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Official Records

President: Mr. Muhammad-Bande (Nigeria)

In the absence of the President, Mr. Dogan (Croatia), Vice-President, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 74 (continued)

Oceans and the law of the sea

(a) Oceans and the law of the sea

Reports of the Secretary-General (A/74/70 and A/74/350)

Report on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects (A/74/315)

Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its twentieth meeting (A/74/119)

Draft resolution (A/74/L.22)

(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/74/L.21)

Ms. Cerrato (Honduras) (*spoke in Spanish*): At the outset, my delegation wishes to thank the Secretary-General for his reports prepared on the agenda item “Oceans and the law of the sea” (A/74/70 and A/74/350).

As a State party to the United Nations Convention on the Law of the Sea (UNCLOS) since October 1993, Honduras recognizes the Convention as the legal framework within which all activities in the oceans and seas must be conducted. We acknowledge the strategic importance of the Convention as the basis for activities and cooperation in the marine sector at the national, regional and global levels.

As we commemorate the twenty-fifth anniversary of the entry into force of the Convention, my delegation is aware of its historical significance as an important contribution to the maintenance of peace, justice and progress for all the peoples of the world, in accordance with the purposes and principles of the Charter of the United Nations and the objectives set out in the 2030 Agenda for Sustainable Development.

It is important to highlight the negotiation process that is currently under way towards the adoption of a legally binding instrument within the framework of UNCLOS relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. Honduras reaffirms the pertinent need to comply with the agreed deadline to finalize

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the treaty negotiations by the end of 2020. The determination, motivation and commitment shown by delegations in the process has enabled us to achieve sustained technically oriented progress towards the implementation of Sustainable Development Goal 14. For that reason, Honduras urges the continuation of the constructive work being carried out during the sessions of the intergovernmental conference until the treaty negotiations are concluded.

Honduras' priorities include continuing to develop national programmes and strategies to eliminate the use of plastic and its disposal in the seas and oceans, so as to achieve a healthy marine environment. Likewise, my country shares the urgency of mitigating the impacts of climate change, marine pollution, ocean acidification, habitat destruction, river basin degradation, overfishing, loss of biodiversity, unregulated aquaculture and sea-level rise.

Moreover, we underscore that concerted action is still essential for the protection of underwater cultural heritage and in order to achieve gender equality and the empowerment of women in all ocean-related sectors. In that connection, I would like to recall that, in June, the Honduran island of Roatán hosted the fifteenth Meeting of the Contracting Parties to the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, held on the theme "Protecting our Caribbean Sea and our sustainable future". In addition, Honduras co-sponsored resolution 73/292, adopted on 9 May, on the 2020 United Nations Conference to Support the Implementation of Sustainable Development Goal 14, to be held in Lisbon in June 2020. We thank Portugal and Kenya for their leadership of the coordination efforts.

In conclusion, my delegation congratulates and thanks the countries that have contributed to research and training initiatives under various programmes within the framework of the bodies established under UNCLOS by providing scholarships for students from Member States. We encourage that those benefits be increased for developing countries in order to achieve the objectives regarding the sustainable use of the oceans.

As reflected in the 2030 Agenda for Sustainable Development and the Addis Ababa Agenda for Action, some middle-income countries, including Honduras, face significant challenges in achieving sustainable development. As a coastal country with island territory,

Honduras shares many challenges with small island developing States and least developed countries. We therefore require capacity-building and increased scientific marine knowledge in our academic and national research centres in order to contribute to decision-making and improve the exchange of scientific data and best practices on oceans and climate change.

Ms. Pierce (United States of America): My delegation is pleased to co-sponsor draft resolution A/74/L.22, on oceans and the law of the sea. The United States underscores the central importance of international law, as reflected in the United Nations Convention on the Law of the Sea, whose universal and unified character is emphasized in the draft resolution. As we see attempts to impede the lawful exercise of navigational rights and freedoms under international law, it is more important than ever that we remain steadfast in our resolve to uphold those rights and freedoms.

Among the places where the freedom of the seas is most threatened is the South China Sea. The assertion of unlawful and sweeping maritime claims, including through ongoing intimidation and coercion against long-standing oil and gas development and fishing practices by others, threatens the rules-based regime that has enabled the region to prosper. Our position on the South China Sea, and elsewhere in the world, is simple: the rights and interests of all nations, regardless of size, power and military capabilities, must be respected. In that regard, we call on all States to resolve their territorial and maritime disputes peacefully and free from coercion; to fashion their maritime claims and conduct their activities in the maritime domain in accordance with international law, as reflected in the Convention; to respect the freedoms of navigation and overflight and other lawful uses of the sea that all users of the maritime domain enjoy; and to settle disputes peacefully in accordance with international law.

The United States values the platform that the General Assembly provides to elevate those important issues. The annual oceans and law of the sea draft resolution serves as an opportunity for the global community to identify key ocean issues and develop constructive ways to address them. In particular, we appreciate that this year's draft resolution recognizes many of the robust global and regional efforts to combat marine debris, which imposes significant social and economic costs and threatens marine ecosystems. We are also pleased that this year's draft resolution

supports the United Nations Decade of Ocean Science for Sustainable Development by highlighting the contributions of the 2019 informal consultative process on oceans and the law of the sea towards planning for the Decade, to begin in 2020. Ocean science, ocean observation and ocean exploration are key to understanding the full breadth of the ocean's bounty.

Turning to sustainable fisheries, the United States values deeply the important work being done throughout the world on sustainable fisheries management, which helps to support economic activity and healthy marine ecosystems. We wish to call particular attention to new language in this year's draft resolution related to enhancing fishing vessel safety, improving labour conditions and addressing illegal, unreported and unregulated fishing, including by encouraging collaboration between the Food and Agriculture Organization of the United Nations, the International Labour Organization and the International Maritime Organization. This year's draft resolution also recognizes the valuable contributions of women to the fisheries sector, as well as the challenges they face.

We would also like to draw attention to the paragraphs that emphasize the importance of effective performance reviews of regional fisheries management organizations and reflect the productive discussions held at the fourteenth round of informal consultations of States parties to the United Nations Fish Stocks Agreement. We look forward to continuing substantive discussions at next year's informal consultations on the implementation of an ecosystem approach to fisheries management and to preparing for the next session of the resumed Review Conference of the Agreement. Next year, as called for by the General Assembly, we will also focus on reviewing actions to address the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks, with a view to ensuring the full implementation and strengthening of commitments where necessary.

With regard to both draft resolution A/74/L.22 and A/74/L.21, we refer members to our remarks delivered on 21 November 2018 regarding our position on the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda, technology transfers, the Paris Agreement and climate change, and reports of the Intergovernmental Panel on Climate Change.

Before concluding, we would like to congratulate the Government of Norway for hosting another

successful Our Ocean Conference, at which participants announced commitments worth more than \$63 billion to address key issues facing the ocean. The United States announced 23 new commitments, worth approximately \$1.21 billion, to promote sustainable fisheries, combat marine debris and support marine science, observation and exploration. We look forward to the 2020 Our Ocean Conference in Palau, as well as the 2021 conference in Panama.

We would also like to express our appreciation for the important leadership of Ambassador Rena Lee of Singapore in her role as President of the intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. We look forward to working with delegations as the intergovernmental conference continues and hope to have a broadly supported outcome that takes into account the views of all delegations.

We would like to thank the coordinators of the informal consultations on both draft resolutions, namely, Ms. Natalie Morris-Sharma of Singapore, for her outstanding coordination of the oceans draft resolution and, in particular, for her encouragement of efforts to update and reorganize the draft resolution, and Mr. Andreas Kravik of Norway, who patiently guided Member States through a challenging but ultimately constructive and successful negotiation. We would also like to thank the Division for Ocean Affairs and the Law of the Sea for its expertise and hard work throughout the consultations on both draft resolutions. In particular, we would like to thank the Director of the Division for her tireless and exemplary leadership and service.

Finally, we would like to express our appreciation for delegations' hard work and cooperation in negotiating 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 for the ocean and for fisheries.

Mr. Machida (Japan): At the outset, I would like to thank Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Kravik of Norway for their excellent coordination on the two draft resolutions (A/74/L.22 and A/74/L.21) under agenda item 74, entitled "Oceans and the law of the sea". Japan also wishes to express its

appreciation for the contributions of our fellow Member States and for the invaluable support of the Division for Ocean Affairs and the Law of the Sea.

This year we celebrate the twenty-fifth anniversary of the entry into force of the United Nations Convention on the Law of the Sea (UNCLOS). Japan supports the universality of UNCLOS, which regulates the freedom of navigation, freedom on the high seas, the peaceful settlement of disputes and the protection and preservation of the marine environment. We firmly believe that the entire international community is responsible for and can benefit from promoting and developing an ever-more predictable maritime order under UNCLOS.

In that connection, we would further like to stress the importance of open seas and the rule of law as the basis for peace and prosperity in every part of the oceans of the world, including the South China Sea. We embrace the international law of the sea, based primarily on UNCLOS, as indispensable for securing our maritime rights and interests and ensuring that maritime activities are undertaken smoothly. We will continue to make every effort to promote and maintain a free and open Indo-Pacific region. This year's draft resolution on oceans and the law of the sea confirms our commitment to a rules-based maritime order and covers a wide range of oceanic issues. Japan is pleased to co-sponsor the draft resolution. Japan remains engaged on promoting the law of the sea. Let me mention some examples in that regard.

Japan co-hosted symposiums in Hamburg and Tokyo in October to celebrate the twenty-fifth anniversary of UNCLOS. We will continue to proactively contribute to the international order at sea, which UNCLOS clearly sets out, and to the propagation of the rule of law at sea. Japan has been contributing actively through both human and financial resources to international organizations established under UNCLOS. This year, the Deep Ocean Resources Development Company, a Japanese contractor, offered a training programme including onboard training at sea for candidates from developing States in order to support developing countries' capacity-building and help them acquire practical, hands-on skills to enable their full participation in the exploitation of the deep seabed. Japan hopes that those trainees will take full advantage of that opportunity and play active roles in the maritime affairs in their home countries.

Japan recognizes the importance of conserving the marine biological diversity of areas beyond national jurisdiction. We support the development of a well-balanced, effective and universal legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction and have actively contributed to the discussions in that regard.

At the Osaka Summit of the Group of Twenty (G-20), we shared our Osaka Blue Ocean Vision and endorsed the new G-20 implementation framework for actions on marine plastic litter to tackle the issue of marine plastic waste on a global scale. Japan has taken on a leading role in those initiatives with a view to stopping additional marine pollution.

Japan attaches great importance to combating illegal, unreported and unregulated (IUU) fishing, which threatens the sustainable use of living marine resources. In the G-20 Osaka leaders' declaration, we recognized the importance of addressing IUU fishing to ensure the sustainable use of marine resources and conserve the marine environment, including its biodiversity. We also reaffirmed our commitment to eliminating IUU fishing. As Japan places strong emphasis on the rule of law in the Arctic, we actively participated in the negotiation of the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean, acceding to it this year. In addition, as recognized in this year's sustainable fisheries draft resolution, we underscore the importance of major port States becoming parties to the Agreement on Port State Measures. The significance of the Agreement in addressing IUU fishing cannot be overstated. We encourage States that have not yet joined the Agreement to do so.

In October, Japan presented various concrete measures at the sixth Our Ocean Conference, including our MARINE Initiative towards the Realization of the Osaka Blue Ocean Vision, so as to advance effective actions to combat marine plastic litter. To enhance its maritime domain awareness capabilities, Japan has put in place maritime domain awareness situation indication linkages, which enable us to better understand marine security and in turn help ensure safe maritime activities and maintain the openness and stability of the oceans. In addition, Japan is providing capacity-building assistance to marine law enforcement agencies to combat maritime crimes and is continuing its efforts to address IUU fishing. We look forward to further continuing our

contributions at the seventh Our Ocean Conference, to be held in Palau next year. As a member of the High-level Panel for a Sustainable Ocean Economy, Japan has proactively engaged in discussions and will continue to work with other countries in preparation for the 2020 United Nations Ocean Conference.

We appreciate the role of the Committee on Fisheries of the Food and Agriculture Organization, the only specialized agency of the United Nations with technical expertise on fisheries. As one of the first Vice-Chairs of the Committee, Japan will further contribute to international discussions on living marine resources.

In conclusion, let me reiterate Japan's hope that the draft resolutions before us, which are the result of intensive and cooperative work by Member States, will be duly adopted by the General Assembly.

Ms. Zolotarova (Ukraine): The delegation of Ukraine aligns itself with the statement delivered by the observer of the European Union (see A/74/PV.42) and would like to make a few remarks in its national capacity.

Ukraine is pleased to join many others today in co-sponsoring the draft resolution entitled "Oceans and the law of the sea" (A/74.L.22). We would like to express our appreciation for the excellent stewardship demonstrated by the facilitators of the draft resolution.

Despite the progress made by the international community to address the challenges facing the oceans, the health, resilience and productivity of the oceans continue to deteriorate. Moreover, the increased cumulative impacts of human activities have led to an unprecedented decline in marine biodiversity and in the health of marine ecosystems. It is therefore of paramount importance that we pay more attention to these problems and take concrete steps to address them. We would like to echo the latest report of the Secretary-General on the Oceans and the law of the sea (A/74/350), which emphasizes that international cooperation is crucial to successfully addressing the challenges facing the oceans, including those of the people who depend on the oceans.

We acknowledge the need for enhancing ocean governance as a cornerstone for preserving and protecting the marine environment and biodiversity, as well as ensuring peaceful relations among States. The United Nations Convention on the Law of the Sea (UNCLOS) establishes the overarching legal framework

within which all activities in the oceans and seas must be carried out. By setting out a legal order for the seas and oceans, the Convention continues to contribute to the peace, security, cooperation and friendly relations among all nations, as well as to sustainable development.

The Convention requires States parties to settle any dispute among them concerning the interpretation or application of the Convention by peaceful means. Consistent with Article 33 of Charter of the United Nations and article 279 of UNCLOS, Ukraine has strived to peacefully resolve its dispute with Russia. Since early 2014, Russia has engaged in numerous blatant violations of Ukraine's rights under UNCLOS and other relevant rules of international law; has unlawfully excluded Ukraine from exercising its maritime rights in the Black Sea, the Sea of Azov and the Kerch Strait; has exploited Ukraine's sovereign resources in those waters for its own ends; and has usurped Ukraine's right to regulate its own maritime areas in those waters.

Through those violations of international law, Russia is, among other things, stealing Ukraine's offshore hydrocarbons and fisheries resources, harming the livelihoods of Ukrainian fishermen and interfering with navigation, including the navigation of vessels heading through the international Kerch Strait and towards Ukrainian sea ports in the Sea of Azov. On 16 September 2016, Ukraine served on the Russian Federation a notification and statement of claim under annex VII to UNCLOS referring to a dispute concerning coastal State rights in the Black Sea, the Sea of Azov and the Kerch Strait.

On 19 February 2018, Ukraine filed a memorial through the Permanent Court of Arbitration with the International Tribunal for the Law of the Sea establishing that Russia has violated Ukraine's sovereign rights in the Black Sea, the Sea of Azov and the Kerch Strait. On 31 August 2018, the Tribunal hearing Ukraine's case against the Russian Federation under the Convention on the Law of the Sea published a procedural order determining that it would rule on certain jurisdictional objections raised by the Russian Federation in a preliminary phase of the proceedings. Ukraine does not believe that the Russian Federation's jurisdictional objections are plausible or that they will be accepted by the Tribunal.

Moreover, on 25 November 2018, Russia engaged in a new wave of violations of UNCLOS by blocking, attacking, detaining and seizing Ukrainian military

vessels in the Black Sea and near the Kerch Strait. Such actions constitute grave violations of UNCLOS provisions that regulate territorial waters, international straits and exclusive economic zones.

On 1 April 2019, the Ukrainian party, in accordance with the United Nations Convention on the Law of the Sea, notified the Russian Federation about a dispute concerning the immunity of three naval vessels and 24 servicemen on board. According to the order of the International Tribunal for the Law of the Sea of 25 May 2019, Russia was obliged to immediately return the vessels to the custody of Ukraine. It took Russian almost half a year to return them.

Today Russia continues to violate UNCLOS, denying the immunity of the servicemen and continuing to prosecute them based on actions taken while they were on board the Ukrainian naval vessels. On 21 November 2019, the procedural hearings by the Arbitral Tribunal under annex VII to the United Nations Convention on the Law of the Sea in the case concerning the detention of three Ukrainian naval vessels and the 24 servicemen on board took place. The immunity of warships is the fundamental principle of international customary and maritime law. Nobody has the right to violate it, and, in the case of its violation, one should bear full responsibility.

In that regard, we call upon the Russian Federation to comply with international law, implement the relevant General Assembly resolutions and return, unconditionally and without delay, all equipment and weapons seized from the released vessels — the *Berdyansk*, the *Nikopol* and the tugboat *Yana Kapu* — to the custody of Ukraine.

We would like to stress that much greater efforts are necessary by Member States to achieve the targets of Sustainable Development Goal 14, including through enhanced international cooperation and coordination, increased capacity-building and the transfer of technology to developing States, and that, in order to be cohesive, effective and long-lasting, such efforts must be undertaken within the context of the legal framework set out by UNCLOS.

In conclusion, we would like to express our gratitude to the Secretariat and to the Division for Ocean Affairs and the Law of the Sea for their work and constant support throughout the year.

Mr. Park Chull-Joo (Republic of Korea): At the outset, I would like to thank the Secretary-General for his comprehensive report (A/74/350) on oceans and the law of the sea. My appreciation also goes to our facilitators from Singapore and Norway for their excellent work in coordinating draft resolutions A/74/L.21 and A/74/L.22, which are before us today. The Republic of Korea actively participated in the informal consultations on the draft resolutions and is pleased to be a sponsor of the draft resolutions on oceans and the law of the sea. My delegation takes this opportunity to express its sincere thanks to Ms. Gabriele Goettsche-Wanli, Director of the Division for Ocean Affairs and the Law of the Sea (DOALOS), for her dedicated work and invaluable assistance to Member States throughout her career at DOALOS.

Oceans, seas and coastal areas form an integrated and essential component of Earth's ecosystem. Conservation and the sustainable use of the oceans and their resources are vital for both the livelihood and well-being of humankind. As a coastal State surrounded by seas on three sides, Korea strongly supports the full implementation of Sustainable Development Goal 14 and its 10 targets in line with the 2030 Agenda for Sustainable Development. In line with that guiding commitment, we are pleased to have contributed to the development of a draft methodology under target 14.c of the 2030 Agenda for Sustainable Development by participating in a pilot testing phase.

Korea also welcomes the decision to convene the high-level 2020 United Nations Conference to Support the Implementation of Sustainable Development Goal 14. We believe that the 2020 Conference will serve as a valuable follow-up to the successful 2017 United Nations Ocean Conference and provide a timely opportunity for taking stock of the implementation and further commitments in support of Goal 14. We remain committed to active engagement with the preparatory process and the 2020 Conference itself.

As a strong advocate for the Ad Hoc Working Group of the Whole of the General Assembly on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, Korea has been actively participating in both the Bureau and the Group of Experts. We look forward to the successful completion of the second cycle of the Regular Process and the smooth transition to its third cycle, which coincides

with the first five years of the United Nations Decade of Ocean Science for Sustainable Development.

This year marks the twenty-fifth anniversary of the entry into force of the United Convention on the Law of the Sea (UNCLOS). The three bodies established by UNCLOS, namely, the International Tribunal for the Law of the Sea, the Commission on the Limits of the Continental Shelf and the International Seabed Authority have all played important roles in enhancing the rule of law in maritime spaces.

In particular, my delegation would like to commend Mr. Jin-Hyun Paik, President of the International Tribunal for the Law of the Sea, for his able leadership, especially as the Tribunal continues to play an important role in the peaceful resolution of law of the sea disputes and in the enhancement of the rule of law in the oceans. We believe that the role and function of the Tribunal can be strengthened through an expansion of training programmes and outreach activities, and wish to continue working closely with the Tribunal in that direction.

Finally, Korea has been actively participating in the intergovernmental conference on the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. We welcome the developments made so far through the negotiation phase of the draft text. My delegation believes that the new instrument should be consistent with the provisions of UNCLOS, as it could be widely accepted by the international community without undermining the existing relevant regional and global bodies. We look forward to continuing constructive discussions at the fourth session of the conference early next year.

As new challenges continue to emerge, there is a greater need for concerted efforts among all Member States and other key stakeholders. I would like to take this opportunity to renew my Government's strong commitment to ensuring the sound and rules-based governance of the oceans and seas.

Mr. Koba (Indonesia): At the outset, Indonesia would like to express its appreciation to the Secretary-General for his comprehensive reports (A/74/70 and A/74/350) under this agenda item. We would also like to thank Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Kravik of Norway for their tremendous

efforts in coordinating the informal consultations on the draft resolutions on oceans and the law of the sea (A/74/L.22) and sustainable fisheries (A/74/L.21), respectively. Indonesia is pleased to co-sponsor both draft resolutions, noting our particular interest, as the largest archipelagic State and a country with a vast area of water as its territory, in the protection and sustainable use of the ocean and its resources. We also thank the Director of the Division of Ocean Affairs and the Law of the Sea and her team for their support for the delegations.

Indonesia welcomes the success of the 20th meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea and the 29th Meeting of the States Parties to the United Nations Convention on the Law of the Sea (UNCLOS).

As a nation with over 17,000 islands and 100,000 kilometres of coastline, Indonesia attaches great importance to the oceans and seas. We depend very much on the ocean, with millions of Indonesians relying on it for their food and livelihoods. In that regard, Indonesia strongly supports the international community's efforts to promote the protection and sustainable use of natural resources, including fisheries. We encourage all stakeholders to strengthen cooperation in ensuring maritime safety and security. Our Government also strongly advocates the implementation of UNCLOS to promote the rule of law and global order at sea. Indonesia remains steadfast in its belief that UNCLOS is a critical component in the attainment of the three pillars of the United Nations: peace, development and human rights.

This year's draft of the annual omnibus resolution on oceans and the law of the sea therefore stresses the universal and unified nature of the Convention. It also affirms that the Convention establishes a legal framework for all activities in the world's oceans and has strategic significance as the basis for national, regional and global action and cooperation in the maritime sector. We rely on the implementation of that resolution to address the current critical challenges facing the oceans and seas, including illegal, unregulated and unreported (IUU) fishing, transnational organized crime, the destruction of marine environment and maritime safety and security.

Indonesia emphasizes the effective application of the existing legal instruments that have been adopted based on UNCLOS, as well as the coordinated efforts

of global, regional and sectoral bodies. In our case, we strive for the best implementation of the Convention in the South-East Asian region through the Association of Southeast Asian Nations (ASEAN). Furthermore, we wish to particularly point out the successful cooperation under 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.

Special attention should also be paid to issues relating to efforts to combat IUU fishing. In that regard, Indonesia's position is very clear. Our fight against IUU fishing has also confirmed that this threat is deeply interconnected with various forms of other criminal acts, inter alia, trafficking in persons, corruption, drug trafficking and slavery. Hence, we urge States to work together to strengthen their cooperation in addressing IUU fishing and other related crimes that are transnational and organized in nature.

In the area of the conservation and sustainable use of marine resources, we fully support the ongoing process of deliberation at the intergovernmental conference on the development of an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. We share the view that biodiversity in areas beyond national jurisdiction should be considered as the common heritage of humankind and that the benefits resulting from their use and exploitation should be equitably shared among States.

Our delegation underlines the importance of capacity-building and the transfer of marine technology as the avenues for achieving our goals of conserving and sustainably benefiting from maritime resources. Furthermore, Indonesia is very pleased that this year's oceans omnibus and sustainable fisheries draft resolutions include the topic of climate change, particularly its implications for oceans and seas, including fisheries.

We also commend and deeply appreciate the fundamental role, as well as the works of the Convention bodies — the International Tribunal for the Law of the Sea, the Commission on the Limits of the Continental Shelf and the International Seabed Authority — in promoting the fulfilment of the objectives of the Convention. Indonesia welcomes the decision by States to provide them with adequate resources.

Finally, Indonesia wishes to once again reaffirm our full support for and commitment to the objectives, purposes and universal principles enshrined in UNCLOS. We would also like to use this opportunity to express our commitment to manage our seas and oceans in a sustainable way. That is an integral part of Indonesia's commitment to achieve Sustainable Development Goal 14 of the 2030 Agenda for Sustainable Development.

Mr. Pham (Viet Nam): At the outset, I would like to thank Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Kravik of Norway for their tremendous efforts in coordinating the informal consultations on the draft resolutions on oceans and the law of the sea (A/74/L.22) and sustainable fisheries (A/73/L.21), respectively.

We take this opportunity to reiterate our appreciation for the work of the General Assembly and its subsidiary organs on oceans and the law of the sea over the past year. Our appreciation also extends to the bodies established under the United Nations Convention on the Law of the Sea (UNCLOS) for their contribution to promoting the rule of law and maintaining order at sea.

This year marks the twenty-fifth anniversary of the entry into force of the Convention, which is referred to as the constitution of the oceans. As a fundamental multilateral instrument, the Convention sets out the comprehensive legal framework within which activities in the ocean and seas must be carried out. We join others in echoing the universal and unified character of the Convention and its strategic importance as the basis for national, regional and global action. As we witness our oceans and seas confronted by acute challenges and pressure, including marine pollution, marine resource depletion, marine plastic debris and climate change, we firmly believe that UNCLOS and the relevant legal instruments should continue to serve as a legal framework and basis for cooperation at all levels to address those common challenges.

After 25 years of implementation, the Convention remains valid and continues to play a crucial role, especially in regions with maritime and territorial disputes, such as the South China Sea, known as the East Sea in Vietnamese. Viet Nam is one of the countries of the world that are most vulnerable to climate change, sea-level rise and extreme weather events and that also suffer from the adverse effects of maritime pollution and

marine resource depletion. We strongly support global efforts to promote the conservation and sustainable use of oceans, seas and marine resources, combat illegal, unreported and unregulated fishing and achieve all the targets under Sustainable Development Goal 14. Along with that process, we call for full compliance with UNCLOS, including the peaceful settlement of disputes and full respect for the rights of coastal States in their maritime areas as defined under UNCLOS, such as the right to the peaceful conduct of legitimate economic activities. Efforts should also be made to strike a balance between the goal of the conservation and sustainable development of fisheries and coastal populations' need for social security and livelihoods.

We welcomed the open discussion and the progress that was made at the third session of the Intergovernmental Conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. We share the view that the process should gather broad consensus and enjoy the widest possible participation of Member States and relevant stakeholders. We look forward to discussions at the fourth session of the Conference on the basis of a revised text of the draft agreement prepared by the President of the Conference (A/CONF.232/2019/6).

As a link between the Indian and Pacific Oceans, the South China Sea is strategically important to peace, security and prosperity in the Asia-Pacific region, and to the maintenance of peace and stability, maritime security and safety. The issues of freedom of navigation and overflight in the South China Sea are of common concern and interest to the region and the world. There have been complex developments in the South China Sea, including serious incidents that infringe on Viet Nam's sovereign rights and jurisdiction in our maritime zones, as defined in UNCLOS. We urge all the parties concerned not to repeat such incidents, to exercise self-restraint, refrain from unilateral acts that might further complicate or escalate the disputes, such as the expansion and militarization of occupied areas, settle disputes by peaceful means in accordance with international law, including the Charter of the United Nations and UNCLOS, fully respect diplomatic and legal processes, implement the Declaration on the Conduct of Parties in the South China Sea in its entirety and expedite the conclusion of an effective, substantive code of conduct.

I would like to take this opportunity to once again affirm my full support and commitment to the objectives and purposes of the universal principles enshrined in UNCLOS. We urge all countries to respect and fulfil their obligation to ensure peace, stability and the sustainable development of the oceans and seas for the benefit of current and future generations.

Mr. Proskuryakov (Russian Federation) (*spoke in Russian*): As a leading maritime Power, Russia pays special attention to the development and improvement of international cooperation on ocean affairs on the basis of the 1982 United Nations Convention on the Law of the Sea. We thank the Secretary-General for his comprehensive report (A/74/350) on the subject. My delegation is pleased with the results of the negotiation process on draft resolutions A/74/L.22, on oceans and the law of the sea, and A/74/L.21, on sustainable fisheries.

The Assembly's annual omnibus resolution on oceans and the law of the sea underscores the universal and unified nature of the Convention, which has strategic significance as the foundation for national, regional and global activities and cooperation in the maritime sector. Maintaining its integrity is especially important, and we believe it is vital to ensure and guarantee the inviolability of such foundations. We continue to support the effective application of the legal instruments adopted on the basis of the Convention, as well as their contribution to coordinating the work of the relevant global, regional and sectoral bodies. We consider any attempts to revise their terms that might weaken them or disrupt harmonious international cooperation to be counterproductive.

We are pleased with the success of cooperation under the framework of the 1995 Agreement on Straddling Fish Stocks and the corresponding establishment of a network of regional fisheries management organizations. Practice has shown the effectiveness of the Agreement as a reliable instrument for regulating fishing beyond areas of national jurisdiction while balancing the interests of both sustainable fisheries and the preservation of the marine environment. We urge States to continue to improve the effectiveness of existing regional fisheries management organizations.

We would like to highlight the role of Convention bodies such as the International Tribunal for the Law of the Sea, the Commission on the Limits of the Continental Shelf and the International Seabed Authority, which

continue to perform their functions effectively. Russia has traditionally taken an active part in the work of the Tribunal and the Commission.

Particular attention should be paid to discussing issues related to the conservation and sustainable use of marine biodiversity beyond national jurisdiction. The outcome of the third session of the Intergovernmental Conference on that topic, held in August, shows that delegations continue to hold opposing positions on a number of key issues. The draft document prepared by the President of the Conference (A/CONF.232/2019/6) contains a wide range of alternatives reflecting the diversity of the participants' views, and we urge delegations to take a balanced and progressive approach. We believe it is essential to focus on achieving a good-quality result that will enable us to reach a consensus solution.

We would like to comment on the latest jabs by the Ukrainian delegation. Ukraine's standard arsenal of clichés is pure propaganda and has no relationship to reality, and we have no intention of commenting on matters that are currently in judicial or arbitration proceedings. With regard to the maritime claims, we do not consider that they are related to the agenda item under discussion, just as we do not consider the General Assembly a suitable platform for considering fictional insinuations. We would like to remind our Ukrainian colleagues that Crimea and Sevastopol are part of the Russian Federation. The peninsula's inhabitants chose reunification with Russia through a free vote based on the principle of a people's right to self-determination, as enshrined in the Charter of the United Nations. As a coastal State, Russia has sovereignty, enjoys sovereign rights and exercises jurisdiction over its maritime spaces in accordance with international law. Our country complies in good faith with its international obligations with regard to its activity in the maritime space under its sovereignty and jurisdiction, including along the shores of Crimea.

Mr. Yedla (India): Oceans are the world's single largest ecosystem, covering nearly three quarters of the Earth's surface and thereby providing a massive arena for emerging complex and interconnected development issues such as climate change, livelihoods, commerce and security. Water has provided a harvest for humankind in many dimensions, not the least of which is the concourse of ideas, culture and partnerships across vast distances. The world's oceans are an essential part of sustainable human life on Earth. The

world as a whole relies on healthy and resilient oceans for climate stability.

We thank the Secretary-General for his reports A/74/70 and A/74/350, on oceans and the law of the sea, which cover, inter alia, legal and policy framework, maritime spaces, the importance of the human dimension, maritime safety and security and climate change. We would also like to thank Natalie Morris-Sharma of Singapore and Andreas Kravik of Norway for coordinating the resolutions on oceans and the law of the sea (A/74/L.22) and on sustainable fisheries (A/74/L.21), respectively.

We believe that the Indian Ocean has been a powerful force for good in the geo-economics of world history. It can become the ocean of the twenty-first century, a free and secure pathway for exchange of intellect, information, trade and culture that will help to fashion truly international harmony. It is in that context that India, in its interactions with other States, especially the littoral States of the Indian Ocean, underscores the importance of cooperation in the blue economy. In that context, we commend the Group of Experts for preparing the second world ocean assessment, scheduled to be considered by the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, in 2020. We welcome the revised preliminary timetable and implementation plan considered by the Ad Hoc Working Group and the estimated time to complete the second world ocean assessment.

The twentieth meeting of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, held in June, provided a unique forum for comprehensive discussions on ocean science and the United Nations Decade of Ocean Science for Sustainable Development, facilitating the exchange of views among multiple stakeholders and improving coordination and cooperation between States and competent agencies. We welcome report of the meeting (A/74/119) and support the continuation of that process.

While the 1982 United Nations Convention on the Law of the Sea (UNCLOS) lays down the basic framework of International Law governing the jurisdiction of coastal States over adjacent maritime areas, what happens to the governance of areas beyond such jurisdiction is becoming increasingly important, especially in view of the rapid advancement

in technology and our scientific understanding. In that context, we acknowledge the third session of the intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ), convened under resolution 72/249. We take note of the substantive discussions held, which addressed the topics identified in the package agreed upon in 2011. The BBNJ is an important process that is expected to give shape to global governance in that area.

India has over 7,500 kilometres of coastline and more than 1,000 islands. India is a seafaring nation with a large coastal economy. We are acutely aware of the challenges and opportunities that oceans represent, from sustainable fisheries to the prevention and control of marine litter and plastic pollution; from affordable renewable energy to ecotourism and early warning systems for disaster risk reduction and management; and from the building of resilience and to adaptation to climate change. India recognizes the blue economy as a driver of inclusive and sustainable economic growth and development. We must work towards innovative technologies for offshore renewable energy, aquaculture, deep-seabed mining and marine biotechnology, which provide a new source of jobs. The need to make the ocean economy greener is also gaining importance.

India has an extensive institutional and legal architecture for managing issues relating to oceans and coastal regulation. The Ministry of Earth Sciences, the National Institute of Oceanography, the Indian National Centre for Ocean Information Services, the Centre for Marine Living Resources and Ecology and the National Biodiversity Authority are some of the institutions doing pioneering work related to the oceans. An Integrated Coastal and Marine Area Management project is involved in monitoring sea water quality, shore protection measures, shoreline management and oil spill models through the application of geographical information systems, remote sensing and mathematical modelling for the management of vulnerable habitats.

India is an active participant in multilateral efforts for the development of a collective management of ocean affairs and is one of the early parties to the 1982 United Nations Convention on the Law of the Sea. In addition to UNCLOS, India is party to the Agreement relating to the implementation of Part XI

of the Convention of 10 December 1982, the 1995 Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, the 1973 International Convention for the Prevention of Pollution from Ships as modified by the Protocol of 1978, the 2004 International Convention for the Control and Management of Ships' Ballast Water and Sediments, which protects against the transfer of invasive aquatic alien species, the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and other agreements that regulate various activities conducted in the oceans, especially the conservation and sustainable use of ocean resources. While the legal regime on the regulation of the oceans is fairly well developed, the challenges faced for the effective implementation of UNCLOS obligations and other related agreements are an important focus area.

Effective global partnership is necessary for capacity-building and collaboration on technology and financial assistance, increased awareness and the sharing of scientific knowledge with least developed countries, developing countries and those with special vulnerabilities in order to help them meet their international obligations. India cooperates with its partners in the region through its membership of the South Asian Seas Action Plan of 1995, which is serviced by the secretariat of the South Asia Cooperative Environment Programme. The main focus of the South Asian Seas Action Plan is on integrated coastal-zone management, oil-spill contingency planning, human resource development and the environmental effects of land-based activities.

We cannot allow our seas to turn into zones of contention. An age of shared prosperity demands cooperation. Secure and open sea lanes are critical to peace, stability, prosperity and development. In that context, India reiterates the importance of freedom of navigation and overflight on the high seas, unimpeded lawful commerce and resolving maritime disputes by peaceful means, in accordance with universally recognised principles of international law, including UNCLOS. The smooth functioning of the institutions established under the Convention — namely, the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf — hold the key to the proper implementation of the provisions of the Convention and to the realization of the desired benefits of the uses of the seas.

Three decades ago, India was the first country to receive the status of pioneer investor in the Indian Ocean. Indian scientists today collaborate in research stations on the Arctic Ocean, studying its links to climate in our own region. Indian hydrographers partner in capacity building efforts with our maritime neighbours. Indian institutions work closely with regional partners in improving early warning systems for tsunamis and cyclones. Indian naval ships are deployed in the delivery of humanitarian assistance and emergency evacuation, as well as for patrolling sea lanes against pirates. A disaster resilient world demands disaster resilient infrastructure. India remains committed to addressing the challenges of complex humanitarian emergencies by building disaster resilient infrastructure. In that context, India took the initiative to launch the Coalition for Disaster Resilient Infrastructure, in partnership with several other countries, during the Climate Action Summit 2019.

India is strongly committed to protecting its coastal and marine environment and attaches special importance to preventing and significantly reducing marine debris and litter by 2025 through global action and the collective efforts of all stakeholders. In that regard, the Government of India has launched a massive campaign called Clean India to clean up cities and villages and rejuvenate its rivers. Since a major source of plastic debris comes from land, that campaign will contribute immensely to reducing the inflow of plastic into the seas. Under that campaign, we have undertaken the commitment to eliminate single-use plastic in India by 2022.

India is committed to the implementation of the 2030 Agenda for Sustainable Development, including Sustainable Development Goal 14, for the sustainable development of its blue-economy partnership. The Prime Minister of India has announced my country's priority of helping the Indian Ocean region through the concept of security and growth for all in the region. Under that concept, India would continue to actively pursue and promote its geopolitical, strategic and economic interests on the seas, in particular the Indian Ocean.

Mr. Fox-Drummond Gough (Brazil): Allow me to start by thanking Norway and Singapore for their facilitation of the consultations that led to this year's texts of the omnibus draft resolution A/74/L.22, on oceans and the law of the sea, and draft resolution A/74/L.21, on sustainable fisheries. Brazil is pleased to

co-sponsor both draft resolutions. Let me also express appreciation for the spirit of cooperation that continues to prevail in crafting those resolutions, which are comprehensive and reflect the close interrelation of the problems of the ocean space and the need to consider them as a whole. We also welcome the reports prepared by the Secretary-General (A/74/70 and A/74/350). They reflect the relevance of the issues dealt with in today's draft resolutions.

Oceans are a vital element, not only for those who inhabit coastal areas, but for humankind as a whole. We depend on oceans for environmental services, food, trade, transportation and energy, among other sectors. It is crucial that we understand the impact of human activity on our oceans. Only now are we starting to understand the deeper and subtler ways through which interaction between humans and the oceans happens. Despite their vital importance to all humankind, science has been indicating that conditions in the oceans continue to deteriorate due to anthropogenic activity. Fisheries have been deeply affected by overexploitation. Ocean acidification remains a pressing challenge, while climate change has also been affecting sea levels and coral reefs, inflicting increasingly severe damage on coastal areas.

Understanding the effects of climate change on the marine environment and marine biodiversity is imperative, as is the need to develop ways and means of mitigation and adaptation. In that context, Brazil welcomes the Intergovernmental Panel on Climate Change's *Special Report on the Ocean and Cryosphere in a Changing Climate*. We are also looking forward to the findings of the International Law Commission on the topic of sea-level rise in relation to international law.

The United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea and the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, continue to be important elements under the institutional framework established by the General Assembly to integrate knowledge and policymaking and enhance awareness on key issues, while promoting sustainable development.

Concern for the conservation and sustainable use of marine resources has increased exponentially in Brazil and in the world, as Governments, societies and the private sector are being requested to raise awareness and take increased action to curb the negative impacts of

human activity on oceans. In that context, a number of policies and initiatives focused on the oceans have been introduced in Brazil with the aim of conserving marine resources and diminishing the potentially negative impacts of some of our activities. In particular, I would like to highlight the Brazilian national action plan on marine litter, launched last March, which provides for a number of short-, medium- and long-term actions.

Brazil is also engaged in the implementation of Sustainable Development Goal 14 so as to ensure the conservation and sustainable use of the oceans, seas and marine resources. All activities related to the marine environment should aim at leading to sustainable development in its three dimensions — economic, social and environmental. In that sense, we look forward to joining efforts next year in Lisbon in the 2020 United Nations Ocean Conference.

Likewise, Brazil has been actively contributing to the negotiations on an international legally binding instrument under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ). We welcome the progress achieved so far and look forward to a successful outcome of the BBNJ process in 2020 in order to address in a balanced manner questions such as access and benefit-sharing arising from the commercialization of marine genetic resources, capacity-building, the transfer of marine technology, area-based management tools and environmental impact assessment.

Brazil would also like to reaffirm its full support and commitment to the objectives, purposes and principles enshrined in UNCLOS, which sets the universal legal framework within which all activities in the oceans and seas must be carried out. In that vein, it is of the utmost importance to ensure the full and effective functioning of the organs established under the Convention. In that regard, we recognize the fundamental role played by the Commission on the Limits of the Continental Shelf, the International Seabed Authority and the International Tribunal for the Law of the Sea.

In concluding my remarks, I wish to recognize the high level of expertise and professionalism of all delegations, which enabled the outcome before us today. I also wish to thank the team at the Division for Ocean Affairs and the Law of the Sea for its hard work during the process of consultations. Its role, as

always, was vital to the outcome before the General Assembly today.

Mr. Nasimfar (Islamic Republic of Iran): Let me begin by commending the representatives of Singapore and Norway for leading the consultations on the draft resolutions under consideration (A/74/L.22 and A/74/L.21), which reflect the latest developments in the area of oceans and the law of the sea, as well as sustainable fisheries, respectively. We also thank the Division for Ocean Affairs and the Law of the Sea for its valuable support to various ongoing processes within the United Nations system.

The Islamic Republic of Iran is of the view that although the United Nations Convention on the Law of the Sea (UNCLOS) plays a fundamental role in and constitutes the main legal framework for activities in the sea, the sixth preambular paragraph of the draft omnibus resolution should be revised in a way to also reflect the important role of international customary law, as well as other relevant conventions in that regard.

With respect to the marine biological diversity of areas beyond national jurisdiction (BBNJ), we are of the view that the BBNJ has notable environmental, economic and social importance and could contribute to poverty eradication, sustained economic growth and the development of science, public health and food security. The accumulation of a number of threats to marine ecosystems beyond areas of national jurisdiction, including the unsustainable exploitation of resources, the destruction of habitats, pollution, ocean acidification and climate change, are matters of concern. There is an urgent need to establish a legally binding instrument to address the issue of conservation, as well as access and utilization, including benefit-sharing from marine genetic resources in areas beyond national jurisdiction of States. We will continue to contribute to that process.

The Islamic Republic of Iran has been active in combating maritime piracy and armed robbery at sea and has been dispatching navy fleets to the Gulf of Aden and other areas to combat maritime piracy. It should be reiterated that Iran's policy in countering maritime piracy and armed robbery at sea is based on cooperation with other countries, especially the coastal States of the region, in accordance with the respective rights and duties of coastal States enshrined in international law of the sea.

We are committed to the freedom of navigation and safety of oceans and seas. The President of the Islamic Republic of Iran launched the Hormuz Peace Endeavour at the seventy-fourth session of the General Assembly (see A/74/PV.5). That initiative arose from Iran's sincere conviction that the protraction of conflicts and ever-escalating tensions among States bordering the Persian Gulf is prone not only to further destabilize the region but also to severely endanger the right to development of the peoples of the region.

It is in that understanding that the Islamic Republic of Iran has devised a holistic, subject-oriented and inclusive plan that, through an elaborate process of consultations and inclusive participation, would allow the Governments, private sector, academia, civil society and other stakeholders of the eight littoral States of the Persian Gulf to join forces and make use of their local wisdom, expertise and experiences to cooperatively tackle the very serious challenges currently arising from terrorism, extremism, sectarianism, poverty, environmental degradation, expansionism and interventionism. The initiative recognizes the responsibility of the States surrounding the Strait of Hormuz to ensure tranquillity, peace, stability, progress and prosperity in their region and to maintain the freedom of navigation and energy security for all the producers and consumers who depend on the Strait of Hormuz.

Finally, we hope to see an expansion of cooperation, interaction, business, trade and investments at various levels and fields among the Governments, peoples and private sectors of the Hormuz community through implementing the Hormuz Peace Endeavour.

Mr. Islam (Bangladesh): Let me begin by thanking the delegations of Norway and Singapore, coordinators of the two draft resolutions under today's agenda (A/74/L.22 and A/74/L.21), for their excellent work.

We welcome the report of the Secretary-General on oceans and the law of the sea (A/74/70). We appreciate the discussion in the 20th meeting of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea on the theme of ocean science and the United Nations Decade of Ocean Science for Sustainable Development.

The role of ocean science, cutting across Sustainable Development Goal 14 and each of its interrelated targets, in furthering sustainable development can never be overemphasized. Maintaining the health of

the oceans, ensuring the conservation of the marine environment and the sustainable use of marine resources is critical to realizing the 2030 Agenda for Sustainable Development. To that end, we should put renewed emphasis on increasing the use of natural materials and preventing marine pollution.

Illegal, unreported and unregulated fishing remains one of the greatest threats to fish stocks and marine ecosystems and continues to have serious and major implications for the conservation and management of ocean resources, as well as for the food security and economies of many States, particularly developing States. Bangladesh therefore attaches the utmost importance to regulating fish-stock harvesting; ending illegal, unreported and unregulated fishing and destructive fishing practices; and implementing science-based management plans in order to restore fish stocks in the shortest feasible time. In that context, we stress the importance of completing the World Trade Organization negotiations to address fisheries subsidies that can contribute directly or indirectly to overcapacity and illegal, unreported and unregulated fishing.

We express deep concern over the impacts of global climate change and ocean acidification on coral reefs and other ecosystems relevant to fisheries. We urge all States and relevant organizations to assess and consider the impacts of climate change on fisheries and aquaculture sectors in their policies and planning.

Large movements of refugees and migrants at sea, mostly in perilous situations, are a matter of concern for Bangladesh, as they are for many. To address that, States Members of the United Nations need to comply with their obligations for search and rescue at sea and to work towards addressing the factors that cause such irregular movements. That issue, particularly against the backdrop of the outbreak of the Rohingya humanitarian crisis arising from Myanmar's Rakhine state since August 2017, requires the particular attention of all regional countries concerned.

A climate-induced sea-level rise would have severe socioeconomic and environmental impacts on coastal States, including on their maritime boundary delimitation. Rising sea levels are the biggest threat to Bangladesh among all the external drivers related to climate change. We therefore thank the International Law Commission for its decision to include sea-level rise in relation to international law in its long-term programme of work.

As a country with limited natural resources, Bangladesh has long explored alternative options for resources. The blue economy is the new frontier of opportunity, which we are tapping into to meet our enormous demand for resources. An international legally binding instrument on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ) would significantly help the development endeavours of countries like Bangladesh, and we therefore strongly advocate for a text-based negotiation in that regard.

Bangladesh welcomes the deliberations at the third session of the intergovernmental conference on the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine BBNJ, based on a zero draft submitted by the President of the intergovernmental conference. We hope that the deliberations at the third session will enable the President to produce a second draft before the fourth session of the conference, to be held in New York in March 2020. In view of some of the common constraints of developing countries, we would expect the draft to adequately address, inter alia, the issues of capacity-building, new and predictable financing and the transfer of technology and know-how.

We urge the Commission on the Limits of the Continental Shelf (CLCS) to expedite its work towards disposing of the pending submissions. Bangladesh submitted its claims on the continental shelf in 2011 and later deposited updated baseline information to the Division for Ocean Affairs and the Law of the Sea, as per UNCLOS provisions. We appreciate the amendment of the terms of reference of the trust fund created to facilitate the preparation of submissions to the CLCS by developing countries.

The Acting President: I now call on His Excellency Mr. Jin-Hyun Paik, President of the International Tribunal for the Law of the Sea.

Mr. Jin-Hyun Paik (International Tribunal for the Law of the Sea): It is an honour for me to address the General Assembly this year on behalf of the International Tribunal for the Law of the Sea during the Assembly's consideration of the agenda item "Oceans and the law of the sea".

Before referring to matters of interest at the Tribunal, it is with great sadness that I must inform the Assembly of the passing of two former Judges of

the Tribunal: Judge Alexander Yankov of Bulgaria, on 17 October, and Judge Hugo Caminos of Argentina, only two days ago, on 8 December.

Judges Yankov and Caminos served as members of the Tribunal during the same period, from 1996 until 2011. They were involved, throughout their long and distinguished careers, in the development of the law of the sea and the peaceful settlement of disputes. Among many other achievements, they played important roles during the third United Nations Conference on the Law of the Sea. Judge Yankov served as Chairman of the Third Committee of the Conference, and Judge Caminos was Deputy Director of the Office of the Special Representative of the Secretary-General of the United Nations for the Conference. On behalf of the Tribunal, I wish to pay tribute to Judges Yankov and Caminos and their important contribution to the work of the Tribunal.

Turning to the judicial work of the Tribunal, I wish to inform the Assembly that 2019 has been a productive year for us in Hamburg. The Tribunal delivered a judgment on the merits and two orders in response to requests for provisional measures. Dealing with a wide range of legal issues, including the freedom of navigation, exclusive flag State jurisdiction on the high seas and the military activities exception to compulsory dispute settlement, the Tribunal was called upon in those cases to interpret and apply key provisions of the United Nations Convention on the Law of the Sea and, in doing so, provided greater clarity to States on the content of their rights and obligations thereunder.

On 10 April, the Tribunal delivered its judgment in the *M/V "Norstar" Case (Panama v. Italy)*. Assembly members may recall that Panama had instituted proceedings against Italy by means of an application to the Tribunal dated 16 November 2015, with respect to a dispute between the two States in connection with the arrest and detention of the vessel *M/V "Norstar"*, an oil tanker flying the flag of Panama.

In its judgment of April, the Tribunal considered the application of article 87 of the Convention to a situation in which a vessel was detained in internal waters in relation to activities allegedly carried out in part on the high seas. The Tribunal determined that the decree of seizure issued by Italy in respect of the *M/V Norstar* and its execution concerned both alleged crimes committed in the territory of Italy and

bunkering activities conducted by the *M/V Norstar* on the high seas.

In respect of the bunkering activities of the *M/V Norstar* on the high seas, the Tribunal found that they constituted not only an integral part but also a central element of the activities targeted by the decree of seizure and its execution.

In this context, the Tribunal provided an important clarification on the legal status of bunkering under the Convention. The Tribunal stated that bunkering on the high seas is part of the freedom of navigation to be exercised under the conditions laid down by the Convention and other rules of international law. On that basis, the Tribunal concluded that the bunkering of leisure boats carried out by the *M/V Norstar* on the high seas falls within the freedom of navigation under article 87 of the Convention.

The Tribunal also made important pronouncements with regard to article 87 of the Convention. It observed that this provision proclaims that the high seas are open to all States and that save in exceptional cases, no State may exercise jurisdiction over a foreign ship on the high seas. The Tribunal underlined that the principle of exclusive flag State jurisdiction is an inherent component of the freedom of navigation under article 87 of the Convention and held that this principle prohibits not only the exercise of enforcement jurisdiction on the high seas by States other than the flag State but also the extension of their prescriptive jurisdiction to lawful activities conducted by foreign ships on the high seas.

Observing that the place where enforcement takes place is not the sole criterion in determining the applicability of article 87 to a given situation, the Tribunal found that article 87, paragraph 1, of the Convention was applicable to the case of the *M/V Norstar* and that Italy, by extending its criminal and customs laws to the high seas, by issuing a decree of seizure and by requesting the Spanish authorities to execute it, breached the freedom of navigation which Panama, as the flag State of the *M/V Norstar*, enjoyed under that provision.

The judgment of the Tribunal brought to an end a long-running dispute concerning the *M/V Norstar*. It also represents a significant contribution to the jurisprudence regarding the scope of freedom of navigation and exclusive flag State jurisdiction on the high seas.

Shortly after issuing its judgment on the *M/V Norstar*, the Tribunal was seized of a new case: on 16 April 2019, Ukraine submitted to the Tribunal a request for the prescription of provisional measures under article 290, paragraph 5, of the Convention. By its notification and statement of claim dated 31 March 2019, Ukraine had instituted arbitral proceedings under annex VII to the Convention against the Russian Federation in a dispute concerning the immunity of three Ukrainian naval vessels and the 24 servicemen on board. The dispute relates to an incident that occurred in the Black Sea near the Kerch Strait on 25 November 2018, in which three Ukrainian naval vessels and their 24 servicemen were arrested and detained by the authorities of the Russian Federation.

The Tribunal adopted its order on provisional measures on 25 May 2019. The Tribunal examined whether article 298, paragraph 1(b), of the Convention, relating to disputes concerning military activities, was applicable, thus excluding the case from the jurisdiction of the annex VII arbitral tribunal. The Tribunal considered that the underlying dispute leading to the arrest of the three Ukrainian naval vessels concerned their passage through the Kerch Strait and that the parties' differing interpretation of the regime of passage through the Kerch Strait was at the core of the dispute.

Considering the context in which the Russian Federation used force when arresting the Ukrainian vessels and the sequence of events, the Tribunal held the view that what occurred appears to be the use of force in the context of a law-enforcement operation rather than a military operation. For the Tribunal, these circumstances suggested that the arrest and detention of the Ukrainian naval vessels by the Russian Federation took place in the context of a law-enforcement operation.

In addition, the subsequent proceedings and charges against the servicemen further supported the law-enforcement nature of the activities of the Russian Federation. Accordingly, the Tribunal considered that *prima facie* article 298, paragraph 1(b), of the Convention did not apply.

Having found that *prima facie* the annex VII arbitral tribunal would have jurisdiction over the dispute submitted to it, the Tribunal examined the plausibility of the rights asserted by Ukraine and considered that the rights claimed by Ukraine on the basis of articles

32, 58, 95 and 96 of the Convention are plausible under the circumstances.

The Tribunal then found that there was a real and imminent risk of irreparable prejudice to the rights of Ukraine pending the constitution and functioning of the annex VII arbitral tribunal and that the urgency of the situation required the prescription of provisional measures under article 290, paragraph 5, of the Convention. The Tribunal recalled that a warship is an expression of the sovereignty of the State whose flag it flies. The Tribunal further noted that any action affecting the immunity of warships is capable of causing serious harm to the dignity and sovereignty of a State and has the potential to undermine its national security.

Pending a decision by the Annex VII arbitral tribunal, the Tribunal ordered that the Russian Federation should immediately release the three Ukrainian naval vessels and return them to the custody of Ukraine, and immediately release the 24 detained Ukrainian servicemen and allow them to return to Ukraine.

Pursuant to article 95, paragraph 1, of the Rules, the parties submitted to the Tribunal reports and information on compliance with the provisional measures prescribed.

On 21 May 2019, while the Tribunal's decision on Ukraine's application for provisional measures was pending, Switzerland submitted to the Tribunal a request for the prescription of provisional measures. By its notification and statement of claim dated 6 May 2019, Switzerland had instituted arbitral proceedings under annex VII to the Convention against Nigeria in respect of a dispute concerning the arrest and detention of the Swiss-flagged *M/T San Padre Pio*, its crew and cargo. The dispute concerns events occurring on 22 and 23 January 2018, when the motor tanker *San Padre Pio* engaged in ship-to-ship transfer of gasoil in the exclusive economic zone of Nigeria, was arrested by the Nigerian navy. The *M/T San Padre Pio*, together with its crew members and cargo, was detained at Port Harcourt, Nigeria, on 24 January 2018.

The Tribunal adopted an order on provisional measures on 6 July. The Tribunal considered that at least some of the provisions invoked by Switzerland appeared to afford a basis on which the jurisdiction of the annex VII arbitral tribunal might be founded and accordingly concluded that a dispute concerning the

interpretation or application of the Convention *prima facie* appears to have existed.

In accordance with the requirements necessary for the prescription of provisional measures, the Tribunal determined that the rights claimed by Switzerland on the basis of paragraphs 1 and 2 of article 58 and of article 92 of the Convention were plausible. Regarding the requirement of urgency, the Tribunal noted, *inter alia*, that not only had *M/T San Padre Pio* been detained for a considerable period of time, but also that the vessel and its crew were exposed to constant danger.

Pending a decision by the annex VII arbitral tribunal, the Tribunal ordered that Switzerland should post a bond or other financial security with Nigeria and that Switzerland should undertake to ensure that the master and the three officers would be available and present at the criminal proceedings in Nigeria if the arbitral tribunal found that the arrest and detention of the *M/T San Padre Pio* did not constitute a violation of the Convention. The Tribunal further ordered that upon posting the bond or other financial security and issuing the undertaking, Nigeria should immediately release the *M/T San Padre Pio*, its cargo and its crew. Pursuant to paragraph 1 of article 95 of the rules of the Tribunal, both parties submitted reports and information on compliance with the provisional measures prescribed.

I would now like to inform the Assembly of another case recently submitted to the Tribunal. On 18 June, Mauritius initiated annex VII arbitral proceedings against Maldives in relation to a dispute concerning the delimitation of the maritime boundary between the two States in the Indian Ocean. I held consultations with the parties at the Tribunal on 17 September and, on 24 September, they transmitted to the Tribunal a notification and special agreement to submit their dispute to the Special Chamber of the Tribunal, to be constituted pursuant to paragraph 2 of article 15 of the Statute of the Tribunal. By order of the Tribunal, on 27 September a Special Chamber of the Tribunal, composed of nine judges, was formed to deal with the dispute. On 10 October, in my capacity as President of the Special Chamber, I adopted an order fixing the time limits of the submission of the written pleadings of the parties. I believe that the willingness of Mauritius and Maldives to transfer their dispute from annex VII arbitration to the Tribunal is a testament to the Tribunal's reputation for effective and efficient dispute settlement.

As the Assembly is aware, alongside its judicial work, the Tribunal is also active in the field of capacity-building. I would like to take the opportunity to provide a brief overview of those activities.

In November, the Tribunal held another of its regional workshops on the settlement of disputes related to the law of the sea, this time regarding the South-American region. The event, which took place in Montevideo, was the fourteenth in a series of workshops held in different regions of the world to provide national experts with practical information on the dispute-settlement procedures available before the Tribunal. The Montevideo workshop was attended by representatives of 10 States of the region. It was organized in cooperation with the Ministry for Foreign Affairs of Uruguay and with the financial support of the Korea Maritime Institute, to which I express our sincere gratitude.

Every year, the Tribunal offers some 15 internships to university students spanning a three-month period. In the 22 years of its existence, the programme has given 375 interns from 95 States the opportunity to acquire experience with the work of the Tribunal; many of them have gone on to pursue careers in the field of the law of the sea. I am glad to note that the Tribunal's internship programme is able to support interns from developing countries through a trust fund set up by the Tribunal. Several grants have been made to the fund over the years by, among others, the Ministry of Foreign Affairs of the People's Republic of China and the Korea Maritime Institute. I wish to express my sincere gratitude to them for their support.

Since 2007, the Tribunal has also run the Nippon Foundation Fellowship Programme, a nine-month capacity-building and training programme in international dispute settlement in the law of the sea. Five fellows are participating in the current, thirteenth, cycle of the programme. They are nationals of Bahrain, Chile, Côte d'Ivoire, Guyana and Lithuania. To date, 81 fellows have had the opportunity to participate in the programme, which has been organized with the financial support of the Nippon Foundation of Japan. I wish to take this opportunity to express my sincere gratitude to the Nippon Foundation for its commitment to the programme.

Before I conclude, allow me to say a few words about the dispute-settlement system to be included in the new international legally binding instrument

under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. I read, with great interest, the advanced revised draft text of the new instrument of 27 November 2019, and I wish to congratulate the President of the conference, Ambassador Rena Lee, on her stewardship of the negotiations.

The issue of the dispute settlement is an important matter. I have already expressed some of my views on that, here and elsewhere. Therefore, without reiterating what I have already stated, may I simply ask that the Assembly look into the matter and consider what the most appropriate system for the dispute settlement would be in order to ensure the consistent and efficient interpretation and application of the new instrument. In this context, I wish to highlight that the Tribunal stands ready to deal with any further tasks with which the international community may wish to entrust in the future.

Finally, regarding organizational matters, this year has seen changes in the Registry of the Tribunal. In September, the judges of the Tribunal elected Ms. Ximena Hinrichs Oyarce, of Chilean nationality, as the new Registrar of the Tribunal. Prior to her election as Registrar, Ms. Hinrichs Oyarce served as Deputy Registrar of the Tribunal. I am very proud to inform the Assembly that Ms. Ximena Hinrichs Oyarce is the first female Registrar of the Tribunal. She succeeds Mr. Philippe Gautier, who resigned following his election as Registrar of the International Court of Justice on 22 May. The Tribunal is currently receiving expressions of interests for the post of Deputy Registrar.

In closing, I would like to add that the Tribunal benefits from excellent cooperation with the United Nations. In that respect, I wish to express our gratitude to the Secretary-General, the Legal Counsel and the Director of the Division for Ocean Affairs and the Law of the Sea for their support and cooperation.

The Acting President: I now call on His Excellency Mr. Michael Lodge, Secretary-General of the International Seabed Authority.

Mr. Lodge (International Seabed Authority): A few weeks ago, on 16 November, an important milestone was commemorated, as the United Nations Convention on the Law of the Sea — one of the most comprehensive treaties in the history of international law — reached 25 years of age since its entry into force. The Convention,

our ocean treaty, has stood the test of time and remains relevant to address contemporary challenges. Today's near-universal character of the Convention has been reached thanks to the resolution of the outstanding issues related to Part XI through the conclusion of the 1994 Agreement. The Convention's first implementing Agreement is to be interpreted and applied as a single instrument together with Part XI of the Convention.

One of the most significant consequences of the Convention was the establishment of an international machinery to control and administer the seabed and its mineral resources beyond the limits of national jurisdiction for the benefit of humankind as a whole. That machinery acquired a concrete expression through the establishment of the International Seabed Authority. Across this 25-year journey, the members of the Authority have been working together to build a solid institutional architecture and an ever-growing regulatory framework for the oversight of the activities in the Area, which currently constitutes the most comprehensive and equitable regime to govern access to and the utilization of the mineral resources and the protection of the marine environment in areas beyond national jurisdiction. That has been a remarkable achievement.

In that context, I wish to commend the General Assembly for having recognized in draft resolution A/74/L.22 the far-reaching implications of this achievement by noting with satisfaction the special commemorative session, held in July on the occasion of twenty-fifth anniversary of the Authority. Along the same lines, I wish to express my appreciation to the General Assembly for welcoming in the draft resolution the adoption of the high-level action plan and performance indicators developed for each of the strategic directions found in the strategic plan of the Authority for the period from 2019 to 2023, which, as accurately described in the draft resolution, provides a uniform basis for the strengthening of existing working practices of the Authority.

I am grateful to the General Assembly for highlighting the serious issue of arrears of contributions to the Authority and to the Tribunal. As of today, I regret very much that only 64, or 38 per cent, of the members have paid their assessed contributions for 2019. Ten members of the Authority have never paid any contributions whatsoever since joining the Convention. Just more than \$1 million is owed in contributions outstanding for more than two years.

That is unacceptable and places an undue burden on those members that pay their contributions, including many small island developing States. I therefore urge all Member States to redouble their efforts to ensure that contributions are paid on time and in full.

I wish now to highlight three other significant ongoing processes in the Authority, which not only map the work ahead during 2020, but also have major implications for ocean governance in areas beyond the limits of national jurisdiction.

First, the Council of the Authority is currently seized with the negotiation of draft exploitation regulations. Upon the invitation of the Council at its July session, 39 written submissions were received from members, observers and stakeholders. In compliance with the decision of the Council, and well ahead of the fixed deadline, a compilation of the proposals and observations sent by members of the Council and a compilation of proposals and observations sent by other States members of the Authority, observers and other stakeholders are available as of today on the Authority's website.

In addition, the secretariat has prepared a note providing a broad overview of the main issues raised in the written submissions in connection with the draft regulations. The Council will continue its negotiations during its forthcoming meeting, which will take place from 17 to 21 February 2020. The next meeting of the Council will be preceded by the third meeting of an open-ended informal working group to discuss the economic model for deep-seabed mining that will form the basis for the financial terms of contracts. I look forward to the broadest possible participation in those meetings.

A second major development, and as appropriately encouraged by the draft resolution, relates to the implementation of the strategy endorsed by the Council to develop regional environmental management plans. At the end of November, a workshop on the regional environmental management plan for the northern Mid-Atlantic Ridge took place in Evora, Portugal. The workshop was made possible by the kind collaboration of the Government of Portugal and the European Commission.

One of its objectives was to advance the description of potential areas that could be impacted by extractive mineral activities and that would require enhanced management measures for marine biodiversity

protection through area-based management tools. The process of development of regional environmental management plans, which the Council had decided to be undertaken under the auspices of the Authority, affords us a unique opportunity to get it right from the start and serves as a tangible expression of the Authority's commitment to the protection of marine biodiversity and the application of a precautionary approach, in accordance with its mandate under the Convention.

That brings me to my third point. Benefits for humankind and a global system for the protection of the marine environment will not be complete without long-term engagement to deliver on capacity-building needs, in line with the priorities identified by States. That is why the Authority, on the basis of a proposal by the Group of African States, will organize a workshop in Kingston, from 10 to 12 February 2020, on capacity development, resources and needs assessment, with a view to improving the delivery of capacity-building programmes and initiatives by the International Seabed Authority. I welcome everyone to participate in the workshop.

After outlining those three major ongoing processes under the auspices of the Authority, I must highlight that the secretariat alone will not be able to meet those ambitious goals without the active and committed engagement of the international community as a whole. We need everybody on board, working together. When they are, I am convinced that in the next 25 years the Authority and the framework provided under Part XI of the Convention will further consolidate as one of the most successful projects in the history of international relations.

The Acting President: We have heard the last speaker in the debate on agenda item 74 and its sub-items (a) and (b).

The Assembly will now take a decision on draft resolutions A/74/L.21 and A/74/L.22, as orally revised.

We turn first to draft resolution A/74/L.21, entitled "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".

I give the floor to the representative of the Secretariat to make an oral statement.

Mr. Nakano (Department for General Assembly and Conference Management): This oral statement is made in accordance with rule 153 of the rules of procedure of the General Assembly and has been made available on the PaperSmart portal.

Under the terms of paragraphs 57, 58, 59, 60, 63, 64, 211 and 249 of draft resolution A/74/L.21, the General Assembly would take the following actions.

Pursuant to operative paragraph 57, the Assembly would recall that the resumed Review Conference agreed to keep the Agreement under review through the resumption of the Review Conference at a date not earlier than 2020, and note the agreement at the fourteenth round of informal consultations of States parties to the Agreement that the Review Conference should be resumed in 2021.

Pursuant to paragraph 58, the Assembly would request the Secretary-General to resume the Review Conference, convened pursuant to article 36 of the Agreement, in New York for one week in the first part of 2021, with a view to assessing the effectiveness of the Agreement in securing the conservation and management of straddling fish stocks and highly migratory fish stocks, and to render the necessary assistance and provide such services as may be required for the resumption of the Review Conference.

Pursuant to paragraph 59, the Assembly would encourage wide participation in the resumed Review Conference, in accordance with article 36 of the Agreement.

The Assembly would, pursuant to paragraph 60, request the Secretary-General to submit to the resumed Review Conference an updated report, prepared in cooperation with the Food and Agriculture Organization of the United Nations and with the assistance of an expert consultant to be hired by the Division to provide information and analysis on relevant technical and scientific issues to be covered in the report, to assist the Review Conference in discharging its mandate under article 36, paragraph 2, of the Agreement, and also in this regard request the Secretary-General to develop and circulate to States and to regional fisheries management organizations and arrangements in a timely manner a voluntary questionnaire regarding the recommendations made by the Review Conference in 2016, taking into account the specific guidance to be proposed at the fifteenth round of informal consultations.

The Assembly would, pursuant to paragraph 63, request the Secretary-General to convene the fifteenth round of informal consultations of States parties to the Agreement for three days in May 2020: two days to focus on the topic “Implementation of an ecosystem approach to fisheries management” and one day to serve as a preparatory meeting for the resumed Review Conference.

Pursuant to paragraph 64, the Assembly would also request the Secretary-General to prepare a draft provisional agenda and draft organization of work for the resumed Review Conference, taking into account contributions from States, and to circulate them at the same time as the provisional agenda for the fifteenth round of informal consultations of States parties to the Agreement, 60 days in advance of those consultations.

The Assembly would, pursuant to paragraph 211, recall its request in resolution 73/125 to the Secretary-General to convene, with full conference services, without prejudice to future arrangements, a two-day workshop in the second half of 2020 in order to discuss implementation of paragraphs 113, 117 and 119 to 124 of resolution 64/72, paragraphs 121, 126, 129, 130 and 132 to 134 of resolution 66/68 and paragraphs 156, 171, 175, 177 to 188 and 219 of resolution 71/123, and to invite States, the Food and Agriculture Organization of the United Nations and other relevant specialized agencies, funds and programmes, subregional and regional fisheries management organizations and arrangements, other fisheries bodies, other relevant intergovernmental bodies and relevant non-governmental organizations and relevant stakeholders, in accordance with United Nations practice, to attend the workshop.

The Assembly would, pursuant to paragraph 249, note the desire to further improve the efficiency of and the effective participation of delegations in the informal consultations concerning the annual General Assembly resolution on sustainable fisheries, decide that the informal consultations on this resolution would be held in a single round of consultations in November for a period of seven days, request the Secretary-General to provide support to the consultations through the Division, and invite States to submit proposals for inclusion in the text of the resolution to the Coordinator of the informal consultations no later than five weeks before the start of the consultations.

Pursuant to the requests contained in paragraphs 57 and 58 of the draft resolution, it is envisaged that

the Review Conference in New York would convene for one week in the first part of 2021 comprising 10 meetings, one in the morning and one in the afternoon for five days, with interpretation in all six languages. This would constitute an addition to the meetings workload for the Department for General Assembly and Conference Management in 2021 and entail additional, non-recurrent resource requirements in the amount of \$84,000 in 2021.

With regard to paragraph 63, the fifteenth round of informal consultations of States parties to the Agreement for three days in May 2020, comprising six meetings, would be serviced on an if-available basis. Likewise, with regard to operative paragraph 249, the informal consultations on the annual resolution on sustainable fisheries, in November 2020 for a period of seven days, comprising 14 meetings, would be serviced on an if-available basis.

Resource requirements for the two-day workshop in the second half of 2020 requested in resolution 73/125 and contained in paragraph 249 are included in the proposed programme budget for 2020.

The dates for all of the meetings mentioned above would have to be determined in consultation with the Department for General Assembly and Conference Management.

In addition, the requests for documentation contained in paragraphs 57, 58, 59, 60 and 64 would constitute an addition to the documentation workload of the Department for General Assembly and Conference Management in New York of seven pre-session documents with a total word count of 44,300 words in all six languages in 2021, three in-session documents with a total word count of 2,200 words in all six languages in 2021, and one post-session document with a word count of 21,000 words in all six languages in 2021. Additional non-recurrent requirements for documentation would arise in 2021 in the amount of \$214,600.

Furthermore, pursuant to the request contained in paragraph 60, it is estimated that a non-recurrent amount of \$22,000 for consultancy services would be required under section 8, “Legal Affairs”. The expert consultant would assist in the preparation of the report to the resumed Review Conference, in particular by providing information and analysis on the relevant scientific and technical issues to be covered in the report.

Accordingly, should the General Assembly adopt draft resolution A/74/L.21, additional resource requirements estimated in the amount of \$320,600 would be included in the proposed programme budget for 2021, under section 2, "General Assembly and Economic and Social Council Affairs and Conference Management", and section 8, "Legal Affairs", as mentioned earlier.

I should like to announce that since the submission of the draft resolution and in addition to those delegations listed in document A/74/L.21, the following countries have become sponsors of the draft resolution: Australia, Cabo Verde, Bangladesh, Brazil, Djibouti, Eritrea, Fiji, Jamaica, Kiribati, Maldives, Marshall Islands, Nauru, Papua New Guinea, Philippines, Samoa, Seychelles, Somalia and the United States of America.

The Acting President: May I take it that the Assembly decides to adopt draft resolution A/74/L.21?

Draft resolution A/74/L.21 was adopted (resolution 74/18).

The Acting President: We now turn to draft resolution A/74/L.22, as orally revised, entitled "Oceans and the law of the sea".

I now give the floor to the representative of the Secretariat.

Mr. Nakano (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft resolution and in addition to those delegations listed in document A/74/L.22, the following countries have also become sponsors of draft resolution, as orally revised: Albania, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Benin, Bolivia (Plurinational State of), Brazil, Bulgaria, Cabo Verde, Cameroon, Canada, Croatia, Cyprus, Czechia, Denmark, Equatorial Guinea, Estonia, Fiji, Finland, France, Gambia, Greece, Guinea-Bissau, Guyana, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Kiribati, Latvia, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Panama, Papua New Guinea, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Saint Kitts and Nevis, Samoa, Senegal, Seychelles, Sierra Leone, Slovakia, Spain, Sri Lanka, the Sudan, Sweden, Togo, Tonga, Tuvalu, Ukraine, the United Kingdom of Great

Britain and Northern Ireland, the United States of America and Viet Nam.

The Acting President: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cabo Verde, Cambodia, Cameroon, Canada, Chile, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, North Macedonia, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sudan, Sweden, Thailand, Togo, Tonga, Trinidad and Tobago, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Viet Nam, Zambia

Against:

Turkey

Abstaining:

Colombia, El Salvador, Venezuela

Draft resolution A/74/L.22, as orally revised, was adopted by 135 votes to 1, with 3 abstentions (resolution 74/19).

[Subsequently, the delegations of Costa Rica and Switzerland informed the Secretariat that they had intended to vote in favour.]

The Acting President: Before giving the floor for explanations of vote after the vote, I remind delegations that explanations of vote about are limited to 10 minutes and should be made by delegations from their seats.

Mr. Trejo Blanco (El Salvador) (*spoke in Spanish*): The Republic of El Salvador wishes to underscore the importance of resolution 74/19, on oceans and the law of the sea, adopted today in the General Assembly. My delegation is aware of the importance of the oceans, especially in terms of their exploitation within the framework of sustainable development, which is essential to ensuring food security for all human beings on the planet in an orderly fashion. We also understand that gaps continue to exist in areas such as the sustainability of fisheries, transport and the conservation and the sustainable use of marine biodiversity, among other issues, in which there have been positive developments in terms of their importance for the international community, but where much remains to be done.

As the Republic of El Salvador is not a State party to the United Nations Convention on the Law of the Sea, we believe that the provisions of the resolution 74/19 and our role in its adoption should not be considered or interpreted to imply that El Salvador accepts expressly or tacitly the provisions of the Convention. In addition, my delegation considers that the provisions, agreements and resolutions agreed among States parties or that emanate from the General Assembly do not reflect the norms of general international law in the sense that they do not create obligations for non-State parties without their consent, except for those provisions, agreements and resolutions that non-State parties expressly recognize.

Over the years, El Salvador has made repeated appeals to the General Assembly to make the contents of this annual resolution comprehensive and inclusive of every Member State's views, and to avoid making it an exercise in negotiations that would be more appropriate within the framework of the Meetings of States Parties to the United Nations Convention on the Law of the Sea. Such a limited vision of the subject prevented my delegation from supporting resolution 74/19. Nevertheless, as El Salvador is aware of the importance of holding multifaceted discussions on the

oceans within a variety of frameworks, including that of the Sustainable Development Goals, and as testament to my country's resolve to work once again towards fostering a universal vision to address the issue, El Salvador decided to abstain in the voting.

El Salvador calls on all States to pursue their work on issues related to the use, conservation and protection of the oceans and seas with the goal of ensuring the quality of life for future generations, with the cooperation of all countries, be it in bilateral, regional or universal formats. That would allow us to strengthen international peace and security, in accordance with the principles of justice and equal rights pursuant to the purposes and principles of the Charter of the United Nations.

Mr. Guerra Sansonetti (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We thank Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Motzfeldt Kravik of Norway for having facilitated the negotiations on the respective texts of resolutions 74/18 and 74/19.

The Bolivarian Republic of Venezuela is not a signatory to the 1982 United Nations Convention on the Law of the Sea (UNCLOS) or to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, as their norms are not applicable to my country either under customary law or international custom, except for those that the Venezuelan State has expressly recognized or will recognize in the future by incorporating them into its domestic legislation. The reasons that have prevented the Bolivarian Republic of Venezuela from becoming party to those instruments remain unchanged.

The Venezuelan State believes that UNCLOS does not enjoy universal participation, unlike many other multilateral instruments. Similarly, we have reiterated our position within various international forums that the Convention must not be considered the only legal framework governing all activities carried out in the oceans and seas, given the fact that there are other international instruments in this sphere that, together with the Convention, make up the body of law known as the law of the sea. Those include the 1958 Geneva Convention on the Territorial Sea and Contiguous Zone, the Convention on the High Seas, the Convention on the

Continental Shelf and the Convention on Fishing and Conservation of Living Resources of the High Seas, all of which have been ratified by Venezuela.

UNCLOS codifies certain norms of customary international law that have been incorporated into the Venezuelan domestic legal system either through the ratification of the Geneva Conventions of 1958 or through domestic legislation. The agenda item “Oceans and the law of the sea” is a priority in the policies of the Bolivarian Republic of Venezuela, which has complied with its international obligations under the law of the sea, while advocating its integral development from a standpoint of equity and stressing the fact that all negotiations related to that right must reflect criteria and principles linked to the right to sustainable development of the marine environment and its resources for future generations. Our country has also cooperated with efforts aimed at promoting coordination on issues related to the oceans and the law of the sea, in accordance with international law, and has participated constructively in all relevant consultations on the subject.

With regard to resolution 74/19, entitled “Oceans and the law of the sea”, we believe that it has positive aspects. We would caution, however, that it contains elements that led Venezuela to express reservations about the outcome document of the 2012 United Nations Conference on Sustainable Development (resolution 66/288, annex) and about target 14.c under Sustainable Development Goal 14 set forth in resolution 70/1, entitled “Transforming our World: the 2030 Agenda for Sustainable Development”. We believe that future updates of the terms of the Convention should be considered, given the fact that there are new situations for which the current approach has proved inadequate and in some cases counterproductive, and which has affected the development of a regime that should address the most important contemporary issues related to the oceans and seas in a balanced, equitable and inclusive manner.

Our delegation reaffirms Venezuela’s relationship with UNCLOS is in general terms constructive and positive, and, in this regard, we are emphatic that appropriately balanced textual solutions can be found that all stakeholders can live with and which take into account the debate on the nature of the Convention and its value in regulating all human activities in seas and oceans, in conjunction with other relevant binding international instruments in these areas.

Although our country is not party to the 1995 sustainable fisheries agreement, the fisheries and aquaculture sector is a priority in our national development plans, which include the goals of promoting fisheries development through the modernization of our fleets and maritime and river fisheries infrastructure. Venezuela reiterates its commitment to sustainable fisheries through the application of the principles of the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations and Chapter 17 of Agenda 21, approved by the United Nations Conference on the Environment and Development of 1992. Accordingly, our country is party to a number of various international instruments that advocate the preservation and organization of fisheries.

Similarly, our national development plan is complemented by a broad set of regulations allowing us to rely on programmes aimed at achieving the conservation, protection and management of marine biological resources, while promoting their responsible and sustainable use, including, inter alia, the relevant biological, economic, food security, social, cultural, environmental and commercial aspects. Venezuelan law on fisheries prohibits bottom trawling and establishes a sanctions regime for the failure to respect conservation and management measures, including measures for monitoring fishing vessels flying the Venezuelan flag that involves a system for the monitoring and inspection of their operations on the high seas through relaying the pertinent data back to the fisheries-management entity, which enables determining the exact geographical locations of where the fishing operations are being carried out and whether the established fisheries-management regulations established by law are being respected.

For the sake of consensus, our delegation joined in the adoption of resolution 74/18. However, Venezuela expresses reservations with regard to its content, as it is not a State party to the United Nations Convention on the Law of the Sea or to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. For the same reasons, the Bolivarian Republic of Venezuela abstained in the voting on resolution 74/19.

Mrs. Chigiya (Federated States of Micronesia): My delegation aligns itself with the statements delivered today by the representatives of Belize,

Vanuatu and Papua New Guinea on behalf of the Alliance of Small Island States, the Pacific Islands Forum and the Pacific small island Developing States, respectively (see A/74/PV.42).

I wish to speak now in my national capacity in explanation of vote after the adoption of resolution 74/19 on oceans and the law of the sea.

For many years, Micronesia sponsored the annual resolution on oceans and the law of the sea. Our sponsorship of the resolution reflected our recognition that the resolution is a valuable method for the General Assembly to canvas key developments with regard to the ocean and the law of the sea in each calendar year and address those developments in appropriate ways. Our sponsorship also reflected our long-standing conviction that international law, particularly the law of the sea, is a valuable tool for small island developing States like Micronesia to engage with the broader international community on the conservation and management of the ocean and its resources, which form the foundation of our economies, livelihoods and cultural identities.

This year, however, Micronesia, having voted in favour, finds itself unable to sponsor the resolution. It is deeply unfortunate that delegations were unable to achieve consensus to include robust references to the *Special Report on the Ocean and Cryosphere in a Changing Climate* of the Intergovernmental Panel on Climate Change (IPCC), which is indisputably one of the major developments in ocean matters during the calendar year under review.

Specifically, it is deeply unfortunate that consensus was not reached to include references to key findings in the special report pertaining to the extensive adverse impacts of rampant anthropogenic greenhouse-gas emissions on the ocean, its resources and the coastal communities that rely on, and are intimately connected to, the ocean. It is also deeply unfortunate that consensus was not reached to include references to concrete actions that the international community must take to address these adverse impacts, including ambitious mitigation efforts undertaken on an urgent basis.

Such references are clearly within the remit of the resolution and emanate directly from the special report, whose summary for policymakers was adopted by consensus by the Governments of the members of the General Assembly this past September. The General Assembly should have welcomed the adoption of the special report and its summary for policymakers,

identified its key relevant findings and called on the international community to act in accordance with those findings.

The failure of the General Assembly to have done so is a disservice to the work of the IPCC and a betrayal of this body's commitment to keep under review all activities of relevance to the ocean and the law of the sea every calendar year. As the ocean is increasingly beset by the adverse impacts of the climate crisis, Micronesia strongly calls on the international community to take all necessary measures to address the root causes of such impacts and adapt to them, with the full acknowledgement of the scientific work to determine and study those impacts, as well as of the legal, policy and political measures necessary to address them. We hope that future iterations of the annual resolution on oceans and the law of the sea will heed and carry forward this call.

Mr. Marani (Argentina) (*spoke in Spanish*): Argentina would like to speak in explanation of vote on resolution 74/18.

Although Argentina joined the consensus on resolution 74/18, on sustainable fisheries, it wishes to once again stress that no recommendations in the resolution can be interpreted as signifying that the provisions contained in 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 can be considered to be obligatory by those States that have yet to explicitly express their consent to being bound under this Agreement.

The resolution that we have just adopted contains paragraphs related to the implementation of the recommendations of the Review Conference on the Agreement. Argentina reiterates that those recommendations cannot be considered to be enforceable, even as recommendations for States that are not parties to the Agreement. At the same time, Argentina reaffirms that existing international law does not empower regional fisheries management organizations or their member States to adopt measures of any kind against vessels whose flag States are not members of those organizations or party to those arrangements, or have not explicitly consented to such measures being applicable to vessels flying their

flags. Nothing in the General Assembly's resolutions, including those we just adopted, can be interpreted as running contrary to this conclusion.

On the other hand, I would like to recall once again that the application of conservation measures, the conduct of scientific research or any other activity recommended in General Assembly resolutions, in particular, resolution 61/105 and its successors, come necessarily under the legal framework of the international law of the sea in force, as reflected in the United Nations Convention on the Law of the Sea, including paragraph 3 of article 77, which must be strictly respected.

Consequently, compliance with these resolutions cannot be construed as justification for ignoring or denying the rights established in the Convention, and nothing in the resolutions of the General Assembly provides for curtailment of the sovereign rights of coastal States over the continental shelf or the exercise of jurisdiction of coastal States with respect to their continental shelf in accordance with international law.

Finally, I wish to point out that paragraph 196 of the resolution we have just adopted contains a highly relevant reminder in this regard, as reflected in resolution 64/72 and subsequent resolutions. In this regard, and as at previous sessions, paragraph 197 notes the adoption by coastal States, including Argentina, of measures relating to the impact of bottom fishing on vulnerable marine ecosystems in the entire area of their continental shelf, as well as their efforts to ensure compliance with those measures.

Ms. Pierce (United States of America): I wish to deliver the following explanation of position on resolution 74/18, on sustainable fisheries.

While we strongly support the vast majority of the sustainable fisheries resolution, the United States continues to have significant concerns with the language in the resolution pertaining to the World Trade Organization and trade negotiations occurring outside the United Nations, including that related to the Doha Development Agenda, fisheries subsidies and technology transfer. As President Trump stated in the General Assembly on 25 September 2018, the United States will act in its sovereign interest, including on trade matters (see A/73/PV.6), which means that we do not take our trade-policy direction from the United Nations. Furthermore, the views expressed on behalf of the United States by Public Delegate Margarita Palau-

Hernandez in her statement delivered to the General Assembly on 11 December 2018 (see A/73/PV.49) remain unchanged.

Mr. Yakut (Turkey): Turkey requested a vote on and voted against resolution 74/19, entitled "Oceans and the law of the sea", which was submitted under sub-item (a) of agenda item 74. Turkey agrees with the general content of the resolution in principle and believes that the resolution is particularly important in that it recognizes the importance of the conservation and sustainable use of the oceans, seas and marine resources for achieving the goals contained in the 2030 Agenda for Sustainable Development. We therefore appreciate the efforts of the coordinator of the resolution, the Division of Ocean Affairs and Law of the Sea of the United Nations Secretariat and Member States in finalizing it.

However, due to the nature of the references made to the United Nations Convention on the Law of the Sea (UNCLOS) in the text of the resolution, Turkey felt obligated to call for a vote on the resolution. Turkey is not a party to UNCLOS and does not agree with the view that UNCLOS has a universal and unified character. We also maintain that it is not the only legal framework regulating all activities in the oceans and seas. Turkey is ready and willing to continue working with Member States towards ensuring consensus on this matter. Until then, the language relating to UNCLOS in the resolution should not set a precedent for other United Nations resolutions.

We would also like to take this opportunity to note that the reasons that have prevented Turkey from becoming a party to UNCLOS remain valid. Turkey supports international efforts aimed at establishing a regime of the seas that is based on the principle of equity and is acceptable to all States. However, in our opinion, the Convention does not provide sufficient safeguards for particular geographical situations and, as a consequence, does not take into consideration conflicting interests and sensitivities stemming from special circumstances. Furthermore, the Convention does not allow States to register reservations to its articles. Therefore, although we agree with the Convention in its general intent, and with most of its provisions, we are unable to become a party to it due to those prominent shortcomings.

Turkey joined the consensus on the resolution 74/18, on sustainable fisheries, since we are fully committed

to the conservation, management and sustainable use of marine living resources and attach great importance to regional cooperation to that end. However, as it is not a party to UNCLOS, Turkey disassociates itself from references made in that resolution to the Convention. Those references should therefore not be interpreted as a change in the legal position of Turkey with regard to UNCLOS.

Mr. Mavroyiannis (Cyprus): Fully subscribing to the statement delivered earlier in the debate by the observer of the European Union (see A/74/PV.42), Cyprus, speaking in its national capacity, would also like to stress that, as it does every year, it co-sponsored and voted in favour of the omnibus General Assembly resolution on “Oceans the law of the sea” (resolution 74/19).

We thank Singapore for its hard work in facilitating the consultation on the draft resolution. We regret that a vote has been requested once again in a futile attempt to question the United Nations Convention on the Law of the Sea (UNCLOS) as the Constitution of the oceans and indisputable legal framework for all activities in the oceans and seas. My delegation would like to stress once again that the Convention represents a carefully crafted balance among the rights and interests of all States despite their specific characteristics. No State can continue requesting special treatment or denying the rights of other States, such as island States or States comprising islands. Article 121 of UNCLOS definitively put an end to such claims.

Furthermore, no country can pursue outlandish maritime claims guided by might and not by well-established rules of international law. Nor should any State enter into dubious bilateral arrangements that contravene the Convention, neither as a matter of principle nor as a method of creating *faits accomplis* that reflect their own distorted perception of international law based on relative power and not on customary rules of international law that international jurisprudence has repeatedly deemed the Convention to reflect. Such arrangements have no legal effect, nor do they affect the status of UNCLOS as the sole pertinent universal legal framework on the delimitation of maritime zones, codifying relevant international law. Upholding the integrity of the Convention is the collective responsibility of all of us.

Mr. Papakostas (Greece): Greece fully aligns itself with the statement delivered earlier by the observer

of the European Union on the matter in question (see A/74/PV.42). I add the following remarks in my national capacity.

As it does every year, Greece co-sponsored and voted in favour of the omnibus resolution on oceans and the law of the sea (resolution 74/19). In this respect, we would like to express our appreciation to the coordinator, Ms. Natalie Morris-Sharma of Singapore, for her tireless efforts during the negotiations to reach consensus.

We regret that a vote was requested once again in an attempt to challenge the pre-eminent role and universal character of the United Nations Convention on the Law of the Sea (UNCLOS). By establishing the legal framework within which all activities in the oceans and seas must be carried out, the Convention promotes the stability of the law and the maintenance of international peace and security, thereby holding special importance in a difficult international context. The universal character of the Convention is primarily evidenced in its unprecedented and almost universal participation — to date, 168 States parties, including the European Union, are bound by its provisions. In addition, international jurisprudence has long accepted that its provisions either embody or reflect customary international law.

This year’s omnibus resolution is of particular significance as it marks the twenty-fifth anniversary of the entry into force of the Convention. Therefore, the renewed commitment of all States to respecting the public order of the oceans and the rule of law is more appropriate and relevant than ever. States should respect the fundamental principles of the law of the sea, such as the right of islands to generate the same maritime rights as other land territory — a rule enshrined in paragraph 2 of article 121 of UNCLOS and confirmed by jurisprudence — while entering into bilateral arrangements or defining their maritime limits. It is imperative that the international law of the sea, the principle of good-neighbourly relations and sovereignty and sovereign rights over the maritime zones of all States, including those generated by islands, are respected. All members of the international community must abide by those principles and refrain from any actions undermining regional stability and security.

Mr. Cuellar Torres (Colombia) (*spoke in Spanish*): The delegation of Colombia wishes to express its sincere thanks to Ms. Natalie Morris-Sharma of Singapore and

Mr. Andreas Motzfeldt Kravik of Norway for their excellent work as coordinators of the resolutions on oceans and law of the sea (resolution 74/19) and on sustainable fisheries (resolution 74/18), respectively. Since assuming their role as facilitators, they have conducted discussions with aplomb, transparency and a constructive spirit, which are reflected in the resolutions we adopted today.

Colombia is a nation with coasts bordering the Atlantic and Pacific Oceans, the biogeographic conditions of which have granted it a great diversity of marine and coastal ecosystems. The health of those ecosystems depends not only on their coherent and responsible management at the national level, but also on the management of other countries in terms of impact on the oceans. As a mega-diverse country, Colombia is fully committed to the conservation, protection and sustainable development of our oceans through the implementation of policies, plans and programmes that underscore the national, regional and global importance of the issue. Furthermore, my country has a significant institutional structure in marine-coastal matters and a comprehensive vision that considers the sea, the coast and their resources to be fundamental elements of our country's actions. Therefore, my delegation reaffirms its commitment to the development and sustainable management of fishery resources in order to build not only a country that is sustainable, but also a sustainable fishing system at the global level, thereby guaranteeing access to fishery resources for future generations.

It is in line with that commitment that Colombia recognizes the valuable contributions made by the resolutions of oceans and the law of the sea and sustainable fishing. However, we note that they contain language that the Colombian Government does not share with respect to the United Nations Convention on the Law of the Sea of 1982, such as the opinion that the Convention is the sole normative framework regulating activities that take place in the oceans.

Colombia's activities in the marine environment strictly adhere to the various international commitments that it has expressly adopted or accepted. We avail ourselves of this opportunity to reiterate that Colombia has not ratified the Convention and so the provisions therein are neither enforceable nor opposable in our country, except for those that we have expressly agreed to enter into. Colombia understands that resolution 74/19 and participation in its adoption process cannot be considered or interpreted in such a way that implies

the express or tacit acceptance by the Colombian State of the provisions contained in Convention.

The constructive spirit that guides our country on matters pertaining to the oceans and the law of the sea is based on the firm conviction that all nations are committed to protecting the sea and its resources, given that a sustainable future for our world depends upon it. Colombia is prepared to work in cooperation with other nations to overcome the challenges that maintaining the health of our oceans entails. Accordingly, Colombia expresses its reservation with regard to any mention in resolution 74/19 of the Convention as the only regulatory framework that regulates activities conducted in the oceans. We reaffirm that we do not consider ourselves bound by its content and request that this statement be included in the official record of this meeting.

The Acting President: We have heard the last speaker in explanation of vote after the vote.

The exercise of the right of reply has been requested. I remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention, and should be made by delegations from their seats.

Mr. Liu Yang (China) (*spoke in Chinese*): China would like to exercise its right of reply in response to the statements made by the representatives of the United States and other countries on the question of the South China Sea.

China is the staunchest force for maintaining peace and stability in the South China Sea. China has long been committed to properly managing and finally settling relevant disputes through negotiations with the countries that are directly concerned in order to safeguard peace and stability in the South China Sea. At present, thanks to China's concerted efforts and those of members of the Association of Southeast Asian Nations (ASEAN), the situation in the South China Sea is largely stable. The question of the South China Sea is back on the right track of negotiations and consultations to settle outstanding disputes.

Under the framework of the comprehensively and effectively implemented Declaration on the Conduct of Parties in the South China Sea, China and the countries of ASEAN are actively advancing in their consultations on the Code of Conduct in the South China Sea. By strengthening cooperation, deepening mutual interest

and managing disputes, we are maintaining peace and stability in the South China Sea region. We hope that the United States can recognize the prevailing positive and sound momentum in the South China Sea, while respecting and supporting the efforts of the countries of the region to maintain regional stability, rather than working against them.

Certain countries seem to enjoy saying that navigational freedom in the South China Sea is an issue, but the facts speak for themselves. The South China Sea is one of the safest and freest sea routes in the world, with 50 per cent of the world's commercial ships and one third of global maritime trade — some 100,000 commercial ships from a broad range of countries — passing through it every year. If there really is an issue with navigational freedom in the South China Sea, why is it that the Sea is one of the busiest and most dynamic sea routes in the world? In fact, there has never been an issue with freedom of navigation and overflight in the South China Sea.

It is truly worrisome that some countries, for instance, the United States, on the pretext that navigational freedom in the South China Sea has been compromised, has sent military ships and airplanes to the area to flaunt their military power, thereby provoking and threatening countries with coasts on the Sea. Actions of that kind are what all parties should firmly oppose. China has always respected and supported countries' enjoyment of freedom of navigation and overflight in the South China Sea in keeping with international law, including the United Nations Convention on the Law of the Sea (UNCLOS). When enjoying those freedoms, countries should fully respect the sovereignty and security interests of the countries bordering the South

China Sea. China firmly opposes the attempt by any country to infringe on its sovereignty and security in the name of navigational freedom.

While the United States emphasizes the universality of UNCLOS, it is not a State party to the Convention. This is very hard to understand. Were the United States to accede to the Convention and comply with it as soon as possible, that would be conducive to maintaining international maritime order.

China would like to point out that all countries should interpret and apply UNCLOS in good faith, accurately and in full. In the meantime, we should recognize that UNCLOS is not an exhaustive list of all maritime rules. The preamble stipulates that matters not regulated under the Convention should continue to be governed by the rules and principles of general international law.

China's territorial sovereignty and maritime interests and rights in the South China Sea are consistent with relevant international law and practice. We stand ready, on the basis of historical facts and international law, to continue working with countries directly concerned to peacefully settle disputes related to the South China Sea through negotiation and consultation.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 74?

It was so decided.

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 74 and its sub-item (a).

The meeting rose at 6.05 p.m.