



# General Assembly

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**63**rd plenary meeting

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Official Records

*President:* The Hon. Julian R. Hunte ..... (Saint Lucia)

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

## Agenda item 52

### Oceans and the law of the sea

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

**Reports of the Secretary-General (A/58/65 and Add.1, A/58/423)**

**Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (A/58/95)**

**Report of the Committee for Programme and Coordination (A/58/16, chap. III, sect. C.2)**

**Draft resolution (A/58/L.19)**

#### (b) Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

**Report of the Secretary-General (A/58/215)**

**Draft resolution (A/58/L.18)**

**The President:** Members will recall that at its 2nd plenary meeting, on 19 September 2003, the General Assembly decided that, as part of its consideration of this agenda item, the Assembly would review the recommendations by the Committee for Programme and Coordination contained in chapter III, section C.2 of document A/58/16 and that all relevant comments regarding these recommendations would be transmitted to the Fifth Committee prior to the Committee's consideration of the proposed medium-term plan and the consideration of the recommendations contained in the report of the Committee for Programme and Coordination.

I give the floor to the representative of the United States of America to introduce draft resolution A/58/L.18.

**Mr. Gilman** (United States of America): I should like to announce, first of all, that, since the publication of the draft resolution, the following nations have become sponsors of the text contained in document A/58/L.18: Australia, Belgium, Belize, Brazil, Trinidad and Tobago, Ukraine and South Africa.

My delegation has the honour to sponsor the draft resolution entitled "Oceans and the Law of the Sea" (A/58/L.19).

We also have the honour of sponsoring and introducing, on behalf of the other sponsors, the draft resolution entitled "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the 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 C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

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” (A/58/L.18).

The United States would like to express its gratitude to all of the delegations that worked in a spirit of cooperation to achieve the balanced texts of both these draft resolutions. We particularly appreciate the assistance given to Colin McIff, the United States delegate who coordinated the negotiation of the fisheries draft resolution this year. Equally, we would like to note our sincere appreciation for the efforts of Elena Geddis, our distinguished New Zealand colleague, who so ably chaired and led the drafting of the oceans draft resolution. We would, of course, be remiss if we did not acknowledge the Secretariat’s Division for Oceans Affairs and the Law of the Sea (DOALOS) for its hard work. We understand that Mrs. Annick De Marffy, the Director of DOALOS, will be retiring before we take up this subject again next year. We wish her best wishes and success in all of her future endeavours. She will be missed by all of us.

The United States welcomes this year’s successful integration of two formerly separate fisheries resolutions. We believe the combined draft resolution we have before us today significantly advances our efforts to achieve sustainable fisheries in a number of key areas while still reflecting the diversity of perspectives represented within the United Nations community.

A central theme of this year’s draft resolution is implementing international fisheries commitments. These commitments include the 1995 United Nations Fish Stocks Agreement, the 1993 Food and Agriculture Organization of the United Nations (FAO) Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, and the 1995 Code of Conduct for Responsible Fisheries. We applaud the establishment, through this fisheries draft resolution, of a voluntary trust fund that will assist developing countries in fulfilling their obligations to conserve and manage straddling and highly migratory fish stocks under the United Nations Fish Stocks Agreement. Since we believe that this trust fund represents a significant step forward towards supporting implementation of the fish stocks agreement, our nation has made an initial contribution of \$200,000 to that fund. We urge other States to contribute as well.

This year’s fisheries draft resolution also contains significant language calling for implementation at all levels of the FAO Code of Conduct for Responsible Fisheries, including international plans of action on illegal, unreported and unregulated fishing, so-called “IUU fishing”, fishing overcapacity, shark conservation and management and seabird by-catch avoidance. We welcome the particular emphasis provided in this draft resolution for efforts to combat illegal, unreported and unregulated fishing and to address the serious problem of overcapacity in the world’s fishing fleet. We are pleased that the emerging work in these areas is appropriately highlighted.

In that vein, we note that illegal, unreported and unregulated fishing appears on the agenda of the FAO Governing Conference, a meeting that will take place in December of this year. This is a welcome indication that the international community is demanding action on this problem.

We are also pleased to note that this fisheries draft resolution is explicitly taking up the issue of shark conservation and management. The United States is concerned that many shark species are currently vulnerable to overexploitation due to a combination of their unique biology and a lack of effective management. Regrettably, progress in implementing the 1999 FAO International Plan of Action for the Conservation and Management of Sharks has been extremely disappointing. Although we would have preferred stronger language in this draft resolution concerning the wasteful and unsustainable practice of harvesting shark fins at sea, we are encouraged by the constructive nature of the debate on this issue during the negotiations, as well as the ultimate approach to shark conservation and management reflected in the draft resolution. In the coming months, we look forward to working with all interested parties to find meaningful ways to implement this year’s language on sharks at the FAO and through relevant regional fisheries management organizations.

Within the oceans draft resolution, we are particularly pleased to welcome the continued support and further development of the Global Marine Assessment launched at the World Summit on Sustainable Development (WSSD) as a concept for a regular process for the global reporting and assessment of the state of the world’s oceans. We look forward to working together with the nations of the world to make certain that the Global Marine Assessment is able to

develop a comprehensive information collection process, carried out over time, of reliable physical, chemical and biological data. From this data we will be able to assess the impact of human activities on marine systems. We hope that these assessments will provide a scientific basis for decisions by policy makers, as well as valuable information for integrated management and sustainable development strategies for coastal and marine areas.

Designing and implementing a successful Global Marine Assessment is clearly an ambitious undertaking, but one that we believe the United Nations community can accomplish by working together. We look forward to further developing this critical tool in June. We appreciate the Government of Iceland's generous offer to host an intergovernmental meeting later in the year to help launch this important initiative.

We note that the draft resolution on oceans asks the Secretary-General to cooperate and liaise with relevant global and regional bodies in order to describe the threats and risks to vulnerable marine ecosystems and biodiversity in areas beyond national jurisdiction. The draft resolution also asks the Secretary-General to detail the conservation and management measures in place that address such issues. We look forward to the outcome of all this work, and we hope that the sharing of a successful strategy developed in one place will enable successful applications in other places as well.

One of the issues on which the United States would particularly like to help develop effective strategies concerns marine debris. In January of next year, we will host a seminar, under the auspices of the Asia-Pacific Economic Cooperation Fisheries Working Group, on derelict fishing gear and related marine debris. We hope that many of the countries represented here today will also choose to participate in that seminar.

The oceans draft resolution also encourages member States of the International Maritime Organization (IMO) to accelerate the development of a voluntary model audit scheme. This scheme will provide an independent review and analysis by a team of IMO experts of a State's compliance with its treaty obligations, including as a flag State, coastal State and port State. Constructive confidential recommendations will be made by the audit team to the audited State on actions to address problems or deficiencies.

The United States fully supports the accelerated development of the model audit scheme as an important mechanism to deal with substandard shipping and to enhance maritime safety, security and marine environmental protection. While we appreciate that the model audit scheme is currently being developed as a voluntary programme, we firmly believe that its effectiveness and impact will be significantly improved by making it mandatory at the earliest opportunity. We hope that delegations represented here will join with us in that effort at the IMO.

Next June, we will come together to informally learn about and discuss new sustainable uses of the oceans. We look forward to that exchange of ideas as an opportunity to enrich our collective thinking on what additional roles the oceans might play in our future. We believe that specific examples of how to cooperatively safeguard the oceans' unique biodiversity, particularly fishery resources, will be useful.

In closing, let me simply note the importance of oceans to the United States. A recent study found that more than half of our United States population now lives in coastal counties. Tens of thousands of United States jobs in fishing, recreation and tourism depend on coastal ecosystems. I suspect that these findings mirror the situation in many coastal nations throughout the world.

This year is an auspicious one for Americans concerned with oceans issues. The United States Commission on Ocean Policy, created by our Congress and with members appointed by our President, was tasked three years ago with establishing findings and making recommendations for a coordinated and comprehensive national ocean policy. The Commission has held hearings in every part of our nation and gathered testimony and input from all sectors of American society. It is now nearing the completion of its work and we expect its report recommendations to be made public in early 2004. We also expect its findings and recommendations to be influential within the United States for many years to come.

One interim recommendation from the Commission that was already publicly released is that the United States become a party to the United Nations Convention on the Law of the Sea. Since the release of that recommendation, our Senate has held two hearings

on the issue, in which administration witnesses and others have expressed strong support for United States accession to the United Nations Convention on the Law of the Sea.

Ocean issues are inherently international issues. It is our hope that, as the United States heightens its internal focus on the challenges and rewards of addressing marine and coastal issues, we will be able to work internationally with renewed vigour and purpose on many of these same concerns. We look forward to a sound and productive working relationship on the law of the sea based on these two draft resolutions before us today.

**The President:** I now give the floor to the representative of New Zealand, on behalf of the Pacific Islands Forum, to introduce draft resolution A/58/L.19.

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

As our group has often stated, we are a region blessed with a rich diversity of States, ranging from the least-developed to developing and developed. Yet this diversity is bridged by a common geography and vast interlocking ocean spaces woven together by exclusive economic zones. As joint custodians of these zones and the oceans beyond, we are well aware of the rights and duties that arise and of ensuring that its resources are conserved and managed in a sustainable manner.

As ocean States, therefore, we remain interested in the ongoing developments in ocean affairs and the law of the sea. We consider the annual debate under this agenda item — and its consequent resolutions — as part of an ongoing strengthening of the governance of the oceans. Both draft resolutions enable the General Assembly, as a collective body, to take stock of, and reflect on, the events that have taken place during the course of the year in a variety of forums, both within the United Nations system and beyond.

In that respect, our group has again endeavoured to contribute actively and constructively to the elaboration of these two draft resolutions. We commend both coordinators for the excellent manner in

which they conducted the negotiations, and the Division for Ocean Affairs and the Law of the Sea (DOALOS) for their able support and organization.

Our group has continued to value the primacy of the United Nations Convention on the Law of the Sea as the constitutional framework of the oceans and seas. It is gratifying to witness the evolution and successful functioning of its subsidiary bodies, especially the work and decisions this year of the Meeting of States Parties, as well as critical work of the International Seabed Authority and the Commission on the Limits of the Continental Shelf.

The increasing number, this year, of new States parties to the Convention and its related instruments serves as a reminder of the Convention's relevance, maturity and growing universality. We support all continuing efforts by this organization to encourage member States to join the Convention and its related agreements.

We continue to strongly support the work and role of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS). Its fresh term, complete with new co-chairs, has built on its already strong foundation and continues an energetic tradition of innovative and interactive dialogue on oceans issues of importance. The recommendations from UNICPOLOS are well reflected in both resolutions, underscoring the significant contribution the Process has made to focussing and expediting debate and negotiation under this item.

We also look forward to the operation of the newly established interagency coordination mechanism, as a vehicle for drawing together the various threads of the work of the agencies and institutions involved in oceans and law of the sea issues. We similarly support the Secretary-General's proposal for periodic informal consultations among treaty institutions on substantive issues of cross-cutting interest. Such consultations could well fit either in the margins of UNICPOLOS or the Meeting of States Parties.

Our group is also pleased with the progress made at the second informal meeting of States parties to the United Nations Fish Stocks Agreement, held in July, which elaborated a framework to enable the concrete implementation of Part VII of the Agreement, with particular emphasis on small island developing States

and their fisheries aspirations. The assistance fund established by the fisheries draft resolution is a boon to these aspirations and we invite Member States to consider contributing generously to this fund.

Within this context, we are happy to note, as our Pacific Island Forum leaders did in Auckland this year, the progress of preparations, in our region, for giving effect to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. We are pleased that the entry into force of this Convention appears to be imminent and are hopeful that the General Assembly will reflect that happy occasion at its next session. With the growing support for this Convention, we continue to urge the distant water fishing nations with a real fisheries interest in our region to make every effort to become a party to this Convention.

The Pacific Islands Forum regional oceans policy, which our leaders approved in 2002 and which was consequently noted by the General Assembly that year, elaborated some guiding principles to serve as a template for members within our group to consider as a basis for developing national ocean policies. Further elaboration of those principles will take place during the Pacific Islands Regional Oceans Forum, presently scheduled for early February 2004.

Our group considers the review of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States, to be held in Mauritius next year, to be a fresh opportunity to consider the appropriate management approaches and tools to conserve, manage and protect our oceans resources within the context of small island developing States. In that regard, while ongoing regional initiatives may continue to evolve, as a continuing expression of the Type II initiatives from Johannesburg, new ones may also emerge. We therefore look forward to continuing to give effect to the oceans and commitments related to small island developing States in the Johannesburg Plan of Implementation, reflected in Chapters IV and VI.

Finally, I have the additional honour in my national capacity to introduce draft resolution A/58/L.19, entitled "Oceans and the Law of the Sea", which was coordinated this year by the delegation of New Zealand. I would like at the outset to announce that since the publication of the draft resolution, the following countries have become sponsors of the draft

in document A/58/L.19: Belgium, Brazil, Denmark, Indonesia, Madagascar, Romania, Trinidad and Tobago, Ukraine and South Africa.

The draft resolution follows the well-established pattern of previous years. Its structure, and indeed its length, reflect a coordinated approach to the interlinked issues relating to the oceans and the law of the sea.

The preamble and section I of the draft resolution set out the fundamental principles enshrined in the 1982 Convention on the Law of the Sea, which govern all activities in the oceans and seas. Operative paragraph 1 reiterates the General Assembly's call to all States that have not done so to become parties to the Convention and the associated Agreement relating to the Implementation of Part XI in order to achieve the goal of universal participation.

Sections II, III, IV, V and VI recognize the institutional framework that underpins the Convention, including the meeting of States parties; the provisions for the settlement of disputes and the particular contribution of the International Tribunal for the Law of the Sea to that end; the work of the International Seabed Authority; and the role of the Commission on the Limits of the Continental Shelf.

It is appropriate that the first substantive section of the draft resolution, section VII, addresses the overarching issue of capacity-building, as resource and capacity issues remain a significant impediment to the full implementation of the Convention in many areas. Section XVI highlights the number of trust funds and fellowships available within the United Nations system for the assistance of developing countries, in particular the least developed countries and small island developing States. Importantly, operative paragraph 76 amends the terms of reference for the Trust Fund for preparation of submissions to the Commission on the Limits of the Continental Shelf in order to facilitate the provision of funding to those States that require such assistance.

Similarly, section XI sets out the fundamental importance of regional cooperation and takes note that there have been a number of initiatives at the regional level, in various regions, to further the implementation of the Convention.

Sections VIII, on safety of navigation and flag State implementation, IX, on capacity-building for the production of nautical charts, and X, on marine

environment, marine resources and protection of vulnerable marine ecosystems, reflect the discussions and recommendations made to the Assembly this year by the fourth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. Those sections of the draft resolution express the Assembly's views on particular topical issues and problems, and provide guidance on steps and future work to address them. The negotiation of those paragraphs was immeasurably assisted by the expert-level consideration given to those issues during the Consultative Process itself.

The focus of next year's fifth meeting of the Consultative Process, set out in section XIII of the draft resolution, will be "New sustainable uses of the oceans, including the conservation and management of the biological diversity of the seabed in areas beyond national jurisdiction". That topic will provide an opportunity to look ahead to new and emerging issues. In addition, an international workshop will be convened in conjunction with the fifth meeting of the Consultative Process to further preparations of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, which the General Assembly agreed to establish in resolution 56/12. That process will be formally established at the end of 2004 by a special intergovernmental meeting, which the Government of Iceland has generously offered to host in Reykjavik.

It is appropriate that the draft resolution conclude by expressing the Assembly's appreciation to the Secretary-General for the comprehensive report on oceans and the law of the sea (A/58/65 and Add.1), prepared by the Division for Ocean Affairs and Law of the Sea, as well as for the other activities of the Division. There is no doubt that Member States are extremely well served by the professionalism and commitment of the Division's staff. In particular, in our role as coordinator, we were greatly assisted by both the technical support and wise guidance provided by the members of the Division, and most especially by its Director, Mrs. De Marffy. I would like to add in my personal capacity that, as I understand this will be the last Assembly to benefit from Mrs. De Marffy's input, I would like to express my appreciation on behalf of all of us for the huge contribution that she has made on law of the sea issues, going back a great many years to the negotiation of the Convention itself. I wish her very well in the future. I have no doubt that we will not

completely lose her input on law of the sea issues. I thank her, once again.

As always, the draft resolution reflects the outcome of considerable negotiation and compromise. The number of sponsors reflects that the compromises reached have attracted a broad consensus. All delegations are to be thanked for their assistance and cooperation in the preparation of the draft resolution, and I have the great honour to commend it to the Assembly for adoption.

**Mr. Balarezo** (Peru) (*spoke in Spanish*): It is my honour to speak on behalf of the 19 countries of the Rio Group: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Paraguay, Uruguay, Venezuela and my own country, Peru.

Agenda item 52, entitled "Oceans and the law of the sea", covers many complex subjects that are of great interest to the Rio Group. We would like to comment, in particular, on some of the issues that are most important to our region among those that are before the General Assembly for consideration.

The Rio Group welcomes the successful conclusion of the fourth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea last June. Indeed, the Process has become a mature, informal mechanism for consultations that provides an annual review of all incidents related to ocean affairs — with special emphasis on determining those areas in which intergovernmental and international coordination and cooperation must be improved — so that all Member States, whether or not they are parties to the United Nations Convention on the Law of the Sea, can participate in the debates of that important forum on subjects of the highest priority for the sustainable development and food security of our countries.

The success of the Consultative Process is also due to a considerable extent to the annual report of the Secretary-General on oceans and the law of the sea (A/58/65 and Add.1), as well as his report on fisheries (A/58/215), and to the work that is accomplished by the United Nations Division for Ocean Affairs and Law of the Sea, and we would like to express our appreciation to them.

The members of the Rio Group which are parties to the Convention reaffirm that the United Nations Convention on the Law of the Sea establishes the fundamental legal framework for activities conducted in the oceans and seas and their sustainable development, and that its provisions reflect international customary law. We therefore welcome Canada's recent ratification of the Convention, which is an important decision both for our hemisphere and for the universalization of the Convention.

Likewise, we are pleased that the General Assembly is taking note of the report of the last meeting of the States Parties to the Convention and we hope that, at the annual meeting of the Parties, dialogue will be promoted and enriched with a view to considering substantive items related to the Convention. The importance of the Convention today warrants such consideration.

We note with satisfaction that in two draft resolutions before us on sub-items 52 (a) and 52 (b), there are specific sections on regional and subregional cooperation in different environments and sectors in which several of those initiatives are briefly outlined. In that context, it should be noted that the jurisdictional areas of several member countries of the Rio Group cover considerable expanses of maritime space. Our geographical proximity — and in some cases our maritime borders — create a range of shared interests. We believe that the best way to handle those shared interests is through regional and subregional cooperation initiatives for the integrated management and sustainable development of the coastal areas and the oceans, the protection of vulnerable marine ecosystems and capacity-building, including through technical assistance for the implementation of the provisions of the Convention.

In that regard, we take note of the holding of the Second Plenary Meeting of the Conference on Maritime Delimitation in the Caribbean, held in Mexico City last October, and of the work and activities of its Assistance Fund.

The Rio Group believes that capacity-building is essential so that the developing countries, including landlocked developing countries, can benefit from the sustainable use of the oceans and seas and in order to effectively implement the law of the sea. For that reason, we consider it a positive thing that both draft resolutions contain sections on capacity-building and

make an appeal to donors and financial institutions to provide developing countries with the resources needed to implement them. Likewise, such efforts are vital to meet the objectives of the Millennium Development Goals, the Johannesburg Plan of Action and the Monterrey Consensus and are also necessary for the realization of some of the reports to be made to the Commission on the Limits of the Continental Shelf.

The design and preparation of reliable nautical charts is indispensable in promoting safe maritime navigation and the protection of marine environment, including vulnerable ecosystems such as coral reefs and seamounts. We appreciate that that has been dealt with in a joint and integrated way at the fourth meeting of the Open-ended Informal Consultative Process, and that it is duly reflected in the draft resolution on sub-item 52 (a). In that regard, we feel the coordination of work between the International Maritime Organization and the International Hydrographic Organization is essential in order to promote a transition to electronic nautical charts — for which several of the countries of our region already have the existing capacity.

Fishing is one of the main economic activities in our countries. Nevertheless, the regular course of that activity is currently threatened by the growing presence on the high seas off our coasts of fishing fleets from overseas — often subsidized and uncontrolled — which come in search of the highly migratory and straddling fish stocks that exist both within our 200-mile national maritime jurisdictions as well as on the high seas. That activity seriously impacts the sustainability of our own fisheries.

Everyone is aware of the adverse impact on marine ecosystems and of the depletion of certain fishstocks resulting from illegal, unreported and unregulated fishing, and that is reflected in detail in the draft resolution on sustainable fisheries. The members of the Rio Group are convinced of the importance of the actions recommended in that draft resolution, including regional and subregional cooperation, and we consider that those recommendations should be implemented in accordance with the international plan of action of the Food Agriculture Organization to prevent, suppress and eliminate illegal, unreported and unregulated fishing.

Similarly, we are pleased at the entry into force of the Agreement to Promote Compliance with International Conservation and Management Measures

by Fishing Vessels on the High Seas — an event of significance as that instrument is also one of the cornerstones of international efforts to attain sustainable marine fisheries.

The Rio Group encourages the International Seabed Authority to regulate prospecting and exploration for polymetallic sulphides and cobalt-rich crusts. Likewise, we emphasize the competence of the Authority to protect the flora and fauna of the seabed, as provided for in article 145 of the Convention on the Law of the Sea.

In that regard, we welcome the initiative to consider new sustainable uses of the oceans at the next meeting of the Consultative Process, including the conservation and management of the biodiversity of the international seabed — mankind's common heritage. Such consideration is consonant with the importance of maintaining the biodiversity of the deep seas, owing to their vulnerability and biotechnological potential, and with the review on questions related to marine biodiversity that will be conducted in other forums. Undoubtedly, that will foster a fruitful international dialogue on that subject.

The countries of the Rio Group consider that the maritime transportation of radioactive material and hazardous waste require effective liability regulations that can provide sufficient guarantees to coastal States. We are particularly concerned at the use of the oceans and seas along our coasts as routes for the transport of radioactive waste. For that reason, we regret the attitude of certain shipping countries that do not share appropriate and timely information on those shipments and their routes. For that reason, we would like to emphasize that the draft resolution on item 52 (a) welcomes the work of the International Atomic Energy Agency (IAEA) on maritime transport of radioactive materials and encourages the development of the Plan of Action recommended by that Agency. We trust that that Plan of Action will be presented on March 2004, as provided for in IAEA resolution GC(47)/RES/7.

Finally, the Rio Group wishes to reiterate how important it is that the Secretary-General establish a mechanism of inter-institutional coordination in respect of ocean and coastal issues and that such a mechanism strictly meet the requirements of effectiveness, transparency and consistency. That is fundamental since, as the General Assembly itself has recognized, ocean affairs issues are closely interrelated and must be

examined with an integrated, interdisciplinary and intersectorial approach.

**Mr. Medrek** (Morocco) (*spoke in French*): It is an honour for me to speak on behalf of the Group of 77 and China on the agenda item entitled "Oceans and the law of the sea".

The States Parties to the Convention that are members of the Group of 77 and China believe that the entry into force of the United Nations Convention on the Law of the Sea nine years ago — specifically, on 16 of November 1994 — represented a decisive milestone in the establishment of a comprehensive international legal framework governing the oceans. The Group of 77 and China, fully conscious that the unique nature of the marine environment calls for the global and integrated approach of the Convention, have been involved in the codification of the law of the sea from the start.

We note with satisfaction that the institutions established under the United Nations Convention on the Law of the Sea — namely, the International Tribunal for the Law of the Sea, the International Seabed Authority and the Commission on the Limits of the Continental Shelf — are functioning well.

The Group of 77 and China wish to thank the Secretary-General for his exhaustive and relevant report on the oceans and the law of the sea. We also wish to extend thanks to the Division for Ocean Affairs and Law of the Sea (DOALOS) and, in particular, to Mrs. De Marffy, Director of DOALOS, for her contribution and constant dedication to the success of our work.

The Group of 77 and China remain concerned about the growing deterioration of the marine environment and the overexploitation of living marine resources. With respect to protection of the marine environment, it is clearly urgent today to put an end to the degradation of the marine environment from both land-based activities and shipping. This phenomenon is detrimental to human health, to combating poverty, to food security and to industry.

The Group of 77 and China support the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities which, through its practical guidelines provides direction to national and regional authorities in elaborating and



applying measures aimed at preventing, reducing and eliminating the degradation of the marine environment.

With regard to pollution from ships, the accident of the oil tanker *Prestige* focused attention on the important role played by the International Maritime Organization in elaborating international rules and regulations to prevent pollution of the marine environment from ships. In this respect, the Group of 77 and China associate themselves with this normative effort to prevent the recurrence of this kind of disaster.

Marine biological diversity is increasingly threatened by a variety of human activities. The effective protection and sustainable exploitation of marine and coastal biological diversity must henceforth be a matter of urgency for the States and international organizations concerned.

In accordance with the Plan of Implementation of the Johannesburg World Summit on Sustainable Development, the Group of 77 and China invites the international community to take every measure necessary to maintain or restore stocks at a level that would enable them to obtain a constant maximum yield by the year 2015 at the latest.

Likewise, the Group of 77 and China support the recommendations of the meeting of the Consultative Process regarding the biological diversity of marine areas, including in areas outside national jurisdiction.

The Group of 77 and China consider that international coordination and cooperation remain a prerequisite for the effective management of the oceans and seas. Within the framework of the United Nations, we believe in establishing machinery for notification and evaluation of the state of the marine environment.

With the assistance of all organizations and institutions concerned, such machinery will provide a solid scientific basis for States and regional organizations to take decisions on questions concerning the oceans.

Aware of the close interconnection among the various components of the oceans and seas, the General Assembly established an Informal Consultative Process for the integrated review of maritime affairs based on the United Nations Convention on the Law of the Sea and Agenda 21.

The Group of 77 and China attach particular importance to this Process, which represents a forum

for discussion open to all, where trends in maritime affairs and the means of strengthening cooperation can be examined in the most constructive and comprehensive manner. By reviewing in depth the many aspects of the variety of questions relating to the oceans, the Process has enabled a revitalization of the debate on oceans and the law of the sea.

In this respect, the Informal Consultative Process, which held its fourth session from 2 to 6 June 2003, once again perfectly fulfilled its mandate by facilitating a better understanding of the oceans. At this meeting of the Consultative Process, the Group of 77 and China highlighted some of their views.

The Group of 77 and China consider the chosen themes — navigation, including strengthening the capacity to produce nautical charts and the protection of vulnerable marine ecosystems — which were the focus of our debate, to be questions of great importance.

The Group of 77 and China consider that the various aspects of navigation safety are the subject of an important body of international rules and regulations. To reinforce the safety of navigation, we believe it necessary to ensure the implementation of the existing rules. We are convinced that the majority of accidents at sea result from the insufficient implementation and enforcement measures.

The Group of 77 and China consider hydrographic surveys and nautical charting are being essential for the safety of navigation and the protection of human life at sea, as well as environmental protection, including vulnerable marine ecosystems. The increased utilization of electronic marine charting will not only enable navigation security but will also provide valuable data and information.

In this regard, the Group of 77 and China encourage intensified efforts to build capacity in developing countries in order to improve hydrographic services and the produce nautical charts, including the mobilization of resources and capacity-building, with support from international financial institutions and from donors.

Concerning the protection of vulnerable marine ecosystems, the Group of 77 and China consider that it is necessary first of all to manage effectively the threats to, and impacts on, those ecosystems. To achieve that, it is urgent to improve the implementation

of existing international agreements, as well as coordination and cooperation among organizations having related mandates.

The Group of 77 and China support the suggestions and recommendations contained in the final report of the Fourth Meeting of the Informal Consultative Process. We consider that these conclusions have contributed to the improvement of the content of this year's draft resolution on oceans and the law of the sea. Our Group is party to the consensus that has emerged on this draft resolution.

In conclusion, the Group of 77 and China fully endorse the remarkable work of our Organization to establish an order for the oceans which preserves global equilibrium while responding in an equitable way to the concerns of all members of the international community. Let me take this opportunity to assure you that the Group of 77 and China will continue its active and constructive participation to enrich future deliberations on this agenda item.

**Mr. Pálsson** (Iceland): I would like at the outset to commend the Secretariat, in particular the very able staff of the Division for Ocean Affairs and the Law of the Sea, for their comprehensive report on oceans and the law of the sea. Allow me also to congratulate the coordinators, Ms. Elana Geddis of New Zealand and Mr. Colin McIff of the United States, for their professional conduct of the informal consultations on the two draft resolutions.

Last year we commemorated the 20th anniversary of the United Nations Convention on the Law of the Sea. Iceland welcomes the fact that in the last 12 months the Convention has been ratified by seven States, bringing the total number of States parties up to 145. It urges those States that still have not ratified the Convention to do so in order to achieve the ultimate goal of universal participation. The Law of the Sea Convention provides the legal framework for all our deliberations on ocean affairs. It is imperative that the Convention be fully implemented and its integrity preserved.

We note with satisfaction that the three institutions established under the Law of the Sea Convention are functioning well. The Commission on the Limits of the Continental Shelf has already received and dealt with the first submission from a coastal State regarding the establishment of the outer limits of the continental shelf beyond 200 nautical

miles. Iceland is now in the process of preparing its submission to the Commission and follows its work with special interest.

In that context, I am pleased to report that last June the Law of the Sea Institute of Iceland and the Center for Oceans Law and Policy of the University of Virginia law school co-hosted in Reykjavik a Conference on Legal and Scientific Aspects of Continental Shelf Limits. It is our sincere hope that this Conference, attended by 170 legal and scientific experts from 50 countries, has contributed to a deeper understanding of some of the key issues arising from the application of article 76 of the Convention.

The Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks is of paramount importance, as it provides the framework for conservation and management of those stocks by regional fisheries management organizations; however, the effectiveness of the Agreement depends on its wide ratification and implementation, and we encourage those States that have not ratified the Agreement to do so.

Ocean issues continue to be the subject of growing attention in the General Assembly, as witnessed, for example, by the Informal Consultative Process on Oceans and the Law of the Sea. This is hardly surprising, as we have increasingly come to appreciate that the ocean is the very cornerstone of our life-support system on this planet.

The World Summit on Sustainable Development in Johannesburg confirmed the global importance of the marine environment. The section on oceans and coasts in the Johannesburg Plan of Implementation illustrates how far the international community has come in dealing with this issue. We are pleased to note that the Global Forum on Oceans, Coasts and Islands, set up in Johannesburg to mobilize support for oceanic issues at the Johannesburg Summit, concluded in Paris earlier this month a most successful conference on how best to facilitate and promote the implementation of commitments made.

Through the Johannesburg Plan, we have been given an important policy direction, including objectives and targets for sustainable fisheries, application of the ecosystem approach, reduction of land-based pollution and the improvement of scientific understanding and assessment of marine and coastal ecosystems as a basis for sound decision-making.

Following the Reykjavik Declaration on the ecosystem approach, my Government has begun to integrate this approach into the management of Iceland's living marine resources. Also, we are actively taking part in efforts, spearheaded by the Food and Agriculture Organization (FAO), to contain and eliminate illegal, unreported and unregulated fishing. We are furthermore actively supporting endeavours to diminish the overcapacity of the world's fishing fleets, a principal contributor of overexploitation and depletion of fish stocks in many regions.

The world community does not lack the tools to ensure conservation and sustainable management of living marine resources. The United Nations Convention on the Law of the Sea, the Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, chapter 17 of Agenda 21, the FAO Code of Conduct for Responsible Fisheries and the Convention on Biological Diversity all exemplify such tools, providing countries of the world with the means to develop their fisheries management systems in a sustainable manner. While global instruments are often called for, we should bear in mind that the responsible management of the living resources of the sea is best carried out at the local and regional level, in partnership with those who are closest to and depend on the resources for their livelihood.

In the context of the regional implementation of the Johannesburg commitments, allow me to speak for a few moments in my capacity as Chairman of the Senior Arctic Officials of the Arctic Council, where Iceland currently holds the Chairmanship.

The Arctic is predominantly a marine environment as the Arctic oceans cover approximately 20,000 square kilometres — making them eight times bigger than the Mediterranean, for example.

As a regional organization, the Arctic Council can have an important role to play in the implementation of the commitments of the Johannesburg Summit. The Council provides, for example, regional coordination and cooperation to protect the Arctic marine environment from both land- and sea-based activities, through, among other things, the implementation at the regional level of the United Nations Environment Programme's Global Programme of Action. We are encouraged that the Commission on Sustainable Development has acknowledged the

importance of regional bodies in the implementation of the Johannesburg Plan.

In the context of the Johannesburg commitments, I would like to draw particular attention to the Arctic Council's strategic plan for the protection of the Arctic marine environment, launched by ministers one year ago. The new strategy is based on an integrated approach to sustainable ocean management and we are confident that this plan will contribute significantly to the fulfilment of targets set by the World Summit on Sustainable Development.

A three-day workshop, hosted in Reykjavik last month, under the auspices of the Arctic Council, was an important milestone in this regard. The objective of the workshop was to provide a forum for exchanging information and ideas on the drivers of change and trends in ocean management.

The main drivers of change identified at the workshop include climate change and increased economic activity. Both call for an integrated, holistic approach. There was broad consensus that the ecosystem approach should be central to the Arctic marine strategy. At the same time, it was recognized that more work was needed to define how an ecosystem approach is to be implemented, given that this is a relatively new concept in natural resource management.

Climate change is the subject of a major study being conducted by the Arctic Council, the so-called Arctic Climate Impact Assessment. This will be the first comprehensive regionally based study of climate change to be published since the United Nations Framework Convention on Climate Change. The study, scheduled to be completed by next fall, will provide an overview and make possible an assessment of the future impact of climate change on the environment and its living resources, on human health and social and economic activities, in addition to guiding possible policy responses.

The sometimes daunting implications of climate change have begun to emerge. Some preliminary key findings of the study reveal, for example, rising sea levels. This will in turn affect coastal communities, islands, river deltas and harbours. Sea ice reduction will also affect climate feedbacks, species migration and, in turn, subsistence lifestyles and human health. Furthermore, changes in the hydrological cycle may

impact, for example, river flow, leading, in certain cases, to higher floods or more severe droughts.

Climate change in the Arctic is not of local or regional nature only. It concerns the global community, including, in particular, small island developing States that will bear some of the severest consequences of rising sea levels. Climatic and marine environmental issues must be viewed through a global prism. Through its work in those areas, the Arctic Council is confident that it can contribute to a better understanding of and a more effective response to some of the most demanding marine environmental challenges confronting the international community.

Iceland has actively encouraged and taken part in an open discussion on marine pollution, an issue of international concern. Pollution respects no boundaries and cannot be tackled successfully in the absence of global coordination. It has long been recognized that one of the most serious and extensive threats to the health of the marine ecosystem is pollution from land-based sources.

As the implementation of the Global Programme of Action to Protect the Marine Environment from Land-Based Sources has fallen short of expectations, national or regional action plans should play a leading role in redressing this issue. Only a few countries have as yet finalized such action plans. More efforts are needed and Iceland strongly urges Governments that have not done so to develop their own plans of action based on sound scientific advice.

Efforts to strengthen international action to protect the oceans from land-based pollution and other man-induced threats have been hampered by the lack of information, readily accessible to policy makers, on the state of the marine environment. The lack of a comprehensive overview is arguably one of the main reasons why measures to protect the marine environment have not been focusing on the real priority issues. Regular assessments, including socio-economic aspects, are needed as a basis for responsible decision-making.

We are therefore delighted that the General Assembly, following the recommendation of the Johannesburg Summit, decided in its omnibus resolution last year, 57/141, to establish by 2004 a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects. The

decision to establish this regular process acknowledges that international action is needed to protect the marine environment from land-based pollution or other activity that causes pollution or the physical degradation of the ocean.

The Government of Iceland has accepted the invitation to host the intergovernmental meeting to formally establish the regular process, as spelled out in operative paragraph 65 of this year's proposed omnibus resolution. The decision bears testimony to the great importance my Government attaches to this issue. A preliminary date for the intergovernmental meeting is 20 to 22 October 2004.

By way of conclusion, allow me for a moment to focus on the big picture: We are told that life began in the oceans some 2 to 3 billion years ago. We are also informed that the Earth is unique in our solar system, as no other planet has liquid water. This allows us to frame the subject of the agenda item before us, "Oceans and the law of the sea", in a helpful perspective. The oceans we have been given in trust are a precious gift and possibly exceptional in the universe as we know it. Let us therefore take care of them. As a former judge at the International Court of Justice once put it: "Good planets are hard to find".

**Mr. Nesi (Italy):** I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, and the associated countries Bulgaria and Romania, align themselves with this statement.

The draft resolution on "Oceans and the law of the sea" (A/58/L.19), negotiated during this session of the General Assembly, addresses a wide range of issues. Oceans and the law of the sea is an item on which several developments have taken place in recent times. In order to consider such developments, increased attention should be paid not only to the traditional aspects of the law of the sea but also to new situations, with the aim of identifying the most effective measures concerning management of the sea and coastal issues.

In light of recent negotiations and the debate that took place during the Informal Consultative Process last June, the European Union would like to dwell in particular on two topics that are of crucial importance and to which two chapters of the draft resolution are devoted — first, safety of navigation and flag State

implementation; and secondly, the marine environment, considered not only in the context of the sea but also with regard to the impact on coasts.

As regards safety of navigation, among the different initiatives recently taken, the European Union would like to draw attention first of all to the one regarding the necessity of progressively phasing out the use of single-hull oil carriers. Following the oil tanker *Prestige* accident in November 2002, the European Commission launched a number of initiatives in accordance with its communication on improving safety at sea. The Commission has invited member States to endeavour to ensure that the International Maritime Organization (IMO) adopts similar measures and that an appropriate inspection scheme is introduced for double-hull oil tankers over 15 years old.

In this respect, a new European Commission regulation which came into force in October 2003 has banned the transport of heavy fuel oil in single-hull carriers to and from the European Union member States ports, while speeding up the timetable for the withdrawal of single-hull oil tankers. It is also worth mentioning that on 14 November 2003 the European Commission published the first list of ships definitively banned from European Union ports, together with an additional list of vessels which will be banned in the near future if they are detained one more time on safety grounds.

Furthermore, turning now to the draft resolution which we expect to adopt as soon as possible, the European Union welcomes the decision to invite the relevant competent international organizations to study, examine and clarify the role of the genuine link in relation to the duty of flag States to exercise jurisdiction and effective control over ships flying their flag, including fishing vessels. The Secretary-General is asked to prepare and disseminate to States a comprehensive elaboration on the duties and obligations of flag States, including the potential consequences for non-compliance with these obligations prescribed in the relevant international instruments.

In this context, the European Union endorses the ongoing work of the IMO in elaborating a code for the implementation of IMO instruments and the introduction of an IMO Model Audit Scheme, which should be introduced first on a voluntary basis, and then mandatory, once it has been tried and tested.

We also acknowledge the importance of finalizing the Convention on Wreck Removal as a priority issue in the IMO.

The European Union is also concerned with an old phenomenon that has recently acquired a more troubling dimension: the perpetration of unlawful acts, including terrorist acts, which seriously threaten the safety of navigation. In this connection, the European Union strongly supports the efforts under way in the IMO to strengthen the 1998 Convention for the Suppression of Unlawful Acts Against the Safety of Marine Navigation, as well as its related Protocol, as articulated by the IMO during last October's session. This initiative seeks to prevent and suppress unlawful acts at sea, armed attacks and terrorism activities.

With regard to the marine environment, the European Union would like to focus on regional and subregional cooperation by making specific reference to three particular sea areas in Europe: the Mediterranean Sea, the North-East Atlantic, including the North Sea, and the Baltic Sea region. Since the beginning of the 1970s, the Barcelona process, the Convention for the Protection of the Marine Environment in the North-East Atlantic (OSPAR Convention), the Helsinki Commission (HELCOM), and the North Sea conferences, have provided useful frameworks for cooperation.

In addition to environmental agreements, the special configuration of the Mediterranean Sea and the Baltic Sea, in particular, have also given rise to other agreements concluded with the objective of consolidating friendly relations among respective coastal States, thereby influencing the political developments of those regions.

Furthermore, the creation of maritime protected areas such as the Baltic Sea Protected Areas, introduced in 1994, and the 1999 Mediterranean sanctuary for marine mammals constitute good examples of regional cooperation. Similarly useful legal instruments could be adopted in other areas of the world, taking into account local and specific needs, as well as the relevant provisions of the 1982 United Nations Convention on the Law of the Sea.

On the subject of marine protected areas, we would like to make an observation concerning the so-called "Particularly Sensitive Sea Areas", an issue on which the European Union wishes to maintain an ongoing dialogue with the IMO and its various bodies.

Particularly Sensitive Sea Areas is the international designation for the highest level of environmental protection available through the IMO. A number of European Union member States have successfully submitted proposals for such areas in recent years, while others are in the process of elaborating such proposals. In this connection, the European Union welcomes the designation in principle by the IMO of the Western European Atlantic Coast and the English Channel as a Particularly Sensitive Sea Area.

These initiatives can provide, if developed in accordance with the procedures and guidelines that govern the IMO process for the designation of Particularly Sensitive Sea Areas, and in cooperation between the coastal States affected, an extremely valuable system of defence for States' vulnerable seas and coasts against the threats that may be posed by international shipping. Of significance, Particularly Sensitive Sea Areas, in their associated protective measures as approved by the IMO, perform this protective function within the framework of the United Nations Convention on the Law of the Sea and provide a safeguard for the fundamental navigational rights and freedoms which are contained in that Convention.

*(spoke in French)*

In conclusion, the European Union would like to commend the work of Mrs. Annick De Marffy, who heads the Division for Ocean Affairs and the Law of the Sea, as well as that of her entire team. It is with sadness that we would note her approaching departure. We take this opportunity to convey to her our sincere gratitude and appreciation for her excellent work over these last years. We will miss her.

**Mr. Neil** (Jamaica): I have the honour to make this statement this morning on behalf of the 14 member States of the Caribbean Community (CARICOM) that are Members of the United Nations.

We associate ourselves with the statement made this morning by the representative of Morocco, on behalf of the Group of 77 and China.

In December last year we commemorated the 20th Anniversary of the opening for signature of the United Nations Convention on the Law of the Sea. Special tribute was paid to those who made significant contributions to applying the principle of the common heritage of mankind in relation to ocean resources beyond the limits of national jurisdiction, as well as the

overall negotiation of the Convention on the Law of the Sea.

I make special mention of one of those persons, Judge Lennox Ballah, of Trinidad and Tobago, who was present with us at the commemorative session but who sadly, passed away earlier this year. We honour his memory today and recall his outstanding contribution. We also take the opportunity to congratulate Mr. Anthony Lucky, an accomplished jurist, who was elected as a judge on the International Tribunal for the Law of the Sea and we wish for him a successful term of office.

CARICOM member States welcome the opportunity to underscore the importance of this Convention as the overall legal framework governing ocean activities. We are encouraged by the progress towards universal adherence to the Convention, and we are pleased to note that since we last met in December, eight countries have ratified the Convention, increasing the number of States parties to 145.

We thank the Secretary-General for his reports (A/58/65 and Add.1, A/58/243) which provide a comprehensive overview of activities relating to oceans and the law of the sea. We also take this opportunity to commend the Division for Ocean Affairs and the Law of the Sea for its work in providing guidance and support to Member States in implementing provisions of the Convention.

We are satisfied that the three institutions created by the Convention are carrying out their mandate effectively. Good progress is being made by the International Seabed Authority in developing the framework for cooperation in seabed resources. Important steps were taken at the ninth annual session of the Assembly of the Authority in relation to advancing discussions on regulations for prospecting and exploration of polymetallic sulphides and cobalt-rich crusts in the international seabed area, as well as in relation to conservation of biodiversity in the area. We commend the Authority for its continuing role in providing training through annual workshops on the scientific and technical aspects of deep seabed mining and in the critical area of protection and preservation of the marine environment.

In relation to the work of the Commission on the Limits of the Continental Shelf, no new submission regarding the outer limits of the continental shelf was received from a coastal State. However, the

Commission is still in the process of reviewing the submission previously made and has also undertaken a review of its internal procedures to facilitate the process of dealing with future submissions. The guidelines developed by the Commission to facilitate States making their submissions are now being used, through the collaborative efforts of the Commission and the United Nations Secretariat, to prepare a training manual to assist States in developing the technical capacity for the preparation of their submissions. We would also wish to make special mention of the Trust Fund for submission and participation and express our hope that it will continue to receive generous donations.

The International Tribunal for the Law of the Sea has continued to receive submissions from States from various regions for the settlement of disputes relating to various provisions of the Convention. The Tribunal's record in dealing with such cases in an efficient and timely manner is now established. The range of cases for which judgement is sought is also an indication of growing confidence in the competence of the Tribunal.

It seems clear from the deliberations and outcome of the fourth meeting of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea that the General Assembly's renewal of the mandate of the Process for another three years is justified. We are pleased to see that its deliberations have become more focused, giving greater scope for implementation of its recommendations.

We have studied the Secretary-General's report on developments relating to the safety of navigation, protection of maritime environment and the issue of international coordination and cooperation. These are matters of prime importance to Caribbean Member States from the standpoint of economic and security interests. The Caribbean Community (CARICOM) consists of island and coastal States that have a vital and continuing interest in our shared patrimony in the Caribbean Sea.

The Governments of the region continue to express their concern over the transport of hazardous materials through the Caribbean Sea and the potential risk of serious harm to its fragile ecosystems and marine resources, on which a large percentage of the population depend for a livelihood. Of special concern is the transportation of nuclear waste materials, which has been consistently opposed by Caribbean

Governments. This activity exposes the region to unacceptable risks and we continue to urge the parties concerned to refrain from use of the Caribbean Sea as a transit route for such shipments.

Taking into account the semi-enclosed nature of the Caribbean Sea, Caribbean Governments have sought the cooperation of the international community so as to expand on the current designation of the Wider Caribbean Region as a Special Area under the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter in order to address wider concerns affecting development and environmental protection.

We welcome the recent adoption of a resolution by the International Atomic Energy Agency on measures to strengthen maritime transport safety. We also strongly urge the International Maritime Organization (IMO) to continue elaborating regulations to improve the safety standards for ships and for an effective compensation regime in the event of accidents.

A regional approach to the protection and preservation of the marine environment has certain definite advantages and we take this opportunity to express appreciation for the United Nations Development Programme/IMO project for the upgrading of the maritime legal and administrative regimes of CARICOM member States. The work of the Economic Commission for Latin America and the Caribbean and the United Nations Environment Programme Regional Seas Programme in facilitating this approach is also achieving some success in the region.

There is greater awareness of such issues as the impact of land-based sources of marine pollution, which is estimated to account for 80 per cent of all pollution entering the oceans. The concept of marine protected areas is also gaining greater understanding and support.

The CARICOM Fisheries Resource Assessment and Management Programme, supported by the Canadian International Development Agency, has contributed significantly to the improvement of fisheries management capacity in the region. However, we must mention that there is still concern over the persistence of illegal, unregulated and unreported fishing in Caribbean waters, which is undermining the effectiveness of conservation management and in some

areas is damaging the ecological systems in the Caribbean Sea.

While CARICOM member States have all demonstrated their commitment to the United Nations Convention on the Law of the Sea by their ratification, their ability to effectively implement the provisions of the Convention is constrained by inadequate resources. In this context, we welcome the recommendation of the Consultative Process that the International Hydrographic Organization intensify its efforts to build capacity in developing countries for the production of electronic nautical charts and to provide data and information that can be used for fisheries activities and for other uses such as delimitation of maritime boundaries.

With so many delimitation negotiations of great complexity to be undertaken and completed in the region, we welcome the convening of the second Conference on Maritime Delimitation in the Caribbean, hosted by the Government of Mexico. We hope that, in collaboration with the United Nations Secretariat and with the cooperation of our partners and pertinent institutions contributing to the Trust Fund, the necessary technical assistance can be made available and the political will found to conclude agreements to the mutual benefit of the respective States. We continue to support this initiative as a means of advancing delimitation negotiations through cooperation within a regional framework.

We also wish to emphasize the importance of ensuring cooperation in interdiction and the tightening of security to restrict illegal activities in the Caribbean Sea. This should not be confined to concerns about drug trafficking and weapons of mass destruction, but should also extend to the illicit traffic in small arms and light weapons, which constitutes a danger to stability in the region.

Next year will be the tenth anniversary of the entry into force of the Convention and, although there is much work ahead of us in terms of international coordination and cooperation, important steps have been taken. This can be taken further through the creation of an effective inter-agency coordinating mechanism for issues relating to oceans and seas within the United Nations system. This proposal is contained in draft resolution A/58/L.19 before us and we give it our support.

At the same time, we recognize that, for international cooperation to be effective, it has to be matched by corresponding efforts at the national level. Caribbean Community member States are doing their part and are continuing to develop coordinating mechanisms for the effective implementation of the Convention.

**Mr. Strømmen** (Norway): Norway welcomes the steadily growing number of ratifications of the United Nations Convention on the Law of the Sea. This comprehensive legal framework for all ocean activities is effectively consolidating its position as the fundamental instrument for the law of the sea.

Joint efforts are needed to facilitate the implementation of the Convention. There may also be differences between the Parties' abilities to implement the various articles and take advantage of the possibilities offered by the Convention. We therefore note with satisfaction the widespread consensus that capacity-building is one of the main challenges in the area of the law of the sea.

Norway has attempted to play an active role in facilitating the implementation of the Convention through capacity-building. In connection with article 76 submissions to the Commission on the Limits of the Continental Shelf, we have bilateral cooperation efforts with several countries in which Norwegian experts work with their relevant counterparts from the other country. More generally, we have contributed financially to the United Nations Environment Programme/Global Resource Information Database (UNEP/GRID) designed to make research data available to States parties preparing their article 76 submissions. In addition, we have contributed to the trust fund for participation in meetings of the Commission and to the trust fund for training and scientific advice related to the continental shelf. States that need assistance in implementing article 76 may wish to consider whether some of those tools might be helpful to them. With regard to the 1995 Fish Stocks Agreement, Norway has given priority to the implementation of Part VII concerning the special requirements of developing States. We are pleased that the Assembly is about to establish a trust fund for that purpose and Norway has decided to contribute to that fund. We encourage others to contribute to those funds as well.



The Convention's contribution to the maintenance of international peace and security is obvious. The horrific acts of 11 September made our collective security challenges painfully clear, and we must intensify our efforts in relevant forums — such as the International Maritime Organization (IMO) — to prevent shipping from becoming a tool for terrorists. One extremely important issue in that regard is the prevention of trafficking in weapons of mass destruction. To combat such trafficking a combination of national measures and joint intergovernmental cooperation efforts will be needed. For example, in the prevention of the maritime transport of illegal material there is a close link between each State's implementation of national export control regulations, port State control and international cooperation. Norway is actively involved in those efforts.

The Convention is also a unifying framework for the growing number of more detailed international agreements on the protection and utilization of the marine environment and the conservation and management of marine resources. What we need to do now is examine how the different instruments work with one another, how they relate to the Convention and how the framework can offer the best possible protection of the marine environment and management of marine resources.

As regards the management of marine resources in general, we welcome the Food and Agriculture Organization guidelines for the implementation of the integrated ecosystem approach to management. To promote conservation and sustainable use of marine resources, we need an integrated approach to the management of land, water and living resources. We look forward to continued work on this in the run-up to next year's Conference of the Parties to the Convention on Biological Diversity.

Living marine resources outside national jurisdictions must be managed by competent resource management organizations. Some would like to see instruments with a different focus serve as a framework for the management of commercially utilized resources, but we are not convinced that this would serve the purpose. The necessary scientific advice and decision-making process capable of delivering timely decisions are best obtained in organizations designed specifically to take on such management tasks. Regional organizations are essential in this regard. One example is the Commission for the Conservation of

Antarctic Marine Living Resources, which is at the forefront in implementing the ecosystem approach to management. The Commission is also playing an important role in the fight against illegal, unreported and unregulated (IUU) fishing of Patagonian toothfish, an activity that is so well organized that we are in fact talking about organized crime. Relevant measures being taken by the Commission include satellite surveillance of fishing vessels and blacklisting of vessels involved in IUU fishing. We believe the Commission has shown that difficult and sensitive management issues can be dealt with constructively by regional management organizations. However, the facts also show that illegal activities outside nationally controlled fisheries continue to be a huge challenge.

Some IUU fishing vessels use re-flagging as a way of escaping control. Getting flag States to take their international law responsibilities seriously is a major challenge. In that connection, Norway is pleased that it has been agreed to ask the IMO and other relevant organizations to study, examine and clarify the genuine link and to issue a report on that subject. The report should outline how the link between the vessel and the flag State can be established so that the flag State is able to exercise effective control over vessels flying its flag. In addition to the fisheries aspects, the report will also have to address larger questions relating to shipping in general. One pertinent question in that regard is how the link should be formulated so that the flag State would be able to ensure that its ships respect international environmental standards. We have also agreed to request the Secretary-General to elaborate on flag State duties in general and on the potential consequences of non-compliance with those obligations.

Resource management and measures against IUU fisheries must be complemented by an appropriate response to the challenges posed by pollution, which continues to be a major threat to marine ecosystems and fisheries. The problem of pollution is mainly caused by land-based sources, which are responsible for 80 per cent of marine pollution. We welcome achievements in the field of combating chemical pollution, such as the Stockholm Convention on Persistent Organic Pollutants, which will enter into force next year. We remain concerned, however, about the lack of general binding global agreements on land-based pollution. Another significant weakness in the international legal system is the lack of liability

regimes in the field of transboundary environmental damage. In that regard, we welcome the efforts of the International Law Commission to codify rules concerning State responsibility for damage resulting from acts in conflict with international law, as well as those that are not prohibited by international law. Also of relevance in that connection is the preventive principle of good-neighbourliness and cooperation and the emerging customary obligation of the precautionary approach, which holds that dangerous trends, even without scientific certainty, should be stopped before they become irreversible problems.

Norway actively supports stricter measures to increase the safety of navigation and protect the environment, including IMO measures for phasing out single-hull tankers. All measures must, however, be implemented on a multilateral basis within the framework of relevant international instruments. Unilateral measures outside the regime of the Convention and outside IMO agreements — for instance, against regular shipping operating within international standards — would be contrary to international law and could undermine the Convention. Such developments would not serve either the environment or coastal States.

Regarding transport of radioactive material, we welcome the decision at the forty-seventh session of the General Conference of the International Atomic Energy Agency (IAEA) to develop an action plan on that matter. That action plan should be based on the findings and the summary of the International Conference on the Safety of Transport of Radioactive Material, held in July 2003. We will contribute to this process and hope the IAEA Board will approve the plan in March 2004.

An important part of Norwegian marine environmental policy is to preserve biological diversity, habitats, fauna and flora through the establishment of marine protected areas. So far, 36 areas have been proposed and we plan to have the first network of such areas in place by 2005. One of our reasons for establishing such areas is to protect some of the world's largest cold-water coral reefs located in the Norwegian part of the North-East Atlantic. Norway, in cooperation with the United Nations Environment Programme (UNEP), has initiated a process to encourage the International Coral Reef Initiative to include cold-water reefs in its work. To prevent our initiative from taking focus and resources away from

equally important work on tropical reefs, we are prepared to contribute financially and practically to the work on cold-water reefs.

In relation to the protection of the marine environment, Norway is pleased to note that we have agreed on a process for establishing by 2004 a regular process for global reporting and assessment of the state of the marine environment. In designating this, it is important to build as far as possible on the relevant work already undertaken by bodies such as UNEP and to avoid establishing new mechanisms and channels of communication.

Norway is grateful to the Government of Iceland for its efforts on this issue and for its willingness to host the intergovernmental meeting. We are prepared to contribute throughout this process.

**Mr. Owade** (Kenya): The Kenyan delegation wishes to align itself with the statement made this morning by the representative of Morocco, on behalf of the Group of 77 and China.

Since its adoption 20 years ago, the United Nations Convention on the Law of the Sea (UNCLOS) has represented the most elaborate scheme of codification and progressive development of international law. Nevertheless, a myriad of ocean-related challenges continue to confront us. We are experiencing increased overexploitation of fisheries and destructive fishing practices, widespread degradation of the marine environment and a rise in ship-related accidents and crimes. Many States parties, particularly developing coastal and small island States, have yet to attain the capacity to carry out their obligations under the Convention and other relevant instruments, and some flag States are wanting in fulfilling their international legal obligations.

The importance of UNCLOS in the maintenance and strengthening of international peace and security, as well as in the sustainable development of the oceans and the seas, cannot be overemphasized. We note with satisfaction that the number of States parties has now risen to 145. In this regard, my delegation congratulates States that have recently joined the Convention. It is our earnest hope that the States that have not yet done so will consider ratifying or acceding to the Convention as a matter of priority in order to achieve the goal of universal participation.

My delegation appreciates the efforts of the Commission on the Limits of the Continental Shelf in assisting States in the preparation of submissions regarding the outer limits of the continental shelf. In this regard, we are happy to note that a training manual to assist States in developing knowledge and skills is being prepared by the Division for Ocean Affairs and the Law of the Sea, in conjunction with the Commission. We look forward to the publication of the manual, as it will be an important capacity-building tool.

Flag States bear the primary responsibility for ensuring safety at sea. Indeed, the lack of effective control by flag States over ships flying their flags poses a threat to the safety of navigation and the marine environment. It also places an additional burden on port States in ensuring compliance with marine regulations. In this respect, my delegation fully endorses initiatives by United Nations bodies, particularly the International Maritime Organization (IMO) and the Food and Agriculture Organization (FAO), aimed at strengthening the capacity of flag States in implementation and enforcement. We support the actions endorsed by the Organization for Economic Cooperation and Development (OECD) in its policy statement on sub-standard shipping as indicated in paragraph 91 of document A/58/65.

We take note that the shipping industry is currently developing guidance on flag State performance. While this is commendable, we recommend that the relevant United Nations bodies and agencies explore the possibilities of working cooperatively with them. This will ensure that the shipping industry's work on this matter is in harmony with the provisions of the Convention and other relevant international instruments.

Capacity-building is critical for many developing countries, to enable them to implement the Convention and to reap the accruing benefits. This has been underscored by successive General Assembly resolutions. Indeed, several trust funds have been established to assist States in building capacity on specific issues. We hope that these trust funds will continue to receive support through generous voluntary contributions.

We are particularly grateful that, for almost two decades, the Hamilton Shirley Amerasinghe Memorial Fellowship programme has played a significant role in

the capacity-building of developing countries through training of Government officials in ocean affairs and the law of the sea. My country has been a beneficiary of this programme. It is, however, regrettable that in recent times support for this programme has dwindled. We therefore urge member States, organizations and individuals to make voluntary contributions to this programme in order to sustain it.

My delegation is encouraged by the TRAIN-SEA-COAST programme, administered by the Division for Ocean Affairs and the Law of the Sea. We hope that the division will continue to administer the programme, taking into account the need for wider geographical participation.

The Informal Consultative Process on oceans and the law of the sea has proved useful as a forum for a comprehensive exchange of views. It has greatly contributed to strengthening the annual debate on oceans and the law of the sea. Under the able co-chairmanship of His Excellency Mr. Felipe Paolillo and Mr. Philip D. Burgess, to whom we are grateful, the Process, in June 2003, focused its discussions on protecting vulnerable marine ecosystems and safety of navigation. My delegation supports the request to the Secretary-General to convene the fifth meeting of the consultative process in June 2004.

As a host country to the United Nations Environment Programme (UNEP) and many other international organizations, Kenya attaches great importance to the protection and preservation of the marine and coastal environment. The Kenyan Government has put in place a number of protection and conservation measures. We have established marine parks and reserves within our coastal areas, in an effort to conserve and protect coastal and marine species and ecosystems from emerging and potential threats. The Merchant Shipping Act has recently been amended to mitigate the effects of marine pollution from marine transport activities and dumping. A task force has been established to undertake a review of maritime laws. In addition, framework legislation on environmental management and coordination has been enacted as part of a strategy to implement agenda 21 under the outcomes of the Johannesburg World Summit on Sustainable Development.

Kenya is co-coordinating the coastal and marine environmental component under the New Partnership for Africa's Development initiative. We call upon the

international community to support African countries in implementing this very important programme.

I will now turn to the important issue of fisheries. We welcome the report of the Secretary-General (A/58/215) on the status of implementation of the 1995 United Nations Fish Stocks Agreement. It is encouraging to note that, since its adoption in 1995, the Agreement has had a significant impact on the conservation and management of fisheries.

As a developing coastal State, Kenya has a keen interest in the implementation of this Agreement. National procedures towards accession to the Agreement are at an advanced stage. However, even as we await accession, we continue to work and cooperate with other States and international organizations in efforts to fully implement the agreement. We believe that the full impact of the Agreement can only be attained through universal acceptance of its provisions. We agree with the Secretary-General's view that coastal States have a greater obligation in ensuring effective implementation of the Agreement.

The Fish Stocks Agreement provides a balanced approach to the conservation and management of our fish stocks. It provides an equitable basis for sharing the benefits and obligations in the management of our shared fishery resources among States. This, however, can only be realized through cooperation among States and capacity-building for developing countries.

We thus endorse the Secretary-General's recommendation for implementing the provisions of Part VII of the Agreement to address the concerns of many developing countries. These concerns include lack of comprehensive national fisheries management plans and legislation for implementation of the Convention and the Fish Stocks Agreement; lack of capacity to exercise flag State controls; inability to exercise the powers of port States; and limited capacity to carry out marine scientific research and to develop surveillance systems.

Capacity-building for developing countries and facilitating their participation in regional fisheries management organizations is an important starting point in the implementation of the Agreement. In implementing these measures, we urge the United Nations and other relevant international organizations, such as the FAO, to take into account the principle of equitable geographical distribution. We note that not all coastal regions are adequately represented in this

programme. For instance, the East Africa subregion lacks a fisheries management organization that caters specifically to its particular needs. We therefore hope that, once fully operational, the trust fund established under Part VII of the Agreement will assist and support coastal States in negotiations to establish such organizations in areas where they are not currently in place or not adequately developed.

Before I conclude, we appreciate the important role played by the FAO and other international bodies in the management of fisheries. We urge continued and enhanced cooperation between those organizations and the United Nations in achieving the common goal of sustainable fisheries.

In conclusion, may I reiterate that the Kenyan Government is committed to the full implementation of the Convention on the Law of the Sea and other related international instruments. We will continue to work with other States and international organizations towards this end.

**Mr. Hachani** (Tunisia) (*spoke in French*): My delegation aligns itself with the statement made this morning by the representative of Morocco, on behalf of the Group of 77 and China. I would like to add a few elements that we believe are particularly important.

Let me at the outset take this opportunity to express my gratitude to the Secretary-General of the United Nations for his tremendous efforts in drafting his detailed and exhaustive report on oceans and the law of the sea (A/58/65 and Add.1). I would also like to thank the Division for Ocean Affairs and the Law of the Sea (DOALOS) for its ongoing contribution and its devotion to the success of our work.

This year we take up the agenda item entitled "Oceans and the law of the sea" on the eve of the tenth anniversary of the entry into force of the United Nations Convention on the Law of the Sea, which, today, some 20 years after it was adopted on 10 December 1982, has 145 States parties. There is no need to recall the historic scope of this text. It is innovative in its content and constitutes a clear contribution to international maritime law and an important milestone towards codifying international law.

Let me take this opportunity to urge States who have not yet done so to ratify and accede to the Convention to ensure universal participation. This

international recognition will of course be crucial to its implementation and success, given that the goal of universal participation cannot be achieved without the presence of certain major industrialized nations, including maritime Powers.

For its part, Tunisia, ever since ratifying the Convention, has worked to effectively implement it, particularly by establishing a standing committee on the law of the sea tasked with harmonizing and bringing into line relevant national laws with the provisions of the Convention.

By establishing a regime for use of the seabed beyond national jurisdiction that provides for equitable sharing of resources, the Convention has reflected the aspiration to a just and equitable economic order governing oceans. By conveying the concept of the common heritage of humankind, it crystallizes all the hopes of the developing countries for a world based on peace, justice, solidarity and progress for all. That is why Tunisia underscores the need to preserve the spirit of the Convention, although we understand the reasons cited by those who advocate reconsidering certain aspects of the regime set forth in the Convention, that is, adapting the Convention to new economic and political realities.

The protection and preservation of the marine environment and its fishing resources, particularly of coastal States, is a source of ongoing concern for Tunisia, which is located along a semi-enclosed sea and whose territorial waters are adjacent to the open seas. To be sure, the Mediterranean has seen its fauna and flora increasingly threatened by pollution, whether originating on land or due to navigation. In order to cope with the continuing degradation of the marine environment and the serious threat that stems from it, particularly for coastal States located in closed or semi-enclosed seas, we believe that the action of the international community should, on the one hand, lead to working out binding guidelines — and not simply codes of conduct — in the area of preserving and protecting the marine environment and, on the other hand, should plan for preventive short-term and long-term measures. In this regard, the overall legal framework of the Convention to protect the marine environment and preserve ocean resources is a clear watershed that should guide any international effort in this area.

Other international relevant instruments that constitute milestones in that respect include the Barcelona Convention of 1976 and its amended protocols, which provide, among others things, for the notion of special protected areas; Agenda 21; the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities; and the various actions undertaken by the relevant international organizations of the United Nations system.

In the same context, it would also be appropriate to consider the idea of establishing an international mechanism to assist in repairing the damage to the marine environment resulting from activities in international zones in order to remedy any failure by operators. The problem of funding this kind of mechanism should be undertaken possibly by using a financing formula drawing upon the model of the World Bank Group's Global Environment Facility that provides for 10 to 20 per cent of its resources being set aside to protect international waters. Additionally, we believe that the General Assembly has a key role to play in the area of the protection and sustainable use of marine resources and, in particular, a role in guiding, monitoring and coordinating programmes established by the specialized bodies and institutions.

While deeply concerned with the overuse of marine resources and certain practices of over-fishing that constitute a serious threat to biological diversity and the balance of marine ecosystems, we urgently call for the adoption of all appropriate measures in order to maintain and renew fish stocks for future generations in accordance with the Johannesburg Plan of Implementation of the World Summit on Sustainable Development. We believe that the threat of exhausting living marine resources is particularly serious in the specific case of countries that are, like Tunisia, located in closed or semi-enclosed seas, who need fish resources to feed their people and in whose national economies fishing plays a key role. By virtue of their location, those countries could be considered geographically disadvantaged, and they deserve, in our opinion, to have specific remedies under international law to protect them from the threat of resource exhaustion in such areas.

**Mr. Talbot (Guyana):** The delegation of Guyana wishes to associate itself with the statements made by the representative of the Kingdom of Morocco on behalf of the Group of 77 and China and by the

representative of Jamaica on behalf of the Caribbean Community. I take the opportunity also to record our appreciation for the reports of the Secretary-General on agenda items 52 (a) and (b).

At the Conference on the Legal and Scientific Aspects of the Continental Shelf Limits, held in Reykjavik last June, the Under-Secretary-General for Legal Affairs characterized the 1982 Convention on the Law of the Sea as being perhaps one of the most important single achievements of the international community in the development of international law and its progressive codification. My delegation concurs with that assessment. The Convention is remarkable for its comprehensiveness and symmetry and reflects a measure of agreement on matters pertaining to the law of the sea that has never before been attained by the international community. That is true despite the fact that the international community has been significantly enlarged by the process of decolonization, which has had a multiplier effect on the number of independent, sovereign States. The enlargement of the international community necessarily generated new interests, particularly with respect to those new developing countries, which needed to be taken into account and accommodated as a consequence.

That those new interests were dealt with was certainly true in the case of the Convention — to which most of the States of the world are party — which effected a far more equitable distribution of marine resources than had previously been the case. That development was evidenced by the Convention's enlargement of the breadth of the territorial sea and, more importantly, by its establishment of the exclusive economic zone.

The Convention can also be seen as contributing significantly to the maintenance of international peace and security. One example is the proscription of the arbitrary exercise of jurisdiction on the high seas, which removes the uncertainties generated by a previous court decision and restores the international community's previous understanding that jurisdiction always rests with the flag State. Confusion on such a vital question could only lead to damaging and dangerous misunderstandings. Thankfully, in this area of international law that possibility has now been definitively eliminated.

Efforts to attain the full implementation of the Convention are still ongoing. Indeed, we have two

draft resolutions before us that call for the continuation of international collaborative efforts to that end.

With respect to the draft resolution on agenda item 52 (a), Guyana welcomes the concern expressed for capacity-building in developing States, which is a sine qua non of their full beneficial participation in matters pertaining to the law of the sea. We endorse the exhortation that developing countries should seek to improve their hydrographic services and their production of nautical charts and also, for those States with a claim to an extended continental shelf, to make timely submissions to the Commission on the Limits of the Continental Shelf. The deliberations of the second Conference on Maritime Delimitation in the Caribbean has made an important contribution to the advance of that process in the Caribbean.

In addition, we welcome the establishment of a trust fund that would enable developing countries to strengthen their capacities in that area and, hopefully, to make the required submissions in a timely manner. It is manifest that the heavy costs associated with that endeavour are not ones that can be readily accommodated in the budgets of many developing countries. Guyana therefore sees capacity-building as an eminently praiseworthy effort to enable such countries to present their claims — especially as the alternative is chaos, uncertainty and possibly even conflict. In that regard, the international community should strengthen mechanisms to support innovative, collaborative initiatives for the beneficial utilization of resources and for the peaceful resolution of disputes.

Guyana also shares the international community's concern with the protection of fragile marine ecosystems and the preservation of biodiversity, which are threatened by the unregulated use of the oceans. We applaud the recommendations for enhancing the safety of navigation and the strengthening of maritime administrations at the national level in furtherance of that goal.

Agenda item 52 (b) deals with sustainable fisheries and the conservation and management of straddling and highly migratory fish stocks. With respect to those fisheries that may be substantially confined to the exclusive economic zone of a single State, developing countries, notwithstanding their rights in respect of those stocks, may lack the wherewithal for the preservation of their sustainability. Overfishing by ships, lawfully or unlawfully within the

zone, is not uncommon, as the resources of such coastal States are often not sufficient for effective policing. Notwithstanding the best efforts of the affected States, we find there are a number of severely depleted fisheries around the world — a situation that calls for the increased involvement of the international community to conserve that marine resource. The delegation of Guyana is confident that the CARICOM Fisheries Resource Assessment and Management Programme provides an example of how international cooperation could be effected in relation to that issue and therefore anticipates the expansion and strengthening of that Programme.

In addition, in order to prevent unregulated use from resulting in the total disappearance of straddling and highly migratory fish stocks, it is imperative that the measures devised for the conservation and management of such stocks be continued and enlarged — as they represent a resource that transcends national jurisdictions. The affected States must also increase their collaboration. The absence of regulation in this critical area has, in the past, precipitated many disasters, the repetition of which should not be condoned. It is in the interest of the global community that those species be protected and preserved through renewed efforts in international cooperation.

We live in an era of what can justly be called kaleidoscopic change. Some of our legal concerns have been prompted by technological developments and the contemporary focus on international protection of the environment derives from the realization of the disastrous consequences of neglecting transnational cooperation in that realm. That, inevitably, is also true for the law of the sea, where international collaboration for the benefit of all proceeds apace — a process emblematic of the greater reality that we are all being drawn ever more closely together.

We look forward to the strengthening of such collaboration through the full implementation of the Convention.

**Mr. Pujalte** (Mexico) (*spoke in Spanish*): First of all, my delegation completely associates itself with the statement that was made by Peru on behalf of the Rio Group. In addition, we want to express our appreciation to the coordinators of the two draft resolutions, Ms. Elana Geddis of New Zealand and Mr. Colin McIlff of the United States. We also acknowledge Ambassador Felipe Paolillo of Uruguay and Mr. Philip

Burgess of Australia, for their effective and excellent work as Co-Chairmen of the fourth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. As we can see, both draft resolutions drew significantly upon the results of that meeting. Likewise, we want to pay a special tribute to Mrs. Annick de Marffy for her work in recent years as Director of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs. Her firm commitment and enthusiasm for the law of the sea have continued to imprint on the Division the dynamism and high quality that are essential ingredients of today's law of the sea.

Mexico is a country that considers that the item "Oceans and the law of the sea" is of strategic importance. The work of the General Assembly in this area deserves our complete attention and support, as we are a nation located between seas. We are aware that the problems of marine spaces are not only closely interrelated and that they have to be considered as a whole, but also that they must also be dealt with from an interdisciplinary, intersectoral and integrated viewpoint.

As in years gone by, the draft resolution on oceans and the law of the sea (A/58/L.19) constitutes a real guide to lead the international community towards the attainment of its objectives for the promotion of international peace and security, broader cooperation and the sustainable development of the oceans and seas. One of these objectives is the preservation and protection of the marine environment.

The draft resolution gives special attention to the protection of fragile or vulnerable marine ecosystems. This has great meaning for Mexico because of our concern about the harm to coral reefs caused by physical impacts of ships that run aground or that collide. We believe that the draft resolution represents an important step towards promoting cooperative action at all levels regarding exchange of information, the development of liability and compensation systems in accordance with article 235 of the Convention and with the Convention on Biological Diversity, and the creation of economic assessment techniques for recovery purposes as well as the value of the non-use of all types of coral reefs.

In addition to this, Mexico is convinced that there is a close relationship between the protection of vulnerable marine ecosystems and the safety of

navigation. Accurate nautical charts are essential also for the protection of vulnerable marine ecosystems such as coral reefs, insofar as they reduce the possibility of accidents or collisions that have an impact on human life, and particularly on the marine environment.

We therefore welcome the fact that the draft resolution reflects this close link between the two areas, and that it welcomes the work of the International Hydrographic Organization in providing technical assistance. It also underlines the need for capacity-building and for improving the hydrographic services of developing countries. In that context, we appeal to the financial institutions and to the donor community to redouble their efforts to promote capacity-building in the developing countries for the preparation of nautical charts.

Another necessary tool set forth in the Convention and in other international instruments for the conservation of the marine environment is the development of contingency plans in case of incidents of marine pollution or other incidents that have a potentially adverse impact on marine biodiversity. Having contingency plans for emergencies is not only in accordance with conventional law but is also necessary in order to meet the obligations of general international law regarding cooperation to prevent and mitigate transboundary environmental damage. For this reason, we welcome the fact that the draft resolution encourages States to speed work towards this type of agreement.

Likewise, States must continue to test ways of preserving the marine environment within and outside areas of national jurisdiction. The international community should act with greater resolve in this field. At present there are certain tools for this purpose such as the particularly sensitive areas established by the International Maritime Organization, and the marine protected areas. The latter will be studied at the forthcoming meeting of the Conference of the Parties to the Convention on Biological Diversity.

One subject that is of priority to the Mexican Government is regional cooperation for the comprehensive management of the oceans, and especially for the effective implementation of the Convention, particularly as regards the establishment of geographical data and maritime delimitation. We are convinced that regional initiatives, such as the

Caribbean Conference on Maritime Delimitation, constitute useful tools in the promotion of cooperation and understanding among nations that share the same region. There is no doubt that my country will continue to support this effort, which could become a real technical forum to facilitate compliance with obligations under the Convention regarding maritime areas.

Mexico supports the work of the International Seabed Authority, and we encourage it to continue to make resolute progress in order to regulate the prospecting and exploration for polymetallic sulfides and cobalt-rich ferromanganese crusts. Mexico believes that the International Seabed Authority has a very important role to play in the conservation and protection of living marine resources in the Area. My delegation believes that there should be a further study of the overall competence of the Authority to prevent damage to the living resources of the Area in the light of the provisions of the Convention and of contemporary international environmental law. We believe that the Authority cannot be uninvolved in the overall obligation to conserve and protect the marine environment.

Likewise, marine scientific research in the Area, which must be conducted exclusively for peaceful purposes and for the benefit of all mankind, is an instrument for promoting international cooperation and capacity-building for the developing countries. An attempt is being made to establish differences that seem artificial between the concept of marine scientific research in the Area and bioprospecting. Although the Convention makes no explicit mention of it, bioprospecting is an element or component implicit in marine scientific research. We urge the Authority to continue to deal with these matters, which are of prime importance.

Turning to matters related to biodiversity in the international seabed, my delegation welcomes the fact that at its fifth meeting the Consultative Process will take up the subject of its preservation and management. This is a good opportunity to consider questions related to the preservation and sustainable use of the components of deep-sea biodiversity. This is an important development, because similar subjects will be examined at the Seventh Meeting of the Conference of the Parties to the Convention on Biological Diversity, which is to be held in Kuala Lumpur, Malaysia, from 9 to 20 February 2004. For this reason,



we are pleased to note that the draft resolution takes due note of the scientific and technical work that is being done under the Convention on Biological Diversity. In this context, the addendum to the next annual report of the Secretary-General on risks and threats to vulnerable ecosystems in areas beyond national jurisdiction will provide us with important elements to consider at the next meeting of the Consultative Process. We also look forward to the observations of the Secretary-General in his report on fisheries, which will include a section on the risks to biodiversity of the vulnerable marine ecosystems that are related to fishing activities.

We must recognize that a large part of the environmental deterioration of coastal and marine areas is caused by land-based activities. The adverse effects of these activities on the marine environment are well documented. In this context, we attach special importance to the efforts being made by the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. Likewise, we welcome the fact that the draft resolution emphasizes the links between fresh water and the resources of marine and coastal areas in the implementation of the Millennium Development Goals, taking into account the timetables of the Johannesburg Plan of Action and the Monterrey Consensus on Financing for Development.

The draft resolution on sustainable fisheries reflects a number of important elements for the conservation and management of sharks. Mexico promotes their integral and sustainable use, and we note that the draft resolution places the subject in proper perspective. In this regard the Food and Agriculture Organization of the United Nations (FAO) is the competent organization to conduct comprehensive studies on this subject in the framework of its International Plan of Action for sharks in which due account is taken of the role of artisanal shark fishing. Indeed, Mexico considers it important to promote the conservation and management of sharks just like any other type of fish stock, and, towards this end, effective inter-agency coordination is fundamental.

My delegation also welcomes the fact that there is a section included in this draft resolution dealing with the management of fishing capacities in keeping with FAO's International Plan. My delegation wishes to emphasize the fact that measures should be taken to

avoid the transfer of capacities to other fisheries and to other areas, including those areas where fishing resources are depleted or where there has been overfishing.

Mexico is pleased to see that the draft resolution on oceans describes steps to be followed for the establishment in 2004 of a regular process for global assessment of the state of the marine environment, including socio-economic aspects. My delegation is prepared to contribute to that process, and we welcome the generous offer from the Government of Iceland to host the intergovernmental meeting in which this process will formally be established.

**Mr. Andjaba** (Namibia): My delegation welcomes this joint debate on the agenda item entitled "Oceans and the law of the sea", and the two draft resolutions thereunder, both of which Namibia is very happy to co-sponsor.

Namibia associates itself with the statement presented by the representative of Morocco on behalf of the Group of 77 and China. I would therefore like to add a few comments in my national capacity.

I should first of all like to thank the Secretary-General and the co-chairpersons of the Consultative Process for their comprehensive reports.

Namibia is blessed with a coastline of approximately 1500 kilometres. Hence, Namibia's territorial sea, contiguous zone, exclusive economic zone and continental shelf are correspondingly large.

This magnificent natural endowment, in terms of its beauty, recreational value or abundance of living and non-living natural resources, is held very dearly by the Namibian Government.

It is for this reason that Namibia adheres closely to the law of the sea and, in particular, the United Nations Convention on the Law of the Sea (UNCLOS). Namibia is also a party to a number of subsidiary and related agreements, including the United Nations Fish Stocks Agreement, the Compliance Agreement of the Food and Agriculture Organization of the United Nations (FAO), the International Convention for the Conservation of Atlantic Tunas, the Convention on the Conservation of Antarctic Marine Living Resources, as well as some key International Maritime Organization treaties.

Most of these international instruments have been largely internalized into Namibian domestic law through the Territorial Sea and Exclusive Economic Zone of Namibia Act and the Namibian Marine Resources Act, which have, in turn, been implemented and enforced effectively. Some new obligations, in fact, prompted us to update and revise our 1992 Sea Fisheries Act, replacing it on 1 August 2001 with the Marine Resources Act.

According to the Act, for any fisheries or international agreement entered into by Namibia, the Minister is empowered to make the regulations necessary to give effect to that agreement. Texts of all conservation and management measures adopted under any international agreement to which Namibia is a party are published in the Government Gazette, and thus such measures are then deemed to be a regulation as prescribed under the Act. Control over Namibian-flag fishing vessels operating outside Namibian waters is ensured through the requirement for a specific licence.

These provisions are instrumental in ensuring that Namibian fishing vessels do not engage in illegal, unreported and unregulated (IUU) fishing activities outside Namibian waters.

It must also be mentioned that Namibian regulations often go beyond our international obligations. For example, our domestic law explicitly bans shark finning.

Namibia also actively participates in the activities of a number of organizations engaged in ocean governance, including, and in addition to the ones already mentioned, FAO and the International Seabed Authority. Apart from implementing and enforcing a number of international treaties internally, through both legislative and regulatory measures, Namibia has also been active at the international level of implementation. Together with adjacent coastal States and other interested parties, Namibia played a significant role in the negotiations leading up to the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean, which provides for the establishment of the South East Atlantic Fisheries Organization (SEAFO). The Convention to establish the SEAFO regional fisheries management organization was signed under the framework established by the 1995 United Nations Fish Stocks Agreement.

My delegation is very pleased that draft resolution A/58/L.8 on sustainable fisheries, in its operative paragraph 7,

“Welcomes the entry into force of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean on 13 April 2003, and invites signatory States and other States with real interest whose vessels fish in the Convention area for fishery resources covered by that Convention to ratify or accede to the Convention”.

While highly appreciating the ratifications of Norway and the European Union, Namibia reiterates the call for further ratifications or accessions, particularly by adjacent coastal States, in order to provide the necessary impetus and momentum to our fledgling regional fisheries management organization, SEAFO.

My delegation is equally pleased that the omnibus draft resolution on oceans and the law of the sea before us in document A/58/L.19 now also recognizes the special capacity-building needs of, amongst others, coastal African States. We trust that this is only a small step towards enabling those coastal States to play a more active and self-rewarding, as well as globally beneficial, role in ocean governance.

Both draft resolutions correctly recognize the pivotal importance of capacity-building in ensuring the successful and complete implementation of the United Nations Convention on the Law of the Sea, as well as in ensuring the concomitant equitable long-term sustainable utilization of our oceans. Namibia calls on those countries that can to continue to contribute to the existing capacity-building opportunities and relevant trust funds, and on those countries that need assistance to make use of these opportunities. In this regard, Namibia also welcomes the imminent establishment of the Assistance Fund as provided for in paragraph 10 of the draft resolution on sustainable fisheries before us in document A/58/L.18.

At this point, I would like to mention some of my Government's other concerns. National efforts and international cooperation to combat illegal, unreported and unregulated fishing must be strengthened. States need to exercise more control over their nationals who engage in such fishing. The more widespread internationally the control of nationals and the development of effective extradition agreements

covering such fishing, the more effective such controls will be. Without control of nationals, countries whose nationals engage in or benefit from illegal, unreported and unregulated fishing can deny any responsibility.

It must be emphasized that certain countries need to set an example in acting to control their nationals, particularly given the large amount of beneficial ownership these countries have in fishing vessels flagged to operate registers, while carrying masters and crew of their own origin. In this regard, I might add that the Convention on the South-East Atlantic Fisheries Organization contains specific provisions for contracting parties to accept responsibility for their fishing industry and nationals operating in the Convention area. The very existence of these provisions will serve as an effective deterrent, since nationals contemplating illegal, unreported and unregulated fishing will think twice because of the probability of severe financial penalties upon returning to their country of nationality.

The FAO International Plan Of Action for the Conservation and Management of Sharks is highly laudable, and as a member of the FAO, Namibia supports the Plan. The problem is, however, that the various FAO international plans of action are voluntary instruments. They are not legally binding and hence, by their very nature, lack teeth. It is for these reasons that Namibia has argued in various forums that legally binding instruments are the best option to improve responsibility of flag States over their vessels that engage in unsustainable fishing practices. In support of this position, my delegation wishes to highlight section 31 of the Plan of Implementation adopted at the World Summit on Sustainable Development.

I would be remiss if I did not thank the coordinators of the informal consultations on the two draft resolutions for their significant efforts. I refer here to the representatives of New Zealand and the United States of America. Our appreciation also goes to the Secretary-General for the efficient advice and services rendered to Member States through the Division for Ocean Affairs and the Law of the Sea.

Finally, I would also like to thank the Director of the Division, Mrs. De Marffy, for her many years of dedicated and invaluable service to the development and maintenance of ocean affairs and the law of the sea. I understand that she is about to retire; may her

well-deserved imminent retirement be a happy and long one.

**Mr. Chun Yung-woo** (Republic of Korea): My delegation thanks the Secretary-General for his comprehensive annual report on the oceans and law of the sea (A/58/65 and Add.1). We commend in particular the Secretariat's Division for Ocean Affairs and the Law of the Sea for its dedicated efforts to facilitate international coordination and cooperation on ocean governance.

We further commend the participants and coordinators of the informal consultations for preparing the draft resolutions before us in documents A/58/L.18 and L.19. My delegation views the two draft resolutions as useful means for strengthening the cooperative framework for the use and management of the oceans and sea as well as for promoting the conservation and sustainable development of marine resources.

We also pay tribute to the open-ended Informal Consultative Process on Oceans and the Law of the Sea for its important work in enhancing international cooperation in the field of ocean governance.

Remarkable progress has been achieved over the last two decades in the fields of international maritime trade and transport and oceans development. Indeed, it has surpassed our expectations. We are particularly pleased to note today that the number of parties to the United Nations Convention on the Law of the Sea has reached 145, and that the number of parties to the Agreement relating to the implementation of Part XI has increased to 117. Given the centrality of the Convention as the global legal framework for the governance of the oceans and the seas, we urge those States that have not yet done so to accede to it as soon as possible. Nevertheless, achieving the universality of the Convention in and of itself will not guarantee its effectiveness and applicability as the global legal framework for the oceans and the sea. Therefore, we underline the importance of all parties to the Convention taking the due domestic measures necessary to ensure its expeditious implementation.

As the implementing mechanisms of the Convention, the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf also have vital roles to play in accomplishing the objectives of the Convention. We are pleased to note

that those three bodies have established themselves as central international institutions in implementing the Convention. We hope that, as we go forward, more weight will be given to their work.

Today, some of the daunting challenges facing the international community involve trafficking in weapons of mass destruction, narcotics and even human beings. Increasingly, maritime transport has been the chosen means of such illicit trafficking. We believe that the international community should take concerted and coordinated action to combat this global threat. For the Republic of Korea, a seafaring country, the safety of maritime navigation is a matter of great concern. We are strongly committed to maintaining peace and security on all the seas of the world, and we will continue to actively participate in international efforts to that end.

This year, in response to the threat of terrorism at sea, the Republic of Korea acceded to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol.

Furthermore, to help eradicate the problem of piracy and armed robbery against ships, which is currently plaguing the waters of South-East Asia, the Republic of Korea has been closely cooperating with 15 other countries from the Asian region to develop a regional cooperation agreement on anti-piracy in Asia. We welcome the recent adoption of the final text of the agreement.

The Republic of Korea attaches great importance to the protection and conservation of the marine environment and of marine resources. As a responsible fishing country and as the country with the second-highest per capita consumption of fish in the world, the Republic of Korea has a vital stake in the sustainable use and management of living marine resources. In April of this year, we became the twenty-fifth State to accept the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, thereby allowing the Agreement to enter into force. As a State party to the Compliance Agreement, the Republic of Korea will make its best effort to ensure the conservation and sustainable use of living marine resources on the high seas through the faithful implementation of the Convention. We also actively participate in various global, regional and subregional fisheries management organizations and arrangements, in accordance with the

principles set out in the United Nations Convention on the Law of the Sea. In addition, as a State party to the Convention on Biological Diversity and to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Republic of Korea will work closely with other States to deal with threats to marine biodiversity.

The Republic of Korea fully subscribes to the view that in order to achieve the conservation, management and sustainable use of living marine resources, closer international cooperation is imperative to prevent, deter and eliminate illegal, unreported and unregulated fishing activities. In that connection, it is important that the international community set priorities for the necessary measures to be taken. The role of marine science and technology is crucial in providing the data and evidence to allow the international community to optimize its resources to carry out the necessary measures. In that regard, we underscore the importance of scientific and technical cooperation through the exchange of data and information and through joint research activities in ocean affairs.

For a long time now, the international community has been collaborating to find common ground from which to best ensure the safe transport, sustainable use and management of the world's marine resources. The United Nations has provided an indispensable forum for interested parties to engage in constructive dialogue and discussions on these important issues. The Republic of Korea believes that those efforts will strengthen global peace and prosperity. In conclusion, we reiterate our abiding commitment to the ongoing process of ensuring sound governance of the oceans and seas.

**Ms. Bethel (Bahamas):** The Bahamas aligns itself with the statements made by the representatives of Morocco, on behalf of the Group of 77 and China, and of Jamaica, on behalf of the Caribbean Community. We wish to offer a few additional comments from our own national perspective.

We would like to thank the Secretary-General for his annual comprehensive report on this agenda item, which is contained in document A/58/65. We acknowledge that the Secretariat has a difficult task in meeting the page limits stipulated for reports, among other restrictions. We appreciate its very focused contribution to our work.

The Bahamas is an archipelago of some 700 islands, 22 of which are inhabited, and the maritime transport of goods and people has always been an essential part of Bahamian life. At the same time, as one of the world's largest areas of coral reef, its geological structure has ensured that the protection of the marine environment has been given a high priority. The Bahamas is committed to safe sea transport and to the need for environmental protection. It is on those areas that I would wish to focus my comments.

For the Bahamas, cooperation and coordination are critical to the aims of safe maritime transport and the protection of our fragile maritime environment. As a reflection of my Government's commitment in those areas, the Bahamas acceded to the 1982 United Nations Convention on the Law of the Sea, the major international conventions administered by the International Maritime Organization (IMO), the Convention for the Prevention of Marine Pollution from Land-based Sources and International Labour Organization's Convention concerning Minimum Standards in Merchant Ships (Convention No. 147). Equally important, the Bahamas has steadily maintained active representation in all the committees and sub-committees of the IMO.

The Bahamas has operated its ship registry since 1976. There are now over 1,400 ships worldwide registered under the Bahamian flag, totalling approximately 35 million gross tons. Accordingly, the Bahamas has the third largest ship register in the world. That register is still growing, with its ships having a decreasing age profile. The Bahamas exercises utmost due diligence in this regard, and the Bahamas Maritime Authority has clear, well-defined policies regarding the de-listing of ships from the Bahamas register that do not meet national and international standards. The Bahamas registry's port State control detention record remains well below industry average, and has improved consistently each year.

As a responsible member of the shipping community, the Bahamas served on the IMO Council from 1991 to 1995. It has currently been serving on that Council since 1999. The Bahamas has presented its candidature for re-election to the Council under category C, the elections for which will be held this week on Friday, 28 November, during the IMO Assembly to be held in London. The Bahamas is at present the sole Caribbean State represented on the Council. As in previous years, our candidacy has been

endorsed by the States members of the Caribbean Community.

While on the IMO Council, the Bahamas has engaged in constructive cooperation with fellow members towards the implementation of IMO resolutions and decisions by submitting constructive forward-looking proposals to foster the organization's goal of maintaining the highest standards of maritime safety, efficiency of navigation and protection of the marine environment. Examples of that cooperation and constructive engagement include a paper recently submitted by the Bahamas regarding places of refuge, which is an issue of critical importance to enhancing maritime safety and cooperation between States engaged in various maritime activities.

With regard to the protection of vulnerable marine ecosystems, the Bahamas exclusive fisheries zone covers some 260,000 square miles of islands, banks, reefs, shipping lanes and pelagic fisheries. Notably, on the windward side of our islands are extensive fringing coral reefs. There are also considerable areas of patch reefs and sea-grass beds to be found on the banks. Collectively, the shallow seas of the Bahamas provide the largest body of coral reef and other marine organisms in the Atlantic-Caribbean region. The Government of the Bahamas, having very early realized the importance of maintaining a healthy and vibrant marine ecosystem, has established five marine protected areas throughout the archipelago and has identified an additional eight potential sites. In fact, the largest of the established marine protected areas — the Exuma Land and Sea Park — was established as early as 1959, some 44 years ago.

The Bahamas is geographically located along the migratory route of a vast number of marine and terrestrial species. Humpback whales migrate in the winter from the north Atlantic to the southern end of our archipelago, where they spawn. Other pelagic species move through our islands throughout the year.

Tourism is our main industry; but tourism has not always been an environmentally friendly activity. Certain practices and behaviours have had a negative impact on our fragile ecosystem. The challenge for the Bahamas therefore is to continue to develop our tourism product in an ecologically sensitive matter. Tourism thrives because of the natural beauty of the land, the sea and the marine life in our region. The Bahamas therefore remains committed to ensuring the

sustainability of that environment for its economic survival and social development. The establishment of the Sustainable Tourism Unit within the Ministry of Tourism is the driving force behind the development of a set of sustainable-tourism policy guidelines. In conjunction with the Bahamas Environment Science and Technology Commission, much has been accomplished in raising the awareness of the importance of a clean and healthy environment for our people and for the visitors who come to our shores.

In addition, because international shipping lanes traverse our territorial waters, the potential for marine degradation is very high. The Bahamas will continue to take the necessary steps to ensure that vessels transiting our waters comply with international standards. Moreover, the Bahamas continues to express its concern over the transport of nuclear waste and other hazardous materials through its waters — and, indeed, through the Caribbean Sea. We join other like-minded States in the call for the immediate cessation of such practices in order to prevent any occurrence of accidents that could seriously threaten the sustainable development of our country and the health of our people.

The constraints faced by the Bahamas in its efforts to protect and maintain our vulnerable marine ecosystems are the same as those faced by every other small island developing State — and, indeed, by other developing countries. Those constraints include inadequate human, financial and technical resources and capabilities. In that regard, we continue to seek assistance in the area of capacity-building. We are pleased that by adopting the draft resolution that is before us during this session, the General Assembly would acknowledge the essential need for capacity-building to ensure that all States, in particular least-developed countries and small island developing States, are able both to implement the United Nations

Convention on the Law of the Sea and to benefit from the sustainable development of the oceans and the seas.

In conclusion, I would like to reiterate that the Government of the Bahamas is strongly committed to cooperation and coordination with other States in the implementation of international regulations designed to ensure the safety of maritime activity and to protect the marine environment. In that context, the Bahamas actively participated in the fourth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which was held in June of this year. We view the Process as a means through which all States are able to engage in constructive dialogue and to make concrete recommendations to achieve our common goals. We look forward to the continued growth and increased benefit of the Process.

#### **Programme of work**

**The President:** Before giving the floor to the next speaker, I would like to make an announcement regarding the programme of work of the plenary of the General Assembly. On Monday, 8 December 2003, in the morning, the General Assembly will take up the reports of the First Committee. In the afternoon of Monday, 8 December, the Assembly will take up the reports of the Sixth Committee. On Tuesday, 9 December, in the morning, the Assembly will take up the reports of the Fourth Committee.

Before adjourning the meeting, I would like to say that, as a number of delegations have mentioned, today's will be the last General Assembly meetings for Mrs. Annick De Marffy, Director of the Division for Ocean Affairs and the Law of the Sea. Her contribution to this field has been truly significant, and I would like the Assembly to give her a round of applause in appreciation. We wish her well.

*The meeting rose at 1.15 p.m.*