



General Assembly

Seventy-fifth session

39th plenary meeting
Tuesday, 8 December 2020, 3 p.m.
New York

Official Records

President: Mr. Bozkir (Turkey)

In the absence of the President, Mr. Masuku (Eswatini), Vice-President, took the Chair.

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

Agenda item 76 (continued)

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)

Mr. Prasad (Fiji): This statement in my national capacity is aligned with the statement delivered on behalf of the Chair of the Alliance of Small Island States earlier today (see A/75/PV.38).

I congratulate Singapore and Norway on their great efforts to bring the draft resolution on oceans and the law of the sea (A/75/L.39) to the General Assembly in a difficult period. The global health pandemic has made it even clearer that, in order to achieve the decade of action on sustainable development, national and international efforts must be transformative and bold.

The oceans will play a large part in those efforts, which must include intensifying our efforts to consolidate the international legal frameworks for the protection of oceans, harnessing the United Nations system for the development of sustainable blue economies and outlining responsibilities for Member States to protect the health of oceans and to move human activity on the oceans into more sustainable pathways.

Pacific leaders have affirmed, through the Boe Declaration on Regional Security and the Kainaki II Declaration, that climate change remains the single-most significant threat to the blue Pacific. The consequences of rising sea levels, warming seas, acidification and deoxygenation are intensifying across the blue Pacific. The development progress of island

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).



States is now hostage to those trends, which are a threat to development, a threat to our food security, a threat to our livelihoods and our economies and a growing threat to our security.

A crucial element of international law is the basis that it provides for determining maritime boundaries and exclusive economic zones. The 1982 United Nations Convention on the Law of the Sea provides the legal foundation for designing those boundaries. The work of the International Law Commission on the law of the sea with respect to rising sea levels is therefore of great interest to Fiji and many of the island States of the Pacific that are facing growing pressures from rising sea levels.

Our coastal communities look to international law for comfort. Fiji joins the Pacific community in restating a core element of our understanding of that law. Once determined, maritime boundaries cannot be affected by changes arising from human action. Rising sea levels and climate catastrophes are a consequence of human action. They affect communities and indeed whole islands. Those changes are, in our view, inconsequential for maritime boundaries determined on the basis of international law. We are very clear on that.

If maritime boundaries were indeed to somehow be affected by rising sea levels, it would be equivalent to a victim of a crime being asked to compensate those responsible for that crime. Fiji and the Pacific islands did not cause sea-level rise. Fiji's own domestic legal frameworks and the Pacific's regional frameworks are being shaped to ensure that there is no ambiguity. Fiji is doing so because the ocean is the foundation of our identity and our existence and of our sustainable development. Fiji therefore welcomes the International Law Commission's efforts to examine the issue of maritime boundaries and sea-level rise, including its implications for persons affected by sea-level rise.

I join our colleagues in congratulating the Secretary-General of the International Seabed Authority on his re-election and offer my delegation's full support, especially in the implementation of the Authority's new marine scientific research action plan.

Fiji also joins its Pacific colleagues in looking forward to the second United Nations Oceans Conference and supports the Department of Economic and Social Affairs and the excellent work of the Special Envoy for the Ocean. I also wish the co-hosts, Portugal and Kenya, every success as they undertake the difficult

task of shaping the first global stocktake of progress on the implementation of Sustainable Development Goal 14. The second Oceans Conference will be an important platform from which to link the progress on marine protected areas and marine conservation with new nationally determined contributions and with the United Nations Framework Convention on Climate Change (UNFCCC) process.

Fiji looks to both Italy and the United Kingdom to help us deliver on the high ambitions of the twenty-sixth Conference of the Parties to the Convention, which is crucial for ensuring that the progress being made for the protection of oceans and the climate and ocean pathways are firmly locked and embedded into the UNFCCC process arising from the Paris Agreement on Climate Change, which will mark its fifth year in a few days' time.

Fiji has been actively engaged in the negotiations for the new treaty for the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ) and looks forward to working with all Member States to satisfactorily conclude the treaty in the new year. I think Ambassador Lee of Singapore for her sterling efforts to maintain momentum on the BBNJ.

The global health pandemic has shed new light on the importance of marine biodiversity for medicine and the future health of humankind. In welcoming the draft resolution on sustainable fisheries (A/75/L.40), I remind the General Assembly that Fiji and the Pacific suffer from the double impacts of human action.

First, because of warming seas, fish are migrating to cooler waters in the eastern Pacific, well beyond the exclusive economic zones of the region.

Secondly, because of intensifying illegal, unreported and unregulated fishing (IUU), there is growing pressure on regional fish stocks. The international community needs to take cohesive measures on two fronts — faster progress to net zero IUU and the complete phasing out of IUU.

The impacts of climate change on marine life has the most acute and most direct impact on women across our coastal communities. That is why we look to the United Nations system to work with far greater coherence to support the capacity of women across the ocean space, including through their full and equal participation in

the science of oceans and shaping ocean policy and by undertaking efforts to enhance their livelihoods.

We also look forward to working with Member States to ensure that our biodiversity ambitions are further expanded in Kunming, China, next year. Many of our biodiversity ambitions will focus on marine biodiversity.

We also welcome the United Nations Food Systems Summit to be held in 2021, which offers a unique opportunity to bring the challenge of sustainable fisheries and marine economics to the centre of our discussions on food, food security and food systems.

Everything I mentioned places new responsibilities on ocean States like Fiji to further strengthen their stewardship of life both within and beyond their maritime boundaries. Fiji will draw on those efforts as it finalizes its national oceans policy, which is currently under way, and shapes its climate law domestically — both will be concluded early in 2021.

Bringing much of our work and progress on oceans together is the United Nations Decade of Ocean Science for Sustainable Development, coordinated by UNESCO's Intergovernmental Oceanographic Commission. The Decade is crucial and critical, not only for driving the SDGs but also in helping Member States to frame the best of ocean management policies going forward.

For ocean States, all of those efforts are amplified within the agenda item being discussed today. I thank the Division for Ocean Affairs and the Law of the Sea and the Secretariat for their excellent work in keeping our work on track during this difficult period.

Mr. Arrocha Olabuenaga (Mexico) (*spoke in Spanish*): The ocean is central to a more resilient and prosperous world. It is a pillar of the global economy, a source of livelihoods for more than 3 billion people, a hub for the exchange of goods, a source of renewable energy and the Earth's principal lung. In times of great health, economic and environmental challenges, it is the obligation of all leaders to make responsible decisions in order to move towards a sustainable ocean economy.

Mexico is a country with a maritime vocation and recognizes that oceans are vital to the national and international economy, as well as being a fundamental part of biological and environmental cycles. In that connection, we reaffirm our commitment to building a sustainable ocean economy and promoting a

sustainable approach to marine resources through our participation in the High-level Panel for a Sustainable Ocean Economy.

We join the 14 other States on the Panel in a call for action to ensure the health and wealth of our oceans, as well as their regeneration, so that they can deliver economic, environmental and social value to provide solutions to global challenges as part of our responsibility towards future generations. Our actions must be guided by the principles of inclusion, legality, protection, precaution, resilience, solidarity, alignment and sustainability, based on the best available science and knowledge.

Mexico is committed to managing the seas and oceans in a 100 per cent sustainable, integrated, transparent and accountable manner and urges other Governments to join us in that great effort.

In line with our maritime vocation, Mexico highlights the contributions of the United Nations Convention on the Law of the Sea (UNCLOS) in the 25 years since its entry into force. The role the Convention plays in establishing an equitable, balanced and universal legal framework is perhaps one of its most relevant contributions to the development and implementation of the international law of the sea.

In that context, the negotiations in the framework of the Intergovernmental Conference on a legally binding instrument under the United Nations Convention on the Law of the Sea for the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction are becoming highly relevant, not only from the perspective of the United Nations Decade of Ocean Science for Sustainable Development and the Sustainable Development Goals (SDGs) but also in terms of the opportunity to expand that equitable and universal legal framework to ensure the sustainable management of all resources in our oceans in a comprehensive and holistic manner.

Mexico welcomes the efforts made, despite the unusual circumstances caused by the coronavirus disease pandemic, to guarantee space for continued discussions in order to develop agreements among participants in the Intergovernmental Conference. Mexico joins others in thanking President Rena Lee and her facilitators, as well as all other delegations and actors, for the work carried out during the extended intersessional period. Nevertheless, we consider it necessary to urge all stakeholders to remain committed to reaching an

ambitious and realistic agreement for the fourth and final session of the Intergovernmental Conference.

Turning now to another issue, ghost nets constitute a form of plastic pollution and, through the Global Ghost Gear Initiative, Mexico has committed to improving the health of marine ecosystems, protecting marine life, reducing harmful effects on populations of various aquatic species and safeguarding human health and livelihoods. Mexico formally joined the initiative in November, in line with its obligations under UNCLOS to prevent, reduce and control pollution of the marine environment, the goals set by the United Nations Conference on Sustainable Development and the SDGs, in particular Goal 14, as well as in accordance with the International Guidelines on Bycatch Management and Reduction of Discards, in which our country participates on a voluntary basis.

To demonstrate our commitment to the issue, a virtual seminar on a global approach to tackle the issue of ghost nets was held in November in the framework of Mexico's pro tempore presidency of the Community of Latin American and Caribbean States. Actions are being coordinated to define a national diagnostic process to identify hotspots with a high density of ghost nets in order to discuss a future national action plan to address the problem.

Mexico recognizes that illegal, unreported and unregulated fishing threatens the sustainability of fisheries worldwide. It is estimated that annual global losses due to illegal, unreported and unregulated fishing amount to between \$10 billion and \$23.5 billion dollars. Such fishing also results in the destruction of fishing grounds and habitats, a decline in the value of fisheries, the disruption of food chains, increased risks related to food security and the disruption of the social cohesion of communities.

In that connection, there is an imminent need to prevent overfishing and illegal, unreported and unregulated fishing to reduce pressure on our oceans and build resilience in a changing climate. Mexico remains committed and willing to develop responsible and sustainable fisheries, protect natural resources and combat illegal fishing. National legislation provides for inspection and surveillance in waters under national jurisdiction in order to ensure the conservation and sustainable management and use of fishery and aquaculture resources.

Mexico also has in place a satellite monitoring system for fishing vessels, a national programme of on-board observers to monitor the fishing activities of vessels flying its flag and carrying out activities in the high seas and a comprehensive fisheries and aquaculture inspection and monitoring programme to combat illegal fishing.

Mexico has always championed cooperation and stresses the need for effective international coordination to achieve the fulfilment and implementation of common objectives. For that reason, we are proactive participants in the framework of various forums and organizations, including regional fisheries management organizations such as the Inter-American Tropical Tuna Commission and the International Commission for the Conservation of Atlantic Tunas.

Our country places special emphasis on promoting the selectivity of fishing gear to minimize discards and catches of juvenile organisms and non-targeted species, with special attention to avoiding the bycatch of associated species. That includes, as a priority, the adoption of measures aimed at the accounting, marking, numbering and monitoring of fish aggregating devices as fishing gear with reduced selectivity and a high catch rate of juvenile tunas.

Finally, within the framework of the High-level Ocean Panel for a Sustainable Ocean Economy, Mexico is promoting the formation of a blue food coalition with the goal of ensuring that 100 per cent of ocean-derived food, including fisheries and aquaculture, will be sustainably and responsibly sourced and processed by 2030, through the identification and implementation of actions to curb illegal and unregulated fishing.

In conclusion, the issue of oceans and the law of the sea boils down to this: great challenges require great action. We have the opportunities — and, more important, the responsibility — to undertake substantive, innovative and bold transformations that will allow us to move towards a sustainable blue economy that will enable us to build a more equitable, resilient, prosperous and harmonious future in harmony with nature, in which the protection and conservation of the marine environment and economic productivity go hand in hand.

Mr. Kawase (Japan): At the outset, I would like to take this opportunity to thank Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Kravik of Norway for their excellent coordination. Japan also

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

Japan strongly believes in the universality and comprehensiveness of the United Nations Convention on the Law of the Sea (UNCLOS), which regulates the freedom of navigation and overflight, the freedom on the high seas and the protection and preservation of the marine environment, and the peaceful settlement of disputes. We are of the firm view that promoting and developing a predictable maritime order based on UNCLOS is both the responsibility of, and of benefit to, the entire international community.

Therefore, Japan has decided to co-sponsor the important resolution entitled “Oceans and the law of the sea” (A/75/L.39), which confirms our commitment to a rules-based maritime order and covers a wide range of oceanic issues.

However, we have observed developments that go against the rule of law governing the oceans of the world.

Taking into consideration the universality and comprehensiveness of UNCLOS, all maritime claims must be based on the relevant provisions of UNCLOS, which is the basis for determining legitimate rights and interests over maritime zones. It is unacceptable to make legal assertions as if there were a general international law to override matters that are comprehensively covered under UNCLOS.

All maritime disputes should be peacefully resolved based on international law, in particular UNCLOS, and not by force or coercion. From the perspective of the rule of law, Japan believes that it is the common understanding of all States Members of the United Nations that the judgements given through legitimate procedures must be complied with. In that regard, we welcome the relevant paragraphs of the Chairman’s statement at the fifteenth East Asia Summit, held this year, in which serious concerns were expressed on developments in the South China Sea, including land reclamation activities and serious incidents, as well as the need to pursue the peaceful resolution of maritime disputes.

On the issue of illegal fishing, we deem that every State should respect the sovereign rights of a coastal State in its exclusive economic zone. Each State should also fulfil its duties and responsibilities under the

relevant international law by effectively exercising its jurisdiction and control over ships flying its flag. However, we have been witnessing actions that go against that rules-based maritime order in recent years all over the world. The States concerned must cooperate to tackle those situations.

Concerning the coronavirus disease — one of the hardest challenges we are facing today — Japan dealt with infections among crew members and passengers on the *Diamond Princess* cruise ship early this year. Among the stakeholders, Japan, as a coastal State, took the initiative to handle the situation in order to prevent the virus from spreading. Facing various and unknown challenges, including the spread of the virus by people without clear symptoms, Japan strongly recognized the necessity of cooperation and close coordination with relevant States and international organizations.

Japan will continue cooperating with other States that share its belief in the importance of the rule of law as a universal value and will persistently make efforts towards a free and open Indo-Pacific.

In conclusion, let me reiterate Japan’s wish that the draft resolutions on oceans and the law of the sea and on sustainable fisheries (A/75/L.40), which are the result of cooperative work by Member States, will be duly adopted by the General Assembly.

Mr. Valtýsson (Iceland): “The ocean, the blue ocean, captures the mind; what lies beyond the far horizon?”

Those lines from a classic Icelandic poem come to mind when looking back at the year 2020. Ocean affairs have always captured our minds, but at the beginning of the year no one could have foreseen the coronavirus disease (COVID-19) pandemic lurking on the horizon, let alone the dramatic effects it has had on our way of living, working and thinking.

The pandemic has also taken its toll on international cooperation. The year that was expected to be a grand year of international ocean events, commitments, conferences and treaty-making ended up as a year of status quo for ocean affairs. Almost all international events were postponed or cancelled, and negotiations here at the United Nations on the draft resolutions on oceans and the law of the sea (A/75/L.39) and on sustainable fisheries (A/75/L.40) were limited to technical updates. Iceland supported that pragmatic approach and is a co-sponsor of both draft resolutions.

The COVID-19 situation, however, has also brought about some positive outcomes. It has taught us how to adapt and improve our navigation skills in the virtual world. We have seen that it is possible to keep international relations going during travel restrictions and lockdowns, albeit in a very different form.

Our immense gratitude goes to the people who have kept our work on ocean affairs going: the online facilitators of the omnibus draft resolution on oceans and the law of the sea, Ms. Natalie Morris-Sharma of Singapore, and of the draft resolution on sustainable fisheries, Mr. Andreas Kravik of Norway; the President 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, Ambassador Rena Lee of Singapore, and her facilitators and staff; the acting Director of the Division for Ocean Affairs and the Law of the Sea, Mr. Vladimir Jares, and his able staff; and all the other hardworking people who have kept the United Nations boat afloat under exceptional circumstances.

The pandemic has also taught us a valuable lesson. Cooperation, science and resilience will get us through even the most serious difficulties. That is a lesson we should treasure.

One thing has not changed during this extraordinary year. The ocean is still the same. Oceans and the law of the sea are as important as ever, and the need for international cooperation in this field has never been more urgent.

Oceans and the law of the sea are of the utmost importance to Iceland, as fisheries have always been a fundamental pillar of the Icelandic economy. We have a long-standing policy of science-based environmental protection and the sustainable use of living marine resources, which can be maintained only in harmony with other nations. We strive to be active and constructive participants in international cooperation on oceans and the law of the sea, while also emphasizing the regional control and framework for negotiating stocks and environmental protection of species.

The International Tribunal for the Law of the Sea is a cornerstone of the international system of oceans and the law of the sea, and Iceland is honoured that an Icelandic judge, Mr. Tomas Heidar, will be running for re-election to a seat on the Tribunal in 2023.

The new agreement within the remit of World Trade Organization, which prohibits fisheries subsidies that contribute to overcapacity, overfishing and illegal, unreported and unregulated fishing, will be a welcome step on our long journey towards worldwide sustainable fisheries. Although we were not able to meet target 14.6 of the Sustainable Development Goals and conclude that agreement by 2020, we look forward to its conclusion in the near future.

There are mounting challenges in the field of oceans and the law of the sea. According to the World Meteorological Organization, the past decade was the warmest on record, and climate change is melting polar ice, elevating sea levels and affecting the marine ecosystem. The Secretary-General calls the situation a climate emergency, and indeed those changes are clearly felt in my country, where we lose 4 billion tonnes of our glaciers every year.

Iceland is willing to do its part to meet those challenges and has committed to achieving carbon neutrality by 2040 and cutting greenhouse-gas emissions by 40 per cent by 2030 under the Paris Agreement on Climate Change. We are in the process of stepping up those commitments even further, as indicated in the updated Icelandic climate action plan of 2020.

During our current chairmanship of the Arctic Council, Iceland has prioritized Arctic marine issues, with an emphasis on plastic pollution and the blue bioeconomy, as well as climate and green energy solutions. The complex challenges of the oceans are best addressed through science, and we welcome the Decade of Ocean Science for Sustainable Development, 2021-2030.

Although international cooperation on oceans and the law of the sea has been less than expected this year, we are grateful for the work that could still be executed. We are also pleased that solutions were found and designed to facilitate future work, such as the possibility of holding virtual meetings for the Commission on the Limits of the Continental Shelf in order for that Commission to continue its important work.

Beyond the horizon, we hope to find a promising new year packed with all the ocean commitments and events that could not be held this year. Ocean affairs continue to capture our minds, and Iceland looks forward to continued and reinforced international

cooperation on the conservation and sustainable use of the oceans.

Mr. Fodda (France) (*spoke in French*): France fully aligns itself with the statement delivered on behalf of the European Union and its member States (see A/75/PV.38) and would like to make several comments in its national capacity.

We would like to thank Singapore and Norway for having facilitated the negotiations on the two draft resolutions on our agenda (A/75/L.39 and A/75/L.40) in the current unprecedented circumstances.

The United Nations Convention on the Law of the Sea establishes a fundamental balance between the freedoms, rights and obligations of States and users of all the seas and oceans. Its adoption in 1982 constituted a decisive milestone in the enactment of international rules applicable to the seas and oceans. The intention of its negotiators was indeed to cover all aspects of the various marine spaces — their limits and related rights, the rights of navigation and passage and the protection and preservation of the marine environment — as well as the settlement of disputes.

The annual draft resolution on the law of the sea, which we support, is a reminder of the unique scope and universal aim of the Convention. France is fully committed to its respect and proper implementation.

As the sustainable governance of the oceans and cooperation among States are essential for world peace and stability, it is crucial to defend them and to ensure that all activities carried out at sea conform with that global legal framework.

The Convention has also clarified the rights and obligations of coastal States and the legal regime governing waters adjacent to their territory. We are firmly committed to that regime, which is why we recently made a point of recalling that the provisions of parts II and IV of the Convention must be fully respected.

The Convention further provides that maritime delimitations must be carried out in accordance with international law “in a spirit of understanding and cooperation”, and to that end the International Court of Justice has developed a reference method that is followed by the International Tribunal for the Law of the Sea and arbitration tribunals.

The legal framework established by the United Nations Convention on the Law of the Sea can be

further strengthened. In order to respond to one of the main challenges of our time, France actively supports the ongoing negotiation of a legally binding instrument on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ). Together with our partners in the European Union, we are fully committed to the BBNJ process. We will continue our efforts to ensure that the negotiations lead to a strong, effective and universal treaty, bringing real added value to current governance of the high seas and providing the tools necessary for the effective protection and sustainable use of its resources.

Finally, France would like to take this opportunity to pay tribute to the outstanding work carried out in their respective functions by the three bodies established under the United Nations Convention on the Law of the Sea.

First, the Commission on the Limits of the Continental Shelf is tirelessly pursuing its essential work and must be provided with viable resources.

Secondly, we welcome the work of the International Seabed Authority, which is currently working on the elaboration of the mining code and the continued development of environmental protection measures.

Thirdly, we welcome the work of the International Tribunal on the Law of the Sea and the election of its new judges.

As a State party to the United Nations Convention on the Law of the Sea, France is and will remain fully committed to ensuring the full implementation of the Convention and upholding the rights and freedoms it guarantees.

Ms. Cerrato (Honduras) (*spoke in Spanish*): At the outset, my delegation would like to thank the Secretary-General for his reports on oceans and the law of the sea (A/75/70 and A/75/340) and the 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).

We also wish to thank Singapore and Norway for their leadership in the consultative processes of the draft resolutions to be adopted on oceans and the law of the sea (A/75/L.39) and on sustainable fisheries (A/75/L.40), which my delegation supports.

As a State party to the United Nations Convention on the Law of the Sea since October 1993, Honduras recognizes the Convention as the legal framework within which all activities in the oceans and seas should be carried out. It is also of strategic importance as the basis for activities and cooperation at the national, regional and global levels in the marine sector.

The coronavirus disease pandemic has affected all nations of the world — perhaps most severely those with the least resources and the most vulnerable populations. Honduras is in an area at high risk for the impacts of climate change, and in November we suffered the consequences of two devastating hurricanes, Eta and Iota. The year 2020 has been intense and will be a difficult year to forget, as the consequences of the phenomena we have experienced will last for some time. We must work very hard to recover and prepare for future events.

In that regard, my country calls for the redoubling of efforts at the global level to counter climate change. This crucial moment must be seized to ensure that the solutions adopted to address the pandemic follow a green approach in order to protect the heritage of future generations and achieve a resilient recovery.

Honduras also wishes to stress the urgency of mitigating the impacts of marine pollution, water acidification, habitat destruction, watershed degradation, overfishing, biodiversity loss, unregulated aquaculture and sea-level rise.

My country's priorities include continued work on national, regional and international programmes and strategies to eliminate the use of plastic and the accumulation of plastic waste in the seas and oceans in order to achieve a healthy marine environment. In that context, this year Honduras had the honour to participate as a founding member in launching the Group of Friends to Combat Marine Plastic Pollution, a special event celebrated on World Ocean Day.

Honduras reiterates the importance of concluding, at the upcoming fourth session of the Intergovernmental Conference, an ambitious legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction in order to implement Sustainable Development Goal 14, which will allow, inter alia, the establishment of effective cross-sectoral marine protected areas to maintain the global health of the oceans, as well as

capacity-building and the transfer of marine technology for developing countries. My country therefore urges that the constructive intersessional work under way continue so as to conclude the treaty negotiations as soon as possible.

In conclusion, I would like to stress that concerted action is still required in order to protect underwater cultural heritage, as well as to achieve gender equality and women's empowerment in all ocean-related sectors.

Mr. Proskuryakov (Russian Federation) (*spoke in Russian*): The Russian Federation attaches great importance to the development of the international law of the sea and the discussion of maritime issues in the General Assembly.

We would like to express our gratitude to the Secretary-General for his reports on oceans and the law of the sea (A/75/70) and on sustainable fisheries (A/75/340), which provide a sound basis for a comprehensive analysis of the current situation and determination of future objectives to safeguard the rights and interests of States and protect the marine environment.

The central instrument that ensures effective intergovernmental cooperation on oceans is the United Nations Convention on the Law of the Sea of 1982 — a uniquely important and universal international treaty. As a major maritime Power, Russia has done, and will continue to do its best to strengthen the authority and integrity of the Convention.

The importance of the world's oceans for humankind is steadily increasing. New opportunities for the use of its rich resources are emerging, and the range of economic activities in the ocean is expanding, pointing definitively to the need to protect the marine environment and encourage States to cooperate in order to effectively resolve urgent issues.

We also attach great importance to the work of the bodies established under the Convention — the International Tribunal for the Law of the Sea, the Commission on the Limits of the Continental Shelf and the International Seabed Authority.

The work of the Commission on the Limits of the Continental Shelf is becoming more active each year as a result of the increasing number of submissions by States to determine the limits of their continental shelves beyond 200 nautical miles. In that context, we

support the provision of adequate resources for the effective fulfilment of the Commission's mandate.

We also consider it important to continue seeking optimal ways to improve the conditions of service of the members of the Commission in view of its increased workload. In that connection, we underscore the need for those States that have nominated experts to serve on the Commission to fulfil their commitments to guarantee the participation of members in its work.

We note the role played by the International Tribunal for the Law of the Sea in the settlement of disputes concerning the interpretation or application of the Convention. Three new judges were elected to the Tribunal this year, and we are convinced that their experience, authority and professionalism will contribute to the dynamic and highly competent performance of the Tribunal's functions.

We note the successful cooperation under the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments and the corresponding establishment of a network of regional fisheries management organizations. Since the Agreement entered into force, it has clearly proven to be a reliable instrument for regulating fisheries issues beyond national jurisdictions, while taking into account the balance between sustainable fishing activities and preserving the marine environment. We encourage States to work together to improve the effectiveness of existing regional and subregional fisheries management organizations.

An issue that deserves our particular attention is the negotiation of a legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond areas of national jurisdiction. This year, due to the coronavirus pandemic, the fourth session of the Intergovernmental Conference on that topic was cancelled. The draft document prepared by the President of the Intergovernmental Conference contains a wide range of bracketed alternatives reflecting the diverse views of States. We hope that it will be possible to hold the rescheduled fourth session of the Intergovernmental Conference next year, and in that regard we call on delegations to maintain a balanced and coherent approach. We believe that there

is a need to focus on a qualitative outcome that will lead to consensus-based decisions.

In connection with the upcoming plenary meeting of the thirtieth Meeting of States Parties to the United Nations Convention on the Law of the Sea, we again wish to stress the importance of preserving the current mandate of that forum, which is to resolve administrative and budgetary issues relating to the functioning of the bodies established under the Convention.

In conclusion, my delegation supports draft resolutions A/75/L.39 and A/75/L.40, to be adopted today. Allow me to express my gratitude to the facilitators of the informal consultations on the omnibus draft resolution on oceans and the law of the sea, Ms. Natalie Morris-Sharma, and on the draft resolution on sustainable fisheries, Mr. Andreas Kravik. We have all had to work together in new and unfamiliar circumstances. However, despite the various challenges, technical difficulties and different time zones, thanks to the valuable facilitation of the Division for Ocean Affairs and the Law of the Sea, we were able to reach an agreement on the texts of comprehensive and important documents.

Mrs. Barba Bustos (Ecuador) (*spoke in Spanish*): Like other developing countries, Ecuador has seen an increase in threats and challenges to the sustainable use of our oceans and their resources. In that regard, we welcome the reports of the Secretary-General on oceans and the law of the sea (A/75/70 and A/75/340), which warn of those threats and challenges.

Among the most frequently encountered threats to the sustainable use of resources and the protection of marine areas is illegal, unreported and unregulated fishing. Challenges in that area include the coordination of the progress of catch documentation systems and the international records of fishing vessels, the adoption and implementation of the Agreement on Port State Measures of the Food and Agriculture Organization of the United Nations and tackling the use of high seas fishing practices that do not comply with the obligations set out in the United Nations Convention on the Law of the Sea and other international instruments applicable to the conservation and management of straddling fish stocks and highly migratory fish stocks, which are found within exclusive economic zones and in areas beyond and adjacent to them.

The effective management of those areas in the medium and long term has resulted in increased fish

catches in the surrounding fishing areas, along with other benefits such as job protection and increased income, improved resilience to the adverse effects of climate change and the safeguarding of small businesses and local cultures that are intimately linked to the marine environment.

Ecuador believes that there is an urgent need to bolster scientific research into the impact of fishing in international waters adjacent to exclusive economic zones on aquatic biodiversity within the safe ecological limits of marine reserves, while taking into account that many protected species do not recognize human-made boundaries and therefore travel among areas within and beyond national jurisdictions.

The Galapagos Marine Reserve is home to a unique and fragile ecosystem. Given the current health, economic and social crisis and its severe consequences for the implementation of our environmental policies and commitments, it is urgent that the international community provide adequate support, through a revitalized multilateralism, to the efforts of various Governments that are already contributing to the protection of marine biodiversity and remain committed to doing so. Such initiatives not only contribute to the achievement of the current globally agreed targets on the Sustainable Development Goals, especially Goal 14, but also build the necessary confidence to commit to a new target on ocean protection, which will bring many other benefits for global biodiversity.

In that connection, Ecuador looks forward to 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 marine biological diversity of areas beyond national jurisdiction, to be held next year under the able leadership of Ambassador Rena Lee.

Finally, Ecuador expresses its appreciation to Mr. Andreas Kravik of Norway and Ms. Natalie Morris-Sharma of Singapore, facilitators of the draft resolutions on sustainable fisheries and on oceans and the law of the sea, respectively, both of which Ecuador supports.

Mr. Hnytskyi (Ukraine): The delegation of Ukraine aligns itself with the statement delivered by the observer of the European Union (see A/75/PV.38). I would now like to make a few remarks in my national capacity.

Ukraine is pleased to join many others in co-sponsoring the two draft resolutions under agenda item 76 (A/75/L.39 and A/75/L.40). I would also like to express our appreciation for the excellent stewardship demonstrated by the facilitators of the two draft resolutions.

This year is unprecedented. The coronavirus disease (COVID-19) pandemic has significantly affected and hindered progress in achieving the 2030 Agenda for Sustainable Development, including Sustainable Development Goal 14, some targets of which we expected to achieve in 2020. Recovery from the pandemic is a complex process that requires action in many areas, from health systems to climate change. We should not forget about the role of seas and oceans in our search for solutions to the current crisis.

Decreased human activity has had positive impacts on certain marine species and ecosystems; however, the health of the oceans and their resilience and productivity continue to deteriorate. It is therefore of paramount importance that we pay more attention to those problems and take resolute steps to address them. I would like to emphasize that international cooperation and coordination are crucial for successfully addressing the challenges facing the oceans.

We acknowledge the need to enhance ocean governance as a cornerstone for preserving and protecting the marine environment and biodiversity, as well as ensuring peaceful relations between States. The United Nations Convention on the Law of the Sea (UNCLOS) establishes the overarching legal framework within which all activities related to the oceans and seas must be carried out. By establishing a legal order for seas and oceans, the Convention continues to contribute to peace and security and cooperation and friendly relations among all nations, as well as to sustainable development.

The Convention requires States parties to settle by peaceful means any dispute between them concerning the interpretation or application of the Convention. Consistent with Article 33 of the Charter of the United Nations and article 279 of UNCLOS, Ukraine has strived to peacefully resolve its dispute with the Russian Federation.

Since early 2014, Russia has engaged in numerous blatant violations of Ukraine's rights under UNCLOS and other relevant rules and principles of international law, unlawfully excluded Ukraine from exercising

its maritime rights in the Black Sea, the Sea of Azov and the Kerch Strait, exploited Ukraine's sovereign resources in those waters for its own ends and usurped Ukraine's right to regulate its own maritime areas in those waters.

Through those violations of international law, Russia is, *inter alia*, stealing Ukraine's offshore hydrocarbons and fisheries resources, harming the livelihoods of Ukrainian fishermen and interfering with navigation, including the navigation of vessels heading through the international Kerch Strait and towards Ukraine's Sea of Azov ports.

On 16 September 2016, Ukraine served a notification and statement of claim on the Russian Federation under annex VII to UNCLOS and initiated a dispute concerning coastal State rights in the Black Sea, the Sea of Azov and the Kerch Strait.

On 19 February 2018, Ukraine filed a memorial with the International Tribunal for the Law of the Sea, establishing that Russia had violated Ukraine's sovereign rights in the Black Sea, the Sea of Azov and the Kerch Strait. On 21 February this year, the Tribunal rejected Russia's preliminary objection that the Tribunal lacks jurisdiction over Ukraine's case and determined that it would hear significant aspects of Ukraine's claims, including those related to Russia's violations of UNCLOS in the Kerch Strait and the Sea of Azov.

Moreover, on 25 November 2018, Russia engaged in a wave of UNCLOS violations by detaining Ukrainian military vessels and the personnel on board in the Black Sea and near the Kerch Strait. Such actions constitute a grave violation of UNCLOS with regard to the immunity of warships.

On 1 April 2019, in accordance with the United Nations Convention on the Law of the Sea, Ukraine notified the Russian Federation of a dispute concerning the immunity of three naval vessels and 24 servicemen on board. By the order dated 25 May 2019 of the International Tribunal for the Law of the Sea, Russia was obliged to immediately return the vessels and the 24 servicemen to the custody of Ukraine. It took the Russians almost half a year to complete that return. Today Russia continues to violate UNCLOS by denying the immunity of military vessels and continues to prosecute servicemen.

Let me recall in that context that a renewed resolution entitled "Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov" (resolution 75/29) was adopted just yesterday by an overwhelming majority of Member States (see A/75/PV.36).

The General Assembly once again called upon the Russian Federation, *inter alia*, to refrain from impeding the lawful exercise of navigational rights and freedoms, exercised in accordance with applicable international law, including provisions of UNCLOS, including but not limited to closure of sea areas under the pretext of military exercises in the Black Sea, the Sea of Azov and the Kerch Strait.

The Russian Federation was also called upon to return to Ukraine unconditionally and without delay all equipment and weapons that were seized from the vessels *Berdyansk*, *Nikopol* and the tugboat *Yani Kapu* during the unjustified use of force by the Russian Federation on 25 November 2018.

Amid the COVID-19 pandemic, we have to redouble our efforts to achieve the targets of Sustainable Development Goal 14, including through enhanced international cooperation and coordination, increased capacity-building and the transfer of technology to developing States. In order to be cohesive, effective and long-lasting, such efforts must be undertaken within the context of the legal framework set out by UNCLOS.

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

Mr. Hernández-Chávez (Chile) (*spoke in Spanish*): Chile wishes to thank the coordinators of the draft resolutions on oceans and the law of the sea (A/75/L.39) and sustainable fisheries (A/75/L.40) for their efforts to arrive at balanced texts that allow for consensus among a large number of Member States, which is why my delegation decided to co-sponsor those draft resolutions. We understand and support the fact that, at this session, members opted for a technical update of the draft resolutions. Nevertheless, Chile believes that there is still work to be done to incorporate substantive aspects, which we hope will continue to be promoted at the next session.

Chile also takes note of and appreciates the report of the Secretary-General (A/75/340), which provides updates on the matters for consideration set out by the General Assembly. Chile also acknowledges the work carried out during this period by the Division for Ocean Affairs and the Law of the Sea on the various tasks assigned to it.

For Chile, the United Nations Convention on the Law of the Sea (UNCLOS) constitutes the cornerstone of international law for marine affairs, as it is the legal basis for the development of activities in the oceans and establishes a framework for cooperation, collaboration and understanding among States for the conservation of the ocean, the protection of marine ecosystems and the sustainable use of its resources.

The legal certainty provided by UNCLOS represents a fundamental step forward in international law given that, among other important matters, it codifies rules of customary international law. Its broad acceptance by much of the international community contributes to making UNCLOS a robust legal regime for the oceans, facilitating broad consensus-building and the consolidation of science-based understanding to advance a sustainable ocean economy, with a balance between environmental protection and conservation and economic productivity and prosperity.

The establishment of protected marine areas and precise definitions of the rights enjoyed by coastal States over them, as well as the establishment of the legal status of marine spaces in the high seas and the extended continental shelf, are other elements to which Chile attaches particular importance. Certainty about the marine areas that constitute the legal territory of each State has had a positive impact, as it allows for the establishment of effective measures to protect biodiversity and marine ecosystems. For example, to date Chile has established protected marine areas across an area that constitutes 43 per cent of its exclusive economic zone, and in that regard is committed to the establishment of robust ocean governance.

At the current session, Chile wishes to highlight five issues it believes are important in the coming years in terms of the ocean agenda and that should continue to receive the particular attention of the General Assembly under the item of oceans and the law of the sea.

First, Chile stresses the importance of developing a new legally binding international 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. In that connection, Chile regrets that the fourth session of the Intergovernmental Conference could not be convened during 2020 due to the coronavirus disease. Our country hopes it will be held in August 2021, as provided for in the draft resolution we hope to adopt today.

We also commend the leadership of the President of the Intergovernmental Conference, Ambassador Rena Lee, who has made significant efforts to organize informal intersessional work within certain parameters that are highly relevant to delegations that — like Chile — value the fact that decisions will be taken at the Conference, at which all States will be represented in line with the standards set out in resolution 72/249.

We hope that the new agreement will provide us with the legal framework to ensure the conservation and sustainable use of biodiversity in waters beyond national jurisdiction, which will allow for, *inter alia*, the establishment of protected marine areas in the waters in question with the aim of improving the health of the oceans worldwide.

Secondly, Chile hopes that the various actors within the multilateral system will take advantage of the Decade of Ocean Science for Sustainable Development in order to continue accumulating scientific knowledge on the ocean, ocean sustainability and the uses and functions of ocean ecosystems, which will help to promote international understanding of a sustainable ocean economy and ensure that science serves as the basis for decision-making. Chile firmly believes that ocean management should be informed by the best available science and knowledge and assisted by innovations and technologies.

Thirdly, we believe that ocean pollution, in particular plastic pollution, is an issue that the international community must consider seriously and systemically. In order to combat such pollution, which profoundly impacts our seas, Chile has undertaken individual efforts, in particular by implementing a ban on single-use plastic bags in supermarkets and shops as of February 2019.

We appreciate that many other States are implementing similar measures, including in the Latin American and Caribbean region. Other ideas have been suggested in recent years, such as a ban on single-use plastics and even an international agreement to address the challenges posed by plastic pollution. Chile believes

that those proposals merit serious reflection and is willing to consider them jointly in the framework of the United Nations Environment Assembly.

The creation of a Group of Friends to Combat Plastic Pollution — an initiative spearheaded by Norway, the Maldives and Antigua and Barbuda and comprising more than 50 States and other stakeholders — confirms the existence of the concern and political will to move forward in addressing the problem through multilateral commitments.

Fourthly, I wish to place on record Chile's interest in combating illegal, unreported and unregulated fishing. Throughout 2020, Chile has expressed its concern about the recurring presence of fleets of foreign fishing vessels engaged in fishing activities in the high seas adjacent to our territorial waters. We are concerned about the risk to the conservation and sustainable use of resources, and therefore call on all States to prevent, deter and address illegal, unreported and unregulated fishing. To that end, it is critical to strengthen the actions of regional fisheries organizations in order to promote the implementation of conservation measures that ensure the development of sustainable fisheries.

It is also necessary to eliminate fishing subsidies that contribute to overfishing and overcapacity and to illegal, unreported and unregulated fishing. To that end, we call for the completion of negotiations on fisheries subsidies in the framework of the World Trade Organization, while recognizing that, in order to achieve a satisfactory outcome, members must reach a comprehensive agreement that takes into account the sustainability of fisheries resources and the needs of the communities that depend on them as sources of food, employment and livelihoods.

Finally, our country expresses its support for the process to develop a post-2020 global biodiversity framework under the Convention on Biological Diversity. We hope that the international community will commit to protecting 30 per cent of the ocean by 2030, thereby ensuring the long-term preservation of the ocean and its ecosystems.

Mr. Koba (Indonesia): At the outset, my delegation would like to thank Ms. Natalie Morris-Sharma of Singapore and Mr. Andreas Kravik of Norway for their able leadership in coordinating the informal consultations and communications on the draft resolutions on oceans and the law of the sea (A/75/L.39) and sustainable fisheries (A/75/L.40), respectively. We

also thank the Division of Ocean Affairs and the Law of the Sea for its valuable support throughout the process.

Indonesia underscores its appreciation for the process and welcomes the smooth consultations completed for both draft resolutions, especially amid the unprecedented crisis of the coronavirus disease (COVID-19). As the largest archipelagic State and a maritime nation, Indonesia is pleased to co-sponsor both draft resolutions. We are of the view that both draft resolutions, among other things, remain critical for reiterating the importance of oceans and law of the sea as well as sustainable fisheries issues, thereby reflecting the global interest in the development of ocean governance and stressing cooperation in the fisheries sector.

However, it is also our regret that, due to the current circumstances of the pandemic, we could not hold substantive negotiations on either of the draft resolutions this year. Nevertheless, my delegation would like to highlight the following elements.

First, with respect to the draft resolution on oceans and the law of the sea, we welcome a number of updates, particularly with regard to the use of the voluntary trust fund to temporarily facilitate the virtual participation of members of the Commission and delegations from developing States in the work of the Commission and its subcommissions.

Indonesia also commends the incorporation in the draft resolution of international references to the challenges being faced by seafarers due to COVID-19, namely, to the resolution adopted by the Maritime Safety Committee of the International Maritime Organization resolution entitled "Recommended action to facilitate ship crew change, access to medical care and seafarer travel during the COVID-19 pandemic", and to the letter from the Secretary-General to the President of the thirtieth Meeting of States Parties to the United Nations Convention on the Law of the Sea regarding the plight of seafarers resulting from the impact of the COVID-19 pandemic.

We are also delighted to announce in that regard that Indonesia, with the support of Member States, initiated the General Assembly resolution entitled "International cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains" (resolution 75/17), which was adopted last week (see A/75/PV.32).

It is worth highlighting that the shipping industry — in which seafarers play an essential role — continues to serve as the backbone of the international economy and global supply chains, transporting more than 80 per cent of world trade. Maritime transport is also imperative for ensuring the delivery of vital medical supplies, food and basic goods that are critical to the COVID-19 response and recovery.

The adoption by consensus of resolution 75/17 shows once again the commitment of the General Assembly to recognizing and supporting the role of essential workers around the world, including seafarers, who have committed themselves and are risking their lives to protect the health, safety and well-being of others.

Secondly, with respect to the technical updates in the draft resolution on sustainable fisheries, we fully understand that the current unprecedented challenge has led to the postponement of a number of important events, including the postponement until 2022 of the Review Conference of 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, the postponement until the second half of 2021, if conditions allow, of the fifteenth round of informal consultations of States Parties to the Agreement and the postponement of other events and meetings.

Finally, Indonesia reaffirms its full support for, and commitment to, the objectives, purposes and universal principles enshrined in UNCLOS, as well as the 1995 Agreement.

The Acting President: I now give the floor to the observer of the International Seabed Authority.

Ms. Navoti (International Seabed Authority): It is my great honour to deliver this statement on behalf of His Excellency Mr. Michael W. Lodge, Secretary-General of the International Seabed Authority, who could not be present today in person to deliver his speech.

In the context of the annual debate on oceans and the law of the sea, it is always relevant to recall the contemporary importance for orderly international relations of the United Nations Convention on the Law of the Sea. The Convention has established certainty in the law of the sea and brought peace and order to the oceans. It has also provided for an equitable

relationship among States in their use of the ocean and has made a major contribution to international peace and security. The Convention has stood the test of time and remains relevant for addressing current challenges. As the constitution of the oceans", it is indeed a striking illustration of the collective contribution of the international community to the vision of a more fair and equal society.

One of the most significant outcomes envisaged in the Convention is the establishment of the International Seabed Authority to control and administer the seabed and its mineral resources beyond the limits of national jurisdiction for the benefit of humankind as a whole. The members of the Authority have been working together to build a solid institutional architecture and an ever-growing regulatory framework for the oversight of international seabed activities, which currently constitutes the most comprehensive and equitable regime for governing access to, and the utilization of, mineral resources and the protection of the marine environment in areas beyond national jurisdiction. Against that backdrop, four key issues relating to the work of the Authority may be highlighted.

First, the work of the Authority has continued relentlessly, notwithstanding the difficult context of the pandemic situation. The Legal and Technical Commission met remotely during the month of July and managed to complete its agenda. The Commission made progress in its work on draft standards and guidelines for deep seabed mining operations. A set of draft standards and guidelines were subsequently released for stakeholder consultation. The Commission continues to work on additional draft standards and guidelines, which will be issued for consultation when ready. The Finance Committee also met remotely on several occasions between May and October and successfully completed its agenda, including by recommending to the Authority's Assembly and Council a budget for the biennium 2020-2021.

The Authority's Assembly and Council also took the necessary measures to resume their work and opened the second part of the twenty-sixth session. To that end, we drew heavily on the processes adopted by the General Assembly and the Meeting of States Parties to the Convention, including by resorting to the tool of advancing work by the silence procedure in view of the current extraordinary circumstances. In that context, Ambassador Denys Wibaux of France was duly elected President of the Authority's Assembly for the twenty-

sixth session, and the retired Rear Admiral Mohammad Khurshed Alam of Bangladesh was elected as President of the Authority's Council.

The Authority's Assembly and Council are steadily progressing towards completing their respective programmes of work for the remainder of 2020, centred around time-sensitive agenda items that need to be disposed of before the end of the year. All other agenda items have been postponed to 2021. In the case of the Council, that includes continued work on the draft exploitation regulations and the issue of the next election of the Legal and Technical Commission.

Secondly, as mentioned at the past few sessions of the General Assembly, the priority task of the Authority, as identified by its Council, is to develop regulations for the exploitation of marine minerals in the international seabed area. Before the pandemic situation unfolded across many parts of the world, the Council was able to meet earlier in the year during the first part of the twenty-sixth session. In that context, it continued its consideration of the draft regulations on exploitation as recommended by the Legal and Technical Commission. The draft regulations, which have been developed over several years, have already undergone many rounds of global stakeholder consultations.

The Council also adopted a decision on working methods for advancing discussions on the draft regulations on exploitation, including the establishment of three informal working groups to address some of the issues identified as requiring further in-depth discussions — the protection and preservation of the marine environment; inspection, compliance and enforcement; and institutional matters. As previously mentioned, the work of the Council on the draft regulations has been suspended until 2021.

Thirdly, I am pleased to draw the attention of the General Assembly to important progress in the implementation of the strategy to develop additional regional environmental management plans. The development process of regional environmental management plans, which the Council decided to undertake under the auspices of the Authority, serves as a tangible expression of the Authority's commitment to the protection of marine environment of the international seabed area. It is also another example of the application of the precautionary approach by the Authority in fulfilling its mandate under the Convention.

The Secretariat has launched an ambitious programme of online expert workshops to be completed by the end of the year. In that connection, an online workshop on the development of a regional environmental management plan in the North-West Pacific was held recently from 26 October to 6 November. Similarly, an online workshop on the development of a regional environmental management plan for the international seabed area of the northern Mid-Atlantic Ridge, with a focus on polymetallic sulphides deposits, was held from 23 November to 4 December. The Government of India has also communicated its intention to host a workshop on the development of a regional environmental management plan for the Indian Ocean triple junction ridge and nodule-bearing province in 2021.

The outcomes of those expert workshops will not only contribute to creating a significant body of new scientific work that will help to protect the marine environment but will also provide a robust scientific and technical basis for the work of the Legal and Technical Commission in preparing its recommendations on the development of regional environmental management plans for consideration by the Authority's Council.

Fourthly, in the light of its mandate on marine scientific research under the Convention, the Authority has developed an action plan to formalize and organize its contribution to the United Nations Decade of Ocean Science for Sustainable Development. Given that the Decade will formally begin in 2021, the adoption of the action plan has been identified by the Authority's Assembly as one of the priority matters requiring a decision before the end of the year.

We also take this opportunity to express our sincere gratitude to the Government of Argentina, which is also chairing the Intergovernmental Oceanographic Commission (IOC) of UNESCO, for acting as champion of the Authority's action plan. We look forward to working with Argentina and other willing partners, including UNESCO and its IOC, on the implementation of the action plan.

In conclusion, the Secretary-General wishes to reaffirm his commitment to ensuring that the provisions of the Convention are implemented on the basis of equity and for the benefit of all humankind. He therefore extends his sincere appreciation to the Under-Secretary-General for Legal Affairs and the Division for Ocean Affairs and the Law of the Sea for their cooperation and the support extended to the Authority.

The Acting President: We have heard the last speaker in the debate on agenda item 76 and its sub-items (a) and (b).

Before proceeding further, I should like to remind members that action on draft resolution A/75/L.39 is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on the draft resolution as soon as the report of the Fifth Committee on its programme budget implications is available.

The Assembly will now take a decision on draft resolution A/75/L.40, entitled “Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments”.

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

Ms. Ochalik (Department for General Assembly and Conference Management): The following statement is made in the context of rule 153 of the rules of procedure of the General Assembly.

Under the terms of paragraphs 57, 58, 60, 63, 210 and 249 of draft resolution A/75/L.40, the General Assembly would take the following actions.

The General Assembly would recall that the resumed Review Conference agreed to keep the Agreement under review through the resumption of the Review Conference at a date not earlier than 2020; note the agreement at the fourteenth round of informal consultations of States parties to the Agreement that the Review Conference should be resumed in 2021; and take note of the decision of States Parties to the Agreement, through a consultation by correspondence conducted by the Chair of the fifteenth round of Informal Consultations of States Parties to the Agreement, to postpone the resumption of the Review Conference on the Agreement to 2022 and invite the General Assembly to take note of the decision and take any appropriate subsequent steps.

The General Assembly would in that regard request the Secretary-General to resume the Review Conference, convened pursuant to article 36 of the Agreement, in New York for one week in the first half of 2022, with a view to assessing the effectiveness of the Agreement

in securing the conservation and management of straddling fish stocks and highly migratory fish stocks, and to render the necessary assistance and provide such services as may be required for the resumption of the Review Conference.

The General Assembly would recall its request, in paragraph 60 of resolution 74/18, that the Secretary-General submit to the resumed Review Conference an updated report, prepared in cooperation with the Food and Agriculture Organization of the United Nations and with the assistance of an expert consultant to be hired by the Division to provide information and analysis on relevant technical and scientific issues to be covered in the report, to assist the Review Conference in discharging its mandate under article 36, paragraph 2, of the Agreement; and would also in that regard reiterate its request to the Secretary-General to develop and circulate to States and to regional fisheries management organizations and arrangements in a timely manner a voluntary questionnaire regarding the recommendations made by the Review Conference in 2016, taking into account the specific guidance to be proposed at the fifteenth round of informal consultations of States parties to the Agreement in 2021.

The General Assembly would request the Secretary-General to convene the fifteenth round of informal consultations of States parties to the Agreement, if conditions allow, for three days in the second half of 2021: two days to focus on the topic “Implementation of an ecosystem approach to fisheries management” and one day to serve as a preparatory meeting for the resumed Review Conference.

The General Assembly would request the Secretary-General to convene, in the second half of 2022, with full conference services, without prejudice to future arrangements, the two-day workshop that was to have been held in 2020 pursuant to resolution 73/125, in order to discuss the implementation of paragraphs 113, 117 and 119 to 124 of resolution 64/72, paragraphs 121, 126, 129, 130 and 132 to 134 of resolution 66/68 and paragraphs 156, 171, 175, 177 to 188 and 219 of resolution 71/123, and to invite States, the Food and Agriculture Organization of the United Nations and other relevant specialized agencies, funds and programmes, subregional and regional fisheries management organizations and arrangements, other fisheries bodies, other relevant intergovernmental bodies and relevant non-governmental organizations

and relevant stakeholders, in accordance with United Nations practice, to attend the workshop.

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

Pursuant to the request contained in paragraphs 57 and 58 of the draft resolution, it is envisaged that the resumed Review Conference in New York would convene for one week in the first half of 2022, comprising 10 meetings, one in the morning and one in the afternoon for five days, with interpretation in all six languages. That would constitute an addition to the meetings workload of the Department for General Assembly and Conference Management in 2022 and entail additional non-recurrent resource requirements in the amount of \$78,000 in 2022 under section 2, "General Assembly and Economic and Social Council Affairs and Conference Management".

Furthermore, pursuant to the request contained in paragraph 210 of the draft resolution, it is envisaged that the workshop to be convened in New York in the second half of 2022 would be comprised of four meetings: one in the morning and one in the afternoon for two days, with interpretation in all six languages. That would constitute an addition to the meetings workload of the Department for General Assembly and Conference Management in 2022 and entail additional non-recurrent resource requirements in the amount of \$22,000 in 2022.

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

With regard to paragraph 63, the fifteenth round of informal consultations of States Parties to the Agreement would be serviced on an if-available basis. Likewise, with regard to paragraph 249, the informal consultations on sustainable fisheries would be serviced on an if-available basis.

In addition, the requests for documentation contained in paragraphs 57, 58 and 210 would constitute an addition to the documentation workload of the Department for General Assembly and Conference Management in New York of eight pre-session documents with a total word count of 52,800 words, three in-session documents with a total word count of 2,200 words, and two post-session documents with a total word count of 26,500 words, in all six languages, in 2022. Additional non-recurrent requirements for documentation would arise in 2022 in the amount of \$261,400 under section 2, "General Assembly and Economic and Social Council Affairs and Conference Management".

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

Accordingly, should the General Assembly adopt draft resolution A/75/L.40, additional resource requirements estimated in the amount of \$426,800 would be included in the proposed programme budget for 2022, under section 2, "General Assembly and Economic and Social Council Affairs and Conference management", section 8, "Legal Affairs" and section 36, "Staff Assessment", to be offset by the amount of \$43,400 under income section 1, "Income from Staff Assessment".

The Acting President: I now give the floor to the representative of the Secretariat.

Ms. Ochalik (Department for General Assembly and Conference Management): I should like to announce that, since the submission of draft resolution A/75/L.40 and in addition to those delegations listed in the document, the following countries have become sponsors of draft resolution A/75/L.40: Angola, Austria, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czechia, Fiji, Georgia, Hungary, Indonesia, Latvia, Lithuania, Maldives, Montenegro, the Netherlands, Palau, Panama, Poland, Romania, Samoa, Tonga and Ukraine.

The Acting President: May I take it that the Assembly decides to adopt draft resolution A/75/L.40?

Draft resolution A/75/L.40 was adopted (resolution 75/89).

The Acting President: Before giving the floor to speakers in explanation of position on the resolution just adopted, I would like to remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. Yakut (Turkey): Turkey joined the consensus on resolution 75/89, on sustainable fisheries, because Turkey is fully committed to the conservation, management and sustainable use of marine living resources and attaches great importance to regional cooperation to that end. However, Turkey dissociates itself from the references made in the resolution to 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, to which it is not a party. Those references should therefore not be interpreted as a change in the legal position of Turkey with regard to those instruments.

Mr. Guerra Sansonetti (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We express our appreciation to Mr. Andreas Kravik of Norway for facilitating the negotiations on resolution 75/89.

The Bolivarian Republic of Venezuela is not a State party to the United Nations Convention on the Law of the Sea, or to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

Therefore, the norms contained therein are not applicable to my country either under customary law or international custom, except for those that the Venezuelan State has expressly recognized or will recognize in future by incorporating them into national legislation. Moreover, the reasons that prevented the Bolivarian Republic of Venezuela from becoming a party to those instruments remain unchanged.

The fisheries and aquaculture sector is a priority in our national development plan, one objective of which is the promotion of fisheries development. Venezuela reiterates its commitment to applying the principles of the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations and chapter 17 of Agenda 21, adopted by

the United Nations Conference on Environment and Development in 1992.

At the same time, Venezuela is a party to various international instruments promoting the preservation and organization of fisheries. Similarly, our national development plan is complemented by a broad set of regulations allowing us to rely on programmes aimed at achieving the conservation, protection and management of marine biological resources, while promoting their responsible and sustainable use in a way that takes into account, *inter alia*, the relevant biological, economic, food security, social and cultural and commercial considerations.

Venezuelan fisheries law prohibits bottom trawling, thereby establishing a sanctions regime for non-compliance with conservation and management measures, including measures for the control of vessels flying the national flag and the monitoring of fishing activity, including a system for inspecting and monitoring their operations on the high seas that relays pertinent data to the body responsible for fisheries management, which makes it possible to determine the exact geographical location in which fishing operations are being carried out and whether they are in compliance with the regulations established by law.

For the sake of consensus, our delegation joined in the adoption of resolution 75/89. However, the Bolivarian Republic of Venezuela expresses reservations with regard to its content, as it is not a party to the United Nations Convention on the Law of the Sea or to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

Mr. Cuellar Torres (Colombia) (*spoke in Spanish*): The Colombian delegation wishes to express its sincere appreciation to Mr. Andreas Kravik of Norway for his outstanding work as coordinator of resolution 75/89, on sustainable fisheries. From the time of his assumption of the role of facilitator, he conducted the discussions in a dignified, transparent and constructive spirit that is reflected in the text we just adopted.

Humankind has been faced this year with a unique and enormous challenge due to the outbreak of the coronavirus disease pandemic, which has changed even the way we interact with oceans and fisheries. That situation led Member States to take the decision to

postpone substantive discussions on the resolution just adopted, which is why we considered only the relevant technical updates.

However, while acknowledging the valuable contribution represented by the resolution, my delegation recognizes that it contains formulations that the Colombian Government does not share with respect to the 1982 United Nations Convention on the Law of the Sea (UNCLOS), such as the view that the Convention should be the only regulatory framework governing activities conducted in the oceans.

Consequently, the resolution and our participation in the process of its adoption shall not be considered or interpreted to imply the express or tacit acceptance by the Colombian State of the provisions contained in UNCLOS. Colombia carries out its activities in the marine environment in strict compliance with the various international commitments that it has expressly adopted or accepted and takes this opportunity to reiterate that it has not ratified UNCLOS, and therefore the provisions therein are neither enforceable nor opposable for Colombia, except those that it has expressly adopted or accepted.

The constructive spirit that guides our country on matters pertaining to oceans and the law of the sea and sustainable fisheries is based on our firm conviction that all nations have a commitment and responsibility to protect the sea and its resources, extensive biodiversity and ecosystems, given that a sustainable future for the world largely depends on the sea. Colombia is prepared to work with other nations on the challenges facing our oceans and to ensure that they are clean, healthy, resilient, productive, predictable, accessible and safe.

For those reasons, Colombia expresses its reservation with regard to any mention in the resolution of the Convention as the only regulatory framework that regulates activities in the oceans. We reaffirm that we do not consider ourselves bound by its content.

The Acting President: We have heard the last speaker in explanation of position on the resolution just adopted.

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

Mr. Liu Yang (China) (*spoke in Chinese*): During the current debate, the representatives of a number of countries made irresponsible comments concerning the South China Sea that China firmly opposes.

The United Nations is not the proper place to discuss the South China Sea issue, but China must respond to the rhetoric of those countries.

China's position on the South China Sea has been consistent and clear. China's territorial sovereignty and maritime rights and interests in the South China Sea have an adequate historical and legal basis. China has always been committed to resolving territorial and jurisdictional disputes through negotiations with the countries directly involved. China is committed to working with members of the Association of Southeast Asian Nations (ASEAN) on the joint preservation of peace and stability in the South China Sea and to maintaining friendly relations with its neighbouring countries.

At present, thanks to the joint efforts of China and the ASEAN countries, the situation in the South China Sea remains stable in general. China and the ASEAN countries are fully and effectively implementing the Declaration on the Conduct of Parties in the South China Sea, while engaging vigorously in maritime cooperation and advancing consultations on the Code of Conduct in the South China Sea. Countries in the region are striving to develop regional rules for joint participation, joint compliance and shared responsibility. We hope that all parties, especially countries outside the region, will respect that.

The representatives of a number of countries have made patently false comments that seek to mislead. China would like to make its relevant positions known in order to right those wrongs.

First, with respect to the freedom of navigation in the South China Sea, the South China Sea is currently one of the safest and freest maritime passageways in the world. About 50 per cent of merchant vessels and one third of global maritime trade passes through the South China Sea. Each year, more than 100,000 merchant vessels pass through the South China Sea.

Indeed, the freedom of navigation conferred by international law has never been a problem in the South China Sea. What we should really guard against is the use of the freedom of navigation by some countries as a pretext to deploy warships and military aircraft in

the South China Sea as a way to flex their muscles and threaten the sovereignty and security of coastal States. All parties should firmly oppose that.

Secondly, with respect to the so-called South China Sea arbitration award, it should be emphasized that the Arbitral Tribunal violated the principle of State consent and tried the case *ultra vires*. There were obvious mistakes in the determination of facts and the application of the law, and the judgment violated the law. As such, the award is null and void and not binding. China does not accept and did not participate in that arbitration. China does not accept or recognize the so-called arbitration and will not accept any proposals or actions based on that award. Some countries praise the South China Sea arbitration award from time to time to serve their own political purposes. To properly address the South China Sea issue, the only practical and effective approach is through negotiations and consultations.

Thirdly, with respect to rights and interests in the South China Sea, as a State party to the United Nations Convention on the Law of the Sea, China enjoys the legal rights conferred upon it by the Convention. It should be noted, however, that the Convention does not exhaust all the rules of the law of the sea. As stated in the preamble of the Convention, matters not regulated by the Convention continue to be governed by the rules and principles of general international law.

Fourthly, with respect to territorial sovereignty in the South China Sea, that does not fall within the scope of the law of the sea. China's territorial sovereignty and maritime rights and interests in the South China Sea, including its territorial sea baseline in the South China Sea and its historical rights in the South China Sea, are in line with international law and international practice. Some countries have mistakenly exaggerated the role of the Convention, which constitutes an erroneous interpretation and application of international law.

Peace and stability in the South China Sea is the common aspiration and expectation of the countries in the region. China will continue to work with ASEAN countries to build the South China Sea into a sea of peace, a sea of friendship and a sea of cooperation. We hope that all parties will view the South China Sea issue objectively and rationally and play a constructive role in that regard, while respecting and supporting the efforts of the countries in the region to maintain peace and stability in the South China Sea.

Ms. Ruhama (Malaysia): My delegation has taken note of the statements made by several delegations concerning the South China Sea.

I wish to place on record that Malaysia's position on the South China Sea issue, which is based on its principles, remains unchanged. Owing to the complexity and sensitivity of the South China Sea issue, Malaysia is of the view that it must be managed in a peaceful and rational manner through dialogue and consultations, utilizing the appropriate forums and diplomatic channels.

Malaysia firmly holds that matters relating to the South China Sea must be resolved peacefully and constructively in accordance with the universally recognized principles of international law, including the United Nations Convention on the Law of the Sea.

Ms. Gandini (Argentina) (*spoke in Spanish*): In response to the statement delivered by a Member State in the current debate on oceans and the law of the sea, Argentina wishes to state the following.

Argentina's request during the preparation of the second *World Ocean Assessment*, in line with its communications submitted in a timely fashion to the Secretariat, was that editorial directive ST/CS/SER.A/42, of 3 August 1999, of the United Nations Secretariat, which is applicable to all documents of the Organization, should be complied with.

Mr. Proskuryakov (Russian Federation) (*spoke in Russian*): Regrettably, the delegation of Ukraine once again expressed a number of politicized clichés, unnecessarily complicating this constructive dialogue.

With regard to the maritime claims raised, we do not consider them relevant to the agenda item under discussion and do not consider the General Assembly to be the appropriate forum for resolving the issue.

The Acting President: We have heard the last speaker in the exercise of the right of reply.

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 76?

It was so decided.

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 76 and its sub-item (a).

The meeting rose at 5 p.m.