regard, Japan attaches great importance to the three principles of the rule of law at sea. First, States shall make and clarify their claims based on international law. Secondly, States shall not use force or coercion in trying to move their claims forward. Thirdly, States shall seek to settle disputes by peaceful means.

The adoption by consensus of the Member States of draft resolution A/69/L.29, to which the aforementioned provisions are related, is also very important for maritime States like Japan and for the international community as a whole. In this regard, Japan is pleased to co-sponsor the draft resolution.

With respect to 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 in the oceans. Japan welcomes the fact that the Tribunal's work in recent years has resulted in its steady rendering of judgments on the merits. Japan also welcomes the fact that the recent work of the Tribunal covers various important legal questions on the law of the sea and the UNCLOS system, as illustrated by the example of the case concerning the request for an advisory opinion submitted by the Sub-Regional Commission on Fisheries, which is currently pending before the Tribunal. Japan, as the largest contributor to the Tribunal's budget, has committed its full support to the valuable work of the Tribunal.

With regard to the International Seabed Authority (ISA), Japan would like to extend its heartfelt congratulations to the Authority on the twentieth anniversary of its establishment. Since it was established, Japan has attached importance to the role to be played by the Authority for the international management of the exploration and exploitation of mineral resources in the Area known as the common heritage of mankind. Japan highly appreciates that the Authority has steadily carried out its mission to establish maritime legal order in the Area, including the preparation for formulating the exploitation code, taking into account the fact that some of the contracts for exploration for polymetallic nodules in the Area are close to their expiration dates.

In view of the importance of ensuring a well-balanced approach between exploitation and environmental protection of the Area, Japan highly values the Authority's activities with respect to these issues, in particular its adoption of the guidance for contractors for the assessment of the possible environmental impacts arising from exploration of marine minerals in the Area and the workshops organized by the Authority. Japan has supported the Authority's activities with both human and financial resources, including its contribution to the ISA Voluntary Trust Fund in the amount of \$21,660 this year. Japan would

like to express its intention to continue its support for the Authority in various fields.

With respect to the Commission on the Limits of the Continental Shelf (CLCS), Japan wishes to pay tribute to the Commission for its tremendous work in expediting its consideration of the numerous submissions with such measures as an extension of the duration of the Commission's sessions and the establishment of new subcommissions. Bearing in mind the important role of the Commission under the Convention, Japan has provided human-resource contributions to the Commission by nominating a member of the Commission. Further, Japan made an additional contribution this year of \$50,494 to the Trust Fund for the purpose of defraying the costs of the participation of developing State members of the CLCS in the meetings of the Commission. Japan firmly believes that through voluntary contributions to the Trust Funds by State parties, the smooth and expeditious consideration of submissions by the Commission would be promoted.

With regard to maritime safety and security issues, we can say that although we witnessed a marked reduction in the volume of pirate attacks off the coast of Somalia and in the Gulf of Aden, piracy may potentially return. Japan is of the view that to suppress piracy, a multilayered approach, which includes assistance to enhancing maritime law-enforcement capacity in Somalia and its neighbouring countries, and other medium- to long-term efforts for stability in Somalia, in addition to naval vessel operations, must be pursued. Accordingly, Japan has, without any interruption since 2009, been deploying destroyers and patrol aircraft to the region. In addition, Japan has made considerable financial contributions to various funds with a view to enhancing maritime law-enforcement capacity. Japan also continues to play a leading role within the framework of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia.

With respect to agenda item 74 (b) on sustainable fisheries, as a responsible fishing State and a State party to UNCLOS and the 1995 Fish Stocks Agreement, Japan is dedicated to addressing the promotion of sustainable use through the conservation and management of marine living resources and the appropriate conservation of the marine ecosystem, in cooperation with the parties concerned, through bilateral fisheries agreements, the Food and Agriculture Organization of

the United Nations and regional fisheries management organizations (RFMOs).

Japan welcomes recent developments in the management of high-seas fishing, including the conclusion of arrangements concerning the establishment of new RFMOs, which reflects the resolutions on sustainable fisheries of previous years. In this regard, Japan became a contracting State to the Southern Indian Ocean Fisheries Agreement in July. Japan played a leading role in drafting the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean and became its first contracting State. It has been decided that the secretariat of the North Pacific Fisheries Commission will be established in Tokyo. Japan hopes for the early entry into force of the Convention.

In conclusion, Japan reiterates its wish that the two draft resolutions before us, which are the result of intensive negotiations among representatives who worked in the spirit of cooperation during the informal consultations, will be duly adopted at this session.

Ms. Hamilton (United States of America): My delegation has the honour to co-sponsor the draft resolutions on oceans and the law of the sea (A/69/L.29) and on sustainable fisheries (A/69/L.30). The annual General Assembly draft resolutions on oceans and fisheries that we are debating today serve as important opportunities for the global community to identify key marine-related issues and develop constructive ways forward to address them. The United States attaches great importance to oceans and fisheries issues, and we value the platform that the General Assembly provides to elevate these issues.

As many here know, Secretary of State John Kerry is a passionate advocate for the ocean and has made protection of the ocean a focus of American diplomacy. In June, Secretary Kerry hosted the Our Ocean Conference in Washington, D.C., to draw global attention to the urgent need to promote the health of the ocean and to focus in particular on three key ocean issues: sustainable fisheries, marine pollution and ocean acidification. The General Assembly has made progress on these important issues through its oceans and fisheries resolutions, and we were glad to continue that work at the Conference by providing a forum where stakeholders from Government and civil society could share lessons learned, the best science and commitments for action.

We are building on the momentum of the Conference to end overfishing, reduce pollution entering the marine environment, stem the increase of ocean acidification and protect more ocean areas. Working with all Member States, we were pleased to move some of these issues forward in this year's oceans draft resolution, for example by incorporating new text on reducing marine debris and nutrient pollution and measuring ocean acidification. We are already looking forward to fruitful exchanges on the important topic of marine debris, plastics and microplastics in 2016 Informal Consultative Process on Oceans and the Law of the Sea.

Similarly, we see this year's sustainable fisheries draft resolution as once again serving as an effective platform to strengthen the call to meet both the challenges to ensuring sustainable fisheries and the responsibilities of the Member States, both individually and collectively. This year's draft resolution addresses the ways in which the international community continues to strengthen its commitment to ending overfishing through science-based conservation and management, cooperation in regional fisheries management organizations, and broadening and strengthening the implementation of important legal instruments, such as the United Nations 1995 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. The United States was also gratified that the other Member States supported recognition of the need for increased focus on the impacts of ocean acidification in fisheries, concerted action to minimize fishery wastes and discards, and continuing attention to the shared responsibility to protect vulnerable marine ecosystems.

The 2014 sustainable fisheries draft resolution also contains important commitments to strengthening the collective effort to combat illegal, unregulated and unreported (IUU) fishing, including a call for ratifications or accessions that will help bring into force the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, a vital tool that will help developing and developed countries alike to deny economic benefit to those that continue to undermine legitimate and sustainable fisheries management through IUU fishing activities.

We welcome the decision of the Government of Chile to host the Our Ocean Conference in October 2015 to further enhance collaboration and action to conserve the ocean and its resources. We look forward to a very fruitful and action-oriented Conference.

The United States would like to thank Director Gabriele Goettsche-Wanli 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 also would like to thank Ambassador Eden Charles of Trinidad and Tobago for his coordination of the oceans draft resolution and Ms. Alice Revell of New Zealand for her coordination of the fisheries draft resolution. Both again did an outstanding job.

Finally, I would like to conclude by expressing appreciation for delegations' hard work and cooperation in crafting both draft resolutions. It is our hope that this spirit of cooperation will characterize our efforts to address the numerous and complex issues that lie ahead in the new year.

Ms. Picco (Monaco) (*spoke in French*): During the consultations on the omnibus draft resolution on oceans and the law of the sea (A/69/L.29), Monaco introduced a proposal related to the protection of marine mammals, particularly cetaceans. Member States will recall that Monaco had already proposed language on the topic at the sixty-sixth session. Since then, we have taken note of the positions of all delegations and the evolution of the body of international law, notably the recent ruling of the International Court of Justice on whaling in the Antarctic and resolution 65/11 of the International Whaling Commission, which calls for cooperation with other relevant organizations.

Therefore, our approach this year did not address whaling at all and targeted only the increasing threats, such as collisions with vessels, underwater noise, marine debris, bioaccumulation of toxins in animal fats, tangling in fishing nets and by-catch, which affect many migratory marine mammal species. Cooperation to ensure that these species can continue to play their key role in the smooth functioning of the marine ecosystem and food chains, as well as the exchange of data, must be improved.

As the General Assembly's mandate covers all issues relating to seas and oceans, the omnibus draft resolution is the appropriate framework to deal with them. Certainly, other organizations also have knowledge on the management and study of cetaceans,

such as the International Whaling Commission, but the latter is limited to dealing with only 17 of the 81 marine cetacean species recognized by its Scientific Committee.

On behalf of the Government of the Principality of Monaco, I should like to thank Ambassador Eden Charles, who led our consultations, the delegations of all the regions that supported the draft resolution, and those that engaged in discussions with interest and flexibility. We deeply regret that a consensus was so narrowly missed. My delegation remains convinced of the importance of introducing in the draft resolution reference to the impact of these threats on a group of more than 80 marine species. Monaco will therefore continue its efforts in that regard.

The sixty-ninth session falls in a pivotal year, and my delegation will work to ensure that oceans and seas can enjoy their due priority in the post-2015 development agenda. Pursuant to the appeal of His Serene Highness Prince Albert II during the general debate of the sixty-eighth session (see A/68/PV.5), Monaco welcomes goal 14 of the Open-ended Working Group on Sustainable Development Goals, concerning oceans and seas, and intends to continue its efforts by taking part in the negotiations to begin in January.

The contribution of the oceans and healthy and productive seas to sustainable development is no longer a subject of debate, as the Secretary-General's report (A/69/71) notes. However, the sustainable exploitation of marine resources as a whole is impossible without ensuring their protection and conservation at the same time. In addition, the post-2015 development agenda, which aims to be ambitious and comprehensive, should address the interconnectedness between the oceans and climate systems. Climate change remains one of the most urgent and daunting challenges we have to deal with. Rising sea levels and ocean acidification are real threats to various countries, particularly small island developing States, which are seeing their survival, identity and principal sources of revenue threatened by these two concomitant phenomena.

With regard to the protection of marine biodiversity in areas beyond national jurisdiction, Monaco is ready to work with other delegations to enable the Ad Hoc Open-ended Informal Working Group to complete its work and the General Assembly to take a decision on the issue before the end of the sixty-ninth session, in accordance with the mandate from our Heads of State

and Government expressed in the outcome document of the 2012 United Nations Conference on Sustainable Development, "The future we want" (resolution 66/288, annex). I reiterate that Monaco's position is based on the package agreed on in 2011, and that we believe that a new international instrument should cover 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. This new legally binding instrument should take the form of an implementing agreement of the United Nations Convention on the Law of the Sea that allows universal participation.

A focus on ecosystems, taking a precautionary approach, and the importance of scientific research should also be taken into account. The high seas are vital to the health of the oceans and the global terrestrial ecosystem. As noted in the 2014 report of the Global Ocean Commission, entitled "From Decline to Recovery: A Rescue Package for the Global Ocean", "the ocean remains chronically undervalued, poorly managed and inadequately governed". Monaco shares the views set out in the report, which identifies five drivers of decline and eight for recovery, including the need for a specific sustainable development goal for oceans, the best use of their resources and above all a better system of governance, which the international community is today no longer in a position to ignore.

On the basis of its belief in the protection of marine biodiversity and the preservation of the marine environment, on 11 March Monaco committed to preserving the Sargasso Sea by signing the Hamilton Declaration on Collaboration for the Conservation of the Sargasso Sea. Similarly, the eleventh Conference of the Parties to the Convention on Migratory Species, held in November, adopted a resolution proposed by Monaco to list the European eel, which is now classified as critically endangered by the International Union for Conservation of Nature, in appendix II of the Convention.

In addition, the Government of the Principality supports international cooperation and capacity-building, both highly important to many countries, through projects assisting small island developing States in, for example, rehabilitating ecosystems, as well as through more general outreach and awareness

programmes on international law, including the Hamilton Shirley Amerasinghe Memorial Fellowship.

Monaco is also involved in many regional and international cooperative frameworks. For 10 years, we have been working at the regional level for the protection of Mediterranean cetaceans, as depositary of the Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and Contiguous Atlantic Area, which entered into force in 2001, and through a tripartite agreement with France and Italy establishing the Pelagos Sanctuary for Mediterranean Marine Mammals, which entered into force in 2002. In that regard, on 29 and 30 October Monaco hosted the first international expert workshop for coordinating the efforts of neighbouring countries to rescue whales stranded on their shores. Cross-border institutional and operational procedures for stranded live cetaceans are being formulated, initially for the three Pelagos Sanctuary countries and subsequently to be adapted for the other States parties to the Agreement.

Finally, monitoring and managing marine protected areas in the Mediterranean is another priority area, through our initiative of a trust fund for marine protected areas, launched in 2013 by His Serene Highness Prince Albert II together with the Governments of France and Tunisia, designed to promote the development and sustainable management of marine protected areas in the Mediterranean.

Before concluding, I would like to draw the Assembly's attention to the publication in June of the fifth edition of the Manual on the Technical Aspects of the United Nations Convention on the Law of the Sea, 1982, developed in collaboration between the International Hydrographic Organization and the Division for Ocean Affairs and the Law of the Sea, which unites the best knowledge and applications of the Convention's technical aspects. As the Assembly is aware, Monaco hosts the headquarters of the International Hydrographic Organization, whose Bureau plays a central, multisectoral role in such areas as the production of nautical charts, coastal protection, models of the effects of tsunamis, monitoring and preventing pollutant drifts, facilitating rescue operations, identifying areas best suited for renewable marine energy sources, and so forth.

Ms. Stener (Norway): The United Nations Convention on the Law of the sea provides a universal and unified framework for the peaceful, responsible and

predictable management of the oceans. One example of very productive work in that regard is the ongoing effort 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 its work to restrict the use of destructive fishing practices and protect vulnerable marine ecosystems. Norway is a supporter of that work, and we welcomed the meeting held this year, which focused on the role of seafood in global food security.

In order to realize the potential of marine resources, protect marine biodiversity and implement the law of the sea, we need to develop cooperation and capacity-building. The Nansen Programme is a Norwegian development programme established in 1974, aimed at reducing poverty and improving food security, primarily in sub-Saharan Africa. The programme supports developing countries in their efforts to strengthen regional and national marine research, with a view to promoting the sustainable management of living marine resources. The research vessel *Dr. Fridtjof Nansen* has played an important role in the collection of related data. Researchers from developing countries have worked on the vessel with colleagues from Norway and other countries in order to increase their knowledge of their own marine ecosystems so as to promote the implementation of ecosystem-based ocean management.

In 2012, a decision was made to build a new *Dr. Fridtjof Nansen* research vessel, at a cost of approximately \$75 million, and it is expected to be operational from late 2016. An important part of the Nansen project on an ecosystem approach to fisheries is strengthening national institutions' competence and encouraging regional cooperation. Norway sees that as essential to achieving efficient and sustainable management of living marine resources and hence reducing poverty.

Some States may need assistance in establishing the outer limits of their continental shelf beyond 200 nautical miles. Preparing the data and materials to be used in submissions to the Commission on the Limits of the Continental Shelf is a complex task, and many developing countries have faced challenges in preparing the necessary documentation. Norway has provided considerable technical assistance in that context. In September, Cabo Verde, the Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone jointly

submitted to the Commission documentation on the outer limits of their continental shelf beyond 200 nautical miles from the baselines. The preparations for the joint submission required extensive cooperation between the seven States. Norway has also provided technical and financial assistance to the Federal Republic of Somalia in preparing its submission to the Commission, which was presented in July.

Since the International Seabed Authority's first sessions in 1994 and 1995, Norway has followed its work closely. Today, Norway is pleased to see contractors and States demonstrating an increased interest in exploring the Area. However, some of the exploration licences are about to expire. During the forthcoming sessions of the Authority, important decisions will have to be taken regarding the development of a framework for mineral exploitation. Norway supports the work on the mining code as a key tool and prerequisite for any mineral activities in the Area.

Norway would like to stress that mineral-related activities in the seabed must not cause irreversible or unacceptable damage to the marine environment. One of the fundamental pillars of the mining code must be to have an appropriate level of environmental protection for the Area. Furthermore, Norway would like to point out that developing countries have legitimate expectations and rights under the Convention and the 1994 Agreement relating to the Implementation of Part XI of the Convention.

Norway is committed to the conservation and sustainable use of marine biodiversity, both within and outside areas of national jurisdiction. Norway remains open to negotiating a new implementing agreement under the United Nations Convention on the Law of the Sea that will add value to the existing international legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. A new agreement must be fully integrated into the established law-of-the-sea architecture. If that is the case, a new agreement could add value by strengthening cooperation and coordination within and among existing international and regional organizations, while respecting their mandates.

Finally, let me add a few points in response to what has been said by colleagues who spoke before me. As a country that lives off and is in close contact with the ocean, Norway is firmly committed to promoting healthy, productive, diverse and resilient marine

ecosystems. Maintaining healthy oceans is one of the keys to securing a healthy future, which is why there is a need for an ecosystem-based management of our living marine resources.

The General Assembly is an important arena for discussing the Law of the Sea issues. However, we do not believe that draft resolution A/69/L.29, on the oceans and the law of the sea, would benefit from singling out one specific species or a group of species, such as marine mammals, as was proposed this year. Such an approach is not justified factually, biologically or otherwise. Rather, in Norway's view, the conservation and management of specific species should be left to the relevant international and regional organizations. Norway hopes that the Ad Hoc Open-ended Informal Working Group, at its January 2015 meeting, will be able to recommend that the General Assembly launch negotiations on a new agreement as soon as possible.

Ms. Millicay (Argentina) (*spoke in Spanish*): Allow me at the outset to thank both coordinators, Ambassador Eden Charles of Trinidad and Tobago and Ms. Alice Revell of New Zealand, for having conducted the negotiation of the draft resolutions that are before the General Assembly today. I would also like to recognize the presence of Mr. Nii Odunton, Secretary-General of the International Seabed Authority, and of Judge Vladimir Golitsyn, President of the International Tribunal for the Law of the Sea.

My delegation reiterates, as it does every year in the Assembly, that the United Nations Convention on the Law of the Sea, which entered into force 20 years ago, is one of the greatest contributions to the strengthening of peace, security, cooperation and friendly relations among nations. The Convention is one of the international instruments with major economic, strategic and political implications. The objective of the negotiators of the Convention was to resolve all matters related to the law of the sea in a single instrument. Its provisions thus strike a delicate balance of rights and obligations of States that emerged after nine years of negotiations. That equilibrium must be safeguarded by all States, individually and as members of international organizations dealing in ocean affairs and other organizations.

This delicate balance must also be preserved when addressing the new challenges of the law of the sea in the processes established in the framework of the General Assembly, including the process on marine biological

diversity beyond areas of national jurisdiction and the negotiation of the post-2015 development agenda. Regarding the latter, my delegation has registered a reservation to goal 14 of the report of the Open Working Group on Sustainable Development Goals, as it does not accurately reflect the role of the United Nations Convention on the Law of the Sea, but we welcome the fact that resolution A/69/L.29 on oceans and the law of the sea before us today clarifies that role in several of its paragraphs, in particular the fourth and eighth preambular paragraphs. That is so because the Convention has a clearly universal character and is accepted as a binding norm even by non-parties, as it constitutes customary international law.

My delegation will in due time offer an explanation of position with regard to the draft resolution on sustainable fisheries (A/69/L.30), but allow me to refer to some of the issues addressed in that draft, as well as in that on oceans and the law of the sea.

The question of marine biodiversity beyond areas of national jurisdiction is one of the newest issues related to the law of the sea. The General Assembly decided to initiate a process with a view to ensuring the legal framework for the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction, which contemplates the possible negotiation of a multilateral agreement under the United Nations Convention on the Law of the Sea — that is, an implementing agreement of the relevant principles of the Convention.

The process taking place in the context of the Ad Hoc Open-Ended Informal Working Group, established by the General Assembly for that specific purpose, addresses the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction, in particular, jointly and as a whole, marine genetic resources, including the sharing of benefits, conservation measures, capacity-building and the transfer of technology. This year's meetings of the Working Group and the meeting to take place in early 2015 will result in a set of recommendations to the General Assembly on the feasibility, scope and parameters of a possible future agreement under the Convention. The aim is to contribute to the decision the General Assembly will have to adopt before the end of its sixty-ninth session concerning the convening of a conference to negotiate such an agreement. Argentina believes that an accord is needed both in regard to the parameters and scope of a possible agreement

as an essential preliminary step before the onset of negotiations.

Regarding the substance of the issue, my delegation reiterates that proper note must be taken that the conservation and sustainable use of the biological resources of areas beyond national jurisdiction are at stake, and that one of the Convention's objectives was to develop the principles embodied in resolution 2749 (XXV), of 17 December 1970, in paragraph 1 of which the General Assembly solemnly declared, *inter alia*, that

“[t]he seabed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction... as well as the resources of the area, are the common heritage of mankind”,

the exploration and exploitation of which shall be carried out “for the benefit of mankind as a whole”. Argentina, in full agreement with the Group of 77 and China in its ministerial declarations, believes that this principle is the basis for considering the issue and must be included in any future agreement.

Argentina wishes to acknowledge the Commission on the Limits of the Continental Shelf for its vigorous and continuous work, and in particular, following the Declaration on the thirtieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea of the Meeting of States Parties, for extending the duration of its sessions and those of its subcommissions. With more extended sessions, some challenges have arisen. One is the crucial need to ensure that the members of the Commission have health coverage while performing their duties. The draft resolution we will adopt provides an interim measure, but foresees a permanent solution for that issue, to which Argentina is committed. Another challenge is the need to provide members of the Commission with the physical space necessary to perform their duties during the sessions in New York. Their functions are very important to Member States, and we must ensure they have the means and conditions of service that correspond to the importance of their work.

We recognize the devoted work of Iceland, New Zealand and Kenya in leading the open-ended working group on the conditions of service of members of the Commission on the Limits of the Continental Shelf, and as we support the recommendations contained in the draft resolution, we will continue to work so that emerging challenges are resolved in an effective and

expeditious manner. We request the assistance of the Secretary-General in that regard.

Additionally, I would like to recall once again that the work of the Commission refers to the drawing up of the limit — that is to say the demarcation of the limit already established in article 76 — not to the rights of the coastal State, and that article 77, paragraph 3, of the Convention provides that the rights of the coastal State on the continental shelf do not depend on occupation, real or notional, or on any express proclamation. That reminder is reflected in the draft resolution on oceans and the law of the sea.

The International Tribunal for the Law of the Sea (ITLOS) is the independent legal institution created by the Convention. Since its establishment, the Tribunal has been seized of 22 cases, all of them referring to different aspects of the law of the sea. In addition to highlighting the advisory opinion issued in 2011 by the Seabed Disputes Chamber, my delegation would like to mention case No. 20, the “*ARA Libertad*” Case (*Argentina v. Ghana*), to which my country was a party, in which the Tribunal diligently issued a provisional measure for the release of frigate ARA Libertad, an Argentine warship, in the framework of arbitral proceedings that ended in an amicable solution with the Republic of Ghana. My country is especially pleased by that outcome.

Argentina has supported the work of the Tribunal since its establishment and is one of the 34 States parties that have accepted its jurisdiction. Today, Argentina welcomes the fact that ITLOS jurisprudence has been consolidated as the work of the specialized Tribunal on the law of the sea conceived at the time of the negotiation of the United Nations Convention on the Law of the Sea and welcomes its contribution to preserving the integrity of international law.

As regards the draft resolution on sustainable fisheries, my delegation must reiterate the need to not abandon the rule of all law of the sea negotiations, namely that of proceeding by consensus. At the sixty-fifth session, that rule was not followed with regard to the draft resolution on sustainable fisheries (A/65/L.21), and my delegation had to make an explanation of vote (see A/65/PV.59). We would like to recall the value of consensus in negotiating such resolutions.

With regard to the protection of vulnerable marine ecosystems, in particular the relevant paragraphs of resolution 61/105, resolution 64/72 and subsequent

resolutions, 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 for the full extent of that maritime area. Therefore, conservation and management of such resources is under the exclusive powers of coastal States, which have the responsibility to adopt the necessary measures regarding such resources and their associated ecosystems that could be affected by fishing practices that could have a destructive impact, including bottom trawling in the high seas.

In that regard, I am pleased to recall that Argentina has adopted measures for the conservation of the sedentary resources and vulnerable marine ecosystems for the full extent of its continental shelf. Paragraph 151 of the draft resolution on sustainable fisheries recalls, as every year, the exclusivity of the rights of the coastal State for the extent of its continental shelf. In addition to that, and with respect to the foregoing, paragraph 152 notes the conservation measures adopted by coastal States.

Finally, my country would like to reiterate its concern about an increasing trend towards trying to legitimize, through General Assembly resolutions, the attempts by regional fisheries management organizations to adopt measures beyond their spatial, material and personal scope of application. Argentina objects to General Assembly resolutions being thus interpreted, in particular with respect to measures through which such organizations claim some kind of claim of authority over vessels flying the flag of countries that neither are members of such organizations nor have consented to such measures, as that would contradict one of the basic norms of the law of treaties.

Argentina also expresses concern at the attempts to legitimize, through the pronouncements of the Assembly, the actions of groups of States — some of which have a regulatory intention — with regard to the marine biological diversity beyond areas of national jurisdiction, when there is no universally agreed legal framework allowing for such actions.

As we do every year when we consider the reports of the Secretary-General on oceans and the law of the sea and the two relevant draft resolutions, Argentina wishes to express its recognition to all the staff of the Division for Ocean Affairs and the Law of the Sea for their professionalism and devoted work and the

assistance that they spontaneously provide to Member States.

Mr. Emiliou (Cyprus): The Republic of Cyprus aligns itself with the statement delivered by the observer of the European Union and would like to make some additional remarks in its national capacity.

First of all, my delegation would like to extend its gratitude to Trinidad and Tobago and New Zealand for the successful conclusion of negotiations on the two draft resolutions, which, as every year, it is proud to sponsor.

In the draft resolution on oceans and the law of the sea (A/69/L.29), the Assembly notes with satisfaction that 16 November 2014 marks the twentieth anniversary of the entry into force of the United Nations Convention on the Law of the Sea and recognizes the pre-eminent contribution provided by the Convention to the strengthening of peace, security, cooperation and friendly relations among all nations in conformity with the principles of justice and equal rights and to the promotion of the economic and social advancement of all peoples of the world, in accordance with the purposes and principles of the United Nations, as set forth in the Charter of the United Nations. The draft resolution also emphasizes the universal and unified character of the Convention and reaffirms that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out. Significantly, this year's draft resolution repeats its call upon all States that have not done so to become parties to the Convention.

It is generally acknowledged that most of the provisions of the Convention have acquired the status of customary rules of international law and are thus binding on all States. Indeed, all those who value international legal order can attest to the fact that few conventions have contributed so much as the Convention to international peace and security. The substantive provisions of the Convention and its terms on the peaceful settlement of disputes are to that end indispensable, as they set out a comprehensive legal framework establishing a regime of law and order and rules governing all uses of the seas oceans and their resources.

In compliance with the Convention, Cyprus proclaimed its exclusive economic zone in 2004 and, pursuant to article 74, signed delimitation agreements of its exclusive economic zone with three of its

neighbouring countries on the basis of the principle of the median line. Based on the proclamation of the exclusive economic zone and the relevant delimitation agreements, Cyprus has exclusive sovereign rights and jurisdiction over its exclusive economic zone for the purposes set out in article 56 of the Convention. In addition, Cyprus has, as a matter of international law, inherent exclusive sovereign rights over the continental shelf covering the same area, which it exercises in conformity with Article 77 of the Convention. In particular, in relation to hydrocarbon resources, the Republic of Cyprus has exclusive sovereign rights, *inter alia*, for the purpose of exploration and exploitation in its exclusive economic zone and over its continental shelf. Such sovereign rights in the exclusive economic zone belong to internationally recognized States, not to communities or any other group within a State. It is our firm belief and a basic tenet of international legality that all States should mutually respect the lawful exercise of their neighbours' rights in the sea areas where each State has sovereignty or sovereign rights and/or exercises jurisdiction in accordance with the Convention.

It is my country's firm belief that cooperation among all of the States in the eastern Mediterranean for the purposes of achieving sustainable development and prosperity for the entire region can be a vehicle for regional cooperation and peace. This very ideal has been the driving force of my country's active pursuit of the conclusion of relevant bilateral agreements and partnerships with its neighbouring States. Cyprus is also active in proposing and participating in initiatives which promote regional cooperation particularly in the hydrocarbons sector, always in line with the Convention, and in full respect of each participating coastal State's sovereignty, or sovereign rights and jurisdiction in their respective maritime zones.

In reiterating the significance of the Convention through this year's draft resolution on oceans and the law of the sea, we strongly urge all States to act in accordance with international law and abstain from illegal acts in the exclusive economic zone of the Republic of Cyprus that constitute a violation of the sovereign rights of the Republic of Cyprus and of international law, and strongly call on all States to abstain from acting or threatening to act in contravention of Article 2, paragraph 4, of the Charter of the United Nations.

In congratulating all delegations once again on their contributions to this year's draft resolutions under agenda item 74, I thank the Assembly for its attention.

Ms. Bolaños Pérez (Guatemala) (*spoke in Spanish*): At the outset, my delegation would like to thank the Secretary-General for his report on the topic of oceans and law of the sea (A/69/71). My delegation also expresses its appreciation for the efforts and the dedication of two coordinators in their excellent work on the draft resolutions on oceans and the law of the sea (A/69/L.29) and on sustainable fisheries (A/69/L.30).

My delegation wishes to reaffirm the integrity of the United Nations Convention on the Law of the Sea (UNCLOS) as a legal framework within which all activities in the oceans and seas must be carried out. UNCLOS establishes the principles that underlie the actions of all users of the oceans. In considering the issue of conservation and the sustainable use of marine biodiversity in areas beyond national jurisdiction, it is essential that we not lose sight of the principles enshrined in the Convention, especially that of the shared heritage of humankind.

The oceans and seas of the world, along with the marine biodiversity they contain, are facing challenges in their struggle to resolve issues of conservation and sustainable use. The General Assembly has therefore embarked on a process to protect marine biodiversity located in areas beyond national jurisdictions with a view to taking a decision before the closing of the sixty-ninth session of the General Assembly on the development of an international instrument, in accordance with the provisions of the Convention.

Early next year will see the meeting of the Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. We therefore hope that progress will be made on this important issue with strong recommendations aimed at launching negotiations on an instrument for the implementation of UNCLOS. For Guatemala, maintaining the status quo is not an option. My delegation will therefore contribute decisively towards that end.

On the other hand, we warmly welcome the recognition, in the draft resolution on oceans and the law of the sea, of the existing linkage between these issues and sustainable development. The oceans provide an important basis for human development and progress.

The members of the international community must step up cooperation so as to address other emerging issues, such as ocean acidification and the commendable decision to incorporate oceans into the sustainable development goals. In this regard, we warmly welcome the timely statement in the draft resolution that the themes of the informal consultative process will be, for 2015, oceans and sustainable development and, for 2016, waste, marine debris and plastic.

In conclusion, we would like to express gratitude for the work of the Division for Ocean Affairs and the Law of the Sea. This office is responsible for a range of extremely important tasks, which it performs excellently despite facing resource constraints. The draft resolutions on oceans and the law of sea and on fisheries task the Secretariat with undertaking studies and preparing a number of reports on important aspects of ocean activity. We note that such requests are ever more frequent, significant and numerous. However, the result of the Division's work continues to be of the highest quality, which is evidence of the great efforts and competence of its entire staff.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): This year marks the thirtieth anniversary of the entry into force of the United Nations Convention on the Law of the Sea, of 1982. We join others in underscoring the historical significance of the Convention — a document that is undoubtedly unprecedented in its scale and its scope. This is the only universal international legal instrument comprehensively regulating all activities of States in the oceans of the world. The development and adoption of the Convention has been one of the most important achievements in the field of international law.

The Convention intentionally includes considerable flexibility, providing for its successful application in practice to the present day. The principles on which the document is based have proved themselves to be worthwhile. The Convention is alive and relevant and is made use of by the international community. We are in favour of preserving its integrity and strengthening the regime of the Convention and the proper implementation of its provisions. We call on States that have not yet done so to become parties to the Convention.

The draft resolutions before us today, on oceans and the law of the sea (A/69/L.29) and on sustainable fisheries (A/69/L.30), are the fruit of extensive consultations which achieved a complex compromise.

I would like to express my sincere gratitude to the coordinators of the informal consultations, Mr. Eden Charles and Ms. Alice Revell, as well as to the Division for Ocean Affairs and the Law of the Sea of the Secretariat, for their efforts and highly professional contribution to the preparation of the documents.

We thank the Secretary-General for his substantive report on oceans and the law of the sea submitted to the General Assembly (A/69/71).

The Russian Federation attaches great importance to the work of the bodies established in accordance with the United Nations Convention on the Law of the Sea of 1982: the International Tribunal for the Law of the Sea, the Commission on the Limits of the Continental Shelf and the International Seabed Authority.

We welcome the adoption by the Commission of positive recommendations relating to the extension of the continental shelf of our country in the Sea of Okhotsk. We are grateful to the Commission for its productive work and constructive cooperation with the Russian delegation at all stages of the review of its application. Work is being completed on the preparation of a revised partial submission by the Russian Federation in relation to the Arctic Ocean, which Russia plans to submit to the Commission shortly.

The significant increase in the workload of the Commission poses a challenge. We are in favour of providing the Commission with the resources necessary for the effective implementation of its mandate, and we support the activities of the Open-ended Working Group on the Conditions of Service of the Members of the Commission. We call on all delegations and on the Secretariat to step up their joint efforts to find effective ways that in the long term can optimize the activities of the Commission.

We are pleased to note today the recent selection of someone who is well known to everyone in this Hall — Judge Vladimir Golitsyn — as President of the International Tribunal for the Law of the Sea. We congratulate him warmly on his assumption of this very responsible and important post. We are certain that his extensive, wide-ranging experience, his high level of authority and his professionalism will ensure the dynamic and effective functioning of the Tribunal.

We welcome the discussions held during the fifteenth session of the Open-ended Informal Consultative Process on oceans and the law of the sea

and the specific issue of the role of seafood in global food security. Once again, we note that this forum has reaffirmed its significance and its important practical contribution to a deeper understanding of the world's oceans. The Process remains a useful format, and its practice of regular meetings should be continued.

We support the preservation and sustainable use of marine resources in accordance with the 1982 Convention and therefore cannot support any initiative that would lead to the arbitrary limitation of marine activities in the absence of relevant reliable international scientific or legal justifications.

We are closely following the discussions being held in 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. We reaffirm the preparedness of our delegation to continue to constructively participate in the activities of the Group. We still deem it unwise to introduce successive limitations to the fisheries industry in the open seas. The main mechanisms in this area should, in our view, be established by the relevant regional fishing organizations on the basis of comprehensive scientific data.

The objective of improving measures to combat illegal, unreported and unregulated fishing is worthy of support, and we welcome the recent initiatives of the International Maritime Organization (IMO) and the Food and Agriculture Organization of the United Nations in this area, including the establishment of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels. We stress the importance of the United Nations 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, and we call on all States that have not yet done so to consider acceding to it. The Russian delegation welcomes the idea of holding once again, in 2016, a review conference on the implementation of the Agreement, and we intend to actively participate in its work.

In conclusion, our delegation would like to reaffirm its commitment to further cooperate with the signatories to the 1982 Convention and other States in the interests of the effective implementation of its provisions and the

conservation and rational use of the resources of the oceans and seas.

Mr. Shapoval (Ukraine): I wish to thank the Secretary-General for the wide-ranging elements of his reports on oceans and the law of the sea (A/69/71 and A/69/71/Add.1). Our appreciation also goes to the Division for Ocean Affairs and the Law of the Sea for its able leadership during the informal consultations on the draft resolutions, as well as to the coordinators of those drafts.

Ukraine is strongly committed to the effective implementation of international law applicable to the oceans and seas, as reflected in the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The role of UNCLOS is of paramount importance for the wide range of maritime activities.

We remain committed to our obligations under international law in the field of maritime shipping. However, owing to the ongoing occupation of part of our territory, the Crimean peninsula, which is preventing Ukraine from securing the appropriate management of Crimean seaports, the Government of Ukraine took the decision to close down, beginning from 15 June 2014, all seaports in the territory of Crimea, namely, those of Kerch, Sevastopol, Feodosia, Yalta and Yevpatoria. All States members of the International Maritime Organization (IMO) were duly notified of that decision through the IMO secretariat. The decision will remain in force until the constitutional order of Ukraine on the temporarily occupied territory of Crimea and the city of Sevastopol is fully restored.

In this regard, Ukraine proceeds from the understanding that all flag States, ship owners and ship captains are aware of this measure and realize all of the risks associated with calling at those seaports. We wish to recall that in its resolution 68/262, entitled "Territorial integrity of Ukraine", adopted on 27 March 2014, the General Assembly called upon all States, international organizations and specialized agencies not to recognize any alteration of the status of the Autonomous Republic of Crimea and the city of Sevastopol on the basis of the "referendum" and to refrain from any action or dealing that might be interpreted as recognizing any such altered status.

It is in that light that Ukraine considers the calling of ships under foreign flags at those seaports a violation of international law and the national law of Ukraine, undermining the sovereignty of our

country and entailing responsibility on the part of ship owners, operators and captains, including criminal responsibility for such acts.

We wish to refer to article 94 of the United Nations Convention on the Law of the Sea, which stipulates that every State effectively exercises its jurisdiction and control in administrative, technical and social matters over ships flying its flag. Thus the Ukrainian side expects the competent authorities of all States Members of the United Nations to apply appropriate mechanisms of influence on owners and operators of ships flying their national flags in order to ensure their strict compliance with international law and the national law of Ukraine with regard to the closure of seaports located in the territory of Crimea.

Let me now turn to another subject that is of a particular importance to Ukraine: countering maritime piracy and armed robbery at sea. We are encouraged by the further development and reinforcing of initiatives aimed at strengthening cooperation between Member States and the relevant international bodies in developing national legislation on piracy and securing the effective implementation of existing international instruments in this field. Sustainable results in the fight against piracy cannot be achieved without fighting impunity and bringing to justice the perpetrators of acts of piracy, as well as their organizers and facilitators on land.

New challenges to maritime safety and security are emerging, and a lot of work is still ahead of us. While welcoming the significant decrease in the number of reported incidents of piracy off the coast of Somalia, which is at its lowest level since 2006, we express our growing concern over the high number of incidents of piracy and armed robbery at sea in the Gulf of Guinea, in particular violence against innocent crew members. In that regard, we look forward to working closely with all interested stakeholders on the implementation of resolution A.1069(28) of the IMO Assembly on the prevention and suppression of piracy and armed robbery against ships and illicit maritime activity in the Gulf of Guinea.

Current statistics show that the majority of attacks against ships worldwide occurred or were attempted in port areas. In that light, Ukraine urges coastal States, flag states and the industry to make everything possible to ensure the safety and security of maritime shipping, especially in the listed regions.

Lastly, along with fighting piracy at sea, further measures must be taken to address the impacts of piracy on its victims — seafarers and their families. As one of the major States of origin of seafarers, Ukraine is actively engaged in cooperation between Member States, the IMO, the International Labour Organization and other actors aimed at developing measures to protect the welfare of seafarers who are victims of pirates, including their post-incident treatment and reintegration into society.

Mr. Diener Sala (Mexico) (*spoke in Spanish*): I would first like to commend the coordinators of today's draft resolutions to be adopted by the General Assembly, Ambassador Eden Charles of Trinidad and Tobago, for the omnibus draft resolution on oceans and the law of the sea (A/69/L.29), and Ms. Alice Revell of New Zealand, for the draft resolution on sustainable fisheries (A/69/L.30). There can be no doubt that thanks to their efforts and talent, we will be able to reach a consensus on these draft resolutions, which are among the most complex adopted every year in the Assembly.

My delegation would like to express its appreciation for the work of the International Seabed Authority and its Secretary-General, Mr. Nii Odunton, who is here today. We would also like to single out for recognition the work of the International Tribunal for the Law of the Sea and the recent election of its new President, Mr. Vladimir Golitsyn. It is an honour for Mexico that this year one of our most renowned jurists, who contributed to the drafting of the United Nations Convention on the Law of the Sea, Mr. Alonso Gómez-Robledo Verduzco, became a member of the Tribunal, and we are grateful to the huge number of countries that recognized Mexico's long-standing commitment to the Convention by voting for our candidate.

I would now like to discuss three specific points reflected in the omnibus draft resolution, which, taken together, demonstrate its relevance to the implementation of the Convention on the Law of Sea. Mexico would like to acknowledge the support of the delegations that recognized the importance of the workshop organized by the International Seabed Authority jointly with my country's Government on exploring opportunities for Mexico in mining the international seabed and deep-sea exploration.

From my delegation's perspective, humankind's common heritage of the Area cannot be effectively utilized through a system for sharing in its benefits

without working to promote the widest possible participation by States in exploring and exploiting resources, in full respect for the principle of the protection of the maritime environment. In that regard, the workshop was an opportunity for relevant bodies and representatives of the private sector and Mexican academia to observe the opportunities to be derived from scientific research and the exploration and future exploitation of mineral resources in the Area. We believe it is important that similar exercises be conducted in other developing countries in order to promote wider participation in exploiting deep-sea resources.

The delegation of Mexico commends the balanced text agreed on in the draft resolution on the mandate of the Ad Hoc Open-ended Informal Working Group on the scope, parameters and feasibility of an international instrument under the Convention on marine biodiversity beyond areas of national jurisdiction. We take this opportunity to thank Ambassadors Palitha Kohona and Liesbeth Lijnzaad for their tireless efforts in leading our discussions. We welcome the recent distribution of a document compiling Member States' points of view on the feasibility, scope and parameters of a new instrument governing the issue (A/69/177, annex).

The Government of Mexico believes that such an instrument is essential rather than optional. The oceans are currently in a state of crisis, thanks to the ravages of human activity. Overfishing, climate change and ocean acidification are having serious consequences whose magnitude is still unpredictable. New exploration and exploitation of marine resources in areas beyond national jurisdiction promise an opportunity, but also involve risks, some of which are clear and should always be approached with systematic caution and a view to preserving the marine environment. In that regard, it is crucial that in accordance with the mandate of the outcome document of the 2012 United Nations Conference on Sustainable Development, "The future we want" (resolution 66/288, annex), at its most recent meeting the Informal Working Group recommended that the General Assembly adopt a mandate on negotiating an agreement under the Convention on the Law of the Sea.

In the past few years, a spirit of cooperation and rapprochement among delegations has enabled us to reach significant thematic agreements, identifying the four areas that form a package that is a starting point for the negotiations. We believe that is a big step forward, and it is vital that States recognize the importance

of continuing to work together in order to adopt an instrument that will be fundamental to ensuring certainty and security for States and third parties in their activities in areas beyond national jurisdiction and will enable us to observe the principles of the Convention on preserving the marine environment on a comprehensive juridical basis in full recognition of the freedom of the seas and the common heritage of humankind.

Finally, I would like to draw the Assembly's attention to the agreements on the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which my country supports in the belief that it has created a major venue for identifying some of today's most important issues relating to the subject, and whose contributions are fully covered in the text of the draft resolution. Concerning the topics chosen for discussion, we believe that both were extremely important and have not only contributed to the debate process on the subject but will also be useful to future proceedings within the United Nations and other international bodies. The discussions both before and during the meeting of the Informal Consultative Process have improved our understanding of the oceans' contribution to sustainable development, particularly for developing countries that are significantly dependent on marine resources, such as small island developing States, which have brought commitment and energy to their participation in the negotiations on both the draft resolutions.

My delegation believes that the debate on oceans and sustainable development around its three pillars — environmental, social and economic — will enable us to comprehensively tackle the impact we are witnessing year after year, and will contribute to other important current discussions, such as that on the post-2015 development agenda. However, it is also vital that the direction of the discussions be clearly defined, in order to avoid an overly general debate that could be an obstacle to achieving concrete results.

In other considerations, Mexico proposed including the subject of marine debris, plastics and microplastics. We are grateful to the European Union for putting together a proposal that will enable us to do a joint presentation on the subject, and to the United States, Canada, Norway and the other States that share our concern about ensuring that the resolution better reflects an element that is visibly so relevant to such an important subject and that should be discussed within

this process. We believe that within the framework of global efforts to control ocean contamination, beyond those already aimed at controlling oil spills and normal contamination from shipping, it is essential that we work to prevent contamination produced by land-based activities, such as inadequate disposal of such wastes and the harmful effects they have on living marine resources. The issue of plastics and microplastics is particularly important, since they are extremely long-lasting and have a significant effect on marine fauna. It is therefore essential to include this provision on solid waste and to ensure that such waste is disposed of so as to prevent it from accidentally reaching the marine environment. Systems exist for addressing the causes so as to prevent as little damage as possible, and they must be implemented.

In conclusion, the Mexican delegation wishes to express its appreciation for the high-quality work performed, as always, by the Division for Ocean Affairs and the Law of the Sea, as well as the work of all those organizations established by the United Nations Convention on the Law of the Sea, the workload which has dramatically increased in recent years in the face of current and future challenges.

Mr. Pham Quang Hieu (Viet Nam): Two years ago, we celebrated the thirtieth anniversary of the adoption of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). Today at this meeting, Viet Nam joins other delegations in celebrating the twentieth anniversary of the entry into force of the Convention. It is truly significant, not only for the States parties but also for all other States that have not become parties to the Convention, to witness how the Convention has provided for the regulation and management of all ocean-related issues over the past two decades.

I should like to thank the Secretary-General for his report (A/69/71), which contains important information and analyses regarding developments and issues related to ocean affairs and the law of the sea. I should also like to highly value the efforts of the Working Groups in submitting reports and recommendations on various issues, including the role of seafood in global food security; the state of the marine environment, including socioeconomic aspects; and the conservation and sustainable uses of marine biodiversity beyond areas of national jurisdiction. These documents have further confirmed the belief that economic development must go in tandem with environmental protection and conservation.

On this occasion, I should also like to express my Government's gratitude to the States that have supported Viet Nam's quest for membership in the International Hydrographic Organization.

UNCLOS embodies the efforts of all nations to build a comprehensive legal order for the oceans and seas. For the past 20 years, UNCLOS has remained the most important legal document that governs all activities in the oceans and seas with a view to promoting the peaceful development of the oceans and to preserving the marine environment. In a similar vein, UNCLOS also provides for a comprehensive and effective dispute-settlement system, which offers States parties an important peaceful means for the settlement of their maritime disputes, thereby protecting their legitimate interests, as well as the interests of the international community. Furthermore, taking into account the fact that all oceans issues are closely related, UNCLOS has also established an effective mechanism for international cooperation in different fields from optimum exploitation of living resources and the preservation of the marine environment to the management of the international seabed in the interests of humankind.

As a matter of general international law, every treaty must be implemented in good faith. That is also clearly written into the Convention. Viet Nam considers it imperative that all nations uphold the provisions of UNCLOS in good faith and in a responsible manner, which includes respect for the legitimate rights and interests of the coastal States in their maritime zones, established in accordance with the Convention. As a responsible party to the Convention, Viet Nam is fully aware of the importance of maintaining peace and stability and developing oceans sustainably. Therefore, Viet Nam supports the General Assembly in paying due and timely attention to sustainable development, the conservation of marine diversity, and the effective utilization of ocean resources for the common development of humankind.

Viet Nam was among the first countries to sign the Convention at Montego Bay, Jamaica, on 30 April 1982. Since then, Viet Nam has always actively participated in all activities within the framework of the Convention and made every effort to fully perform its obligations under the Convention. One of those many efforts was the adoption of the Law of the Sea of Viet Nam in 2012. That important legislation integrates the provisions of UNCLOS into our national legal system and articulates the different maritime zones under the sovereignty and jurisdiction of Viet Nam. We strongly believe that the adoption of the Law of the Sea of Viet Nam is vivid testimony to Viet Nam's respect for and compliance with the international law of the sea, as enshrined in UNCLOS.

It is obvious that oceans boast valuable resources for humankind, which call for peaceful and sustainable utilization and international cooperation. But the oceans can also become a theatre for competition and confrontation, thus threatening international peace and security, especially when countries are pursuing and advancing invalid claims to the detriment of the legitimate and rightful interests of other States.

Viet Nam is seriously concerned about recent developments in the South China Sea. We urge all countries of the region to refrain from the threat or use of force and from activities that may further complicate the situation. We request all parties concerned to resolve their disputes in the South China Sea by peaceful means on the basis of good faith and in accordance with international law, especially UNCLOS. Viet Nam also calls on the States members of the Association of Southeast Asian Nations and China to fully and effectively implement all the provisions of the Declaration on the Conduct of Parties in the South China Sea and to work towards the early conclusion of a code of conduct of parties in the South China Sea, thereby contributing to the maintenance of peace, stability and security in the region.

The meeting rose at 1 p.m.