



General Assembly

Seventy-eighth session

43rd plenary meeting
Tuesday, 5 December 2023, 10 a.m.
New York

Official Records

President: Mr. Francis (Trinidad and Tobago)

The meeting was called to order at 10.05 a.m.

Agenda item 113 (continued)

Elections to fill vacancies in principal organs

(b) Election of members of the Economic and Social Council

The President: The General Assembly will proceed to the election to fill the remaining vacancy for a member from the Group of Eastern European States.

Since no candidate obtained the required two-thirds majority in the previous ballot during the 77th plenary meeting of the seventy-seventh session, on 8 June (see A/77/PV.77), one seat still remains to be filled from among the Eastern European States for a term of office beginning on the date of election and expiring on 31 December 2025.

We shall therefore proceed to the eleventh unrestricted ballot. In accordance with rule 94 of the rules of procedure, this twenty-fourth round of balloting shall be unrestricted. Any Member State from among the Eastern European States may be a candidate, except those that are current members of the Economic and Social Council, as well as those that were elected for a term beginning on 1 January 2024. The following members can therefore not be voted for in the present balloting: Bulgaria, Croatia, Czechia, Poland, Slovakia and Slovenia.

Before we begin the voting process, I should like to remind representatives that, pursuant to rule 88 of the rules of procedure of the General Assembly, no

representative shall interrupt the voting except on a point of order on the actual conduct of the voting. In addition, ballot papers will be given only to the representative seated directly behind the country's nameplate.

We shall now begin the voting process. Members are requested to remain seated until all ballots have been collected. Ballot papers will now be distributed and the voting has begun.

I request representatives to use only those ballot papers that have been distributed. Members are requested to put an "X" in the box next to the name printed on the ballot paper or to write the name of another eligible State on the blank line. If the box next to the name of a State is checked, the name of that State does not have to be repeated on the blank line.

There should not be more than one checked box or handwritten name for the vacant seat to be filled, as indicated on the ballot paper. A ballot will be declared invalid if it contains more than one checked box or more than one handwritten name. If the ballot paper contains a vote for a Member State that does not belong to the region or that is a current member of the Economic and Social Council, or for a Member State from the region that was already elected for a term beginning on 1 January 2024, the ballot paper will be declared invalid. If a mistake is made in filling out the ballot paper, representatives should request a new ballot paper from the Secretariat. A blank ballot paper will be considered an abstention.

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 AB-0928 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

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Finally, if a ballot paper contains any notation other than a vote in favour of an eligible Member State, those notations will be disregarded.

At the invitation of the President, the representatives of Brazil, Greece, Jamaica, Latvia, Mozambique and Sri Lanka acted as tellers.

A vote was taken by secret ballot.

The President: In the interests of time, the General Assembly will now proceed to consider the other items announced in *The Journal of the United Nations* while the ballots are being counted.

The General Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 113.

Agenda item 75

Oceans and the law of the sea

(a) Oceans and the law of the sea

Report of the Secretary-General (A/78/67)

Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its twenty-third meeting (A/78/129)

Reports on 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/78/77 and A/78/521)

Draft resolution (A/78/L.15)

(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

Letter dated 29 August 2023 from the President of the resumed Review Conference on 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 addressed to the President of the General Assembly (A/78/113)

Draft resolution (A/78/L.13)

(c) Agreement 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

The President: If properly nurtured and managed, the boundless expanses of our oceans and seas are the lifeblood sustaining our collective existence. The United Nations Convention on the Law of the Sea — the so-called constitution of the oceans — serves as the unwavering compass guiding our efforts towards the sustainable and equitable use of the oceans.

In the delicate balance of the Convention on the Law of the Sea lies the nexus between sovereignty and the freedom of navigation, without which global value chains would be broken and international trade frozen. Integral to that intricate equilibrium is the fact that, as sovereign countries, we must recognize the pre-eminent contribution made by the Convention to the strengthening of international peace and security, cooperation and development, while promoting harmonious relations among all nations. However, rising sea levels pose a real threat to the very existence of many nations, forcing us to now grapple with profound legal and other questions related to sovereignty and statehood in the face of that existential threat — questions we must place front and centre of all our discussions on oceans.

The Convention also beckons us to a shared responsibility, urging a collective commitment to the adoption of effective resource-management strategies. Our obligation is clear. We must use the resources of the oceans in a sustainable manner, thereby preserving them as a legacy to sustain future generations. The recent conclusion of the Agreement 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 marks a pivotal step. It reflects our shared commitment to safeguarding the ecosystem resources that lie beyond our immediate maritime borders as the common heritage of humankind. Doing so demands scrupulous adherence to international law and, indeed, to the strengthening of international cooperation.

Let me close by urging all nations to use these deliberations to demonstrate the importance of unity in addressing the emerging challenges that threaten the very fabric of our oceans and, indeed, of our nations. Through meaningful collaboration we can also successfully navigate the stormy seas of climate change and foster a future where our oceans remain sources and vectors of peace, prosperity, progress and sustainability. Let us therefore firmly exercise our right of decision and choose to stand united in the face of uncertainty, charting a course towards the horizon where oceans, the very essence of life on this planet, thrive sustainably and in harmony as part of our nature.

I now give the floor to the representative of Norway to introduce draft resolution A/78/L.13.

Mr. Løvold (Norway): Norway had the honour of coordinating the informal consultations on draft resolution A/78/L.13, on sustainable fisheries. I am pleased to introduce the text on behalf of its sponsors.

This year's draft resolution represents significant progress, and we are particularly pleased to present a draft text that reflects the most recent advances relevant for fisheries. That includes inviting States and regional economic integration organizations to consider the implications for sustainable fisheries of the Agreement 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.

It also includes welcoming the 15th meeting of the Conference of the Parties to the Convention on Biological Diversity and its outcomes, and also welcoming in particular the adoption of the Kunming-Montreal Global Biodiversity Framework. The draft resolution encourages the full and effective implementation of the Global Biodiversity Framework and recognizes the important role sustainably managed fisheries will play in achieving the goals and targets of the Framework.

We are also pleased to see several important updates in paragraphs concerning nutrition, small-scale fisheries and the impacts of climate change. Fisheries provide a vital source of food, employment, trade and economic well-being to people throughout the world. Achieving sustainable fisheries, combating illegal, unreported and unregulated fishing, addressing fishing overcapacity, ensuring safety at sea and decent working conditions in the fisheries sector, as well as improving

subregional and regional cooperation, are all necessary means to meet the Sustainable Development Goals.

Norway would like to thank all delegations for engaging so constructively during the process and for ensuring that the present draft resolution is a consensual product based on amicable and substantive discussions among all representatives.

Norway is also pleased to join others in co-sponsoring draft resolution A/78/L.15, on oceans and the law of the sea. We again thank Ms. Natalie Morris-Sharma of Singapore for her effective leadership during the consultations, and we also wish to extend our gratitude to Ms. Morris-Sharma and the United Nations Division for Ocean Affairs and the Law of the Sea for all their efforts to streamline and shorten this ever growing text. Norway welcomes those changes, as well as all the substantive proposals included in this year's draft resolution.

We are also pleased that the ocean as a source of sustainable food, as proposed by Iceland and Norway, will be the topic of the 2024 Open-ended Informal Consultative Process on Oceans and the Law of the Sea and are looking forward to those discussions.

I would in particular like to highlight the reference to the fact that the intergovernmental conference in 2023 achieved its goal of delivering the Agreement 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 our view, the Agreement constitutes the greatest development in ocean management since the adoption of UNCLOS. It shows that the United Nations Convention on the Law of the Sea can adapt to meet evolving challenges and demonstrates the continuing strength and promise of effective multilateralism. Norway was therefore pleased to sign the Agreement during the high-level week earlier this fall and we urge all States to rapidly sign and ratify this new essential component of the law of the sea framework.

The adoption of the Agreement also represents a crucial step towards the political goal of conserving at least 30 per cent of marine and coastal areas by 2030, as set out in target 3 of the Kunming-Montreal Global Biodiversity Framework. The adoption of the Global Biodiversity Framework represents a landslide victory for nature in general, but also for ocean management in particular. We are especially pleased to see a strong call for action in the draft resolution whereby States are

requested to increase efforts at all levels to achieve the goals and targets set out in the Framework. That is both appropriate and necessary.

Furthermore, Norway welcomes the references to the important negotiations taking place at the International Seabed Authority, the progress made and the decisions taken by the Authority Council. Norway welcomes the progress achieved, encourages the Seabed Authority to continue its work on the draft regulations as a matter of priority, and is committed to doings its part in this endeavour.

In conclusion, we view all those different processes as important steps to ensure the effective protection of the marine environment and the sustainable use of the resources of the ocean in areas beyond national jurisdiction. Norway considers those developments to be promising, but also necessary to achieve our common obligations.

The President: I now call on the representative of Singapore to introduce draft resolution A/78/L.15.

Mr. Gafoor (Singapore): The annual resolution on oceans and the law of the sea remains one of the most important draft resolutions that the General Assembly adopts each year. Known as the oceans omnibus resolution, it covers a broad spectrum of issues, developments and activities pertaining to ocean affairs and the law of the sea. It is a resolution that is founded on international law, in particular the constitution for the oceans, the United Nations Convention on the Law of the Sea (UNCLOS). Every year, the omnibus draft resolution that we are about to adopt reaffirms the status of UNCLOS as setting out the legal framework within which all activities in the oceans and seas must be carried out.

Singapore had the great honour to serve as the coordinator for the informal consultations on draft resolution A/78/L.15. I am pleased to introduce the draft resolution on behalf of the coordinator, my colleague Ms. Natalie Morris-Sharma.

More than half of the draft resolution, which has over 400 preambular and operative paragraphs, has been updated and adjusted. As in previous years, the informal consultations were convened in September and November. This year, the informal consultations were preceded by a series of virtual informal dialogues on the specific matter of streamlining the text. This year's draft resolution is shorter and has been

reorganized to improve its readability. Particular effort was undertaken to address duplication. Looking ahead to next year, delegations have expressed commitment towards further streamlining the draft resolution, including through intersessional work. An additional day will be dedicated to the informal consultations. All this demonstrates the continuing strong interest of Member States in the draft resolution.

The following are some of the key matters addressed in this year's draft resolution, in the order in which they appear.

First, the draft resolution reaffirms the universal and unified character of UNCLOS and recognizes the importance of assisting developing States in implementing UNCLOS through capacity-building. It welcomes the reports of this year's Meeting of States Parties to UNCLOS, pays tribute to the roles of the International Tribunal for the Law of the Sea and the International Court of Justice in the peaceful settlement of disputes concerning the law of the sea, and welcomes and notes the progress of the work of the International Seabed Authority and the work of the Commission on the Limits of the Continental Shelf.

Secondly, on maritime safety and security, the crucial role of international cooperation is underscored, including in respect of submarine cables, pipelines and other critical infrastructure. While the draft resolution welcomes the decline in incidents of piracy and armed robbery at sea in some regions, it also indicates that this remains an issue of concern.

Thirdly, in relation to the marine environment and marine resources, the draft resolution notes with concern the impacts of climate change on the ocean, including extreme sea-level events and sea-level rise. It acknowledges the work of the International Law Commission's Study Group on sea-level rise in relation to international law and recalls the General Assembly's decision to request the International Court of Justice to render an advisory opinion on the obligations of States in respect of climate change.

Fourthly, on marine biodiversity, the draft resolution underscores that the intergovernmental conference established by resolution 72/249 finalized its work on the Agreement 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, as reflected in resolution 77/321, and invites States and regional

economic integration organizations to consider that and its implications for the ocean. Amongst others, the adoption of the Kunming-Montreal Global Biodiversity Framework is welcomed.

Finally, the draft resolution recalls the crucial importance of the Regular Process and its possible inputs for ongoing ocean-related intergovernmental processes; welcomes the report on the work of the Informal Consultative Process at its twenty-third meeting on the theme of “New maritime technologies: challenges and opportunities”, and invites States and international organizations to enhance their cooperation, including to better protect the marine environment.

On behalf of the coordinator, I wish to express deep gratitude for the active and constructive engagement of all delegations, acknowledge the valuable contributions and hard work of the small group facilitators, and express special appreciation for the support rendered by the Division for Oceans Affairs and the Law of the Sea in the preparations for and throughout this year’s informal consultations. Last but not least, I thank all the sponsors for their valuable support.

This concludes the introduction of the draft resolution. On behalf of the coordinator, I commend the draft resolution to the General Assembly for adoption. If I may, I wish to also deliver some remarks in my national capacity.

At the outset, my delegation aligns itself with the statements that will be delivered later by the representative of Cuba, on behalf of the Group of 77 and China, and the representative of Samoa, on behalf of the Alliance of Small Island States. We thank the Secretary-General for his reports. We note from the latest report (A/78/339) that the ocean remains under significant threat from human activities. As a small island nation that has a symbiotic connection with the ocean, the state of the ocean, including the health of marine ecosystems and biodiversity, is of great importance to us. In that connection, my delegation wishes to make three points.

First, the impact of climate change on the ocean continues to be one of the most serious and urgent challenges that the international community must address. According to the Secretary-General’s latest report, sea levels have reached record highs. The threat that rising sea levels pose to small island developing States, including Singapore, cannot be underestimated. My delegation welcomes initiatives to galvanize action,

such as the informal plenary meeting on sea-level rise that was convened in November this year by the President of the General Assembly, while emphasizing that all efforts to address the impact of climate change on the ocean should be undertaken within the legal framework of UNCLOS.

Secondly, more needs to be done to achieve Sustainable Development Goal (SDG) 14. The Secretary-General’s latest report (A/78/67) notes that more concerted efforts and acceleration are urgently needed. My delegation is supportive of efforts under the legal framework of UNCLOS to achieve SDG 14. We stand ready to contribute to the work of the third United Nations Ocean Conference in 2025, co-hosted by Costa Rica and France, which will be a major opportunity to advance actions to enhance the conservation and sustainable use of the oceans and their resources under international law, as reflected in UNCLOS.

Thirdly, capacity-building to assist developing countries continues to merit great attention, including with respect to climate change impacts on the ocean and SDG 14. My delegation welcomes the attention given to capacity-building in an updated paragraph of the draft resolution that calls for support and strengthening of such activities in developing countries in relation to the mitigation of and adaptation to climate change impacts on the ocean, including the protection of coasts against sea-level rise and through ecosystem-based approaches and nature-based solutions. Singapore will continue to support fellow developing countries through relevant and topical capacity-building courses, including those under the Singapore Cooperation Programme.

Singapore had the great honour of having our Ambassador Rena Lee preside over the negotiations 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 areas of national jurisdiction (BBNJ). We also had the honour of coordinating the negotiations on and submitting resolution 77/321, which welcomed the adoption of the Agreement 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. It is fitting that the adoption of the Agreement came shortly after the international community celebrated the fortieth anniversary of UNCLOS.

UNCLOS has been and always will be the legal framework within which all activities in the oceans and seas must be carried out. All maritime claims must be in accordance with the relevant rules of UNCLOS, which are comprehensive, and all freedoms, rights and obligations set out in UNCLOS must be respected and adhered to. As rightly noted in the Secretary-General's latest report, the BBNJ Agreement demonstrates the continued relevance and flexibility of UNCLOS in addressing contemporary needs and challenges. My delegation welcomes Rwanda as the 169th party to UNCLOS and calls on States that have not done so to become parties as soon as possible.

Mr. Peñalver Portal (Cuba) (*spoke in Spanish*): I have the honour to deliver this statement on behalf of the Group of 77 (G-77) and China.

The G-77 and China recalls with satisfaction the historic day on which we formally adopted the text of the Agreement 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. That day was extremely important for biodiversity. After almost 20 years since the launch of discussions for the conservation of marine biodiversity in areas beyond national jurisdiction, we adopted an essential Agreement for the imperative governance of biodiversity in more than 45 per cent of the Earth.

There can be no doubt that this successful result has been a victory of diplomacy and multilateralism. The text we are still celebrating today has been first and foremost a victory of developing countries, which stood together to shape an ambitious and very progressive treaty. The strength of developing countries, articulated in the Group of 77 and China, is the reason why the treaty we have before us today is totally different from the version that was almost finalized in August of 2022. It was the unity of the Group that made possible the insertion of a truly balanced model of benefit-sharing from the utilization of marine genetic resources and digital sequence information.

In a similar way, the inclusion of the principle of common heritage of humankind in the final Agreement, which is a fundamental conception that must be rooted in every action in the high seas, including scientific research activity, must be accredited to the developing countries. Since the very beginning of the intergovernmental conferences on BBNJ until the very

last hours of negotiation, developing countries had to struggle to introduce that notion, which certainly represents progress in terms of international law.

Those cases are just some of the two major achievements attributable to developing countries. In the same manner, the areas of capacity-building, funding arrangements and many of the provisions in cross-cutting issues were shaped by the delegations of our Group.

It was an honour for Cuba to lead the Group of 77 and China during that last and decisive stage of the BBNJ negotiations. We spared no effort or energy to, and in return we received a commitment to unity that remained solid until the end of the process. We are deeply grateful for the support we received from all members of the Group. We emphasize that without their unwavering commitment, the achievement of our goals would not have been possible.

A new path is now open for the establishment of the BBNJ regime. We are very pleased to note that 84 Member States have signed the Agreement as of today. We also encourage the international community to broadly support the ratification campaign so as to ensure the rapid entry into force of the treaty. Those efforts should be ensured by a significant mobilization of resources to assure essential support to developing countries to build the capacities necessary to enable them to ratify the instrument.

A new era for the conservation and sustainable use of the oceans starts today. The Group of 77 and China is proud of its contribution to that milestone.

The President: I give the floor to the representative of the European Union, in his capacity as observer.

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

The European Union and its Member States are pleased to intervene in this debate at the adoption of these two important draft resolutions. We would like to start by joining other delegations in expressing our gratitude to the coordinators of the draft resolutions, Ms. Natalie Morris-Sharma and Mr. Andreas Kravik, for the excellent stewardship demonstrated once again

this year. We also want to express our appreciation to the Secretariat, and in particular to the Division for Ocean Affairs and the Law of the Sea, for their professionalism and constant support to delegations during the consultations, which in the case of the omnibus draft resolution (A/78/L.15) extended well into the night on the final day.

The European Union and its member States remain strongly committed parties to the United Nations Convention on the Law of the Sea. The Convention has 169 parties and is the fundamental pillar for ocean governance. It establishes the overarching legal framework within which all activities in the oceans and seas must be carried out. As such, the Convention is rightly recognized as the constitution of the oceans. Its provisions reflect customary international law and are thus binding on all States, irrespective of whether they have acceded to the Convention or not. By establishing the legal order for the seas and oceans, the Convention contributes to sustainable development, as well as to peace, security, cooperation and friendly relations among all nations.

It is therefore imperative that the freedoms enjoyed under the Convention by all States, including landlocked States, be respected. Those include the freedom of navigation and the right of innocent passage. Similarly, it is also imperative that the sovereignty and sovereign rights of coastal States over their maritime zones, as established under the Convention, be respected, including those generated by islands. All members of the international community must abide by the fundamental principles and rules of the law of the sea and should refrain from any actions undermining regional stability and security.

The European Union and its member States also remain strongly committed to the Convention's implementing agreements. In addition to the Agreement for the Implementation of the Law of the Sea Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, we are delighted that a third implementing agreement was adopted by consensus this year — the Agreement 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 (the BBNJ Agreement). We would like

to congratulate the international community on that historic achievement, which was nearly two decades in the making.

The European Union and its member States were among the first signatories of the new BBNJ Agreement, and we are strongly committed to its swift entry into force and effective implementation. We therefore call on all States to sign and ratify the BBNJ Agreement as early as possible, and we call on all developed countries to support developing countries in the ratification and future implementation of the agreement.

The adoption of the BBNJ Agreement was in fact not the only historic achievement to be reflected in this year's draft resolutions. The adoption of the Kunming-Montreal Global Biodiversity Framework at the fifteenth meeting of Conference of the Parties to the Convention on Biological Diversity was equally significant. The EU and its member States strongly welcome its ocean-related goals and targets, including target 3 to protect 30 per cent of the ocean by 2030. The BBNJ Agreement will play a key role in helping to achieve that target, in particular through the establishment of marine protected areas in areas beyond national jurisdiction. Such ambitious action to increase the amount of the ocean under effective protection will ultimately help reverse the decline in the ocean's health and strengthen marine ecosystems' resilience to cumulative impacts.

The European Union and its member States remain very concerned by the declining health of our ocean. The triple planetary crisis of climate change, biodiversity loss and pollution continues to have dramatic consequences. Global ocean surface temperatures reached record highs this year, putting additional pressures on the marine environment, which is already facing severe threats from human activities. Those include overfishing, illegal, unreported and unregulated fishing, plastics and microplastics pollution, excessive nutrients and anthropogenic underwater noise.

It is imperative that we continue addressing those threats with the greatest possible sense of urgency as part of our wider efforts to achieve the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 14. This year, we have managed to maintain the momentum from last year's "super year" for the ocean. It is essential that we maintain that impetus next year when we prepare for the third United Nations Ocean Conference in 2025, which we

recall will be co-hosted by France and Costa Rica, and which we are very keen to turn into another successful conference with action-oriented outcomes.

With respect to this year's omnibus draft resolution, the EU and its member States would like to express their strong disappointment that it was not possible to agree on stronger language on the adoption of both the BBNJ Agreement and the Global Biodiversity Framework. Both developments are extremely relevant for the General Assembly's resolution on the oceans and the law of the sea and therefore deserved much more ambitious and action-oriented language than was ultimately agreed. We also regret that one delegation in particular blocked many other important updates in this year's consultations on issues that were of interest to a wide range of delegations from across the globe.

In addition, we continue to be surprised that it is not possible to add to this draft resolution the latest scientific data on the atmospheric levels of two additional greenhouse gases that interact strongly with the oceans, namely, methane and nitrous oxide. That should, in our view, be uncontroversial as it merely reflects the latest best available scientific information, the importance of which so many delegations alluded to during the informal consultations.

We are nevertheless pleased with the inclusion of a number of important updates in this year's omnibus draft resolution, including on the 2023 International Maritime Organization Strategy on Reduction of GHG Emissions from Ships, the Intergovernmental Panel on Climate Change's sixth assessment report, developments in maritime safety and security, and marine ecosystem restoration as the topic for the 2026 Open-ended Informal Consultative Process on Oceans and the Law of the Sea. We also very much appreciated the coordinator's attempts to further streamline the draft resolution this year, which we believe has reduced its overall length and improved its readability, and we look forward to continuing that work intersessionally next year.

When it comes to the sustainable fisheries draft resolution A/78/L.13, the European Union and its member States believe that it, too, could have better reflected many of this year's important developments on fisheries and aquaculture. Apart from the adoption of the BBNJ Agreement and the Global Biodiversity Framework, those developments are in our opinion the following: first, the Agreement on Fisheries Subsidies reached within the World Trade Organization; secondly,

the recommendations arising from the resumed Review Conference on the Fish Stocks Agreement; and thirdly, the amendment of the appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora by the Conference of the Parties to that Convention, specifically to include a number of additional shark and ray species. While those developments were widely discussed during the informal consultations, they are in our opinion insufficiently reflected in the draft resolution and do not give rise to action-oriented invitations. We also regret that, despite the will of the overwhelming majority of delegations to place strong emphasis on those issues, the path to consensus has also in the draft resolution favoured those delegations that were in much fewer numbers and preferred only limited language.

We nevertheless consider that this year's sustainable fisheries draft resolution sufficiently signals the importance of those developments for fisheries and aquaculture and includes sufficient indications for guiding the fisheries community in its work. The draft resolution also includes several improvements on other matters that deserve encouragement, as they could help to strengthen the sustainability of the sector.

To conclude, both draft resolutions that we are discussing today are important instruments in the context of enhancing ocean governance. The EU and its member States therefore participated actively in the consultations to prepare the draft resolutions. We look forward to continuing our work next year. The work we undertake in these hallowed halls must ensure that the oceans and seas can continue to provide their goods and services for current and future generations, in line with the ethos of the Convention. There is only one ocean, and we all have a responsibility to conserve it and to use it sustainably. Humankind deserves no less.

Ms. Vaea (Tonga): I have the pleasure to deliver these remarks on behalf of the members of the Pacific Islands Forum with presence at the United Nations, namely, Australia, the Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Palau, Papua New Guinea, the Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. We also acknowledge the guidance and support of the Cook Islands as Chair of the Pacific Islands Forum.

Oceans, the law of the sea and sustainable fisheries are of fundamental significance to our blue Pacific continent. As oceanic people, we depend on the ocean

as our greatest source of nourishment, of livelihoods, of identity and of economic prosperity. The ocean also provides critical services for the world as a whole. It covers 70 per cent of the planet's surface, absorbs 30 per cent of global carbon dioxide emissions and over 90 per cent of the heat from global warming, and produces over 70 per cent of the Earth's oxygen. Simply put, a healthy ocean is essential to healthy populations and to the health of the planet as a whole.

We accordingly welcome the adoption of draft resolution A/78/L.15, on oceans and the law of the sea, as a reflection of efforts of the international community to properly manage the ocean and humankind's relationship with it, including challenges that such efforts encounter. We also firmly support the draft resolution's grounding in the United Nations Convention on the Law of the Sea (UNCLOS) as the constitution of the ocean, setting out the legal framework within which all activities in the oceans and seas must be carried out.

Last year, our Forum leaders endorsed the 2050 Strategy for the Blue Pacific Continent, which sets out the Forum's collective approach to achieving sustained security, development and prosperity for all people in the Pacific. The 2050 Strategy recognizes climate change as the single greatest threat to our livelihoods, physical security and well-being. We have accordingly declared a climate emergency in our region.

By the same token, Forum leaders recognize the ocean as representing our greatest hope of fulfilling and reaching our common goals and aspirations, and underscore our role as stewards of the ocean and its resources for present and future generations. Our inclusive, considered approach to the stewardship of our blue Pacific continent is reflected in our Forum leaders' adoption in 2021 of the landmark Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-Level Rise, which is firmly grounded in UNCLOS. We welcome the robust support expressed by many members of the international community for the central elements of the Declaration, and we encourage other members to indicate the same.

In the same way, we welcome the recognition in this year's draft resolution on oceans and the law of the sea of our Forum leaders' adoption last month of a new Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate Change-related Sea-Level Rise. The Declaration is grounded in existing principles and features of current

international law to declare that the Statehood and sovereignty of Forum members will continue and that the rights and duties inherent thereto will be maintained, notwithstanding the impact of climate change-related sea-level rise. The Declaration further declares that Forum members, individually and collectively, bear an important responsibility for ensuring protection of our people and are committed to protecting persons affected by climate change-related sea-level rise, including with respect to human rights duties, political status, culture, cultural heritage, identity and dignity, and meeting essential needs. The document concludes by calling upon the international community to support the Declaration and to cooperate in achieving its purposes, consistent with the duty to cooperate and principles of equity and fairness. We reiterate that call here before this organ, recognizing that the ocean should be our succour rather than our menace.

Forum members also welcome the recognition by the General Assembly in this year's draft resolution on the oceans and the law of the sea, for the first time ever, of the importance of the United Nations Declaration on the Rights of Indigenous Peoples for the conservation and sustainable use of the ocean and its resources, as well as of the value of being guided by the use of, where available, the relevant traditional knowledge of indigenous peoples and of local communities for such conservation and sustainable use. While we would have preferred operationalizing the recognition of traditional knowledge across the draft resolution as a complement to the best available scientific information, we acknowledge the significant step forward this year and thank all Member States for their support. We look forward to advancing our efforts in future years, in line with growing recognition by the international community in multiple forums of the valuable contribution that traditional knowledge can make in support of the conservation and sustainable use of the ocean and its resources.

The past 12 months have seen landmark victories and progress for the ocean. In particular, Forum members strongly welcome the adoption by consensus and opening for signature earlier this year of the Agreement 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 (the BBNJ Agreement). This is a monumental achievement, not only for the ocean but also for multilateralism, of which the international

community should be proud. Forum members committed significant resources and devoted much time and effort to securing an ambitious and implementable BBNJ Agreement that reflects key interests for the Forum while reaffirming the centrality of UNCLOS to the proper protection and management of the ocean and its resources. We strongly encourage the speedy entry into force of the BBNJ Agreement.

We also welcome the adoption, by consensus, by the contracting parties to the Convention on Biological Diversity of the Kunming-Montreal Global Biodiversity Framework, including its target to protect 30 per cent of the world's coastal and marine areas by 2030. Further, Forum members continue to support the progress made in the work of the Intergovernmental Negotiating Committee on Plastic Pollution to develop an international legally binding instrument on plastic pollution, including in the marine environment.

The Forum also welcomes the adoption of draft resolution A/78/L.13, on sustainable fisheries. The sustainable utilization of our fisheries is of fundamental importance to the future well-being of our people and to our economies. We remain committed to managing those resources responsibly, in line with UNCLOS and related instruments. The Forum welcomes language in the draft resolution on sustainable fisheries underscoring the need for international cooperation to support the efforts of States, including in regional fisheries management organizations and arrangements, to increase the climate resilience of fisheries and aquaculture in response to the adverse impacts of climate change. The Pacific oceanscape is warming and acidifying at an accelerated rate, and it is imperative that the international community assist those on the front lines of climate change like Forum members to assess and address this matter urgently. In that vein, we look forward to the seventeenth round of informal consultations of States parties to the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks next year, which will focus on the topic of sustainable fisheries management in the face of climate change.

The Forum also welcomes the recognition of the General Assembly, in the sustainable fisheries draft resolution, of the important contribution of indigenous peoples and local communities to the fisheries and

aquaculture sectors, as well as the challenges faced by those groups in those sectors, consistent with the United Nations Fish Stocks Agreement, among other instruments. Forum members look forward to building on those efforts in the future to ensure that the sustainable fisheries resolution — and through it the General Assembly — keeps apace with the international community's recognition of the valuable role and contribution that indigenous peoples, local communities and their relevant traditional knowledge can play in the sustainable management of fisheries.

The ocean can be a unifier and solution to many of our critical global problems, but it also the least funded global Sustainable Development Goals. Resourcing and financing at scale are critical to support current and emerging ocean-based actions moving forward.

The ocean is critical to keeping the 1.5 °C target alive. Our Blue Pacific Continent stands ready to continue this important work with you all.

Mrs. Bartley (Samoa): I have the honour of delivering this statement on behalf of the Alliance of Small Island States (AOSIS).

As custodians of the ocean, small island developing States (SIDS) are intricately familiar with the critical role of the world's oceans in sustaining life and fostering global interconnectedness. The continued deterioration of the health of the ocean therefore remains particularly alarming for our peoples, given the irreversible and intergenerational impacts of declining marine ecosystems. The challenges posed by climate change, rising sea levels and limited resources bases add to our concerns.

The United Nations Convention on the Law of the Sea (UNCLOS) sets out the legal framework within which all activities in the oceans and seas must be carried out, and serves as a crucial instrument in promoting cooperation, conservation and equitable use. As we stand at the crossroads of environmental challenges and sustainable development, it is essential that we collectively commit to upholding and strengthening the principles embedded in UNCLOS.

AOSIS welcomes the opening for signature in September of the Agreement 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 (the BBNJ Agreement). The Agreement is a testament to what can

be achieved through our commitment to multilateralism, and we strongly encourage its speedy entry into force. We firmly support the operationalization of the next steps in the process, including the establishment of a preparatory process ahead of entry into force of the Agreement.

As we have highlighted before, the impact of plastic pollution on the marine environment is a critical issue for SIDS, not only having adverse effects on key economic sectors, but also impacting human health and the very ecosystems that are key livelihood providers for SIDS and coastal communities. AOSIS continues to engage in the work of the Intergovernmental Negotiating Committee on Plastic Pollution to develop an international legally binding instrument on plastic pollution, including in the marine environment, and commits to continue that work in the Committee's efforts to finalize negotiations for a new treaty by the end of 2024.

We emphasize the integration of UNCLOS principles into national strategies and policies to achieve the targets outlined in Sustainable Development Goal (SDG) 14. As called for in the declaration of the second United Nations Ocean Conference, "Our ocean, our future, our responsibility", urgent and enhanced actions are needed to support implementation of the SDG 14 targets. Similarly, awareness of the constraints on SIDS capacity led to the Declaration for the Enhancement of Marine Scientific Knowledge, Research Capacity and Transfer of Marine Technology to Small Island Developing States, also launched at the second Ocean Conference, as a means to improving our potential for sustainable development by harnessing the ocean. We continue to work with partners and encourage all stakeholders to engage meaningfully with SIDS in line with our call.

AOSIS continues to call for attention to the specific needs of SIDS, including technology transfer, capacity-building and appropriate financing support towards building resilient and sustainable ocean-based economies. Our sustainable development objectives, enshrined in the SIDS Accelerated Modalities of Action Pathway and the 2030 Agenda for Sustainable Development, are also closely linked with the ocean.

To conclude, AOSIS reiterates our commitment to international cooperation for the responsible and sustainable use of the oceans and seas. By implementing UNCLOS and related agreements and instruments,

promoting capacity-building and honouring our commitments made in SDG 14 of Agenda 2030, we not only protect the health and resilience of our oceans but also pave the way for a more just, equitable and sustainable future for all.

The President: As the counting of the ballots have been completed for the election of a member of the Economic and Social Council, I will now briefly suspend the debate of these items.

The General Assembly has thus concluded this stage of its consideration of agenda item 75 and its sub-items (a) to (c).

Agenda item 113 (continued)

Elections to fill vacancies in principal organs

(b) Election of members of the Economic and Social Council

The President: The result of the voting is as follows:

Eastern European States (1 seat)	
Number of ballot papers:	175
Number of invalid ballots:	1
Number of valid ballots:	174
Abstentions:	0
Number of members present and voting:	174
Required two-thirds majority:	116
Number of votes obtained:	
Russian Federation	97
North Macedonia	76
Georgia	1

The President: One seat remains to be filled from among the Eastern European States.

In accordance with rule 94 of the rules of procedure, we should continue with the series of balloting. Further balloting will take place on a date to be announced.

The General Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 113.

Agenda item 75 (continued)

Oceans and the law of the sea

(a) Oceans and the law of the sea

Report of the Secretary-General (A/78/67)

Report on the work of the United Nations Open-ended Informal Consultative Process on

Oceans and the Law of the Sea at its twenty-third meeting (A/78/129)

Reports on 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/78/77 and A/78/521)

Draft resolution (A/78/L.15)

(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

Letter dated 29 August 2023 from the President of the resumed Review Conference on 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 addressed to the President of the General Assembly (A/78/113)

Draft resolution (A/78/L.13)

(c) Agreement 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

Mr. Larsen (Australia): Australia aligns itself with the statement delivered by the representative of the Kingdom of Tonga on behalf of the members of the Pacific Islands Forum, and we make these additional remarks in our national capacity.

Australia is deeply committed to sustainable ocean management and as we come to the conclusion of 2023, we have a number of reasons to acknowledge that there has been some progress. Notably, we are proud to have played a role in the conclusion and adoption by consensus of the Agreement 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 (the BBNJ Agreement). The BBNJ Agreement is an historic achievement for the multilateral system and a critical

victory for those of us championing the ocean. Australia is a founding signatory of the BBNJ Agreement, and we are working to ratify the treaty and bring it into force as soon as possible.

Three elements of the BBNJ Agreement stand out.

First, it delivers stronger protections for the ocean, including the provisions for establishing marine protected areas in the high seas. In that way, it will play an important role in achieving the global target to protect 30 per cent of the world's coastal and marine areas by 2030.

Secondly, the BBNJ Agreement will support the sustainable development of all States parties through an ambitious and effective system of sharing the benefits derived from the sustainable use of the marine genetic resources of the high seas.

Thirdly, it will protect the interests of indigenous peoples and local communities while recognizing the immense contribution they can make to addressing shared regional and global development challenges, including climate change and oceans health.

Australia also welcomes the ambitious Kunming-Montreal Global Biodiversity Framework — the global community's agreement to halt and reverse biodiversity loss by 2030. We especially support the Framework's flagship 30 by 30 target to protect at least 30 per cent of the world's oceans by 2030. Australia has long been at the forefront of ocean protection, with marine protected areas covering some 48 per cent of Australia's waters. We stand ready to work with others to help them achieve the Framework's global target.

Notwithstanding the aforementioned successes, there is more to do. We acknowledge that sustainable ocean management is critical to addressing the interconnected global challenges of climate change and biodiversity loss, and that much more is required to achieve that. This means that Australia is investing in blue carbon projects to support biodiversity outcomes and to create carbon sinks. For example, we are working with some Pacific partners to protect and restore blue carbon ecosystems and to measure, report and verify carbon in mangroves and seagrasses.

The prospect of deep seabed mining beginning in the near future also raises significant issues. As a member of the Council of the International Seabed Authority, Australia is working to conclude a robust regulatory framework for any deep seabed mining

industry. In particular, we want a regulatory framework that provides the strongest possible protection for the marine environment, ensures a level playing field for the land-based mining industry, and contains robust inspection, compliance and enforcement mechanisms.

We are keenly aware that climate change is an immense challenge for our region, and we know that our marine areas are already deeply impacted. For that reason, Australia participated in the proceedings before the International Tribunal for the Law of the Sea, seeking an advisory opinion on climate change, and we are especially pleased to see today's draft resolution take a step forward in considering the relationship between sea-level rise and international law.

Mr. Muhumuza (Uganda), Vice-President, took the Chair.

As we reflect on this annual draft resolution, it is timely to recall the ongoing centrality of the United Nations Convention on the Law of the Sea. Australia reaffirms the universal and unified character of the Convention. We reaffirm that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out, and we welcome the fact that today's draft resolution continues to uphold the centrality and integrity of the Convention as the constitution for the ocean.

We reiterate that the rules and principles of general international law do not displace the Convention and cannot be relied upon in such a way. We reaffirm that the Convention provides the foundation for a peaceful and predictable maritime order in which all countries can cooperate, trade and thrive. We seek a peaceful Indo-Pacific region where international law is respected and upheld and waterways are safe and open for trade.

It would be remiss of us on this occasion to fail to record our deep concern about ongoing unsafe and unprofessional conduct in the maritime domain. Such conduct endangers safety and security and creates risks of miscalculation. We maintain that any maritime disputes, including those in the South China Sea, should be resolved peacefully and in accordance with international law, particularly the Convention.

To conclude, the Convention is one of the landmark achievements of twentieth century multilateralism and we call upon all States to support its full and effective implementation. Australia is proud once again to co-sponsor the draft resolution.

Mr. Lagatie (Belgium): We align ourselves with the statement delivered by the observer of the European Union.

We would like to extend our gratitude to the coordinator, Ms. Natalie Morris-Sharma, for her dedicated work on the streamlining of the important draft resolution A/78/L.15. Additionally, we would like to thank the Division for Ocean Affairs and the Law of the Sea for its constant support during the negotiations.

Belgium is looking forward to the successful adoption of the draft resolution on oceans and the law of the sea as a sign of our collective commitment to responsible ocean governance. We are concerned, however, with the lack of ambition within the draft resolution in addressing biodiversity beyond national jurisdiction, the Convention on Biological Diversity and the Kunming-Montreal Global Biodiversity Framework. The Kunming-Montreal Global Biodiversity Framework's important goal of ensuring and enabling that, by 2030, at least 30 per cent of terrestrial and inland water areas and marine and coastal areas are effectively conserved and managed is pivotal, and the adoption of the Agreement 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 (the BBNJ Agreement) marks a historic milestone in ocean governance. Belgium urges all States to sign and ratify the BBNJ Agreement at the earliest possible date. Belgium believes that those issues are crucial to the sustainable management of our global marine ecosystem and demands a more resolute stance from the international community.

Looking ahead, Belgium hopes for a more ambitious approach in the coming years concerning the BBNJ Agreement and the Convention on Biological Diversity. We call for collective efforts to be more robust in addressing those crucial matters, reaffirming our commitment to the well-being of our oceans and the planet.

Mrs. Narváez Ojeda (Chile) (*spoke in Spanish*): Chile endorses the statement delivered by the representative of Cuba on behalf of the Group of 77 (G-77) and China.

Chile would like to thank the coordinators of draft resolution A/78/L.15, on oceans and the law of the sea, and draft resolution A/78/L.13, on sustainable fisheries, for their efforts to achieve balanced texts that enjoy consensus among a broad number of States. That is why

my delegation co-sponsored the draft resolutions. We also express our satisfaction with the efforts to simplify the omnibus draft resolution.

Chile takes note of and appreciates the reports of the Secretary-General in this area and recognizes the work that has been undertaken by the Division for Ocean Affairs and the Law of the Sea and the various tasks assigned to it. We also welcome its appointment as the interim secretariat for the Agreement 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 (the BBNJ Agreement).

For Chile, the United Nations Convention on the Law of the Sea is the cornerstone of international law for marine affairs and the legal basis for developing activities in the oceans. It is also the framework for cooperation, coordination and understanding among States for the conservation of the oceans, the protection of marine ecosystems and the sustainable use of their resources. Chile's foreign policy extends to the ocean through our more than 4,000 kilometres of coasts — the longest coastline in the world. We therefore consider ourselves to be neighbours of the Pacific islands and strive to participate in their forums and support their aspirations. My country actively promotes the conservation of marine biodiversity and is involved in efforts to guarantee the protection of 43 per cent of our extensive exclusive economic zone.

Chile reiterates its concern over the situation with regard to the International Seabed Authority. We believe that international organizations are open spaces for addressing all matters relating to established mandates. For instance, Chile believes that the Authority should consider all issues that it is mandated to address under the United Nations Convention on the Law of the Sea, and particularly Section 11 issues that have not been addressed, such as the possibility of drafting a general policy for the Authority on the protection of the marine environment. My country firmly believes that the work of the Authority should be based on the principles established in the Convention, with the goal of ensuring the well-being of humankind as a whole. That is why we are convinced that we must now ensure that all exploration or exploitation activities fully comply with obligations under the Convention, such as Article 145 and Part XII, on the effective protection of the marine environment.

For all of those reasons, Chile reiterates its position that we need to institute a precautionary pause during which we can deepen our scientific knowledge and develop regulations, rules and procedures that create a robust legal framework for exploitation with high environmental standards and equitable and effective distribution of the benefits of resources. At this stage in the negotiations on regulations, there are still many questions that we do not have answers to, and we must therefore act responsibly, guaranteeing the greater common interest, which is to ensure the health of the oceans in the long term for future generations.

Additionally, Chile would like to highlight three issues that we feel are important for the oceans and that should continue to be considered, most especially by the General Assembly.

First, we believe that the pollution of the oceans, particularly plastic pollution, must be dealt with as a matter of urgency. We hope that in 2024 we shall progress decisively in the negotiation of an international agreement to address that problem.

Secondly, I note that since 2015 Chile has consistently promoted actions to highlight the importance of the link between the oceans and climate change. That approach was evident in our presidency of the twenty-fifth Conference of the Parties to the United Nations Framework Convention on Climate Change (COP), which we call the “blue COP”. Chile therefore stresses the importance of paragraph 207 of the omnibus draft resolution, which refers to the annual dialogue on climate change and the oceans held at the Conference of the Parties to the United Nations Framework Convention on Climate Change, the aim of which is to make progress in concrete actions aimed at protecting the oceans as an important element of climate change policy,

Thirdly, Chile stresses the relevance of new additions to draft resolution A/78/L.13, on sustainable fisheries. The new paragraph 14 of the draft resolution invites Member States

“to continue capacity-building efforts and to promote international coordination on scientific research focused on monitoring the impacts of climate phenomena with impacts on fisheries... especially on small-scale and artisanal fisheries”.

This global phenomenon is particularly relevant for the South Pacific region of South America. We also commend the draft resolution for strengthening the

language on artisanal fishing, which involves millions of workers in various parts of the planet. The General Assembly should continue to encourage the Food and Agriculture Organization of the United Nations to study that important issue.

In 2023, multilateralism and the oceans enjoyed great success through the adoption of the BBNJ Agreement. Chile reiterates its commitment to the new treaty, signed by the President of my country on 20 September, and to the multilateral process that we must implement so that it can enter into force, starting with resolution 77/321. Chile believes that biodiversity on the high seas and its protection are essential for the health of the oceans and of the planet, and that is why we must adopt conservation measures that guarantee marine biodiversity. That is the main goal of the Agreement, and it is in line with our foreign policy in that area.

We recognize that, in addition to that main goal, the Agreement also contains other provisions of great importance to developing countries. In that regard, the fair share of the benefits of commercial activities arising from the use of genetic marine resources, capacity-building and the transfer of technology are very important goals. We therefore agree with the G-77 and China in stressing, as set out in paragraph 162 of their 2023 ministerial declaration,

“the need for a wide participation of developing countries in the new Agreement to improve their representation and guarantee equal partnership, in order to increase their participation in international decision-making under the BBNJ Agreement”.

Today delegations received a verbal note formally confirming Chile's offer to host the new secretariat of the BBNJ Agreement in the port of Valparaíso to address the main issues of relevance to the implementation of the Agreement. With that offer, Chile, as a middle-income country and a developing country, is making a tangible effort to contribute effectively to the governance of the oceans. We commit to providing the legal and material guarantees for the Agreement to be securely headquartered in the Pacific. We also hope to be a bridge for bringing together the visions laid out in the Agreement, and we commit to working to strike the necessary balances arising from the implementation of the Agreement for the health of the ocean and the protection of its biodiversity.

Ms. Rodríguez Mancía (Guatemala) (*spoke in Spanish*): Allow me to begin by congratulating the delegations of Singapore and Norway on having facilitated the negotiations on the draft resolutions under consideration today.

We also thank the Division for Ocean Affairs and the Law of the Sea for its assistance to Member States. We take note of the report entitled “Oceans and the law of the sea” (A/78/339). In that context, I should like to make some comments in our national capacity.

As we have said in various forums, it is our firm belief that the international legal system regulating ocean activities — be it multilaterally, regionally or bilaterally — is the fundamental basis for guiding the behaviour of States in the oceans and in everything pertaining to the sustainable use of marine and coastal ecosystems. We are convinced that the existing conventions, instruments, processes and initiatives on the law of the sea can produce optimal results for the oceans, which will lead to specific regulations with tangible outcomes as the result of the codification of international legal norms guaranteeing the rule of law on the oceans.

My delegation therefore stresses the importance of the United Nations Convention on the Law of the Sea (UNCLOS) because it gives us a framework for 70 per cent of the Earth's surface. UNCLOS is essential to maintaining peace, cooperation and good relations among States by defining maritime zones, navigation rights, the protection of the environment and mechanisms for resolving disputes. All of this makes it a key tool for the international community and for the development of States, and it should therefore be applied in a way that benefits the entirety of humankind. We believe that the importance of the Convention lies in the fact that it is one of the international instruments with the greatest economic, political and strategic impact, while all of its provisions strike a balance of rights and obligations for States.

For Guatemala, the conservation and sustainable use of the oceans and their resources are essential. We work actively to achieve the targets of Sustainable Development Goal 14. We also welcome the consolidation of the work and contributions of the bodies established under UNCLOS, such as the Commission on the Limits of the Continental Shelf, the International Seabed Authority and the International Tribunal for the Law of the Sea. Guatemala is particularly grateful for

the work of the International Tribunal for Law of the Sea, an institution with specialized jurisdiction for resolving legal maritime disputes between States.

Rising sea levels have the potential to create tensions among States, increase displacement through migration and cause the gradual loss of territory to the sea. Guatemala reiterates the need for international law to provide legal guarantees to States in confronting that existential threat so as to ensure peaceful coexistence and the full enjoyment of human rights.

With respect to such tensions, the Security Council must play its fundamental role under Chapter VI of the Charter of the United Nations by exhorting parties to resolve their disputes peacefully, including through the International Court of Justice and the International Tribunal for the Law of the Sea. In that respect, the focus of the Council should be on preventing conflicts and resolving them through peaceful means based on scientific evidence. That should also include an increase in cooperation with the Economic and Social Council in addressing those issues.

With regard to maritime security, Guatemala highlights the need to promote a policy of security in maritime areas in order to ensure the freedom of navigation, protect maritime traffic, protect human life at sea, prevent and counter criminal activities and terrorist acts that take place in these areas, protect and conserve the coastline, the environment and marine resources, and prevent and respond to cases of maritime disasters or accidents.

Currently, biodiversity in areas beyond national jurisdiction is one of the most relevant aspects of the law of the sea. We therefore call on States to cooperate and coordinate their efforts so as to adopt, individually or collectively, all measures in accordance with international law, including UNCLOS and other applicable instruments, to address impacts on marine ecosystems within and beyond areas of national jurisdiction, taking into account the integrity of the ecosystems affected.

Ms. Von Uslar-Gleichen (Germany): Let me first join other delegations in thanking the coordinators of the informal consultations on both draft resolutions, Ms Natalie Morris-Sharma of Singapore and Mr Andreas Kravik of Norway, for their outstanding work.

We also thank the Division for Ocean Affairs and the Law of the Sea for its expertise, hard work and constant support to delegations throughout the consultations.

Germany fully aligns itself with the statement presented on behalf of the European Union (EU) and its member States.

This year has been a very active and successful year for our work on the oceans and the law of the sea. The adoption of the Agreement 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 (the BBNJ Agreement), by consensus, in June was a historic milestone. Eighty-two States and the EU have already signed it, and more States intend to sign it in the coming months. That is a momentous achievement, and very encouraging indeed.

Germany would have hoped for the annual omnibus draft resolution A/78/L.15, on oceans and the law of the sea, to reflect that historic achievement in a more appropriate manner. We were also hoping for the draft resolution to contain much more ambitious and forward-looking language on the Kunming-Montreal Global Biodiversity Framework than what was ultimately agreed upon. We regret that one delegation in particular blocked those and many other important up-dates during this year's informal consultations.

However, we remain strong supporters of draft both resolutions. We are confident that the international community will not weaken in its efforts to achieve the globally agreed biodiversity goals and targets and to swiftly ratify and implement the BBNJ Agreement. Germany welcomes the fact that this year's omnibus draft resolution on oceans and the law of the sea reaffirms the universal and unified character of the United Nations Convention on the Law of the Sea (UNCLOS) as the legal framework within which all activities in the oceans and seas must be carried out. It also underscores the need to maintain the integrity of the Convention.

We have highly appreciated the coordinator's efforts to further streamline the draft resolution this year. That has improved its overall readability. We look forward to continuing that work intersessionally. Germany, as the host of the International Tribunal for the Law of the Sea (ITLOS), also welcomes the fact that the omnibus resolution highlights again the continued and significant contribution of the Tribunal to the peaceful

settlement of disputes in accordance with Part XV of the Convention. We were particularly encouraged this year to see how many States actively participated in the proceedings and oral hearings in Case No. 31 before ITLOS — the request for an advisory opinion brought by the Commission of Small Island States on Climate Change and International Law. The ocean is one of our most important allies in the fight against the climate crisis. Its protection is our common concern. Germany believes that the guidance sought from the Tribunal will help us all to fulfil our common task. Germany is proud to be the host State to the Tribunal.

The draft resolution also underlines the Tribunal's important contributions to capacity building in the field of the Law of the Sea. It highlights the Summer Academy of the International Foundation for the Law of the Sea at the Tribunal (IFLOS), which the German Government continuously supports. We are particularly pleased that this year, IFLOS selected 23 female and 18 male candidates to participate in its Summer Academy. Thereby, IFLOS actively also contributes to promoting more diversity in the law of the sea.

Germany calls on all States to make their maritime claims and to conduct their maritime activities in accordance with the relevant provisions of UNCLOS. We urge all States to resolve their maritime disputes peacefully and free from coercion, in accordance with the relevant provisions of the Convention and its dispute settlement mechanisms. Binding decisions of international courts and tribunals must be respected. In that context, we remain concerned by the assertion of unlawful and expansive maritime claims in the South China Sea, in disrespect of the 2016 arbitral award.

Germany emphasizes the lawful rights of all States in the region to access their natural resources in their exclusive economic zones. There is no other legal basis than UNCLOS for claiming any maritime zones anywhere in the world. We call on all States to respect the freedoms of navigation and overflight in the high seas and the exclusive economic zone and all other lawful uses of the oceans and seas. That includes the right of innocent passage through the territorial sea. Those rights and freedoms are paramount for international trade and transport links, as well as for maritime scientific research, naval missions and economic prosperity.

Germany is concerned by continuing attempts to restrict the lawful exercise of these rights and freedoms in the South China Sea, the Black Sea and elsewhere. We will remain vigilant about attempts to blur the clear

distinctions made in UNCLOS between the various maritime zones, for instance through the use of unclear legal terminology in domestic legislation. We reaffirm our support for Ukraine's sovereignty and territorial integrity within its internationally recognized borders. That extends to Ukraine's territorial waters, including those around Crimea.

Let me highlight three more points that are at the centre of Germany's attention as far as the law of the sea is concerned.

First is our concern for the health of the ocean. Germany is fully committed to the early entry into force and effective implementation of the BBNJ Agreement. We call on all developed countries to support developing countries in the ratification and future implementation of the Agreement.

Secondly, we follow closely the work of the International Seabed Authority on draft regulations for exploitation of mineral resources in the Area. In particular, Germany is of the view that in order to ensure the effective protection of the marine environment, current knowledge and available science are still insufficient to approve deep seabed mining. That is why we have been calling for a precautionary pause to prevent any rash decisions at the expense of the marine environment. In our view, the international community should not sleepwalk into an age of deep-sea mining.

Thirdly, Germany will continue its efforts to contribute to the important work of the International Law Commission (ILC) concerning the issue of sea level rise. Sea level rise is an existential question for many small island developing States, which rely economically on their maritime zones. Germany is of the firm opinion that UNCLOS can deliver the stability that those countries need when it comes to the law of the sea aspects of the issue.

In our written contribution to the ILC work, we elaborated that we can and should interpret UNCLOS in a contemporary manner in such a way as to preserve maritime zones once they have been legally established under UNCLOS. In particular, UNCLOS does not contain an obligation for coastal States to regularly review and update their baselines, charts or outer limits of maritime zones. Of course, they retain the right to do so if they so wish. We are pleased to note that there seems to be an ever-increasing convergence of States that share our view. That was highlighted in the most recent ILC report on sea level rise in relation to international law.

We are also pleased that the co-Chairs of the ILC Study Group now wish to further explore the issue of submerged territories. Germany is fully committed to further contributing to that important work. We believe that the principle of legal stability should equally apply to baselines and maritime zones that derive from islands and rocks. When such natural features are subsequently submerged due to sea level rise, maritime zones that were established in accordance with the provisions of UNCLOS and were duly published and deposited with the Secretary-General should remain stable until the coastal State voluntarily opts for updating them.

Together we shall prove that UNCLOS is indeed fit for purpose, as was often stressed last year in relation with its fortieth anniversary!

Ms. Bhat (India): My delegation joins others in thanking Ms. Natalie Morris-Sharma and Mr. Andreas Kravik for successfully coordinating this year's consultations on the draft omnibus resolution on oceans and the law of the sea (A/78/L.15) and on sustainable fisheries (A/78/L.13), which we will adopt shortly. My delegation also takes this opportunity to express its sincere appreciation to Director Vladimir Jares of the Division for Ocean Affairs and the Law of the Sea and his capable team for their contributions and immense hard work.

We would like to thank the Secretary-General for his comprehensive report (A/78/339), highlighting major developments relating to ocean affairs and the law of the sea at the United Nations and its specialized agencies, funds and programmes, as well as within the bodies established under the United Nations Convention on the Law of the Sea (UNCLOS). Earlier this year, the Secretary-General's report A/78/67, on the theme "New maritime technologies: challenges and opportunities", provided useful inputs for the twenty-third meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea.

India has always been a maritime civilization. We have long believed that the elixir of life is concealed in the ocean. Our ancient scriptures and literature talk about the gifts of the oceans, including marine life. Our security and prosperity are linked to oceans. India's Indo-Pacific Oceans Initiative contains marine resources as a key pillar. We are acutely aware of the challenges and opportunities that our oceans represent, from undertaking sustainable fisheries to the prevention and control of marine litter and plastic pollution;

from affordable renewable energy to ecotourism and early warning systems for disaster risk reduction and management, building resilience and adaptation to climate change.

India's comprehensive blue economy policy framework is aimed at promoting smart, sustainable, inclusive growth and opportunities within the Indian Ocean region's maritime economic activities and to initiate appropriate programmes for the sustainable harnessing of ocean resources, research and development. Several of India's ocean observing networks form an integral part of the Global Ocean Observing Systems programme of the Intergovernmental Oceanographic Commission of UNESCO.

India closely follows the work of all subsidiary institutions under the Convention, namely, the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf. We take this opportunity to express our sincere appreciation for their excellent work. India considers the International Seabed Authority a fundamental pillar of the ocean governance architecture and a successful model of sustainable management of the global commons. Its Strategic Plan for 2024-2028 reflects the commitment of the Authority to a result-oriented approach, besides highlighting the importance of strategic partnership in fulfilling its role and responsibilities.

We commend the Chair of the Commission on the Limits of the Continental Shelf for the efforts of the Commission under his leadership in undertaking the consideration of submissions made by concerned States. We also appreciate the efforts put in by the Secretariat in ensuring the progress of the Commission's work. We are hopeful that the Commission will be driven by the principles of equity while undertaking the consideration of submissions.

We are relieved to note that piracy and armed robbery against ships continued to decrease globally in 2022 and that, in the first quarter of 2023, the International Maritime Bureau received the lowest number of reported incidents since 1993. We are further relieved to note the steady decline of incidents in South-East Asia as compared to the same period in 2022, including in the Singapore Straits. The decline of incidents in the Gulf of Guinea and no reports of piracy attacks off the coast of Somalia are encouraging. We appreciate all efforts made by the United Nations

Office on Drugs and Crime, the Department of Political and Peacebuilding Affairs and the Counter-Terrorism Committee, in providing training, capacity-building and technical assistance globally in relation to the prevention of threats to maritime safety and security.

We welcome finalization of the Agreement 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. The binding instrument is a positive step forward in the governance of marine and biological activities on the high seas beyond national jurisdiction. The Agreement also reaffirms that international law, as reflected in UNCLOS, sets out the legal framework applicable to activities in the oceans. It demonstrates the continued relevance and flexibility of the Convention in addressing contemporary needs and challenges.

Access to marine genetic resources, as proposed in the Agreement, would result in a paradigm shift in the production of innovative and affordable medicines that humanity needs. The Agreement provides a hope that that activities areas beyond areas of national jurisdiction are carried out in a sustainable and responsible way, ensuring that those vast resources are accessible for future generations. We hope that the capacities of developing countries will be enhanced and access to marine technologies will ease with the Agreement. We see significant possibilities for bilateral and multilateral cooperation in deep sea exploration, technology development and experience exchange.

Collective action is urgently needed to address threats to the ocean and restore its health for prosperity in order to realize the 2030 Agenda for Sustainable Development, including Sustainable Development Goal 14 and its 10 targets. People-centred, inclusive responses are required towards building fairer, sustainable and resilient societies. It is high time for the international community to recommit itself to the framework of the Convention, in its letter and spirit.

India reiterates its full cooperation in efforts toward ensuring the proper management and sustainable use of the oceans and seas as a responsible partner of the international community.

Mr. Uddin (Bangladesh): We all need a healthy ocean to survive and thrive. However, the ocean and its intricate ecosystems face an alarming array of threats in the contemporary world. The looming spectre of climate change, sea level rise, unsustainable fishing practices

and pollution collectively pose an imminent danger to the delicate balance of the marine environment. Urgent and concerted efforts are imperative to safeguard the oceans, ensuring their sustainability and resilience for the benefit of current and future generations.

We thank the Secretary-General for his reports. We also thank the coordinators for their excellent works in facilitating two draft resolutions under this agenda item. As part of its steadfast commitment to the obligations of the two draft resolutions, Bangladesh has once again co-sponsored both of them this year.

As the one of the lowest-lying coastal countries in the world, Bangladesh attaches high importance to the health of the ocean. Just a one-meter sea level rise can submerge approximately 40 per cent of the southern part of Bangladesh. However, Bangladesh has undertaken several initiatives at the national and international levels to preserve the health of oceans. At the national level, we have updated our national legislation to bring it into conformity with the United Nations Convention on the Law of the Sea (UNCLOS). The newly enacted Maritime Zones Act and Blue Economy Development Work Plan of Bangladesh will ensure the efficient utilization, conservation and scientific management of our marine resources. At the international level, we are pleased to participate in the ongoing proceedings in the International Court of Justice and the International Tribunal for the Law of the Sea concerning advisory opinions on the legal implications of climate change and sea level rise on the rights of present and future generations.

Today, as we deliberate on the ocean and law of the sea, please allow me to flag few points.

First, we recall that the theme of the 23rd meeting of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea focused on the theme “New maritime technologies: challenges and opportunities”. New maritime technology offers the potentials for the scientific exploitation, conservation and management of ocean resources. It can play a crucial role in addressing the adverse impacts of climate change by monitoring, better understanding, preventing and potentially reversing those negative impacts of climate change. However, technological advances carry their allotment of negative impacts too. The lack of financing and capacity-building continues to present challenges for the development and implementation of new maritime technologies to address climate change,

particularly for the developing and least developed countries and the small island developing States. In a case such as this, we need to ensure that no one is left behind.

Secondly, we commend the important work carried out by three bodies under UNCLOS. However, we wish to express our concern with the current working method of the Commission on the Limits of the Continental Shelf (CLCS), which has a long queue of pending submissions. Bangladesh submitted the required technical and scientific data in support of its continental shelf beyond 200 nautical miles to the CLCS in 2011. The preparation of the submission entailed substantial financial and technical investments, which as a least developed country was not an easy undertaking for Bangladesh. Yet we prioritized the submission and invested resources for its conclusion.

However, we are deeply disappointed at the Commission's decision not to form a subcommission for Bangladesh as of now to settle the matter, given that the maritime boundary disputes of Bangladesh with its neighbours have already been resolved through the dispute settlement mechanisms established by the UNCLOS itself. Thus, we believe that the Commission has a responsibility now to process the submissions by the State parties on their merits and through strict adherence to the provisions of the Convention. We earnestly hope that CLCS will soon form a subcommission to review the amended submission of Bangladesh.

Thirdly, the conclusion of the Agreement 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 (the BBNJ Agreement) by the General Assembly marks a historic milestone in the realm of multilateral diplomacy. Four decades after the conclusion of UNCLOS, that achievement represents a significant step towards global governance and responsibility for the protection and sustainable use of marine biological diversity beyond national jurisdiction. Now, we all need to work hand-in-hand to sign and ratify the agreement by broader States parties. Bangladesh has already signed the agreement and we call upon other United Nations Member States to ratify the Agreement for its early enforcement.

Finally, capacity-building and the transfer of marine technology remain crucial for the implementation of UNCLOS and related instruments, including the BBNJ

Agreement, particularly for the developing and least developed countries and the small island developing States. In that regard, we stress the need for international cooperation at the national, regional and global levels to address gaps in capacity-building and technology transfer in ocean affairs and the law of the sea.

Mr. Kessel (Canada): Canada is pleased to see that there have been some significant ocean-related advances over the past year. From the adoption of the Kunming-Montreal Global Biodiversity Framework (GBF) to the adoption and opening for signature of the historic Agreement 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 (the BBNJ Agreement), those developments are testaments to the power of multilateralism when States commit to working together towards a common goal. And today's annual meeting is an important opportunity for States to remind each other that ensuring the health of our oceans is one of the most important priorities of our time.

As a vital part of our existence on this planet, our oceans are critical to addressing the unprecedented triple crisis of climate change, pollution and biodiversity loss. They help absorb and store vast amounts of carbon dioxide, mitigating climate change by acting as a crucial carbon sink. Furthermore, by supporting a myriad of species and ecosystems, our oceans contribute to maintaining global biodiversity. Our oceans' ecosystems also play a fundamental role in helping coastal communities and indigenous peoples to improve resilience, adapt to a changing climate and ensure economic livelihoods. However, ocean warming, acidification and pollution — including marine plastic litter — are impacting marine ecosystems and their ability to provide such benefits. Sea level rise and the increased frequency and intensity of extreme weather events are also posing existential threats to coastal communities around the world. As our oceans continue to face important challenges, let us not forget that we need our oceans and our oceans need us.

In December of last year, Canada hosted the 15th meeting of the Conference of the Parties to the Convention on Biological Diversity, the largest biodiversity conference of its kind. There, Canada played a pivotal role in the adoption of the Kunming-Montreal GBF. Recognizing the important role of our oceans, Canada is committed to reaching the goals

and targets established by the Kunming-Montreal GBF to halt and reverse nature loss by 2030. That includes our commitment to conserving 30 per cent of our lands and waters by 2030 — the 30 by 30 initiative— through the establishment and effective management of marine protected areas and other effective area-based conservation measures.

In furtherance of that commitment, Canada also actively participated in the negotiations for the BBNJ Agreement, which opened for signature on 20 September. While Canada is still working through its domestic treaty process, we strongly support efforts to promote the signature and ratification of the BBNJ Agreement to allow its entry into force as early as possible. We are pleased to see that 84 States have already signed the Agreement and we hope to join the growing list of signatories in the coming months.

Once entered into force, the BBNJ Agreement will be an important addition to the global ocean governance framework and contribute to the conservation and sustainable use of marine biodiversity, including by helping to achieve the global goal of 30 by 30. The Agreement will also enhance the resilience of ecosystems to climate change and support efforts to mitigate and adapt to climate change.

Canada also actively supports efforts to end plastic pollution, which poses significant risks to our oceans. As a member of the High Ambition Coalition to End Plastic Pollution, Canada is committed to the development of an international legally binding agreement on plastic pollution and deems that this agreement should be ambitious, comprehensive and evidence-based and address the causes and sources of plastic pollution.

(spoke in French)

Canada believes that there is a clear need for scaling up investment to support climate action, tackle the challenge of pollution and halt and reverse biodiversity loss, including through blended finance approaches. In that regard, Canada recognizes the importance of nature-based solutions. At least 20 per cent of Canada's \$5.3 billion climate finance commitment will be allocated to projects that leverage such solutions and contribute to biodiversity co-benefits in developing countries. For instance, Canada's financial contributions to organizations like the Ocean Risk and Resilience Action Alliance and the Global Fund for Coral Reefs support work on developing innovative investment solutions — including with indigenous partners, Government entities and

private capital — to help mitigate ocean risk and close the protection gap in developing countries. That funding makes a positive difference for marine protected areas, coral reef restoration, sustainable fisheries, ecotourism and other important issues.

Canada is also engaged in ongoing efforts to scale up international cooperation on the ocean-climate nexus under the Paris Agreement on Climate Change, including at the twenty-eighth Conference of the Parties to the United Nations Framework Convention on Climate Change, where Canada is currently participating in several events dedicated to increasing climate ambition and supporting ocean health. Moreover, Canada continues to support several ocean-related forums, initiatives and discussions under the Group of Seven and the Group of Twenty.

Canada remains committed to the Ocean Action Agenda of the High-Level Panel for a Sustainable Ocean Economy. Our whole-of-Government Blue Economy Strategy will serve as a primary tool to meet the Panel's commitment to sustainably managing 100 per cent of the oceans under our jurisdiction by 2025. The Strategy will outline Canada's plan to transform its marine sectors towards a sustainable blue economy and recognizes restored ocean health as key to supporting coastal communities and indigenous peoples with long-term livelihoods in technologically advanced, sustainable and resilient marine sectors. In addition, by endorsing the Panel's *Transformations for a Sustainable Ocean Economy* document, Canada is committed to supporting work at the International Seabed Authority that ensures exploitation regulations include strong environmental protections that are based on science.

Combatting illegal, unreported and unregulated (IUU) fishing remains a high priority for Canada. Through our Indo-Pacific Strategy, we have established the Shared Ocean Fund, which is investing \$84.3 million over five years to help support ocean management and reinforce a healthy marine environment in the Indo-Pacific region through a range of enhanced measures against IUU fishing. Canada is also pleased that the IUU Fishing Action Alliance, which Canada launched in 2022 with the United States and the United Kingdom, has expanded this year and now also includes Chile, the European Union, France, Iceland, New Zealand, Norway, Panama, Korea and nine other non-State members.

(spoke in English)

In conclusion, Canada's commitment to ensuring the health of our oceans remains unwavering. While there have been significant advances this past year, much work remains and Canada will continue to do its part. We believe in continuing to support a rules-based international maritime order, of which the United Conventions on the Law of the Sea is a fundamental part. In line with that objective, Canada continues to support the important work of the Commission on the Limits of the Continental Shelf (CLCS), especially as the Commission seeks to find new ways to improve its working methods and increase the volume of completed recommendations. Canada recently made another contribution to the CLCS trust fund to assist the Commissioners in their work, and we encourage other States to continue to support the Commission as well.

We also believe in continuing to promote international cooperation and coordination between instruments, frameworks and bodies to leverage expertise and enhance coherence, consistency and efficiency across forums. Working together is the only way to ensure that our oceans can thrive and continue to provide invaluable benefits for generations to come.

Mr. Shamun (Maldives): The Maldives aligns itself with the statement delivered by the representative of Samoa on behalf of the Alliance of Small Island States (AOSIS).

My delegation welcomes the report of the Secretary-General submitted under this agenda item (A/78/67), as well as draft resolution A/78/L.15, on important developments related to oceans and the law of the sea. We thank Singapore for its able leadership in the consultations leading up to the draft resolution.

The oceans, with their colourful biodiversity, are the sustenance of life on our planet. The Maldives, although a small island State, holds custodianship of over 90,000 square kilometres of the Indian Ocean. Our identity, economic vitality and property are deeply tied to the oceans. The vibrant coral reefs and the rich marine ecosystems found in our waters are the main sources of our livelihoods. Most importantly, they are integral to the ecological balance that sustains our islands. The ocean also plays an essential role in regulating the global climate and, for countries that are most vulnerable to the adverse impacts of climate change, ocean conservation is not just a responsibility, but a critical necessity for our survival and that of the whole world.

However, as the Secretary-General's report highlights, the 2023 synthesis report of the Intergovernmental Panel on Climate Change has concluded that climate change has already caused irreversible losses to coastal and ocean ecosystems. Further, the warming and acidification of the oceans adversely affect food production from fisheries.

We must accelerate actions to conserve and restore our ocean so as to ensure a prosperous and sustainable future for all countries, leaving no one behind. For over 40 years, the United Nations Convention on the Law of the Sea (UNCLOS) has been the foundation of our collective efforts to safeguard the oceans, including the regulation of maritime commerce, safeguarding the freedom of navigation, environmental protection in marine areas, crucial maritime entitlements and, most importantly, the rights of the coastal States to manage their marine resources.

This year marks a historic milestone as we celebrate the adoption of the Agreement 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 (the BBNJ Agreement). That achievement marks the culmination of a decade of collaborative efforts on a global scale. Small island developing States (SIDS) with large maritime areas have shown strong leadership and advocacy in the conservation and sustainable use of oceans and their resources. The BBNJ Agreement provides a framework for operationalizing the equity principles of UNCLOS into practice. And we view the Agreement as a pivotal instrument to ensure the long-term sustainability of our resources, within our exclusive economic zones.

The Maldives, as a large ocean State, is committed to the implementation of that high seas Agreement, and we are currently in the process of ratifying it. Our commitment is reflected in our domestic initiatives as well. We have designated 79 sites, including 14 per cent of our coral reefs, as marine protected areas. Three of our atolls have been declared UNESCO biosphere reserves, and it is our hope that we will see such initiatives on a global scale.

The Maldives is concerned about the decline in the health and resilience of marine ecosystems. Illegal, unreported and unregulated fishing (IUU) constitutes a massive threat to the productivity of the ocean and its resources. As a country that is heavily reliant on fisheries for income and food security, we remain committed to

banning destructive fishing methods and promoting sustainable practices, as enshrined in the Fisheries Act of the Maldives. Regulations are in place to enforce the prevention and elimination of IUU fishing. We are also a strong advocate for sustainably managing the shared fisheries resources in the Indian Ocean.

The Maldives supports the efforts of SIDS to reduce and eliminate marine plastic litter by 2030. We have set a national target to fully phase out single-use plastics by 2030. As called for in the AOSIS Leaders' Declaration, the international community must work towards finalizing the legally binding instrument on plastic pollution and ensure its effective implementation.

A critical concern for SIDS is the impact of climate-change-induced sea level rise on ocean security. Instances of rising sea levels pose important questions regarding the political, economic and environmental stability that UNCLOS has cemented over the past four decades. UNCLOS does not mandate the periodic review of baselines and outer limits of maritime zones, or the updating of charts or geographical coordinates once deposited with the Secretary-General of the United Nations. Those maritime zones and the associated rights and entitlements, once deposited, should remain unaffected, notwithstanding any physical changes due to sea level rise linked to climate change.

As outlined in this year's report of the International Law Commission, the position of SIDS on that matter is very clear. There is no explicit provision in UNCLOS requiring States parties to update their baselines and outer limits of maritime zones in response to changes in coastlines as a result of sea level rise. Further, the Maldives greatly appreciates the work of the International Law Commission and we commit to maintaining our contributions and active involvement at every available opportunity.

We underscore the crucial role of the ocean in advancing sustainable development in SIDS and highlight the need to urgently enhance the capacity of SIDS to harness the full potential of ocean-based economies in a sustainable manner and in line with national priorities and plans. The BBNJ Agreement, coupled with the Kunming-Montreal Global Biodiversity Framework, offers a hopeful future for ocean protection. Yet no single country can achieve that alone. It demands global cooperation to equip all countries, communities and localities with the resources needed for ocean care.

In conclusion, the success of these initiatives hinges on immediate and sustained global action, and that is truly vital for the health of our beloved blue planet.

Mr. Peñaranda (Philippines): The Philippines and its people are inextricably bound to the world's oceans. As an archipelagic State and home to a wealth of marine species, we are keenly aware that the waters around the world form a single, interconnected system. Activities on waters in other parts of the world impact our ecosystems and, ultimately, our people.

We are thus honoured to co-sponsor draft resolution A/78/L.15, on oceans and the law of the sea, and draft resolution A/78/L.13, on sustainable fisheries, ably coordinated by Singapore and Norway, respectively. They contain the collective will of Member States to address the cumulative pressures on the oceans and their resources, which pose direct threats to the people who depend on them.

The Secretary-General's reports on this agenda item and the support of the Secretariat, including the United Nations Office of Legal Affairs Division for Ocean Affairs and the Law of the Sea, have made possible the substantive engagement on the draft resolutions and constructive consideration of the proposed revisions, which reflect important developments that impact on our oceans, including the fifteenth meeting of the Conference of the Parties to Convention on Biological Diversity and its outcomes, in particular the adoption of the Kunming-Montreal Global Biodiversity Framework and its ocean-related goals and targets.

We shall remember 2023 as the year when, in a moment of triumph for multilateralism, we adopted a historic international legally binding Agreement 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 (the BBNJ Agreement). Together with like-minded States, we worked for a robust environmental impact assessment framework in the Agreement and supported a stronger regime on capacity-building and transfer of marine technology to assist developing States, particularly archipelagic States as a distinct category.

Integrated ocean governance is crucial. The adoption of that regime for marine biodiversity, with its promise to integrate and coordinate global and regional instruments in areas beyond national jurisdiction, is particularly relevant to us. We align ourselves with the

statement delivered by the representative of Cuba on behalf of the Group of 77 and China, highlighting how the strength of developing States, working together, made possible the inclusion of the common heritage of humankind, as well as a balanced model of benefit-sharing from marine genetic resources and digital sequence information in the Agreement.

The Philippines signed the Agreement when it opened for signature on 20 September. On that same day, we expressed our commitment to working with the international community to ensure that the Agreement enters into force as soon as possible, by the 2025 Ocean Conference. In November, we took a concrete step in that direction. In partnership with the High Seas Alliance, the Governments of Australia and the United Kingdom, the Natural Resources Defence Council and the Pew Charitable Trusts, the Philippines held a regional workshop on the BBNJ Agreement in Manila, aimed at ensuring representative ratifications in our region. It drew 10 South-East Asian States and over 100 stakeholders.

The initiative also builds on the International Seabed Authority-Philippines National Capacity Development Workshop on Deep-Sea Related Matters. In October, Ambassador and Permanent Representative of the Philippines Antonio Lagdameo was in Manila to open the workshop and welcome International Seabed Authority Secretary-General Michael Lodge and his team. Environmental conservation and sustainable management, marine scientific research and benefit-sharing, along with capacity development and training initiatives, are at the forefront of the Philippines' interests in the deep seabed, including in areas beyond national jurisdiction.

The year 2023 may well be a banner year for the oceans. We have made significant strides in ocean-related processes this year. The Philippines welcomes the outcome document of the resumed Review Conference on the Agreement Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, also reflected in the draft resolution before us. As part of the resumed Review Conference, the Philippines worked closely with other States and helped steer the drafting committee to a consensus outcome document, in line with our long-standing commitment to the conservation of and sustainable access to straddling and highly migratory fish stocks within and beyond the exclusive economic zone. At the Conference, we stressed that participation

in regional fisheries management organizations or arrangements is a key mechanism in the Fish Stocks Agreement. The capacities of developing States should be developed to enhance participation, including in decision-making, in those regional arrangements.

The Philippines ordered the establishment of fishery management areas in 2019 to provide a science-based, participatory and transparent governance framework and mechanism to sustainably manage fisheries in such areas, consistent with the principles of an ecosystem approach to fisheries management, anchored in food security.

We look forward to future discussions on those matters at the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP), noting that the 23rd meeting of the ICP stressed the crucial importance of targeted capacity-building in the development and deployment of new maritime technologies, as well as the ability to sustain and retain local capacity, to enable developing States to benefit from the opportunities presented by new technologies. Our commitment to enhancing international cooperation for capacity-building is cross-cutting. We are pleased to have worked with other States for the inclusion of specific language on marine science and meteorological sciences in the oceans draft resolution, noting that the latter is a specific gap in capacity-building in light of the need to improve understanding of the impacts of climate change on oceans and seas.

Sea level rise and coastal erosion are serious threats for many coastal regions and islands, particularly in developing countries. At the advisory proceedings before the International Tribunal for the Law of the Sea, we stated that, as an archipelagic State and one of the most vulnerable to and most affected by climate change, we stand in solidarity with the Commission on Small Island States on Climate Change and International Law and all the small island States, and support the initiative to request the Tribunal's advisory opinion.

Fundamental to our position is that while United Nations Convention on the Law of the Sea was not designed as a mechanism for regulating climate change, its mandate is broad enough to consider the connection between climate and the oceans. That is also consistent with our principled stand on the universal and unified character of the Convention as the constitution of the

oceans, which sets out the legal framework within which all activities in the oceans and seas must be carried out.

At the centre of our efforts to protect the ocean are our people — the fisherfolk, the seafarer, the coastal resident. Hundreds and thousands of Filipino seafarers are deployed in the world's shipping fleets. It is in consideration of their health, safety and well-being, as well as of others like them, that the Philippines enhanced its commitment to the objectives and work of the International Maritime Organization (IMO).

As then Philippine Ambassador to the Court of St. James in the United Kingdom, Ambassador and Permanent Representative Antonio Lagdameo was elected President of the 32nd session of the IMO Assembly in December 2021 — a first for the Philippines. As President, we joined hands with the IMO secretariat and member States in placing seafarers at the centre of the organization's work — the heart of shipping — and towards the adoption of a resolution on comprehensive action to address seafarers' challenges during the coronavirus disease pandemic. The other week, in London, Ambassador Lagdameo had the honour of passing on the baton to the President of the 33rd session of the IMO Assembly. Nevertheless, our commitment to those issues remains firm. We thank the international community for re-electing the Philippines to the IMO Council for the coming term.

Mr. Nabeta (Uganda), Vice-President, took the Chair.

The present emergency facing the oceans is a stark reminder of the need to uphold and implement the United Nations Convention on the Law of the Sea (UNCLOS) as the legal framework for the oceans. Regional disputes and geopolitical instabilities can impede the implementation of global and regional treaties and agreements, affecting economic growth, the transfer of technologies and the implementation of frameworks for managing ocean use, as noted in the second World Ocean Assessment report. The Philippines is thus gravely concerned with the actions of China that interfere with the Philippines' legitimate activities in and around the waters off of Ayungin Shoal. These acts of Chinese vessels within the Philippine exclusive economic zone are illegal, as they violate freedom of navigation. As a low-tide elevation, Ayungin Shoal cannot be appropriated or subjected to sovereignty claims.

The final and binding 12 July 2016 award in the South China Sea arbitration expressly upheld that the Ayungin Shoal is “within the exclusive economic zone and continental shelf of the Philippines”, over which the Philippines has sovereign rights and jurisdiction. China has the obligation under UNCLOS to give due regard to the rights and duties of the Philippines as a coastal State. China's actions are contrary to its flag State obligations under UNCLOS to take measures necessary to ensure safety at sea and prevent ship collisions. The conduct of dangerous manoeuvres is a violation of China's commitments under the 2002 Declaration on the Conduct of Parties in the South China Sea, in particular the exercise of self-restraint. Such actions seriously compromise and undermine the ongoing negotiations for a code of conduct in the South China Sea.

The Philippines remains committed to the code of conduct negotiations. The increasing number of incidents in the South China Sea underscores its importance. All must exercise self-restraint and refrain from destabilizing activities inimical to the conclusion of an effective and substantive code.

Mr. Botto (Monaco) (*spoke in French*): The year since the last consideration of the agenda item on oceans and the law of the sea has been marked by historic events.

On 19 June, the conclusion of the Intergovernmental Conference and the adoption by consensus of the Agreement 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 marked a major development in international law. It is an important step towards improving the protection of the ocean and its resources. The lengthy negotiations that led to its adoption produced a text that is balanced and applicable and carries great hopes. Monaco signed the Agreement on 20 September, the first day it was opened for signature, and hopes that it will be universal and enter into force as quickly as possible. The large number of signatures to date is a clear signal of the importance that States attaches to its implementation.

We all know the central importance of the ocean to human life on Earth. Its adequate protection, today and in the long term, and the effective conservation of its biological diversity and ecosystems are the necessary conditions for the sustainable use of its resources by

future generations. With that new instrument, we have provided ourselves with a clear procedure for the creation of area-based management tools, including marine protected areas, on the high seas. We have also equipped ourselves with a system for the fair and equitable sharing of benefits arising from activities relating to marine genetic resources and a framework for assessing the impact on the environment of activities under the jurisdiction or control of future parties. Finally, the provisions of the Agreement on international cooperation, capacity-building and the transfer of marine technologies will benefit all future parties.

My delegation thanks the Division for Ocean Affairs and the Law of the Sea for its ongoing and particularly valuable support to Member States in all processes related to oceans and the law of the sea in New York. The expertise and support provided on all issues addressed should not be minimized as we welcome the progress noted today and look forward to the important deadlines to come next year.

My delegation also congratulates the coordinators of the informal consultations on the two draft resolutions before the General Assembly today, Mr. Andreas Kravik of Norway and Ms. Natalie Morris-Sharma of Singapore. Monaco commends their efforts and the leadership they have shown to bring our work to fruition.

We have the honour once again this year of being co-author of the two draft resolutions before us, which cover many particularly important subjects.

First, my delegation welcomes the mention of Kunming-Montreal Global Biodiversity Framework, its mission to halt and reverse the loss of biodiversity and its vision to live in harmony with nature. However, we regret that a neutral reference to the 30 by 30 target, aimed at protecting 30 per cent of marine and coastal areas, could not be included. Mentions of traditional knowledge of indigenous peoples and the sixth Assessment Report of the Intergovernmental Panel on Climate Change, including its synthesis report, as well as the request to the International Court of Justice to render an advisory opinion on the obligations of States in respect of climate change, among other things, have improved the omnibus draft resolution A/78/L.15.

However, an update to account for emissions of two additional greenhouse gases — namely, methane and nitrous oxide — in addition to carbon dioxide, in line

with the best available scientific information, would have been very appropriate. Indeed, the past eight years have been the warmest on record. As the Secretary-General of the World Meteorological Organization notes in the report on the global climate 2011-2020,

“green-house gas concentrations have increased in the atmosphere, thereby contributing to record levels of warming of the land and ocean, the melting of ice sheets and glaciers, rising sea levels, and ocean acidification”.

Furthermore, Monaco welcomes the fact that the Open-ended Informal Consultative Process on Oceans and the Law of the Sea has been renewed for four years and that it will focus on the theme “The ocean as a source of sustainable food” in 2024 and on the restoration of marine ecosystems in 2026.

Together with the delegation of Cabo Verde, my delegation submitted a draft paragraph aimed at recognizing the inherent value of a healthy ocean and the connection between the health of the ocean, the well-being of humankind and life on Earth. Given the importance of a healthy ocean, we believe that it would be useful for States and all stakeholders to begin to reflect on the relationship between humankind and the ocean and on how it is perceived and valued. We hope that this concept can be explored further in the future.

Unfortunately, year after year, we are forced reiterate the observation that the pressures weighing on the global ocean are deteriorating. Massive losses of marine biodiversity, the destruction of marine habitats and ecosystems, pollution, including chemical, plastic and microplastic, continue, almost inexorably. The harmful effects of climate change are also getting worse. Ocean acidification, sea level rise and extreme climate events are existential threats to coastal populations, particularly in small island developing countries and other developing countries. We must both continue to increase our knowledge of those phenomena and take immediate measures to reduce their devastating effects. Mitigation and adaptation efforts will be essential for all populations living near coasts.

The work of the International Law Commission on sea level rise is of great interest and we are following its developments carefully. As highlighted at the One Planet Summit for Glaciers and Poles, those regions play a central role in climate regulation. However, the collapse of the cryosphere on a global scale, which is already visible, will have irreversible consequences

for the entire planet. While certain solutions exist to combat the triple planetary crisis, the international community must redouble its efforts.

The Informal Consultative Process meeting held last year on new maritime technologies presented many interesting avenues in several areas, including ocean observation, the decarbonization of maritime transport and renewable energy.

The United Nations Decade of Ocean Science for Sustainable Development (2021-2030) plays an important catalytic role in the promotion of marine science and capacity development. We welcome the activities of the UNESCO Intergovernmental Oceanographic Commission to that end.

Building on the successes of the first two United Nations Conferences to Support the Implementation of Sustainable Development Goal 14, held in New York and Lisbon, Monaco assures France and Costa Rica of its full support for the high-level event in San Jose in 2024 and the Nice conference in 2025, at which an event on finance and the blue economy will be hosted in the Principality. The fourth International Conference on Small Island Developing States, to be held next year in Antigua and Barbuda, will also be an important event.

In conclusion, Members may rest assured that the Principality of Monaco stands ready to participate in efforts in all these areas and to support action in favour of the protection of the oceans, for healthy oceans and a healthy planet.

Ms. Ershadi (Islamic Republic of Iran): Allow me at the outset to extend my appreciation to the Secretary-General for his reports under agenda item 75, "Oceans and the law of the sea", and to the coordinators of the informal consultations on the draft resolutions under this agenda item. We would also like to thank the Division for Ocean Affairs and the Law of the Sea for its efforts and invaluable support throughout this exercise. With that being said, I would also like to reiterate my delegation's position on a number of issues related to this agenda item, as follows.

As a signatory State to the United Nations Convention on the Law of the Sea (UNCLOS), the Islamic Republic of Iran recognizes the significance of that international legal framework in governing activities related to the oceans and seas. However, Iran maintains that UNCLOS should not be regarded as the exclusive and sole legal framework within which

all activities pertaining to the oceans and seas must be carried out. We assert that any reference to UNCLOS should be made in conjunction with other relevant legal instruments and frameworks, rather than in isolation. That approach can better reflect the comprehensive nature of resolutions in addressing the evolving nature of maritime challenges, such as environmental concerns and maritime security. Furthermore, it can better address the legitimate concerns of non-parties to the Convention, which are not legally bound by provisions that do not possess a customary nature.

Therefore, we expect that any negotiation on related draft resolutions concerning oceans and seas should properly address those concerns and adopt an inclusive approach that could lead to constructive engagement among a wider number of countries in supporting those draft resolutions. Furthermore, it shall be reiterated that any constructive engagement on the part of my delegation during the negotiations and its joining consensus should not be construed as a change in the legal position of the Islamic Republic of Iran in relation to the UNCLOS. However, among other things, a strong conviction in favour of preserving the ocean, seas and their resources, as well as of guaranteeing the security and safety of marine operations, has motivated us to constructively collaborate and coordinate with other countries on ocean-related matters.

The Islamic Republic of Iran, as a coastal State on the Persian Gulf and the Sea of Oman, is committed to achieving the targets of Sustainable Development Goal 14, as well as ocean sustainability. In that regard, we are looking forward to convening the third United Nations Ocean Conference to Support the Implementation of Sustainable Development Goal 14, to be co-chaired by the French Republic and the Republic of Costa Rica in 2024 and 2025.

The Islamic Republic of Iran highly values the efforts made in sustainable fisheries management, which plays an important role in supporting the economic activities of some developing countries, conserving marine resources, maintaining healthy marine ecosystems and ensuring food security for all. Having said that, the Islamic Republic of Iran encourages all countries, regional fisheries management organizations and relevant international institutions to prioritize responsible fisheries management, the use of selective fishing methods and combating illegal, unreported and unregulated fishing.

Rapid population growth, industrialization, urbanization, rising fishing demands, droughts and other natural disasters caused by global warming and climate change, as well as ineffective development policies, are depleting natural resources at an alarmingly rapid rate, thereby posing serious threats to our region's marine environment and sustainable development. Sea level rise, biodiversity loss and the reduction of different species of native fauna and flora are just a few of many challenges faced within our region. Given the increasing damage and destruction of essential and economically important coastal ecosystems such as mangrove forests, coral reefs and fisheries livelihoods in the Persian Gulf and the Sea of Oman, we strongly encourage the coastal States in the region to work together to protect such ecosystems. We reiterate the call for all relevant States to work together to protect the environment of those shared bodies of water and to refrain from unilateral actions that could jeopardize their marine environment.

In terms of marine life and its preservation, the irresponsible construction of artificial islands and reclamation activities in the Persian Gulf would unquestionably harm the habitats of rare and fragile marine species and endanger their lives. Furthermore, the deployment and extraordinary presence of military fleets from outside the region in the Persian Gulf have exacerbated not only the safety and security concerns of coastal States, as well as smooth navigation in that body of water, but also its maritime pollution and depletion of marine resources. In that regard, the Islamic Republic of Iran is determined to enforce its laws and regulations in addressing any maritime pollution and environmental harms caused by vessels that fall under its jurisdiction in the Persian Gulf.

The impacts of climate change on the oceans and seas are myriad, complex and interrelated. In order to counter those impacts, developed countries must fulfil their commitments under the United Nations Framework Convention on Climate Change and the Paris Agreement on Climate Change by providing financial resources, capacity-building and technology transfer due to their historical role based on the principle of common but differentiated responsibilities.

The Islamic Republic of Iran takes note of resolution 77/276, of 29 March, which requests an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change. The resolution includes, *inter alia*, the topic of sea level

rise. As the resolution merely focuses on one assumed cause of climate change, the Islamic Republic of Iran logically expects the Court to consider the matter holistically and comprehensively.

The Islamic Republic of Iran considers that to be of the utmost importance to the issue of climate change and its environmental impacts. Nonetheless, the imposition of unilateral coercive measures is the most crucial barrier preventing the targeted countries, including my own, to live up to their environmental obligations. Those unlawful unilateral coercive measures have jeopardized our efforts to combat environmental problems, including by impeding access to new technologies, know-how and adequate financial resources.

Regarding sea level rise, due to the long-term and unavoidable social, economic and security challenges arising from that environmental phenomenon, my delegation would like to emphasize that the practice of land reclamation, coastal fortification and other means of maintaining coastal areas, base points, baselines and islands can be considered as an appropriate response to sea-level rise as long as such fortifications do not result in the creation of any new rights for States. We would like to underline that, in accordance with the law of the sea, artificial islands, installations and structures do not possess the status of islands. Thus, any discussion of the relationship between artificial islands and the change of maritime zones in relation to sea level rise is irrelevant.

My delegation welcomes the adoption of the legally binding Agreement 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 (the BBNJ Agreement). We believe that the treaty represents a great milestone in global efforts to protect and sustainably use biological resources in areas beyond national jurisdiction. We assert that the common heritage of humankind is the guiding principle to achieve the objectives of the BBNJ Agreement, including access to and the sharing of the benefits of marine genetic resources. That principle provides a legal foundation for a fair and equitable regime that would allow all countries to benefit from the potential that marine biodiversity represents in terms of food security and economic prosperity and to address challenges of the conservation and sustainable use of marine genetic resources.

The Islamic Republic of Iran reaffirms its commitment to a marine order based on the international law of the seas in order to protect maritime rights and interests of all and to ensure that maritime activities are carried out in accordance with the law of the sea. In that regard, at the seventy-fourth session of the General Assembly, the Islamic Republic of Iran proposed an initiative based on dialogue, cooperation and mutual respect emanating from its commitment, and sincerely believes that the prolongation of conflicts and ever-escalating tensions among littoral States of the Persian Gulf are likely to seriously jeopardize regional development and prosperity.

The Islamic Republic of Iran is adamant that regional cooperation based on the aforementioned plan would uphold safety, security and global maritime law, particularly in the Persian Gulf and the Sea of Oman. The same sentiment and understanding underlie our collaboration with other States in the region and beyond to combat piracy, as recognized by the Secretary-General in his pertinent reports and praised by the Security Council in a number of resolutions.

In conclusion, I wish to draw attention to the adverse effects posed by unilateral coercive measures on maritime navigation. These unlawful actions have far-reaching and negative consequences for maritime navigation, impacting trade, safety, security and international relations. It is our firm belief that addressing those illicit measures requires a collaborative and diplomatic approach, emphasizing the need for effective implementation of international law.

Mr. Dang (Viet Nam): My delegation aligns itself with the statement made by the representative of Cuba on behalf of the Group of 77 and China.

At the outset, I would like to thank the Secretary-General for presenting his comprehensive report on the oceans and the law of the sea (A/78/67).

We reiterate our appreciation for the diligent efforts of Singapore and Norway in facilitating the negotiation of the respective draft resolutions on oceans and the law of the sea (draft resolution A/78/L.15) and on sustainable fisheries (A/78/L.13). The draft resolutions re-emphasize the importance of the United Nations Convention on the Law of the Sea (UNCLOS) as the most comprehensive legal framework, within which all activities in the oceans and seas must be carried out. It also serves as the basis for national, regional and global action in tackling common challenges and developing sustainably.

The ocean remains under threat on multiple fronts that are causing a deterioration of the health of marine ecosystems and biodiversity. In that context, we welcome global efforts to promote the conservation and sustainable use of oceans, seas and marine resources and achieve every target of Sustainable Development Goal 14, including the consensus resolution 77/276 of 29 March, requesting the International Court of Justice to render an advisory opinion on the obligations of States in respect of climate change.

We also welcome the successful adoption of the Agreement 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 (the BBNJ Agreement). Being one of its early signatories, we look forward to the swift entry into force and full implementation of the BBNJ Agreement. We strongly believe that this third implementation agreement of UNCLOS shall further reinforce the Convention.

Additionally, the negotiation of a legally binding instrument in 2024 to end plastic pollution represents another opportunity to enhance the resilience of the marine environment and protect marine ecosystems and species. Those demonstrate a consolidation of multilateralism and other milestones in the development of international law.

While significant progress has been made to strengthen the legal order for the seas and oceans, further urgent efforts will be needed to strengthen the rule of law in the oceans and secure a healthier, more resilient and more productive ocean for the benefit of current and future generations. In that regard, we call for full compliance with UNCLOS, including the obligation to settle disputes by peaceful means and respect for the rights of coastal States to peacefully conduct legitimate economic activities in their maritime areas, as defined in accordance with UNCLOS.

Efforts should also be made to ensure a balance between the goal of conservation and the sustainable development of fisheries and the needs for social security and livelihoods for coastal populations. In that connection, Viet Nam strongly supports initiatives to respond to climate change, with the assistance of appropriate methods and mechanisms to join hands with the world community to reduce its adverse effects, in accordance with the principle of common but differentiated responsibilities and respective

capabilities. Besides, we should further focus on the ocean science-policy interface. That is essential for innovation and transformative change to address the triple planetary crisis and ensure the sustainable development of the ocean.

As a coastal State in the East Sea, or South China Sea, which is strategically important to peace, security and prosperity in the Asia-Pacific region and the world, Viet Nam attaches great importance to ensuring peace and security in the South China Sea, in accordance with the Convention. Viet Nam is concerned over recent activities and serious incidents that go against UNCLOS and undermine peace and security in the South China Sea. In that regard, Viet Nam reaffirms the importance of upholding UNCLOS and emphasizes the need to pursue the peaceful resolution of disputes, in accordance with the Convention. We look forward to working with other members of the Association of Southeast Asian Nations and relevant partners to promote the role of UNCLOS in addressing common challenges and maintaining peace, stability, cooperation and development in the region, including to conclude an effective and substantive code of conduct in the South China Sea that is consistent with the Convention.

Viet Nam is honoured to be a co-sponsor of this year's omnibus draft resolution on oceans and the law of the sea, a result of active discussions among Member States. We believe that by joining hands, we can collectively uphold the rule of law in the oceans, as established by the Convention, identify challenges and promote better international cooperation in ocean governance, conservation and the sustainable use of oceans and seas in accordance, with the Convention.

Mr. Geng Shuang (China) (*spoke in Chinese*): The oceans are the cradle of civilizations, a bond connecting nations around the world and an important platform for development. They are the common home of all humankind. The protection and sustainable use of the oceans is the shared responsibility and common goal of the international community. We must enhance solidarity and cooperation to build together a maritime community with a shared future.

All countries should uphold the spirit of extensive consultation, joint contribution and shared benefits in their efforts to protect ocean security, promote ocean development and discuss ocean governance. We should bear in mind the purpose of peace, promote win-win cooperation and adhere to friendly consultations to

address international disputes appropriately. We must ensure that developing countries can participate in ocean governance on an equal basis so as to build a high-quality blue partnership. We must promote the rule of law in the oceans and maintain a just and fair maritime order.

The world today is undergoing major changes not seen in centuries, with the rules of global ocean governance being adjusted at an accelerated pace. All countries should practice multilateralism and maintain the central position of the United Nations in global ocean governance. It is imperative to safeguard fairness and justice so as to maintain the international maritime order based on international law. Legal systems must be improved and the modern system of the law of the sea, including international sea-related treaties and customary international law, must be safeguarded.

We must jointly address the challenges to build a maritime ecological civilization for the new era. The Agreement 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, adopted by consensus this year after nearly 20 years of negotiations, is another milestone in the history of the development of the law of the sea. The international community should take this opportunity to further strengthen solidarity, cooperation and joint efforts to promote the protection of marine ecology and the sustainable use of maritime resources so as to advance the well-being of humankind in the twenty-first century.

The marine environment is closely connected to the future and destiny of all countries. In August, the Japanese Government, in defiance of the strong opposition of the international community and in disregard of the rights to health, development and environment of its own people and those of other countries, forcefully initiated the discharge of nuclear contaminated water from the Fukushima nuclear power plant into the sea, which is deeply disturbing. There is no precedent for the artificial discharge of contaminated water from nuclear accidents into the sea, nor is there a recognized standard for its disposal. The Japanese side must, in good faith, fully consult with stakeholders, especially neighbouring countries, and establish as soon as possible a long-term monitoring mechanism that is comprehensive, effective and independently promoted by all stakeholders so as to prevent the irreversible consequences of the discharge of nuclear contaminated water into the sea.

China appreciates the efforts of the International Tribunal for the Law of the Sea (ITLOS), the International Seabed Authority (ISA) and the Commission on the Limits of the Continental Shelf (CLCS) to implement the United Nations Convention on the Law of the Sea. China actively supports the operations of the three institutions. We are the largest contributor to ITLOS and the ISA and make contributions to the relevant funds of the CLCS and the ISA on a year-round basis.

China is of the view that international judicial or arbitral bodies should abide by the principle of consensus among States, fully respect the rights of States to choose their own means of dispute settlement, and interpret and apply the Convention in good faith, completely and accurately. The Commission on the Limits of the Continental Shelf should strictly abide by its own rules of procedure, in particular the provisions whereby, in cases where a land or maritime dispute exists, the Commission shall not consider and qualify a submission made by any of the States concerned in the dispute and shall refrain from intervening in land and maritime disputes between coastal States.

China has always advocated a balanced approach to the exploration of seabed resources and environmental protection. The ISA should, in accordance with the roadmap agreed upon by all parties in July, move forward in an orderly manner with the negotiation of regulations on the exploration of international seabed resources,

The sustainable development of fisheries has a bearing on global ocean governance, national economies and people's livelihood. China advocates green fisheries and promotes the sustainable development of green global fisheries through its own practical actions. China wishes to share the following positions and experiences.

We insist on the sustainable utilization of fisheries resources and walk the path of sustainable development by correctly managing the relationship between the conservation and exploration of those resources. We manage fisheries resources scientifically. We have carried out voluntary fishing moratoriums in certain parts of the high seas in an innovative manner that has achieved remarkable results and made a positive contribution to the conservation of fisheries resources on the high seas, with strictly enforced supervision of distant-water fisheries.

China firmly combats illegal, unreported and unregulated fishing with a zero-tolerance attitude. It has effectively fulfilled its obligations under the regional fisheries management organizations or agreements to which it is a party and is actively studying accession to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. At the same time, China firmly opposes malicious attacks and smears against any country in the name of combating illegal fishing.

We strive for deep international cooperation on fishing. China has always actively participated in multilateral fisheries governance within the framework of the United Nations, and made significant contributions to the finalization of the Agreement on Fisheries Subsidies, the ratification of which was completed in June. China has joined eight regional fisheries management organizations and engages in bilateral fisheries cooperation with more than 40 countries on the premise of mutual benefits, supporting local development and economic development.

The representatives of a few countries have raised South China Sea issues in their statements. The General Assembly is not the appropriate forum for discussing the South China Sea, but China must respond sternly to the relevant erroneous remarks.

First, China's territorial sovereignty and maritime rights and interests in the South China Sea have been formed over the course of a long history and have been upheld by successive Chinese Governments in accordance with international law, including the Charter of the United Nations and the United Nations Convention on the Law of the Sea. China respects the freedom of navigation enjoyed by all countries in accordance with international law, but we strongly oppose any country using this as a pretext to jeopardize China's sovereignty and security interests.

Secondly, the South China Sea arbitration case was initiated unilaterally by the Philippines and the Arbitral Tribunal has exercised its jurisdiction *ultra vires* and rendered an award in disregard of the law. China does not accept or participate in the arbitration, nor do we accept or recognize the so-called award. We also do not accept any claims or actions based on the award. Negotiation and consultation are a realistic and effective way to deal with South China Sea issue.

Thirdly, Ren'ai Jiao has always been part of China's Nansha Islands. In 1999, a Philippine military vessel was illegally "grounded" on China's Ren'ai Jiao, and the

Philippines has since made several clear pledges to tow away that “grounded” vessel. However, 24 years have passed, and the Philippines side has not honoured its commitment. Recently, the Philippines side attempted to deliver reinforcement construction materials to the military vessel illegally “grounded” on Ren’ai Jiao in order to achieve the permanent occupation of Ren’ai Jiao. China firmly opposes that provocative act of infringement by the Philippines side and will take the measures necessary to safeguard its territorial sovereignty. At the same time, China is committed to addressing the issue appropriately through dialogue and consultation, and is willing to discuss with the Philippines side on how to address the situation of Ren’ai Jiao.

Fourthly, in recent years China and the countries of the Association of Southeast Asian Nations (ASEAN) have been actively promoting consultations on a code of conduct for the South China Sea and have continued to make progress at various stages. Currently, the consultations on the code of conduct are progressing

smoothly and have successfully completed the second reading and entered the new phase of a third reading. China will work with ASEAN countries, including the Philippines, to strengthen dialogue, eliminate interference and continue to implement the Declaration on the Conduct of Parties in the South China Sea in a comprehensive and effective manner to push for the early conclusion of the code so as to jointly maintain peace and stability in the South China Sea.

In conclusion, oceans are the common home and wealth of humankind. Protecting the security and stability of the oceans and promoting their sustainable development and utilization is in the common interests of all and the shared responsibility of all countries. China stands ready to work with all parties to practice genuine multilateralism and make unremitting efforts to strengthen and improve global ocean governance and promote the building of a maritime community with a shared future.

The meeting rose at 1.20 p.m.