



# General Assembly

Seventy-fifth session

**38<sup>th</sup>** plenary meeting  
Tuesday, 8 December 2020, 10 a.m.  
New York

Official Records

*President:* Mr. Bozkir ..... (Turkey)

*The meeting was called to order at 10 a.m.*

## Agenda item 76

### Oceans and the law of the sea

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

**Reports of the Secretary-General (A/75/70 and A/75/340)**

**Reports 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/75/362 and A/75/614)**

**Letter dated 13 October 2020 from the co-Chairs 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/75/232/Rev.1)**

**Draft resolution (A/75/L.39)**

#### (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**

#### **Report of the Secretary-General (A/75/157)**

#### **Draft resolution (A/75/L.40)**

**The President:** I should like to inform members that action on draft resolution A/75/L.39, entitled “Oceans and the Law of the Sea”, has been postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee.

I now give the floor to the representative of Singapore to introduce draft resolution A/75/L.39.

**Mr. Gafoor** (Singapore): As we commence our debate on the agenda item entitled “Oceans and the law of the sea”, it is important to take a moment to remember that a multilateral process under the United Nations gave us the legal framework within which all activities in the oceans and seas are carried out — the United Nations Convention on the Law of the Sea. Today the United Nations Convention on the Law of the Sea, also known as the “constitution of the oceans”, remains one of the most important legal instruments ever adopted. It also provides an important reminder of what multilateralism can achieve.

Singapore had the honour to coordinate the informal consultations on draft resolution A/75/L.39, which I am pleased to introduce on behalf of the coordinator, my colleague, Ms. Natalie Morris-Sharma, Deputy Senior State Counsel at the Attorney-General’s Chambers in Singapore. On her behalf, I wish to express appreciation for the support and constructive engagement of all

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delegations, including the small group facilitators, and I also thank the Division for Ocean Affairs and the Law of the Sea (DOALOS) for its support throughout the negotiations.

This year, due to the coronavirus disease (COVID-19) pandemic, the informal consultations were conducted on an exceptional basis through an exchange of correspondence and virtual meetings held in October and November. They proceeded on the understanding that the draft resolution was to be a technical rollover of resolution 74/19, adopted at the seventy-fourth session. The general understanding was also that, apart from technical updates, changes would be limited to those necessary for DOALOS to be able to prepare and operationalize next year's meetings; matters involving budgetary implications and mandate renewals; and language pertaining to matters arising from the pandemic.

The changes in the text of draft resolution A/75/L.39 relative to the text of resolution 74/19 — although limited in number — are of great importance. The significance of draft resolution A/75/L.39 therefore remains undiminished, in my view. I will now outline four key changes.

First, the draft resolution notes the challenges faced by the Commission on the Limits of the Continental Shelf in continuing its work during the pandemic and decides to consider the use of the voluntary trust funds to facilitate temporarily the virtual participation of members of the Commission from developing States and members of delegations from submitting developing States in the work of the Commission and its subcommissions, provided that certain conditions are met.

Secondly, the draft resolution notes the calls that have been made regarding the plight of seafarers resulting from the impacts of the COVID-19 pandemic.

Thirdly, the draft resolution welcomes the steps taken to prepare the implementation plan of the United Nations Decade of Ocean Science for Sustainable Development (2021-2030).

Fourthly, the draft resolution touches on a number of matters concerning the Regular Process, including with regard to its third cycle and the welcoming of the second *World Ocean Assessment* and approval of its summary.

That concludes my introduction of the draft resolution. It gives me great pleasure to recommend it to the General Assembly for adoption. While a vote may be requested for the adoption of the draft resolution, I remain very hopeful that it will be adopted without one.

I will now make some remarks in my national capacity.

My delegation aligns itself with the statement to be delivered by the representative of Belize on behalf of the Alliance of Small Island States.

The year 2020 was envisaged to be the “super year” for the ocean, but the COVID-19 pandemic has led to the postponement of major oceans-related processes that were scheduled to take place this year. It has also complicated efforts to address existing challenges in the oceans and seas and has led to some new issues.

One example is the plight of the thousands of seafarers around the world who have been stranded on vessels at sea owing to the travel restrictions arising from the pandemic. The health and safety concerns are serious. The ongoing situation has also had a significant impact on the global economy and international supply chains, which are critical to pandemic response and recovery. Singapore has been facilitating, and will continue to facilitate, crew changes in a manner that safeguards public health and that of ships and their crews.

Small island nations like Singapore, which are dependent on the oceans and seas, can nonetheless take heart from the fact that the pandemic has not diminished interest or completely impeded progress on oceans-related issues. I will briefly mention three examples.

First, progress continues to be made in filling knowledge gaps, even as the international community seeks to step up efforts to address the existential threat of sea-level rise. Discussions have been held in the Sixth Committee and on its margins on an issues paper on sea-level rise in relation to the law of the sea that was published by the two co-Chairs of the International Law Commission's study group on sea-level rise.

Secondly, although the fourth 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 the marine biological diversity of areas beyond national jurisdiction (BBNJ) was postponed owing to the COVID-19 pandemic, a

virtual intersessional work programme was launched in September to facilitate continued dialogue on key aspects of a future BBNJ instrument. We believe that the work that is being done during the intersessional period will provide the foundation for a productive fourth session of the Intergovernmental Conference.

Thirdly, Singapore and the International Tribunal for the Law of the Sea adopted a model agreement in June that will enable Singapore to host proceedings before the Tribunal or a Chamber of the Tribunal. Singapore is the first country to adopt such an agreement with the Tribunal, and we hope that the agreement will encourage more countries in our region to refer disputes to the Tribunal.

Multilateral institutions and processes are critical to supporting the global community's ongoing efforts to overcome the crisis caused by the COVID-19 pandemic. The United Nations must continue to be at the centre of such efforts to recover from the impact of COVID-19 and build back better with a view to the achievement of the Sustainable Development Goals. In that regard, the full and effective implementation of the Convention will be key to ensuring the conservation and sustainable use of the oceans and their resources and a sustainable future for all.

**The President:** I now give the floor to the representative of Norway to introduce draft resolution A/75/L.40.

**Mr. Kvalheim** (Norway): Norway had the honour of coordinating the informal consultations on draft resolution A/75/L.40, on sustainable fisheries, and I am pleased to introduce the text on behalf of its sponsors.

Due to the special circumstances that we find ourselves in due to the ongoing coronavirus disease (COVID-19) pandemic, which have rendered in-person meetings impossible, this year's draft resolution had to be negotiated using virtual meetings combined with written procedures

The draft resolution we have before us represents, to a large extent, a technical rollover of last year's resolution 74/18. Delegations agreed that updates should be limited to only those necessary to prepare for forthcoming meetings and to address issues with budgetary implications and mandate renewals. Together with the coordinator, Mr. Andreas Motzfeldt Kravik, I would like to take this opportunity to thank delegations for their hard work and flexibility, and the Secretariat

for its invaluable efforts and support throughout the negotiations.

Fisheries provide a vital source of food, employment, trade and economic well-being for people throughout the world. Achieving sustainable fisheries, combating illegal, unreported and unregulated (IUU) fishing, addressing fishing overcapacity and ensuring safety at sea and decent working conditions in the fisheries sector are all necessary if we are to achieve the Sustainable Development Goals, particularly Goal 14.

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, and related instruments was opened for signature 25 years ago. The Agreement is a cornerstone in contemporary fisheries management and sets out a comprehensive legal regime for the conservation and sustainable use of straddling and highly migratory fish stocks, with a strong emphasis on regional management. It promotes the sustainability of some of the world's most commercially important fish stocks.

This year also marked the twenty-fifth anniversary of the 1995 Code of Conduct for Responsible Fisheries, adopted by the Conference of the Food and Agriculture Organization of the United Nations. The Code continues to be a reference framework for national and international efforts to ensure sustainable fishing and production of aquatic living resources in harmony with the environment.

Nevertheless, one of every five fish caught around the world every year is thought to originate from IUU fishing, at a value of \$10 to \$23 billion annually. The effective global implementation of the Agreement on Port State Measures — the first binding international agreement to specifically target illegal, unreported and unregulated fishing — is one of the most cost-effective means to curb such fishing. Let me take this opportunity to call on States that have not yet done so to become parties to the Agreement.

Norway is pleased to join others in co-sponsoring draft resolution A/75/L.39, on oceans and the law of the sea. We thank Ms. Morris-Sharma for her leadership during the consultations under challenging circumstances. The draft resolution once again reaffirms the universal and unified character of the Convention in that it sets out the legal framework

within which all activities in the oceans and seas must be carried out. Norway fully subscribes to that view.

The Convention provides clarity with regard to the obligations and rights of States. It represents customary law and provides an indispensable framework for the sustainable use of marine resources, the protection of the marine environment, shipping safety and security, international and regional cooperation and marine science.

Norway's Prime Minister, in her statement at the general debate (see A/75/PV.12, annex IX), drew attention to the challenges that seafarers are facing in this crisis. On 21 September, the International Maritime Organization adopted a resolution entitled "Recommended action to facilitate ship crew change, access to medical care and seafarer travel during the COVID-19 pandemic". Norway encourages all Member States to implement its recommendations.

A well-functioning Commission on the Limits of the Continental Shelf is an important priority for Norway. It is important that all parties involved secure good working conditions for members of the Commission. Several challenging issues have been highlighted by the working group dedicated to those issues, and unfortunately it appears that it will take time to find solutions.

However, an important measure that does not have to await further consideration is the strengthening of the voluntary trust fund established to defray the cost of participation of the members of the Commission from developing States in the meetings of the Commission, as well as to facilitate the preparation by developing States of their submissions. We therefore encourage all States that are in a position to do so to contribute to the fund.

We also support the ongoing assessment of ways to enable members of the Commission to remotely participate in the work of the Commission and its subcommissions for as long as the COVID-19 pandemic prevents the Commission from meeting in New York, as well as the possible use to that end of the trust fund.

Marine scientific research is also fundamental for improving our understanding and knowledge of the ocean. We therefore very much welcome the implementation plan for the United Nations Decade of Ocean Science for Sustainable Development and thank

the Intergovernmental Oceanographic Commission for preparing the plan.

This year Norway, together with the Division for Ocean Affairs and the Law of the Sea, launched a programme of assistance to meet the strategic capacity needs of developing States in the area of ocean governance and the law of the sea. Norway has provided \$2.2 million in financial support for the programme.

The programme will provide capacity development and technical assistance to a number of developing States over a four-year period in order to reinforce their capacity to implement the United Nations Convention on the Law of the Sea and related agreements and better harness the benefits of the sustainable ocean economy, including through more effective implementation of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals.

Two years ago, Norway's Prime Minister and the 14 other world leaders who were members of the High-level Panel for a Sustainable Ocean Economy set out to shape a transformative agenda for a sustainable ocean economy, in which effective protection, sustainable production and equitable prosperity will go hand in hand. More than 230 leading world experts have since provided the Panel with new science, knowledge and opportunities for action.

Their work is captured in the newly released report that sums up the abundant evidence on the benefits of ocean action for people, nature and the economy. The essence of the Panel's recommendations is that we must change our mindset when managing the oceans. The oceans can provide more food and jobs and other benefits, but that can happen only if we protect and manage the oceans properly. Our aim must be the sustainable management of 100 per cent of the oceans.

Norway is a steadfast supporter of the process of developing a new instrument for the conservation and sustainable use of biodiversity in areas beyond national jurisdiction. We see a need for a new regime governing marine genetic resources in those areas. It should be pragmatic, cost-effective and practical, promote research and innovation and secure access to benefit-sharing, particularly for developing countries.

With regard to area-based management tools, including marine protected areas, the new instrument should initiate increased contributions from existing sectoral and regional mechanisms to the conservation



and sustainable use of biodiversity. By doing so, the instrument would add value to existing structures and contribute to strengthening the implementation of the United Nations Convention on the Law of the Sea.

**Ms. Lindo** (Belize): I have the honour of delivering this statement of urgency, hope and ambition on behalf of the Alliance of Small Island States (AOSIS).

This year has been difficult for the world. In addition to the typical challenges of seeking peace and security, contending with natural and human-caused disasters and addressing inequality and development, we are also facing an unprecedented pandemic that has put more obstacles in the way of achieving our shared 2030 Agenda for Sustainable Development.

Despite the unique challenges of this year, it is crucial that we remain focused on our ocean agenda. Last year's special report by the Intergovernmental Panel on Climate Change entitled *The Ocean and Cryosphere in a Changing Climate* stated in no uncertain terms that our oceans are in danger. Ocean warming, deoxygenation, acidification, sea-level rise and the collapse of marine biodiversity imperil our collective futures.

This year's report of the Secretary-General on the oceans and the law of the sea (A/75/340) details how the simultaneous shocks of the coronavirus disease (COVID-19) and the deterioration of ocean health have affected States' ability to ensure food security, conduct essential oceans research and finance national development priorities. Vulnerable States, particularly small island developing States (SIDS), are disproportionately affected owing to a confluence of factors, including their exposure to, and dependence on, the oceans in the economic, social and cultural life of their populations.

However, this unexpected cataclysm has clarified our global priorities and sparked increased cooperation among all countries. It has become ever-clearer that, in order to achieve sustainable development, national and international efforts must be holistic and bold. We must consider all facets of development when addressing collective challenges. We must seek to mitigate future harms and, when buffeted by the storms of adversity, we must plan ahead in advance to build back better.

Therefore, it is evident that any truly successful approach to COVID-19 recovery must involve environmentally and scientifically informed efforts

to ensure more sustainable ocean activities that will tackle climate change and the need for the equitable enjoyment of ocean resources.

Small island developing States are already working on the plan to build back better with oceans in mind. We have been working on preparations and capacity-building to develop our blue economy. We have been actively engaged in negotiations for a new treaty on the conservation and sustainable use of the marine biological diversity of areas beyond national jurisdiction (BBNJ) and we are working with our partners on strengthening our capacities to not only implement but benefit from such a treaty.

In that context, we were pleased to launch last month a report entitled *Science in Small Island Developing States: Capacity Challenges and Options Relating to Marine Genetic Resources of Areas Beyond National Jurisdiction*. We have also emphatically pushed for international focus on the impact of climate change on oceans, which has resulted in the inclusion of sea-level rise in the International Law Commission's programme of work and in the oceans dialogue at the United Nations Framework Convention on Climate Change.

While we look forward to the 2021 United Nations Ocean Conference, it is concerning that very little progress has been made since the previous conference, held in 2017. Only one of the 10 targets of Sustainable Development Goal 14 — on life below water — has been met, while four targets were supposed to have been met by 2020. It is evident that efforts need to be enhanced to reach those targets as soon as possible in order to ensure the full achievement of Goal 14 by 2030. We are confident in the able leadership of Portugal and Kenya, the co-hosts of the Conference, to steer us in that direction.

Despite this year's inevitable postponement of the fourth Intergovernmental Conference on BBNJ, we are pleased that the new dates for the Conference have been set and reiterate our call to ensure inclusive and effective participation with a view to concluding negotiations expeditiously.

Time is of the essence when it comes to the conservation of the high seas for future generations, and it is also important to acknowledge the short- and long-term benefits of sustainable use. For instance, deep-sea microbes were used in coronavirus medical test kits, illustrating that it is critical to ensure that we are all able to continue to reap the vast benefits that the

oceans have to offer, especially in dealing with new and emerging challenges.

Similarly, as the United Nations Decade of Ocean Science for Sustainable Development will begin next year, we remind States of the need to provide technical assistance and capacity-building to developing countries in order to bridge gaps and continue to invest in the full utilization of marine resources for sustainable development. SIDS also have the unique ability to contribute to this discourse, as we have thousands of years of accrued traditional knowledge about the oceans, as well as capable and dedicated researchers who can contribute to innovative perspectives

We urge States to approach socioeconomic and environmental challenges like the ones currently facing our oceans with innovative thinking, the needed political drive and a spirit of cooperation and partnerships for our collective benefit. We urge States to complement anthropogenic approaches to development with ecocentric ones. We can accommodate the needs of current and future generations while more broadly protecting all life on Earth.

SIDS have long been custodians of the oceans and now — in an interconnected and interdependent world — we are all stewards of its resources. We have a great deal to learn about the Earth and its oceans, but we are running out of time to protect them.

I have said that this coming decade will be one of incredible urgency, but I reiterate that it should also be one of hope and ambition. We face a unique opportunity to build back better with the opening of the United Nations Decade of Ocean Science for Sustainable Development and the decade of action to implement the 2030 Agenda for Sustainable Development. AOSIS looks forward to the transformative work of all Member States.

**Ms. Riley** (Barbados): I have the honour to deliver this statement on behalf of the 14 member States of the Caribbean Community (CARICOM), which aligns itself with the statement delivered by the representative of Belize on behalf of the Alliance of Small Island States.

CARICOM thanks the Secretary-General for his report (A/75/340), which highlights recent developments in ocean affairs and the law of the sea. Accordingly, CARICOM is pleased to participate in this debate given the importance of the ocean to the health and well-being of small island States.

While we were unable to engage in the usual way in negotiations on the annual sustainable fisheries draft resolution (A/75/L.40) and the omnibus oceans and the law of the sea draft resolution (A/75/L.39), we were able to consider and reach agreement on a variety of mandates that will allow for their implementation in 2021 and 2022. We would therefore like to express our appreciation to the facilitators of the two draft resolutions for shepherding us through those consultations under extraordinary circumstances.

CARICOM small island developing States (SIDS), like many other countries around the world, have had to deal with the impacts of the coronavirus disease (COVID-19) pandemic on their societies and economies. For us that has meant that this year much-needed attention has been diverted from charting a path for the conservation and sustainable use of our oceans to surviving the onslaught of a pandemic that has brought our economies to a virtual halt.

That has also meant that many people who work in our tourism industry have lost their jobs or are currently working on a severely reduced schedule. Furthermore, as the Secretary-General indicates in his report, the pandemic has affected all sectors of the global economy, including global supply and value chains, and is expected to significantly delay the achievement of Sustainable Development Goal (SDG) 14 and its related targets. CARICOM also remains concerned about the deleterious impacts of the pandemic on seafarers, in particular with respect to their working conditions at sea.

As destabilizing as the pandemic has been, however, it will not compare to the devastation that will be caused by climate change if no decisive action is taken. We therefore reaffirm our appreciation to the Intergovernmental Panel on Climate Change (IPCC) for its 2019 special report entitled *The Ocean and Cryosphere in a Changing Climate*, which casts a spotlight on the particular impacts of climate change on SIDS and low-lying islands, coasts and communities, as well as the urgent need to take concrete action to mitigate and adapt to climate change

CARICOM also thanks the Secretary-General for his continuing efforts to put the climate crisis front and centre on the international agenda. We agree with him that now is the time to step up the momentum on combating climate change by presenting ambitious nationally determined contributions and long-term

climate strategies. Climate-related hazards and associated impacts continue to make their presence felt globally. The 2020 hurricane season has seen some 30 named storms, which have resulted in unprecedented flooding and significant loss and damage in our region.

As noted in the executive summary to the recently launched *State of the Caribbean Climate* report,

“[E]vidence-based and proactive decision-making will be fundamental to the transformation process from vulnerable to resilient Caribbean societies.”

We therefore look forward to the convening of the Climate Ambition Summit later this month and urge Member States to take decisive steps to ensure that we achieve our goal of “1.5 to Stay Alive”.

CARICOM also welcomes the release of the second *World Ocean Assessment* report. The report, which seeks to evaluate developments and changes in the oceans since 2015, crucially examines the drivers and pressures and their impacts on the marine environment, as well as the relationships among those drivers and pressures. While the report does not provide policy analysis or recommendations, it is unique in its scope of providing a global integrated marine assessment. In that regard, CARICOM would like to express its deep appreciation to the Group of Experts and Pool of Experts for their dedicated work in completing the report as planned, notwithstanding the challenges posed by the onset of the COVID-19 pandemic.

CARICOM remains concerned about the threats posed to its very survival by sea-level rise. As the Secretary-General notes in his report, the global mean sea-level is now at its highest since high-precision altimetry records began, and sea-level rise is expected to continue at an accelerated rate. We therefore wish to reiterate our thanks to the IPCC and the International Law Commission for their timely work on the issue. In particular, we thank the Commission for producing the first issues paper and for its oral reports. While we regret that it was not possible to receive a written report owing to impacts of the pandemic on the work of the Commission, we look forward to its formal consideration of the issues paper next year. CARICOM also looks forward to the consideration of the issue at next year’s United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea.

CARICOM is a strong supporter of the United Nations Decade of Ocean Science for Sustainable

Development, which has the potential to be a game-changer in the advancement, use and conduct of marine scientific research. We endorse the vision of the Decade, entitled “The science we need for the ocean we want”. In that regard, CARICOM sees the Decade as providing an opportunity to scale up marine science in our understanding of the ocean, inform science-based decision-making and strengthen the science-policy interface. We trust that the Decade will facilitate the full implementation of parts XIII and XIV of the Convention through enhanced and effective capacity-building and the transfer of marine technology. CARICOM thanks the Intergovernmental Oceanographic Commission of UNESCO for undertaking a pilot of its Clearing House Mechanism in the region.

CARICOM underscores the importance of capacity-building and the transfer of marine technology in facilitating the full implementation of the obligations under the Convention. We applaud the efforts of the Division for Ocean Affairs and the Law of the Sea to address those needs through its capacity-building programmes. In particular, we wish to highlight the work of the Division and the United Nations Conference on Trade and Development in implementing a project in two of our member States — Belize and Barbados — to develop an evidence-based and policy-coherent ocean economy and trade strategy.

We remain committed to the direction given to us in resolution 71/224 concerning the sustainable development of the Caribbean Sea for present and future generations. Moreover, we appreciate the work undertaken by the Division in administering the voluntary trust funds, fellowships and scholarships, and we take this opportunity to thank donor countries for their continued support for those programmes. CARICOM also looks forward to next year’s publication of a guide on the capacity-building and voluntary trusts administered by the Division.

Like many, CARICOM regrets that the fourth session of the Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction had to be postponed owing to the COVID-19 pandemic and the resulting limitations on the holding of meetings at Headquarters. CARICOM reiterates its support for the conclusion of that important and ground-breaking agreement, which will help the international community better manage the areas beyond national jurisdiction.

As our Foreign Ministers indicated last year, it is vital that a new agreement on a legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ) include provisions that recognize the special circumstances of SIDS, include modalities and mechanisms for effective capacity-building and the transfer of marine technology and strike the right balance between conservation and sustainable use.

CARICOM therefore thanks the President of the Conference, in particular the Governments of Belgium, Costa Rica and Monaco and other partners, for the intersessional work that has been taking place. CARICOM remains hopeful that the new agreement will be ambitious in its results and effectively fulfil the vision of the drafters of the Convention for the equitable and efficient use of our marine resources.

It cannot simply be business as usual. Accordingly, we welcome the convening of the fourth, and final, session of the Intergovernmental Conference on BBNJ in August 2021, once the conditions previously indicated by the President of the Conference to allow for the safe and effective participation of all delegations can be met.

The United Nations Convention on the Law of the Sea and 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 mandate a duty to cooperate at the international, regional and national levels. CARICOM believes that cooperation at those levels, as well as with international organizations, funds and programmes and specialized agencies, is critical to the health of the oceans and, by extension, the health of humankind.

In that regard, our region continues to be the beneficiary of a project sponsored by the Global Environment Facility (GEF) entitled “Promoting national blue economy priorities through marine spatial planning in the Caribbean large marine ecosystem plus”. GEF support is also helping to realize a partnership memorandum of understanding among States and regional institutions in the wider Caribbean to advance regional coordination and cooperation in the Caribbean Large Marine Ecosystem Project in the areas of sustainable fisheries, pollution control, habitat restoration and blue economy opportunities. The States

members of CARICOM are keen to bring that process to fruition in order to improve the governance of shared living marine resources and natural capital.

As a community of small island developing States, CARICOM has an intrinsic relationship with our oceans and seas. They are a fundamental part of our economic, social and cultural heritage. We regret that it was not possible to convene the Ocean Conference this year but look forward to working with Kenya and Portugal, as well as the facilitators of the draft political declaration, to ensure a productive and successful Conference. We also take this opportunity to thank our bilateral partners and the United Nations system for their support to the region.

CARICOM remains at the forefront of efforts to implement sustainable fisheries management plans. In the furtherance of that objective, the Caribbean Regional Fisheries Mechanism has identified seven priority strategies. However, capacity-building, institutional strengthening and training will be critical to realizing the development of our fisheries’ potential and blue economic growth, as confirmed by our Ministers earlier this year.

Against that background, the region will maintain focus on the following issues: data collection; the ecosystem approach to fisheries; sanitary and phytosanitary systems and quality management in fisheries; value chain analysis; and fisheries monitoring, surveillance and enforcement to combat illegal, unreported and unregulated fishing, among others.

Accordingly, CARICOM welcomes the convening of the fifteenth round of informal consultations of States during the second half of 2021, which will focus on the theme “The implementation of an ecosystem approach to fisheries management”. We also take note of the proposal to convene the resumed Review Conference on the 1995 Agreement in the first half of 2022.

CARICOM is committed to the protection and preservation of the marine environment. Against that background, ratifications of a number of multilateral environmental and fisheries agreements have been made by several of our member States, including the ratification by Barbados of the Rotterdam Convention in October 2020.

Finally, CARICOM wishes to underscore the importance of the institutions under the Convention that contribute to its peaceful and meaningful



implementation. In that regard, we wish to recognize the work of the Commission on the Limits of the Continental Shelf and support efforts to improve the working conditions of its members, including the challenges faced by some of them in continuing their work during the COVID-19 pandemic. We are therefore pleased to join the consensus on the decision to use the voluntary trust funds to facilitate the remote participation of affected members of the Commission.

CARICOM also commends the work of the International Seabed Authority, which is headquartered in our sister State of Jamaica. We congratulate the Authority on its work to develop a regional environmental management plan for the Area of the Northern Mid-Atlantic Ridge, as well as to advance marine scientific research in the Area.

With regard to the International Tribunal for the Law of the Sea, CARICOM takes note of the work being undertaken by the Tribunal, including the decision to constitute a special chamber to address one of the matters on its docket. We also wish to use this occasion to express our appreciation to member States for their election of Judge Kathy-Ann Brown to the Tribunal. We are confident that her vast experience will be an asset to the Tribunal.

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

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

As we were having this debate last year (see A/74/PV.42), 2020 was viewed as the year of the oceans. However, it turned out to be the year of the coronavirus disease (COVID-19) pandemic, which has resulted in the postponement of many oceans-related United Nations meetings and processes, including the upcoming fourth session of the Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction, the United Nations Ocean Conference and the review of bottom fishing.

The EU and its member States are happy to see that, despite the challenging situation, we are meeting

here to discuss the oceans and the law of the sea, in particular two important draft resolutions (A/75/L.39 and A/75/L.40) that serve to further strengthen ocean governance. For the EU and its member States, the fundamental pillar of ocean governance is the United Nations Convention on the Law of the Sea (UNCLOS), which establishes the overarching legal framework within which all activities in oceans and seas must be carried out.

With its 168 parties, including the European Union, UNCLOS is rightly recognized as the “constitution of the oceans”, the provisions of which generally reflect customary international law and are therefore binding on all States, irrespective of whether they have acceded to the Convention or not. By establishing the legal order for seas and oceans, the Convention contributes to sustainable development, as well as to peace, security, cooperation and friendly relations among all nations.

To that end, it is imperative that both the freedoms enjoyed under the Convention by all States, including landlocked States, as well as the sovereignty and sovereign rights of coastal States over their maritime zones, including those generated by islands, be respected. That entails, *inter alia*, the responsibility on the part of all States to ensure that all interstate arrangements they enter into, including maritime boundary delimitation, are in line with general international law.

All members of the international community must abide by the fundamental principles and rules of the law of the sea and should refrain from any action undermining regional stability and security. The European Union and its member States remain committed parties to UNCLOS and its implementing agreements, including the United Nations fish stocks agreements. We sincerely hope that the goal of universal participation in the Convention will one day be met.

We also continue to acknowledge that the Convention should remain relevant and able to meet the challenges of today as well as those of the future. For that reason, the EU and its member States believe that it is important to continue and finalize the work of the Intergovernmental Conference on a 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).

More than ever, it is necessary to conclude an ambitious BBNJ implementing agreement as soon as

possible — ideally, as soon as next year. That remains a political priority for the EU and its member States. For that purpose, we have participated in the intersessional work on the text of the draft agreement and remain committed to engaging with all delegations to conclude the negotiations.

When we started preparations for the United Nations Oceans Conference earlier this year before the pandemic hit, the information provided by the Secretary-General made it clear that the four targets of Sustainable Development Goal 14 due to mature in 2020 would not be met. Unfortunately, despite our commitments, the state and health of the oceans are not improving. Oceans continue to face challenges from the impacts of climate change; pollution, including from microplastics; excessive nutrients; anthropogenic underwater noise; overfishing; illegal, unreported and unregulated fishing; and the continued loss of biodiversity. Those ubiquitous threats require our collective and firm political commitment and effective action, in line with the precautionary principle and the ecosystem approach, if we are to be successful in achieving and maintaining oceans that are clean, healthy and productive.

In view of that, recovery strategies to address the socioeconomic impacts of the COVID-19 pandemic should also aim to keep oceans healthy and productive, fight climate change and halt biodiversity loss and tackle hunger and poverty. There is no “either or”. We must all tackle those challenges during the recovery to become more resilient to future shocks and should not forget that sustainable ocean economies — the blue economy — have become increasingly important for many different countries to help them meet their development aspirations.

An additional challenge to ocean sustainability is posed by harmful subsidies that contribute to overcapacity, overfishing and illegal, unregulated and unreported fishing and are among the main impediments to achieving sustainable fisheries. We hope that the World Trade Organization negotiations on tackling harmful subsidies can be concluded this year in line with the commitment under target 14.6 of the Sustainable Development Goals. We remain fully committed to ensuring that can happen as soon as possible.

We firmly believe that the best way forward to recover from the pandemic is by rebuilding greener and

bluer, in line with the obligation to protect and preserve the oceans, which requires that decisions be made on the basis of the best available science. In that respect, the EU and its member States welcome the outcomes of the second *World Ocean Assessment* under the Regular Process and look forward to its third cycle. We want to thank its co-Chairs, the experts, including the drafters and reviewers, and all those involved for the useful aid provided to policymakers. We also want to thank the Intergovernmental Oceanographic Commission for its work in preparing the implementation plan for the United Nations Decade of Ocean Science for Sustainable Development (2021-2030). We encourage major participation in the Decade, which will provide us the science we need for the future we want.

Turning to issues relating to the social and human dimension, the EU and its member States would like to recognize the important role that seafarers and fishers play in providing us with goods, including the medicines and equipment used to fight the COVID-19 pandemic, as well as food. Yet hundreds of thousands of seafarers and fishers are stranded onboard their ships. We want to join the call made by the Secretary-General for the resolution of that issue. Once again, we would like to welcome the consensual adoption by the General Assembly last week of resolution 75/17, entitled “International cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains”.

We believe that it is also necessary to resolve, as soon as possible, the long-standing issues concerning the working conditions, including with regard to medical insurance coverage, of the members of the Commission on the Limits of the Continental Shelf. The EU and its member States consider that they should enjoy appropriate work conditions while serving the global community in New York.

We recognize that both draft resolutions A/75/L.39 and A/75/L.40, which we are discussing today, are important instruments in the context of enhancing ocean governance. For that reason, the EU and its member States participated actively in the consultations on them. We are happy to note the agreement of all delegations that submissions related to requests for contributions to different processes will continue to be posted unedited and as they are received by the Division on its website, in line with established practice. We believe that will promote transparency and the sharing of information.

In conclusion, we express our appreciation for the excellent stewardship demonstrated once again by both coordinators of the two draft resolutions, Ms. Natalie Morris-Sharma and Mr. Andreas Kravik. We also express our gratitude to the Secretariat and the Division for Ocean Affairs and the Law of the Sea for their excellent work and constant support despite the challenging conditions this year. We look forward to continuing our work next year on the processes and meetings that could not be held this year.

**Mr. Fifield** (Australia): Australia is clear about its priorities internationally and in the Indo-Pacific region. We are committed to promoting freedom of trade and safeguarding freedom of navigation. We want the rights of all States to be respected. We encourage the conservation and sustainable use of marine resources and fisheries. We place strong emphasis on preserving ocean and marine ecosystem health given the importance of the oceans for economic security and livelihoods, in particular in our region. We advocate strongly for the peaceful resolution of disputes in accordance with international law. The United Nations Convention on the Law of the Sea (UNCLOS) sets out clear rules consistent with those objectives.

As we reaffirm every year in the oceans and law of the sea resolution, the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out. UNCLOS is truly the “constitution of the seas and oceans”. It provides a comprehensive legal order governing States’ interaction and cooperation in the oceans, from navigation and conservation to how States’ maritime entitlements may be established. UNCLOS provides a foundation for international peace, security and stability. It supports all States in exercising their rights and freedoms and complying with their obligations in the oceans and seas.

That is particularly vital in the South China Sea. As we reiterated in our note to the Commission on the Limits of the Continental Shelf of 23 July, Australia does not take sides on competing territorial claims in the South China Sea, but we do not accept maritime claims that are inconsistent with UNCLOS. That note reinforced our long-standing position that the 2016 South China Sea arbitral award is final and binding on the parties and should be respected. We remain concerned about the destabilizing actions in the South China Sea, including the militarization of disputed features, actions to disrupt other countries’ resource exploitation activities and the dangerous or coercive use

of coast guard vessels and maritime militias. We urge all claimants to take meaningful steps to ease tensions, build trust and cease actions that could undermine stability or lead to escalation.

We commend the ongoing efforts of the International Seabed Authority to develop draft regulations for deep-sea mining exploitation of the area and underscore the importance of robust regulations to ensure the protection of the marine environment. As a member of the Pacific Island family, Australia is committed to a secure, prosperous and sustainable blue Pacific. UNCLOS compels countries to cooperate, conserve the living resources of the oceans and protect and preserve the maritime environment.

Australia firmly supports the development of an implementing agreement under UNCLOS to address the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ). The new agreement will help establish new high-seas marine protection areas. We call on Member States to continue to engage intersessionally to ensure that we can deliver both an ambitious and a comprehensive agreement at the fourth and final session of the Intergovernmental Conference on BBNJ.

We also commend the close attention that the General Assembly continues to devote to the issue of sea-level rise. We welcome the International Law Commission’s consideration of the issue, the impacts of which are of vital importance for all States, including low-lying States in our Pacific community. The ongoing work of the Commission, through the first issues paper, has already recognized the significant development, economic and environmental challenges facing affected States and contributed to identifying the important and urgent questions of international law that require our close consideration.

We urge all States to engage with the Commission as it undertakes that work and to recognize that a key purpose of UNCLOS is to provide a stable, predictable and durable maritime order in which the interests of all States are balanced.

**Mr. Geng Shuang** (China) (*spoke in Chinese*): Currently, the coronavirus disease (COVID-19) continues to ravage the world. The world is facing unprecedented challenges, as President Xi Jinping pointed out at the general debate of the General Assembly at its seventy-fifth session (see A/75/PV.3, annex 14). The COVID-19 pandemic reminds us that

we live in an interconnected global village with shared interests. It also reminds us that humankind should launch a green revolution and accelerate efforts to foster green development and a green way of life, preserve the environment and make Mother Earth a better place for all.

The Earth that we share is a blue planet, and making the world a better place will require us to work together to properly protect, develop, maintain and manage this blue planet. We must work together to build a high-quality ocean governance regime. The vastness of the ocean comes from all the rivers, which run into it. Improving global ocean governance also requires pooling the wisdom of all parties.

We must uphold the global governance vision of extensive consultations and joint contributions for shared benefits, constantly improve the rules of global ocean governance and strive to eliminate the gaps therein. Accurately and comprehensively interpreting and applying the United Nations Convention on the Law of the Sea in good faith is the basis for maritime cooperation and governance.

Matters not regulated by the Convention shall continue to be governed by the rules and principles of general international law. We must work together to maintain a high-quality marine ecological environment. Building a clean and beautiful world is inseparable from maintaining a clean and beautiful ocean. We need to explore how to live in harmony with the ocean and manage oceans, seas, land and rivers in an integrated manner. We must continue strengthening the prevention and control of marine environmental pollution, protecting marine biodiversity and promoting the conservation and restoration of marine ecosystems.

We must work together to develop a high-quality marine economy. The marine economy has an impact on global economic growth and the welfare of the people of every country. We must promote marine economic development and ecological protection in a coordinated and integrated manner, enhance the quality and efficiency of marine economic development, achieve the orderly development and use of marine resources and help build new vitality and momentum for the post-COVID-19 pandemic recovery of the world economy.

We must work together to forge a high-quality blue partnership. Cooperation is key to ensuring the sustainable development of the ocean. We must build an open, inclusive, concrete and pragmatic blue

partnership to achieve mutual benefits and win-win results. We must pursue the common and converging interests of all parties, promote the complementarity of benefits in the marine industry, jointly protect the marine environment, ensure maritime safety and security and settle maritime disputes through dialogue.

*Mr. Masuku (Eswatini), Vice-President, took the Chair.*

Due to the impact of the pandemic, the momentum in reaching 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) and regulations for the exploitation of mineral resources in the Area has slowed this year. The Chinese Government has actively participated in the relevant intersessional discussions with a responsible and constructive approach.

China believes that the negotiation of the BBNJ agreement should devote more attention to the content of the instrument than the timing of its entry into force in order to ensure a balanced treatment of the relationship between the conservation and the sustainable use of resources, while taking into account the concerns of all parties and safeguarding the overall interests of the international community as a whole.

Regulations for the exploitation of marine resources in the Area should reflect the relevant provisions of the Convention and its 1994 Implementation Agreement in a comprehensive, complete and rigorous manner in order to ensure a reasonable balance not only among the interests of the various parties concerned but also between deep-sea exploitation and environmental protection.

The International Tribunal for the Law of the Sea, the International Seabed Authority (ISA) and the Commission on the Limits of the Continental Shelf, which were established under the Convention, play an important role in global ocean governance. China actively supports the work of those three key entities and regularly donates to the relevant funds of the Commission and the Authority to assist developing countries in participating in relevant activities.

China signed a memorandum of understanding with the ISA on advancing the Belt and Road Initiative, and together they launched the operationalization of a joint training and research centre. China believes that



the International Tribunal for the Law of the Sea should strictly abide by the principle of State consent, fully respect the rights of States concerned to independently choose their dispute-settlement methods and facilitate the final and long-term settlements of disputes.

The Commission on the Limits of the Continental Shelf should adhere to its status as an independent expert entity, strictly abide by its rules of procedure and prudently handle submissions involving land or maritime disputes. The ISA should continue to steadily advance the development of regulations for the exploitation of mineral resources in the Area and put the principle of the common heritage of humankind into practice.

The sustainable development of fisheries is related to global ocean governance and also affects national economies and people's livelihoods. China is committed to promoting green fisheries development and the scientific conservation and rational use of fishery resources with a view to promoting the sustainable development of global fisheries.

I would like to share China's own position and experiences in that regard. We remain committed to green development and prioritize the conservation of fisheries resources. China adheres to the principle of relying primarily on aquaculture and establishing a green aquaculture system. The ratio of aquaculture production to capture fisheries improved from 74:26 in 1995 to 78:22 in 2019. China is implementing a total volume control system of marine fisheries resources, strictly enforcing a summertime fishing moratorium and voluntarily practicing our fishing moratorium on the high seas on a trial basis in order to foster ecological restoration in the waters concerned.

We remain committed to orderly development and combat illegal fishing with zero tolerance. China has established a system of collecting and reporting data on pelagic fishing and has strengthened its monitoring of the positions of ocean fishing fleets and catch transfers on the high seas. We have also strengthened fishery law enforcement and have actively prevented and deterred unreported and unregulated fishing activities.

We have also remained committed to development cooperation and actively promote the sustainable development of fisheries. By signing bilateral fishery cooperation agreements and establishing bilateral fisheries dialogue and consultation mechanisms, China has strengthened law enforcement cooperation and

has exchanged development experience with relevant countries, promptly resolving any problems that arise in bilateral fisheries cooperation.

China is actively involved in international fisheries governance and regional fisheries management organizations and is currently considering acceding to the United Nations Fish Stocks Agreement and the Agreement on Port State Measures of the Food and Agriculture Organization of the United Nations.

COVID-19 has unexpectedly alerted the world to the fact that humankind is a community with a shared future and that humans and nature are inseparable. China stands ready to work with all parties to uphold the vision of a community with a shared future, continue to advance global ocean governance and promote the sustainable development of the ocean with a view to building together a marine community with a shared future.

**Ms. Squeff** (Argentina) (*spoke in Spanish*): Every year my delegation reaffirms that the United Nations Convention on the Law of the Sea is one of the international instruments with the greatest economic, strategic and political implications. The objective of the negotiators of the Convention was to resolve all issues relating to the law of the sea in one instrument. Its provisions therefore make up a delicate balance of States' rights and obligations.

The oceans play an enormously important role in the life of the planet, owing to the multiple benefits that their ecosystems provide. The oceans' biodiversity is also key to the functioning of marine ecosystems so that they can provide their benefits. For more than a decade, the issue of conservation and the sustainable use of marine biodiversity beyond national jurisdictions (BBNJ) has been on the agenda of the United Nations. Due to the coronavirus disease pandemic, the fourth session of the Intergovernmental Conference on BBNJ was postponed. We support the extended intersessional work called for by the President of the Intergovernmental Conference as a means to maintain momentum. We also call for firm commitment to advance negotiations towards the conclusion of a treaty to ensure the conservation and sustainable use of biological resources in areas beyond national jurisdiction.

Argentina reiterates that the illegal trafficking in endangered species of wild flora and fauna, including by sea, calls for the implementation of the norms of the Convention on International Trade in Endangered

Species of Wild Fauna and Flora and the cooperation of States to stop such illicit trade.

Argentina would like to once again acknowledge the contributions of the International Tribunal for the Law of the Sea to the development of international law in general and the law of the sea in particular, as well as the peaceful settlement of disputes.

Argentina also reiterates its appreciation for the continued work of the Commission on the Limits of the Continental Shelf and would like to reiterate its concern about the working conditions of the members of the Commission. We must ensure that it be provided with adequate means and conditions of service commensurate with the importance of its work.

I would also like to acknowledge the work of the International Seabed Authority, in which Argentina actively participates. Argentina has been recognized as a champion of the Authority's action plan for marine scientific research in support of the United Nations Decade of Ocean Science for Sustainable Development.

Argentina is working continuously to improve understanding of the sea, strengthen the regulation of fisheries, combat illegal fishing, eliminate subsidies in order to prevent illegal fishing and overfishing, revive fish stocks and protect biodiversity. Our country is also working actively to meet the targets of Sustainable Development Goal 14.

With a view to protecting and conserving marine spaces representative of habitats and ecosystems, Argentina established the National System of Marine Protected Areas. With regard to the protection of vulnerable marine ecosystems, it should be recalled that, under article 77 of the Convention, the sedentary resources of the continental shelf are subject to the sovereign rights of coastal States over the entire area of that maritime space. Therefore, the conservation and management of such resources are under the exclusive authority of the coastal States concerned, which are responsible for adopting the measures necessary with respect to such resources and their associated ecosystems that could be affected by potentially destructive fishing practices, including the use of bottom-trawling gear on the high seas.

Marine debris is found in all seas worldwide, at all latitudes and depths. Consequently, the pollution of marine-coastal ecosystems and their interactions with biodiversity are a complex and multisectoral

problem that has economic, social and environmental implications on a global scale. We stress the important need to address that issue under the auspices of the General Assembly. The Argentine Federal Environment Council has approved the National Action Plan for the Conservation of Sea Turtles and the National Action Programme to Reduce the Interaction of Sea Turtles with Marine Debris.

Sustainable production is the first step towards sustainable development. It is therefore crucial to promote innovation and new technologies for the production, reuse, recycling and disposal of plastic products. Waste must be managed comprehensively to ensure that it does not end up in bodies of waters; when that cannot be avoided, the necessary steps must be taken to mitigate contamination in the areas affected.

Among the range of challenges facing us, climate change and urgently needed ambitious efforts to implement the Paris Agreement on Climate Change must be front and centre stage. Although the Conference of the Parties to the United Nations Framework Convention on Climate Change will be held in November 2021, that must not be allowed to paralyse States' commitment to taking climate action. In that regard, Argentina is in the process of revising its nationally determined contribution and its long-term development strategy with low greenhouse-gas emissions.

We welcome the fact that, within the framework of the Climate Dialogues, which were held a few days ago, a space was provided for the first informal Ocean and Climate Change Dialogue. We hope to continue that Dialogue in 2021 to discuss and exchange good practices in examining the relationships linking the phenomenon of climate change with the oceans.

Argentina is a pioneer in the promotion of sustainable fisheries. Law 24922, which established the federal fisheries regime, includes provisions for the conservation, protection and administration of marine living resources and the establishment of regulations for marine scientific research on the effects of fishing in maritime areas under national jurisdiction.

The approach to fisheries management adopted by Argentina combines target species-based fisheries management with ecosystem-based fisheries management. The fundamental goal of the approach is the sustainable use of the entire system — not only that of the targeted species — based on the understanding that maintaining and improving the state of ecosystems

and their productivity are essential for maintaining and improving the quality and value of fisheries production.

In that context, action plans are being implemented by the Federal Fisheries Council for the protection of sharks, birds, turtles and marine mammals and to reduce their interaction with fisheries, in keeping with the 1995 Code of Conduct for Responsible Fisheries, adopted by the Conference of the Food and Agriculture Organization of the United Nations, with respect to selectivity, ghost fishing, by-catch, discards and waste.

Argentina would like to reiterate its concern about the trend of seeking, through General Assembly resolutions, to legitimize regional fisheries management organizations in their attempts to adopt measures that exceed the spatial, material and professional scope of application of those entities. Argentina objects to General Assembly resolutions being interpreted in that way, especially with regard to measures by means of which those organizations seek to claim any kind of authority over the flag vessels of countries that are not members of such organizations.

The fact that Argentina is a bicontinental and oceanic country means that it is mindful of the entirety of its terrestrial, insular and maritime geography. Argentina's maritime spaces, including its territorial waters, exclusive economic zone and continental shelf, represent an area of almost 6,700,000 square kilometres. Increasing its presence and strengthening its sovereignty over such maritime spaces is a perennial goal of our country, requiring the development of State policy on the management of the South Atlantic as a geostrategic space, not only in terms of sovereignty but also in terms of its incalculable natural resources — fisheries, hydrocarbons, energy and minerals — as well as environmental issues and its socioeconomic and scientific development.

Lastly, Argentina would like to express its appreciation to the entire staff of the Division for Ocean Affairs and the Law of the Sea for their professionalism, seriousness and dedication, as well as for their timely assistance to Member States. My country reiterates the need to provide the Division with sufficient resources so that it can carry out its mandate.

**Ms. Fatima** (Bangladesh): I congratulate the President and other members of the Bureau of States Parties, as well as the Division of Ocean Affairs and Law of the Sea, for the excellent manner in which they

have carried forward their work despite the challenges of the coronavirus disease (COVID-19) pandemic.

The pandemic has had an impact on the implementation of the United Nations Convention on the Law of the Sea (UNCLOS) and related discourses. Moreover, it has also seriously impacted other areas, including the ocean economy. International shipping, which accounts for 80 per cent of world trade, has decreased substantially. Seafarers have been significantly affected, as have been the world's 9.4 million fishermen, 90 per cent of them in developing countries, who are unable to work.

We take note of the Secretary-General's report (A/75/70), which reflects on the adverse impact of sea-level rise and its mitigation measures, and his report (A/75/157) on the impact of bottom fishing on vulnerable and deep-sea marine ecosystems and fish stocks. The rise in sea level threatens the very survival of many low-lying coastal States and small island developing countries. It will exacerbate existing vulnerabilities relating to water and food security, health and livelihoods, impeding the timely and effective achievement of the 2030 Agenda for Sustainable Development.

The dominant causes of sea-level rise are primarily human-induced activities, and its solution also lies with us. As cited in the second *World Ocean Assessment* report, the release of pollutants from manufacturing industries, agriculture, tourism and shipping continues to put pressure on the oceans. The Secretary-General's report also highlights the adverse impacts of bottom fishing on vulnerable ecosystems and the long-term sustainability of deep-sea fish stocks. We appreciate the various measures and actions taken by States and regional organizations to mitigate such impacts. We also stress the importance of making environment-friendly deep-sea fishing technology accessible to developing countries.

Bangladesh is a low-lying coastal country with 19 coastal districts that are home to approximately 42 million people, who are very vulnerable to climate extremes and sea-level rise, as well as cyclones, tidal surges and permanent inundation. In order to address those vulnerabilities, Bangladesh adopted its Climate Change Strategy and Action Plan in 2009. We are also at the final stage of enacting our Maritime Zones Act to ensure the efficient utilization, conservation and scientific management of our marine resources.

Bangladesh recently lodged an amended submission to the Commission on the Limits of the Continental Shelf for the determination of the outer limits of the continental shelf in the Bay of Bengal. The amendment was made to give effect to the judgment of the International Tribunal for the Law of the Sea and the award rendered by the Arbitral Tribunal under annex VII in the maritime delimitation proceedings with our neighbouring countries. The determination of the outer limits of the continental shelf will enable Bangladesh to explore natural resources, which is critical for achieving our development agenda. We hope that the Commission will soon be able to resume its work.

The ocean is our global commons. Our common future will therefore be significantly determined by the way we conserve, develop and tap into oceanic resources and services. I wish to make a few points in that regard.

First, in order to address climate-induced sea-level rise, we call for the timely and effective implementation of the various provisions of UNCLOS, the United Nations Framework Convention on Climate Change and the Paris Agreement on Climate Change to tackle that global challenge in a coordinated manner.

Secondly, in order to ensure a balance concerning the equitable and efficient utilization of ocean resources, the conservation of marine resources and the protection and preservation of the marine environment, it is imperative to ensure the early conclusion 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 (BBNJ). We hope that the fourth session of the BBNJ Intergovernmental Conference, scheduled for August 2021, will achieve a constructive outcome in that regard.

Thirdly, we need to redouble international cooperation to address the continued threats to maritime security, including those caused by the large movements of refugees and migrants by sea, mostly in perilous situations. In that regard, we call on States to comply with their obligations concerning search and rescue operations at sea and to work towards addressing the root causes of such irregular movements.

Fourthly, capacity-building and technical assistance remain crucial for the implementation of a legal and policy framework for the oceans and seas, particularly for developing countries. We appreciate the

report of the Secretary-General on the work of the nine administered voluntary trust funds of the Division for Ocean Affairs and the Law of the Sea (A/75/340), which assist developing States in implementing the provision of UNCLOS and support them in other processes. But certainly, more can be done.

Lastly, in order to recover from the impacts of COVID-19 with regard to the ocean economy and building back better, we must encourage and foster integrated cooperation and coordination at the international, regional and local levels, especially in support of developing and small island States and coastal communities.

In conclusion, I congratulate the coordinators of draft resolutions A/75/L.39 and A/75/L.40, on the law of the sea and sustainable fisheries, respectively, under this agenda item. Bangladesh supports and will co-sponsor both draft resolutions. We reiterate our commitment to UNCLOS, which remains the principal instrument for all activities in the oceans and seas. We call on all States that have not yet done so to join the Convention to achieve universality.

**Ms. Townsend** (United Kingdom): The United Nations Convention on the Law of the Sea (UNCLOS) is a critical part of the rules-based international system. Its provisions apply to 70 per cent of the surface of the globe and form an essential component of global governance. The United Kingdom is fully committed to upholding its rules and securing the implementation of its rights and obligations. That commitment is a common endeavour of the international community.

In that context, the United Kingdom would like to reaffirm its commitment to the ongoing marine biological diversity of areas beyond national jurisdiction (BBNJ) process, and we would like to express our thanks to Ambassador Rena Lee of Singapore, the secretariat of the BBNJ process and all delegations for their efforts to maintain the discussions on that issue despite the impacts of the coronavirus disease (COVID-19).

The United Kingdom welcomes the adoption of this year's omnibus draft resolution A/75/L.39, on the oceans and law of the sea, and we would like to thank the coordinator, Natalie Morris-Sharma, for all her hard work. We welcome the fact that the draft resolution reaffirms the universal and unified character of UNCLOS, also reaffirms that UNCLOS sets out the legal framework within which all activities in the oceans



and seas must be carried out and underscores that the integrity of the Convention needs to be maintained.

The United Kingdom also welcomes the publication of the second *World Ocean Assessment*, which is an important contribution to our scientific understanding of the ocean and is particularly timely as we look forward to the launch of the United Nations Decade of Ocean Science for Sustainable Development in 2021. We would like to thank the Group of Experts and the co-Chairs of the Ad Hoc Working Group for all their work. The United Kingdom regrets that Argentina insisted on importing a political disagreement into the text of a scientific report, despite a clear disclaimer at the beginning of the report that it is without prejudice to such issues.

UNCLOS sets out the legal framework for maritime claims and the rules of freedom of navigation. It also sets out obligations for bilateral, regional and international cooperation, including for the conservation and management of living resources, the protection and preservation of the marine environment and the peaceful settlement of disputes. That legal framework applies in the South China Sea, as it also applies across the rest of the world's ocean and seas, and offers a valuable means for dispute resolution. In that context, the United Kingdom would like to underline the importance of the unhampered exercise of the freedoms of the high seas, in particular the freedom of navigation and overflight and the right of innocent passage, as enshrined in UNCLOS.

The United Kingdom is also clear that UNCLOS sets out the specific and exhaustive conditions for the application of straight and archipelagic baselines, which are defined in Part II and Part IV of the Convention. Therefore, there is no legal ground for continental States to treat archipelagos or marine features as a whole entity without respecting the relevant provisions of Part II of UNCLOS or to use the provisions of Part IV, which are applicable only to archipelagic States. The United Kingdom would like to take this opportunity to reaffirm that its use of straight baselines is in compliance with Part II of UNCLOS. The United Kingdom will continue to work with the international community to uphold UNCLOS.

Turning to the adoption of draft resolution A/75/L.40, on sustainable fisheries, the United Kingdom joins others in welcoming the adoption of this vital annual draft resolution. We would like to

thank Mr. Andreas Kravic of Norway, as coordinator of the draft resolution, for his facilitation of the informal consultations, the Division on the Law of the Sea for its ongoing support and other delegations for their engagement in this important process despite the constraints placed upon us by COVID-19.

The United Nations Fish Stocks Agreement continues to be a vital instrument for the conservation and management of straddling fish stocks and highly migratory fish, setting out that management must be based on the precautionary approach and the best scientific information available. The informal consultations of States parties, the Review Conference and the sustainable fisheries annual draft resolution provide important forums for furthering that discussion, in which the United Kingdom looks forward to participating next year.

**Mr. Botto** (Monaco) (*spoke in French*): Monaco is once again this year pleased to co-sponsor draft resolutions A/75/L.39 and A/75/L.40 and thanks the two coordinators for the efficient way in which they conducted the informal virtual consultations. I also commend the tireless work of the Division for Ocean Affairs and the Law of the Sea for the continued support provided to delegations during the past year in the present circumstances, which unfortunately led to the postponement of many meetings that the Division organizes for the Secretariat.

We also welcome the report of the Secretary-General (A/75/340), which provides important information on the impact of the coronavirus disease (COVID-19) pandemic, the human dimension of ocean issues, climate change, the conservation and sustainable use of marine biodiversity and capacity-building, among other areas.

The year 2020 was supposed to mark a key milestone for nature and the ocean. The COVID-19 pandemic imposed a new reality on us but did not completely prevent some significant progress. We can find encouragement in the fact that the ocean has remained the focus of attention and that the ambitions of many States have been strengthened.

Important and much-anticipated meetings, such as the high-level United Nations Conference to Support the Implementation of Sustainable Development Goal (SDG) 14, which was to have been held in Lisbon, unfortunately did not take place. However, several virtual events did take place, such as the week of

Virtual Ocean Dialogues from 1 to 5 June, at which a wide range of topics relevant to the ocean and SDG 14 were discussed. In addition, numerous webinars and virtual meetings provided a large number of stakeholders with an opportunity to share information and benefit remotely from one another's expertise — a new practice that could be continued.

Issues related to oceans, climate change and biodiversity are all interconnected. Therefore, nationally determined contributions, the holding of the twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and action taken in anticipation of the fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity and under the United Nations Convention on the Law of the Sea and other relevant instruments will lead to mutually beneficial results.

We know that the situation in our oceans and seas will soon be irreversible unless resolute, ambitious and large-scale actions by all countries — both big and small — are not immediately taken. Climate change and its consequences — such as ocean acidification, coral bleaching, deoxygenation, melting ice, sea-level rise, plastic and microplastic pollution, overfishing and illegal, unreported and unregulated fishing — pose existential threats.

Moreover, the relationships linking the ocean and human health are becoming increasingly clear. The Monaco International Symposium on Human Health and the Ocean in a Changing World was hosted in the Principality on 2 and 3 December by the Scientific Centre of Monaco, the Prince Albert II of Monaco Foundation and Boston College. The Symposium focused in particular on the benefits and potential that the marine environment holds for human health and well-being, as well as the negative effects of pollution and climate change, including the generation of pathogens and negative weather phenomena.

My delegation reiterates every year in this Hall that science serves as the foundation of Monaco's commitment at the United Nations and in all other forums in which the Principality has a voice. Science must serve as the foundation of our collective action. We must translate words into actions and strengthen partnerships and capacities, especially in developing countries, which are very often on the front lines.

In support of the efforts that we must undertake, the United Nations Decade of Ocean Science for Sustainable Development will also play an important catalysing role. Monaco commends the UNESCO Intergovernmental Oceanographic Commission and all its partners that will ensure the success of the Decade based on the vision of "The science we need for the oceans we want".

Monaco has also been proud to host the International Hydrographic Organization on its territory for almost 100 years. Cartography and hydrography are extremely important in terms of navigational safety, coastal and port development, submarine cables and coastal and high-seas economic activity such as tourism, fishing and maritime trade. For several decades, the Principality has also been home to the Environmental Laboratories of the International Atomic Energy Agency; a Monegasque woman scientist, Ms. Florence Descroix-Comanducci, was this year appointed as its Director.

My delegation hopes that the health and working conditions at Headquarters will allow for the convening next summer of the fourth session of the Intergovernmental Conference to elaborate the text of an international legally binding instrument on the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (BBNJ), as envisaged in paragraph 258 of the draft omnibus resolution. The decision to postpone the session, which had been scheduled for March, was wise and necessary. It is indeed imperative to ensure the inclusive participation of all delegations. We cannot meet if such conditions are not ensured, and we trust that the President of the Intergovernmental Conference and United Nations conference services will assess the situation promptly.

The urgent need to conclude the agreement is as strong as ever. My delegation continues to call for the establishment of a global network of interconnected marine protected areas, with the decision-making authority accorded to the parties to the BBNJ agreement. In order to be as effective as possible, the new marine protected areas on the high seas should be cross-sectoral and allow for a holistic approach to the conservation of marine resources and biodiversity.

We reiterate once again that, without effective long-term conservation, sustainable use will be an impossibility for present and future generations. My

delegation therefore hopes that the fourth session of the Intergovernmental Conference will be held in August 2021 and will successfully produce an ambitious outcome for all the elements of the 2011 package.

In conclusion, ocean and biodiversity action and combating climate change cannot be delayed any longer. Rest assured that Monaco is resolutely determined to respect next year's many deadlines. Such unique opportunities must not be inscribed in history as missed chances.

**Mr. Rae** (Canada) (*spoke in French*): The year 2020 has brought immense and unexpected challenges on a global scale. The coronavirus disease pandemic is affecting our health and economies and many aspects of our daily lives. Yet, despite those challenges, we cannot lose sight of the fact that our oceans remain vitally important to all of us. We must continue to make them a global priority and work together to find effective solutions to the enormous challenges they face. Canada is pleased to see that our shared commitment to those efforts remains firm.

I would like to take this opportunity to briefly touch on several critical areas that have duly drawn our attention, before outlining how Canada intends to contribute as an active partner.

(*spoke in English*)

Here at the United Nations, Canada remains firmly committed to finalizing a strong and effective agreement on the marine biological diversity of areas beyond national jurisdiction (BBNJ). We look forward to making further progress towards finalizing an agreement that effectively supports the conservation and sustainable management of our oceans' resources, as a telling illustration of the rules-based international order in vibrant action. We salute the efforts spearheaded by the President of the BBNJ Intergovernmental Conference, Ambassador Rena Lee, to make the best of the intersessional period we are currently in. We stand ready to support her in keeping the momentum going for the important work to be completed.

We also accepted this year the need to postpone the second United Nations Ocean Conference, to have been held in Portugal, where we were planning to explore how to scale up ocean action based on science and innovation. Understanding the fundamental importance of that theme, Canada is eager to find ways to share the experience it has gained through its

organizing efforts, successes and challenges on ocean-related initiatives, in particular the implementation of Sustainable Development Goal 14 — with a view to building on existing successful collaboration and stimulating innovative and concrete new partnerships.

We are proud of our engagement in many oceans-related organizations and initiatives, including our role as a member of the High-level Panel for a Sustainable Ocean Economy. Canada's Prime Minister has joined 13 other Heads of State and Government in the release of the document entitled "Transformations for a sustainable ocean economy", which outlines an action agenda in which protection, production and prosperity go hand in hand.

As we are about to enter the Decade of Ocean Science for Sustainable Development (2021-2030), Canada will continue its efforts, funded under its announced investment of up to \$9.5 million, to advance the activities of the Decade under the banner "The ocean we need for the future we want". In particular, we aim to foster a coordinated global approach to advancing ocean science and sustainable development, promote gender equity and provide support for small island developing States to participate in Decade initiatives. We have also committed to allocating \$2.7 million to support our continued work as the Champion of the Commonwealth Blue Charter action group on ocean observations. In that leadership role, we are promoting ocean science to support the sustainable use of coastal and ocean resources to protect and preserve our world's oceans.

On the climate change front, this is not the time to slow down our efforts in implementing the Paris Agreement on Climate Change. Pushing for strong climate action is essential to preserving ocean health. With that in mind, Canada will submit a more ambitious nationally determined contribution by the time that the twenty-sixth meeting of the Conference of the Parties to the United Nations Framework Convention on Climate Change is held. We will also work with all our partners to galvanize global climate efforts, building on the unique role of the oceans in addressing both the causes and the consequences of climate change.

(*spoke in French*)

Canada is an ocean nation, with the world's longest coastline. As Canadians, we rely on the health of our oceans and marine ecosystems to ensure our food security, economic security and livelihoods of our

communities. Canada is making significant efforts at the national level in addition to its activities on the international stage. Having met target 14.5 of the Sustainable Development Goals to conserve at least 10 per cent of coastal and marine areas by 2020, Canada has decided not to limit its ambitions. We are now working towards a new target of protecting 25 per cent of our coastal and marine areas by 2025 and 30 per cent by 2030. We encourage all States parties to the Convention on Biological Diversity to also set a target of conserving 30 per cent of coastal and marine areas by 2030.

Canada has also prioritized the development of a comprehensive blue economy strategy to define Canada's vision and guide future Governments in building a sustainable and inclusive ocean economy, based on productive and healthy oceans. We hope to launch formal consultations with all Canadians over the next year to finalize that vision.

*(spoke in English)*

It is important to remember that, although the world is currently facing a global health and economic crisis, we also continue to face an environmental crisis that simply will not go away. In building back from the pandemic and moving forward, we need to adopt a blue lens. Economic recovery and environmental protection must go hand in hand. In the long term, sustainability must be at the core of all our ocean-related decisions, including those on the ocean economy.

We have learned at great expense what is called the tragedy of the commons — how the value of public goods is degraded because there are insufficient incentives, rules and enforcement to protect them. Now we are facing what my fellow Canadian Mark Carney has rightly called “the tragedy of the horizons” — the tendency of short-term thinking and acting to underestimate the risk of long-term degeneration. Nature thrives on air and water. When we ignore those needs, we pay a heavy price today, and we will pay an even heavier price tomorrow. It is time that we face up clearly to both our individual and collective responsibilities. It is time that we think of future generations.

In the face of those challenges, Canada is confident that there are also opportunities to be seized. By prioritizing political will and strong cooperative multilateralism, we can develop partnerships that will not only assist in recovering the economy but also build a healthier and more resilient future for our oceans

that embraces the roles of science, gender equality, indigenous knowledge, technology and innovation — all in the name of sustainable growth.

We will continue to work both domestically and internationally in addressing our shared oceans challenges, while encouraging cooperation and promoting a rules-based order that rests firmly on international law, and we stress once again the need for all States to commit to the peaceful management and settlement of disputes, without resorting to the threat of force or coercion and in full accordance with international law.

We look forward to being an active and constructive partner, in full cooperation with the international community as a whole.

**Mr. Shihab** (Maldives): The Maldives aligns itself with the statement delivered by the representative of Belize as Chair of the Alliance of Small Island States.

My delegation welcomes the reports of the Secretary-General (A/75/70 and A/75/340) submitted under this agenda item. As the report contained in document A/75/70 notes, sea-level rise has, and will continue to have, wide-ranging and significant environmental, economic and social impacts, especially on low-lying coastal States and small island developing States. As a nation of low-lying islands, the Maldives has already been impacted and will suffer further consequences in the future.

The ocean is not only the backbone of our economy and livelihood but also a part of our culture and identity. Any adverse impact on the ocean affects us all, and 2020 is on track to be one of the three warmest years on record globally, even with the cooling effect of this year's La Niña. That has resulted in severe coral bleaching across coral reefs, endangering our marine ecosystem.

On the economic front, the increases in water temperatures, coral bleaching, ocean acidification and the degradation of the marine environment threaten to seriously damage to the Maldives' key industries — tourism and fisheries. Our celebrated tourism industry relies on the Maldives' pristine coral islands and reefs and the ocean. The fisheries industry depends on the stability of the Maldives' maritime entitlements and the health of the marine ecosystem. As such, increasing surface temperatures have resulted



in the decline of our skipjack tuna catch, affecting the livelihood of our fishermen.

It is a priority for the Maldives to safeguard and preserve the health of our oceans. For that reason, we are working towards phasing out single-use plastics by the year 2023. Ocean plastic pollution poses a risk not only to the marine environment but also to humans, owing to the introduction of micro-plastics in the food chain. This year, on World Ocean Day, we launched with Norway and Antigua and Barbuda the Group of Friends to Combat Marine Plastic Pollution. We will continue to advocate for the preservation of the oceans to reduce the production and consumption of plastics, while ensuring effective systems of waste management.

We have established more than 70 protected areas throughout our national waters in the Maldives. Designating one island, one reef and one mangrove in each atoll as a protected area is one of President Solih's key pledges. As a result, three entire atolls have been declared UNESCO biosphere reserves. Through existing biosphere reserves, we are witnessing that the economic benefits of protected areas outweigh the restrictions on their exploitation.

We also joined the Global Ocean Alliance to contribute to protecting 30 per cent of the oceans in the coming years. The Maldives is also recognized as a leader in sustainable fisheries by using pole-and-line and handline fishing. We have also established a live bait fishery management plan and are actively protecting our waters from unreported and unregulated fishing.

The degradation of our oceans and its consequences impede the timely and effective achievement of the Sustainable Development Goals (SDGs), which are now further removed owing to the coronavirus disease (COVID-19) pandemic. We need to reinvigorate our efforts towards the full achievement of SDG 14, on life below water, by 2030.

The threats to our oceans cannot be solved by the adaptation efforts of highly affected States alone. In order to protect our oceans, it is essential for the international community to take collective action to reinforce legal and policy instruments and scientific, technical and technological measures and to provide financial resources. We need to tackle multifaceted threats, including climate change, population growth, the overexploitation of marine resources and pollution, in order to fully address the threat to our oceans.

We also appreciate the International Law Commission and the study group it established on sea-level rise in relation to international law for its work, and we welcome its first issues paper on that topic. The Maldives agrees with the study group's observation that there is a State practice of freezing maritime baselines and the outer limits of maritime zones and increasing the use of *opinio juris* with respect to such maritime entitlements. We continue to support the Commission's work and encourage other Member States to further engage with the study group and take the opportunity presented in the issues paper to provide examples of State practice on that topic.

The Maldives also believes that the upcoming United Nations Decade of Ocean Science for Sustainable Development will provide a unique opportunity to strengthen evidence-based policymaking on the oceans. As the report of the Secretary-General describes, additional integrated research, observation and assessments are necessary to better understand the impacts of sea-level rise, and the Decade will enhance scientific, technical and technological cooperation and collaboration in that regard. The Maldives stands ready to support that work and looks forward to the upcoming global dialogue.

With regard to financial measures, the Secretary-General's report refers to a number of existing opportunities to access international and private financing for climate change mitigation and adaptation. While we appreciate the gradual development of international financial mechanisms to address climate change, those mechanisms are not fully responsive to the needs of small island developing States (SIDS). Especially in the middle of the COVID-19 pandemic, existing frameworks are far from sufficient. Due to the dependency on the oceans and their resources, small island developing States, low-lying coastal areas and coastal communities are disproportionately affected by any negative impact on the ocean.

We therefore welcome recent discussions on financing the 2030 Agenda for Sustainable Development and would like to underscore the necessity of concessional, grant-based, adequate and predictable financing for middle-income countries and countries that are heavily dependent on industries susceptible to the pandemic, such as tourism-dependent small island developing States.

In conclusion, we would like to reiterate that it is essential for the international community to take collective action to preserve and protect our oceans for future generations.

**Mrs. Azucena** (Philippines): The Philippines thanks Singapore and Norway for once again coordinating the annual draft resolutions on oceans and the law of the sea (A/75/L.39) and on sustainable fisheries (A/75/L.40). The Philippines is pleased to co-sponsor both draft resolutions.

The coronavirus disease (COVID-19) pandemic has regrettably limited us to technical updates on both draft resolutions. We therefore value the agreement to reference, in the draft omnibus oceans resolution, the plight of seafarers brought about by the pandemic. The Philippines is one of the top countries of origin — if not the top country of origin — of seafarers in the world. Our seafarers have been battered by the storm that is the COVID-19 pandemic. Many have lost not only their livelihood but also their health, while others have even lost their lives. Although we have brought home most of our seafarers, many remain stranded at sea, and we are unable to repatriate them, *inter alia*, because of COVID-19 restrictions by port States.

The Philippines pioneered with the International Maritime Organization (IMO) the green lane initiative for safe changes of seafaring crews. We therefore welcome the inclusion in the draft omnibus oceans resolution of the adoption by the IMO of the resolution entitled “Recommended action to facilitate ship crew change, access to medical care and seafarer travel during the COVID-19 pandemic”, as well as the reference to the call by the IMO Secretary-General and the letter of the Secretary-General of the United Nations to the President of the thirtieth Meeting of States Parties to the United Nations Convention on the Law of the Sea (UNCLOS) regarding the plight of seafarers resulting from the impacts of the COVID-19 pandemic.

The pandemic has also led to the postponement of critical processes and meetings. Notwithstanding those delays, the Philippines remains committed to those processes and meetings, including the United Nations Ocean Conference, which will address the implementation of Sustainable Development Goal 14 to conserve and sustainably use the oceans, seas and marine resources for sustainable development. We also continue to support the Intergovernmental Conference on the development of a legally binding instrument

for the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction.

As an archipelagic nation, the Philippines’ oceans are an essential resource for us. Threats abound to that precious, life-giving resource. Climate change remains the most critical threat to the oceans. Indeed, we are in a state of climate emergency that has seen extreme and increasingly frequent and devastating sea-level-related events. In the Philippines, sea-level rise is three times the global average. We therefore support the decision for the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea to maintain the focus of discussions at its twenty-first meeting, to be held in 2021, on the theme “Sea-level rise and its impacts”. It is urgent and critical that we build our knowledge base to help Governments address that challenge.

Marine plastic pollution is a global and urgent problem. As one of the founding members of Group of Friends to Combat Marine Plastic Pollution, the Philippines continues to espouse the commencement of negotiations on a new treaty to combat marine plastic pollution, consistent with its position at the fourth United Nations Environment Assembly. As a party to the 1995 United Nations Fish Stocks Agreement, the Philippines is committed to ensuring the conservation of, and sustainable access to, straddling and highly migratory fish stocks, within and beyond the exclusive economic zone.

The Philippines is likewise committed to the management of those stocks based on the precautionary approach and the best available scientific information. We are equally committed to eliminating illegal, unreported and unregulated fishing and the subsidies that encourage overfishing leading to the irreversible decline of marine life.

We affirm the universal and unified character of the United Nations Convention on the Law of the Sea, convinced that it sets out the legal framework within which all activities in the oceans and seas must be carried out. It is essential to the rule of law. The peaceful settlement of disputes is integral to the rule of law. As President Rodrigo Roa Duterte declared, *inter alia*, at the general debate,

“We must remain mindful of our obligations and commitment to the Charter of the United Nations and as amplified by the 1982 Manila Declaration on the Peaceful Settlement of International Disputes.

“The Philippines affirms that commitment in the South China Sea in accordance with UNCLOS and the 2016 Arbitral Award.” (A/75/PV.4, annex XII, p.67)

UNCLOS is the key to ensuring global and regional peace in the fair and sustainable use of the oceans. It represents a delicate balance of the rights and obligations of all State parties to what none of them can claim as exclusively their own for any use they choose. In that spirit, the Philippines upholds the primacy of international law as the only foundation of a rules-based, and therefore enduring, regional and international order.

**Mrs. Villalobos Brenes** (Costa Rica) (*spoke in Spanish*): I am grateful to Singapore and Norway for once again coordinating and successfully concluding the negotiations on draft resolution A/75/L.39, on oceans and the law of the sea, and draft resolution A/75/L.40, on sustainable fisheries, respectively, and I thank the Secretary-General for his reports (A/75/340, A/75/70 and A/75/157) on those items. Costa Rica supports the adoption of both draft resolutions.

In the year 2020, the oceans were a priority on the United Nations agenda, and we were slated to dedicate special focus on them through the meetings that we had planned and the efforts and agreements that we had hoped to make. However, as other delegations have pointed out, this agenda item has been significantly impacted by the coronavirus disease (COVID-19) pandemic, which has compelled us to postpone events and decision-making.

The draft resolutions that we will vote on today are of particular importance, as we reaffirm through them aspects of the United Nations Convention on the Law of the Sea such as the freedom of the high seas, the rights of innocent passage and the obligations relating to bilateral, regional and international cooperation and the peaceful settlement of disputes. They are also important, as they will allow us to resume the activities that we postponed and conclude the mandates needed to ensure that we give due attention to ocean conservation and the sustainable use of marine resources.

We are at the point of no return with regard to the climate crisis that is engulfing our planet. Its consequences for the oceans — acidification, rising ocean temperatures and sea levels and extreme weather events, such as the ones that we have seen impact Central American countries in recent weeks — are undeniable and on the rise. If we want future generations to enjoy

the oceans as we have, we must take the actions that are urgently needed.

Accordingly, I would like to mention three deferred events, two of which are related to the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal (SDG) 14, which we hope will positively influence how we approach our responsibility for the oceans and the blue economy on which our coastal populations depend.

The first concerns meeting the targets of SDG 14 that mature in 2020, specifically target 14.6, which refers to States' commitment to eliminate subsidies that negatively affect fishing. We firmly believe that such subsidies contribute to overcapacity, overfishing and illegal, unreported and unregulated fishing, which are among the major impediments to enjoying sustainable fisheries.

Costa Rica reaffirms its willingness to contribute to concluding the negotiations within the context of the World Trade Organization, in line with the commitments agreed under the 2030 Agenda for Sustainable Development. We call on Governments to continue to work towards concluding an agreement to eliminate subsidies as soon as possible in 2021. Accordingly, last year we joined the more than 70 countries that signed the Leaders' Pledge for Nature, which includes an agreement to eliminate or repurpose subsidies that are harmful to nature and biodiversity.

The second event concerns the holding of the fourth session of the Intergovernmental Conference on an international legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. That instrument will be key to ensuring the conservation and equitable and sustainable distribution of resources on the high seas.

Although the pandemic prevented us from concluding the negotiations this year, it is imperative that we do so as soon as possible. In that regard, we support the holding of the Intergovernmental Conference in August 2021. We also express our support for the President of the Conference, Ambassador Rena Lee, and her initiative to move forward the negotiations through our virtual informal discussions during the intersessional period. We stand ready to work with all delegations to conclude the negotiations next year.

The third event concerns the launch of the United Nations Decade of Ocean Science for Sustainable Development (2021-2030). The precarious situation of the oceans compels us to take measures, but if they are to be efficient and effective such measures must be based on the best available science. We support the approach of the United Nations Decade, as it will give us an opportunity to base the implementation of SDG 14 on science. We particularly appreciate the initiative's aim to promote international cooperation for scientific research and the application of innovative technologies that link ocean science with societal needs.

We hope to see those three events result in concrete outcomes for the protection of marine ecosystems and the recovery of fisheries resources. We also hope that the collective recovery measures associated with COVID-19 will foster sustainable economies that protect the oceans and their resources.

In conclusion, the two draft resolutions before us, on the oceans and the law of the sea and on sustainable fisheries, contain a great number of highly relevant provisions. We would have liked to see more progress this year on some issues, such as the working conditions of the staff of the Commission on the Limits of the Continental Shelf, which are a cause for concern, as is the 11-year accumulation of backlogged work.

Similarly, we would have liked to make progress on the climate crisis in the texts of both draft resolutions, but the pandemic situation prevented us from holding substantive discussions. We hope that next year's draft resolutions will include solutions that meaningfully contribute to counteracting the pressure exerted by human activities on the health of the oceans.

**Mr. Ghorbanpour Najafabadi** (Islamic Republic of Iran): Allow me, at the beginning, to extend my appreciation to the Secretary-General for his reports on the oceans and the law of the sea (A/75/70 and A/75/340), as well as to the coordinators of the informal consultations on both draft resolutions A/75/L.39 and A/75/L.40. We would also like to thank the Division for Ocean Affairs and the Law of the Sea for its efforts and invaluable support throughout the exercise.

While recalling the importance of the United Nations Convention on the Law of the Sea (UNCLOS) as a general legal framework for activities in the oceans and seas and acknowledging the status of the Islamic Republic of Iran as a signatory State of UNCLOS, we are of the view that the Convention is not the only

legal framework governing activities carried out in the oceans and seas. Therefore, we would expect any negotiations on draft resolutions related to oceans and seas to consider the position of non-member parties to the Convention and to be conducted in an appropriate manner that encompasses the legitimate concerns of those countries. Such an inclusive vision could lead to constructive engagement among a larger number of countries in garnering support for such draft resolutions.

Nevertheless, any constructive engagement by my delegation during the negotiations and joining of the consensus should not be construed as acceptance of the Convention as a legally binding instrument by my Government. Iran's activities in the marine environment strictly adhere to those international instruments that it has expressly accepted. However, among others, our strong belief in protecting the sea and its resources, as well as ensuring the safety and security of maritime activities, has inspired us to cooperate with other countries in a constructive spirit on those parts of the planet.

As a coastal state of the Persian Gulf and the Sea of Oman, the Islamic Republic of Iran is committed to realizing the targets of Sustainable Development Goal 14 in line with the 2030 Agenda for Sustainable Development. In order to achieve its targets, we stress that much greater efforts should be undertaken by States and all other stakeholders, including through international cooperation and coordination, as well as by providing capacity-building and the transfer of marine technology and know-how to developing countries.

The Islamic Republic of Iran highly values the efforts that have been made concerning sustainable fisheries management, which have an outstanding role to play in supporting the economic activities of some developing countries, the conservation of maritime resources and healthy maritime ecosystems and ensuring food security for all. Therefore, we attach importance to the activities to counter illegal, unreported and unregulated fishing, which threatens the sustainable use of living marine resources.

Nearly the entire population of my country, which inhabits the northern coast of the Persian Gulf and the Sea of Oman, is either heavily dependent on the resources of that body of water or affected by the marine environment. In addition, my country is vulnerable to climate change and extreme weather events in that



area and suffers from the adverse effects of maritime pollution and marine resource depletion.

The irresponsible construction of artificial islands in the Persian Gulf and the destruction of habitats of rare marine species would endanger the sustainability of its natural maritime resources. The deployment and heavy presence of military fleets from countries outside the region of the Persian Gulf have exacerbated not only the safety and security of coastal States and smooth navigation in that body of water but also maritime pollution and marine resource depletion. We urge all States concerned to cooperate in order to protect the environment of that shared body of water and refrain from unilateral acts that might endanger its marine environment.

Acknowledging the importance of the conservation, sustainable use and equitable sharing of maritime biological resources in areas beyond national jurisdiction, the Islamic Republic of Iran supports the development of an effective, comprehensive and legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, consistent with the international law of the sea.

We are of 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 equally shared among States. We advocate for a text-based negotiation and would like the text to adequately address, inter alia, the issues of capacity-building and the transfer of technology and know-how.

The Islamic Republic of Iran reiterates its commitment to a rules-based maritime order for securing maritime rights and interests for all, as well as to ensuring that maritime activities are undertaken smoothly, including based on the international law of the sea. Based on that commitment and the sincere conviction that the protraction of conflicts and ever-escalating tensions among littoral States of the Persian Gulf are prone not only to further destabilizing the region but also to severely endangering the development and prosperity of the peoples of the region, the President of my country proposed the Hormuz Peace Endeavour to the General Assembly at its seventy-fifth session (see A/75/PV.4, annex XIII).

The Islamic Republic of Iran remains steadfast in its belief that regional cooperation based on that proposal

would ensure safety, security and international order at sea, especially in the Persian Gulf and the Sea of Oman. Our contribution to combating piracy at sea in the region and beyond, in cooperation with other countries, emanates from the same sentiment and understanding.

Finally, the outbreak of the coronavirus disease pandemic, in addition to the unilateral coercive measures that already existed owing to the United States maximum pressure policy on my country and the Iranian people, has exacerbated the daily life of ordinary Iranian people. It has seriously affected the provision of people's basic needs, including food, medicine, medical equipment and the commodity supply chain, owing to the disruption of the freedom of navigation of the Islamic Republic of Iran Shipping Line that resulted from the cruel sanctions. We urge the international community to consider the inhumanity of those sanctions and enter into cooperation — especially maritime cooperation — with my country.

**Mr. Costa Filho (Brazil):** Allow me to start by thanking Norway and Singapore for the facilitation of the consultations that led to this year's texts for the omnibus draft resolution A/75/L.39, on oceans and the law of the sea, and draft resolution A/75/L.40, on sustainable fisheries, respectively. Brazil is pleased to co-sponsor both draft resolutions.

Let me also express my appreciation for the spirit of cooperation that continued to prevail in crafting the draft resolutions, especially during these challenging times under the significant constraints imposed by the coronavirus disease (COVID-19) pandemic. We also welcome the reports on the work of the Ad Hoc Working Group of the Whole on the Regular Process (A/75/362 and A/75/614) and the reports of the Secretary-General (A/75/70, A/75/157 and A/75/340).

We depend on the oceans for the environmental balance of the Earth for food, trade, transportation, energy and for the welfare of a number of other sectors and activities. Oceans are vital to our planet and lives. It is therefore crucial that we understand the impact of human activity on our oceans.

In that regard, the second *World Ocean Assessment* constitutes a valuable contribution to enhancing our understanding of the oceans. Allow me to congratulate all those involved with the successful conclusion of the second cycle of the Regular Process, which continues to play a key role under the institutional framework

established by the General Assembly to integrate knowledge and policymaking.

Unfortunately, the COVID-19 pandemic prevented us from holding several important events and advancing a number of processes this year. I find it important in that regard to reaffirm Brazil's strong engagement in the implementation of Sustainable Development Goal 14 and in concluding an effective agreement on an international legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction that addresses in a balanced manner questions related to the access and use of marine genetic resources, including benefit-sharing, capacity-building, the transfer of marine technology and area-based management tools and environmental impact assessments.

Brazil would also like to reaffirm its commitment to the objectives, purposes and principles enshrined in the United Nations Convention on the Law of the Sea (UNCLOS), which sets the universal legal framework for all activities in the oceans and seas. In that vein, we recognize the success and importance of the bodies established under the Convention, which have all been making fundamental contributions to the application of the legal framework established by the Convention.

Regarding the enhancement of maritime safety and the conservation of the marine environment, Brazil would like to call upon all States parties to require ships flying their flags to observe the tracking systems of coastal States when in transit through an exclusive economic zone. That measure is of the utmost importance to ensure the effective implementation of the Convention's provisions related to the obligations to prevent, reduce and control the pollution of the marine environment and to notify other States of imminent or actual damage, as enshrined in articles 194 and 198 of UNCLOS.

Unfortunately, last year Brazil was affected by a severe heavy-crude oil spill at sea that occurred on an unprecedented scale. More than 3,600 kilometres of Brazilian coastline suffered damage as a result of that environmental disaster. From the chemical composition of the spilled oil, we can affirm that it was not extracted in Brazil. By the pattern of its spread along the Brazilian coast, we can also say that the spilled foreign oil originated from a vessel that purposely sought to avoid detection — a so-called dark ship. More than 5,000 tons of crude oil was collected during months of

work. The incident entailed severe consequences for the marine environment and thousands of Brazilians who rely on the oceans for their livelihoods.

Next year, Brazil will prioritize the matter at the United Nations and the International Maritime Organization. We would like to see improved regulations for international shipping, particularly related to the exchange of position information from foreign vessels to coastal States' tracking systems. Dark ships pose a serious threat to all coastal States and the entire marine environment.

In conclusion, I thank the team at the Division for Ocean Affairs and the Law of the Sea for its hard work during the consultation process. In keeping with tradition, their role was vital in reaching the outcome before the General Assembly today.

**Mr. Dang (Viet Nam):** At the outset, I would like to thank Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Kravik of Norway for once again acting as coordinators for the negotiations on draft resolution A/75/L.39, on oceans and the law of the sea, and draft resolution, A/75/L.40 on sustainable fisheries, respectively. We take this opportunity to reiterate our appreciation for the work of the General Assembly and its subsidiary bodies on oceans and the law of the sea over the past year. We also express our appreciation to the bodies established under the United Nations Convention on the Law of the Sea (UNCLOS) for their continued contribution to promoting the rule of law and maintaining order at sea.

The coronavirus disease (COVID-19) pandemic has led to several challenges for the work of those bodies. We therefore support the inclusion, in paragraph 104 of draft resolution A/75/L.39, of the decision to enable the virtual participation of members of the Commission on the Limits of the Continental Shelf, provided that the relevant security requirements, including the rules of confidentiality concerning States' submissions, can be met.

Our oceans continue to face acute challenges, including pollution, resource depletion and plastic debris. Their health and resilience play a major role in the health and well-being of humankind. Furthermore, the sustainable use and conservation of the oceans and seas can offer States significant opportunities to recover from the unprecedented impacts of the COVID-19 pandemic and achieve the 2030 Agenda for Sustainable

Development. In that regard, my delegation would like to stress three pertinent points.

First, UNCLOS must continue to be the fundamental multilateral instrument, characterized by its universality, integrity and comprehensiveness. It sets out the most comprehensive legal framework within which all activities in the oceans and seas, including in areas within and outside national jurisdiction, must be carried out. We reiterate the universal and unified character of the Convention and its strategic importance as the basis for national, regional and global action in tackling common challenges and developing sustainably.

It is critical to ensure full compliance with UNCLOS, including the obligation to settle disputes by peaceful means and fully respect the rights of coastal States in their maritime areas as defined under UNCLOS. We welcome the final draft of the second *World Ocean Assessment* report prepared by the Group of Experts and its emphasis on the importance of full respect for the implementation of UNCLOS, in particular the duty to protect and preserve the marine environment and to cooperate.

Secondly, sea-level rise currently poses a threat to humankind that challenges the very existence of many populations and States, especially small island States. As one of the countries most vulnerable to this phenomenon, Viet Nam warmly welcomes the increasing attention being devoted to the impact of sea-level rise. Further studies and discussions on the legal implications of sea-level rise, including by the International Law Commission and the scheduled twenty-first meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, are key to promoting our understanding and joint actions to mitigate its multidimensional impacts.

Thirdly, in view of the rapid development of technology and our understanding of the ocean, we welcome progress in the work of the Intergovernmental Conference on the elaboration of an internationally legally binding instrument under the Convention on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction. The Conference has so far enjoyed broad consensus and wide participation by Member States and relevant stakeholders. We look forward to resuming and concluding the discussions at its fourth session scheduled for next year.

The maintenance of peace, stability, maritime security and safety and the freedom of navigation in, and overflight above, the South China Sea is a matter of concern and interest shared by the region and the world, especially during this time in our collective fight against the COVID-19 pandemic. In the context of complex developments, including serious incidents that infringe upon Viet Nam's sovereign rights and jurisdiction in its maritime zones as defined under UNCLOS, we urge all parties concerned not to repeat such incidents, to enhance mutual trust and confidence, to exercise self-restraint and to refrain from unilateral acts that may further complicate or escalate disputes, including the expansion and militarization of occupied features.

We further reiterate the need to pursue the peaceful settlement of disputes in accordance with international law, including the Charter of the United Nations and UNCLOS, fully respect diplomatic and legal processes and fully comply with UNCLOS in determining maritime claims. We underscore the importance of the full and effective implementation of the Declaration on the Conduct of Parties in the South China Sea in its entirety. We are encouraged by the progress with regard to negotiations between the Association of Southeast Asian Nations (ASEAN) and China towards the early conclusion of an effective and substantive code of conduct in the South China Sea, consistent with international law, particularly UNCLOS, according to a mutually agreed timeline.

The Association of Southeast Asian Nations has strived to foster maritime cooperation and coordination among its States members, including through continued constructive dialogue on issues of common concern. As Chair of ASEAN in 2020, Viet Nam is strongly committed to the objectives and purposes of the Convention and contributing to the peace, stability and prosperity of all humankind.

**Ms. Barber** (United States of America): My delegation is pleased to co-sponsor draft resolution A/75/L.39, 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. Faced with 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.

While our concern is global, the freedom of the seas is especially threatened in the South and East China Seas. The assertion of unlawful and sweeping maritime claims, including through ongoing intimidation and coercion by others against long-standing oil and gas development and fishing practices, threatens the rules-based international order that has enabled the region to prosper. States are entitled to develop and manage their natural resources subject to their sovereign rights, without interference.

Our position in the South China Sea and elsewhere in the world is simple: the rights and interests of all nations, regardless of their size, power or military capabilities, must be respected. As Secretary Pompeo noted in his statement on the United States position on maritime claims in the South China Sea on 13 July,

“[i]n the South China Sea, we seek to preserve peace and stability, uphold freedom of the seas in a manner consistent with international law, maintain the unimpeded flow of commerce, and oppose any attempt to use coercion or force to settle disputes. We share these deep and abiding interests with our many allies and partners who have long endorsed a rules-based international order”.

We call on all States in that regard to resolve their territorial and maritime disputes peacefully and free from coercion and 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. We call on all States to ensure the effective implementation of international law applicable to combating piracy and to unite in the deterrence, prevention and prosecution of transnational criminal organizations and those engaging in transnational crime at sea.

The United States values the platform that the General Assembly provides to elevate important ocean issues. The annual oceans and the 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. Although this year’s draft resolution A/75/L.39 is a technical rollover from last year’s adopted text (resolution 74/19) because of the pandemic, with much of the text unchanged, delegations nevertheless succeeded in moving forward important

processes and recognizing a significant achievement in the international community’s understanding of the state of our ocean — the second *World Ocean Assessment*.

The United States expresses its sincere appreciation to the co-Chairs, the Group of Experts, the Pool of Experts, the Bureau, the Secretariat and all Member States who demonstrated a shared commitment to completing the second *World Ocean Assessment*, and we welcome the beginning of the third cycle of the Regular Process. We believe that a solid foundation has been built for the third cycle to make further strides in strengthening the scientific assessment of the state of the marine environment in order to enhance the scientific basis for policymaking.

The *World Ocean Assessment* has a critical role to play in informing us all of the pressures our ocean is facing, and we look forward to continuing to work with our colleagues through the Regular Process to maximize its reach and impact. We are also pleased to join the consensus on draft resolution A/75/L.40, on sustainable fisheries. As with the draft resolution on oceans and the law of the sea, limitations on our ability to meet and negotiate led to a technical rollover of the sustainable fisheries draft resolution. Accordingly, we refer members to past United States statements on any issues of substance.

We appreciate the constructive cooperation of delegations, under the patient leadership of the coordinator, to develop a pragmatic approach to rescheduling the meetings related to sustainable fisheries that were disrupted by the pandemic. The United States looks forward to the informal consultations of States parties to the United Nations Fish Stocks Agreement to be held in the second half of 2021 if conditions allow, as well as to the resumed Review Conference and bottom fishing review to be held in 2022.

We encourage States and relevant organizations to consider providing updates that could inform the upcoming workshop on the implementation of measures to address the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks. The United States also notes with appreciation the clarification provided via correspondence that any such submissions will be published as they are received, following the current practice of the Secretariat. We believe that posting reports unedited as they are received promotes transparency and would like to thank delegations for



engaging in those discussions to ensure that views are always shared in such an impartial manner.

Finally, while we did not have an opportunity to discuss new substantive issues in the sustainable fisheries draft resolution, the past year highlighted new challenges in the area of fisheries management. Fishing activities continue around the world, contributing to livelihoods and food security during this challenging time, even as the coronavirus disease (COVID-19) pandemic has made the monitoring of some fisheries more difficult.

The international community has also focused with new urgency on specific examples of inadequately controlled fishing activities, including illegal, unreported, and unregulated fishing, which affect everything from the health of ecosystems and coastal communities and the working conditions of observers and crews to the economic development and prosperity of individual Member States. We will continue to call for flag States to take responsibility for those activities and adopt more robust management measures, where needed, in regional fisheries management organizations.

With regard to both draft resolutions, we refer members to our general statement delivered on 18 November at the fifth meeting of the Second Committee, which addresses our concerns regarding the 2030 Agenda for Sustainable Development; the Addis Ababa Action Agenda; the Paris Agreement on Climate Change; climate change; the reports of the Intergovernmental Panel on Climate Change; and technology transfer.

We would like to thank the coordinators of the informal consultations on both draft resolutions — Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Kravik of Norway — for their outstanding coordination through the unprecedented modality of virtual work resulting from the COVID-19 pandemic. 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 virtual consultations on both draft resolutions.

Lastly, we express our appreciation for delegations' flexibility and cooperation in embracing the virtual formats taken for our consultations on both draft resolutions. It is our hope that such a spirit of flexibility and cooperation will characterize our efforts to address the numerous and complex issues that lie ahead for oceans and fisheries.

**Mr. Sautter (Germany):** Germany aligns itself with the statement made by the observer of the European Union on behalf of its States members.

We welcome the final version of the omnibus draft resolution A/75/L.39, on oceans and the law of the sea. We welcome that it reaffirms the universal and unified character of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) as the legal framework within which all activities in the oceans and seas must be carried out and that it underscores the need to maintain the integrity of the Convention.

Germany emphasizes its commitment to the provisions laid down by UNCLOS on the freedom of the high seas, the rights of innocent passage, bilateral, regional and international cooperation arrangements, including for the conservation and management of living resources and the protection and preservation of the marine environment, and the peaceful settlement of disputes.

Together with our partners in the European Union, we are also fully committed to concluding the ambitious implementation of an agreement on an international legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, as soon as possible — ideally by next year.

UNCLOS sets out the legal framework for all maritime claims in the world's oceans and seas, including in the South China Sea. Germany would like to recall in that context the specific and exhaustive conditions set forth in UNCLOS for the application of straight and archipelagic baselines, as well as for the application of the regime of islands and rocks to naturally formed land features. There is no legal ground for continental States to treat archipelagos or marine features as a whole entity without respecting the relevant provisions of Part II of UNCLOS or by using those in Part IV, which apply only to archipelagic States.

There is also no legal basis for claims to “historic rights” over the waters of the South China Sea beyond those of the maritime zones provided for by UNCLOS, as confirmed in the award rendered by the Arbitral Tribunal under annex VII to UNCLOS on 12 July 2016. Germany has consistently expressed that position in the past, both bilaterally and together with other parties to UNCLOS, without prejudice to or taking any position with regard to competing territorial sovereignty claims to disputed maritime features.

We will continue to uphold our freedoms and rights as a State party to UNCLOS and contribute to promoting international and regional cooperation as set out in the Convention.

**Mrs. Deiye** (Nauru): Nauru associates itself with the statement delivered by the representative of Belize on behalf of the Alliance of Small Island States.

First, I want to thank the facilitators from Singapore and Norway, Ms. Natalie Morris-Sharma and Mr. Andreas Kravik, respectively, for bringing to a successful conclusion, under highly unusual conditions, the negotiations on the omnibus oceans and the law of the sea draft resolution A/75/L39 and the sustainable fisheries draft resolution A/75/L40. We also thank the Division for Ocean Affairs and the Law of the Sea for its exemplary work in these extraordinary times.

As many members have heard us say before, Nauru is a big ocean State. We are highly dependent on marine resources for our sustenance and economic development. That is why we give oceans issues the highest priority with our limited capacity. The conservation and sustainable use of the ocean is paramount if States like mine are to continue to survive.

We were pleased when the talk was that 2020 would be the super year of the ocean, with the scheduled holding of the second United Nations Ocean Conference, the anticipated conclusion of negotiations on an international legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, and the maturation of several targets of Sustainable Development Goal 14. The coronavirus disease (COVID-19) had other plans for us.

The COVID-19 pandemic has underlined just how connected our health is with that of the planet. Healthy, productive and resilient oceans are critical to livelihoods and food security for us all. As Secretary General Guterres said last week,

“[m]aking peace with nature is the defining task of the twenty-first century” (*SG/SM/20467*).

As economies recover from the COVID-19 pandemic, Governments have an opportunity to improve their countries' economies in ways that will protect oceans and the resources they provide — or build back better — by ensuring that they do not incentivize activities that would put our oceans at risk. That includes the important work on subsidies taking place at the

World Trade Organization. Considerable progress has been made towards reaching an agreement as mandated by SDG 14.6, and Governments can and must continue working together to successfully negotiate a solution to harmful subsidies as soon as possible in 2021.

Given the current threats to marine biodiversity, it is also important to conclude, at the next Intergovernmental Conference, an ambitious international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, which among other things will enable the establishment of effective, cross-sectoral marine-protected areas to maintain global ocean health, recognize the special relationship of small islands with the ocean and provide for fair and equitable sharing of benefits from marine genetic resources.

There is also important work for the International Seabed Authority (ISA) to do in 2021, and we encourage all members to continue to work towards the timely development of the regulatory regime. We therefore take this opportunity to congratulate Mr. Michael Lodge on his re-election to a second term as Secretary-General of ISA. We wish him all the best and assure him of our delegation's full support.

We will also need to incorporate, within the post-2020 global biodiversity framework that is currently being negotiated, ambitious marine targets that are true to the three goals of the Convention on Biodiversity. Those targets must also consider the uniqueness of island biodiversity and high levels of endemism.

We also place a high priority on the work of the International Law Commission on sea-level rise. We thank its members for producing the first issues paper and their oral reports and look forward to the Commission's formal consideration of the issues paper next year.

The year 2021 will now have to be our ocean super year. We need to show ambition and progress towards achieving the 2030 Agenda for Sustainable Development and demonstrate our ability to deliver on the promises we made when we adopted it in 2015. We look forward to the convening of the United Nations Ocean Conference under the able leadership of our hosts, Kenya and Portugal, and hope that we will have success stories to report there, as well as opportunities to develop and reinforce partnerships.

Some of those partnerships will hopefully be in the area of ocean science. As we enter the United Nations Decade of Ocean Science for Sustainable Development, it will be important for small island developing States to be seen as custodians and stewards of the oceans, to be consulted early and to be fully included in the relevant processes in order to help bring about a broader scientific information and knowledge base for the oceans on which we rely.

Before concluding, I would also like to highlight the importance of data transparency for fisheries. As many are aware, the parties to the Nauru Agreement Concerning Cooperation in the Management of Fisheries of Common Interest have to date successfully shepherded healthy tuna stocks in our region. A major part of that success was due to the 100 per cent observer coverage of vessels. That requirement was suspended during the pandemic, however, owing to health concerns. We are currently relying on the accurate and transparent data provided by our distant-water fishing partners. The importance of healthy fisheries to our economies and livelihoods cannot be overstated.

**Mr. Yedla (India):** The ocean is our planet's largest life-support system. It stabilizes the climate, stores carbon, produces oxygen, nurtures biodiversity, directly supports human well-being through food, mineral and energy resources and is a provider of cultural and recreational services. The value of the ocean economy speaks to its importance.

Oceans are interconnected and need to be considered as a whole. The emergence of ocean governance assumes that the challenges of the ocean space are closely interrelated and requires all nations to cooperate in the management of the oceans. Since its adoption, the United Nations Convention on the Law of the Sea (UNCLOS) and affiliated institutions governing the law of the sea have played a pivotal role in ensuring the harmonious and judicious use of ocean resources for humankind.

The International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf, which were established under the Convention, hold the key to the proper implementation of the provisions of the Convention and the realization of desired benefits from the use of the seas. At the same time, we note that our understanding of oceans and their wide-ranging impacts on life, as well as the impact of human activities

on the oceans, is constantly evolving owing to scientific and technical advances. We have access today to some of the deepest parts of the oceans.

We thank the Secretary-General for his reports (A/75/70 and A/75/340) on the oceans and the law of the sea and his report on fisheries management (A/75/157), which cover, inter alia, legal and policy frameworks, maritime spaces, the importance of the human dimension, maritime safety and security and climate change. We would also like to thank Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Motzfeldt Kravik of Norway for coordinating draft resolution A/75/L.39, on oceans and the law of the sea, and draft resolution A/75/L40, on sustainable fisheries, respectively.

The coronavirus disease (COVID-19) pandemic has affected the implementation of ocean-related work programmes. Unfortunately, the fourth session of the Intergovernmental Conference on an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction was also postponed. The work of the international tribunals involved in the settlement of maritime disputes and various capacity-building activities were also affected. The COVID-19 pandemic has shown us in that context that the importance of preserving ecosystems and biodiversity and marine biodiversity is no exception.

With a vast coastline covering more than 7,500 kilometres, more than 1,000 islands and one third of its population living on the coast, India is a country that has a long-standing maritime tradition and an abiding interest in ocean affairs. India is a seafaring nation with a large coastal economy. We are acutely aware of the range of challenges and opportunities that oceans represent — including sustainable fisheries, the prevention and control of marine litter and plastic pollution, affordable renewable energy, ecotourism, early-warning systems for disaster-risk reduction and management and building resilience and 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 new sources of jobs. The need to green the ocean economy is also gaining in importance.

India is concerned about illegal fishing practices and practices that have an impact on maritime safety and security, including acts of piracy and armed robbery at sea. We are happy to actively engage with the work of the Contact Group on Piracy off the Coast of Somalia, which has contributed significantly to controlling piracy in the Western Indian Ocean.

India actively participated in the negotiations of the first, second and, more important, the third United Nations Conference on Law of the Sea and is an active supporter of its holistic interpretation and harmonious implementation.

In addition to UNCLOS, India is party to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982; the 1995 Fish Stocks Convention; the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto; the 2004 International Convention for the Control and Management of Ships' Ballast Water and Sediments; the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, as amended; and other agreements, especially those related to 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 in the effective implementation of UNCLOS obligations and other related agreements are an important focus area. An effective global partnership is necessary for capacity-building, collaboration on technology, financial assistance, greater awareness and sharing scientific knowledge with the least developed countries, developing countries and those with special vulnerabilities to help them meet their international obligations.

India cooperates with partners in the region through its membership of the 1995 South Asian Seas Action Plan, which is serviced by the secretariat of the South Asia Cooperative Environment Programme. The South Asian Seas Action Plan focuses primarily 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. Secure and open sea lanes are critical to peace, stability, prosperity and development. India calls for a free, open and inclusive order in the Indo-

Pacific region, based on respect for the sovereignty and the territorial integrity of all nations, the peaceful resolution of disputes through dialogue and the adherence to international rules and laws.

India's concept of the Indo-Pacific region is inclusive in nature and supports an approach that respects the right to the freedom of navigation and overflight for all in the international seas. India's Indo-Pacific vision is premised upon the principle of ASEAN centrality. India's approach is based on cooperation and collaboration given the need for shared responses to shared challenges in the region.

India reiterates the importance of the freedom of navigation and overflight on the high seas, unimpeded lawful commerce and resolving maritime disputes by peaceful means, in accordance with the universally recognized principles of international law, including the 1982 United Nations Convention on the Law of the Sea. We have seen instances in which the decisions of international judicial bodies have not been respected or given effect to by countries. That is clearly unacceptable. We call on all Member States to respect the rule of law at the international level.

Terrorism and transnational crimes, such as drug and weapons smuggling, human trafficking and piracy, can also have a similar impact on maritime activities. The proliferation of weapons of mass destruction and natural disasters are other issues that can have a catastrophic impact on all maritime activities and the environment, as such. It remains evident that no nation, however powerful or rich, enjoys the resources to meet all those challenges alone.

Oceans are a common concern of humankind, apart from the international seabed area beyond national jurisdiction, which is the common heritage of humankind. Cooperation among all stakeholder nations to ensure peace and stability in the seas is therefore essential to safeguard their common maritime interests and advance human development. Trust and confidence among nations is essential to ensure cooperative security.

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 with the climate in our own region. Indian hydrographers partner in capacity-building efforts with our maritime neighbours. Indian institutions work closely with regional partners



on improving early-warning systems for tsunamis and cyclones. Indian naval ships are deployed to deliver humanitarian assistance and emergency evacuation and patrol sea lanes against pirates.

A disaster-resilient world demands a disaster-resilient infrastructure. India remains committed to addressing the challenges of complex humanitarian emergencies by building disaster-resilient infrastructure. During the 2019 Climate Action Summit, India took the initiative in that context to launch the Coalition for Disaster Resilient Infrastructure in partnership with several other countries.

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 the global action and collective efforts of all stakeholders. We have also undertaken the commitment to eliminate single-use plastic in India by 2022.

India is committed to the sustainable development of its blue economy partnership in line with the 2030 Agenda for Sustainable Development, including Sustainable Development Goal 14, on the conservation of oceans. The Prime Minister of India announced India's prioritization of the Indian Ocean region through the concept of security and growth for all in the region. Under that concept, India will continue to actively pursue and promote its geopolitical, strategic and economic interests on the seas, in particular the Indian Ocean.

We hope that we can jointly protect and preserve the oceans in our collective interest for sustainable development.

**The Acting President:** We have heard the last speaker in the debate on agenda item 76 and its sub-items (a) and (b) for this meeting. We shall continue the debate this afternoon at 3 p.m. here in the Hall.

*The meeting rose at 1 p.m.*